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ADDRESSING IMPLEMENTATION: SAFEGUARDING THE RIGHTS OF CHILDREN, YOUTH AND WOMEN IN BOLIVIA

A side event during the 34th session of the Universal Periodic Review

EXECUTIVE SUMMARY

Wednesday 6 November 2019

1:00 pm — 2:30 pm

Room XXII, Palais des Nations, Geneva

With the support of:



REPUBLIC
AND STATE
OF GENEVA

POST TENEBRAS LUX



adveniat
für die Menschen
in Lateinamerika

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INTRODUCTION

Organised by the International Catholic Center of Geneva (CCIG), in collaboration with Edmund Rice International (ERI) and the Marist International Solidarity Foundation (FMSI), the side event ‘Addressing Implementation: Safeguarding the Rights of Children, Youth and Women in Bolivia’ took place on 6 November 2019, in conjunction with the 34th session of the Universal Periodic Review. This event was facilitated by support from the Republic and Canton of Geneva and Adveniat. It was co-sponsored by VIVAT International, Franciscans International, Company of the Daughters of Charity of St. Vincent de Paul, and Ñañope.



BACKGROUND

This event was the concluding activity of a larger scale project developed by the CCIG, ERI and FMSI as well as an eighteen civil society member coalition situated in Bolivia. The project, titled ‘Strengthening Bolivia’s civil society in the context of the 2019 Universal Periodic Review (UPR)’ commenced in January 2019 and aimed to provide an avenue for the key human rights issues of the coalition to be brought to the attention of the international community on the occasion of the Universal Periodic Review (UPR). This United Nations mechanism reviews the human rights records of each 193 member States every 4 and a half years as a State-driven process and, as such, is an adequate platform of engagement to reinforce children’s rights within Bolivia.

Bolivia was nominated as the focal State of this project after the successful completion of the 2015-2016 project ‘Training program for Children’s Rights Defenders in Latin America’. This initial project, undertaken by the CCIG along with ERI and FMSI, with the financial support of the Republic and Canton of Geneva and Adveniat, introduced the participants to the various UN human rights mechanisms and specific techniques and skills to effectively monitor and evaluate country progress. It paved the way for human rights defenders within the region to mobilise and take action. After consultation with regional members, it was decided that Bolivia would present as the most appropriate State to continue advocacy efforts through due to its extremely precarious situation of women’s, youth and child rights.

While many Latin American countries experience abject poverty and indeed the region represents some of the most pronounced socio-economic inequalities in the world, the situation for children in Bolivia is staggering. UNICEF reports that the rights of a majority of the 1,529,689 children under 6 in Bolivia are high risk to vulnerability.¹ There is a steady increase of the number of children living on the streets, for example in the city of Santa Cruz de la Sierra, there was a 370% increase between



1996 and 2010.² When interviewed, 8 out of 10 young people living on the street stated that they left their home between the ages of 6 and 8 and are unable to access food, education, health care, housing, drinking water, sanitation or protection.



In light of these statistics and the particular focus on youth through UN initiatives such as the United Nations Youth Strategy and the adoption by the Human Rights Council of the Action Plan for the Fourth Phase of the World Programme on Human Rights Education as well as the 30th anniversary of the Convention on the Rights of the Child and the 40th anniversary of the Convention on the Elimination of All Forms of Discrimination Against Women, the four stage project, wherein the stages were referred to as activities, was created and implemented.

The scheduled appearance of Bolivia at the 34th UPR session was identified as the pivotal point of the project. This allowed the CCIG and its partners to utilise their specific expertise on the human rights mechanism. Prior to the 34th session, three of the four activities were accomplished. The first involved action within Bolivia, establishing cooperation from Civil Society Organisations (CSO) with a focus on children, youth and women’s rights, coordinating this involvement and logistics, and identifying the methodology to be undertaken in the drafting of the UPR submission. This activity culminated with two single day in-country consultations organised in February 2019 in Santa Cruz de la Sierra and Cochabamba, with several CSOs invited to compare information gathered and finalise the UPR submission, consisting of recommendations to be presented to the government of Bolivia. Four topics were chosen to present recommendations on: child and youth participation, child labour, child psychological, physical and sexual abuse and violence against women.





The second activity featured lobbying activities within Bolivia through bilateral meetings with embassy representatives in La Paz. In addition to these meetings, two press conferences were held in Santa Cruz de la Sierra and Cochabamba to raise awareness of the issues presented in the joint submission.

The third activity took place from September to October 2019. This activity mirrored that undertaken in Bolivia and featured similar bilateral meetings with Permanent Missions in Geneva. Priority was given to States from the Latin American region as well as those that made recommendations on related topics during the previous UPR. Two representatives from the Bolivian coalition, Ms. Manuela Isabel Urbina Ramirez and Mr. Mauricio Rodrigo Siñaniz Zambrana participated in these meetings, supported by staff from the CCIG, ERI and FMSI. In total, twenty-one meetings were taken. In addition to these bilateral meetings, Ms. Urbina Ramirez was part of the panel of the UPR Pre-session organised by UPR info on 8 October 2019. Ms. Urbina Ramirez was able to present the joint submission to twenty-five Permanent Missions as well as to other civil society organisations. Great efforts were undertaken to ensure that Permanent Missions who were unable to engage in a bilateral meeting still received a copy of the submission and an invitation to communicate with the CCIG and partners to provide further clarification if necessary.

It is noted that there are significant socio-political and socio-economic issues which act as inhibitors on the progress the Plurinational State of Bolivia. It is also noted that joint efforts of both national authorities and civil society are needed to alleviate the issues enunciated in the joint submission.

As a conclusion to this project, the side event taking place in November 2019 allowed an opportunity to highlight relevant recommendations directed to Bolivia, focusing on implementation. Panellists Ms. Paulina Beltran Rocha and Mr. Andres Canaviri Alanoca from the Bolivian NGO coalition, along with Ms. Maria Magdalena Moser of Fundación Ñañope and Ms. Nicoletta Zappile of UPR Info, demonstrated detailed knowledge on children, youth and women's rights issues in Bolivia as well as in the Latin American region and contributed to placing the issues in the wider global context. The breadth and depth of experience of the panel ensured both a focussed and expansive analysis of the issues currently existing in Bolivia and provide an open dialogue to monitor the 34th UPR session recommendations addressed to Bolivia and identify future action to be taken.

The aim of this report is to present a summary of the discussion which took place during the side event.

1. https://www.unicef.org/bolivia/children_1540.htm
2. "Do not call me street kid" SEPA Foundation 2006 – National Editorial Printing.

PANEL

MS. PAULINA BELTRAN ROCHA

Bolivian NGO Coalition

MR. ANDRES CANAVIRI ALANOCA

Bolivian NGO Coalition (Video Message)

MS. MARIA MAGDALENA MOSER

Fundación Ñañope, Bolivia
Trägerverein Anlaufstelle für Dienstmädchen
in Bolivien, Suiza

MS. NICOLETTA ZAPPILE

UPR Info

MODERATOR

MS MARIA D'ONOFRIO

Secretary General, CCIG



EXECUTIVE SUMMARY

In her opening remarks, **Ms. Maria D’Onofrio** (Secretary General, CCIG) thanked all partner organisations which helped coordinate and co-sponsor the event, as well as the donors. She welcomed all of the participants in attendance and expressed the wish for a productive afternoon. She noted with disappointment that Mr. Andres Canaviri Alanoca (Bolivian NGO Coalition) was unable to travel to Geneva to be part of the event.



Ms. D’Onofrio went on to outline the event as the conclusion of a wider project aimed at strengthening the capacity of human rights defenders in the Plurinational State of Bolivia. The objectives of the event included providing firsthand information on, and highlighting, the human rights issues present in the Plurinational State of Bolivia, particularly as they relate to child and youth participation, child labour, child psychological, physical and sexual abuse and violence against women. In addition, the event was proposed to bring together civil society organisations and interested participants to monitor and evaluate the implementation of recommendations received by Bolivia at the 34th Universal Periodic Review Session, which took place on 5 November, 2019.

The first speaker to take the floor was **Ms. Paulina Beltran Rocha**, a representative of the community of October 20, an organisation which is part of the Bolivian NGO coalition. She explained that the organisation focuses on women in Bolivia who are vulnerable and, therefore, unable to fully enjoy their human rights.

It was acknowledged that since Bolivia’s previous UPR cycle, efforts have been made for the eradication of violence against children as well as the trafficking of children. This was achieved through legislation passed in the form of Laws 548 and 263. Despite the adoption of these laws, currently 9 out of 10 children in Bolivia suffer from some form of violence, be it sexual, physical or psychological violence, as reported by World Vision. Additionally, according to data provided by the State Attorney-General’s Office, between January and September 2019, there were 43 confirmed

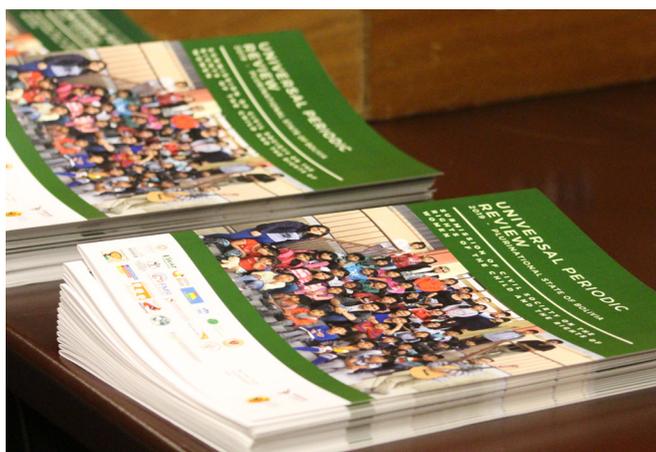


«Despite the adoption of [relevant] laws, currently 9 out of 10 children in Bolivia suffer from some form of violence, be it sexual, physical or psychological violence»

«from January to October 2019, 94 femicides were reported in the State»

Law 348 and Supreme Decree 2145 are in place, cases of violence against women are very high, with a case of femicide being reported every three and a half days in Bolivia. Indeed, from January to October 2019, 94 femicides were reported in the State.

Ms. Beltran went on to describe the barriers still in place that discourage female victims from pursuing charges against their aggressors. These range from victims being required to personally present a summons to the accused, to ineffective protection provided to victims in the period after they have reported. Additionally, while prohibited by Law 348, many women report that they have been encouraged by police officers to undertake conciliation meetings with the accused.



Moreover, the extreme mobility of governmental officers in charge of judicial proceedings forces the victim to relive their traumatic experiences and, in many cases, discourage them to continue the process of seeking justice against their aggressor.

While shelters are provided to victims of such violence, in many cases they are understaffed, have inadequate services, do not offer psychological care and do not cover the cost of the person's food. For these reasons, many women will return to their aggressor in order to ensure food and basic services for their children and themselves. Consequently, the empowerment of women, including their economic independence, is one of the main factors that can contribute to eradicating violence against women and ensuring the effectiveness of victim protection measures.

Hence, the need to intensify the prevention of violence against women, means that government services and resources available to victims and allocated to institutions responsible for supporting such victims, must be enhanced. This includes providing aforementioned shelters with specialised personnel and providing staff with adequate training.

The strengthening of preventative, protective and reparatory measures must be carried out jointly with empowerment programs, without which it will

cases of infanticide in Bolivia, with most aggressors being known to the victims.

In a similar vein, effective implementation of laws aimed at preventing violence against women has not occurred. While

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not be possible to face the root causes of the violence against women. Empowered women, economically independent, and unfettered in their rights, will, with the support of government institutions, free themselves from all forms of violence.

Ms. Paulina Beltran Rocha concluded by stating that although many advancements have been made with respect to human rights in Bolivia, many challenges remain.

She acknowledged that the process of the UPR, and in particular the recommendations that Bolivia received highlighted that national authorities and civil society, working together, can strengthen the protection of the rights of children, youth and women in the country.

Following this intervention, a video message from **Mr. Andres Canaviri Alanoca**, a 19 year old Youth Director of the International Junior Chamber of Cochabamba and representative of the Bolivian NGO, was presented. Mr. Canaviri Alanoca highlighted how children in Bolivia are exposed to all forms of violence, to the extent that violence becomes a common and almost 'natural' condition in the society.

Due to this, Mr. Canaviri Alanoca described a mediation pilot program which he helped to facilitate. This project trained school students in conflict resolution techniques across primary and secondary schools in Cochabamba. Mr. Canaviri Alanoca provided participatory and training spaces that educated students in conflict management, communication skills, assertiveness, emotion identification, empathy and active listening. He stressed



the recommendation of the coalition that Bolivia invest in school mediation programs to help eradicate violence against children in the whole State.

Additionally, Mr. Canaviri Alanoca relayed his experience of advising on project management and leadership of student



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governments. Despite its great potential, up to present, the student governments are limited to a pure pedagogical exercise with no impact on the decision making processes. While students have the desire, conviction and commitment to work on social and educational projects, their views are often not taken into account. Hence, the government of Bolivia should establish the binding character of student governments at a national and departmental level, to ensure the right to participation of girls, boys and young people on issues that affect them by effectively resourcing and implementing the Plurinational Plan for Children, Childhood and Adolescents.

Along the same lines, Mr. Canaviri Alanoca expressed his concerns about the existing barriers to the effective participation of youth over 18 years of age. In particular, he highlighted the excessive bureaucracy preventing youth organisations to obtain the legal status that would allow for more substantial support to youth initiatives. This is particularly important as the empowerment of young people has been clearly raised in recent UN initiatives, including Youth 2030: The UN Youth Strategy, as well as Human Rights Council resolutions on youth and human rights and the recent adoption of the Action Plan for the fourth phase of the World Program on Human Rights Education.

The third speaker on the panel was **Ms. Maria Magdalena Moser** from Fundación Ñañope - Trägerverein Anlaufstelle für Dienstmädchen in Bolivien, a Bolivian and Swiss institution which works to empower domestic workers and protect them from abuse through the operation of support centres. As the beneficiaries of these centres are indigenous women and children in most cases, they face a triple risk of discrimination.



In recent decades in Bolivia, there has been an improvement in the perception of informal work, and more dignified treatment of indigenous persons in general. Despite this, much remains to be done to reach an equitable and fair society in Bolivia. This is even so notwithstanding the falling numbers of working children.

The numbers of children engaged in child labour is indeed falling, due at least in part, to the acceptance of the recommendations of preceding UPR cycles regarding the protection of children. However, child labour is the product of poverty, unemployment and inequality. Hence, the problem will not be resolved on a fundamental level until there are drastic improvements to these factors. Thus, not only must all efforts be made to reduce further the numbers of children engaged in child labour, but also to protect the children who still feel the need to work.

Child domestic workers are still an ever-present force in Bolivia. Many of them migrate alone and homeless from rural provinces to growing cities such as Santa Cruz, La Paz and Cochabamba.

They are expected to be able to survive on their own and be able to adapt. Scores of children, under the promise of a job, fall into prostitution, become trafficked or are exploited for their organs as part of the illegal organ donor trade.

«child labour is the product of poverty, unemployment and inequality. Hence, the problem will not be resolved on a fundamental level until there are drastic improvements to these factors»



While there is so much poverty that children and young people have to work to ensure their survival or that of their family, it is better to be able to do it within a legal framework than in an illegal manner. It is for this reason that the work authorisation form for teenagers developed by the Office of Labour in Santa Cruz is a positive development. With the consent of their parents or legal guardian, adolescents can sign a contract for employment. The employer is obliged to provide the person with study hours, and the contract itself is approved by the Ministry of Labour.

Although imperfect and open to abuse, a system of apprenticeship would be a step in the right direction. It could allow for children and adolescents to pursue meaningful work whilst undergoing an education and obtaining professional qualifications. This avenue would allow children to develop in a dignified and violence-free way. It would allow children to train, not only in the school environment but also in technical areas and give them the chance to work and develop professionally, without being exploited.



The final panelist was **Ms. Nicoletta Zappile**, Program Manager for UPR Info, who presented from the perspective of how issues of children and youth rights are addressed in the UPR process, as well as why it is important for children to be engaged in the UPR process. Additionally, she also shared some best practices on the implementation of Universal Periodic Review and Committee on the Rights of the Child recommendations on children and youth rights. She also identified specific areas of collaboration amongst State and local CSO for the implementation of UPR recommendations.

Ms. Zappile commenced by stating that during the three cycles of the UPR thus far, 11,212 recommendations on the rights of the child have been made, accounting for 17.5% of all recommendations. Encouragingly, 84% of these recommendations were supported by the State under Review. This is particularly important, as Ms. Zappile noted, as a very high percentage of these recommendations address violence against women and children, access to health services and the rights of indigenous children, and so have a significant overlap with the Sustainable Development Goals of the UN. However, scarce attention is being paid to the issues of youth specifically, reflecting the important gaps in the mainstreaming of youth rights.

In considering the question of why children should be engaged in the UPR process, Ms. Zappile noted that the rights of children are addressed in all sessions of the UPR Working Group. Hence, to trigger positive and sustainable action, it is extremely important to effectively incorporate the view of children in the work of advocacy.

Additionally, she noted that the participation of children can better inform other stakeholders on situations involving their rights and allow them to better monitor recommendations accepted by their country and whether or not they are implemented.



As a corollary, this means that by allowing children to build their capacities, as one of society's key stakeholders, national civil society engagement as a whole will also be benefitted. Providing children with accurate educational support, training and disseminating best practices with them will allow them to incorporate such knowledge into their advocacy works and more stringently monitor UPR recommendations.

Accordingly, involving children in the UPR process will empower them, as shown by concrete examples of the involvement of children in NGO submissions in previous UPR processes of Albania, Senegal and Tunisia. In explaining these examples, Ms. Zappile considered that the fact that some of the recommendations made by children on these previous occasions have been embraced by recommending States demonstrates that there is a space for the involvement of children in the UPR. Not only that, but it also highlights that it is crucial for CSO and States to follow up on these recommendations and their implementation status. In this regard, States can provide technical support and assistance to the State under Review to implement these recommendations.

«During the three cycles of the UPR thus far, 11,212 recommendations on the rights of the child have been made [...] However, scarce attention is being paid to the issues of youth specifically.»

INTERACTIVE DIALOGUE

The panelists' presentations were followed by questions from members of the audience who took the floor to express their views on the topics discussed, as well as inquire as to the most practical way to address the next steps.

In particular, a question was raised on the most important or pressing point on the topic of working with children and women in Bolivia. Ms. Rocha contended that it was of utmost importance to empower women economically, so that they could be financially independent and so allowed to be the masters of their future as empowered women. Similarly, Ms. Moser noted that it is increasingly



being witnessed in Bolivia that women are taking justice into their own hands and taking charge of their own problems. In this manner, she stressed the need to ensure the quality of services that assist female victims of violence, through adequate training of personnel dealing with such cases.

The next question was addressed to Ms. Zappile and concerned the extent to which recommendations for national mechanisms for reporting and follow up (NMRF) have been adopted by States. Ms. Zappile replied that while such recommendations are often accepted by States, they are rarely fully implemented. As such, she highlighted that more training and capacity-building for CSO who collect information that is utilised in their submissions in the UPR are needed.

A question was raised in relation to improving the participation of youth in the voting process. In expressing her wishes that the unrest over the recent Bolivian presidential elections were solved peacefully, Ms. Maria D'Onofrio stated that the key question to be asked in this respect is how can the spaces that are already in existence be developed and further enhanced? In particular, this will require a consideration of how to involve "youth" once they have emerged from when they are considered "children." This was considered by Ms. D'Onofrio as particularly important given the contemporary social landscape, as well as the awareness that young people are indeed key actors for the realisation of the human rights of youth themselves and of the larger society.

The next intervention enquired whether there were presently any measures in place on how to involve children and youth in the UPR process, as well as what next steps were being considered in promoting the matters raised by the Bolivian NGO Coalition in this UPR cycle. In response, Ms. Zappile stated that UPR Info is attempting to increase the space for children and youth to participate in the UPR process, particularly by participating in the Pre-Session run by UPR Info, as well as the lobbying process generally. Additionally, Ms. D'Onofrio noted that CCIG is committed to provide technical support to those on the ground by enabling them to advocate for the issues related to their rights as well as maximise their coordination work through their UPR submissions. If this capacity building process is successful, the local actors will engage more and more with other UN human rights bodies, joining forces with UN experts and the States actors to achieve a better implementation of human rights.

Both were keen to note that children in particular are powerful contributors to the processes of the United Nations as they can provide first-hand experience in relation to how their rights are being enjoyed or restricted, and how they can be better promoted.

Bringing together a wide range of invested actors, the event provided an opportunity to share information on the actions taken on these issues, as well as identifying possible ways to continue to address these issues with more effective and integrated initiatives.

ANNEX

FOR THE FULL PRESENTATIONS OF THE PANELISTS,
PLEASE CONSULT THE FOLLOWING LINKS:

- **MS. PAULINA BELTRAN ROCHA**
Bolivian NGO Coalition
<http://www.ccig-iccg.org/wp-content/uploads/2019/11/EN-Paulina-Beltran-.pdf>
- **MR. ANDRES CANAVIRI ALANOCA**
Bolivian NGO Coalition (Video Message)
http://www.ccig-iccg.org/wp-content/uploads/2019/11/EN-Andres_-Video-Message.pdf
- **MS. MARIA MAGDALENA MOSER**
Fundación Ñañope, Bolivia - Trägerverein Anlaufstelle für Dienstmädchen in Bolivien, Suiza
<http://www.ccig-iccg.org/wp-content/uploads/2019/11/EN-Maria-Magdalena-Moser.pdf>
- **MS. NICOLETTA ZAPPILE**
UPR Info
<http://www.ccig-iccg.org/wp-content/uploads/2019/11/EN-Nicolette-Zappile-FINAL-talking-points-Side-Event-6-November.pdf>
- **MS. MARIA D'ONOFRIO**
Secretary General, CCIG
http://www.ccig-iccg.org/wp-content/uploads/2019/11/EN-Maria-D_Onofrio_Opening-Remarks.pdf

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