



15 May 2020

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Plurinational State of Bolivia and welcome the constructive engagement of your Government during the 34th session of the UPR Working Group in November 2019.

As the final outcome report on the review of the Plurinational State of Bolivia has been recently adopted by the Human Rights Council at its 43rd session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Plurinational State of Bolivia – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 90 delegations and the presentation and responses provided by the delegation of the Plurinational State of Bolivia. I have also considered the actions taken by the Government to implement the 178 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome a number of issues highlighted during the review of the Plurinational State of Bolivia, such as the increase in public investment in the area of poverty reduction, education and health, and the declaration of 2020 as year of the fight against violence against women and children. I am also encouraged by the commitment of the Plurinational State of Bolivia to strengthen the independence of the judiciary and ensure a free, inclusive, fair and transparent electoral process, as highlighted by the support expressed to relevant UPR recommendations and reiterated by the Bolivian delegation during the session of adoption of the Outcome report on the review.

Her Excellency
Ms. Karen Longaric Rodriguez
Minister for Foreign Affairs
Plurinational State of Bolivia

I encourage the Plurinational State of Bolivia to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for the Plurinational State of Bolivia's fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage the Plurinational State of Bolivia to continue efforts to strengthen its "Inter-institutional Coordination Forum for the Drafting, Submission and Defence of Reports by the Plurinational State of Bolivia" and develop it into a fully-fledged national mechanism for comprehensive reporting and follow-up on recommendations received from all international and regional human rights mechanisms and on treaty obligations, while linking these to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please, kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Plurinational State of Bolivia to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

Finally, kindly allow me to use this opportunity to express my Office's profound solidarity with your country and all Member States in connection with the negative impact of the COVID-19 pandemic. I hope that despite unprecedented challenges it will soon be over in all countries worldwide, including through implementation of human rights based approaches to our collective response to the pandemic. I look forward to discussing with you ways in which my Office may assist the Plurinational State of Bolivia in relation to the areas identified in this letter and its annex.

Please, accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: Ms. Susana Sottoli
United Nations Resident Coordinator
Plurinational State of Bolivia

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the human rights instruments to which the Plurinational State of Bolivia is not yet a party, including the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, and the ILO Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29).
- Enhancing cooperation with the Special Procedures mandate holders of the Human Rights Council and responding positively to pending visit requests.

National human rights framework

- Further strengthening the Plurinational Monitoring, Monitoring and Statistics System (SIPLUS Bolivia) and the Inter-institutional Coordination Forum for the Drafting, Submission and Defence of Reports by the Plurinational State of Bolivia to ensure comprehensive reporting and follow-up on recommendations received from all international and regional human rights mechanisms, linking them to the Sustainable Development Goals. In this regard, capacity development activities could be developed with the support of OHCHR.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Continuing efforts to strengthen the legislative, policy and institutional framework to combat all forms of discrimination, including by strengthening the National Committee against Racism and All Forms of Discrimination and fully implementing the Multisectoral Plan to Combat Racism and All Forms of Discrimination.
- Developing a comprehensive strategy to combat discrimination against women and stereotypes about the role of women and men in the family and society, and strengthening efforts to protect lesbian, gay, bisexual, transgender and intersex persons against violence and discrimination.

Development, the environment, and business and human rights

- Strengthening legislative, policy and institutional measures to protect and fulfil the right to a healthy environment and safeguarding national resources, including in relation to large-scale infrastructure projects.
- Strengthening policies for disaster risk reduction and preparedness and ensuring the participation of vulnerable groups in their development and implementation.

B. Civil and political rights

Right to life, liberty and security of person

- Bringing national laws into line with the international human rights standards on torture and ensuring impartial and effective investigations into all allegations of excessive use of force, arbitrary detention and torture in the context of social protests. Strengthening prevention measures, including by providing training to law enforcement agents on the use of force and human rights.
- Ensuring that the national mechanism to prevent torture is in full compliance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Adopting further measures to ensure that conditions of detention are in line with international standards, including by addressing prison overcrowding and the excessive use of pre-trial detention, and by implementing violence prevention and complaint mechanisms.
- Investigating all cases of violence and hate speech against lesbian, gay, bisexual transgender and intersex persons, holding accountable those responsible for such acts.

Administration of justice, including impunity, and the rule of law

- Continuing efforts to reform the justice system, by enhancing its efficiency, strengthening judicial independence, increasing access to justice for vulnerable groups, and advancing the implementation of the indigenous justice system.
- Continuing the investigation of human rights violations committed under the de facto regimes of 1964–1982, ensuring that perpetrators are punished in accordance with the gravity of their crimes, and providing victims with full compensation and redress.

Fundamental freedoms and the right to participate in public and political life

- Promoting a safe environment for human rights defenders and ensuring freedom of expression and the independence of the media.
- Adopting appropriate measures to ensure a free, fair and transparent electoral process, including by strengthening the independence and transparency of electoral bodies and procedures.

Prohibition of all forms of slavery

- Enhancing efforts to combat human trafficking, including by strengthening regional cooperation and fully implementing the comprehensive Multisectoral Development Plan to Combat Human Trafficking and Smuggling.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Continuing efforts to improve access to decent work in the formal labour market, in particular for youth and women.
- Adopting further measures to monitor the conditions of work of women and girls in domestic work and ensuring that they have access to effective remedies against abuses and exploitation by their employers.

Right to an adequate standard of living

- Enhancing measures to provide access to basic services for all and reduce poverty and inequality, including through the allocation of sufficient resources to anti-poverty policies such as the Life Plan for the Eradication of Extreme Poverty.

Right to health

- Ensuring universal coverage of health services, including by allocating adequate resources to the implementation of the Unified Health System Act.
- Continuing efforts to reduce maternal mortality and adopting further measures to protect sexual and reproductive rights, including by approving and implementing the National Plan for Sexual and Reproductive Health 2018–2020, and revising the current legislation on abortion to decriminalize it and ensure access to safe abortion services in accordance with international human rights standards.

Right to education

- Continuing to provide adequate resources to the education sector and strengthening efforts to ensure access to quality education for all, in particular for indigenous children and children living in remote areas.
- Adopting policies on inclusive quality education for children with disabilities and a strategy for the provision of reasonable adjustments in schools and other learning institutions.

D. Rights of specific persons or groups

Women

- Stepping up the implementation of the legislative framework for the advancement of women, including through the strengthening of relevant national institutions and the full implementation of the National Plan for Equality of Opportunities.
- Continuing efforts to prevent and eradicate all forms of violence against women, including through the effective investigation of cases of violence against women and the full implementation of the 2013 Comprehensive Act on Guaranteeing

Women a Life Free of Violence and of the Law against Harassment and Political Violence.

Children

- Ensuring the effective implementation of the Multisectoral Plan for Comprehensive Development – Plurinational Plan for Children and Adolescents.
- Stepping up efforts to eradicate child labour through the effective implementation of relevant policies, including by ensuring access to adequate education and health services to all children and girls.

Persons with disabilities

- Ensuring that the national legal framework is fully in line with the Convention on the Rights of Persons with Disabilities, with a view to recognising persons with disabilities as full holders of all human rights and the denial of reasonable adjustment as a form of disability-based discrimination.

Indigenous peoples

- Promoting the rights of indigenous peoples and guaranteeing their right to free, prior and informed consent on issues that affect them, including regarding infrastructure development projects.
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