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Universal Periodic Review

### Report of the Working Group on the Universal Periodic Review\*

#### Bolivia (Plurinational State of)

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its seventh session from 8 to 19 February 2010. The review of Bolivia (Plurinational State of) was held at the 6<sup>th</sup> meeting, on 10 February 2010. The delegation of Bolivia was headed by Ms. Nardy Suxo, Minister of Institutional Transparency and the Fight against Corruption. At its 10<sup>th</sup> meeting, held on 12 February 2010, the Working Group adopted the report on Bolivia.
2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Bolivia: Kyrgyzstan, Burkina Faso and Uruguay.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Bolivia:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/7/BOL/1);
  - (b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/7/BOL/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/7/BOL/3).
4. A list of questions prepared in advance by Denmark, Hungary, Latvia, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland, the Czech Republic, Germany, Argentina and the Netherlands was transmitted to Bolivia through the troika. Those questions are available on the extranet of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. In her introductory statement, the Minister of Institutional Transparency and the Fight against Corruption, Nardy Suxo, referred to the historic moment that Bolivia is experiencing. Since 2006, Bolivia has been undergoing a democratic and cultural revolution driven by social movements and indigenous peoples that have been fighting for their rights for decades. The social movements presented specific demands: to regain ownership of natural resources so that everyone could benefit from their exploitation; to establish the basis for a new and more inclusive and participatory State; and to bring to justice the perpetrators of human rights abuses and acts of corruption.
6. The Government is committed to eradicating the poverty it inherited from past colonial, racist, segregatory and undemocratic policies. To that end, it nationalized its hydrocarbon industry, investing the new income thus generated in programmes to improve the people's access to health and education, and to promote production and employment. The National Development Plan has enabled Bolivia to meet its people's most pressing needs and to counter the effects of the global economic crisis. Reference was also made to the positive impacts of specific social programmes to eradicate illiteracy, address malnutrition, establish a rent for the elderly and extend healthcare to all. Public school infrastructure and the quality of education are being improved. The delivery of land titles for indigenous and rural farming families has been accelerated.

7. A new and inclusive State Constitution, recognizing and guaranteeing all human rights, with an emphasis on economic, social, cultural and environmental rights under the principles of solidarity, equality and fairness, has been adopted. It recognizes traditional forms of organization and justice of indigenous peoples. The introduction of specific legislation to comply with the Constitution was delayed by opposition forces in the previous Legislature, but is now being implemented by the new Plurinational Legislative Assembly.
8. New opportunities have arisen for political participation by the various sectors of society. Women now constitute half of the Ministerial Cabinet and are well represented in the Senate and the Chamber of Deputies. In addition, Afro-descendent leaders and representatives of persons with disabilities have been elected for the first time through the popular vote.
9. The Legislature has already begun to work on the tasks mandated by the people. It is currently reviewing draft legislation aimed at, inter alia, combating corruption and embezzlement and preventing and eliminating all forms of racism and discrimination.
10. In response to demands from civil society and calls for justice made by the victims of the October 2003 repression and their families, Bolivia has begun trial proceedings against former President Gonzalo Sánchez de Lozada and his collaborators for the commission of crimes against humanity. After decades of neglect, work has begun to exhume the remains of victims of enforced disappearances committed during the past military dictatorship, and to return the remains of those persons to their families.
11. In compliance with observations made by international human rights mechanisms regarding the existence of Guaraní peoples living under contemporary forms of slavery, 150 Guaraní families have been released from bondage. Identity papers have been granted to more than 2,600 Weenhayek, Taipete and Guaraní peoples, and Guaraní families have received compensation payments and lands to ensure their livelihoods.
12. Efforts to build an inclusive State have been accompanied by acts of racist violence against indigenous peoples and human rights defenders, particularly those advocating for indigenous people's rights, committed by radical groups opposed to the Government, as verified and reported by intergovernmental and non-governmental bodies. The most extreme form of violence occurred at the so-called Pando massacre in September 2008, of which the Human Rights Council has been duly informed. Bolivia reaffirmed its commitment to all victims of violent and racist attacks, indicating that it will ensure that those responsible are punished according to the law.
13. Reference was also made to serious shortcomings in the judicial system and complaints in that regard. Reforms to the justice system to guarantee its independence have been introduced, including within the Constitution. The new Ministry of Institutional Transparency and the Fight against Corruption has also introduced measures to guarantee transparency in public administration and to ensure that acts of corruption are punished.
14. Bolivia stated that it had signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and that it would soon be signing the Second Optional Protocol to the International Covenant on Civil and Political Rights. Bolivia noted that it is also part of the main Inter-American human rights treaties and has established a national human rights institution, the Defensoría del Pueblo, in compliance with the Paris Principles and accredited with "A" status.
15. Bolivia has a strong and vibrant civil society, with which it works hand in hand to promote and protect human rights. Together with civil society, a National Human Rights Action Plan has been developed, with a National Human Rights Council to oversee its implementation.

16. Bolivia received a visit by several special procedures and the High Commissioner in 2007. As a result of that good cooperation, Bolivia invited the Office of the United Nations High Commissioner for Human Rights to establish an office with a broad mandate in the country. Bolivia announced that today it had extended an open invitation to all Human Rights Council mechanisms and special procedures to visit the country.

17. Bolivia made reference to the participatory process undertaken in the preparation of the national report, which had enabled it to carry out a comprehensive evaluation of the human rights situation in the country. It noted that the challenges ahead are many, but the country has the necessary political will and, with the support of the people and the solidarity of friendly countries, will continue this work. In the implementation of the recommendations resulting from the universal periodic review, Bolivia will also work in an inclusive and participatory manner.

## **B. Interactive dialogue and responses by the State under review**

18. During the interactive dialogue, 53 delegations made statements. Recommendations made during the dialogue are found in section II of the present report.

19. Venezuela (Bolivarian Republic of) noted not only the process of change in Bolivia, but also an oligarchy that was denying the need to hand over the privileges of the indigenous majority among the people. Venezuela recalled that Bolivia had ratified International Labour Organization (ILO) Convention No. 169 and that the rights of indigenous people were enshrined in the Constitution. Venezuela made recommendations.

20. The Libyan Arab Jamahiriya commended Bolivia's inclusion of the United Nations Declaration on the Rights of Indigenous Peoples in legislation and its National Plan to ensure equal opportunity. Libya praised Bolivia's decision to use resources collected for political campaigns by political parties for the benefit of indigenous peoples.

21. Cuba noted Bolivia's progress and its political will to prioritize the needs of the majority and of those who had been excluded. It noted the programme of structural change aimed at building a society based on social justice and the enjoyment of the rights to health, education, citizen participation, social security, work, justice, housing, food and water. It welcomed the fact that indigenous people and nations were now key actors represented in government, with their rights fully recognized. Cuba made recommendations.

22. Algeria welcomed the new Constitution, its National Action Programme on Human Rights and efforts to ensure the integration of women. It noted that Bolivia was rich in natural resources, but that many people did not benefit from that fact. Algeria made recommendations.

23. Nicaragua noted that since 2005, the country had experienced a revolution in which humanity, local cultures, the family and the natural environment were becoming new ideals. It highlighted the national development plan, aimed at promoting the full enjoyment of human rights from a multicultural perspective, and the national plan of action for human rights. Nicaragua made recommendations.

24. The Russian Federation commended measures aimed at democratic processes and social reforms to improve the position of the indigenous population and to overcome racial discrimination. It noted the national plan of action on human rights. It commended the ratification of many human rights instruments. It made recommendations.

25. Pakistan noted that Bolivia's political system was evolving and wished it well in implementing its 2003 civil society agenda. Pakistan noted measures to end servitude and slavery, and the distribution of land to indigenous communities. Pakistan asked about citizen participation in the anti-corruption policy. Pakistan made a recommendation.

26. Brazil noted Bolivia's commitment to human rights in the context of overcoming social inequality and historical injustice. Brazil congratulated Bolivia on its Constitution, its reduction of maternal and infant mortality and the results it had achieved in combating illiteracy. Brazil asked about mechanisms to guarantee the conformity of indigenous justice with international human rights obligations; measures to combat violence against children, particularly corporal punishment; and measures to overcome poverty. Brazil made recommendations.

27. The Islamic Republic of Iran welcomed the national human rights action plan, the National Human Rights Council, the Ministry for Institutional Transparency and efforts to enhance economic, social and cultural rights. It noted Bolivia's commitment to indigenous peoples' rights. Iran asked about efforts to quantify the historical responsibility of developed countries in the form of climate debt and to promote a declaration on the rights of mother Earth. Iran made recommendations.

28. Egypt commended Bolivia for the national human rights action plan, with the participation of civil society and with the Council to oversee its implementation. Egypt welcomed the national plan on equality and equal opportunities for persons with disabilities. It also noted Bolivia's significant steps to address human trafficking. Egypt made recommendations.

29. The Lao People's Democratic Republic noted that Bolivia's Constitution was in accordance with international human rights treaties. It noted that the Office of the Ombudsman was entrusted with the enforcement, promotion and dissemination of human rights and with the implementation of the national human rights action plan. The Lao People's Democratic Republic made recommendations.

30. Slovakia welcomed the new Constitution and the national human rights action plan. It noted challenges faced by the judiciary and that the process of constitutional reforms had not been finalized. Slovakia referred to concerns about child trafficking, child labour and conditions in detention centres and prisons. It made recommendations.

31. Canada expressed concern about governance institutions that had operated under interim leadership or without a quorum, as well as about reports concerning Government influence over the judiciary. Canada commended Bolivia for steps to protect indigenous rights. It expressed concern at reports concerning threats and intimidation with regard to journalists and human rights defenders, and at the number of anti-media statements made by senior political actors. It made recommendations.

32. Panama welcomed the President's nomination of an equal number of men and women to Cabinet positions. It welcomed the adoption into law of the United Nations Declaration on the Rights of Indigenous Peoples. It noted that the distribution of land posed a challenge and asked about measures to accelerate that process. It referred to the 2008 of the Committee on the Elimination of Discrimination against Women and asked about the inclusion of Bolivians of African origin in national population statistics. Panama made a recommendation.

33. India noted Bolivia's challenges, including the implementation of the 2003 civil society agenda. It highlighted the new Constitution and Ombudsman. India requested information about progress with regard to judicial reforms and measures taken to reduce poverty among indigenous peoples and to address maternal mortality and sexual and reproductive health care.

34. Finland welcomed the new Constitution and Bolivia's extension of an open invitation to human rights mechanisms and special procedures. It expressed concern about the potential conflict between ordinary and indigenous justice under the new Constitution.

Finland inquired how Bolivia would ensure that the right of appeal was guaranteed to individuals in cases addressed by communal courts. Finland made recommendations.

35. Turkey welcomed the Constitution, including important provisions on non-discrimination, the education system, the right to health and freedom of the press. It noted reforms to improve the judiciary. Turkey asked about standards and policies aimed at meeting children's needs. It made recommendations.

36. Austria asked about reducing prison overcrowding and ensuring the best interest of children in prisons. Austria welcomed efforts to put an end to discrimination against indigenous peoples. It expressed concern about the separation of jurisdiction between indigenous and ordinary courts and about violence against indigenous communities. Austria made recommendations.

37. Belarus noted the context of the review and the changes occurring in Bolivia in order to restore its economic and social equality. Belarus noted the new Constitution, the national action plan for human rights and the national Human Rights Council. Belarus asked about measures to combat the trafficking in persons. Belarus made recommendations.

38. Slovenia asked about measures to improve administration of justice; the plan to improve the new human settlement policy in order to guarantee appropriate housing and sanitary conditions; steps to ensure that the new media legislation would be in keeping with human rights obligations; and measures to reduce violence against children, including domestic violence. Slovenia made recommendations.

39. Germany commended Bolivia's voluntary commitments. It referred to working conditions for children under 18 and asked what Bolivia was doing to follow up on the recommendations of United Nations treaty bodies concerning child labour. It made recommendations.

40. France asked about measures to improve the administration of justice and to ensure the full independence of the judicial branch, including good interaction between the ordinary justice system and the indigenous system. It asked about measures to implement the law against torture and to prosecute all torture cases, in particular those involving law enforcement officials. Finally, it inquired about measures aimed at changing societal attitudes with regard to sexual orientation. France made recommendations.

41. Spain welcomed the new Constitution, enshrining parity of political representation between men and women and guaranteeing participation. It noted Bolivia's ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and the progressive decentralization of human rights mechanisms, particularly through the Ombudsman. It asked about undocumented people and about the role of the armed forces in the events at Pando. Spain made recommendations.

42. The United Kingdom of Great Britain and Northern Ireland expressed concern that the draft law against assault and gender-based political violence had not been approved and that the constitutional article stating that media must respect the principles of truth and responsibility was open to broad interpretation. It asked about steps to alleviate that concern. It noted that women suffered inequalities, especially in the workplace, and faced domestic violence. It asked about the protection of vulnerable groups and about combating discrimination on the grounds of sexual orientation. It made recommendations.

43. Azerbaijan highlighted Bolivia's ratification of nearly all international human rights instruments, the adoption of a new Constitution, the reduction in the illiteracy rate and steps taken to protect indigenous rights, including the incorporation of the United Nations Declaration on the Rights of Indigenous Peoples into the country's legislation. It made recommendations.

44. Norway commended the new Constitution and the promotion of indigenous rights. It expressed concern about the living conditions and de facto servitude to which many indigenous people were still being subjected. It noted discrimination and violence against women. Norway expressed concern about the paralysis of the Supreme Court and the Constitutional Tribunal and about the polarization of media and the number of reported assaults on journalists. Norway made recommendations.

45. The United States of America noted continued politicizing appointments as the largest obstacle to justice. It expressed concern at reports that corruption had worsened in 2009. It noted that some non-governmental organizations had characterized the country's press as "partly free" and that Bolivia had taken some steps to silence dissent and criticism of the Government. It made recommendations.

46. Kyrgyzstan recognized the national plan of action for human rights. It noted efforts to develop the health sector and the great importance attached to education and the protection of indigenous peoples' rights. It made recommendations.

47. In response to questions raised, Bolivia noted progress in the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, which had been incorporated into the Constitution. As a result of the most recent general elections, the Legislature, for the first time, included deputies belonging to indigenous jurisdictions.

48. Through a democratic process, Bolivia had carried out a national referendum so that the population could decide on the maximum size of territorial property. The result established the maximum size at 5,000 hectares in order to put an end to large estates (*latifundios*).

49. Through the communitarian management of agrarian reform, Bolivia had achieved important results between 2006 and 2009, with land titles for 31,187,185 hectares and 1,077,973 hectares in the distribution of fiscal lands to 153,349 beneficiaries. Bolivia had carried out expropriations of land that had not fulfilled either an economic or a social function and had given them to peasant communities and/or indigenous peoples. During the period from 2006 to 2009, Bolivia gave 10,299 property titles to women.

50. Bolivia had repatriated families of indigenous, native and peasant heritage living in neighbouring countries. In compliance with ILO Convention No. 169, the right to consultation with indigenous peoples had been included in Bolivian legislation through the adoption of specific norms in 2007.

51. The members of the Afro-Bolivian population had been included in the upcoming census. The country also had a normative framework in place that established their cultural identity in the region.

52. Bolivia had committed itself to eradicating bondage. An Inter-Ministerial Council for the Eradication of Slavery, Forced Labour and Analogous Forms had been created in 2007. The Government was taking steps, in coordination with the Assembly of Guaraní Peoples, to achieve the prohibition and eradication of forced labour. Bolivia had developed a Plan for the Integral Development of the Guaraní Nation for 2009-2015, which responded to the need to eradicate forced labour and slavery in the Bolivian Chaco. Under Transition Plan, labour inspectorates had been created to carry out the fundamental task of safeguarding and re-establishing the validity of work rights for the Guaraní.

53. Bolivia had established an integral plan against gender-based violence that had been integrated into the national development plan and was part of the National Equality and Opportunity Equalization. A new strategy was being developed within that framework, with an emphasis in four areas: detection, prevention, attention and punishment in relation to gender-based violence.

54. The Ministry of Justice, together with the municipal legal services and women's organizations, had harmonized, organized and standardized statistics on domestic violence. Bolivia intended to work with the judiciary to expand the coverage of State services providing attention and protection to crime victims. The Ministry of Justice had also developed a proposal to adapt and enrich norms, protocols and procedures concerning attention to victims of sexual violence, as well as a communication strategy for the prevention of gender violence, entitled "No to Violence against Women". Bolivia planned to reach rural areas, in coordination with municipal governments.

55. Bolivia was working on drafts to modify the Law on Intra-Family Violence and the Law on the Protection of Victims of Crimes against Sexual Freedom, as well as on the revision of the Penal Code and the Family Code, following recommendations made by the Convention on the Elimination of All Forms of Discrimination against Women. The Plan of Sexual and Reproductive Health for 2009-2015 is being implemented to respond to the needs of the population, especially women. Bolivia had strengthened its integral healthcare, including the provision of information and services related to contraception, sexually transmitted infections and HIV/AIDS.

56. Bolivia had four Government organs - executive, legislative, judiciary and electoral - that carried out their work on the basis of independence, separation, coordination and cooperation. The new Constitution had incorporated new mechanisms for ensuring an independent judiciary, including the election of magistrates by direct vote. However, that had required transitional measures that would address the current institutional crisis of the judiciary, which had resulted from the previous, highly politicized system. Bolivia had draft laws for the judiciary, the Plurinational Constitutional Tribunal, the Magistrate Council and the organic law of the Public Prosecutor's Office (Ministerio Publico). Those institutions would carry out a new administration of justice.

57. Freedom of speech, opinion and information were fully recognized in the Constitution. The rights of rectification and reply were also recognized. All were guaranteed through any channel and without prior censorship. Bolivia had 9 television networks, 19 newspapers and hundreds of radio stations and Internet media, all privately owned. However, some private media had abused their role, transmitting content inciting violence, racism, xenophobia, homophobia and other forms of hate. In order to prevent excesses, which had been widely verified by national and international bodies, Bolivia had carried out an awareness-raising campaign with journalists. It had condemned all aggression against the press, independently of their affiliation, and had required the Public Prosecutor's Office and the judiciary to investigate and prosecute such cases. Measures to be taken to prevent such abuses were being considered with all stakeholders and would be in keeping with international standards and the new Constitution regarding working conditions for the press, ethics and self-regulation.

58. Bolivia regretted the fact some human rights defenders had been the victims of attacks and aggression carried out by racist groups in opposition to the current Government, as national and international reports had observed. In compliance with preventive measures set out by the Inter-American Commission for Human Rights, meetings had been organized between the executive and the judiciary branches at which it had been requested that the investigation be carried out expeditiously. Unfortunately, those processes had been delayed, but the Ministry of the Interior had augmented police protection.

59. In a pluricultural and multilingual country such as Bolivia, action to eliminate all forms of racial discrimination was a necessity. Bolivia had actively participated in the Durban Review Conference. The Ministry of Justice had prepared the report to the Committee on the Elimination of Racial Discrimination, which had been widely circulated and had included input from civil society. The Constitution forbade all forms of discrimination, and, in that context, Bolivia had considered classifying that crime for

incorporation into the new Penal Code, which would be finalized in March 2009. Bolivia had five drafts of the law on the prohibition of all forms of racial discrimination and its elimination, and the approval of one of them in the new Legislature was imminent. In addition, the Ministry of Culture, through the Vice-Ministry of Decolonization, had prepared guidelines for a plan of action against racism and discrimination, emphasizing access to education, public works and justice.

60. Indigenous justice was independent, impartial and public. It was speedy, oral and socially harmonious. It addressed damages, managing conflict with absolute regulatory capacity in a social communitarian environment, without State intervention or bureaucracy. It was a self-managed system, consensual and based on values recognized in the Constitution. It had been applied in the past in rural areas by native, indigenous and peasant authorities, with the participation of the community and its administration councils. It had now been incorporated into the draft law on the delimitation of ordinary jurisdiction and native indigenous peasant jurisdiction, with mechanisms for cooperation and coordination that had no impact on due process. Unfortunately, distorted information had resulted in misunderstandings concerning this practice, in which it had been confused with practices that violated human rights, such as lynching. Lynching is not a form of indigenous justice from any perspective, and it will be considered a crime of collective assassination in the new Penal Code.

61. The new Constitution contemplated that it was the duty of the State and society to guarantee the priority of the interests of children and adolescents, the pre-eminence of their rights, their need for protection and rescue, and their right to the timely administration of justice, through specialized personnel. The Constitution prohibited all forms of violence against children and adolescents, their forced labour and their exploitation. Bolivia had a Children's Ombudsman. The Code on Children and Adolescents was being modified to comply with the Constitution and the Convention on the Rights of the Child. Bolivia had also established norms concerning children's right to identity.

62. Bolivia was implementing the National Plan for the Progressive Eradication of Child Labour. Santa Cruz and Beni, with its activities of sugar and chestnut harvesting, and Potosi, with its mining, are the sites of most child labour. These were considered the worst forms of child labour in Bolivia, with some 800,000 children in situations of informal labour. The Ministry of Labour had been conducting inspections to verify that there was no child labour or exploitation in those areas. Bolivia had developed a "triple-check" policy with entrepreneurs and workers to eliminate child labour, as well as awareness-raising campaigns on the issue.

63. Population groups with a different sexual orientation and gender identity, lesbian, gay, bisexual and transgender persons, were recognized and included in the national plan on human rights. By presidential decree, June 28 had been declared the national day for people with diverse sexual orientation in Bolivia. The Constitution forbade all forms of discrimination, including against lesbian, gay, bisexual and transgender persons.

64. In 2007, Bolivia had received a visit by the Rapporteur on the right to food, who had recognized the commitment of President Morales to combating hunger and malnutrition, a priority for Bolivia. He had also highlighted the importance of the strategy for promoting food security and autonomy, which placed priority on local production, in particular small-scale family farmers, and of the agrarian reform, which was centred on eliminating feudal practices. The National Council on food and nutrition had been complemented in order to promote the new policy on food security and sovereignty. Bolivia had implemented the "Zero Malnutrition" programme, which assists pregnant women and children under 5 years old. Bolivia had created companies to support staple food and milk production, and had taken legal action to achieve fair prices.

65. Bolivia had taken preventive measures and carried out alternative punishments to alleviate pressure on the penal process system. Bolivia was training its personnel and working on the mechanism for preventing torture and ill treatment. A draft law on juvenile justice, which had been formulated with input from civil society, was under consideration. It included preventive measures, as well as measures aimed at the reintegration and rehabilitation of juveniles and at the protection of victim rights. The first Centre for Juvenile Justice would be inaugurated shortly in Bolivia.

66. The case that had been brought by the Public Prosecutor and victims against the former Departmental Prefect for the Pando Massacre was awaiting oral trial before the sentence tribunal, since the conflict of jurisdiction had been resolved by the Supreme Court of Justice.

67. The Syrian Arab Republic noted that Bolivia was party to most human rights instruments. It referred to challenges facing Bolivia such as extreme poverty, especially among indigenous people in rural areas, and ensuring the right to food security, which could have an impact on many other rights. Syria made a recommendation.

68. Mexico welcomed the fact that the international human treaties enjoyed constitutional standing. Mexico requested information about progress made in the formulation of public policies to address torture, including its criminalization and the establishment of the national mechanism. It also asked about measures envisaged to implement the Convention on the Rights of Persons with Disabilities. Mexico made recommendations.

69. Colombia expressed appreciation for the national report, in which Bolivia reaffirmed its commitment to combating all forms of discrimination. Colombia also recognized the positive efforts with regard to the promotion and protection of the fundamental rights of indigenous peoples. Colombia made recommendations.

70. Chile referred to measures and policies adopted by Bolivia to better protect and promote human rights. Chile also welcomed the announcement made by Bolivia that it had extended a standing invitation to the special procedures mechanisms to visit the country. Chile made recommendations.

71. Italy noted with concern the conditions of detention. It appreciated the democratic debate on the application of a new institution following the adoption of the new Constitution. In that respect, Italy also noted the various concerns with regard to the judiciary. Italy made recommendations.

72. In referring the statement made by Bolivia, Sweden asked about measures taken to bring to justice perpetrators of abuse and to eradicate impunity for human rights violations. While noting positive developments in the area of economic, social and cultural rights, such as increased support for pregnant women, Sweden asked about measures being taken to ensure the enjoyment of sexual and reproductive rights by all women. Sweden made recommendations.

73. The Netherlands welcomed the cooperation of Bolivia with the Office of the High Commissioner, including through its country office, as well as the country's decision to extend a standing invitation to all special procedures. It expressed concern about the high prevalence of violence against women in Bolivia. Netherlands made recommendations.

74. Denmark commended the ambition of Bolivia to improve the protection of human rights, but noted that serious obstacles remained in terms of practice. Denmark expressed concern at the lack of effective access to the justice system and asked about steps taken to improve access to justice. Denmark made recommendations.

75. The Republic of Korea congratulated Bolivia on the adoption of the new Constitution. It asked about plans to ensure the conformity of legislation and practices with the Constitution, as well as about measures to raise awareness among the people of Bolivia about the spirit enshrined therein. The Republic of Korea made recommendations.

76. Switzerland referred to the “native indigenous campesino justice” and to the effectiveness of the ordinary justice system. It also cited reports that criticized the functioning of the judiciary bodies. In addition, it noted that women’s rights were being increasingly affected by the increases in insecurity and violence. Switzerland congratulated Bolivia on the standing invitation extended to the special procedures. Switzerland made recommendations.

77. Poland noted with appreciation the adoption of the new Constitution, which recognized children and adolescents as holders of rights, and encouraged Bolivia to strengthen the overall legal framework for the protection of children. It also made reference to concerns expressed by the Committee on the Rights of the Child with regard to the trafficking in and exploitation of children and adolescents, and asked Bolivia about steps that it intended to take to address that issue. Poland made recommendations.

78. Iraq appreciated the efforts made by Bolivia in preparing its national report, which reflected its commitment to human rights. Iraq asked about the judicial mechanisms that helped women to protect their rights in Bolivian society, and about the role of civil society organizations in protecting those rights.

79. Angola congratulated Bolivia on its efforts to promote economic, social and cultural rights, as well as on the legislation regulating the freedom of the press, which took into account the limits set by the International Covenant on Civil and Political Rights. It also noted Bolivia’s efforts to promote the pacific coexistence of the people and respect for diversity. Angola made a recommendation.

80. Paraguay asked about the principal challenges related to the consolidation of the human rights of indigenous peoples, in particular with regard to the right to education, adequate housing, food and health services. Paraguay welcomed the progress made in the implementation of social policies and congratulated Bolivia on having extended a standing invitation to the special procedures.

81. China expressed appreciation for the national report and the adoption of a new Constitution and a national human rights action plan. China asked about the progress achieved and the obstacles faced by Bolivia in implementing the national plan against poverty.

82. Guatemala referred to important steps taken with a view to recognizing the rights of indigenous peoples. However, it noted that the problem of discrimination and racism persisted and asked about the status of the draft law to prevent and eliminate all forms of racial discrimination. Guatemala also asked about the content and the expected timeline for the adoption of the draft national plan for children and adolescents. Guatemala made a recommendation.

83. Ecuador made reference to the recognition of cultural diversity. While noting persistent problems regarding the legal framework for the protection of children and juvenile justice, it welcomed the adoption of the national human rights action plan. It also welcomed the financial efforts made to implement social programmes and the extension of a standing invitation to special procedures.

84. Latvia noted that Bolivia had ratified most of the international human rights treaties and that, in general, it was engaged in a good level of cooperation with the United Nations human rights mechanisms and OHCHR. It welcomed the announcement made by Bolivia that it would extend a standing invitation to all special procedures of the Council.

85. Costa Rica noted that changes introduced in the new Constitution were important steps towards a more democratic and participative society with improved recognition of human rights. Making reference to reports of the Committee on the Elimination of Discrimination against Women, it expressed concern about the situation of violence against women, which could reach the level of femicide. Costa Rica made recommendations.

86. Malaysia acknowledged the leadership and the commitment of Bolivia, as well as the wide-ranging reforms aimed at enhancing the people's enjoyment of all human rights. Malaysia indicated that it was encouraged by some of the positive results in that regard. Malaysia made recommendations.

87. Argentina highlighted the adoption of the new Constitution, which incorporated a wide range of human rights. It also referred to the adoption of the United Nations Declaration on the Rights of Indigenous Peoples as domestic legislation, as well as its incorporation into the Constitution. Argentina made recommendations.

88. Bangladesh noted that the Constitution established free and compulsory primary and secondary education. Bangladesh applauded the implementation of programmes that had reduced maternal mortality and child malnutrition rates. Bangladesh made recommendations.

89. Nigeria acknowledged Bolivia's efforts and the country's commitment to promoting and protecting human rights. It also commended Bolivia for the invitation to OHCHR to open an office in the country. It noted that Bolivia had been the first country to incorporate the United Nations Declaration on the Rights of Indigenous Peoples into its national legislation. Nigeria made recommendations.

90. Lebanon welcomed the adoption of the new Constitution, as well as the national human rights action plan. Lebanon also noted with satisfaction the efforts being made by Bolivia to ensure freedom of expression and the enjoyment of cultural rights by indigenous peoples. Lebanon made recommendations.

91. Palestine noted the commitment demonstrated by Bolivia through the adoption of a new Constitution, which incorporated human rights. Palestine referred to strategies and policies aimed at the promotion of human rights, such as the national human rights action plan. Palestine made a recommendation.

92. In responding to additional questions, Bolivia clarified that it had implemented a public policy of transparency in administration. All citizens had access to public information within the framework of a policy of ethics, transparency and social control. Bolivia had been one of the first countries to volunteer to monitor the implementation of the United Nations Convention against Corruption. Bolivia regretted that the judiciary had not assisted in the fight against corruption, since there were still some people accused of corruption who had evaded justice and declared themselves the targets of political persecution and were in countries that continued to protect them. This was due mainly to inaction by the judiciary.

93. Bolivia also referred to its efforts to guarantee access to universal health insurance for all, especially the native indigenous and peasant communities. It was implementing a new mode of medical attention and new policies in a participatory manner, responding to a multi-ethnic population, and was respectful of traditional medicine. It also relied on social movements to monitor transparency in the use of State resources. Moreover, Bolivia had the invaluable support provided by Cuba and its doctors. Bolivia had distributed 719 ambulances in rural areas, was creating a national company for generic medicines and had strengthened its fight against contraband altered medicine.

94. The Constitution recognized that education was free, including at the university level. Illiteracy had been eradicated last year, and Bolivia was currently implementing the

second phase of its literacy campaign, “Yes, I can continue”, with the support of Cuba and the Bolivarian Republic of Venezuela. The Juancito Pinto programme had significantly reduced the school dropout rate. Bolivia had also developed a programme to professionalize teachers and had increased their salary. Infrastructure had been improved, benefitting more than 600,000 children and young people. Bolivia had established three indigenous intercultural universities: one in Warisata, in the Aymara region; one that provided instruction in the Quechua language, in Chimore; and one that provided instruction in the Guaraní language, in the Machareti region.

95. Bolivia was combating poverty, the principal cause of human rights violations, and was making use of its right to self-determination, which was why it was promoting the plurality of its State.

96. Bolivia noted the importance of the protection of Mother Earth, the environment and biodiversity. Bolivia had called for the Peoples’ World Conference on Climate Change and the Rights of Mother Earth, to be held in Cochabamba in April 2010, to which all were invited.

97. In its concluding remarks, Bolivia indicated that it had noted all comments and had tried to answer all questions. Pending answers would be sent in writing. Bolivia expressed its appreciation for the support demonstrated through the constructive participation of States and the critical interventions made, since it was important to learn to listen and engage in dialogue.

## II. Conclusions and/or recommendations

98. The recommendations formulated during the interactive dialogue and listed below have been examined by Bolivia and enjoy its support:

1. To consider ratifying or acceding to the international human rights instruments to which it is not yet party (Nigeria); to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Switzerland); to consider ratifying, as early as possible, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Second Protocol thereto (Argentina);
2. To continue to exercise its right to self-determination and independence and to move forward with its sovereign commitment to positioning its legal system so as to meet the needs of its people, as is already being done (Cuba);
3. To strengthen its legal framework and mechanism for promoting and protecting the human rights of its population (Lao People’s Democratic Republic);
4. To promote the adoption, on a priority basis, of the draft bill for the prevention and elimination of all forms of discrimination and to consider favourably the criminalization of racial discrimination, in keeping with recommendations made by the Committee on the Elimination of Racial Discrimination and other international mechanisms (Mexico); to include the criminalization of all forms of racial discrimination in the draft bill on the elimination of all forms of discrimination, expected to be adopted by the Legislature, as recommended by the Special Rapporteur on indigenous people, the High Commissioner for Human Rights and the United Nations country team, if that has not yet been done (Guatemala);

5. To strengthen the national mechanisms for the advancement of women so that a gender perspective is reflected, in a cross-cutting manner, as a priority issue in policies and sectoral programmes (Mexico);
6. To adopt, as early as possible, a comprehensive law against the trafficking in human beings and to adopt the measures necessary to prevent and combat that scourge (Argentina); and to conclude the development of a national strategy for combating the trafficking in persons and their illicit movement (Belarus);
7. To promulgate, as soon as possible, the new integral law on the sale of children, sexual exploitation and trafficking, and to take concrete and immediate actions to strengthen the National Council against Human Trafficking (Poland);
8. To continue to implement the policies aimed at guaranteeing the best interests of children and adolescents, and to consider the establishment of a children's ombudsman in that context (Bangladesh); to establish an office of the children's ombudsman (Poland);
9. To consider the achievement of the human rights goals approved by resolution 9/12 of the Human Rights Council (Brazil)<sup>1</sup>;
10. To strengthen efforts to ensure respect for fundamental human rights (Palestine);
11. To expand its ongoing policies and programmes in order to consolidate the realization of a Bolivia that is plurinational and based on equality and social justice for all (Cuba);
12. To initiate sectoral policies taking into account the needs of certain vulnerable groups (Algeria);
13. To take effective measures and provide funds for the development of standards and policies to meet the needs of the most vulnerable groups in various areas, in particular education, health and housing (Islamic Republic of Iran);
14. To devote special attention to protecting and promoting the rights of women and children in the processes of developing and implementing national policy (Belarus);
15. To reinforce the policy of promoting children's rights and the implementation of the Guidelines for the Alternative Care of Children, according to Human Rights Council resolution 11/7 and General Assembly resolution 64/142 (Brazil)<sup>2</sup>;
16. To expeditiously adopt, implement and monitor policies and programmes aimed at combating the sale of children and sexual exploitation and trafficking (Slovakia);
17. To embark on a clear road map for the swift implementation of the legislation and regulatory framework for the new Constitution so that it can

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<sup>1</sup> The recommendation as read during the dialogue: to consider the achievement of the human rights goals approved by the Council (Brazil).

<sup>2</sup> The recommendation as read during the dialogue: to reinforce the policy of promoting children's rights and the implementation of the Guidelines for the Alternative Care of Children (Brazil).

make progress with regard to economic, social and cultural rights and to achieve the Millennium Development Goal related to poverty reduction (Syrian Arab Republic);

18. To continue to cooperate with the United Nations and other international organizations to strengthen human rights in Bolivia (Lao People's Democratic Republic);

19. To extend a standing invitation to all special procedures (Brazil); to consent, as early as possible, to all outstanding requests by special procedures to visit Bolivia (Republic of Korea); to respond positively, as soon as possible, to unanswered requests for visits by special procedures rapporteurs (France);

20. To strengthen the fight against discrimination and violence against women (Brazil); to repeal without delay all legislation that discriminates against women, including discriminatory provisions in its criminal and civil law (Netherlands);

21. To continue efforts to eliminate discrimination against indigenous peoples (Azerbaijan);

22. To continue its work to eliminate discrimination against women and children among indigenous peoples (Kyrgyzstan);

23. To continue to move forward in implementing programmes and measures aimed at combating all forms of discrimination (Colombia);

24. To continue to promote equal opportunities and to fight poverty (Angola);

25. To continue efforts to ensure equal opportunities for girls and women in terms of education, access to employment, housing and working conditions (Egypt);

26. To include sexual orientation and gender identity in all laws and initiatives combating discrimination and promoting equality, and to develop public education and sensitivity programmes and make them available, including to police, military, judicial, prison and other authorities (Netherlands);

27. To amend domestic legislation, in keeping with its international commitments, to include the concept of torture (Argentina);

28. To improve detention conditions in general, particularly for women and children (Italy); To take concrete measures to prevent prison overcrowding and enhance prison education and training in order to reintegrate inmates into society (Turkey); to intensify efforts to improve the situation in detention centres and prisons, with a special focus on ensuring the separation of juvenile convicts from adult inmates (Slovakia);

29. To ensure that all children living in detention are accorded special protection, including the nutrition, health and educational services necessary for their proper development (Austria);

30. To make greater efforts to protect children and women from all forms of abuse, in particular trafficking and domestic violence (Slovenia);

31. To take specific measures to combat domestic violence against women and children (France); to take all measures necessary to eradicate gender violence, including the classification of femicide and its adequate penalization

(Netherlands); to take further measures to put an end to violence against women (Azerbaijan);

32. To create a unified data register on violence against women, as well as norms to address the murder of women, and to promulgate Framework Law 810 on Sexual and Reproductive Rights in the country (Spain); to establish a unified registry of cases of violence against women, and to intensify efforts to improve human rights for women (Norway);

33. To incorporate into the new plans the need for a unified register of cases of violence against women, and to increase efforts to combat that scourge and impunity for those who commit such acts, and in particular to consider criminalizing the crime of femicide (Costa Rica);

34. To continue to strengthen measures to eliminate all forms of servitude and forced labour, including with international cooperation and assistance, and social programmes aimed at reducing the vulnerability of the victims of that scourge (Mexico); to intensify efforts to eliminate the servitude and forced labour persisting in some parts of the country (Azerbaijan);

35. To study the possibility of seeking technical assistance in the area of reintegration programmes for exploited children and regarding juvenile justice (Malaysia);

36. To adopt specific measures to protect boys, girls and adolescents from all violence against them, to eradicate child labour, to combat the exploitation of boys, girls and adolescents and to prohibit all forms of corporal punishment (Costa Rica);

37. To strengthen measures to abolish servitude and forced labour in the country, with the assistance of the International Labour Organization, and to seek technical assistance in the reintegration of programmes aimed at exploited children, juvenile justice and follow-up to the study on violence against children (Spain); to intensify efforts to combat the manifestation of servitude (Algeria);

38. To continue to implement protection programmes for girls and boys, in particular to eliminate child labour (Chile); to take effective measures to protect children from exploitative forms of labour and work in hazardous areas (Germany); to urgently adopt and implement measures to address child labour, in particular its exploitative forms (Slovakia);

39. To accelerate judicial reforms in order to ensure the independence and impartiality of the system and a corruption-free environment (Slovakia); to continue reforms to improve the judicial system (Turkey); to ensure that the judiciary system respects the principle of independence from the executive branch, as well as the rule of law (Slovenia); to guarantee the full independence of the judiciary system, in accordance with relevant international standards (France);

40. To adopt the measures necessary to ensure the independence of the judicial branch from the executive branch in order to promote the rule of law and guarantee the proper functioning of the Constitutional Court and the Supreme Court (Italy); To delay no longer in appointing members of the highest judicial authorities and to ensure the impartiality of those members (Denmark); to end the paralysis of the Constitutional Tribunal by appointing new judges (Germany); to ensure that the draft electoral law under the new constitution and the process of appointments guarantee the independence of the judiciary (United Kingdom of Great Britain and Northern Ireland);

41. To consider more comprehensive measures that go beyond the 15 integrated justice services referred to in the national report (Denmark);
42. To take measures to ensure that the Constitutional Court, which is provided for under the Constitution, becomes functional as soon as possible (Algeria); to promote judicial independence and strengthen the rule of law by ensuring that key institutions such as the Constitutional Tribunal and the Supreme Court operate in a free, fair and transparent manner and serve as an effective and independent check on the executive and legislative branches (United States of America);
43. To designate members of the Supreme Court and the Constitutional Tribunal who are of proven technical ability and are independent of any external influence (Norway); to identify means by which the Supreme Court and the Constitutional Court can carry out their functions, especially through the designation of members of proven technical ability, moral probity and independence from external influence (Netherlands); to adopt legislation, fill vacancies and provide adequate resources to ensure that institutions such as the judiciary, which play a vital role in protecting and implementing human rights, are independent and effective (Canada);
44. To promptly adopt effective measures to ensure that the judicial authorities are elected by direct universal suffrage, in order to guarantee the independence and impartiality of the judicial bodies, often represented by members of elite classes as a result of unsound management by previous Governments, which has caused impunity and delays in the area of justice (Nicaragua);
45. To continue efforts to implement the provisions of the new Constitution in order to ensure that indigenous peoples fully enjoy their rights (Slovenia); to ensure that the implementation of indigenous systems of justice conforms to international human rights standards, including those set out in the Convention on the Elimination of All Forms of Discrimination against Women (Canada);
46. To take the measures necessary to ensure that the traditional indigenous justice system complies with the provisions of the international human rights treaties that Bolivia has ratified (Netherlands); to ensure that the separation of ordinary and indigenous courts does not contribute to tensions among different communities, but rather promotes inclusion and social stability by, inter alia, bringing the jurisdiction into full conformity with the new Constitution (Austria); to ensure that all judgments and sentences handed down by indigenous courts respect international provisions and, in that regard, to establish an appeals system and an independent monitoring system (Switzerland);
47. To take the measures necessary to make the ordinary justice system effective and independent of political pressures, devoting particular attention to the problem of violence against women (Switzerland);
48. To debate thoroughly, in the Plurinational Legislative Assembly, the issue of the right of individuals to appeal in cases addressed by communal courts, before the law on jurisdiction delimitation is adopted and, in that context, to devote particular attention to the contradiction between article 28 of the Procedural Penal Code and article 192.1 of the new Constitution (Finland);

49. To take steps to reduce the use of pre-trial custody, to increase alternatives to imprisonment and to develop policies to protect the best interests of children with a parent in detention (Austria);
50. To adopt the measures necessary to prevent cases of lynching, in particular through the strengthening of the police and justice sectors (Chile);
51. To take further measures to bring to justice all perpetrators of abuse in order to eradicate impunity for those who commit human rights violations (Sweden); to expedite impartial investigations into the violent incidents in Santa Cruz and Pando with a view to identifying those responsible and bringing them to justice in a fair trial before an independent court (Austria); to conclude a thorough and impartial judicial investigation into the acts of violence in Pando (United Kingdom);
52. To thoroughly investigate complaints filed by journalists and to promote good relations with and among media institutions (Norway); to take measures to protect journalists from acts of violence and intimidation (Germany);
53. To more effectively enforce the criminal penalties for official corruption (United States of America);
54. To consider making further efforts to train law enforcement officials, judges and police officers in the area of human rights (Egypt);
55. To fully guarantee freedom of expression, ensuring that regulation in respect of the mass media is carried out in accordance with international human rights instruments (Chile); to robustly support and uphold the universal principle of freedom of expression, recognizing that such freedom is essential to a fully functioning democracy (United States of America); to contribute to an atmosphere supportive of independent and diverse media, including by encouraging all actors, including public officeholders and political actors, to condemn any attempt to intimidate the media and by fully investigating all complaints of media harassment and prosecuting those responsible (Canada)<sup>3</sup>;
56. To develop the new media legislation on the basis of broad consultation with all stakeholders, and to ensure full respect for international standards on human rights (Slovenia);
57. To approve, as soon as possible, the draft law against assault and gender-based political violence (United Kingdom);
58. To continue to promote the democratization of mass media through the promotion of bilingualism and the use of media in rural areas (Lebanon);
59. To study the possibility of formulating national policy on short-, medium- and long-term employment (Malaysia);
60. To continue to implement its macro-economic and structural policy in such a way as to ensure the enjoyment of human rights, and to achieve dignified living conditions for the entire population of Bolivia (Russian Federation);

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<sup>3</sup> The recommendation as read during the dialogue: to contribute to an atmosphere supportive of independent and diverse media, including by encouraging all public office-holders and political actors to refrain from attempts to intimidate the media (Canada).

61. To continue to provide technical and financial assistance for the development of agricultural production in the context of the enjoyment of the right to decent food, in particular with support for medium-sized and small enterprises (Russia Federation);
62. To continue to fight poverty with the support and cooperation of the international community (Bangladesh); to intensify programmes to combat poverty with the assistance of the international community, as needed (Algeria); to strengthen measures to reduce poverty (Azerbaijan); to continue efforts to eliminate poverty (Kyrgyzstan);
63. To strengthen efforts to eradicate extreme poverty through the amendment of its macro-economic and structural policies (Islamic Republic of Iran);
64. To share experiences in the implementation of the Zero Malnutrition Programme and the Juana Azurduy voucher programme, which has reduced the maternal mortality and child malnutrition rates (Bangladesh);
65. To continue efforts aimed at the broader and more just redistribution of national wealth (Algeria); to adopt the measures necessary to ensure that its social programmes reach the most vulnerable groups of society (Panama);
66. To continue active cooperation with international organizations on the provision of technical assistance to support people with disabilities (Kyrgyzstan);
67. To continue to implement programmes for the protection of women's rights, in particular pregnant women, with a view to significantly reducing the maternal and infant mortality rates and the malnutrition rate (Chile); to continue to implement measures to reduce maternal mortality (Turkey);
68. To continue its reforms to improve the level and the quality of social protection, education and health (Belarus);
69. To take further efforts to ensure that all women enjoy their right to sexual and reproductive health, and to increase access to health services, particularly in rural areas, in order to reduce the incidence of maternal mortality, especially among young, rural and indigenous women (Sweden); to continue to promote the implementation of the pilot project aimed at vaccination against cervical cancer (Colombia);
70. To continue to make efforts to sustainably increase coverage and benefits under the Bono Juana Azurduy voucher system with a view to reducing levels of maternal and infant mortality and chronic malnutrition among children under the age of 2 (Colombia);
71. To explore possibilities for further cooperation at the regional and international levels with relevant stakeholders with a view to achieving the Millennium Development Goals related to poverty eradication, nutrition, water and sanitation and environmental sustainability (Malaysia); to seek development assistance from development partners and United Nations specialized agencies in order to find solutions to identified challenges hampering the enjoyment of human rights and the achievement of the Millennium Development Goals (Nigeria); to continue efforts to ensure the implementation of the Millennium Development Goals, in particular by ensuring universal primary education and combating illiteracy, which would guarantee that the population enjoys its social and economic rights (Lebanon);

72. To develop a national strategy for human rights education in the school system, in accordance with the Plan of Action of the World Programme for Human Rights Education, with the full participation of all stakeholders (Italy);

73. To consolidate the progress made within the framework of literacy programmes (Algeria);

74. To continue to strengthen the rights of indigenous peoples, placing priority on the adoption of a law to prevent and eliminate all forms of discrimination and criminalizing such offences (Bolivarian Republic of Venezuela); to intensify measures to ensure that indigenous peoples' rights are respected at the community level (Norway);

75. To continue efforts to ensure a life of dignity for members of indigenous communities (Pakistan);

76. To continue to consolidate the rights of indigenous peoples both in practice and within its legal framework, thereby guaranteeing their participation and consultation (Bolivarian Republic of Venezuela);

77. To continue to effectively address the precarious situation of the Guaraní indigenous peoples (Germany);

78. To consider intensifying its efforts to eliminate discrimination against migrants (Egypt).

99. Bolivia considers that recommendations Nos. 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 29, 31, 32, 34, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77 and 78, set out in paragraph 98 above, are either already implemented or in the process of implementation.

100. The following recommendation did not enjoy the support of Bolivia:

Continue to support media initiatives on self-regulation, including the newly established Tribunal de Ética for print journalists (United Kingdom).

The country offered the following comments:

The Government of Bolivia recognizes, in terms of norms and practice, the right to freedom of expression, opinion and information. In addition, it supports the creation of organizations and the self-regulation of employees of the media, which are participatory and inclusive. However, it cannot support a tribunal of ethics if it comprises only entrepreneurs and does not include all media employees. It is for that reason that we are obliged to reject this recommendation. Accordingly, we shall continue to support all initiatives that support the building of a democratic and inclusive society.

101. All conclusions and/or recommendations set out in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

### III. Voluntary pledges and commitments

102. In addition to other commitments already made and reflected in section A above, Bolivia announced the following short-term voluntary commitments:

- To submit all due reports to treaty monitoring bodies;

- To ensure the development, by the National Human Rights Council, of a plan to follow up on the recommendations made by international human rights mechanisms, including those resulting from the universal periodic review;
- To renew the mandate of OHCHR in Bolivia;
- To encourage the early adoption of the Law on the Prevention and Elimination of All Forms of Racial Discrimination;
- To encourage the early adoption of the Law on Combating Corruption, Embezzlement and Illegal Enrichment;
- To elect a new head for the Office of the Ombudsman;
- To reform, in accordance with the Constitution, the institutions of the Judicial Organ;
- To continue to implement the National Human Rights Action Plan;
- To facilitate access to files relating to human rights violations committed during the dictatorship;
- To continue Bolivia's efforts to extradite all persons charged with human rights violations and crimes against humanity.

## Annex

### Composition of the delegation

The delegation of the Plurinational State of Bolivia was headed by Ms. Nardy Suxo, Minister of Institutional Transparency and the Fight Against Corruption, and was composed of eight members:

- Ms. Nilda Copa, Minister of Justice;
  - Mr. Nelson Cox, General Director of the Vice-Ministry of Justice and Fundamental Rights;
  - Ms. Ximena Fajardo, responsible for human rights in the Vice-Ministry of Justice and Fundamental Rights;
  - Ms. Yolanda Vidal, responsible for human rights in the Ministry for Foreign Affairs;
  - Ms. Angelica Navarro, Ambassador, Permanent Mission of the Plurinational State of Bolivia to the United Nations in Geneva, Switzerland;
  - Ms. Maysa Urena, Minister Counsellor, Permanent Mission of the Plurinational State of Bolivia to the United Nations in Geneva, Switzerland;
  - Mr. Fernando Rosales, First Secretary, Permanent Mission of the Plurinational State of Bolivia to the United Nations in Geneva, Switzerland.
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