

- ▶ investigate allegations of human rights violations and bring to justice those responsible for past and present violations;
- ▶ establish an independent mechanism to deal with complaints of police violence and publicize the existence of this mechanism;
- ▶ act on the findings of investigations, bring to justice perpetrators and provide proper compensation to victims, particularly with regard to continuing incidents of torture and ill-treatment by police and security forces;
- ▶ amend Law 1008 (as above) to make it compatible with provisions of the ICCPR;
- ▶ separate accused from convicted persons in prison and juveniles from adult offenders;
- ▶ establish as soon as possible the Office of the Ombudsman and the Constitutional Court and give both broad jurisdiction and sufficient resources to guarantee the enjoyment of human rights;
- ▶ develop an education programme on international standards related to human rights, particularly for members of the army, security forces and police, members of the judiciary and lawyers;
- ▶ ensure the independence of the judiciary, enact a law regulating it and base the nomination of judges on their competence and not on their political affiliation;
- ▶ transfer responsibility for the judicial police from the executive to the judicial branch of government;
- ▶ take further measures without delay to protect indigenous peoples from violence and enable them to enjoy fully their rights under article 27 of the ICCPR, particularly with regard to the preservation of their culture, language and religion; and,
- ▶ ensure that respect for human rights is institutionalized at all levels of government and provide human rights education in schools at all levels.

#### **Racial Discrimination**

Signed: 7 June 1966; ratified: 22 September 1970.  
Bolivia's 14<sup>th</sup> periodic report was due 21 October 1997.

#### **Discrimination against Women**

Signed: 30 May 1980; ratified: 8 June 1990.  
Bolivia's second periodic report was due 8 July 1995.

#### **Torture**

Signed: 4 February 1985.

#### **Rights of the Child**

Signed: 8 March 1990; ratified: 26 June 1990

Bolivia's second periodic report (CRC/C/65/Add.1) has been submitted but is not yet scheduled for consideration by the Committee; the third periodic report is due 2 September 2002.

### **THEMATIC REPORTS**

#### ***Mechanisms of the Commission on Human Rights***

**Arbitrary detention, Working Group on:** (E/CN.4/1997/4, paras. 17, 18)

The report notes an urgent appeal was sent to the government involving one person but does not provide any details of the case.

#### **Disappearances, Working Group on enforced or involuntary:** (E/CN.4/1997/34, paras. 64–67, 393)

No new cases of disappearance were received by the Working Group (WG). Twenty of the 48 cases handled by the Working Group, most of which occurred between 1980 and 1982, have been clarified. At the government's request, information concerning the remaining 28 cases was re-transmitted. While welcoming the government's cooperation, the WG considered that the information provided by the authorities was insufficient to decide that the cases had been clarified.

#### **Extrajudicial, summary or arbitrary execution, Special Rapporteur on:** (E/CN.4/1997/60, paras. 16, 17, 18, 35, 51, 57, 58; E/CN.4/1997/60/Add.1, paras. 57–59)

The report contains general comments on the excessive use of force by police and security officers in Bolivia, including by members of the Mobile Rural Patrol Unit (UMOPAR), particularly in clashes with coca-growers; violations of the right to life of and death threats and harassment against women; and, violations of the right to life of children, including death threats and harassment. The report notes that the government has not replied to any cases transmitted since 1995 and urges the authorities to ensure that law enforcement officials receive comprehensive training in human rights questions, particularly concerning limitations on the use of force and firearms in the performance of their duties.

#### **Independence of judges and lawyers, Special Rapporteur on:** (E/CN.4/1997/32, paras. 8, 17, 18, 82–84)

In March 1996, the Special Rapporteur (SR) sent an urgent appeal, jointly with the Working Group on Arbitrary Detention, concerning the case of a lawyer, who had reportedly been detained. The information upon which the appeal was based indicated that he had been accused of sedition and contempt of presidential authority following public declarations he made against government economic policies regarding plans for "capitalizing" a state-owned oil and gas company. It was further reported that the lawyer had been held in incommunicado detention and denied access to lawyers and family and that the penal judge failed to rule on the habeas corpus petition which had been presented by the Bolivian Bar Association on his behalf. The government had not responded to the information sent by the SR.

#### **Religious intolerance, Special Rapporteur on:** (E/CN.4/1997/91, paras. 9, 19, 22, 26, 41)

The report notes discrimination and intolerance towards all religions and religious groups in Bolivia except for the official, state or predominant religion. The report further notes that all religious services other than those of the official religion are prohibited within the framework of military service. The government has not replied to cases transmitted to it by the Special Rapporteur.

The SR's interim report to the 1997 General Assembly (A/52/477, paras. 46, 49) summarized the government's response to communications previously transmitted, stating that in legal terms the procedure for registering non-Catholic religious organizations was not long and costly and that, contrary to the information received, the army did not forbid the holding of non-Catholic religious services.