

# Bolivia Cracks Down On Computer Piracy



Photo: USAID/Bolivia Walter Mur

USAID's program assists the Government of Bolivia in combating the sale of pirated audio/video materials.

Piracy of intellectual property occurs with great frequency in Bolivia, including the illegal copying of musical compact discs, video and DVD movies, and computer software. Bolivia's continued privileges under the Andean Trade Promotion and Drug Enforcement Act are contingent upon its accession to the Intellectual Property Rights Treaty and its enforcement of corresponding law.

USAID assists the Government of Bolivia in the development and implementation of laws, policies, and institutions that improve citizen access to justice and deter criminal activity through effective prosecution of crime. USAID assistance to design, legislate and effectively implement Bolivia's new Code of Criminal Procedures has been the cornerstone of support for the prosecution of crime while guaranteeing that judicial processes meet constitutional due processes requirements. Under the new Code of Criminal Procedures, which took full effect on June 1, 2001, white collar criminals are for the first time being effectively prosecuted.

In June 2003, the Court of Criminal Instruction in Cochabamba, Bolivia issued a criminal sentence - regarded as the first in the history of country - for violation of intellectual property rights. The Court determined that material evidence and expert testimony demonstrated that the owner of a computer equipment store had violated Bolivia's Criminal Code provisions on intellectual property rights by profiting from the reproduction, plagiarizing, and distribution of Microsoft software without license or rights. The Court sentenced the owner to one year in prison which was suspended in accordance with provisions in the law for first time offenders.