



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group
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List of issues and questions for the consideration of periodic reports

Bolivia

The pre-session working group considered the combined second, third and fourth periodic report of Bolivia (CEDAW/C/BOL/2-4).

Legislation, machinery for the advancement of women and national plans

1. Please provide information on the implementation of the 2000-2010 National Plan for the Progressive Elimination of the Worst Forms of Child Labour, approved by the Bolivian Congress, and on the possible incorporation of the human rights treaties. Please also provide information on the number of child workers.
2. Paragraph 41 of the report lists laws that discriminate against women and contains proposals for redrafting, revising and examining them. Please provide updated information on the status of those procedures and laws. In particular, indicate the content of the Law against Political Harassment (para. 139) and what stage of approval it has reached.
3. According to the report (para. 288), the Law on Sexual and Reproductive Rights is blocked in the legislature. Please provide information on its content, on the obstacles that are preventing this Law from being adopted and on current efforts to achieve its speedy adoption and implementation.
4. The report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/2003/75/Add.1, para. 1302) indicates that article 317 of the Penal Code provides that there shall be no punishment in cases of rape, sexual abuse or kidnapping when perpetrators marry their victims with free consent. Please describe the efforts made to amend this article.
5. The report recognizes that one of the major shortcomings of the Family and Domestic Violence Act, No. 1674, is that it is preventive rather than punitive. The



report also indicates that, although this law has been revised, it continues to be a preventive law (paras. 77-78). Please clarify how Act No. 1674 was revised, what factors prevented this from being a punitive law and what actions were taken in that respect. In addition, please indicate what measures have been taken to promote the new law and to ensure its effective application, and what the impact of the law has been to date.

6. The report indicates that the minimum age for contracting matrimony is 16 years for males and 14 years for females (para. 367). Please state whether there are plans to amend this law in order to specify the same minimum age for men and women and to comply with the provisions in the Convention on the Rights of the Child.

7. The report indicates that Decree No. 24864 on Hierarchical Standing of Departmental Gender Units has been adopted (para. 49). Please indicate what the implementation status of this Decree is and whether it has facilitated gender mainstreaming in departments and municipalities.

Violence against women

8. The report indicates that extremely serious forms of sexual aggression against women and girls have recently occurred, concluding in many cases in femicide (para. 50). In addition, according to the report of the Special Rapporteur (E/CN.4/2003/75/Add.1, para. 1307), street girls are frequently sexually abused and ill-treated without any intervention by the security forces. The same report mentions that there have been complaints about acts of violence against women who work in cocoa plantations. Please provide more details about these cases and information about the measures taken in that respect.

9. What specifically has been done to disseminate and implement the Law on Protection for Victims of Crimes against Sexual Freedom (para. 58)? Please indicate the level of coverage and whether the efforts include women from rural areas and indigenous women.

10. In her report, the Special Rapporteur expresses concern about the way in which cases of domestic violence are addressed. For example, the authorities give priority to the family integrity, forcing reconciliation of the parties in the name of the well-being of the children. Women are also faced with the problem of providing evidence of domestic violence in cases where there are no physical marks. The Brigades have been assuming functions that are not within their purview and are accepting cases that should be dealt with by judges (E/CN.4/2003/75/Add.1, para. 1309). What actions have been taken to address these problems?

11. Indicate what has been the impact of the Programme for the Prevention of Violence at School, designed to prevent all forms of violence and discrimination inside and outside school (E/CN.4/2003/75/Add.1, para. 1305).

Trafficking and exploitation of prostitution

12. Please indicate the stage reached in the initiative to sign an agreement with the South American Common Market (MERCOSUR) on coordinated work to eliminate the trading and trafficking in women (para. 127), and whether such initiatives have been contemplated with other countries of the Andean region.

13. The report refers to a study on children and adolescents carried out by Defence for Children International in 1998 (para. 114). Please indicate whether more studies have been carried out on this topic and whether there are plans to establish a permanent information monitoring mechanism. Furthermore, paragraph 113 mentions that the Trading in Children Act has been drafted. Please provide information about the discussion and approval process for the Act.

14. According to the report, a set of policy measures is being drawn up to provide protection to women who engage in prostitution (para. 37). Please provide more information about this set of policy measures and indicate what has been done to identify the causes of this phenomenon and to determine the profile of the women (age, ethnic origin and so forth) who engage in prostitution. Please also indicate to what extent the research mentioned in paragraph 126 of the report is related to these efforts.

Stereotypes and education

15. The efforts directed towards the Educational Reform Programme, introducing the topic of gender equity through a cross-cutting approach, are very commendable (para. 83 of the report). Please provide indicators showing the impact of these efforts and indicate what other measures have been taken to eliminate stereotypes and cultural patterns that discriminate against women, including whether there are initiatives involving the media.

16. According to the report, in Bolivia discrimination against women in the educational sphere does not take the form of lesser access for girls to schooling but rather of girls remaining less time in school (para. 88). Please indicate whether studies have been carried out to identify and examine the reasons for the failure of girls and adolescents to remain in school. If so, please include the results and provide gender-disaggregated statistical data on school retention and dropout rates by age, level of education and rural and urban area. Also indicate the main reasons that girls and adolescents drop out of school.

17. Please provide data on university enrolment, retention and completion, disaggregated by gender and course type. Also provide updated figures for the statistics and indicators included in the report that cover only the period up to 2001 and, in some cases, 2002.

Political and public life

18. According to the report, despite the adoption of the Political Parties Act, in which a minimum female participation of 30 per cent is stipulated, and the adoption of the Citizens' Associations and Indigenous Peoples Act (para. 33) in 2004, "so far it has not been possible to reach the targets of 30 and 50 per cent" (para. 34). Please indicate the reasons why the quotas have not been met and report on the measures taken to promote the participation of women, including indigenous women. Please also provide information on the impact of the Act and the efforts to enforce it, as well as updated figures on the representation of women in positions of authority at national and local levels, including the representation of indigenous women.

19. According to the report, "unfavourable working conditions" and "household chores" are some of the reasons why women cannot access political positions (para. 155). Reference is also made to cases of women being "subjected to violence

intended to make them withdraw”, which is associated with so-called “political harassment” (para. 156). Please indicate what measures are envisaged or have been taken in that respect.

Employment

20. Paragraphs 208-218 describe existing legislation in the field of employment. They also indicate that articles 56 and 57 of the decree implementing the General Labour Act, concerning the provision of rooms with cots, have not been observed by companies (para. 213). Please indicate the action taken to ensure compliance with the labour laws and whether there are any monitoring mechanisms. Please also indicate the sanctions in the event of non-compliance and the cases that have been prosecuted.

21. Please provide information about the incidence of sexual harassment in the public and private sectors. Also indicate whether there is a plan to adopt legislation and programmes to combat such harassment.

22. The report describes the various forms of discrimination to which Bolivian women are subjected in the workplace: for example, in terms of levels of earnings (para. 236); access to work (para. 238); gender-based labour segmentation (para. 239); and the predominance of women in poorly paid sectors (para. 235). It also refers to the Government’s economic plan and the National Agricultural and Rural Development Strategy as ways foreseen to improve the situation and status of women. Please indicate the measures planned or implemented under these plans to eliminate discrimination against women in all these areas. Please provide information on the results obtained to date.

23. Please provide more information about the conditions in which young women and girls are employed in domestic work and specify whether they have access to social security.

Health

24. Please indicate whether the national health plans, including the National Programme for Sexual and Reproductive Health, the National Plan for Control of Cervical Cancer (2004-2008) and the National Plan for the Comprehensive Health and Development of Male and Female Adolescents (para. 207) have been implemented and, if so, indicate the results achieved. Please provide more information about the coverage of those plans, disaggregated by rural and urban areas, and also about the profile of their female users.

25. Please indicate whether assessments have been conducted to identify potential obstacles faced by women wishing to access these services, especially women living in rural areas and indigenous women. Also indicate whether they require national identification to access these services, and the measures taken in that respect.

26. Please provide information on the measures taken or planned to strengthen sexual and reproductive education for adolescents, especially in schools, with a view to reducing the high rate of teenage pregnancies, the transmission of diseases, and maternal and neonatal mortality (paras. 292 and 296).

27. Please provide information on the legal measures envisaged to prevent illegal and unsafe abortions, and especially on regulations covering terminations of pregnancies when permitted by law.

Indigenous and rural women

28. Please indicate the status of the project to increase rural girls' access to school and to keep them in school, as well as the results obtained. In addition, state whether there is monitoring and evaluation machinery for this project. Also indicate whether the adoption of special temporary measures at all levels of education has been considered for indigenous girls or women or girls and women from rural areas, as provided for in article 4, paragraph 1, of the Convention and general recommendation 25.

29. The report recognizes that family allowances do not benefit women working on their own account or women who do not have a monthly salary, those who do not pay contributions or those who do not receive social security (para. 318). Furthermore, the report indicates that the majority of women work in the informal sector (para. 271) or, in the case of indigenous women, for the subsistence of their family (para. 319). What kinds of programmes are planned for these women who are in the majority?

30. Please provide information about living conditions and access to basic services for women from the Afro-Bolivian community.

31. Please provide information about the specific actions taken to implement the recommendation of the Committee on the Rights of the Child (CRC/C/15/Add.256, paras. 25 and 26) with respect to the persistent discrimination against indigenous girls, girls with disabilities and girls living in rural areas in terms of birth registrations and higher infant mortality rates.

32. Please provide information about the measures taken to ensure that women from rural areas and indigenous women can own and manage land, and whether these measures have included training courses.
