

BOLIVIA

Historically, Bolivia is characterized by net emigration.¹ The official numbers of Bolivian emigrants vary significantly. Whereas the national census has stated that around 700,000 Bolivians reside abroad,² higher numbers have been found: According to the Bolivian Foreign Ministry, an estimated 20% of the Bolivian population (i.e. 2.1 out of 10 million, in 2012) lives outside the country;³ and a non-governmental organization estimated that up to a quarter of the Bolivian population has emigrated.⁴

Whereas emigration to Argentina – the main destination, with an estimated share of 1.2 million compatriots – dates back to the 19th century, emigration to other countries such as the USA and Brazil (around 200,000, respectively) are more recent.⁵ With the economic crisis in Argentina in 2000 and the tightened migration politics in the USA after 9/11, Bolivians started to immigrate massively to Spain, mainly between 2002 and 2007 (currently around 210,000).⁶ With the economic crisis in Spain, combined with restrictive EU migration policies, numerous Bolivians decided to return to Bolivia or to emigrate to South American countries such as Chile and Brazil.⁷ The estimates assume that many of the Bolivian emigrants live in an irregular and thus vulnerable situation. Nevertheless, within South American countries, living conditions for Bolivians have improved considerably, thanks to bilateral/multilateral treaties. For instance, Bolivian workers are enabled to live up to two years (with the possibility of prolonging this permission, or even get an unlimited visa) almost throughout the continent, and in Argentina, in addition, they have access to health, education and other social services. Only the new regulation on Bolivian nationality (2004), which provides the possibility of (re)incorporating Bolivian emigrants into the Bolivian community (by uncoupling the criteria Bolivian nationality and territoriality), gives a first prospect of a forthcoming crucial change in emigrant politics.

But it was not until current president Evo Morales' taking office, when emigration politics, and, in this line, the discourse about the Bolivian diaspora,

1 Pereira Morató, René, "Perfil migratorio de Bolivia," 9.

2 Ibid. 36.

3 Ministerio de Trabajo, Empleo y Previsión Social, "Protección de los derechos de los migrantes andinos y la trata de personas," 3.

4 Grupo de Trabajo sobre Migraciones, "Balance de Ley de Migración."

5 Pereira Morató, René, "Perfil migratorio de Bolivia," 36.

6 Ministerio de Trabajo, Empleo y Previsión Social, "Protección de los derechos de los migrantes andinos y la trata de personas," 3.

7 Hinojosa Gordonova, Alfonso, "Bolivia: Diaspora and emigration policies," 8; Gobiernos Mercosur, Bolivia y Chile, "Acuerdo sobre residencia para nacionales de los estados partes del Mercosur, Bolivia y Chile," Art.4 and 5.

changed fundamentally: In a time when migration became more visible anyway, due to considerable return flows in the context of the international economic crisis and permanent high emigration flows due to the country's own economic distress, Bolivian diaspora appeared on the political agenda of the President and his government, in line with its general focus on traditionally marginalized groups.⁸

In recent years, Bolivia has not only broadened its consular network, but also strengthened international migrant cooperation, especially within South America.⁹ However, Bolivia does not have an institution in charge of emigrant issues. Although steps taken within the last few years have improved Bolivian emigrants' living conditions considerably, the reach of Bolivia's emigrant policies is still quite limited. This is not only due to financial, technological and institutional limits, but also because many emigrants are still living beyond state structures, as many of them are undocumented and are used to making a living without public help.

CITIZENSHIP/NATIONALITY

DUAL OR MULTIPLE NATIONALITY REGULATION

Since 2004, Bolivian law allows dual nationality for all Bolivian citizens. The current Constitution, implemented in 2009 grants Bolivians the right to apply for further nationalities without renouncing their Bolivian nationality, just as foreigners are not required to renounce their original nationality.¹⁰ As a consequence, previous accords on dual nationality have become irrelevant.

The Migration Law states that naturalized citizens have the same rights as Bolivians by birth.¹¹ This implies that multiple nationalities do not have negative effects on citizen rights.

The Bolivian Constitution establishes that children of Bolivians (only 1st generation) may apply for Bolivian nationality although they are born abroad.¹²

Bolivian law makes no distinction between Bolivian nationality and Bolivian citizenship (i.e., Bolivians automatically are Bolivian citizens).

8 Lafleur, Jean-Michel, Hinojosa Gordonava, and Domenech, Eduardo, "Surgimiento y desarrollo del 'Voto en el exterior' en el 'Proceso de cambio' boliviano." 58.

9 Hinojosa Gordonava, Alfonso, *Análisis descriptivo de las instituciones responsables de la gestión de las políticas migratorias en Bolivia, Colombia, Ecuador y Perú*, 9.

10 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art.143.

11 Asamblea Legislativa Plurinacional, *Ley 370. Ley de Migración*, Art. 40.

12 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art. 141.

LOSS OF CITIZENSHIP/NATIONALITY

The Constitution does not establish residence abroad as a criterion for losing political rights. These can only be lost in case of taking up arms against Bolivia, embezzling public resources, or betraying the country.¹³

DIFFERENT RIGHTS FOR EXTERNAL CITIZENS

There are no significant differences in citizen rights and duties for persons who reside outside Bolivia.

SUFFRAGE

VOTING RIGHTS OF NON-RESIDENT CITIZENS

Before the implementation of the new Constitution (in 2009), Bolivian law did not preclude non-residents from voting. At the same time, it did not offer any provision for external voting, nor financial incentives to travel back to Bolivia in order to vote in the home circumscription. The current Constitution provides the possibility for external participation in presidential and vice presidential elections and national referenda.¹⁴ Furthermore, it establishes that voting and voting registry for non-residents are voluntary,¹⁵ whereas for residents, it is both compulsory and automatic.¹⁶ The Electoral Law states that the Supreme Electoral Court (*Tribunal Superior Electoral, TSE*) will open polling stations in those countries where Bolivia has a permanent diplomatic or consular representation, and where Bolivians have registered on the electoral roll prior to the elections.¹⁷ For the 2014 general elections, the TSE determined that external elections would be held in 69 cities in 33 countries.¹⁸

External participation in presidential and vice-presidential elections, as well as national referenda, is granted by the Constitution¹⁹ and Electoral Law,²⁰ providing that they are of age (18) and have registered in the external electoral roll. Non-resident Bolivians may not vote abroad for the national legislature or for regional elections.

CANDIDACY RIGHTS OF NON-RESIDENT CITIZENS

Bolivian law does not allow non-residents to stand for election in any case.

13 Ibid. Art. 28.

14 Ibid. Art. 27.

15 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 205.

16 Ibid. Art. 43.

17 Ibid. Art. 200.

18 Tribunal Supremo Electoral Órgano Electoral Plurinacional, "Elecciones Generales 2014 en Democracia Intercultural," 31.

19 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art. 27, I.

20 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 199.

In order to be a candidate for president is the uninterrupted residence of 5 years prior to the elections.²¹ For the national, regional, and local legislative assemblies, as well as regional and local executive positions, the residence criterion is two years.²²

VOTING METHODS AVAILABLE TO NON-RESIDENT CITIZENS

Bolivian non-residents may vote in consulates: The Electoral Law indicates that the TSE will establish polling stations in countries where Bolivians have registered on the electoral roll.²³ There are no provisions for proxy, postal, or electronic voting.

Theoretically, it is possible for non-resident Bolivians to vote in the country. Those who have not registered on the electoral roll abroad (and have not informed any public institutions about their emigration) may travel back to their home circumscription in order to vote there. However, Bolivians are excluded from the list of enfranchised voters after having missed two consecutive elections.²⁴ Furthermore, Bolivian citizens are obligated to inform the government of any change in residence.²⁵ These regulations mean that returning to Bolivia to vote is highly unpractical.

REGISTRATION FOR FRANCHISE

The Electoral Law establishes that the electoral roll is updated automatically, meaning that resident Bolivians are automatically registered to vote.²⁶ Bolivian emigrants, however, have to register on the external electoral roll at their nearest consulate.²⁷ This registration is voluntary.

MODE OF REPRESENTATION

As external franchise is restricted to (vice-)presidential elections and national referenda, Bolivian emigrants are not specifically represented in the government.

21 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art. 167.

22 Ibid. Art. 285; Tribunal Supremo Electoral, *Reglamento para la Elección de la Máxima Autoridad del Órgano Ejecutivo Departamental*, Art. 50.

23 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 200.

24 Asamblea Legislativa Plurinacional, *Ley 018. Ley del Órgano Electoral Plurinacional*, Art. 77.

25 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 99.

26 Ibid. Art. 99.

27 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia* Art. 27; Consejo de Ministros, *Decreto Supremo 0003. Registro y Empadronamiento de los bolivianos en el exterior*, Art. 2.

EXTERNAL VOTING IMPLEMENTATION

Faced with a considerable opposition to the implementation of external vote, president Morales decided to implement a transitional law that limited the external voting impact by establishing that the external registry could not exceed 6% of the national registry.²⁸ Furthermore, external franchise was limited to the four countries where most Bolivians lived in 2009: Argentina, Brazil, Spain, and the USA. Although this law was an important step towards the implementation of external franchise, it was in conflict with the Electoral Law, which establishes that polling stations must be opened in all countries where Bolivians have registered in the external electoral register and where Bolivia has a diplomatic or consular representation.²⁹

The Constitution offers the possibility for a broadening of external franchise in the future for nonresidents to participate in legislative or regional elections.³⁰

REGULATION OF POLITICAL COMPETITION

The most important laws regarding political competition are, besides the Constitution, the Party Law (1983) and the Electoral Law (026), as well as the Law of the Electoral Institution (018). Whereas the latter ones have been developed on the base of the new Constitution, the Party Law was implemented in 1999, when external voting did not exist. As a consequence, external political competition is not regulated by that law.

PARTY OFFICES IN HOST COUNTRIES

Neither the Constitution, nor the Electoral Law,³¹ nor the Party Law³² mention the permission or prohibition of external party offices.

At the moment, Bolivian parties do not have external permanent offices.³³

POLITICAL CAMPAIGNS

All electoral processes conducted abroad are subject to the same legal dispositions established in the Electoral Law,³⁴ which establishes that the external

28 Honorable Congreso Nacional, *Ley 4021. Régimen Electoral Transitorio*, Art. 47

29 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 200.

30 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art. 27.

31 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*.

32 Honorable Congreso Nacional, *Ley 1983. Ley de Partidos Políticos*.

33 Lafleur, Jean-Michel and Sánchez-Domínguez, María, "The Political Choices of Emigrants Voting in Home Country Elections: A Socio-Political Analysis of the Electoral Behaviour of Bolivian External Voters."

34 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 206.

electoral propaganda will be regulated by the Supreme Electoral Court. This means that for the moment, there are no specific rules for external political campaigns.

Political parties in Bolivia receive public funding, both in times of electoral campaigns and outside electoral campaigns³⁵ and therefore may invest in external offices or campaigns. However, political parties must finance travels of their delegates abroad themselves.³⁶

While emigrant Bolivians do not constitute a large constituency, there have been some international campaigns by parties for the 2015 presidential elections.³⁷

According to interviews conducted in the context of the 2009 general elections, only 3% of the voters in Argentina, Brazil, USA and Spain had obtained information about the elections via party propaganda, and 1% via electoral events within the parties' voting campaigns; whereas the vast majority (65%) got informed via general information in media (print media, TV, radio).³⁸

MEMBERSHIP

Emigrant membership in political parties or internal candidacy rights is not restricted in the respective laws,³⁹ nor in any party statute.⁴⁰

INSTITUTIONAL PARTICIPATION

CONSULTATIVE BODIES AT THE NATIONAL LEVEL

Bolivia doesn't have a consultative body for emigrant issues at the national level.

35 Honorable Congreso Nacional, *Ley 1983. Ley de Partidos Políticos*, Art. 52 and 53.

36 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*, Art. 206, paragraph f.

37 Mealla, Luis, "Solo el MAS y PVB confirmaron viajes al exterior para hacer campaña electoral."

38 Lafleur, "Conclusiones. Ciudadanos en el exterior y participación electoral transnacional: Lecciones de la primera experiencia boliviana de voto en el exterior en las elecciones presidenciales del 2009," 161. Information obtained by the interview "Voto del emigrante boliviano."

39 Asamblea Legislativa Plurinacional, *Ley 026. Ley del Régimen Electoral*; Honorable Congreso Nacional, *Ley 1983. Ley de Partidos Políticos*.

40 Movimiento al Socialismo, "Estatuto Movimiento al Socialismo - Instrumento Político por la soberanía de los pueblos"; Movimiento Sin Miedo, "Movimiento Sin Miedo. Estatuto Orgánico"; Frente de Unidad Nacional, "Estatuto de La Unidad Nacional."

ADMINISTRATION

CONSULATES

In 2014, there were 80 consulates: 16 Consulates general; 30 regular consulates; four vice consulates; 30 honorary consulates.⁴¹ In the same year, Bolivia also maintained 35 embassies.⁴²

Furthermore, the consular network is broadened by mobile consulates and brigades as well as consular cooperation between the Mercosur members, Bolivia and Chile: Consulates of those countries offer consular services to the citizens of those member countries in countries where their home countries do not have consular representation.⁴³

The consular network has improved in recent years, as Bolivia has increased the budget for consular services⁴⁴ in order to employ more consular staff, improve technological equipment, and support a broadened and more effective service to Bolivians via mobile consulates.⁴⁵

Besides traditional consular functions, Bolivian consulates offer legal consultation and, if necessary, assistance in finding legal counsel;⁴⁶ housing, educational, and medical assistance;⁴⁷ and informative publications such as the monthly brochure, “Pachakuti.”⁴⁸

HOME COUNTRY ADMINISTRATION

There is no government institution that deals exclusively with emigrant policies. Instead, emigrant issues are divided between several institutions.

The Directorate General of Consular Affairs forms part of the Vice-Ministry of Institutional and Consular Management of the Ministry of Foreign Affairs⁴⁹ and is responsible for the support, protection, assistance, and liaison with Bolivian non-residents. Furthermore, it coordinates the work of the Mechanism for Inter-institutional Coordination for Migration.⁵⁰

41 Ministerio de Relaciones Exteriores del Estado Plurinacional de Bolivia, “Embajadas, Consulados y Secciones de Bolivia en el Exterior.”

42 Ibid.

43 Gobiernos Mercosur, Bolivia y Chile, “Acuerdo Sobre Residencia para Nacionales de los Estados Partes del Mercosur, Bolivia y Chile,” 8.

44 Paredes, Iván, “Choquehuanca Anuncia Reformas en Consulados Bolivianos en el Exterior.”

45 Consejo de Ministros, *Decreto Supremo 1853*, Art. 2, paragraph cIV.

46 Asamblea Legislativa Plurinacional, *Ley 370. Ley de Migración*, Art. 57, paragraph 7.

47 Ministerio de Relaciones Exteriores, Dirección General de Asuntos Consulares, “Guía del Ciudadano Boliviano y Boliviana en Argentina,” 5f.

48 Embajada de Bolivia en España, “Pachakuti. Retorno al equilibrio. Boletín Informativo.”

49 Ministerio de Relaciones Exteriores, “Dirección General de Asuntos Consulares.”

50 Ministerio de Trabajo, Empleo y Previsión Social, “Protección de los derechos de los migrantes andinos y la trata de personas,” 7.

The Directorate General for Migration handles emigration, immigration, and immigrant policies, especially the issuing of passports.⁵¹ The National Council for Migrations is an inter-institutional initiative that is not yet in place.⁵²

The Mechanism for Inter-institutional Coordination on Migration (*Mecanismo de Coordinación Interinstitucional para las Migraciones, MCIM*), composed of several state institutions and representatives from civil society.⁵³ The Mechanism was the main actor in the creation of the first Migration Law in Bolivian history,⁵⁴ which, despite focusing more on immigrant policies, provided some first legal steps towards an integral protection and integration of emigrants, by granting the protection of fundamental rights and providing some regulation about return policies, as well as about consular responsibilities.

ECONOMIC POLICIES

REMITTANCES

Although remittances make up an important part of the Bolivian economy (between 1997 and 2007, remittances had increased tenfold, making up 7.7% of the GDP in 2007; before diminishing since then due to the global economic crisis⁵⁵), being an important support for many households,⁵⁶ the Bolivian State doesn't provide incentives to attract remittances.

Nevertheless, there seem to be some steps towards a state-driven remittance policy: First, because the National Survey of 2008 included for the first time the category 'remittances'.⁵⁷ And second, the Central Bank of Bolivia made numerous efforts during 2011 and 2012 to regulate the Bolivian remittances market.⁵⁸ Until now, the Bolivian remittances market is controlled by the international remittance companies, and is characterized by a high degree of informality.⁵⁹

51 Ministerio de Gobierno, "Dirección General de Migración."

52 Hinojosa Gordonova, Alfonso, "Bolivia: Diaspora and Emigration Policies," 10.

53 Mecanismo de coordinación interinstitucional para las migraciones, "Recuperar la dignidad migratoria: hacia un Consejo Sudamericano para las migraciones. X Conferencia Sudamericana sobre Migraciones."

54 Asamblea Legislativa Plurinacional, *Ley 370. Ley de Migración*.

55 Mandrile, Matteo, "El Corredor de remesas Sur-Sur. Argentina-Bolivia," 15.

56 Ibid. 11.

57 Pereira Morató, René, "Perfil migratorio de Bolivia," 53.

58 Mandrile, Matteo, "El Corredor de remesas Sur-Sur. Argentina-Bolivia," 36ff.

59 Ibid. 46.

INVESTMENT

In line with the lack of a state-driven remittance policy, the state does not provide incentives to attract emigrant investments. In any case, the results of the National Survey reveal that the vast majority of the received remittances are spent to satisfy basic needs (food, education, clothing, debts, and healthcare) and that, as a consequence, the scope for investment is quite limited.⁶⁰

Furthermore, there are several international organizations that aim to stimulate the remittance-related investments.⁶¹

BRAIN-CIRCULATION NETWORKS AND BRAIN-GAIN PROGRAMS

The Bolivian state has not implemented programs for the return of highly qualified nationals nor regarding brain-gain networks.⁶²

Bolivia has ratified a number of agreements on liberalizing student visa policies.⁶³

RETURN POLICIES

Bolivia's recent migration has been characterized by rising numbers of emigrants. Nevertheless, there have also been returnees, often those forced to return due to their undocumented immigration status.⁶⁴

Bolivia has a number of agreements in place for the recognition of professional or academic qualifications obtained abroad. If the qualification was obtained in countries with mutual treaties with Bolivia (ALBA-members,⁶⁵ Cuba,⁶⁶ Argentina,⁶⁷ MERCOSUR-members and Chile⁶⁸), the degree and sup-

60 Pereira Morató, René, "Perfil migratorio de Bolivia," 52.

61 Hinojosa Gordonova, Alfonso, "Bolivia: Diaspora and Emigration Policies," 11f.

62 Pereira Morató, René, "Perfil migratorio de Bolivia," 97.

63 Hinojosa Gordonova, Alfonso, "Análisis descriptivo de las instituciones responsables de la gestión de las políticas migratorias en Bolivia, Colombia, Ecuador y Perú," 11.

64 Hinojosa Gordonova, Alfonso, "Bolivia: Diaspora and Emigration Policies," 8.

65 Asamblea Legislativa Plurinacional, *Ley 334. Ratifica el convenio de reconocimiento de títulos o diplomas de educación superior entre los países miembros de la Alternativa Bolivariana para los Pueblos de Nuestra América (ALBA)*.

66 Asamblea Legislativa Plurinacional, *Ley 220. Ratifica El Convenio de reconocimiento mutuo de estudios, títulos y diplomas de educación superior entre el gobierno del Estado Plurinacional de Bolivia y el Gobierno de la República de Cuba*.

67 Asamblea Legislativa Plurinacional, *Ley 361. Ratifica el Convenio de reconocimiento mutuo de títulos y grados académicos de educación superior entre la República Argentina y el Estado Plurinacional de Bolivia*.

68 Estados Partes del MERCOSUR, República de Bolivia, and República de Chile, "Memorandum de Entendimiento sobre la creación e implementación de un Sistema de Acreditación de Carreras Universitarias para el Reconocimiento Regional de la Calidad Académica de las Respectivas Titulaciones en el MERCOSUR y Estados Asociados"; Gobiernos Mercosur, Bolivia y Chile, "Acuerdo sobre residencia para nacionales de los estados partes del Mercosur, Bolivia y Chile," 9f.

porting documents, once legalized by the authorities in the countries where the title was acquired, must be presented to the Bolivian consulate in that country. Once in Bolivia, the documents have to be legalized at the Ministry of Foreign Affairs. Finally, the Ministry of Education recognizes the qualification.⁶⁹

Qualifications obtained in another country require the same procedure, but instead of the Ministry of Education, the Executive Council of the Universidad Boliviana, and potentially the relevant faculties, makes the final decision.⁷⁰

In neither case is a time frame for the validation provided.⁷¹

Although the Migration Law establishes a broad range of efforts regarding return policies (protection, assistance, return and reintegration),⁷² until now, Bolivia has not developed return or reintegration politics.⁷³

The Bolivian state has not conducted communication campaigns to convince emigrants to return to Bolivia, beyond a return guide for Bolivian emigrants, created in cooperation with the IOM.⁷⁴

However, there are financial incentives for returnees. Emigrants who return after at least two years abroad,⁷⁵ are exempted from import duties on household items and professional tools.⁷⁶

OBLIGATIONS

MILITARY SERVICE, SOCIAL SERVICE, TAXES

The Constitution establishes that all Bolivians must serve in the military.⁷⁷ However, the laws addressing military service are relatively old and do not mention emigrants.⁷⁸ It is unclear whether emigrants must comply with military service.

69 Ministerio de Educación, “Revalidación y homologación de título extranjero. requisitos trámite de título profesional.”

70 Comité Ejecutivo de la Universidad Boliviana CEUB, “Reglamento general de títulos y grados académicos,” Art.17-34.

71 Agencia Catalana de Cooperación al Desenvolupament and Generalitat de Catalunya, “Manual para el retorno a Bolivia,” 10.

72 Asamblea Legislativa Plurinacional, *Ley 370. Ley de Migración*, Art.60-64.

73 Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas and Organización Internacional para las Migraciones, “Diáspora y mercado de trabajo en Bolivia. Una mirada pensando en el retorno voluntario,” 46.

74 Ministerio de Relaciones Exteriores and Organización Internacional para las Migraciones, “Volviendo a casa. Guía de retorno para el migrante Boliviano.”

75 Asamblea Legislativa Plurinacional, *Ley 370. Ley de Migración*, Art. 61.

76 Consejo de Ministros, *Decreto Supremo 1639. Introduce Modificaciones al Reglamento a la Ley General de Aduanas*, Art. 192.

77 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art. 249 .

78 Honorable Congreso Nacional, *Ley 1405. Ley Orgánica de las Fuerzas Armadas de la Nación*; Honorable Junta Militar de Gobierno, *Decreto Ley 07755*.

Social service does not exist in Bolivia. However, medical professionals must do six months social service before getting their medical license. This also applies to Bolivians educated abroad.⁷⁹

As long as Bolivian non-residents do not obtain revenues from Bolivian sources, they are not required to pay taxes in Bolivia.⁸⁰

CULTURAL POLICIES

Cultural policies targeting Bolivian non-residents are practically nonexistent. There is no funding for cultural centers abroad, nor cultural promotion offices in consulates.⁸¹

EXIT AND TRANSIT POLICIES

The Constitution establishes the right for every Bolivian to enter and exit the country freely.⁸²

The Bolivian State has not conducted broad information campaigns about emigrants' rights and duties. There have been some local campaigns to inform the Bolivians about their rights, duties, and the possible dangers associated with emigration.⁸³

The Bolivian State does not conduct information campaigns to discourage emigration or to promote a safe transit to the destination country.

SOCIAL POLICIES

Although until now, the Bolivian State does not provide social services to its emigrants, in the last years, there have been efforts to strengthen the emigrants' living conditions in social terms, especially through the ratification of the Multilateral Ibero-American Social Security Agreement and some bilateral agreements about free student visa.

79 Consejo de Ministros, *Decreto Superior 26217. Reglamento del Servicio Social de Salud Rural Obligatorio*, Art. 15.

80 Servicio de Impuestos Nacionales, *Ley 2492. Código Tributario Boliviano*, Art. 1-3.

81 Ministerio de Culturas y Turismo, "Ministerio de Culturas y Turismo."

82 Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia*, Art.21, N° 7.

83 Comité de Protección de los Derechos de Todos los Trabajadores Migratorios y de sus Familiares, "Examen de los informes presentados por los estados partes de conformidad con el artículo 73 de la Convención: Estado Plurinacional de Bolivia," 32.

The Bolivian state does not provide the possibility for Bolivians living abroad to maintain employment, retirement, or healthcare benefits, as these are limited to residents.⁸⁴

However, on the basis of the Multilateral Iberoamerican Social Security Agreement, ratified by the Bolivian government in 2011, Bolivians who reside in one of the other signatory countries are able to receive employment and retirement benefits from their country of residence.⁸⁵

The Plurinational Alternative Education Center (subordinated to the Ministry of Education), with the help of the consular network, promotes distance education programs aimed at the emigrant adult population, offering them high school or senior technical qualifications.⁸⁶ The programs are carried out in the consulates in Argentina, Brazil, and Spain.⁸⁷

SYMBOLIC POLICIES

Bolivia hasn't conducted official communication campaigns that aimed to reinforce the sentiment of belonging to Bolivia. Bolivia's current President, Evo Morales, has directly addressed Bolivian emigrants in several occasions. In 2007, for the National Day, he dedicated a paragraph of his speech to the emigrants,⁸⁸ and has thanked emigrants for contributing to the development of Bolivia.⁸⁹ There are no awards for Bolivian emigrants, nor state-organized emigrant conferences.

On the national day, emigrants are not targeted especially, nor has the Bolivian state created a national day devoted to the diaspora.

The Constitution only refers to emigrants in the context of external

84 Asamblea Legislativa Plurinacional, *Ley 065. Ley de Pensiones* Definiciones aplicables: Beneficiarios.

85 Organización Iberoamericana de Seguridad Social, "Convenio Multilateral Iberoamericano de Seguridad Social," 3.

86 Hinojosa Gordonova, Alfonso, "Bolivia: Diaspora and Emigration Policies," 10.

87 Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas and Organización Internacional para las Migraciones, "Diáspora y mercado de trabajo en Bolivia. Una mirada pensando en el retorno voluntario," 46.

88 De la Torre, cited in: Lafleur, Jean-Michel, Hinojosa Gordonova, and Domenech, Eduardo, "Surgimiento y desarrollo del 'Voto En El Exterior' en el 'Proceso de Cambio' Boliviano," 50f.

89 Ministerio de Relaciones Exteriores, Dirección General de Asuntos Consulares, "Guía del Ciudadano Boliviano y Boliviana en Argentina," 1.

voting,⁹⁰ and the responsibilities of the ombudsman's office,⁹¹ which are, amongst others, the defense of the emigrants' rights. Bolivia has not created new symbolic territorial entities for emigrants.

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- Asamblea Legislativa Plurinacional. *Ley 018. Ley del Órgano Electoral Plurinacional*, 2010. <http://www.ops.org.bo/textocompleto/leyespi018.pdf>.
- . *Ley 026. Ley del Régimen Electoral*, 2010. <http://pdba.georgetown.edu/Electoral/Bolivia/Ley26-2010.pdf>.
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⁹⁰ Asamblea Constituyente de Bolivia and Pueblo Boliviano, *Constitución Política del Estado Plurinacional de Bolivia* Art.27, paragraph 1.

⁹¹ *Ibid.* Art. 218.

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