

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD

Nineteenth session

Pre-sessional Working Group

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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the second periodic report of Bolivia (CRC/C/65/Add.1)

General measures of implementation
(Arts. 4, 42, and 44)

1. In light of information provided in the report (paras. 43-46), please further indicate measures undertaken to bring domestic legislation (e.g., Civil Code, Penal Code, Labor Code, etc.) in line with the principles and provisions of the Convention on the Rights of the Child.
2. Please indicate the current status of the proposal of reforms to the Minors Code.
3. With regard to information provided in paragraph 7 of the report, please indicate whether indicators have been developed and disaggregated data collected concerning the status of all children, including the most vulnerable groups (such as children belonging to indigenous groups, children born out of wedlock, children with disabilities, girls, children victim of any form of exploitation and children belonging to a minority group). What difficulties were encountered in the collection and use of these data and indicators for the design of policies and programmes for the effective implementation of the Convention?
4. In light of information provided in paragraph 100 of the report, please provide further information on existing or foreseen mechanisms to coordinate the activities between all Ministries involved in children's issues as well as between the local and central authorities.
5. With regard to information provided in paragraphs 87-104 of the report, please provide further information on existing or foreseen mechanisms, both at the local and national levels, for monitoring the implementation of the Convention. Please indicate the envisaged functions, mandate, budget and activities of the proposed local Ombudsman's offices for children.
6. With regard to the difficulties specified in the report (para. 129), please indicate what further measures have been taken, or are planned, to train professional groups such as judges, lawyers, law enforcement and army personnel and officials, civil servants including at the local level, personnel working in institutions and places of detention for children, health

personnel and social workers, about the Convention. Please also indicate what measures are envisaged to raise the awareness on the rights of the child of Government officials, legislators, non-governmental organizations and the mass media, and the public at large including children themselves.

7. Please indicate measures planned for the translation of the Convention into major indigenous languages, in particular Quechua, Aymara and Guarani.

8. In regard to information provided (paras. 105-109) on the establishment of an Inter-institutional Commission for children's issues, please provide further information on how governmental institutions relate to non-governmental organizations for the promotion and protection of children's rights. Please also explain how non-governmental organizations will in the future be involved in the design and implementation of policies and programmes for children.

Definition of the child
(Art. 1)

9. With regard to information provided in the report (paras. 136-156), please provide further details on the efforts to harmonize the different age-limits in domestic legislation. Please indicate if the project to reform the current Minors Code includes a minimum age for sexual consent.

General principles
(Arts. 2, 3, 6, and 12)

10. Please indicate what other specific measures, besides the Popular Participation Act and the Educational Reform Act, have been adopted or envisaged to prevent and combat discrimination against the most disadvantaged groups of children, such as children belonging to indigenous communities, the girl child, children with disabilities, children born out of wedlock and children who are living and/or working on the streets.

11. Please provide further information on specific measures taken or planned to ensure that the principles of the *Best interests of the child* (article 3) and *Respect for the views of the child* (article 12) are reflected in legislation and actions taken by social welfare institutions, courts of law and administrative authorities. Please also provide some examples of implementation of these principles by courts and/or administrative bodies.

Civil rights and freedoms
(Arts. 7-8, 13-17 and 37(a))

12. With regard to information provided in the report (para. 187), please provide further information on measures taken to ensure that birth registration procedures are widely known and practiced by the population at large. Please also indicate measures taken or envisaged to support indigenous communities in setting-up their own system of civil registration as part of the official system.

13. With regard to information provided in the report (paras. 257-261), please indicate if the authorities have considered undertaking research on the issue of child abuse. Have any cases of ill-treatment been submitted to domestic courts? Is corporal punishment specifically prohibited by law, and if so, how is this law enforced?

14. In light of information on the Law of Educational Reform, please provide further information related to the participation of children in the decision making process in the school environment.

15. With regard to article 17 of the Convention and the information provided in the report (paras. 204-207), please provide additional information on the measures taken or envisaged to protect children from exposure to violence and pornography in the media, including the electronic media.

Family environment and alternative care
(Arts. 5, 18 para. 1 and 2, 9, 10, 27 para. 4,
20, 21, 11, 19, 39 and 25)

16. Please indicate to what extent the State Party provides for parental education in the performance of child-rearing responsibilities and whether there are other family counseling services. Please furthermore indicate the steps taken in the spirit of article 18 of the Convention to encourage the participation of both parents in the upbringing of their children.

17. Please provide comprehensive information on the situation of children living in detention centres/prisons with their father and/or mother. Please indicate what alternative measures have been taken or envisaged to improve the situation of these children.

18. With regard to information related to adoption, please provide further information on the laws, court procedures, policies and practice regulating national and intercountry adoption and their compatibility with the principles and provisions of the Convention, especially with article 21.

19. In light of article 39 of the Convention, please provide further information on the steps taken and/or envisaged to promote the physical and psychological care and rehabilitation of children victim of any form of neglect, exploitation and abuse, including domestic violence and sexual abuse.

Basic health and welfare
(Arts. 6, para. 2; 23, 24, 26, and 18, para. 3, and 27 paras. 1-3)

20. Please indicate what further measures have been taken or envisaged to reduce high infant and child mortality rates, especially in relation to the lack of access to clean water and sanitation, malnutrition and respiratory infections.

21. Please provide data and further information related to adolescent health, including teenage pregnancy, abortion, sexually transmitted diseases (STDs), HIV/AIDS, all forms of violence, drug and alcohol abuse, suicide and mental health problems. What policies and programmes are in place or planned for the prevention of these problems and for the provision of care and treatment for persons under the age of 18?

22. Please indicate measures taken to guarantee the fullest possible social integration, inclusion and individual development of children with disabilities, in the spirit of article 23 of the Convention. In light of the information provided in the report (paras. 268-270), please indicate if the State party is envisaging to adopt specific legislative provisions for children with disabilities. Please also provide statistics on the number of children with disabilities and further information on related governmental programmes.

23. With regard to the use of inadequate construction materials for housing and its harmful impact on the health of children, please indicate what remedial measures have been taken or envisaged by the State party.

Education, leisure and cultural activities
(Arts. 28, 29, and 31)

24. Please provide further information on the scope of bilingual intercultural education programmes for children belonging to indigenous communities.

25. Please indicate what measures have been taken or envisaged to reduce school drop-out and repetition rates as well as to improve the quality of school infrastructures, especially in rural areas.

26. Please indicate measures undertaken and resources devoted by the State party for the implementation of article 31 of the Convention, especially in relation to children living in poor communities.

27. Please indicate what measures have been taken by the State party to include human rights education, especially the rights of the child, in the school curricula.

Special protection measures
(Arts. 22, 30, and 32-40 of the Convention)

28. In view of information provided by the report (para. 278), please indicate if the State Party has envisaged adopting legislation for the protection of asylum seeking and refugee children.

29. Please indicate measures taken for the protection of children living in the coca plantation region, who are exposed to antinarcotic attacks.

30. With regard to the administration of juvenile justice, please provide additional information, in particular to the following issues:

- opportunities for children deprived of their liberty to keep contact with families;
- pre-trial detention;
- the way in which the conditions in detention institutions are monitored;
- guarantees to ensure the periodic review of placement;
- complaint procedures in cases of ill-treatment;
- prohibition of life imprisonment;
- education, health and social services facilities in these institutions and prisons;
- the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;
- disaggregated data on children placed in detention centers and on the number of cases of child offenders deferred to the Minor's Tribunals.

31. In view of information provided in the report regarding the situation of child labour (paras.298-306), please provide further details on the plans to formulate a national policy to prevent and combat economic exploitation and eliminate the most hazardous forms of child labour. In addition, please indicate what measures are being taken and/or envisaged to address the issue of children living and/or working in the streets.

32. Please provide information on existing domestic legislation related to child prostitution, and indicate if this legislation covers girls as well as boys. Regarding the information provided in the report (paras.307-311), please indicate if research to improve the understanding on sexual abuse and sexual exploitation of children, including prostitution, pornography, incest and trafficking has been undertaken or is considered. Please also indicate whether the State Party is developing a comprehensive plan of action taking into account the recommendations formulated at the 1996 Stockholm World Congress against Commercial Sexual Exploitation of Children.

33. With regard to information provided in the report, please provide further information on concrete measures to prevent and combat the sale and use of drugs by children and to ensure their physical and psychological rehabilitation and social reintegration.

34. In light of article 30 of the Convention, please indicate further measures undertaken, including in the framework of the International Decade of the World's Indigenous People, to promote and protect the rights of children belonging to indigenous populations.