



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

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Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

List of themes to be taken up in connection with the consideration of the seventeenth to twentieth periodic reports of the Plurinational State of Bolivia (CERD/C/BOL/17-20)

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the seventeenth to twentieth periodic reports of the Plurinational State of Bolivia. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. The domestic legal framework to combat racial discrimination (arts. 2 and 4)

(a) The new Constitution (2009), particularly the practical application of the constitutional provisions on indigenous nations and peoples, the plurinational nature of Bolivian society, and equal rights;

(b) The specific legal provisions to prohibit all types of discrimination, including racial discrimination and other related forms of discrimination, in full compliance with article 4 of the Convention;

(c) The legal framework and competent bodies that guarantee the implementation of constitutional obligations as well as the special protection measures for indigenous nations and peoples, Afro-Bolivian communities and members of other minorities;

(d) The Act on the Elimination of Racism and All Forms of Discrimination (Act No. 045), with an emphasis on its general implementation, including the relationship between the Act and freedom of expression for the media (CERD/C/63/CO/2, para. 12; CERD/C/BOL/17-20, paras. 69–71);

(e) Measures adopted to investigate cases of racially motivated verbal or physical violence against members of indigenous communities and to declare such offences punishable by law (CERD/C/BOL/17-20, paras. 95 and 206–208).

2. Reliable indicators of demographic composition and socio-economic data

(a) Statistics or data on the number of persons who might be treated less favourably on the basis of their race, colour, descent, or national or ethnic origin; information on mother tongues, languages commonly spoken, or other indicators of ethnic diversity, together with any information about race, colour, descent, or national or ethnic origins derived from social surveys;

(b) Socio-economic indicators relating to the situation of indigenous nations and peoples, Afro-Bolivians and other minorities, and their visibility in national statistics and censuses (CERD/C/BOL/17-20, para. 185).

3. Situation of Afro-Bolivians (arts. 2, 3 and 5)

(a) The measures the State party has adopted to guarantee that persons of African descent in Bolivia are not subjected to discrimination in practice and that they enjoy equal opportunities and equal treatment in employment and occupation;

(b) The mechanisms the State party has established in connection with policies and administrative and judicial measures to guarantee equal rights, including civil and political rights and the rights to education, housing, work and health (CERD/C/63/CO/2, para. 15);

(c) The mechanisms for the Afro-Bolivian community to participate in the creation and adoption of public policies and legislation and in the implementation of any economic projects that may affect them.

4. Situation of the members of indigenous nations and peoples (arts. 2–5 and 7)

(a) Measures the State party has adopted to change existing stereotypes and prejudices in Bolivian society, particularly in the northern and eastern regions (CERD/C/BOL/17-20, paras. 71 and 107; A/HRC/11/11, paras. 65 and 67);

(b) Measures to implement the Committee's general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system; specifically, information on the indigenous justice system and on how article 190 of the Constitution is implemented in practice (A/HRC/11/11, para. 26);

(c) Update on the mechanisms established by the State party in connection with policies and administrative and judicial measures to prevent racial discrimination, including the Vice-Ministry for Decolonization (CERD/C/BOL/17-20, paras. 51–53);

(d) Measures adopted to guarantee that individuals and groups of indigenous origin are not subject to discrimination on the ground of their origin by public authorities at any level of government, political parties, indigenous organizations, civic organizations or other political and social groups, and to eliminate manifestations of racism against members of indigenous nations and peoples in public discourse (A/HRC/11/11, para. 66);

(e) Measures the State party has adopted to guarantee that, in practice, members of Bolivian indigenous nations and peoples are not subjected to discrimination and enjoy equal opportunity and equal treatment in employment and in the job market (CERD/C/BOL/17-20, para. 55); measures adopted to address the vertical and horizontal segregation suffered by workers belonging to indigenous nations and peoples;

(f) Effective implementation of the regulations adopted to eradicate servitude and forced labour; information on the measures to investigate and improve the situation of the Guaraní indigenous people in the Bolivian Chaco, particularly the situation of Guaraní families subjected to conditions of debt servitude and forced labour (CERD/C/BOL/17-20,

paras. 150–162); further information on the Inter-ministerial Plan for the Guaraní People (CERD/C/BOL/17-20, para. 162);

(g) The enjoyment of economic, social and cultural rights, including guarantees of land ownership and access to drinking water (CERD/C/63/CO/2, para. 13; CERD/C/BOL/17-20, paras. 58 and 115–128);

(h) Preliminary results of the intercultural health policy and measures to guarantee the right to public health, medical care, social security and social services for members of indigenous nations and peoples (A/HRC/11/11, para. 64);

(i) Educational measures adopted to strengthen the participation of Bolivians belonging to indigenous nations and peoples in the regular education system (primary and secondary) and to guarantee equal access to education in the regular education system (CERD/C/BOL/17-20, paras. 30 and 91);

(j) Mechanisms for indigenous communities to participate in the creation and adoption of public policies and legislation and in the implementation of any economic projects that may affect them, including projects for the extraction of natural resources (CERD/C/BOL/17-20, paras. 21–24); information on “profit-sharing” when natural resources are extracted from the territories of indigenous nations and peoples (Political Constitution of the State, art. 30.II.16).
