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Plurinational State of Bolivia

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I. General

1. The preparation of this report has been a challenge for the Plurinational State of Bolivia with regard to evaluating the human rights situation in the country, and a wide-ranging, interactive dialogue process was initiated between the Government and civil society, during which consideration was given to the most relevant ways of complying with the Human Rights Council guidelines.

2. The report covers the period from 2006 to 2009, as significant changes have taken place in social, political and economic policy in respect of human rights. This process has made it possible to undertake a critical examination of the advances made in order to identify outstanding tasks in this area, new opportunities and ongoing challenges.

3. The process of drawing up the report was overseen by the Ministry of Justice and initiated in March 2009. Since then 11 workshops have been held throughout the country, with the participation of around 750 representatives of civil society organizations, social movements and indigenous peoples.¹ The first two workshops established a methodology and time frame. The others took place in each of Bolivia's nine departments and acted as forums for dialogue and the gathering of input from each department.

II. Historical context of the Plurinational State of Bolivia

4. The history of the Plurinational State of Bolivia must be viewed in the context of its cultural diversity² and its constant resistance to external and internal colonialism. Both situations have resulted in a critical view of the deep economic and social inequalities, which has had a clear impact on political actions and structural changes.

5. The resurgence of social movements in 2003 triggered an upheaval in the country's political system. The social protests of February and October that year resulted not only in the ousting of the President but also in the formulation of a civil society agenda of demands. National elections were then held that changed the course of Bolivia's history, as for the first time an indigenous President was elected directly by a majority of votes and with no intervention by the National Congress.

6. One of the biggest challenges for the new Government was to implement the 2003 civil society agenda and set up a Constituent Assembly. This was inaugurated on 6 August 2006 and after an arduous process a social pact emerged for the first time, supported by all 255 members, drawn from, among others, social organizations, political parties, citizens' associations, indigenous peoples and civil society.

III. Structure and functional organization of the State

7. The Constitution³ approved by referendum on 25 January 2009 and enacted on 7 February 2009, established Bolivia as a unitary, social, plurinational, communitarian, free, independent, sovereign, democratic, intercultural and decentralized State with autonomous regions, founded on political, economic, legal, cultural and linguistic pluralism, and guaranteeing the free determination of the native indigenous campesino nations and peoples.

8. A democratic, participative, representative and communitarian form of government was adopted, with equal conditions for men and women and highly participative mechanisms, such as referendums, legislation initiated by citizens, the right of recall, assemblies, local councils and prior consultation.

9. The State is organized and structured through the legislative, executive, judicial and electoral bodies, which function independently and on the basis of separation of powers, but in coordination and cooperation. The country is divided into departments, provinces and municipalities, and native indigenous campesino territories are being established. The autonomy of departments, regions, municipalities and native indigenous campesino territories will be defined in the framework legislation on autonomous regions and decentralization.

10. The bicameral Plurinational Legislative Assembly comprises the Chamber of Deputies (130 members) and the Senate (36 members), whose principal mandate is to adopt and ratify laws. The Assembly will convene for the first time after the general election of 6 December 2009.

11. The executive branch of government comprises the State President and Vice-President and the ministers of State. The first two are elected by universal suffrage; they must obtain 50 per cent plus one of the valid votes cast. The possibility of a second electoral round has been introduced to strengthen the democratic process in Bolivia.

12. The judicial branch comprises the ordinary courts, the land and environment courts and the native indigenous campesino jurisdiction, which is exercised by the indigenous authorities. The indigenous jurisdiction is to be implemented by the Jurisdiction Act, which will establish coordination and cooperation mechanisms with the other jurisdictions; the Act will be examined by the new Plurinational Legislative Assembly.

IV. Legal system for the protection of human rights

13. The Constitution has set forth wide-ranging rights based on those outlined in inter-American and universal instruments for the protection of human rights. It defines fundamental rights; civil and political rights; the rights of native indigenous campesino nations and peoples; social and economic rights; the rights of children, adolescents and young people; the rights of the family; the rights of older persons; the rights of persons with disabilities; the rights of persons deprived of their liberty; the rights of persons of diverse sexual orientation; the rights of persons with HIV/AIDS; women's rights; users' and consumers' rights; education, intercultural and cultural rights.

14. The Constitution interprets rights and obligations in accordance with the international human rights treaties ratified by Bolivia.⁴ It also recognizes the principles of inviolability, universality, interdependence, indivisibility and progressive realization of human rights.

15. The Constitution includes judicial guarantees and remedies, including habeas corpus, amparo, action for protection of privacy, constitutional review, procedure of mandamus and actio popularis.

16. With regard to the enforceability of rights, the Plurinational Constitutional Court has been set up to uphold the supremacy of the Constitution. To date it has not yet taken up its duties owing to the politicization of membership under previous administrations: the new Constitution provides for new appointments by direct universal suffrage, respecting the principle of plurinationalism.

17. The Ombudsman's Office is the authority charged with ensuring the enforcement, promotion, dissemination and observance of individual and collective human rights under the Constitution, the law and international instruments. The Office is independent, in accordance with the Paris Principles.

18. The executive branch has created institutions to protect human rights, such as the Ministry of Justice, which in turn includes the offices of the Deputy Minister for Justice and Fundamental Rights, the Deputy Minister for Native Indigenous Campesino Justice, the Deputy Minister for Equal Opportunities and the Deputy Minister for User and Consumer Rights. They have the power to formulate, execute, sponsor and implement policies for the protection, promotion and defence of human rights.

19. The legislative branch now includes the multiparty Human Rights Committee of the Chamber of Deputies, which has a rotating chair.

20. The National Development Plan (“Bolivia: Dignity, Sovereignty, Productivity and Democracy for a Good Life”)⁵ is the instrument that guides and coordinates sectoral, territorial and institutional planning for national development. It is from this that the specific National Plan to promote the full enjoyment of human rights from a multicultural perspective derives.

V. National Human Rights Action Plan

21. In accordance with the obligations assumed at the 1993 Vienna World Conference on Human Rights, the National Human Rights Action Plan has been drawn up, entitled “Bolivia: Dignity for a Good Life 2009–2013”.⁶ This instrument was prepared with the participation of civil society and aims to establish a general framework for State policy to guarantee the effective promotion, respect, protection, defence, fulfilment and exercise of all human rights.

22. A National Human Rights Council has been set up to oversee the implementation and enforcement of the Action Plan. The Council brings together State agencies, civil society organizations and social movements and comprises an executive committee, an operations committee and various commissions.

23. In 2009, the Action Plan was sent to the 327 municipal and 9 prefectural authorities to negotiate agreements on the integration of the Plan into their own annual workplans, by creating human rights units or directorates at the local and departmental levels.

VI. International treaties ratified

24. Between 2006 and 2009 Bolivia ratified the Optional Protocol to the International Covenant on Civil and Political Rights;⁷ the Protocol to the American Convention on Human Rights to Abolish the Death Penalty;⁸ the Inter-American Convention to Prevent and Punish Torture;⁹ the United Nations Declaration on the Rights of Indigenous Peoples;¹⁰ the Ibero-American Convention on Rights of Youth;¹¹ the International Convention for the Protection of All Persons from Enforced Disappearance;¹² the International Convention on the Rights of Persons with Disabilities and its Optional Protocol;¹³ and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.¹⁴

25. In 2007, the Bolivian Government invited the Office of the United Nations High Commissioner for Human Rights (OHCHR) to open an office with a broad mandate in Bolivia in order to support the process of change through technical assistance and human rights training.¹⁵

26. With regard to reporting on the ratified conventions, the Government is determined to eliminate the backlog of reports, and since 2007 reports have been submitted to the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Committee on Migrant Workers and the Committee on Economic,

Social and Cultural Rights. The report for the Committee on the Elimination of Racial Discrimination is currently being prepared.

VII. Situation of civil and political rights

A. Right to life

27. The Constitution specifies that everyone has the right to life and to physical, psychological and sexual integrity. No one shall be tortured or suffer cruel, inhuman, degrading or humiliating treatment. There is no death penalty in Bolivia.¹⁶

28. As a consequence of political violence by the dictatorial Governments (1964–1982), there are more than 150 disappeared persons. In 2003 the Inter-Agency Commission for the Investigation of Enforced Disappearances (CIEDEF) was set up to recover the remains of those disappeared during the dictatorships. Since the Commission was created, the remains of 17 people have been exhumed, and 4 of them returned to their families. The remains of five people who took part in the Teoponte insurgency (1970) were found on 12 August 2009, and several burial sites have been identified. So far 154 allegations of enforced disappearance have been processed and investigations are under way.

29. In 2006, the Criminal Code defined enforced disappearance as an offence, in compliance with the judgement of the Inter-American Court of Human Rights in the Trujillo Oroza case.

30. The Technical Evaluation Committee¹⁷ was created to replace the National Commission for Reparations to Victims of Political Violence and to evaluate and give effect to applications for reparation made by victims of the political violence of previous unconstitutional Governments. The Ministry of Justice has already appointed the Committee members in order to speed up the evaluation process and to comply with the law. Already 1,100 cases of detention have been evaluated and it is hoped that the process will be finished by December 2009.

31. An inter-agency committee comprising State institutions and civil society was created to locate classified Armed Forces' documents. The committee is now preparing a project and itinerary to identify locations where there may be information on enforced disappearances.

32. Bolivia is a pacifist State in search of harmony and stability; a State that promotes a culture of peace, the right to peace and cooperation between the peoples of the region and the world. Consequently, Bolivia rejects all forms of aggression including the installation of foreign military bases on its territory, and this is clearly specified in article 10 of the Constitution.

B. Torture and cruel, inhuman and degrading treatment

33. The Constitution prohibits torture and cruel, inhuman and degrading or humiliating treatment.¹⁸ Since the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment was ratified, regulations are being developed to create a national mechanism for the prevention of torture.

C. Access to justice

34. The biggest obstacle to access to justice is the legacy left by the administration of justice by an elitist class that perpetuated political appointments of some members of the judiciary. This has led to cases of impunity and delays in administering justice, as shown by the number of complaints¹⁹ received by the Department for Disciplinary Procedures against judges and judiciary administrative staff.

35. Therefore, the highest judicial authorities will be elected by direct universal suffrage as from the beginning of the next Presidential mandate, providing a guarantee of independence. In the same way, the recognition of the indigenous native campesino jurisdiction will create new conditions to improve the Bolivian judicial system.

36. The Ministry of Justice has integrated justice centres and mediation centres, which offer free legal guidance and advice in order to find alternative solutions to conflicts. In the period covered by this report more than 152,231 cases were dealt with. Around 15 more centres, with prosecutors and public defenders, will be set up in rural areas in 2010.

37. Since 2006 the Ministry of Justice has made institutional changes to ensure that the criminal procedure protects victims of crime; one of these is the creation by the Public Prosecutor's Office in 2007 of Victim and Witness Support and Protection Units. The State Service for Comprehensive Support and Protection for Victims was set up in 2009 to provide free legal counsel to prevent revictimization.

38. Supreme Decree No. 132 was enacted to obviate judicial involvement in administrative procedures relating to civil registration, thus improving citizens' access to this service.

D. Censure proceedings

39. After the previous Government's harsh crackdown on the social protests of October 2003, which left 67 dead and more than 400 injured, censure proceedings were initiated against the former President of the Republic Gonzalo Sánchez de Lozada and his collaborators. The proceedings are facing procedural delays as a number of those implicated have fled to other countries such as the United States and Peru.

E. Right to freedom of expression, communication and information

40. The freedom of thought and expression and the freedom to spread ideas or opinions by any means of communication are fully recognized by the Constitution.²⁰ Regrettably, some of Bolivia's media abuse this freedom and disseminate distorted content inciting violence, racism, xenophobia, homophobia and hatred, violating the right not to be discriminated against for any reason.

41. In 2008, the stake of ETI Euro Telecom International N.V. in Empresa Nacional de Telecomunicaciones was nationalized,²¹ which resulted in an increase in telecommunications coverage in peri-urban areas and improved rural populations' access to these services.

42. A "social inclusion tariff"²² has been introduced, whereby mobile telephone calls are billed per second of communication rather than per minute, considerably reducing the cost of this service and benefiting more than 3 million users.

F. Equality and non-discrimination

43. For the first time the Constitution prohibits and punishes discrimination based on sex, colour, age, sexual orientation, gender identity, origin, culture, nationality, language, religious belief, ideology or any other grounds that might nullify or impair the recognition, enjoyment or exercise, on an equal footing, of the rights of any person.²³

44. Having ratified the International Convention on the Elimination of All Forms of Racial Discrimination, Bolivia actively participated in the Durban Declaration and Programme of Action and later in the Durban Review Conference. Within this framework, a bill to prevent and eliminate all forms of discrimination has been prepared, which it is hoped will be submitted for consideration once the Plurinational Legislative Assembly is in place.

45. The Vice-Ministry for Decolonization, part of the Ministry of Education and Cultures, was set up in part to develop policies to prevent and eliminate all forms of discrimination, racism, xenophobia and cultural intolerance.

46. In order to encourage compliance with the Constitution's provisions against all forms of discrimination, mechanisms and procedures have been introduced to safeguard everyone's right not to be subjected to any kind of discrimination, in any appointment or selection procedure, whether internal or external.²⁴ The organizational structure of the executive branch of government establishes the principle of equality for male and female public servants, including full recognition of the right to exercise a public function without discrimination of any kind, and fair and decent treatment without distinction of any kind.

47. Regrettably, during the Constituent Assembly in Sucre, the indigenous members of the Assembly were subjected to racism and physical and psychological violence. Indigenous persons and campesinos were also beaten, harassed and humiliated by local officials opposed to the national Government. As a result 24 May 2008 was initially declared a day of national shame and later proclaimed the National Day Against Racial Discrimination.

48. On 11 September 2008, violent groups in the department of Pando used civil and political movements to incite hatred and racism against the indigenous population, which left 13 dead, more than 80 injured and 15 taken hostage.²⁵ In order to restore peace and stability in the town, the Government temporarily declared a state of siege in the region, and later invited representatives of the Organization of American States (OAS), the United Nations and the Union of South American Nations (UNASUR) to investigate.

49. As a result of the events in Pando, an inter-agency commission was set up to deal with the dead, injured and displaced and a health emergency was declared to ensure proper care for victims. A solidarity campaign collected 14.2 tons of food for affected families.

50. The national Government made a single, exceptional payment of 50,000 bolivianos to relatives of those who died in the Pando massacres,²⁶ and arranged for medical, social and psychological assistance, and provision of food, for those injured in this conflict.

51. With the support of the Inter-Ministerial Commission, 17 productive projects have been implemented in the region to date, helping 650 families through the projects to save the Porvenir tree nursery and to implement agro-forestry systems, among others. Land title has been granted to six campesino communities for a total of 30,314 hectares, along with eight titles to land for schools (18 ha.) and 180 individual titles.

G. Civil liberties

52. Bolivia recognizes that a person's dignity and freedom are inviolable and that it is the primary responsibility of the State to respect and protect them.²⁷ Regrettably, cases of servitude and slavery-like conditions persist, mainly in the east of the country. A National Commission²⁸ was established to lay the foundations and foster conditions for Guaraní families to have a life of dignity, to eliminate servitude and forced labour and to encourage social, cultural and economic development. The 2007–2008 Transitional Inter-Ministerial Plan for the Guaraní People was also adopted.

53. An inter-institutional, inter-disciplinary governmental team to permanently monitor the situation in the Chaco region and ensure the protection of the Guaraní people's individual and collective rights, was one of the results of this measure. Birth certificates and free identity cards were provided with the help of mobile units of the National Electoral Court, and registry offices were opened in Guaraní communities. Support was given to liberated Guaraní families, particularly women, through productive projects and a contingency programme to ensure better living conditions for liberated families.

54. In late 2008, technical units from the National Institute for Agrarian Reform²⁹ relaunched the process of land distribution to indigenous communities in order to provide title to ancestral lands in Alto Parapetí, as requested by Guaraní communities and liberate those indigenous people from servitude, and give free title to small farm and agricultural holdings. The National Institute completed regularization of 88,000 hectares, where 77 properties were identified.

55. Despite the aforementioned measures and the constitutional ban on servitude and slavery, economically and socially distressed communities living in the Chaco region have repeatedly preferred to return to such conditions. The Government will continue to work to give these communities a life of dignity.

H. Transparency and combating corruption

56. The Ministry for Institutional Transparency and Combating Corruption, created in 2009, has launched the "United Nations Pilot Programme for Review of the Implementation of the United Nations Convention against Corruption".

57. In 2007 the Ministry drew up a National Transparency and Anticorruption Policy, which contains public policy guidelines on (i) citizen participation in anticorruption policy, (ii) transparency and access to information, (iii) institutional capacity-building and coordination and (iv) combating corruption.

58. Transparency Units³⁰ operating in all executive ministries have been created to increase the transparency of public administration by enhancing broad access to information and implementing social oversight. These units have the difficult task of sweeping away the legacy of previous Governments.

I. Right to take part in political life and to vote

59. In Bolivia, all citizens have the right to participate freely in the formation, exercise and control of political power. This participation must be fair and equal for both men and women.³¹ However, in some cases female mayors and municipal councillors have been subjected to political harassment and sexual discrimination.

60. With the promulgation of the Constitution came a requirement to appoint a new Government. Consequently, the Transitional Electoral Regime was established to regulate

the procedure for electing men and women on an equal basis and to run and monitor the elections. The right of Bolivians residing abroad to participate was also established, along with transparency in elections through the use of digital technology and biometric electoral registration, thereby enhancing the democratic process and enabling migrants to enjoy the right to political participation.

VIII. Economic, social and cultural rights

A. Right to health

61. The Constitution guarantees the right to health, promoting universal State policies to improve the quality of life, collective well-being and free access to health services for the entire population. In this respect, some results are given below.

62. With the implementation of the “Zero Malnutrition Programme” and later the Juana Azurduy voucher programme, maternal mortality and child malnutrition fell by 41 per cent, from 390 to 229 deaths per 100,000 live births.

63. There are more primary, secondary and tertiary health-care facilities, some of them new, others refurbished. Between 2006 and 2009, the number of health-care facilities increased to 545, of which 391 are primary and 154 secondary facilities. Consequently, the number of consultations has risen from 13.5 million (in 2005) to 22 million (first half of 2009), i.e., a 48 per cent increase.

64. Between 2006 and the first half of 2009, a total of 745 ambulances were provided to a number of municipalities, thus improving the health services nationwide.

65. Some 3,880 new posts have been created for medical personnel, with the aim of providing better service for the health sector.

66. Cooperation from the State of Cuba made it possible to open 12 ophthalmological centres and one institute. Through the national Operation Miracle programme, more than 254,000 persons received free treatment up to mid-2008.

67. The Juana Azurduy voucher was introduced to guarantee improved quality of life with sympathy and dignity. It encourages safe maternity and comprehensive development of children, with the aim of reducing maternal and child mortality and chronic malnutrition in children under two; it has already benefited 250,000 mothers and 260,000 children under two.

68. There is also an Intercultural Communitarian Family Health Programme, which attends to indigenous, native campesino communities in their own villages.

69. The Universal Health Insurance for Mothers and Children (SUMI) scheme is expected to attain nationwide coverage by the end of 2009.

70. The Ministry of Health and Sports has done much to reduce maternal mortality and malnutrition³² thus enabling Bolivia to move even closer to attaining one of the Millennium Development Goals.

71. To ensure the sustainability of these vouchers, the Government has reached an agreement with the World Bank to pay part of the coverage, and other projects are under way with a view to maintaining the Juana Azurduy voucher until 2013.

72. The Plurinational State of Bolivia guarantees constitutionally the population’s access to medicines, with priority given to generic medicines.³³ For the 2010 fiscal year, there are

plans to establish a factory to produce basic generic medicines and encourage the import of others when necessary.

73. The Constitution guarantees women and men the exercise of their sexual and reproductive rights³⁴ but, regrettably, many women still die of cervical cancer. This has prompted the implementation of a pilot cervical cancer vaccination programme in three departments. To date, the first of three doses has been administered free of charge to 3,890 girls aged 9 to 13: 1,300 in El Alto, 1,290 in Oruro, and 1,300 in the Chuquisaca Chaco. The Government has pledged to continue the inoculation programme until the entire risk population is covered.

74. The Government recognizes that there is still a need for comprehensive State policies which enable the full exercise of sexual and reproductive rights as guaranteed in article 66 of the Constitution.

B. Right to work and to employment

75. The Constitution establishes that everyone has the right to decent work, without discrimination and with fair and satisfactory remuneration or wages for themselves and their families. In the last three years 450,000 jobs have been created in construction, roadworks, housing, textiles and services. In the 2006–2009 period, the national minimum wage rose 47 per cent and public servants were given a grant of 1,000 bolivianos.³⁵

76. To guarantee the right to work and freedom of association, the professional licence to practise law³⁶ became free of charge, thus benefiting more than 1,900 new lawyers to date.

77. The freedom to sign or cancel contracts was regulated in order to guarantee full respect for the principles of labour law,³⁷ such as protection, continuity of employment, government intervention, the primacy of real truth and non-discrimination.

78. For the first time, the Constitution recognizes the economic value of domestic work as a source of wealth that should be reflected in public accounts. In addition, legislation has been introduced to safeguard breastfeeding, making it compulsory for State and private enterprises to allow mothers who breastfeed to bring their babies to their places of work or study during the first six months of life.

79. As a result of neoliberal measures that violate the rights of workers, inherited from past Governments, legislation has been passed to deduction at source of union subscriptions, since unions are an important instrument in the defence, representation, assistance, education and culture of workers.

80. With regard to subcontracting companies, compliance with labour legislation and the full enjoyment of labour rights for dependent workers and employees of such companies are ensured, regardless of the type of company.³⁸ There is also the guarantee of compliance with current legislation governing standards that employers must meet regarding occupational health and safety and workers' wellbeing.³⁹

81. The Government guarantees payment of a service allowance to workers who have worked more than 90 days consecutively whenever employment is terminated through early retirement or resignation.⁴⁰

C. Right to social security

82. Social security is established in the Constitution and provided on the basis of the principles of universality, comprehensiveness, solidarity and interculturality, guaranteeing the right to a retirement pension for the whole population.

83. The universal old age or “dignity” pension has been established, which gives 2,400 bolivianos annually to all persons aged over 60 and also covers funeral costs. This pension has been incorporated into the Constitution and its sustainability is ensured through funding from two sources, a percentage of the direct tax on hydrocarbons and a percentage of the dividends of private companies. More than 700,000 persons across the country have benefited.

84. Public social security services are guaranteed, managed and administered by the State with the social supervision and participation. Social security is provided on the basis of the principles of universality, comprehensiveness, fairness, solidarity, interculturalism and efficacy. The regulations governing universal compulsory social security⁴¹ have been supplemented and amended in accordance with the Constitution, ensuring the right to retirement.

D. Right to education

85. Bolivia promotes decolonized education, which gave rise to the “Yes I can” literacy programme that freed the country from illiteracy.⁴² In 2009, the post-literacy programme “I can go further” was introduced to ensure that adult learners remember what they learned and consolidate their knowledge. The programme includes bilingual education, providing literacy training to 24,699 persons in the Aymara language and 13,599 in Quechua.

86. Under the literacy programme, 212,078 magnifying glasses were distributed free of charge. With help from the Government of Cuba, 251,825 ophthalmological tests were carried out, mainly in rural areas, and 8,350 solar panels were provided to power the literacy centres.

87. As a result of high dropout rates in schools in previous years, the Government launched the Juancito Pinto voucher, a scheme to encourage children to remain in primary school, particularly in rural areas. From 2006 to 2008, it was issued to 4,090,494 pupils. In 2009, a further 1,872,491 pupils will benefit, thereby reducing school dropout rates from 5.3 per cent to 2.8 per cent.

88. Starting in 2008, work began on a new education curriculum that encompasses human rights principles and values such as non-discrimination and interculturality, and also promotes bilingualism.⁴³ From 2006 to 2009, 269 new schools were built, which represents a 100 per cent increase over previously existing facilities.⁴⁴

89. The Indigenous Intercultural Universities of Tupac Katari, Casimiro Huanta and Apiahuayqui Tumpa were established, and educational boards for indigenous peoples have been created: the Aymara Board of Education, the Quechua Nation Board of Education, the Guaraní Peoples Board of Education and the Amazon Multiethnic Board of Education.

90. The Plurinational Teacher Training System⁴⁵ has been set up by the teacher training colleges, which are responsible for training in initial and secondary education, and the University of Education, which offers training in continuing and post-graduate education. The system was created with a view to training quality educators with relevant educational and scientific methods, and a cultural identity that is responsive and anchored in social and cultural reality.

91. The Constitution recognizes education as one of the highest functions and a prime financial responsibility of the State.⁴⁶ Education is compulsory and free of charge up to the secondary level. There are then State universities, also free, for further professional training. In addition, in response to the demands of teachers across the country, salaries were raised by more than 35 per cent between 2006 and 2009.

92. Community distance learning centres have been created, providing students, teachers and the community at large with access to computers and Internet and thereby to information, and facilitating communication for community development. The aim of the centres is to offer supplementary education to children, young people and adults. As of 2009, 133 distance learning centres had been established nationwide.

E. Right to housing

93. The Constitution recognizes that every person has the right to adequate housing and a decent family and community life.⁴⁷ Bolivia has around 2 million constructed dwellings. However, INE data (2005) show that there is still a shortfall of some 300,000 homes to cover the total demand. Another problem is the quality of housing: approximately 45 per cent of existing homes do not meet adequate living conditions. Enabling the entire population to fully exercise this right remains an unresolved challenge.

94. The Government has implemented the Social Housing Programme,⁴⁸ which promotes housing construction and recognizes the need to improve existing dwellings. The Programme seeks to provide adequate living conditions for the low-income sectors of the population, ensuring that the process is equitable, transparent and efficient.

95. Since the 2007 fiscal year, the Programme has authorized the construction of 28,858 housing units with decent living conditions, of which 1,533 have been allocated across the country. In 2009, a total of 41,925 housing units are to be authorized, with 10,411 of those to be allocated by the end of the year.

96. In addition, the Social Housing Programme has set up “Plan Vida” (Plan for Life) to eradicate extreme poverty. The Plan involves building homes and producing food in the poorest areas of the country. It is now in operation in 37 towns, and implementation has started in northern Potosí with the construction of housing there.

F. Right to adequate food and nutrition

97. The Constitution recognizes the obligation to guarantee food security, by means of healthy, adequate and sufficient food for the entire population, in accordance with international standards.⁴⁹ Thus, the National Food and Nutrition Council (CONAN), the body responsible for encouraging and coordinating inter-agency and intersectoral participation to devise and follow up national policies on food,⁵⁰ was given the added task of promoting the food security policy, promoting the participation of public sector and civil society institutions and giving priority to eradicating malnutrition in children under five.

98. The Zero Malnutrition Programme has been implemented. This involves administering food supplements to pregnant women and children under five, giving priority to the poorest and most vulnerable municipalities. Thus far, nutritional practices have been improved with the intake of food supplements and fortified foods, and institutional capacity in nutrition support and the treatment of common early childhood illnesses has been strengthened. By June 2009, 100 per cent of municipalities across the country had been covered by this programme.

99. A company (EMAPA) has been set up to assist in food production, and it is involved in production and sales in strategic areas and offers zero-interest loans. The company provides technical assistance, equipment rentals, storage and other activities that spur agricultural development, giving particular support to small and medium-sized food producers, which enables food to be provided to the population at a fair price.

100. A strategic State-owned company, Lacteosbol, has also been set up. This will produce pasteurized milk, butter, cream, cheese and yoghurt, with a view to promoting the consumption of milk and dairy products. Similarly, a national sugar company, Azucarbol, has been established, and both these initiatives create new jobs.

G. Right to water

101. The Constitution establishes the right to universal and equitable access to basic services of drinking water and sanitation as a human right.⁵¹ In this framework, the Ministry of the Environment and Water has been created, with the mandate to develop and execute public policies for the conservation, adaptation and sustainable use of natural resources while preserving the environment. Between 2006 and 2009, the population's access to drinking water increased, with more than 863,000 inhabitants nationwide gaining access, 523,175 in urban areas and 298,536 in rural areas.

102. In the period 2006–2009, basic sanitation services were extended, benefiting 386,135 residents in urban areas and 92,503 in rural areas. While this is improving the quality of life of many Bolivians, there is still much to be done, especially in rural areas around the country.

103. State investment in drinking water and basic sanitation has increased by 17 per cent. Much of that investment was earmarked for the upgrade and increase in water sources, supply networks, sewers and treatment plants such as: Praspando, Asicasur, Puchucollo and Alto Lima.

H. Right to the environment

104. The Ministry of the Environment and Water is also responsible for developing irrigation and basic sanitation with a comprehensive watershed-management approach, conserving the environment in order to guarantee the right to live in a healthy environment and in harmony with mother Earth.

105. The Constitution underscores the importance of upholding the right to a healthy, protected, and balanced environment, to enable humankind and other living things to constantly develop in a normal way.⁵² It also recognizes protected areas as territorial spaces that fulfil a social, economic, cultural and environmental role and stipulates that the conversion of forested land to agricultural or other purposes shall be allowed only in zones so designated by law.

106. The Government of Bolivia has built power stations to produce clean energy and has also installed solar panels in rural areas, reducing the use of candles, kerosene and batteries. More than 6,000 families have directly benefited from these through climate-change adaptation projects and sustainable development projects carried out with 4,500 families living in protected areas. In addition, the National Energy Efficiency Programme is being implemented, with the free distribution of 7.9 million energy-efficient lamps which require one fifth of the energy of inefficient light bulbs and allow families to save 30 per cent on their electricity bills.

107. The failure of developed countries to fulfil their commitments to reduce greenhouse gases under the United Nations Framework Convention on Climate Change and the Kyoto Protocol is directly related to the global warming that affects the enjoyment of human rights. Bolivia is one of the countries hardest hit by climate change.⁵³ Consequently, the Government is currently attempting to quantify developed countries' historical responsibility in the form of climate debt and is promoting at the international level the adoption of a declaration on the rights of mother Earth, as a universal vision that recognizes the Earth and its natural resources as subjects of rights.

IX. Situation of the rights of native indigenous campesino peoples and Afro-Bolivian peoples

108. One of the most significant advances in this period was the Government's move to recognize, guarantee and enforce the rights of Indigenous Peoples. Bolivia was the first State to incorporate the United Nations Declaration on the Rights of Indigenous Peoples in its national legislation and subsequently its Constitution.⁵⁴

109. The Act on the Extension of Agrarian Reform⁵⁵ and its regulations were adopted, guaranteeing the right of access to and tenure of land, transparent and responsible administration of land tenure systems, and expeditious execution of procedures involving the regularization, restitution, expropriation and distribution of land. From 2006 to 2009, title to 28,413,203 hectares of land was granted to 98,454 families, in addition to the 1,009,626 hectares distributed to small producers and indigenous peoples.

110. Despite the efforts made to regularize land tenure, there are still a number of large estates that do not fulfil any social or economic role and have been at the root of violent clashes between landowners who acquired lands illegally and the historically excluded indigenous peoples. Through the machinery of the democratic system, a referendum was called for the population to decide on the maximum area allowed for estates. This was fixed at 5,000 hectares in order to limit large estates.

111. Regarding the right to participation and consultation of native indigenous campesino peoples, the Constitution establishes the right to share in the benefits of the exploitation of natural resources in their territories and the right to consultation, in accordance with International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

112. Native indigenous campesino peoples are represented by the following organizations: the Indigenous Confederation of Eastern Bolivia, the National Council of Ayllus and Markas of Qullasuyu, the Single Trade Union Confederation of Tenant Farmers of Bolivia, the National Confederation of Native Indigenous Campesina Women of Bolivia-Bartolina Sisa and the Trade Union Confederation of Original Settlers of Bolivia (CSCB). These are the current Government's main participation and consultation partners.

113. Spanish and the 36 languages of the native indigenous campesino nations and peoples have been recognized as the official languages of the State, and every civil servant must use at least two official languages at work.⁵⁶ With respect to the right to freedom of expression of native indigenous campesino peoples, 25 community radios were created with a view to contributing to intraculturality and interculturality.

114. Under the Programme for Equal Opportunities in the Armed Forces, which was implemented in 2007 and aims to eradicate the stigma of discrimination and combat all forms of exclusion, more than 25 indigenous women from eastern and western Bolivia have joined military training institutes.

115. The situation of the rights of Bolivia's native indigenous campesino peoples has improved considerably. Regrettably, however, there still remains the serious problem of discrimination and racism which, in some regions, have been exploited for political purposes. A bill on the prevention and elimination of all forms of racial discrimination has been prepared and it is hoped that it will be approved by the legislature as soon as possible.

116. Under the Constitution, Afro-Bolivians are included in the Plurinational State. Accordingly, the questionnaires for the next national population and housing census to be carried out in 2012 will explicitly allow for self-identification as Afro-Bolivian, a category not provided for by past Governments. Since the majority of the Afro-Bolivian population lives in the department of La Paz, the departmental authorities have recognized them as an "intangible cultural heritage and living human treasures", and acknowledge the coronation of their King.⁵⁷ The cultural value of the Afro-Bolivian *saya*, a traditional dance, is also recognized.⁵⁸

X. Situation of the rights of vulnerable groups

117. The majority of developed States have not met their commitments under Millennium Development Goal No. 8 and the Monterrey Consensus; moreover, in the past various financial institutions imposed misguided macroeconomic policies on Bolivian Governments while, to make matters worse, Bolivia has inherited a foreign debt that was run up by unconstitutional Governments. These are all factors that have resulted in human rights violations, and have led to poverty, which is a cause and effect of those violations. To reverse this situation, the Bolivian Government has begun to amend its macroeconomic and structural policies in order to implement State policies that will enable all its people⁵⁹ to benefit from a decent standard of living.⁶⁰

118. The programmes of the National Development Plan are the basis for the dismantling of colonialism and neoliberalism. They are tools with which to build a communitarian multinational State that will help empower women and men, girls and boys, old and young and people with different abilities, enabling them to live well and eliminating all forms of discrimination, marginalization, exclusion and violence.

119. One of the action lines of the National Development Plan programme to eradicate extreme poverty is the issuance of identity cards and birth certificates to those living in extreme poverty. The Plan also includes public policies on the redistribution of national income, highway infrastructure, vouchers, and better health, education and housing coverage, as well as other policies specifically targeting previously excluded sectors of the population.

A. Rights of children and adolescents

120. Children aged between 0 and 12 account for 26.13 per cent of Bolivia's population and adolescents (12–18-year-olds) for 20.32 per cent. The constitutional recognition of their rights and of the State's obligation to guarantee the best interests of children and adolescents is one of this Government's main achievements.⁶¹ A national plan for children and adolescents is currently making its way through Congress.⁶² The Constitution also recognizes the importance of the family.

121. The programme to eradicate extreme poverty provides for the issuance of birth certificates free of charge for every child, thereby guaranteeing the right to an identity. The Juancito Pinto voucher, which encourages children to remain in school, is also now universally applied.

122. Health service coverage has been expanded through the implementation of the Universal Health Insurance for Mothers and Children (SUMI) scheme, and malnutrition and infant and maternal mortality have been reduced through the Zero Malnutrition programme and the Juana Azurduy voucher.

123. The Government has established a Children's Parliament. The Parliament meets once a year and comprises 130 children elected from every constituency across the country. This encourages civic involvement and gives children a say on issues they care about.

124. It is recognized, however, that there are still difficulties in guaranteeing the rights of all children and adolescents. Bolivia submitted a country report to the Committee on the Rights of the Child, and the Committee made major recommendations on, among other things, the lack of juvenile courts, special prosecutors and policies on child labour and sexual violence against children. The Government is currently working to develop standards and State policies to meet children's needs in these areas.

B. Rights of young people

125. The National Plan for Youth has been adopted and implemented, and young people have started becoming politically involved by forming municipal youth councils. In terms of the right to education, the school-leaving certificate is now issued free of charge under the Constitution;⁶³ this has increased young people's access to universities, for which the certificate is an admission requirement.

126. The "My first job" programme has been set up to give school leavers the chance to enter the world of work. The project targets young people aged 18 to 24 who wish to acquire skills and training in a variety of technical areas in order to enhance their employability, and has so far been implemented in four cities, providing training for 1,397 young people. The plan is to continue implementing the project across the rest of the country.

C. Women's rights

127. Bolivia is a State where women form the majority of the population; according to the latest (2001) census, they account for 50.2 per cent of the national population. For that reason the rights of women have been mainstreamed across all chapters of the Constitution. The Constitution specifically provides for the prohibition and criminalization of all forms of discrimination against women and in particular the right not to be subjected to violence of any kind in the family or in society.⁶⁴

128. As to women's political participation, equity and equal status for men and women are now statutory requirements. Under the Act on the Transitional Electoral Regime, the lists of candidates standing for Congress, departmental assemblies or municipal councils must give equal opportunities to women and men, such that the name of any male candidate for a seat must be immediately followed by the name of a female candidate, or the name of any female candidate for alternate must be followed by the name of a male candidate, and so on. The challenge now is to continue to ensure compliance with these rules.

129. On agrarian questions, women's right to inherit land has been established⁶⁵ and is incorporated in the Act on the Extension of Agrarian Reform. This process has given 10,299 land titles to women, which is a major step forward in the exercise of their right to land.

130. The National Equal Opportunities Plan (“Women Building a New Bolivia for a Decent Standard of Living”)⁶⁶ provides general guidelines on State policies to be developed on gender equality and women’s rights.

131. Measures and good practices that are helping to improve the quality of life for many women in Bolivia include the Juana Azurduy voucher for mothers and children, the Act to Promote Breastfeeding, the “Yo, sí puedo” (“Yes I can”) literacy programme, which has benefited many women in rural and periurban areas, job security for new mothers and the admission of women to military service.

132. The Domestic Labour Act⁶⁷ recognizes domestic workers’ right to social security but it cannot yet be implemented owing to the lack of specific regulations; these are being developed.

133. Despite significant progress, the lack of an adequate budget allocation and limited awareness of the new Constitution present the biggest difficulties. Work on educational and preventive measures must be stepped up in order to encourage fair treatment and gender equality in all areas.

134. The State has duly submitted its report to the Committee on the Elimination of Discrimination against Women and has circulated the Committee’s comments and recommendations to the bodies concerned. As to statistics on domestic violence, there is now a project to record data on victims, in coordination with the National Institute of Statistics; implementation is now under way in 146 municipalities and the instrument will need to be extended subsequently to other municipalities. The information obtained will make it possible to devise State policies to prevent, eradicate and punish gender-based violence in the public and private spheres, in accordance with article 15 of the Constitution.

D. Rights of persons of diverse sexual orientation and gender identity: gays, lesbians, bisexuals and transsexuals

135. The Constitution prohibits and penalizes discrimination on grounds of sexual orientation or sexual identity.⁶⁸ In order to publicize this provision and combat discrimination, the Day of Human Rights of Persons with Different Sexual Orientation was proclaimed.⁶⁹ In addition, 28 June has been proclaimed the Day of Non-Discrimination against Sexual and Gender Diversity.⁷⁰

136. However, it is recognized that there are still obstacles in the way of full realization of these rights, mainly owing to discrimination on the part of a society that is in the main rather conservative – discrimination that frequently results in ill-treatment, violence and difficulty in obtaining employment.

E. Rights of persons living with HIV/AIDS

137. Provision has been made since 2007 to protect persons living with HIV/AIDS by giving them access to comprehensive, multidisciplinary care through an inter-agency board.⁷¹ The board’s functions are being developed with the participation of civil society. In that context, one complaint of discrimination in the Armed Forces on grounds of HIV/AIDS that was dealt with in 2007, having been properly resolved, is now used by the State as a representative case.

138. The Ministry of Health has set up a comprehensive health-care project for the prevention and treatment of tuberculosis and HIV/AIDS in prisons in the main cities.

139. The Constitution guarantees inclusion and access to health for all, without exclusion or discrimination. However, it is recognized that supplies of antiviral drugs for people living with HIV/AIDS are still insufficient, and projects are being developed to acquire generic drugs to make adequate provision for this need.

F. Rights of older persons

140. The Government has introduced a universal old age pension (or “dignity” pension) for persons aged over 60.⁷² A national plan for older persons is also being prepared, while special departmental units for older persons and persons with disabilities have already been created.

141. Seven per cent of the Bolivian population are older persons. A Day of Dignity of Older Persons has been proclaimed,⁷³ which, among other things, gives a 40 per cent discount on air travel. Provision has also been made for discounts on basic services and preferential treatment for older persons from the age of 60 onwards.⁷⁴

142. The Act on the Rights and Privileges of Older Persons established free universal old age health insurance, which has been instituted in all the municipalities of Bolivia.

G. Rights of persons with disabilities

143. Some 10 per cent of Bolivia’s inhabitants suffer from some kind of disability. The Constitution recognizes the rights of this group and establishes the State’s obligation to promote policies to defend and protect those rights. A Single National Registration System for Persons with Disabilities has been created,⁷⁵ which makes it compulsory for State and private bodies to ensure that at least 4 per cent of their total staff are persons with disabilities.

144. The National Plan on Equality and Equal Opportunities for Persons with Disabilities has been adopted and implemented. This is a State policy aimed at the realization of the full exercise of the rights of persons with disabilities. It was decided that the resources accruing annually from the elimination of State funding for political campaigns by political parties, civic associations and indigenous peoples, should be used for the benefit of people with disabilities.⁷⁶

145. Temporary provision has been made to use the resources of the National Solidarity and Equity Fund for the benefit of persons with disabilities by setting up a National Solidarity Board,⁷⁷ made up of Government agencies, to prioritize programmes relating to skills training and employment, legal assistance and training, institutional strengthening, construction, equipment and inclusion. In addition, Bolivian Sign Language is recognized as a means of communication for the deaf and mechanisms have been put in place to consolidate its use.⁷⁸

146. It is recognized that it is essential to allocate more technical and financial resources to the implementation of plans and programmes and the dissemination of the rights of this vulnerable group, as well as to affirmative action.

H. Rights of migrants

147. Bolivia ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 2000. The country report was submitted this year and the Committee’s recommendations have been taken as a major contribution to the improvement of the protection of the human rights of migrants. The

Constitution is now the legal basis for the recognition of migrants' rights and specific provisions are being worked out to enable migrants to enjoy those rights.

148. Bolivia is a country of origin, transit and destination of migrants. Some 2.5 million Bolivians live abroad. The first phase of projects for the documentation of Bolivians abroad began in 2008, focusing on the countries where the majority of Bolivian emigrants live. A consular service was also set up to deal with applications from Bolivian migrants, mainly in Europe, for passports and any certificates they may require.

149. On 18 December 2008 a national agreement for Bolivians abroad was signed; this strengthened the Inter-Agency Migration Board, which is a mechanism for dialogue bringing together more than 30 State and civil society bodies. Legislation on migration remains to be enacted, and work is continuing there.

150. With regard to foreign migrants living in Bolivia, efforts are being made, by means of bilateral agreements with all neighbouring countries, to regularize citizens who come across the borders. In addition, the Mercosur convention on residence has been sent for ratification by Congress and is currently before the Senate.

I. Rights of refugees

151. Bolivia is a party to the Convention relating to the Status of Refugees and its Protocol. Within this framework it has created the National Commission for Refugees (CONARE),⁷⁹ which is the Government agency that deals with asylum applications. As of 2008 CONARE had granted asylum to 654 people.

152. CONARE, with support from the Office of the United Nations High Commissioner for Refugees (UNHCR) and national NGOs, runs seminars and training workshops for its staff and for other concerned public officials. It has also signed a technical cooperation agreement with UNHCR.

153. There have been public information campaigns on the issue of asylum and the human rights of refugees and asylum-seekers. In addition, CONARE provides refugees and asylum-seekers with support, guidance and advice with administrative procedures.

154. There is still a lack of awareness on the part of some State institutions regarding the treatment of refugees and asylum-seekers, and the State's obligations in this regard. There is also a need to streamline and modernize Bolivia's asylum procedures.

J. Human trafficking and smuggling

155. The Constitution prohibits and punishes human trafficking and smuggling.⁸⁰ In that context, with technical support from the International Organization for Migration, Bolivia has created the National Council against Human Trafficking, as well as a National Strategy to Combat Human Trafficking and Smuggling. The Ministry of Foreign Affairs, in coordination with the Ministry of Justice, is taking steps to combat these crimes, mainly through direct action by Bolivia's consulates abroad to identify and rescue victims.

156. Bolivia has ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol) and has set up a human-trafficking and migrant-smuggling division in the Bolivian police force in major cities; the creation of such divisions in the rest of the country is still pending.

157. One of the outstanding challenges is to pass a comprehensive bill to combat human trafficking and smuggling, and to allocate financial resources to strengthen the National

Council, as there are no quantitative or qualitative data showing the percentages of people who fall victim to such offences, and no specific data on complaints on the subject or how such cases are resolved.

K. Rights of prisoners

158. The prison population nationwide has outgrown prison capacity by nearly 50 per cent, and 68 per cent of the prison population has not yet been sentenced. Over the 2008 fiscal year, the Government regularized payments for basic services and carried out renovations in prisons in the departments of La Paz, Oruro, Sucre, Santa Cruz, Cochabamba and Tarija. Some renovations are still ongoing and similar work is due to start in other departments. Also, the food allowance⁸¹ per prisoner was increased (from 4.5 bolivianos to 5.5 bolivianos) with effect from 2009.

159. A medical service has been created,⁸² with one general practitioner and one dentist in every prison; 24,273 consultations have been given nationwide and 35 national preventive health campaigns have been carried out. An agreement has been signed between the Ministry of the Interior and the Ministry of Health and Sports, in order to safeguard the health of the prison population, and a survey has been conducted on the most frequent medical conditions found in Bolivia's prisons.

160. To address the problem of the physical arrangements in prisons, a feasibility study was done in 2008 into the reorganization of the prison infrastructure. The Manual for the Graduated Prison System enters into force in fiscal 2009, and this should ensure that prisoners are correctly classified and separated.

161. On the basis of an agreement between the Ministry of the Interior and the Proyecto Mundo Movimiento Laico para América Latina (World Project Latin American Lay Movement), work has been going on to create an institution for juveniles aged under 21, i.e., juveniles who are criminally liable. In this context, the General Directorate of the Penitentiary System takes responsibility for administration of this juvenile prison, which aims to promote social reintegration once sentence has been served. Also, as a matter of good practice for the prison population, round tables have been set up for dialogue with adults, young people, and children living with their parents in detention.

162. One of the great challenges for the Bolivian Government is to end the current overcrowding in prisons and obtain more financial resources to build new prisons.

XI. Human rights situation and security institutions

A. Human rights and the Bolivian police

163. The Bolivian police force proclaimed 2007 its year of human rights, 2008 its year of reaffirmation of human rights and 2009 its year of equal rights and gender equity, with the aim of creating a culture of human rights and gender equity among the members of the Bolivian police. It also mainstreamed human rights in the curriculum of its undergraduate and postgraduate academic units.

164. Comprehensive training workshops are offered to Bolivian police officers at regular intervals, and with support from various institutions, on police procedures and keeping the peace in a context of human rights, and on the dissemination of human rights through the training of trainers.

165. Despite these efforts, the Bolivian police force, as the institution responsible for safeguarding the social order, is facing a number of difficulties, because it has no specific financial allocation for training, dissemination or promotion of human rights.

B. Human rights and the Armed Forces

166. The institutional policies of the Armed Forces in the area of human rights and international humanitarian law are based on guidelines for training and dissemination. The doctrine of the Armed Forces on international instruments emphasizes individual responsibility for human rights and international humanitarian law at all levels of the chain of command; education and training includes the principles of human rights and international humanitarian law, promotes professionalism among Armed Forces personnel and guarantees the investigation, prosecution and punishment of members of the Armed Forces who violate human rights.

167. The civil and military authorities work closely together to investigate human rights violations. Some 7,000 members of the military have training in human rights and international humanitarian law. There is a variety of training manuals and primers on human rights and international humanitarian law, and other similar publications.

168. A programme of social inclusion and equal opportunities in military training institutes, targeting applicants of indigenous origin, has been implemented successfully. There are also internal regulations to guarantee human rights, especially with regard to the proper treatment of staff, respect for individual dignity and the prevention of abuse of authority and psychological and physical abuse of subordinates. Inclusion of human rights and international humanitarian law as an examinable subject is mandatory in all military academies.

169. Unfortunately, the military has no specific budget for the operation of the directorates of human rights and international humanitarian law, which limits their scope for action.

Notes

- ¹ Ver Anexo con el listado de organizaciones participantes.
- ² Según el último Censo de Población y Vivienda del 2001, la población indígena asciende aproximadamente a un 62 por ciento.
- ³ En adelante se utilizará la abreviación CPE por razones de espacio.
- ⁴ Artículo 13 de la CPE.
- ⁵ Aprobado mediante Decreto Supremo 29272.
- ⁶ Aprobado mediante Decreto Supremo 29851 de 10 de diciembre de 2008.
- ⁷ Ley 3423.
- ⁸ Ley 3447.
- ⁹ Ley 3454.
- ¹⁰ Ley 3760.
- ¹¹ Ley 3845.
- ¹² Ley 3935.
- ¹³ Ley 4024.
- ¹⁴ Ley 3424.
- ¹⁵ Acuerdo firmado entre el Gobierno de la República de Bolivia y la Oficina del Alto Comisionado de Derechos Humanos, aprobado mediante Ley 3713.
- ¹⁶ Artículo 15 de la CPE.
- ¹⁷ Ley 4069.
- ¹⁸ Artículo 15 de la CPE.

- 19 Existen aproximadamente 22.000 denuncias.
20 Artículos del 21 al 29 de la CPE.
21 Decreto Supremo 29544.
22 Decreto Supremo 28994.
23 El listado completo de probables causas de discriminación está incluido en el Artículo 14 de la Constitución Política del Estado.
24 Decreto Supremo 213.
25 Ver Informe de la OACNUDH sobre el tema.
26 Decreto Supremo 29719.
27 Artículos 21 y 22 de la CPE.
28 Decreto Supremo 29292.
29 En adelante se utilizará la abreviación INRA.
30 Decreto Supremo 29894.
31 Artículo 26 de la CPE.
32 El Ministerio de Salud, recibió un premio a la Excelencia en el Liderazgo del Servicio Público.
33 Artículo 41 de la CPE.
34 Artículo 66 de la CPE.
35 Decreto Supremo 109.
36 Decreto Supremo 100.
37 Decreto Supremo 28699.
38 Decreto Supremo 107.
39 Decreto Supremo 108.
40 Decreto Supremo 110.
41 Decreto Supremo 29537.
42 824.101 personas alfabetizadas.
43 La educación debe ser impartida en español y en la lengua indígena de la región en la que se resida.
44 En la actualidad se cuenta con 14. 292 edificaciones escolares a nivel nacional para la educación pública y gratuita.
45 Decreto Supremo 156.
46 Artículo 77 de la CPE.
47 Artículo 19 de la CPE.
48 Decreto Supremo 29272.
49 Artículo 16 de la CPE.
50 Decreto Supremo 28667.
51 Artículo 20 de la CPE.
52 Artículos 33 y 34 de la CPE.
53 Ver Informe OXFAM « Cambio Climático, pobreza y adaptación en Bolivia ».
54 Artículo 30 de la CPE.
55 Ley 3545.
56 El español y el idioma indígena de la región en la que trabaje, Artículo 5 de la CPE.
57 Resolución Prefectural 2033 aprobada el 2007.
58 Resolución Prefectural 1690.
59 Decreto Supremo 28701 de Nacionalización de los Hidrocarburos.
60 Ver explicación del « vivir bien » en discurso de Ministra de Justicia en 12va. Sesión del Consejo de Derechos Humanos.
61 Artículo 60 de la CPE.
62 Este Plan complementa el Código niño, niña, adolescente, con la nueva CPE.
63 Artículo 81 de la CPE.
64 Artículos 14 y 15 de la CPE.
65 Decreto Supremo 28736.
66 Decreto Supremo 29850.
67 Ley 2450.
68 Artículo 14 de la CPE.
69 Decreto Supremo 189.
70 Ordenanza Municipal 249.
71 Ley 3729 del 2007.

- ⁷² Se hace mayor referencia en párrafo 74 de este Informe.
⁷³ Decreto Supremo 0264.
⁷⁴ Ley 1886.
⁷⁵ Decretos Supremos 28521 y 27477.
⁷⁶ Ley 3925.
⁷⁷ Decreto Supremo 0256.
⁷⁸ Decreto Supremo 328.
⁷⁹ Decreto Supremo 28329.
⁸⁰ Artículo 15 de la CPE.
⁸¹ Monto de dinero para la alimentación diaria del detenido.
⁸² Ley 2298.
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