

The Inter-American Court of Human Rights to hear landmark case on endemic sexual violence of adolescent girls in Bolivia

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/EINPresswire.com/ -- On August 7th, the Inter-American Commission on Human Rights (IACHR) announced that it has referred the case of Brisa Liliana de Ángulo Lozada to the Inter-American Court of Human Rights (the Court).

Raped by an adult family member when she was 16, Brisa endured three trials over the span of 10 years but was unable to receive justice in her home jurisdiction of Bolivia. In 2010, she

presented her case to the IACHR who concluded that the State had failed to properly investigate and prosecute her case, and in doing so, violated her internationally protected human rights.

Brisa's experience with the criminal justice system is emblematic of the struggle that adolescent survivors of sexual violence face in Bolivia. With the highest rate of sexual violence in Latin America, 70% of Bolivian women report experiencing physical or sexual abuse in their lifetime.

In addition to individual remedies for Brisa, the Court has the opportunity to establish legal precedents for the region that would improve the ability for young victims of sexual violence to access justice. A positive outcome in this trial would not only hold Bolivia accountable for its mistreatment of Brisa, but would also impact the lives of millions of girls and adolescents throughout the Western Hemisphere.

Bárbara Jiménez Santiago, human rights lawyer at [Equality Now](#), an international feminist organization that advocates for legal equality, and a member of Brisa's legal team, said that this case will make history as the first time an international court has reviewed the the legal concept of Estupro.



Brisa Liliana de Ángulo Lozada with her mother at the 2018 Walk to End Sexual Violence in Cochabamba, Bolivia

“Estupro,” explains Jiménez Santiago, “is a discriminatory law that minimizes recognition of the crime of rape against adolescent girls. These laws are rooted in the misogynistic belief that adult men are unable to resist the seductive ways of teenage girls and thus they should be held less culpable for their crimes. Equality Now has identified that at least 30 countries in the Americas have estupro laws.” Patricia Brañez, [CLADEM Bolivia](#) Coordinator, noted that the Bolivian women’s movement has fought to remove the provision of estupro from the country’s penal code for years. Noting that “While we got close to victory, the law has not been eliminated. Today, we once again demand its repeal.”

For Brisa, “The referral of my case to the Inter-American Court expands what is possible in terms of specific and concrete changes in the legal system. This will improve the ability of thousands of survivors of sexual violence to access justice, as well help to end the culture of victim-blaming and shaming that currently exists in Bolivia.”

In response to Brisa’s case referral, The Coalition Against Sexual Violence in Bolivia, comprised of [A Breeze of Hope](#); Equality Now; Healthy Family Foundation; Fundación una Brisa de Esperanza; The Network of Girls, Boys and Adolescents Against Sexual Violence (Red COVISE); The Legal Office for Women; The Latin American and Caribbean Committee for the Defense of the Rights of Bolivian Women (CLADEM Bolivia); and La Coordinadora de la Mujer stated: “We celebrate this great step towards obtaining justice for Brisa and for all Bolivian women, girls and adolescents. The culture of incest, in where adult men violently and coercively assert control over members of their family, will not be tolerated.”

For the youth activists of Red COVISE, the referral to the highest Court in the region represents a victory of their collective advocacy and perseverance. “The fight is for all of us who experience this violence,” the group said. “The case of Brisa sends the message that my fight is your fight. That today I speak for you while you heal and gain strength because tomorrow I know that you will be the voice of those to come after you.”

In its merits report, the IACHR made several recommendations to Bolivia. The Commission determined that the State did not comply, prompting them to refer Brisa’s case to the Court. Below is a summary of the recommendations:

1. Provide remedies, including economic compensation, for the human rights violations Brisa experienced.
2. Provide Brisa with the necessary health care services, including mental and psychological services, following the human rights violations she experienced.
3. Continue the criminal investigation into Brisa's case and prosecution, and remedy the errors that were made in previous investigations and prosecutions, including discriminatory assumptions and stereotypes made against Brisa. The State should also investigate the potential wrongdoings of the medical examiner and other officials who contributed to the wrongdoings in

this case

4.Ensure proper training for officials who come into contact with girls and adolescents who are alleged victims of sexual violence, guaranteeing that those carrying out investigations and prosecutions have the necessary training to consider things from the perspective of the relevant age and gender, in accordance with international standards.

Following the referral from the IACHR, the Court will review the documentation and admit the case. It is anticipated that the first hearing will be held during the second half of 2021, with a final ruling to come in 2022.

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