

Bolivia

Eduardo Quintanilla, Managing Partner, BAQSN, La Paz

Sergio Antelo Callisperis, Partner, BAQSN, La Paz

1. What is the understanding or definition of AI in your jurisdiction?

Bolivia's current legislation does not include a statutory definition of artificial intelligence (AI). However, recent initiatives¹²⁹ by the Telecommunications Regulatory Authority (Autoridad de Regulación y Fiscalización de Telecomunicaciones y Transportes) have been trying to publicise its benefits and potential risks (personal data theft and false impersonation) without providing an official definition. Bolivia does not have a specific data protection law, and the last legislation passed regarding technological matters dates from 2011.

2. In your jurisdiction, besides legal tech tools (ie, law firm or claim management, data platforms, etc), are there already actual AI tools or use cases in practice for legal services?

No, any AI legal tech tool that is currently being used in Bolivia comes from other jurisdictions – thus, its application is limited.

3. If yes, are these AI tools different regarding:

- independent law firms;
- international law firms; and
- in-house counsel;
- and what are these differences?

Not applicable.

4. What is the current or planned regulatory approach on AI in general?

There is no current or planned regulatory approach on AI in general.

The current regulatory framework in Bolivia dates from 2011 with the enactment of the General Telecommunications Information and Communications Technologies Law (8 August 2011). The above referred legal framework requires updates and amendments to include specific data protection regulation, and to account for new concepts such as AI.

¹²⁹ 'La ATT socializa los beneficios y riesgos de la Inteligencia Artificial en la Expocruz 2023' (Autoridad de Regulación y Fiscalización de Telecomunicaciones y Transportes, 23 September 2023), www.att.gob.bo/index.php/la-att-socializa-los-beneficios-y-riesgos-de-la-inteligencia-artificial-en-la-expocruz-2023 accessed 30 May 2024.

5. What are the current or planned regulations on the general use of AI or machine learning systems?

There are no current or planned regulations on the general use of AI or machine learning systems. Bolivia's pending regulations include specific data protection laws and laws on new concepts and technologies, such as AI.

Privacy and data protection concerns are mainly regulated by general constitutional and civil rights and laws and some scant sectorial regulation.

6. Is free data access an issue in relation with AI?

Yes. Due to the lack of a specific data protection law, data access relating to AI processes faces challenges from a regulatory point of view. This results in risks and concerns for AI users, since data protection regulation is very scarce and/or outdated.

7. Are there already actual court decisions on the provision of legal services using AI or decisions concerning other sectors that might be applicable to the use of AI in the provision of legal services?

From a limited investigation on the matter, we have not identified any court decisions on the provision of legal services using AI, nor decisions concerning other sectors that might be applicable to the use of AI in the provision of legal services.

8. What is the current status – planned, discussed or implemented – of the sectorial legislation in your jurisdiction on the use of AI in the legal profession or services that are traditionally provided by lawyers?

There is no planned, discussed or implemented sectorial legislation regarding the use of AI in the legal profession. Lawyers may freely use AI tools provided they comply with the formalities and/or specific requirements applicable to legal procedures.

9. What is the role of the national bar organisations or other official professional institutions?

The Ministry of Justice has not yet issued any instruction and/or recommendation on the matter. Private regional lawyers' associations are also yet to issue opinions and recommendations on the matter.