



General Assembly

Distr.: General
21 July 2014
English
Original: Spanish

Human Rights Council
Working Group on the Universal Periodic Review
Twentieth session
27 October–7 November 2014

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Plurinational State of Bolivia

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GE.14-08927 (E) 190814 210814



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I. Introduction

1. In accordance with the commitments made under the universal periodic review and in fulfilment of the recommendations it accepted in respect of its initial report in June 2010, the Plurinational State of Bolivia submits its second report to the universal periodic review for the period 2010–2014.

II. Methodology and drafting process

2. An inter-institutional team of State agencies,¹ which also includes social organizations, has been established. It benefits from the technical support of the office in Bolivia of the United Nations High Commissioner for Human Rights.

3. In 2013, validation workshops were held in various departments² to gather input on the recommendations of the universal periodic review from public and private institutions, social movements, municipal and departmental governments and civil society organizations.

III. Legal and institutional framework for the promotion and protection of human rights (recommendations 3 and 10)

4. Fundamental rights, civil and political rights, the rights of indigenous and aboriginal campesino nations and peoples, economic, social and cultural rights, the rights of vulnerable groups, the rights of human rights defenders and the rights of Mother Earth are enshrined in over 200 articles of the Constitution. The Constitution adopts a gender perspective and is inspired throughout by a concern for human rights.

5. Bolivia recognizes, promotes and protects human rights and guarantees without discrimination the free and effective enjoyment of their rights by all persons; international human rights treaties have precedence in the national legal order. During the period 2010 to 2014, laws were promulgated to further guarantee these constitutional rights (see annex).

6. The Plurinational Legislative Assembly appointed a new Ombudsman for the period 2010–2016, following a merit-based selection process. The Office of the Ombudsman has been accredited with A status for its compliance with the Paris Principles.

IV. Status in respect of international bodies

Ratification of international laws (recommendations 1 and 9)

7. **Bolivia is a party to all the international instruments that make up the International Bill of Human Rights and to other international human rights instruments. The instruments it has most recently ratified are the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,³ the Optional Protocol to the Convention on the Rights of the Child on a communications procedure⁴ and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.⁵ Bolivia has ratified most of the inter-American human rights instruments; most recently, it undertook the process of signing the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance⁶ with a view to their subsequent ratification.**

Submission of reports to the treaty bodies

8. Since 2006, Bolivia has been endeavouring to submit its overdue reports to the treaty bodies; it will be up to date with its reporting by the end of 2014.

9. The most recent reports to have been submitted are⁷ the combined seventeenth to twentieth periodic reports to the Committee on the Elimination of Racial Discrimination⁸ (February 2010), the combined third to sixth periodic reports to the Human Rights Committee⁹ (August 2011), the second periodic report to the Committee on Migrant Workers¹⁰ (October 2011), the combined second and third periodic reports to the Committee against Torture¹¹ (October 2011), the combined fifth and sixth periodic reports to the Committee on the Elimination of Discrimination against Women¹² (June 2013), and the initial report to the Committee on the Rights of Persons with Disabilities¹³ (July 2013).

Cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR)

10. The agreement signed between the Government and OHCHR in 2007¹⁴ was renewed in 2013, thereby extending the mandate, including the publication of an annual report. Entities at the various levels of government have a continuous and fluid relationship with the office in Bolivia of the United Nations High Commissioner for Human Rights.

Cooperation with the international and inter-American human rights systems (recommendations 18 and 19)

11. The Government has issued a standing invitation to the special procedures mandate holders of the Human Rights Council.¹⁵ It was visited by the Subcommittee on Prevention of Torture in 2010 and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in 2012.

12. The Special Rapporteur on the human right to safe drinking water and sanitation,¹⁶ a member of the Human Rights Committee¹⁷ and the Special Rapporteur on the rights of indigenous peoples¹⁸ have made unofficial visits to the country.

13. Bolivia chaired the open-ended intergovernmental working group on the rights of peasants and other people working in rural areas.

14. Bolivia also chaired the Group of 77 and China¹⁹ and organized an extraordinary summit of the heads of State of member countries on establishing a new world order for a good life.²⁰ At the summit, participants renewed their commitments to pursuing sustainable development in harmony with Mother Earth, stressed the role of women in development, reaffirmed their commitment to eradicating poverty and reached consensus on the post-2015 development agenda. During preparations for the summit, international meetings were held in order to involve youth and women.

15. Twelve agencies of the United Nations system are officially represented in Bolivia.²¹

16. Bolivia has taken part in all the conferences of States Parties to the American Convention on Human Rights held since March 2013 and hosted the second conference.²² At the most recent conference,²³ Bolivia submitted a proposal for the restructuring of the thematic rapporteurships of the Inter-American Commission on Human Rights.

17. The Declaration on “Food Security with Sovereignty in the Americas” was adopted at the Forty-Second Regular Session of the Organization of American States General Assembly, held in Cochabamba, Bolivia, on 3–5 June 2012. Participants also took the opportunity to discuss ways of strengthening the inter-American human rights system.

International cooperation (recommendation 71)

18. Bolivia is an active member of the Bolivarian Alliance for the Peoples of Our America, the Andean Community, the Amazon Cooperation Treaty Organization, the Union of South American Nations, the Community of Latin American and Caribbean States, the Africa-South America Summit, the South American and Arab Countries Summit, the Movement of Non-Aligned Countries and the Group of 77 and China; it has recently joined the Southern Common Market. It endeavours to ensure that human rights are considered in these forums for regional and political integration and promotes South-South cooperation.

19. Official development assistance has been declining since 2011 and falls short of the commitment made by the developed countries to transfer 0.7 per cent of their GDP to the developing countries.

V. Macroeconomic policies (recommendation 60)

20. The economic, social, community and production model implemented since 2006 has made it possible to bring strategic economic sectors under control. The resulting economic surplus was used to implement an income redistribution policy in the form of conditional benefits (e.g. Juancito Pinto and Juana Azurduy vouchers, dignity and solidarity pensions), public spending, inversely proportional salary increases and cross-subsidization.

21. The economic growth rate has risen steadily, reaching 6.8 per cent in 2013, the highest rate in 38 years and the third highest in the region. Public spending has contributed to greater economic vibrancy while private investment has picked up thanks to Government policies to facilitate access to loans for small and medium-sized businesses.

22. Greater tax revenue, increased income from natural gas sales, strict current accounts management and record levels of public spending have all contributed to economic growth and industrialization.

23. Public spending has grown gradually, reaching a historic high of US\$ 3,781 million in 2013. Over the past seven years, the central administration has been the biggest investor, followed by public companies. This expenditure has provided an impetus for the productive sector, whose output has risen to US\$ 805 million, or 28 per cent of total investment.²⁴

24. Per capita GDP more than doubled between 2005 and 2013. Bolivia has shifted from low-income country to middle-income country status, thereby also improving its risk rating.

25. Another outcome of the new economic model is the historically high level of net international reserves which, in May 2014, stood at US\$ 14,541 million, or 47 per cent of GDP, the highest rate in Latin America.

VI. Struggle against extreme poverty (recommendations 17, 62 and 63)

26. Between 2005 and 2013, extreme poverty fell from 38 to 18 per cent; in other words, some 2 million people overcame extreme poverty, thus enabling Bolivia to meet the first Millennium Development Goal.

27. Greater government revenue has made it possible to increase wages and redistribute wealth among the most needy through welfare benefits. In December 2013, 36.6 per cent of the population — or 4,028,517 people — had received conditional cash benefits. In 2014,

the minimum wage was 20 per cent higher than in 2013 and 280 per cent higher than in 2005.

28. Lower income inequality is yet another result of the new economic model. In 2005, the income of the richest 10 per cent was 128 times that of the poorest 10 per cent. By 2012, it had fallen to 46 times. The Gini index²⁵ fell by 22 per cent over the same period,²⁶ the highest reduction in the region.

VII. Human rights indicators (recommendation 32)

29. In response to recommendations made by the treaty bodies, work began in 2011 on developing indicators in six priority areas:²⁷ education, employment, health, adequate nutrition, housing and the right of women to a life free from violence.²⁸

30. Indicators are currently being defined in three additional areas: the human right to water and sanitation, the struggle against human trafficking and smuggling, and access to justice and a fair trial.

VIII. National Human Rights Action Plan

31. The National Human Rights Action Plan for 2009–2013, entitled “Bolivia: Dignity for a Good Life”, has ended. The next stage, “A Good Life in Harmony with Mother Earth”, is being prepared and will focus on the role of autonomous and municipal authorities and on social oversight and participation.

IX. National Human Rights Council

32. The National Human Rights Council²⁹ has concentrated its efforts on providing institutional support to the action committee behind the trial of Leopoldo Fernández et al. for the El Porvenir killings,³⁰ extending membership of the National Council to the Afro-Bolivian people,³¹ adopting the Plurinational Plan on Human Rights Education,³² helping to develop human rights indicators, establishing working groups³³ on the implementation of the National Human Rights Action Plan for 2009–2013 and on providing support for an assessment of racism and all other forms of discrimination and the drafting of an action plan.

X. Patriotic Agenda 2025 (recommendation 11)

33. The Patriotic Agenda is a plan for the implementation of the Constitution that contains long-term strategies. Its 13 pillars³⁴ were defined with the input of the inhabitants of all municipalities and are meant to boost the construction of a plurinational Bolivia based on equality and social justice for all.

34. The Agenda contains a vision for 2025³⁵ of a country where there are no inequalities or extreme poverty, capacity is strengthened and basic services are universal. The Agenda is due to be adopted by the end of 2014.

XI. Civil and political rights

35. Birth certificates are issued free of charge to children under 12 years of age. A programme to provide identity cards free of charge, known as “Existo yo, Existe Bolivia” (I exist, Bolivia exists), has been in place since 2012.

36. The Government has ensured that migrants are able to exercise their right to vote by introducing biometric voter registration³⁶ in 29 countries where Bolivia has diplomatic representation. A total of 104,000 Bolivians living abroad had registered by May 2014.³⁷

37. The Government is working to enhance public safety through the National Public Safety System for a safe life,³⁸ which fosters peace and social harmony in the public and private spheres, as part of efforts to achieve a better way of life. The National Public Safety Plan is designed to address a number of issues such as violence, crime, the sale and use of drugs, road safety and risk management through awareness and prevention campaigns.

A. Protection of all persons from enforced disappearance

38. An inter-agency cooperation agreement³⁹ provides for the coordination of joint initiatives to investigate cases of enforced disappearance that took place during the military dictatorships.⁴⁰ A decree has been passed in order to provide the victims of the military dictatorships and their relatives with access to archives, public records and documents held by the Armed Forces.⁴¹ Unfortunately, however, no documents have as yet been found that warrant the opening and/or continuation of proceedings.

39. The Government is currently working with the association of relatives of martyrs and disappeared detainees (ASOFAMD)⁴² and other civil society organizations on a bill to establish a truth commission.

Extradition of persons accused of serious human rights violations and crimes against humanity

40. The Special Unit on Extraditions, Cooperation in Criminal Matters and International Relations⁴³ operates on the basis of cooperation agreements in criminal matters and gives priority to human rights-related cases.

41. The Government is continuing to work to combat impunity for crimes against humanity that occurred in October 2003.⁴⁴ Progress is being made towards the extradition of former President Gonzalo Sánchez de Lozada and his associates, who remain under the protection of the United States authorities.

B. Right of access to justice (recommendations 2, 39, 40, 41, 42, 43, 44, 50 and 51)

42. The Judiciary Act⁴⁵ regulates the structure, organization and functioning of the judicial system, in accordance with the principle of respect for human rights. It establishes four types of court.⁴⁶

43. The independence of the judiciary is now guaranteed following the establishment of judicial academies providing professional training for judges and prosecutors in accordance with constitutional and human rights principles.

44. The 2013–2025 Sectoral Plan for Plural Justice is designed to strengthen reform of the Bolivian judicial system by prioritizing six strategic areas: human resources training, legislative development, decentralization of the justice system, technological infrastructure,

management of economic resources and strengthening of the native indigenous campesino justice system.

45. The Supreme Court of Justice is implementing a programme to strengthen the independence of the judiciary in Bolivia.⁴⁷ The programme is aimed at building institutional capacity in the justice sector in accordance with international human rights norms and standards, judicial independence, institutional transparency and access to justice, within the framework of the Constitution.

46. The first popular election of the highest judicial authorities⁴⁸ of the Supreme Court of Justice, the Agricultural and Environmental Court, the Council of the Judiciary and the Plurinational Constitutional Court involved direct citizen participation and social oversight in order to prevent any external influence.⁴⁹ Four of the seven judges elected are women, thus complying with requirements for parity and alternation,⁵⁰ and three judges identify themselves as indigenous aboriginal campesino persons.

47. The Code of Constitutional Procedure⁵¹ establishes the Plurinational Academy of Constitutional Studies as the institution responsible for, among other things, conducting research into constitutional matters and providing up-to-date information on human rights, indigenous aboriginal campesino justice and international humanitarian law.

Integrated Plurinational Justice Services⁵²

48. Units belonging to the Integrated Plurinational Justice Services provide free legal guidance and support, as well as conciliation, mediation⁵³ and representation services in family, labour, civil, administrative and criminal matters. They also offer psychological support and promote constitutional rights and safeguards. There are currently 17 units operating in various municipalities.

49. The Plurinational Victim Assistance Service⁵⁴ is mandated to provide victims on low incomes with legal assistance, legal representation and social and psychological support during both preliminary proceedings and criminal proceedings, until the execution of the judgement. The Service promotes redress and the prevention of re-victimization.

C. Right to freedom of expression, communication and information (recommendations 55, 56 and 58)

50. The mass media in Bolivia must respect the principles of truth and responsibility that are enshrined in the Constitution⁵⁵ and help promote the values of the country's different cultures. The Ministry of Communications operates under the principle of the democratization of information and communication.

51. The launch of Bolivia's first communications satellite, Tupak Katari,⁵⁶ has led to greater access to technology and extended telecommunications coverage in rural areas. It also makes it possible to establish tele-education and telemedicine services, which will create work for specialized staff and foster the establishment of software and hardware industries.

52. A private insurance scheme is available for social communicators, covering death and permanent disability due to accident, sickness or other causes.⁵⁷ A fund has been established to finance its implementation.

53. The State media promote Bolivia's different cultures by producing and broadcasting multilingual educational programmes, while providing alternative modes for persons with disabilities.

54. The Government encourages the creation of radio stations for native peoples and of community radio stations broadcasting in their own languages. The 74 community stations that had been established by December 2013 have led to improved access to information in rural areas.

D. Action to combat racism and all forms of discrimination (recommendations 4, 21, 22, 23 and 74)

55. The Act on the Elimination of Racism and All Forms of Discrimination⁵⁸ establishes mechanisms and procedures to prevent acts of racism and all forms of discrimination and to punish the perpetrators of such acts. It further provides for the consolidation of public policies and introduces new criminal offences.⁵⁹

56. On 24 May, which has been declared National Day against Racism and All Forms of Discrimination,⁶⁰ all public and private entities undertake public training, prevention and/or awareness-raising activities with a view to eliminating racism and all forms of discrimination.

57. In order to reassert the identity and promote the culture of people of African descent, 23 September has been declared National Day of Afro-Bolivian People and Culture.⁶¹

58. The Plurinational State of Bolivia's Policy against Racism and All Forms of Discrimination (2012–2015 Action Plan), which is funded from the State budget, promotes the adoption of political, legislative, policy and administrative measures to eliminate racist and/or discriminatory practices.

59. The National Committee against Racism and All Forms of Discrimination⁶² is responsible for implementing the Action Plan. There are a further eight committees tasked with implementing the Plan at the departmental level. Under the Plan, the public are able to file and keep track of complaints via a website.⁶³

60. An effort is being made to prevent acts of racism and/or discrimination by acknowledging the work and contributions of persons of African descent and promoting indigenous heroes and heroines.

E. Transparency and efforts to combat corruption (recommendation 53)

61. Under the Act on Corruption, Illegal Enrichment and Scrutiny of Wealth⁶⁴ a total of 260 Transparency Units have been set up in 136 municipalities and 8 departmental administrations. A further 104 Units have been established in the executive branch, 2 in the legislative branch, 6 in the judicial branch and 4 in other State organs. The Act also provided for the establishment of the National Anti-Corruption Council, which has adopted the National Anti-Corruption Plan.

62. The Anti-Corruption Plan is designed to prevent and combat corruption through participation and social oversight⁶⁵ which involves all individual and/or collective actors.

63. The Ministry for Institutional Transparency and Combating Corruption organized the Third Plurinational Summit of Transparency Units. During the Summit, guidelines were adopted on the implementation of policies to promote access to information.⁶⁶

64. By 2013, a total of 82 convictions had been handed down in corruption cases and 733 complaints had been submitted to the Public Prosecution Service. Thanks to the integrated system for the exchange of anti-corruption information and recovery of State assets, the Government was able to recover US\$ 117,846,068 during the period 2006–2013.

XII. Economic, social and cultural rights (recommendations 17, 54, 62, 63, 65, 68, 72 and 73)

A. Right to education

65. The State provides free education at all levels, including higher education. Since 2009, school leaving certificates have been awarded free of charge to students on completion of their studies at all educational establishments.

66. Under the Education Act, the indigenous and aboriginal campesino nations and peoples are responsible for drawing up specific regional programmes for inclusion in school curricula that reflect their knowledge, learning, values and world views. The Aymara, Quechua, Guaraní, Chiquitano, Ayoreo, Guarayo and Moxeño nations have all been part of this initiative to transform education since 2013.

67. The number of new teaching posts has increased threefold.⁶⁷ In 2013 alone, investment in education stood at 15 billion bolivianos. By December 2013, a total of 1,951,385 children nationwide had received vouchers under the Juancito Pinto scheme, which is designed to encourage school attendance.

68. As of 2014, the best pupils will receive an additional grant, called “Excelencia en bachillerato” (Outstanding Achievement in Secondary Education),⁶⁸ which is intended to encourage adolescents and young people to study, especially those living in rural areas.

Plurinational Plan on Human Rights Education

69. The Plurinational Plan on Human Rights Education,⁶⁹ which was prepared with the participation of civil society and entered into force in 2013, is designed to strengthen the culture of respect for, and the enforceability and protection of human rights, in balance and harmony with Mother Earth. The Plan promotes systematic and holistic educational processes for individuals and communities, which are implemented as part of the plurinational human rights education system within the framework of the productive, social and community-based model for human rights education.

70. Boarding schools, school transport and school meal programmes have been established for vulnerable population groups, including children, adolescents and young people within the regular school system.

71. Training courses and workshops on human rights, international humanitarian law and the law on violence against women are organized periodically in various State institutions.⁷⁰

2009–2012 Post-literacy Programme

72. The National Literacy Programme, *Yo sí puedo* (Yes, I can),⁷¹ and the National Post-literacy Programme, *Yo sí puedo seguir* (I can go further),⁷² were of particular benefit to people living in peri-urban and rural areas. Both programmes were supported by the Cuban Government.

73. The inclusion of native languages in these programmes helps to strengthen the cultural identity of participants and to develop those languages. Educational material is produced in coordination with the Native Peoples’ Education Councils.

Technology in education

74. During the period 2006–2011, 471 community distance learning centres were set up, providing training to 57,000 students and 4,000 teachers. During the same period, 5,577 free computers and other items of IT equipment were provided to schools.

75. Within the framework of the “One Laptop per Teacher” project, free laptop computers are to be provided to all teachers within the plurinational education system. To date, 78,153 teachers have received laptops, and it is expected that the operation will be completed by the end of 2014.

76. As part of the “One Laptop per Child” project, 12,500 free computers were distributed to primary school pupils in 2013, the first year of its operation; a further 12,500 computers will be distributed to secondary school pupils in 2014.

Indigenous universities of Bolivia (UNIBOL) and language institutes

77. UNIBOL takes a distinct approach to university education based on three key aspects: education focusing on decolonization, intracultural, intercultural and productive factors and the community; the transformation of the colonial character of the State and higher education; and the training of human resources based on a sense of community, productive development and cultural identity. The first 219 professionally trained graduates received their degrees in 2012.

78. The Plurinational Institute for the Study of Languages and Cultures has been established for the purpose of preserving and strengthening the languages used in Bolivia. To date, it has overseen the establishment of 27 institutes for the languages and culture of the indigenous and aboriginal campesino nations and peoples.

B. Right to health (recommendations 67 and 69)

79. The Act on the Provision of Comprehensive Health Care,⁷³ which regulates health care and protection, provides for the extension of comprehensive health care to all citizens.

80. The Health Sector Development Plan provides for the implementation of medium- and long-term strategic policies focusing on universal care and access to health services, the establishment of a unified, intercultural, community-based health system aimed at preventing any form of exclusion from health-care services, recovering health sovereignty, encouraging civil society participation and oversight and eradicating malnutrition. As part of the Plan, the State will reassume responsibility for comprehensive health care and quality of life.

81. The national health system, which offers universal health insurance for mothers and children and free medical insurance for older persons, is now in operation nationwide.

82. The Mi Salud (My Health) programme, launched in June 2013, is intended to provide free home medical care and to upgrade health centres, with assistance from Cuban experts.⁷⁴ To date, over 86 million bolivianos have been invested in extending, refurbishing and fitting out 40 health centres⁷⁵ in three departments.

83. There is a community rehabilitation centre for persons with disabilities in every department, providing free care to all persons with any form of disability (physical, multiple and sensory) who require it.

84. The Government is preparing a bill on sexual and reproductive rights with the participation of social organizations. It is also working on new initiatives relating to contraception, training and assistance in contraceptive methods and on raising public awareness of the right to sexual and reproductive health.

85. Under the 2009–2015 Strategic Plan on Sexual and Reproductive Health,⁷⁶ measures are being put in place to meet demands for sexual and reproductive health care services within the framework of the intercultural, community-based family health system. The Plan focuses on human rights, gender equality and intercultural aspects and aims to ensure that women and men are able to exercise their sexual and reproductive rights at all stages of life.

C. Right to work (recommendation 59)

86. Since 2006, the Government has regained control over the development of labour policies, allowing it to restore workers' rights. The Constitution recognizes the right of Bolivian men and women to decent working conditions without discrimination and with fair, equitable and satisfactory remuneration or wages that will ensure a decent standard of living for themselves and their families, in addition to a stable source of work, on equitable and satisfactory terms.

87. During the period 2006–2014, 32 laws were passed in favour of workers in terms of job security, freedom of association, social benefits, a decent wage and employment.

88. These measures made it possible to steadily reduce the rate of open urban unemployment from 8.2 per cent in 2005 to 3.2 per cent in 2012, and to restore and increase the purchasing power of wages (there was a 327 per cent rise in the national minimum wage between 2005 and 2014).

89. The Pensions Act⁷⁷ was amended⁷⁸ at the request of the Central Obrera Boliviana, increasing payments to an average of 30 per cent of total earnings during the last two years of employment and expediting retirement procedures.

90. The National System for Public Employment Services gives priority to vulnerable groups and young people. There are currently two public investment programmes:

- The My First Decent Job Programme, which aims to provide technical training to vulnerable young people between the ages of 18 and 24 in order to improve their employability and develop their occupational skills in the areas required by the labour market. The programme, which has been running since 2008, had benefited 6,000 young people as of 2013;
- The Employment Support Programme of November 2012. It has three components: strengthening the Plurinational Employment Service, which matches labour supply to demand; training people who have difficulty in entering the labour market and providing them with financial support equivalent to the national minimum wage for three months; evaluating the impact of the programme for subsequent feedback. The purpose of this programme is to help more than 20,000 workers by 2015.

91. The job security of pregnant women was guaranteed by establishing that mothers and fathers, regardless of their marital status, benefit from job security from the start of a pregnancy until the child is 1 year old, during which time their salary shall not change.

92. Female workers in the public and private sectors, both permanent and temporary, are entitled to one paid day off per year to undergo a Pap test and/or mammogram.

93. The Plurinational Employment Service has conducted activities across the country, offering personalized support and vocational guidance through its employment advisors, who provide information over the Internet.⁷⁹

D. Right to access basic services

94. The Constitution of the Plurinational State of Bolivia recognizes the universal and equal right of access to basic services such as drinking water, a sewage system, electricity, domestic gas, a postal service and telecommunications.

95. The implementation of the *Tarifa Dignidad* (“Decent Rate”) allows low-income families to receive a discount on their public electricity bill. It has been in effect since 2006, benefiting an average of 900,000 people a month throughout the country.⁸⁰

96. The first Bolivian satellite, *Túpac Katari*, provides extensive access to cell phone, television and Internet services throughout the country. A free Internet service is available in 2,500 telecentres in various communities in the country, facilitating free access to information.

97. The nationalization of the oil and gas industries in 2006 allowed Bolivian citizens to receive a domestic natural gas supply. This State-funded service, which is free of charge for domestic users, is provided by YPFB.⁸¹

E. Human right to safe drinking water and sanitation

98. The supply of drinking water, which was recognized as a human right by the United Nations at the initiative of the Plurinational State of Bolivia,⁸² is still provided through the programmes *Mi Agua*, *Mi Agua II* and *Mi Agua III*. To date, 263,195 families have received the service.

99. Thanks to these programmes, access to drinking water is provided in 98 per cent of towns, with an investment in excess of US\$ 50 million per year. The average investment in irrigation has tripled since 2006, with annual investments of US\$ 48 million, making it possible to increase the amount of agricultural land by 30,000 hectares. The Plurinational State of Bolivia will have met the Millennium Development Goal drinking water target, originally set for 2015, by the end of 2014.

F. Right to adequate food (recommendation 61)

100. In its Constitution, the Plurinational State of Bolivia recognizes its obligation to guarantee food security, by means of healthy, adequate and sufficient food for the entire population. The rural productive development programme is still being implemented successfully in the country and has been replicated in other countries.

101. In terms of the food supply, agriculture and livestock production increased by 5.3 per cent during the last term of government, as a result of the support given to farmers through participatory technical assistance programmes on the use of quality seeds and soil and water management. Credit facilities have also been provided for agriculture and livestock production.

102. The Productive, Communal and Agricultural Revolution Act⁸³ aims to promote agricultural production and enable the Plurinational State of Bolivia to consolidate its food security and sovereignty. Similarly, the Indigenous and Aboriginal Campesino Economic Organizations⁸⁴ and Community Economic Organizations⁸⁵ Act for the Integration of Sustainable Family Farming and Food Sovereignty⁸⁶ contributes to food sovereignty and security through sustainable family farming in harmony with Mother Nature.

103. The Plurinational State of Bolivia sponsored the meeting of members of the Amazon Cooperation Treaty Organization,⁸⁷ to analyse food sovereignty concepts and their

relationship with food security, proposing a concept for food sovereignty that later became the subject of consensus.⁸⁸

104. The purpose of the National Food and Nutrition Council (CONAN) was modified, and it was tasked with promoting the realization of the right to adequate food.⁸⁹

105. The JIWASA programme is being implemented through strategic policies to take possession of vulnerable production units and provide access to financial and productive resources, thereby generating sustainable development. Laws were established to create funds,⁹⁰ including the Dairy Farming Support Fund, with the aim of protecting the country's food security. The Sugarcane Production Complex⁹¹ was created to regulate the productive, processing and commercial activities and relationships of the sugarcane agricultural sector.

106. Programmes⁹² continue to be implemented for the benefit of the most vulnerable rural populations. For example, Business Ventures for Autonomous Rural Development (EMPODERAR), supporting the development of production ventures through the Rural Alliances Programme (PAR), which had helped 6,200 families as of 2013 and the Food Security Support Programme (PASA), which manages, administers and implements comprehensive projects as part of the Food Security and Sovereignty Policy, which had helped 15,899 families as of 2013.

Juana Azurduy Voucher Programme and Zero Malnutrition Programme (recommendation 64)

107. The Juana Azurduy Voucher (BJA) is a conditional cash payment for pregnant mothers and children under the age of 2 who undergo comprehensive health checks. As of May 2014, this voucher had been granted to 1,168,690 women and children (annex 4). Two assessments were conducted: "BJA Procedure Assessment"⁹³ and "BJA Impact Assessment".⁹⁴

108. The Multisectoral Zero Malnutrition Programme aims to improve the comprehensive health of children under the age of 5, pregnant and breastfeeding women. The coordination unit, the CONAN Technical Committee, has systematized experiences of its implementation.⁹⁵

109. One of the strategies to eradicate malnutrition has been encouragement for breastfeeding, fortifying foods, micronutrient supplements and comprehensive nutrition units. These measures made it possible to reduce the rate of chronic malnutrition from 41.7 per cent in 1989 to 18.5 per cent in 2012. In view of the excellent results of the programme, its strategic plan has been extended to 2015.

G. Right to housing

110. The Programme for Social and Supportive Living reduces the housing shortage through the construction of houses in rural areas. In March 2011, the Emergency Unit to Provide Housing (UEVE) was established to provide housing solutions, accommodation and facilities to persons affected by natural disasters.

111. In February 2013, 224 houses were provided free of charge to victims of the landslides that took place in La Paz in February 2011.⁹⁶ Between 2006 and 2013, 61,688 houses were provided free of charge to replace housing lost through natural disasters in the nine departments of the country.⁹⁷ A total of 334 houses equipped with solar panels are under construction, and there are plans to build a further 20,000 houses through UEVE.⁹⁸

112. The Financial Services Act⁹⁹ provides loans and housing for the production sector, granting access to homeownership thanks to long-term, low interest loans, fulfilling the social role of financial services.

113. The redistribution of land and allocation of land deeds has been ongoing since 2006. During this period, the National Institute of Agrarian Reform has redistributed 59.2 million hectares and issued 455,656 deeds to 1,218,573 natural and legal persons, with an investment of US\$ 111.2 million. As of 2013, the proportion of women among persons who acquired deeds to land was 46 per cent; in other words, 637,122 women have been awarded deeds to land.

XIII. Rights of population groups (recommendations 12 and 13)

A. Women's rights (recommendations 5, 14, 20, 25, 57, 64 and 70)

114. Progress is being achieved in divesting the State, policies, the public administration and resource redistribution of their patriarchal features, making possible a qualitative leap in the design and conception of public policies, as reflected in the National Equal Opportunities Plan, "Women Building a New Bolivia for a Decent Standard of Living".¹⁰⁰

115. Implementation of this Plan is being continued through the Productive Assets Building and Citizenship Programme for women in extreme poverty, known as the *Programa Semilla*, which promotes the economic and social development of women in rural areas by providing access to productive resources, capital goods, access to markets and technical assistance. To date, 978 rural economic units have benefited, 3,753 women have achieved financial independence and exercised their rights as citizens, and 2,553 have received technical assistance and capital to start up and strengthen their productive enterprises in 18 municipalities prioritized within the country.

116. Gender parity and alternation were consolidated through two laws¹⁰¹ providing for equal access to political rights for men and women, in addition to 50 per cent representation for single-member districts and indigenous peoples, respecting the various forms and methods of democracy established in the Constitution.

117. During the first term of the Government of President Evo Morales, 50 per cent of cabinet ministers were women. In 2013, 35 per cent were women. In 2010, the participation of women in native indigenous campesino autonomous entities was 62 per cent in La Paz, 46 per cent in Chuquisaca, 40 per cent in Santa Cruz and 20 per cent in Potosí.

118. The Equal Opportunities Programme, for social inclusion based on gender parity and equal opportunities in the military institutes of the armed forces, is intended for persons between the ages of 18 and 21 who are of native indigenous campesino origin and limited financial means.

119. The Armed Forces Gender Parity Programme provides for the equal recruitment of women. In 2012, the percentage of women in the armed forces and pre-military service grew. In 2013, a woman was promoted to the rank of brigadier general in the army,¹⁰² and two women were appointed generals in the Bolivian police.

Combating violence against women (recommendations 30, 31, 32, 33 and 47)

120. The Comprehensive Act on guaranteeing a life free of violence for women¹⁰³ states that acts of violence against women constitute publicly actionable offences, and establishes new offences including femicide, sexual harassment and family or domestic violence. Nevertheless, one year on from the promulgation of this Act, there are still failings within the judicial system in terms of its implementation. According to data from the Council of the Judiciary, between 15 March and 31 December 2013, only 121 of the 12,337 cases filed were tried and then only summarily.

121. A Plurinational Constitutional Court ruling¹⁰⁴ established that, in cases of rape, victims need only report the offence in order to have an abortion, rather than having to press charges.

122. The eradication of violence against women has been incorporated in the Education Act, which also promotes opportunities for girls, adolescents and young women to enrol and remain in the formal and alternative education systems.

123. The Gender-based Political Harassment and Violence Act¹⁰⁵ establishes mechanisms and procedures for prevention and punishment, ensuring that female candidates who are elected and/or performing their duties can fully exercise their political rights.¹⁰⁶

124. The date of 25 November¹⁰⁷ has been declared National Day against All Forms of Violence against Women, and 2012 as Year for Combating All Forms of Violence against Women.

125. The National Programme for Combating Gender-based Violence establishes strategies to help eradicate violence through four lines of action: (i) detection; (ii) prevention; (iii) care; and (iv) punishment.

126. The Integrated Plurinational System for the Prevention, Protection, Care, Punishment and Elimination of Gender-based Violence is currently being developed.

127. The campaigns *Ni una más, violencia nunca más* (“No more victims, no more violence”) and *El Valiente No es Violento* (“Brave Men are not Violent”) were conducted in 2012 and 2013 respectively, in coordination with the United Nations, as communication strategies to combat violence against women at the national level.¹⁰⁸

128. A Violence Squad¹⁰⁹ has been created within the Bolivian police, and specialized courts and public prosecutors for violence against women have also been established.¹¹⁰ Nevertheless, they are not yet operational throughout the country.

B. The rights of children and adolescents (recommendations 8 and 15)

129. The Children and Adolescents Code is being amended¹¹¹ to provide comprehensive protection for the rights of children and adolescents, with an emphasis on the best interests of the child, the right to a family, the right to full development, the equality of all children irrespective of whether they were born in or out of wedlock and the right to an identity. The amended Code will prohibit and set out penalties for all forms of violence against children and adolescents, including forced labour and exploitation, and will harmonize administrative and judicial adoption procedures in order to guarantee that children have a family.

130. The Comprehensive Information System on Children and Adolescents (SIINA)¹¹² records sociodemographic data on the children and adolescents who receive assistance, the complainants and the alleged perpetrators as well as the nature of the complaint, the actions to be taken and the monitoring of actions taken by the Children’s and Adolescents’ Ombudsmen.¹¹³

131. The Plurinational Plan for Infants, Children and Adolescents 2014–2025 will engage families, communities, social movements and public institutions in ensuring that children and adolescents enjoy their rights. These efforts will be enhanced by giving children and adolescents a leading role.

Eradication of the worst forms of child labour (recommendations 35 to 38)

132. The Five-Year National Plan for the Prevention and Gradual Eradication of the Worst Forms of Child Labour and the Protection of Adolescent Workers 2014–2018 is in the final stage of preparation.

133. According to the National Statistics Institute,¹¹⁴ 53 per cent of working minors between the ages of 7 and 17 are boys and 47 per cent are girls; 42 per cent are between the ages of 15 and 17, 30 per cent are between 12 and 14 and 28 per cent are between 7 and 11; 72 per cent live in rural areas and 28 per cent in urban areas.

134. The Ministry of Labour, Employment and Social Security is implementing the Access to Justice Programme 2013–2015¹¹⁵ to prevent indigenous families in Chaco and the Bolivian Amazon from being subjected to forced labour and other related forms of exploitation.

135. The Ministry is implementing its strategies primarily in regions where the worst forms of child labour¹¹⁶ are the most common and has set up five pilot projects in four departments to eradicate this type of labour, with a focus on adolescent workers and their families.

The rights of juveniles deprived of their liberty (recommendation 28)

136. The Constitution stipulates that, where possible, juveniles should not be deprived of their liberty and that the judicial, administrative and police authorities should give them preferential treatment that preserves their dignity and protects their identity at all times. They should be detained in separate facilities from those for adults, tailored to their age-specific needs.

137. The Q'alauma Youth Rehabilitation and Social Reintegration Centre¹¹⁷ adopts an approach to education whereby youths participate in rehabilitation workshops and programmes and receive comprehensive assistance and health care. The Centre also provides support after adolescents have left the Centre.

138. The Short-Term Action Plan for Youths Deprived of their Liberty guides and coordinates the efforts of the various State bodies in order to clear the backlog of judicial proceedings.

The rights of children living in detention with their convicted parents (recommendation 29)

139. An inter-institutional board¹¹⁸ has been set up to address the issue of minors living in prisons and efforts are being made to move them out gradually. A commitment has been made to establish reception centres for such minors in order to provide them with the best possible living conditions.

140. Some 95 per cent of the minors living in San Pedro prison have agreed to leave and efforts are continuing to that end.

141. Childcare facilities for children below the age of 5 have been established in some prisons, where they receive supplementary nutrition¹¹⁹ and also participate in educational, pedagogical and artistic activities. Workshops have been run at the department level to explain to imprisoned parents the dangers that their children face in prison.

C. The right to protection from human trafficking and smuggling (recommendations 6, 7, 16 and 30)

142. The goal of the Comprehensive Act on Human Trafficking and Smuggling¹²⁰ is to combat the offences and guarantee the fundamental rights of victims by strengthening existing prevention, protection, assistance, prosecution and punitive measures and mechanisms.¹²¹

143. The Plurinational Policy against Human Trafficking and Smuggling 2013–2017¹²² sets forth actions to reduce and eliminate human trafficking and smuggling and is the basis for departmental plans in this domain.

144. The Plurinational Council against Human Trafficking and Smuggling¹²³ has nine coordinating and representative councils at the department level that are responsible for formulating, adopting and implementing the Policy, without discrimination on account of gender, age or cultural origin.

145. The Standard Protocol for Special Assistance to the Victims of Trafficking and Smuggling¹²⁴ and the road map for intervention set out uniform, countrywide procedures and tools for high quality and compassionate inter-institutional victim assistance.

146. The national police force has a system for reporting disappeared persons and has set up human trafficking and smuggling divisions in all the country's departments.¹²⁵ It also runs periodic training courses for division staff.

147. A multidisciplinary team of the Directorate-General on Human Trafficking and Smuggling¹²⁶ has carried out national prevention campaigns, spot-checked vehicles carrying minors with travel permits, drafted laws to regulate the use of the Internet by minors and regulated housing.¹²⁷

148. The topic has been included in the curricula of training colleges for judicial officials and in public university research.

149. The Children's and Adolescents' Ombudsmen¹²⁸ carry out spot checks at land terminals by distributing forms¹²⁹ to monitor the travel of minors.

D. Youth rights

150. There are 2,895,517 people between the ages of 15 and 29 in Bolivia, or 28.5 per cent of the total population.

151. The Youth Act¹³⁰ guarantees the full exercise of their rights and obligations and provides for the development of an institutional framework, forums for youth representation and discussion and the design of public policies.

152. The Act also established the Plurinational Youth Council, which will hold its first meeting on 24 and 25 July 2014. The Youth Policy sets out the conditions for the active involvement of youth in decision-making.

E. The rights of older persons

153. The General Act on Older Persons¹³¹ regulates this group's rights, guarantees and obligations and establishes the system for their protection. The associated public policy sets out guidelines in order to encourage a positive attitude towards old age and ageing that guarantees access to health care and education, income security and a social role, to eradicate discrimination, violence and ill-treatment and to set up mechanisms to strengthen

the relevant institutional framework. The Act amended the Criminal Code to include the protection of older persons and punish those who violate their rights.

154. The universal old-age pension was raised by 5.8 per cent during the 2013 fiscal year. The annual grant for veterans of the Chaco War¹³² was also increased, 300 million bolivianos were allocated to retirees and nearly 1.2 million were assigned to monthly pensions for beneficiaries. In December 2013, 1,023,612 older persons received a dignity pension.

F. The rights of persons with disabilities (recommendations 24 and 66)

155. The Disabled Persons Act¹³³ guarantees persons with disabilities the full exercise of their rights and obligations under equal conditions, equal opportunities and preferential treatment through a comprehensive protection scheme. The associated public policy singles out five areas for development: access to services, employment, accessibility, information and research, and participation in cultural life, leisure and sports activities.

156. Forty million bolivianos are allocated annually to the National Solidarity and Equality Fund for Persons with Disabilities. The Training Plan for Leaders and Public Servants with Disabilities promotes their employment in public institutions. In December 2013, 17,000 persons received the Solidarity Pension for Persons with Severe and Very Severe Disabilities.

G. User and consumer rights

157. The General Act on User and Consumer Rights¹³⁴ stipulates that all persons, irrespective of the jurisdiction in which they live, have the right to good quality food, accurate information, equal treatment, free choice of products and a response to their complaints about basic, medical, banking and financial services.

158. The Education Plan on Responsible Consumption and User and Consumer Rights sets out an information programme for providers and users of goods and services.

H. The rights of persons with different sexual orientations and gender identities (recommendation 26)

159. The Act on the Elimination of Racism and all Forms of Discrimination¹³⁵ establishes the mechanisms and procedures for preventing and punishing all forms of discrimination, including discrimination on grounds of sexual orientation. Consequently, the Policy on the Elimination of Racism and all Forms of Discrimination also provides for the protection of LGBTI persons.

160. National Day against Homophobia and Transphobia¹³⁶ is held on 17 May to promote the rights of LGBTI persons. The Citizen's Council for Sexual and Gender Diversity has been established at the departmental level.

161. The Ministry of Communication produces documentaries and audiovisual programmes to raise awareness of and eradicate discriminatory behaviour towards LGBTI persons. The National Committee on the Elimination of Racism and all Forms of Discrimination has produced advertisements, with the participation of members of the LGBTI community, to combat discrimination against this community.

I. The rights of persons deprived of their liberty (recommendations 27 and 49)

162. Prison overcrowding is due to a systemic judicial backlog, inherited from past administrations. In an effort to address the problem, petty offenders have been pardoned or amnestied.¹³⁷ By June 2014, 654 persons had been released.

163. Prison infrastructure is gradually being improved and new detention centres are being built. Employment¹³⁸ is provided in prisons to generate income for the families of persons deprived of their liberty.

164. The Act on Public Defenders¹³⁹ provides for free legal aid and technical criminal defence to all persons charged or on trial who do not have sufficient financial resources and who have not been assigned defence counsel.

165. A bill is being drafted to amend the Criminal Code so as to criminalize torture, in keeping with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The regulations are currently being drafted in relation to the Act on the Department for Torture Prevention,¹⁴⁰ which provides for the establishment of a torture prevention mechanism in line with the Optional Protocol to the Convention against Torture.

J. Rights of migrants and refugees (recommendation 78)

166. The Migration Act¹⁴¹ enshrines the rights of migrant workers, while its regulations¹⁴² provide for visas and residency permits on humanitarian grounds. A decree on amnesty and migration regularization has been implemented to regularize the situation of foreign nationals who are in Bolivia unlawfully.

167. The Act on the Elimination of Racism and all Forms of Discrimination and its associated public policy also protect migrants and refugees.

168. The Refugee Protection Act¹⁴³ puts into effect Bolivia's relevant international commitments and stipulates that the services of the National Commission for Refugees (CONARE)¹⁴⁴ should be free.

XIV. The rights of indigenous and aboriginal campesino nations and peoples (recommendations 45, 46, 48, 74, 75, 76 and 77)

169. The rights of indigenous and aboriginal campesino nations and peoples, which have been incorporated into the Constitution, are implemented through a legislative framework established jointly with these groups which includes the Act to Transform Community Agricultural Production,¹⁴⁵ the Act on Consultation of the Indigenous Peoples of Isiboro Secure Indigenous Territory and National Park (TIPNIS),¹⁴⁶ the General Act on Linguistic Rights and Policies,¹⁴⁷ the Indigenous and Aboriginal Campesino Economic Organizations (OECAS) and Community Economic Organizations (OECOM) Act for the Integration of Sustainable Subsistence Farming and Food Sovereignty¹⁴⁸ and the Act on the Protection of Highly Vulnerable Indigenous and Aboriginal Nations and Peoples.¹⁴⁹

170. Indigenous and aboriginal campesino nations and peoples participate fully in the various State bodies. One third of the Chamber of Deputies is made up of indigenous representatives whose mode of election is decided in accordance with the internal norms of each indigenous nation or people.

171. The bill on a framework for prior consultation was drafted jointly with the Ministry of the Interior and the indigenous and aboriginal campesino nations and peoples, namely, the Confederation of Bolivian Indigenous Peoples (CIDOB), the National Council of Ayllus and Markas of Qullasuyu (CONAMAQ), the Integrated Trade Union Confederation of Tenant Farmers of Bolivia (CSUTCB), the National Federation of Women Tenant Farmers of Bolivia “Bartolina Sisa” (FNMCB “BS”), and the Trade Union Confederation of Aboriginal Communities of Bolivia (CSCIOB). It is currently before the Plurinational Legislative Assembly.

The indigenous judicial system (recommendations 46, 48 and 76)

172. The Jurisdiction Demarcation Act establishes the coordination and cooperation mechanisms between indigenous and aboriginal campesino jurisdictions and the other constitutionally recognized jurisdictions under the framework of legal pluralism.

173. All jurisdictions must uphold, promote and protect the right to life and the other rights and guarantees enshrined in the Constitution. Indigenous and aboriginal campesino nations and peoples have the right to appeal to higher courts in accordance with the organizational structure of each region. A public policy on strengthening indigenous and aboriginal campesino justice has been formulated.

174. Pursuant to the Act on the Code of Constitutional Procedure,¹⁵⁰ jurisdictional disputes among indigenous and aboriginal campesino, ordinary, and agricultural and environmental courts are settled by the Plurinational Constitutional Court.

XV. The Rights of peoples

Right to development

175. The National Fund for Alternative Development is a public institution which promotes comprehensive development processes by financing priority projects for local stakeholders and beneficiaries mainly from the country’s coca leaf cultivation region. It creates sustainable and participative comprehensive development, fostering self-management skills in communities and institutions to eradicate the causes of poverty, marginalization and environmental degradation.

176. The National Fund for Alternative Development for campesino, original and indigenous nations and peoples manages and provides public, private and external financial resources to those peoples by way of programmes and projects that contribute to their comprehensive development with their particular vision and identity, respecting the diverse lifestyles, habits and customs and their relationship with nature.¹⁵¹

The rights of Mother Earth

177. The Act on the rights of Mother Earth¹⁵² contains provisions recognizing that Mother Earth is sacred according to the worldviews of the campesino, aboriginal and indigenous nations and peoples, and establishing that she has the right to life, diversity, water, clean air, balance, regeneration, and to live free from pollution. It subsequently sets out the obligations of the State and society for her protection, establishing the Ombudsman’s Office for Mother Earth.

178. The framework Act on Mother Earth and comprehensive development for a good life¹⁵³ sets out the main principles for comprehensive development in harmony and balance with Mother Earth for a good life, by ensuring the ongoing regenerative capacity of the

components and life systems of Mother Earth, and recovering and strengthening local wisdom and ancestral knowledge taking into account the complementarity of rights, obligations and duties.

179. Bolivia sponsored the international conference, *Cerrando el Ciclo del No-Tiempo y Recibiendo el Nuevo Ciclo de Equilibrio y Armonía para la Madre Tierra* (closing the cycle of “no-time” and beginning the new cycle of balance and harmony with Mother Earth) held on 21 December 2012. The conference was attended by leaders of global social movements. On the isla del Sol on the sacred Lake Titicaca, the isla del Sol manifesto was adopted with 10 directives and 40 actions aimed at a good life in harmony with Mother Earth.

XVI. Voluntary commitments

180. Bolivia fulfilled the 10 voluntary commitments made during the first universal periodic review. It takes this opportunity to announce new voluntary commitments:

- Implementation of public policies on human rights in line with the 2025 Agenda, formulated with the participation of civil society;
- Generation of statistics disaggregated by gender and age groups for human rights indicators;
- Registration of beneficiaries in a single register to identify future needs and provide vouchers appropriate to social programmes;
- Establishment of an inter-institutional forum on human rights issues for the preparation of periodic reports;
- Continuation of efforts to ensure the extradition of persons accused of human rights violations and crimes against humanity.

XVII. Conclusions

181. Bolivia is progressing towards the implementation of human rights for a good life in harmony with Mother Earth. Challenges remain which continue to be tackled with the participation of social movements and organizations. Bolivia is always open to dialogue on human rights, in the context of constructive cooperation and respect for the sovereignty and self-determination of its peoples.

Notes

¹ Con información de los Ministerios de: Justicia, Relaciones Exteriores, Gobierno Planificación y Desarrollo, Economía y Finanzas Públicas, Desarrollo Productivo y Economía Plural, Desarrollo Rural y Tierras, Culturas y Turismo Defensa, Trabajo, Empleo y Previsión Social, Transparencia, así como el Órgano Judicial, Fiscalía General del Estado, Tribunal Constitucional, Órgano Legislativo. A nivel departamental participaron los Gobiernos Autónomos Departamentales y Gobiernos Autónomos Municipales.

² En las ciudades de Cochabamba, Santa Cruz y La Paz.

³ Ley 358 del 17 abril, 2013.

⁴ Ley 324 del 27 diciembre, 2012.

⁵ Ley 156 del 26 julio, 2011.

⁶ Ambas en proceso de ratificación en la Asamblea Legislativa Plurinacional.

- ⁷ Se encuentra en elaboración los siguientes informes: Inicial para la Convención Internacional para la Protección de Todas las Personas contra las Desapariciones Forzadas, 21° al 24 para la Convención Internacional sobre la Eliminación de todas las Formas de Discriminación Racial, 3° y 4° para el Pacto Internacional de Derechos Económicos, Sociales y Culturales.
- ⁸ Convención Internacional para la Eliminación de todas las formas de Discriminación Racial.
- ⁹ Pacto Internacional de Derechos Civiles y Políticos.
- ¹⁰ Convención Internacional de Protección de los Trabajadores Migratorios y sus Familiares.
- ¹¹ Convención contra la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes.
- ¹² Convención sobre la Eliminación de Todas las Formas de Discriminación contra las Mujeres.
- ¹³ Convención sobre los Derechos de las Personas con Discapacidad.
- ¹⁴ Ley 3713 del 13 julio, 2007.
- ¹⁵ El 10 de febrero de 2010.
- ¹⁶ El 2013.
- ¹⁷ El 2013.
- ¹⁸ El 2014.
- ¹⁹ Desde enero 2014.
- ²⁰ Realizada el 14 y 15 de junio del 2014 en la ciudad de Santa Cruz.
- ²¹ FAO, OACNUDH, OPS-OMS, PMA, PNUD, UNFPA, UNICEF, UNODC, ONU MUJERES, OIM y UNDSS y el Banco Mundial. Asimismo, el ACNUR, FMI, HABITAT, OACI, OCHA, OIEA, OIT, OMM, ONUDISA, PNUMA, UIT y UNESCO desarrollan actividades en el país.
- ²² Realizada el 14 de mayo del 2013 en la ciudad de Cochabamba.
- ²³ Realizada en Haití en mayo del 2014.
- ²⁴ Bolivia: Una mirada a los logros más importantes del Nuevo Modelo Económico–Brochure 2014.
- ²⁵ Medida de desigualdad en la distribución de ingresos dentro de un país.
- ²⁶ Idem 15.
- ²⁷ Web: www.ine.gob.bo/indicadoresddhh.
- ²⁸ El 2012, se conformaron 6 Comités Técnicos de Trabajo para la construcción participativa de Indicadores que incluyen a: Ministerio de Justicia; Ministerio de Trabajo, Empleo y Previsión Social; Ministerio de Obras Públicas, Servicios y Vivienda; Ministerio de Educación; Ministerio de Salud y Deportes; INE, Gobierno Autónomo Municipal de La Paz; Brigada de Protección a la Familia de la Policía Boliviana, Comando General de la Policía Boliviana, Comité Técnico del Consejo Nacional de Alimentación y Nutrición. Se realizaron talleres de validación con organizaciones de la sociedad civil.
- ²⁹ Creado por Decreto Supremo 29851 del 10 de diciembre 2008, como entidad encargada de la dirección y fiscalización de los objetivos planteados en el PNADH 2009-2013.
- ³⁰ Resolución del 10 de junio de 2011. La masacre de Porvenir, sucedió el 11 de septiembre de 2008 provocada por la oposición al gobierno boliviano y con el resultado de 18 campesinos muertos y cerca de 30 desaparecidos. En las investigaciones resaltó que los actores fueron parte del personal de la prefectura del departamento de Pando bajo órdenes del entonces Prefecto, Leopoldo Fernández, actualmente bajo detención domiciliaria a la espera del resultado del juicio.
- ³¹ Resolución Ministerial N° 354/11 de fecha 14 de noviembre de 2011.
- ³² Resolución N° 001/2012 de fecha 23 de noviembre de 2012.
- ³³ Comisión de Derechos de los Pueblos y Naciones Indígena, Originario, Campesina y Afrobolivianos; Comisión de Derechos Económicos, Sociales y Culturales; Comisión de Derechos Civiles y Políticos; Comisión de los Derechos de la Mujer; Comisión de Grupos en Riesgo de Vulnerabilidad y Comisión Interinstitucional de Lucha contra el Racismo y Discriminación.
- ³⁴ Los pilares son: 1. Erradicación de la Pobreza Extrema. 2. Socialización y Universalización de los Servicios Básicos con Soberanía para Vivir Bien. 3. Salud, Educación y Deporte para la Formación de un Ser Humano Integral. 4. Soberanía Científica y Tecnológica con Identidad Propia. 5. Soberanía Comunitaria Financiera sin servilismo al capitalismo financiero. 6. Soberanía Productiva con Diversificación y Desarrollo Integral sin la Dictadura del Mercado Capitalista. 7. Soberanía sobre nuestros Recursos Naturales con Nacionalización, Industrialización y Comercialización en Armonía y Equilibrio con la Madre Tierra. 8. Soberanía Alimentaria a través de la Construcción del Saber Alimentarse para Vivir Bien. 9. Soberanía Ambiental con Desarrollo Integral, Respetando los Derechos de la Madre Tierra. 10. Integración Complementaria de los Pueblos con Soberanía. 11. Soberanía y Transparencia en la Gestión Pública bajo los Principios de No Robar, No Mentir y No ser

- Flojo. 12. Disfrute y Felicidad Plena de Nuestras Fiestas, de Nuestra Música, Nuestros Ríos, Nuestra Selva, Nuestras Montañas, Nuestros Nevados, de Nuestro Aire Limpio, de Nuestros Sueños.
- ³⁵ Año del bicentenario de la fundación del país.
- ³⁶ Responde a recomendación del Comité CMW. Ver <http://sereci.oep.org.bo>.
- ³⁷ Datos del Servicio de Registro Civil.
- ³⁸ Ley N° 264.
- ³⁹ Firmado el 2013 entre la Fiscalía General del Estado, la Universidad Mayor de San Andrés y el Consejo Interinstitucional para el Esclarecimiento de Desapariciones Forzadas.
- ⁴⁰ Entre el 4 de noviembre de 1964 y el 10 de octubre de 1982.
- ⁴¹ Resolución Ministerial 316 de 16 de mayo de 2009 del Ministerio de Defensa. Esta Resolución dispone el acceso a la documentación clasificada del Escalafón del Personal de la Fuerzas Armadas correspondiente a los meses de julio y agosto de 1980 con la finalidad de investigar sobre el paradero de los restos de Renato Ticona Estrada, Marcelo Quiroga Santa Cruz y Juan Carlos Flores Bedregal.
- ⁴² Asociación de Familiares de Detenidos, Desaparecidos y Mártires por la Liberación Nacional. El proyecto de ley se revisa en la Cámara de Diputados, Comisión de DDHH.
- ⁴³ Del Ministerio Público.
- ⁴⁴ Conflictos que se denominaron *Guerra del gas* sucedidos de septiembre a octubre del 2003, relacionados a la exportación de gas natural de Bolivia durante el gobierno de Gonzalo Sánchez de Lozada.
- ⁴⁵ Ley 025 de 24 de junio de 2010.
- ⁴⁶ Jurisdicción Ordinaria, Jurisdicción Agroambiental, Jurisdicciones Especiales y Jurisdicción Indígena Originaria Campesina.
- ⁴⁷ Financiado por la Unión Europea, la OACNUDH y la AECID.
- ⁴⁸ Realizada el 16 de octubre del 2011 acorde al Artículo 20 de la Ley del Órgano Judicial y las normas electorales regulan el sistema de preselección de candidatos y de la elección por voto popular a las máximas autoridades de los Tribunales que conforman el Órgano Judicial. Iniciaron su trabajo en enero 2012.
- ⁴⁹ Artículos 182-I, 188-I, 194-I y 198 de la CPE, que disponen que las autoridades serán elegidas mediante sufragio universal y que la organización y ejecución del proceso electoral está a cargo del Órgano Electoral Plurinacional.
- ⁵⁰ Artículo 8 de la Ley N° 018 de 16 de junio de 2010.
- ⁵¹ Ley N° 212 de 05 de julio de 2012.
- ⁵² Creado a través de la Resolución Ministerial No. 092/2012 de 30 de mayo de 2012.
- ⁵³ Ley N° 1770 y su Decreto Reglamentario.
- ⁵⁴ Ley N° 464 de 19 de diciembre de 2013.
- ⁵⁵ Artículos 106 y 107 de la CPE.
- ⁵⁶ Lanzado a órbita el 20 de diciembre de 2013 y administrado por la Agencia Boliviana Espacial.
- ⁵⁷ Ley 315, de 10 de diciembre de 2012.
- ⁵⁸ Ley 045 de 08 de octubre de 2010.
- ⁵⁹ Ley 045 del 08 de octubre del 2010.
- ⁶⁰ Ley 139, del 14 de junio 2011.
- ⁶¹ Ley 200, de 14 de diciembre de 2011.
- ⁶² El Comité es un mecanismo permanente y participativo para conocer la demanda, propuestas desde las propias poblaciones vulneradas por actos de racismo y discriminación, está conformado por aproximadamente 61 organizaciones y movimientos sociales con alcance a nivel nacional.
- ⁶³ www.noracismo.gob.bo.
- ⁶⁴ Ley 004 de 31 de marzo de 2010. Establece mecanismos y procedimientos destinados a prevenir, investigar, procesar y sancionar actos de corrupción cometidos por servidores públicos y ex servidores públicos, en el ejercicio de sus funciones y personas naturales o jurídicas y representantes legales de personas jurídicas, públicas o privadas, nacionales o extranjeras que comprometan o afecten recursos del Estado.
- ⁶⁵ Ley 341 de Participación y Control Social del 11 de marzo del 2013.
- ⁶⁶ Realizada el 03 y 04 de octubre de 2013.
- ⁶⁷ Pasaron de 13.000 el 2005 a más de 30.000 nuevos ítems el 2013.
- ⁶⁸ Decreto Supremo 1887 de 4 de febrero de 2014.

- ⁶⁹ Este Plan se basa en tres acciones: constitución del Sistema Plurinacional de Educación en Derechos Humanos; desarrollo del modelo educativo socio-comunitario productivo en Derechos Humanos que recupere las ricas experiencias intraculturales desarrolladas por diferentes actores; y la adopción de normativa, gestión institucional y gestión curricular de las instituciones y organizaciones miembros de este Sistema.
- ⁷⁰ En la Escuela de Abogados de la Procuraduría General del Estado, en la Escuela de Gestión Pública Plurinacional, en la Academia Diplomática del Ministerio de Relaciones Exteriores, en la Escuela de Jueces del Tribunal Supremo Electoral, en las Fuerzas Armadas y en la Policía Boliviana.
- ⁷¹ Declaró a Bolivia libre de analfabetismo el 20 de diciembre del 2008.
- ⁷² Tiene como objetivo, garantizar la continuidad de estudios de los recién alfabetizados y aquellos jóvenes y adultos que no han accedido a la educación primaria, brindándoles una formación equivalente de 1ro a 6to de primaria.
- ⁷³ Ley N° 475 de 30 de diciembre de 2013.
- ⁷⁴ El programa cuenta con 150 médicos, 150 enfermeras, 40 radiólogos, 40 laboratoristas y 40 estadígrafos que brindan atención médica gratuita. Este programa también fortalece centros de salud con equipamiento adecuado, iniciándose esta dotación en la ciudad de El Alto en junio de 2013. Luego continuó en Tarija, Cobija-Pando, Quillacollo-Cochabamba, Chaco Santa Cruz, Chaco Chuquisaca, Warnes-Santa Cruz, Guayaramerin-Beni y Concepción-Santa Cruz. Actualmente se implementa en el Departamento de Potosí.
- ⁷⁵ Los ambientes reunirán las condiciones técnicas para cubrir los servicios de consulta externa, contarán con salas de recepción, archivo, farmacia, consultorios de medicina general, de odontología, ambientes para el trabajo social, sala de parto con adecuación cultural, sala de internación, lavandería y depósito.
- ⁷⁶ Aprobado mediante Resolución Ministerial N° 0799 de fecha 07 de septiembre de 2009, del Ministerio de Salud.
- ⁷⁷ Ley 065 del 10 de diciembre del 2010.
- ⁷⁸ Decreto Supremo 822 de febrero del 2014.
- ⁷⁹ Páginas web: www.empleo.gob.bo; www.miprimere Empleo.gob.bo; www.pae.gob.bo.
- ⁸⁰ Decreto Supremo 1948, 31 de marzo de 2014, norma la continuidad de la tarifa dignidad.
- ⁸¹ Yacimientos Petrolíferos Fiscales Bolivianos www.ypfb.gob.bo
- ⁸² Resolución 64/292 del 28 de julio del 2010.
- ⁸³ Ley 144 de junio del 2011.
- ⁸⁴ Organizaciones Económicas Campesinas, Indígena Originarias – OECAS.
- ⁸⁵ Organizaciones Económicas Comunitarias – OECOM.
- ⁸⁶ Ley 338 del 26 de enero del 2013.
- ⁸⁷ Organización del Tratado de Cooperación Amazónica. La reunión se realizó el 24 de octubre de 2013.
- ⁸⁸ “Es la potestad de los estados y Pueblos a definir sus propias políticas y estrategias sustentables de producción, comercialización y consumo de alimentos que garanticen la seguridad alimentaria y el derecho a la alimentación de la población, con énfasis en la pequeña y mediana producción, en la agricultura familiar y en producción comunitaria, recuperando y fortaleciendo los conocimientos locales en armonía con la Madre Tierra”.
- ⁸⁹ Decreto Supremo N° 1254 de 13 de junio de 2012.
- ⁹⁰ Ley N° 204 de 15 de diciembre de 2011.
- ⁹¹ Ley N° 307 de 10 de noviembre de 2012.
- ⁹² MDRYT.
- ⁹³ Que recomienda ser más eficientes en los procesos de inscripción y pago al beneficiario (UDAPE).
- ⁹⁴ Que establece que el programa incentiva efectivamente la demanda de servicios preventivos y tiene impacto en indicadores finales de desarrollo (UDAPE).
- ⁹⁵ Documento de Línea de Base del Programa Desnutrición Cero y el documento de Sistematización de Experiencias de su Implementación; así como, la Evaluación de Medio Término del Programa Multisectorial Desnutrición Cero-PMDC.
- ⁹⁶ Boletín Informativo 1: “Construyendo Obras para Bolivia” (Mayo 2013).
- ⁹⁷ Boletín Informativo 1: “Construyendo Obras para Bolivia” (Mayo 2013).
- ⁹⁸ Boletín Informativo 1: “Construyendo Obras para Bolivia” (Mayo 2013).
- ⁹⁹ Ley 393 del 21 de agosto del 2013, que tiene por objeto regular las actividades de intermediación financiera y la prestación de los servicios financieros, así como la organización y funcionamiento de

las entidades financieras y prestadoras de servicios financieros; la protección del consumidor financiero; y la participación del Estado como rector del sistema financiero, velando por la universalidad de los servicios financieros y orientando su funcionamiento en apoyo de las políticas de desarrollo económico y social del país.

- ¹⁰⁰ Aprobado mediante Decreto Supremo N° 29850 de 10 de diciembre de 2008.
- ¹⁰¹ Ley No. 018 del Órgano Electoral Plurinacional (16 junio de 2010) y La Ley No. 026 de Régimen Electoral (30 de junio de 2010).
- ¹⁰² Página web: <http://www.mindef.gob.bo/mindef/node/903>.
- ¹⁰³ Ley N° 348 de 09 de marzo de 2013.
- ¹⁰⁴ Sentencia Constitucional Plurinacional 0206/2014 del 05 de febrero del 2014.
- ¹⁰⁵ Ley N° 243 de 28 de mayo de 2012.
- ¹⁰⁶ Artículo 6 de la Ley N° 243 de 28 de mayo de 2012.
- ¹⁰⁷ Decreto Supremo N° 1053 del 23 de noviembre del año 2011.
- ¹⁰⁸ La estrategia convoca a la realización de diversas acciones conjuntas para lograr una vida libre de violencia que tiene el objetivo de desnaturalizar la violencia contra las mujeres.
- ¹⁰⁹ Organismo especializado de la Policía Boliviana encargado de la prevención, auxilio e investigación, identificación y aprehensión de los presuntos responsables de hechos de violencia hacia las mujeres y la familia, bajo la dirección funcional del Ministerio Público, en coordinación con entidades públicas y privadas.
- ¹¹⁰ Artículo 53 de la Ley N° 348.
- ¹¹¹ Se encuentra en la Asamblea Legislativa Plurinacional.
- ¹¹² El Sistema permite tener datos oportunos de la situación, tanto institucional cuanto individual de la niñez y de la adolescencia en desventaja social.
- ¹¹³ Las Defensorías Municipales de la Niñez y la Adolescencia se crearon en 1997 por mandato de la Ley N° 1551 de 20 de abril de 1994, para promover, proteger y defender los derechos de los niños, niñas y adolescentes; y brindar a la comunidad un servicio permanente, público y gratuito. Los gobiernos autónomos municipales financian el funcionamiento de estas Defensorías.
- ¹¹⁴ Instituto Nacional de Estadísticas.
- ¹¹⁵ Se ha suscrito un Convenio con la Cooperación Suiza.
- ¹¹⁶ Inspecciones en las áreas de mayor incidencia, Implementación de una estrategia de comunicación focalizada y nacional para la prevención de las peores formas de trabajo infantil, Cuenta con personal especializado en trabajo infantil en zonas de mayor incidencia como Bermejo, Potosí, Riberalta y Montero. Capacitación a servidores públicos en un módulo de formación en derechos de la niñez y adolescencia, con énfasis en prevención de trabajo infantil.
- ¹¹⁷ Ubicado en la localidad de Viacha, provincia Ingavi del Departamento de La Paz. La infraestructura acoge a 128 adolescentes y jóvenes varones y tiene cuatro hectáreas de superficie. También existe una edificación para mujeres que albergará 50 personas, pero aún está en construcción.
- ¹¹⁸ Con participación de autoridades de los Órganos, legislativo, judicial y ejecutivo y la Defensoría del Pueblo.
- ¹¹⁹ Las estrategias implementadas en el sector salud para el cuidado de la salud de niños y niñas menores de 5 años en particular; (Atención Integral a Enfermedades Prevalentes de la Infancia AIEPI, distribución del alimento complementario Nutribebé, administración de micronutrientes Hierro, vitamina A, zinc, promoción de buenas prácticas de alimentación, Inmunizaciones, etc).
- ¹²⁰ Ley 263 del 31 de julio de 2012. Asimismo, incorpora tres pilares de lucha contra la trata, siendo estos: la prevención, protección y persecución; y establece que los medios de comunicación tienen la obligación de incorporar franjas de prevención y difusión de la ley, y la difusión gratuita en espacios informativos en casos de desaparición de personas.
- ¹²¹ Ley 263, modifica el Código Penal adecuando catorce conductas a tipo penal de la trata de personas, y los alcances del delito de tráfico de personas. La ley fue reglamentada el 06 de febrero de 2013, con el Decreto Supremo N° 1486.
- ¹²² Aprobada mediante la Resolución CPCTTP N° 001/20141 de 06 de enero de 2014.
- ¹²³ Presidido por el Ministerio de Justicia e integrado por otros Ministerios del Órgano Ejecutivo, instituciones de defensa de la sociedad y la sociedad civil organizada.
- ¹²⁴ El protocolo está dirigido a todos los servidores y servidoras públicas, personal de instituciones privadas y no estatales, que tengan una participación en cualquier etapa de la ruta crítica, sea desde

- mecanismos preventivos, mecanismos de protección o mecanismos de asistencia a las víctimas de trata y tráfico de personas, sean nacionales o extranjeras.
- ¹²⁵ Dentro de la estructura organizativa de la Policía Boliviana.
- ¹²⁶ Dentro de la estructura organizativa del Ministerio de Gobierno.
- ¹²⁷ Complementarias a la Ley 263.
- ¹²⁸ En coordinación con la Dirección General de Migración, Ministerio de Trabajo, Empleo y Previsión Social y la Dirección de Trata y Tráfico de la FELCC.
- ¹²⁹ Formularios en los que se registran el consentimiento de los padres de familia y/o tutores de los menores, han establecido acuerdos con el sindicato de transporte interdepartamental a fin de que al momento de emitir los boletos también exijan que se recaben autorización respectiva.
- ¹³⁰ Ley N° 342 de 05 de febrero de 2013.
- ¹³¹ Ley N° 369 de 1 de mayo de 2013.
- ¹³² De 1932 a 1935.
- ¹³³ Ley N° 223 de 02 de marzo de 2012.
- ¹³⁴ Ley N° 453 de 6 de diciembre de 2013.
- ¹³⁵ Ley N° 045 Artículo 5.
- ¹³⁶ Decreto Supremo N° 1022 de 26 de octubre de 2011.
- ¹³⁷ Decreto Presidencial 1723, de 18 de septiembre de 2013. El indulto y la amnistía se concede a quienes cuenten con sentencia ejecutoriada pasada en autoridad de cosa juzgada; y, aquellas que se encuentren en la etapa de investigación, juicio oral, apelación restringida y casación, respectivamente, al completar el año el 2014.
- ¹³⁸ Centro de Rehabilitación Productiva de Chonchocoro de La Paz.
- ¹³⁹ Ley N° 463 de 19 de diciembre de 2013.
- ¹⁴⁰ Ley N° 474 de 30 de diciembre de 2013.
- ¹⁴¹ Ley N° 370 de 08 de mayo de 2013. Reconoce 15 derechos generales y 10 derechos específicos a trabajadores migrantes.
- ¹⁴² Decreto Supremo N° 1923 de 13 de marzo de 2014.
- ¹⁴³ Ley 251 del 20 de junio del 2012.
- ¹⁴⁴ Conformado por Ministerios de Relaciones Exteriores, de Gobierno y de Justicia.
- ¹⁴⁵ Ley N° 144 de 26 de junio de 2011.
- ¹⁴⁶ Ley N° 222 de 10 de febrero de 2012.
- ¹⁴⁷ Ley N° 268 de 2 de agosto de 2012.
- ¹⁴⁸ Ley N° 338 de 26 de enero de 2013.
- ¹⁴⁹ Ley N° 450 de 4 de diciembre de 2013.
- ¹⁵⁰ Ley N° 254 de 05 de julio de 2012.
- ¹⁵¹ Otros programas de apoyo a la producción: Programa de Apoyo a la Valorización de la Economía Campesina de Camélidos (VALE); Instituto Nacional del Seguro Agrario (INSA), Proyecto de Inversión Comunitaria en Áreas Rurales (PICAR).
- ¹⁵² Ley 071 del 21 de diciembre del 2010.
- ¹⁵³ Ley 300 del 22 de mayo del 2014.
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