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## **JOINT STAFF WORKING DOCUMENT**

**The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('GSP+') assessment of Bolivia covering the period 2018 - 2019**

*Accompanying the document*

**Joint Report to the European Parliament and the Council**

**Report on the Generalised Scheme of Preferences covering the period 2018 - 2019**

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# Bolivia

## 1. Summary Assessment

In terms of GSP+ compliance, Bolivia continued to make progress in various key areas, in particular on improving access to education, health care, housing, and the fight to eradicate poverty. Bolivia has also made progress in bringing its labour legislation in line with international standards, restoring the minimum age of child labour at 14 years, and tackling child labour in the agricultural sector through a successful certification scheme. Challenges remain particularly in addressing the high levels of gender-based violence, overcrowded conditions in the country's prisons, and still widespread cases of child labour across various sectors of the economy.

### Priorities

A GSP+ monitoring mission took place in January 2019. Dialogue with Bolivian authorities and civil society representatives focused on several key priorities: prison overcrowding and overuse of pre-trial detention; violence against women, including human trafficking; persistent marginalisation of indigenous, Guarani, and Afro-Bolivian women; child labour; and freedom of association and collective bargaining.

### Human Rights

In the reporting period 2018-2019, Bolivia continued to make progress in the effective implementation of its human rights commitments. In particular, Bolivia has made efforts to eradicate **poverty** and improve access to **education, health, food and housing**, as well to address reproductive health issues.

The marginalisation of indigenous and Afro Bolivian communities (mainly women) and violence against women, including trafficking, are persistent issues. Despite the advanced legal framework on **violence against women**, implementation lags behind. The National Gender Mechanisms have traditionally been considered as weak, but the picture could change due to the recent creation of the Plurinational Service for Women and *Depatriarchalization* in January 2019.

**Overcrowding of prisons** and the overuse of **pre-trial detention** remain issues to be tackled. Bolivia recognised these as deficiencies in the judicial system and has made efforts to address them. Annual decrees granting pardon or amnesty to persons incarcerated preventively for minor offences have benefitted 6457 persons since 2012. A new Criminal Code was adopted in late 2017, introducing relevant reforms to reduce prison overcrowding and improve effectiveness of case management, but it was almost immediately derogated in early 2018 due to large protests. However, a 'short law' amending the Criminal Procedure Code was adopted in May 2019, rescuing important articles of the derogated code regarding, such as limitation in pre-trial detention, measures to reduce judicial backlog and to improve protection measures in case of violence against women. It is key to follow up on implementation and monitoring of the law in the coming year.

### Labour Rights

While the national legislation is broadly in compliance with the ILO fundamental Conventions, Bolivia faces challenges in the prevention of child labour and ensuring freedom of association and collective bargaining.

There have been positive developments on **child labour and minimum age for work**. During the EU's GSP+ monitoring mission, the Bolivian authorities confirmed that following the Constitutional Court ruling, on 19 December 2018 Parliament modified the Child and Adolescent Code to re-establish the minimum age (14). Progress has also been made at sector level, in particular in the sugar cane sector. Further efforts are needed to achieve the goal of eradicating child labour by 2025. Tackling child labour requires a holistic approach: legislation and enforcement, education and training, social protection, and promotion of decent work opportunities.

On the other hand, processes addressing ILO comments and requests on **freedom of association and collective bargaining** have not progressed during the reporting period. Legislative processes including a new Labour Code, meant to address the rights of rural and agricultural workers and public servants, as well as penalties for anti-union discrimination and trade union membership thresholds, have been frozen at the time of reporting.

## **Environment**

Bolivia faces key environmental challenges and continues to take action, in particular in the areas of biodiversity and protection of endangered species. Institutional strengthening and coordination remain a challenge.

Regarding the UN Conventions on Climate Change, though Bolivia has not taken a public position on CO<sub>2</sub> reduction targets, it has developed quantifiable targets for a range of other policy measures, such as renewable energy use. Actions to ensure the implementation of these measures should be encouraged.

## **Good Governance**

Bolivia is the world's third largest producer of coca leaf and cocaine. The chewing of coca leaf is a traditional practice in the country and permitted on its territory. The fight against illicit drugs continues to be a challenge in Bolivia and cooperation with the EU is an important element in addressing this issue. Bolivia is making efforts to tackle drug trafficking. Bolivia's new counternarcotic laws permit enhanced control of precursor chemicals and enhanced monitoring of coca cultivation. Implementation of these new laws will be crucial to bolstering Bolivia's counter narcotics efforts.

Bolivia continues to demonstrate political commitment to tackling corruption. The Law on Units of Transparency and the Fight against Corruption, adopted in September 2017, is a welcome development. The law is implemented and a significant number of Transparency and Anti-Corruption units have been established at all State levels with the mandate of promoting and implementing preventive, transparency and fight against corruption measures. Further work is needed on corruption in the private sector, increased international cooperation, as well as legislation on transparency and access to information.

## **Status of ratification and reporting**

Bolivia has maintained the ratification of all international conventions relevant to the GSP+. The country has submitted several pending reports under the human rights conventions and is compliant with all its reporting obligations. There are several outstanding reports on environmental conventions: the sixth report on Convention on Biological Diversity and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) implementation report 2015-2017 were expected in July 2019; the third national

communication under the United Nations Framework Convention on Climate Change (UNFCCC) is also due.

## 2. Recent Developments

Under President Evo Morales, who took office in 2006, a new Constitution was approved by referendum in 2009. The text includes provisions on the protection of human rights and makes explicit references to the rights of Mother Earth and indigenous values. The Constitution also recognises the right of indigenous communities to self-government, to establish a legal system and policies regarding indigenous rights, and to govern their own institutions, languages, symbols and land rights. Additionally, the new constitution established a limit of two consecutive terms in office for the President and Vice-President.

In 2016, President Morales held a referendum on a proposed constitutional amendment to allow the President and Vice-President to run for a third consecutive term. The proposal was rejected by 51.3% of voters, but the ruling party (MAS) filed an appeal. On 28 November 2017, Bolivia's Constitutional Court declared invalid the articles of the Constitution which limit the number of presidential mandates, thus paving the way for Morales (and other elected authorities) to stand for a fourth term and, potentially, for an indefinite number of times. On 4 December 2018, the Supreme Electoral Court confirmed the legitimacy of Evo Morales' candidacy for the Presidential Elections.

After the election took place on 20 October 2019, an audit carried out by the Organisation of American States (OAS) found that it lacked the necessary credibility and transparency, plunging the country into a spiral of violence and political paralysis. On 10 November, Evo Morales resigned and subsequently sought asylum in Mexico. On 12 November 2019, an interim caretaker government was established and tasked with preparing and holding new elections.

### EU – Bolivia Bilateral Development Cooperation

**Bolivia is the largest recipient of bilateral EU development assistance (€ 281 million in 2014-2020) in Latin America.** The Multiannual Indicative Programme (MIP) focuses on justice reform and fight against corruption, fight against illicit drugs, and water, sanitation and natural resources management. It includes a package of support measures to accompany implementation and policy dialogue (€ 15.6 million). The EU (including MS) is the largest donor. A Joint European Strategy for the period 2017-20 was recently adopted, in the framework of the Joint Programming exercise.

The **EU intervention on justice reform** (€ 20 million), will aim at improving access to essential justice services for the Bolivian population (in particular rural and indigenous communities) at a national and local level. Specific objectives will focus on strengthening the independence and professionalism of the judiciary and improving the quality of and access to justice services.

The **EU intervention on fight against illicit drugs** (€ 130 million) supports Bolivia's national strategy to fight against the production and trafficking of drugs and the reduction of surplus cultivation of coca (ELCN&CCEC 2016-2020).

The **EU intervention on water, sanitation and natural resources management** (€ 115.4 million) supports Bolivia's efforts toward integrated water resource management, including access to water and sanitation services and related economic opportunities, while ensuring environmental sustainability and climate change adaptation and mitigation.

The country has continued to make significant efforts to reduce poverty. The Human Development Index (HDI) value has grown steadily since 2008 to 0.693 in 2017, reflecting progress in social outcomes during the last decade. In relative terms, Bolivia still ranks 118 out of 188 countries and below the average of 0.758 for LAC countries. Bolivia also still faces challenges linked to inequality in income distribution: the Gini coefficient was 0.44 in 2018 (down from 0.58 in 2005)<sup>1</sup>. As highlighted in the previous GSP reports<sup>2</sup>, child labour in agriculture and mining and violence against women are serious issues that need to be addressed. In addition, there is still a need to strengthen institutional capacities and the justice system.

### 3. EU – Bolivia Trade and GSP

Bolivia is a resource rich country with strong growth due to its natural gas exports. However, the country continues to be one of the least developed countries in Latin America. Bolivia's exports are heavily dependent on primary commodities such as minerals (zinc, lead, silver ores) and agricultural products (such as soya beans). Since 2004, economic growth in Bolivia was on average 4.9%, due to high commodity prices, increased mineral and natural gas exports and a prudent macroeconomic policy. The favourable economic context had a positive effect on poverty reduction. Due to the decline in international oil prices, Bolivia's main challenge will be to ensure these positive economic and social results in a less favourable global environment.

With respect to trade, in 2018, the EU became the third export destination and the third main supplier.<sup>3</sup> Bolivia's exports to the EU amounted to € 680 million in 2018, a 20% increase compared to 2017.<sup>4</sup> The main exported products were minerals (zinc, silver, tin and lead) and Brazil nuts. The main imported products were industrial machinery.

According to the government, Foreign Direct Investment (FDI) (gross) grew by 29% in 2018. The Ministry of Planning Development is seeking new public–private alliances by improving investment incentives. FDI, which is concentrated mainly in the hydrocarbon and mining sectors, continues to be negligible compared to public investment. This is mainly due to scant incentives, complex bureaucratic procedures, corruption, a politicised legal system, and an inefficient tax system. The legal framework does not provide security for foreign investments, failing to ensure an international or independent settlement mechanism but instead obliging disputes to be settled by a Bolivian Court.

Bolivia has proclaimed 22 bilateral trade agreements unconstitutional between 2006 and 2013. Instead, Bolivia has developed a standard agreement for the protection of foreign investments, on which the government has invited third countries to negotiate and agree.

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1 The Gini index measures the extent to which the distribution of income among individuals or households within an economy deviates from a perfectly equal distribution. A Gini index of 0 represents perfect equality, while an index of 1 implies perfect inequality. Source: <https://data.worldbank.org/>

2 [https://eeas.europa.eu/sites/eeas/files/european\\_commission.\\_2016.\\_report\\_on\\_the\\_generalised\\_scheme\\_of\\_preferences\\_during\\_the\\_period\\_2014-2015.pdf](https://eeas.europa.eu/sites/eeas/files/european_commission._2016._report_on_the_generalised_scheme_of_preferences_during_the_period_2014-2015.pdf)

[http://trade.ec.europa.eu/doclib/docs/2018/january/tradoc\\_156539.pdf](http://trade.ec.europa.eu/doclib/docs/2018/january/tradoc_156539.pdf)

3 Source: IMF

4 European Union, Trade in goods with Bolivia, DG Trade

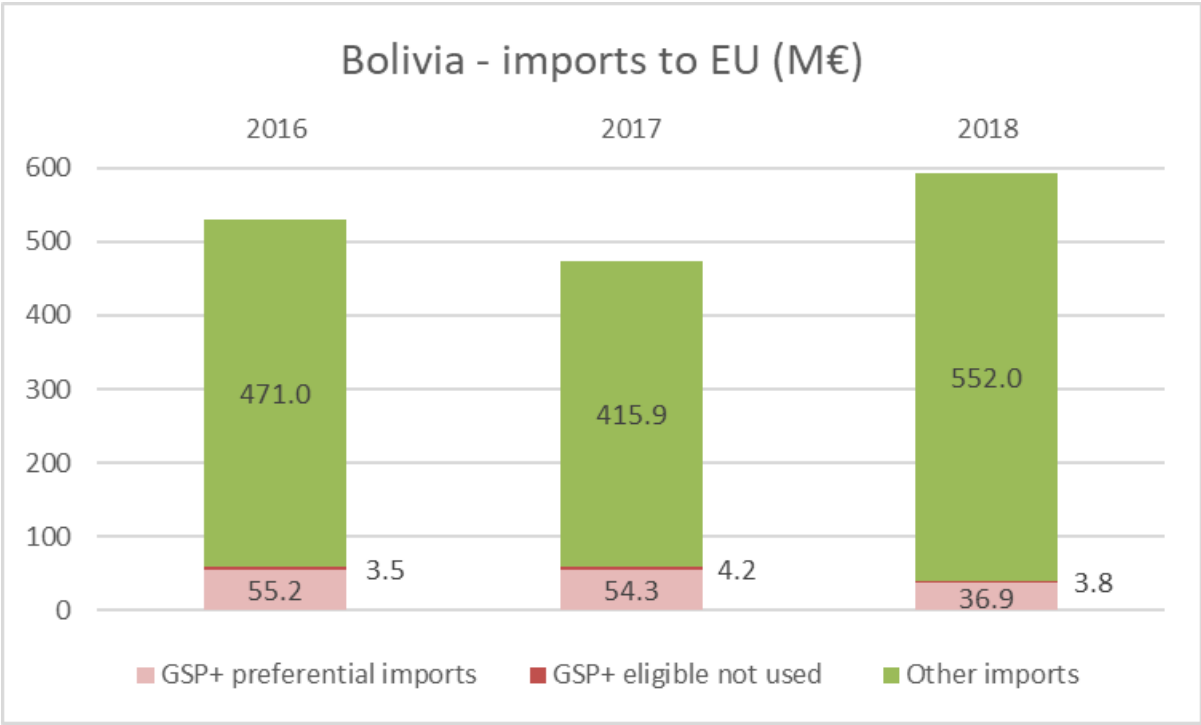
Figure 1 to Figure 3 below describe Bolivia's utilisation of GSP+ in the context of its overall exports to the EU<sup>5</sup>.

In 2018, while total exports from Bolivia to the EU increased, GSP+ exports and their share from total exports saw a decline, continuing a trend indicated in the 2016-2017 monitoring report. The preference utilisation rate of Bolivia remains high at 90.6% in 2018, though slightly decreasing compared to previous years.

**Figure 1: Imports to the EU 2016-2018 – GSP+ utilization rate**

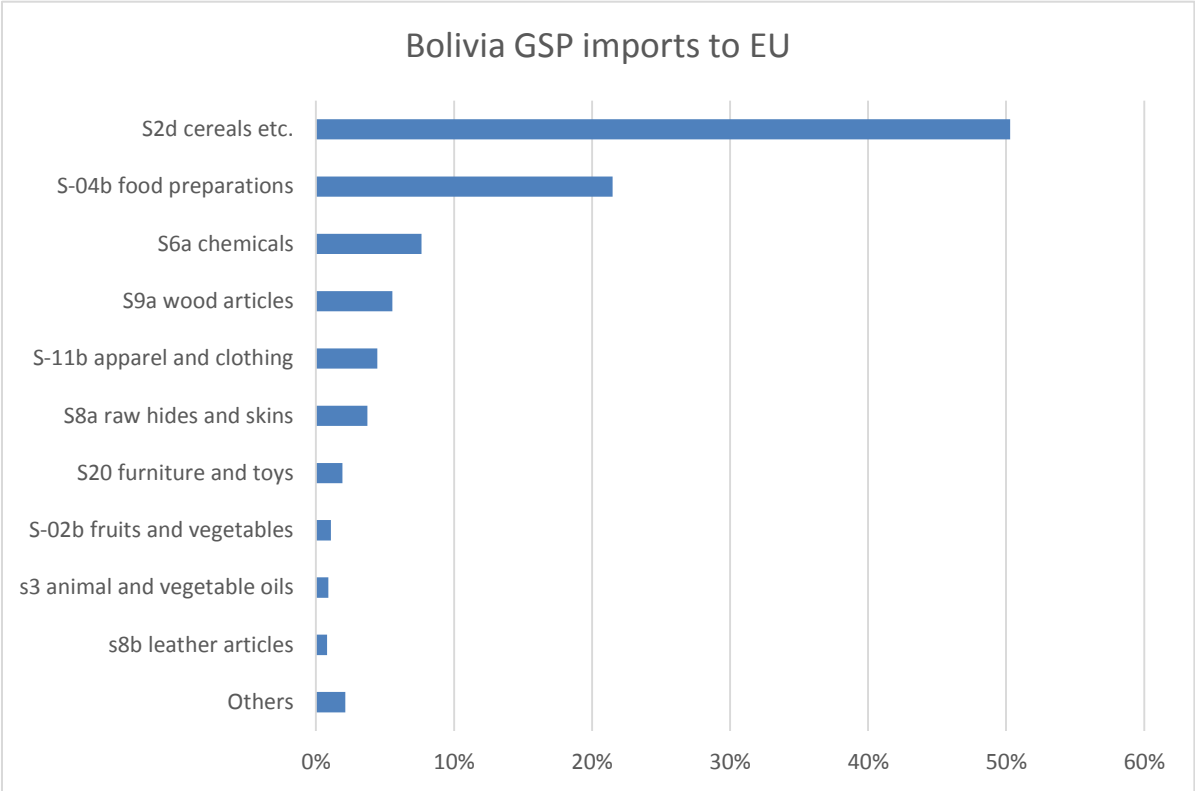
Bolivia - imports to the EU 2016-2018 (M€)				
	2016	2017	2018	trend 2016-2018
<b>Total imports</b>	529.8	474.4	592.7	11.9%
<b>GSP+ eligible</b>	58.7	58.5	40.7	-30.8%
<b>GSP+ preferential</b>	55.2	54.3	36.9	-33.3%
<b>Utilisation rate</b>	94.0%	92.9%	90.6%	-3.6%

**Figure 2: Imports to the EU 2016-2018 by regime**



<sup>5</sup> GSP-statistics only cover goods imported in the EU market, i.e. goods released for free circulation in the EU. The GSP statistics do not cover other EU-imports, like goods imported for the customs inward processing procedure or re-imports after the customs outward processing procedure

**Figure 3: Product Diversification of GSP+ Preferential Imports, 2018**



**4. Compliance with GSP+ Obligations**

**4.1 UN Human Rights Conventions**

References to recommendations by UN treaty bodies have not changed since the last report. However, Bolivia is currently at the beginning of a new reporting cycle. Bolivia has just submitted State party's reports to several treaty bodies including ICCPR, CESCR, CERD, CRC.

Bolivia's actions and priorities are covered by a National Human Rights Action Plan. This plan includes six strategic areas: civil and political rights; economic, social and cultural rights; the rights of rural native peoples and nations; women's rights; the rights of people in vulnerable situations; and the management of rights. However, even though its validity has concluded, there is no public information on the Action Plan's implementation and there has not been an evaluation, including with participation of civil society<sup>6</sup>. The Patriotic Agenda 2025 contains 13 pillars with references, among others, to eradication of poverty and access to education and health. The Human Rights Action Plan gives priority to the rights highlighted in the Patriotic Agenda.

<sup>6</sup> <http://www.sipi.siteal.iipe.unesco.org/politicas/1060/plan-nacional-de-accion-de-derechos-humanos-2014-2018>

### *International Convention on the Elimination of All Forms of Racial Discrimination (CERD)*

In October 2014, the Universal Periodic Review (UPR) of Bolivia led to a number of recommendations on combating racism and all forms of discrimination, especially against women, children, indigenous peoples, and Afro Bolivians. Following the UPR, Bolivia set up a national interagency system (SIPLUS) for the follow up and monitoring of recommendations on human rights. This system has, however, not been fed with systematic data, especially since the Office of the United Nations' High Commissioner for Human Rights (OHCHR) left the country in December 2017. The new Universal Periodic Review (UPR) exercise was completed in 2019, with the national report submitted on 9 August 2019 and the audience in Geneva scheduled for November 2019.

The Plurinational Policy on Human Rights 2015-2020 covers – among others – the rights of indigenous and Afro Bolivian minorities. The National Committee against Racism and All Forms of Discrimination adopted a Multisectorial Plan against Racism and all Forms of Discrimination (2016-2020), with the participation of civil society. However, institutional capacity and budget resources are insufficient to implement these plans. The National Committee is institutionally weak and currently inoperative. The EU is supporting the reactivation of this Committee through a project under the European Instrument for Democracy and Human Rights (EIDHR).

### *International Covenant on Civil and Political Rights (ICCPR)*

The UN Special Rapporteur on the **rights to freedom of peaceful assembly and of association** filed a brief to the Constitutional Court in 2015. The UN Special Rapporteur argued that the national legislation on the legal status of civil society organisations (CSOs) unjustifiably restricts the right to freedom of association through conditioning legal personality upon the organisation's contribution to economic and social development and by stipulating the possibility of revoking NGOs' legal status on grounds of non-compliance with sectorial policies and standards. This issue remains de facto restricting CSO activities. The Bolivian authorities have indicated that the restrictive provisions in the national law are deemed necessary because some organisations have been found operating 'irregularly'. There were no indications given of any foreseen revisions to the national law.

In its 2013 observations, the UN Human Rights Committee recommended Bolivia to redouble its efforts to ensure **judicial independence**, including establishing a system of judicial appointments and judicial service, based on objective and transparent criteria. A General Summit on Justice took place in June 2016 and an Intersectorial Commission was set up to follow up on the recommendations of the summit. The Commission is active and has improved coordination among state powers. However, a structural sector reform remains unaccomplished, even though partial reforms have been adopted. Among these, a new law and procedure for the preselection of candidate judges, which should ensure a higher degree of independence and better competence standards, was adopted in 2018 as well as a procedural manual. However, currently only around 20% of judges have been institutionalised. A sector reform plan was eventually adopted in 2018 but challenges remain in terms of sufficient budget and inter-sectorial coordination among state powers and institutions.

The effective implementation of the right to **prior, free, and informed consent**, particularly with respect to **extractive industry and infrastructure projects**, is still pending. According to the UN Human Rights Committee, the development of a draft law on extractive projects



was accompanied by consultation but not by **free, prior, and informed consent from indigenous communities**. Currently the national laws on mining (2014) does include a chapter on prior consent; however, both the law and the ministerial resolution limit the type of operations and instances where consent is required. In the hydrocarbons sector, a Supreme Decree was adopted in 2015 derogating a previous one of 2007, where the prior consent was adequately regulated according to civil society shadow reports. In this regard, the Ombudsman (2015) presented an unconstitutionality appeal to this regulation, stating that it was not compliant with several constitutional provisions and ratified international instruments (including ILO C169 and the UN Declaration on the Rights of Indigenous Peoples)<sup>7</sup>.

The Human Rights Committee expressed concerns about reports of verbal and physical violence against **human rights defenders and journalists**, and the increasing number of criminal proceedings brought against them. Recommendations in the 2014 UPR, which addressed the issue of protection of human rights defenders and journalists, as well as of the necessity to guarantee freedom of expression and the media law to be in accordance with international human rights instruments, are still pending. There still is no public policy or regulatory framework to ensure the protection of human rights defenders.

**Overcrowding of prisons** and the **overuse of pre-trial** detention remain issues to be tackled. Bolivia recognised these as deficiencies in the judicial system and has made efforts to address them. Annual decrees granting pardon or amnesty to persons incarcerated preventively for minor offences have been adopted to the benefit of 6457 persons since 2012. As a result, the percentage of people in pre-trial detention, as a percentage of all those in custody, fell from 83.3% in 2014 to 66.78% in June 2019. However, the general overcrowding of prisons is estimated at 289%.

A new Criminal Code was adopted in late 2017, introducing relevant reforms to reduce prison overcrowding and improve effectiveness of case management, but it was almost immediately derogated in early 2018, one month after its adoption, due to large protests. However, a ‘short law’ amending the current criminal procedure code was adopted in May 2019, rescuing important articles of the derogated code regarding limitation in pre-trial detention, measures to reduce judicial backlog and to improve protection measures in case of violence against women. As a complementary measure, a penitentiary census was undertaken in March 2019, which will help in identifying the court status and detention conditions of persons deprived of liberty, with a view of subsequently adopting corrective measures and policies. It is key to follow up on implementation and monitoring of the law in the coming year. The EU is supporting various elements of the law amending the current criminal procedure through a bilateral project on Justice Reform, whose implementation started in the second half of 2019.

#### *International Covenant on Economic, Social and Cultural Rights (CESCR)*

Though the rights to **health and education** are recognised in the Constitution as fundamental rights, measures to strengthen these rights need to be enhanced. Recommendations raised in the 2014 UPR<sup>8</sup> include improving access to health services for women in order to reduce the maternal mortality rate, in particular in rural areas. In addition, the recommendations also included a national policy to improve the quality of education and to provide adequate educational infrastructure to rural areas. These recommendations should be followed up.

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<sup>7</sup> <http://www.defensoria.gob.bo/archivos/INFORME%20PUEBLOS%20INDÍGENAS.pdf>

<sup>8</sup> A/HRC/WG.6/20/BOL/3

In February 2019, a law was adopted establishing the Seguro Único de Salud (SUS) covering uninsured population. While this is a positive development, the challenge now is to grant the system with enough resources to ensure implementation and sustainability.

According to the shadow report of civil society on **education** for the UPR 2019 based on UNESCO data (latest data available 2014), Bolivia ranks among the highest in the region in granting resources for education<sup>9</sup>. It is also especially visible the increase in resources invested in secondary education between 2000-2014. According to the report, enrolment rate of 15 and more went up from 7.1 to 9.3 years on average from 1996 to 2016. The educational gaps between urban and rural areas and gender wise have reduced.

*Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*

The shortcomings identified in the previous GSP reports with regard to CEDAW, still persist: (i) marginalisation of indigenous and Afro Bolivian communities (mainly women); (ii) violence against women, including trafficking, domestic and sexual violence with a lack of support and rehabilitation for victims; (iii) the prioritisation by the judicial system of reconciliation and family integrity over protection from domestic violence; (iv) vulnerability of girls in child labour; and (v) the high rate of teenage pregnancies.

Despite the advanced legal framework on **violence against women**, implementation still lags behind. The National Gender Mechanisms have traditionally been considered as weak, but the picture could change due to the recent creation of the Plurinational Service for Women and *Depatriarchalization* in January 2019. The Service has been conferred administrative, financial, and legal autonomy and its own budget, with the aim to oversee public policies promoting women's rights and the eradication of violence against women. A Special Cabinet on the Fight to Violence against Women and Children headed by President Morales has also been created.

**Femicides** continued to increase, with 128 cases registered in 2018 (against the 109 reported for 2017 and 104 cases of 2016), attributing Bolivia the third highest rate of femicide per capita in Latin America. The creation of a unified register of violence against women, where perpetrators will be registered, is still pending. The register will be supported through the bilateral EU project on Justice Reform (€3M).

The establishment of **specialised courts** exclusively dedicated to cases of violence against women, as envisaged in the Comprehensive Act to Guarantee Women a Life Free of Violence, is delayed. According to the 2018, balance presented by the CSO Alliance *Libres Sin Violencia*,

The EU is supporting the association of local governments through an EIDHR project in setting up an **observatory of political harassment and violence** in local governments. The project is also supporting a centre providing online pro bono legal counselling, as well as strengthening the capacity of protection chain operators to pursue political violence cases (prosecutors, special police force).

Through the regional programme **Eurosocial+** the EU also supported the Electoral Body in Bolivia to define political violence indicators, in the streamlining of exiting denounce mechanisms and in the design of policy advocacy and public awareness instruments.

9 [https://repositorio.cepal.org/bitstream/handle/11362/42403/S1701080\\_es.pdf?sequence=1&isAllowed=y](https://repositorio.cepal.org/bitstream/handle/11362/42403/S1701080_es.pdf?sequence=1&isAllowed=y)

among the 149,513 cases of violence against women registered between 2013 and 2017, only 0.99% of closed cases ended with a sentence. **Political violence** against women maintained high levels of impunity, notwithstanding the existence of a specific law since 2012<sup>10</sup>. None of the 90 denunciations presented by elected women authorities between January and September 2018 ended with a sentence of conviction.

Beyond implementation of law 348 on violence, it is important to note that notable efforts were made during the previous (2011-2017) and the current (since 2018) judicial mandate to strengthen the **gender perspective in Justice**. In 2013, a Gender Committee was created, composed of high female judicial authorities. Subsequently, a 'Gender Policy for the Judiciary' was adopted in 2015 followed by a 2016 'Protocol for judging with a gender perspective'. Both the Policy and the Protocol include measures to combat discrimination against LGBTIQI people but their implementation still lags behind. This Committee has now being reconstituted with the new judicial authorities elected in 2017. The EU is supporting the Committee through the bilateral project on Justice Reform (€ 3M).

Bolivia is implementing a Strategic Plan on Sexual and Reproductive Health 2016-2020 to educate and promote the exercise of sexual and reproductive rights of women and men. High levels of **maternal mortality** are related both to insufficient health and nutritional care and to clandestine abortion, which is a crime under current law. In particular, access to obstetric care for pregnant women in rural and remote areas and among indigenous women and women of African descent needs to be improved. The Universal Maternal and Infant Insurance Scheme (SUMI) addresses the health and nutritional aspects. The Penal Code approved in December 2017 foresaw decriminalisation of abortion in a large number of circumstances, but this law was derogated in January 2018, after several months of protests. The depenalization of voluntary abortion continues being a key priority for civil society.

Access of women to formal **employment opportunities** should be improved, as well as measures to protect women from **harassment in the workplace**. In general, the UN CEDAW Committee urged Bolivia to enhance women's awareness of their rights and the means to enforce them, targeting specific groups of women such as indigenous women and Afro-Bolivian women living in rural and remote areas as well as women with disabilities.

#### *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)*

As in the previous GSP reports, the key concerns regarding CAT remain the inadequate **definition of torture** under the national law and deficient **prosecution of torture cases**. This was already highlighted in 2013 by the UN Committee against Torture. Bolivia plans to address this issue in the context of an overall reform of the penal system, taking into account the Constitution and its commitments under international conventions.

SEPRET (Service for Prevention of Torture), a specialised body in charge of prevention of torture and ill treatments, became operational. Civil society expressed concerns that the Service formally depends on the Ministry of Justice. A 'Truth Commission' was created in 2017 to investigate the crimes committed under the dictatorships, which plagued the country until the early 1980. No information has been made public on the advances of the Commission. Incidents of ill-treatment by police have been reported, including sexual violence against women in preventive detention. The UN Committee against Torture has

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10 Law n°243/2012 against Harassment and Political Violence against Women

underlined the need for a prompt and impartial investigation. Bolivia should also take the necessary steps to ensure redress for victims of ill-treatment or torture.

### *Convention on the Rights of the Child (CRC)*

The salient shortcomings as identified in the previous GSP reports remain areas of concern. Even though forced labour and exploitation of children are forbidden by the Constitution, **child labour** is widespread, especially in rural areas. Information made available by the National Institute for Statistics in 2018 reveals that about 396,000 children are carrying out child labour, whereas data from UNICEF and the Ministry of Work in 2017 accounted 848,000 working children, almost half of whom were under 14 years old.

**Human trafficking** remains a challenge for Bolivia, including policies on the return of victims and their rehabilitation and reintegration into the labour market. A National Plan against Human Trafficking 2015-2019 is in place. According to the Supreme Tribunal of Justice, 184 processes of trafficking were conducted in 2014 – but only 11 reached a sentence. Bolivian local police specialised in crime reports an increase in trafficking and related crimes cases since approval of the Law on Trafficking<sup>11</sup> (from 386 cases in 2012 to 454 in 2017). The Ministry of Justice registered 2591 cases between 2012 and July 2017, among which only 1.7% reached a sentence.

Further steps are still needed to address the situation of the **Guaraní children in the Chaco region**. Concerns relate to children engaging in hazardous work in mining, the high number of children living in prison with their parents, violence against children including trafficking, and domestic and sexual violence. Work plans have been elaborated to promote the removal of children living in prisons and to provide alternative care. In a joint effort between the Ombudsman, the prison regime, and the prisoners, the number of children living in prison was reduced by approximately 50% between 2013 and March 2018 (i.e. from 1218 to 615 cases)<sup>12</sup>.

### **Conclusions and monitoring priorities**

*Bolivia continued to make progress in effectively implementing human rights commitments, taking into account the overall socioeconomic situation. The Constitution, together with the Patriotic Agenda 2025 and the National Human Rights Action Plan provide a solid basis to better promote and protect human rights. In particular, Bolivia has made efforts to eradicate poverty and improve access to education, health care, food, and housing, as well as to address reproductive health issues. Following the outcomes of the 2016 Justice General Summit, the Government has undertaken substantial steps to strengthen the independence and efficiency of the justice system, though further action is needed to guarantee full respect of fundamental freedoms.*

*Bolivia has adopted several new legislative acts to improve the human rights situation, in particular for women, and to implement its international human rights commitments. However, the challenge remains to ensure that the legislation is implemented systematically and effectively. The marginalisation of indigenous and Afro Bolivian communities (mainly*

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11 Ley n263/2012.

12 [http://www.la-razon.com/nacional/Bolivia-carceles-Gobierno-sacarlos-ninos\\_0\\_2886311361.html](http://www.la-razon.com/nacional/Bolivia-carceles-Gobierno-sacarlos-ninos_0_2886311361.html)

women) and violence against women, including trafficking, are persistent issues. Following the creation of the Plurinational Service for Women and Depatriarchalization in January 2019, there is an expectation that the national gender mechanism will be strengthened.

Overcrowding of prisons and the overuse of pre-trial detention also remain issues to be tackled. Bolivia has made efforts to address them. In the coming year, it is key to follow up on implementation and monitoring of the short law amending the criminal procedure code with limitation in pre-trial detentions and improved measures against gendered violence.

## 4.2 ILO Labour Rights Conventions

### *Freedom of Association and Collective Bargaining (Conventions 87 and 98)*

In 2016, the ILO requested Bolivia to provide further information on the investigations conducted with regard to the allegations of police aggression during trade union demonstrations, as well as on related judicial procedures. According to the information provided by the national authorities, the Ministry of Labour, Employment and Social Security through the General Direction of Union Affairs is involved in conflict prevention and mediation.

The ILO issued requests on several legislative matters and noted with satisfaction the information provided by Bolivia concerning the repeal of section 234 of the Penal Code, namely the requirement of a 75% majority of workers in order to call a strike.

The ILO also noted the Government's indication that a new General Labour Act was being prepared, which provided for the inclusion of rural and agricultural workers so that they can benefit from all social rights; and envisaged a requirement of 20 workers to establish a union at the enterprise or industrial level. With regard to the right of public officials to organise, a bill on public servants was also being prepared. These two laws are still pending, and the legislative process of a new labour code is frozen at the time of publication of this report.

Further ILO recommendations concerned updating the amount of the fines to be imposed on acts of anti-union discrimination or interference to ensure that they are sufficiently dissuasive; and explicitly affording the guarantees set out in the Convention to public servants who are not engaged in the administration of the State and to all agricultural workers. ILO has also noted deficiencies in tripartite dialogue concerning the minimum wage<sup>13</sup>.

### *Abolition of Forced Labour (Conventions 29 and 105)*

In its 2019 report, ILO requested the Government to continue efforts to eradicate **forced labour and servitude practices**, which affect particularly the indigenous populations of Quechua and Guaraní origin, and to provide information on measures to combat the root causes of victims' vulnerability. It also requested information on the impact of the programme on 'the progressive eradication of forced labour and other similar forms of work in indigenous communities in the Chaco zone, the Bolivian Amazon zone, and the Santa Cruz region'<sup>14</sup>.

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13 [https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3417441](https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3417441)

14

[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3960248:NO](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO:13100:P13100_COMMENT_ID:3960248:NO)

The ILO expressed concerns for the low number of **convictions regarding trafficking in persons**, despite the significant number of cases brought to justice. It urged the Government to strengthen its efforts to ensure prosecutions and to impose effective and dissuasive penalties. It requested information on the number of criminal proceedings, convictions and penalties on the basis of Act No. 263 against trafficking and smuggling and on concrete measures to protect, assist, and provide remediation to victims of trafficking.

*Minimum Age for Work and Worst Forms of Child Labour (Conventions 138 and 182)*

In 2014, Bolivia adopted Law No. 548 on the Code for Children and Adolescents, authorising children to work from age 12 for an employer and from age 10 if self-employed. The Government stated that lowering the working age reflected the Bolivian reality as one of the poorest countries in South America. In July 2017, Bolivia's Constitutional Tribunal struck down these provisions. In 2018, the Bolivian authorities confirmed that following the Constitutional Court ruling and the Parliament has modified the Child and Adolescent Code to **re-establish the minimum age at 14**.

The GSP+ mission of January 2019 allowed for a fruitful discussion with Bolivian authorities on the implementation of Labour Rights Conventions. Special attention was paid to child labour. Bolivian Authorities presented the results of the **child labour survey** (ENNA). The Survey shows that child labour is still very significant in Bolivia (393,000 out of the 3 million Bolivian children) and can be a key tool to develop policies to achieve the goal of eradicating child labour by 2025. However, these figures are difficult to compare with the latest available data of 2008, by UNICEF, which had set this number at 848,000<sup>15</sup>. It is key that the data and methodology of the 2016 Child Labour survey is published to be able to conduct timely and relevant analysis and ensure adequate policy design and monitoring.

Moreover, **worst forms of child labour** also occur in mines and in the construction sector and affect street children and children in informal employment. An estimated 3,800 children work in tin, zinc, silver, and gold mines in the country, while overall, according to a national report published by ILO-IPEC in 2008, 437,000 children under 14 years of age were engaged in hazardous work. Thus, the large majority of the estimated 491,000 working children under 14 years performs hazardous work.

The mission had the opportunity to examine the **progress made in the sugar cane sector**, including through corporate social responsibility initiatives such as the *triple sello* scheme in the Santa Cruz region. The certification is given to products whose value chain production is free of discrimination, forced labour, and child labour. Although it does not cover all sugar mills yet, the scheme is a positive step in improving labour conditions and fostering corporate social responsibility in the sector. The improvement of the situation in the sugar cane sector needs to be extended to other sectors, such as Brazilian nut or informal mining.

Given the lack of resources of **labour inspectors** in the country and the difficulties encountered in gaining access to some plantations, there is a need to increase efforts in order to effectively detect child labour. The ILO requested the Government, in cooperation with UNICEF, to intensify its efforts to protect indigenous children from the worst forms of child labour.

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15 [https://www.unicef.org/bolivia/magnitud\\_y\\_caracteristicas\\_del\\_TI\\_en\\_Bolvis\\_INE\\_OIT\\_baja.pdf](https://www.unicef.org/bolivia/magnitud_y_caracteristicas_del_TI_en_Bolvis_INE_OIT_baja.pdf)

In 2018, the ILO expressed remaining concern on the lack of information on the results of national policies and government actions to combat child labour (i.e. the SIPRONA Public policy for children and young persons: Basic proposal, or the Ministry of Labour's Institutional Strategic Plan). It also requested the government to provide age-disaggregated statistics and to continue efforts to strengthen the capacities of the labour inspectorate and grant protection measures to children working in the informal economy.

### *Elimination of Discrimination (Conventions 100 and 111)*

Bolivia's general approach to combat racism and discrimination at the workplace was to establish the National Committee against Racism and All Forms of Discrimination and to create units for combating racism and all forms of discrimination in all Bolivian Ministries. These institutions are expected to implement action plans and trainings in line with the national legislation against racism.

However, in 2017 the ILO pointed out that the **wage gap between indigenous and non-indigenous workers** still exists without visible measures adopted or implemented to address the issue. The ILO requested Bolivia to ensure equality in access to education and vocational training for indigenous peoples, Afro Bolivians, and migrants to enable them to enjoy equality of opportunity in access to employment and remuneration. It seems there is no recent progress in this area.

Regarding Convention 100, in its latest direct request (adopted 2016), the ILO requested that a **new labour law** is adopted shortly and fully establishes the principle of **equal pay for work of equal value**, which are not in current legislation. It also requested the government to evaluate and establish mechanisms for reporting cases of **wage discrimination**.

On Convention 111, the ILO noted policy initiatives that address **discrimination in employment**, but regretted the lack of information concerning impact. It also noted the lack of visible measures – beyond a general national antiracism policy – to address discrimination in employment against indigenous people; the lack of information about specific measures taken to address workplace sexual harassment; and concerns about access to remedy.

The legislative process of a new labour code, which was to address issues of promotion and integration of women in employment, including equal remuneration, is frozen at the time of publication of this report. It is worth noting initiatives such as the National Equal Opportunities Plan 'Women building a new Bolivia to live well'. Nevertheless, their strategic vision and concrete implementation are not always clear.

### **Conclusions and monitoring priorities**

*While the national legislation is broadly in compliance with the fundamental ILO Conventions, Bolivia needs to improve its follow up to the ILO supervisory body's observations and recommendations. Enforcement also remains a concern.*

*A positive development during the reporting period is the re-establishment of the minimum age of work to 14 years old in December 2018. Progress has also been made at sector level, in particular in the sugar cane sector. However, further efforts are needed to achieve the goal of eradicating child labour by 2025. Tackling child labour requires a holistic approach: through legislation and enforcement, education and training, social protection and promotion*

*of decent work opportunities.*

*It will be important to publish the data and methodology of the latest child labour survey to ensure that the data and statistics have been collected in accordance with international standards to allow comparability over time and to provide a genuine picture of the situation in the country. The survey should serve as a basis for future policies and programs that aim at the eradication of causes and determinants of child labour. Concerning forced and compulsory labour, the work on the elimination of forced labour in indigenous families in the Chaco, Amazonia, and Integrated North Santa Cruz should continue.*

### **4.3 UN Conventions on Environmental Protection and Climate Change**

Climate change, deforestation, soil and water pollution and soil erosion are key environmental challenges in Bolivia.

#### *Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)*

Bolivia has achieved Category 1 status<sup>16</sup>, as its national legislation is in line with the Convention. The Supreme Decree no. 3048 on the International Trade of Endangered Species of Wild Fauna and Flora was approved on 11 January 2017 to establish administrative procedures for the protection of wildlife under CITES.

#### *Basel Convention*

Bolivia has reported on numerous activities connected to the export of hazardous wastes, which it will continue to carry out. Priorities include exports of hazardous waste from different companies, as well as developing specific rules to implement the Basel Convention.

#### *Convention on Biological Diversity (CBD)*

As regards the revised National Biodiversity Strategy and Action Plan (NBSAP), in December 2018 Bolivia adopted its Policy and Strategy for the Integral and Sustainable Management of the Biodiversity, with a related action plan for 2019-2030<sup>17</sup>, with five strategic areas including policy, governance, sustainable use, comprehensive environmental management, and knowledge management.

#### *Stockholm Convention on Persistent Organic Pollutants*

Bolivia plans to carry out activities related to environmentally friendly management of polychlorinated biphenyls (PCBs), contaminated equipment and waste, and to the strengthening of technical capacity. Furthermore, it will put in place specific regulations for

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<sup>16</sup> Category 1: legislation that is believed generally to meet all requirements for effective implementation of CITES. Source: [https://cites.org/eng/legislation/National\\_Legislation\\_Project](https://cites.org/eng/legislation/National_Legislation_Project)

<sup>17</sup> The Policy and Strategy for the Integral and Sustainable Management of the Biodiversity Action Plan (2019-2030) (Política y Estrategia Plurinacional para la Gestión Integral y Sustentable de la Biodiversidad - Plan de Acción 2019-2030) encompasses five strategic areas: policy and standards; institutions and territorial governance; conservation and sustainable use of biodiversity; comprehensive environmental management for biodiversity; and knowledge management and mobilization. There are 10 strategic objectives and 15 lines of action respectively associated to the 2020, 2025 and 2030 horizons. Additionally, two cross-cutting issues (climate change and gender) shall be mainstreamed in actions.



the elimination of Persistent Organic Pollutants (POPs) until the year 2025. Projects framed in the management of POPs are being prepared to protect human health and the environment from POPs. Bolivia has also improved its reporting compliance under the convention.

#### *Cartagena Protocol on Biosafety*

The technical regulation on 'Food labelling and products intended for human consumption that are, contain, or derive from genetically modified organisms' was approved. Bolivia has requested financial support from CBD to draft its fourth national report.

#### *Conventions on Climate Change*

The Ozone Secretariat has noted the challenges faced by Bolivia to consistently report on the consumption of hydrochlorofluorocarbons (HCFC). A proposal to update the decree to control Ozone Depleting Substances (ODS) to incorporate the accelerated HCFC phase out schedule, establish quotas per importer, and limit the validity of licenses, is pending approval. The decree in place has already allowed the authorities to enforce control measures and limit ODS imports. Therefore, the pending approval of the revised decree does not compromise the country's ability to meet the HCFC phase out targets.

The country has begun enforcement of the licensing and quota system since 1 January 2013. Through an administrative resolution of the Environment Vice Ministry, Bolivia issues yearly HCFC import quotas in accordance with the Montreal Protocol control targets. The country is in compliance with the Montreal Protocol control targets as well as with the targets specified in its HCFC phase out management plan (HPMP) Agreement. The import licensing and quota system will enable the country to achieve compliance with the Montreal Protocol's phase out schedule for HCFCs.

Bolivia has refused a **specific commitment on CO<sub>2</sub> emissions**. The principal argument of the Bolivian Government is that those countries most responsible for CO<sub>2</sub> emissions should be first to accept responsibility and undertake concrete actions on the matter. The contribution is linked to the achievement of living well in the context of climate change, with regards to water, energy, forest and agriculture, and livestock. To this end, it relies on policy measures in water management, development of renewable energy, and land use activities (with quantifiable targets for 2030). In September 2016, President Morales presented to the UN the national law, which ratified the Paris Agreement.

### **Conclusions and monitoring priorities**

*Bolivia faces key environmental challenges and continues to take action, in particular in the areas of biodiversity and protection of endangered species. Institutional strengthening and coordination remain a challenge.*

*Regarding the UN conventions on Climate Change, though Bolivia has not taken a public position on CO<sub>2</sub> reduction targets, it has developed quantifiable targets for a range of other policy measures, such as renewable energy use. Actions to ensure the implementation of these measures should be encouraged.*

## 4.4 UN Conventions on Good Governance (Conventions 24-27)

### *UN Conventions Fighting Illegal Drugs*

Bolivia continues to be one of the three largest cocaine-producing countries in the world and is a significant transit zone for Peruvian cocaine. At the seventh EU-Bolivia High Level Dialogue held on 20 November 2018, the EU encouraged the Bolivian Government to strengthen cooperation with neighbouring countries and to tackle the trafficking of controlled drugs. There is, however, some concern about the impact of the increase of the legal area of coca leaf production to 22,000 ha. on the production of cocaine. In this regard, the UN Office on Drugs and Crime (UNODC) is currently implementing two new key studies, on the conversion from coca to cocaine and on the productivity of coca leaf crops, with financial support from the EU.

A National Strategy to Fight against Drug Trafficking and Reduction of Surplus Cultivation of Coca (ENLC & CCEC) for 2016-2020 is in place and the Government is currently developing the Action Plan. The strategy establishes the following pillars: reduction of supply, reduction of demand, control of surplus coca crops, and shared international responsibility.

The 2018 UNODC monitoring report, presented in August 2018, revealed a slight decrease of coca cultivation in Bolivia by six percent compared to 2017 (from 24.500 ha. in 2017 to 23.100 ha. in 2018). The regions of Yungas of La Paz, the Tropic of Cochabamba and the North of La Paz represented 65%, 34%, and 1% respectively, of the areas under coca cultivation in the country.

Bolivia adopted two new laws in March 2017, the general law on coca and the law on the fight against illicit trafficking of controlled substances respectively. During 2017, Supreme Decrees 3318 and 3434 were approved, developing the regulations of General Law 906 on Coca and on Law 913 on the Fight against Illicit Traffic of Controlled Substances.

Regarding the criminal framework related to drugs, the 2017 criminal code reform addressed the disproportionality of penalties established by 1988 Law 1008 on coca and controlled substances, which has been identified as one of the main factors fuelling prison overcrowding and pre-trial detention rates. This proposal reduced most penalties regarding drug related crimes and improved their proportionality. The criminal reform was eventually derogated in January 2018, after intense protests. A new 'short law' proposal has been developed to reintroduce the reforms to the drug penal law and is presently waiting to be discussed by the National Assembly.

In 2016, the EU pledged € 60 million over four years to support the implementation of **the National Strategy to Fight against Drug Trafficking and Reduction of Surplus Cultivation of Coca** (ENLC & RCEC). The program includes EU support to counter-narcotics efforts and a contribution to the technical capacity building of national police forces provided by their European counterparts.

The program is structured in three components: (1) budget support for the strategy (€ 50 million); (2) support to UNODC for crop monitoring and seizures and two studies regarding the conversion of coca to cocaine as well as regarding coca yield production; and (3) a contract with the International and Ibero-American Foundation for Administration and Public Policies (FIIAPP) regarding technical assistance and training of Bolivian institutions involved in the fight against drug trafficking and connected crimes (€ 4 million). A new budget support programme on the fight against drug trafficking and its connected crimes is being negotiated for the period 2020-2022.

## *UN Convention against Corruption (UNCAC)*

The Executive Summary of the 2013 review by the UNCAC Implementation Review Group (IRG) noted that Bolivia had established a Ministry for Institutional Transparency and the Fight against Corruption. However, in January 2017 that Ministry was merged with the Ministry of Justice.

The 2013 review concluded that Bolivia carried out major **legislative and institutional reforms**, demonstrating that the country's political commitment to combating corruption is yielding results. One of the reforms is the Law on Units of Transparency and the Fight against Corruption, adopted in September 2017. A number of Transparency and Anti-Corruption Units have been established at all state levels with the mandate of promoting and implementing preventive, transparency, and anticorruption measures. The implementation of Transparency Units is in line with the High Level Principles on Organizing against Corruption of the G20 Principle 22. In order to help implementing this law, the ministry of Justice and Institutional Transparency is implementing a project with the support of the United Nations Office on Drugs and Crime (UNODC) to strengthen transparency units including undertaking corruption diagnosis and formulating local transparency and anticorruption policy/plans and social control mechanisms.

However, the IRG also recommended that Bolivia should focus on ensuring **appropriate criminalisation** of corruption. In particular, Bolivia should criminalise trading in influence and abuse of functions, all elements of active bribery in the private sector, passive bribery in the private sector, and embezzlement in the private sector. Progress was also required on international cooperation, the extradition framework, as well as access to information, where Bolivia, together with Venezuela, Cuba, and Costa Rica, is one of the few countries in Latin America that still does not have a law on transparency and access to information. Greater **inter-agency cooperation** and increased resources for anti-corruption efforts are also expected. The derogated 2017 Criminal Code was meant to address these recommendations. All these aspects should be considered in a future criminal code reform.

In November 2018, government experts from Slovenia and the Dominican Republic visited Bolivia to proceed to the 2nd Cycle of the Review Mechanism, which assesses the application of chapters II (Prevention) and V (Recovery of Assets) by Bolivia. It is estimated that the final version of the Report of the Second Review Cycle will be sent to Bolivia in the third quarter of 2019.

During 2019, the Financial Investigation Unit (FIU) of Bolivia is working on the preparation of its country evaluation for the Financial Action Group of Latin America (GAFILAT), which will take place in 2020. This evaluation will review the country systems and mechanisms to comply with the 40 recommendations of the Group in order to prevent money laundering and terrorism financing.

Bolivia was ranked number 132 out of 180 countries in the 2018 Transparency International Corruption Perception Index, with a perceived level of public sector corruption score of 29 out of 100 (whereby zero means 'highly corrupt'). This marks a deterioration compared to scores in 2017 and 2016 (33).

## **Conclusions and monitoring priorities**

*Together with the international community, Bolivia is making efforts to tackle drug trafficking. Bolivia's new counternarcotic laws permit enhanced controls of precursor*

*chemicals and enhanced monitoring of coca cultivation. Implementation of these new laws will be crucial to bolstering Bolivia's counter narcotics efforts.*

*Bolivia continues to demonstrate political commitment to tackling corruption. The Law on Units of Transparency and the Fight against Corruption, adopted in September 2017, is a welcome development. The law is being implemented and a significant number of Transparency and Anti-Corruption units have been established at all state levels with the mandate of promoting and implementing preventive, transparency and fight against corruption measures.*

*Further work is needed on corruption in the private sector, increased international cooperation, as well as legislation on transparency and access to information. After the derogation of the 2017 Criminal Code, anticorruption measures based on the recommendations of monitoring bodies should be included in future legislation.*

# ANNEX

## Bolivia – Treaty Ratification and Reporting

Convention	Status of ratification / reservations <sup>18</sup>	Compliance with reporting obligations to monitoring bodies
1. Convention on the Prevention and Punishment of the Crime of Genocide	Ratification: 14.06.2005 No reservations	<b>No reporting obligations</b>
2. International Convention on the Elimination of All Forms of Racial Discrimination	Ratified: 22.09.1970 No reservations	<b>Compliant with reporting obligations</b> Last report submitted on 13.05.2019. Last concluding observations from 08.04.2011. Last follow-up state party report submitted on 13.03.2013.
3. International Covenant on Civil and Political Rights	Accession: 12.08.1982 No reservations	<b>Compliant with reporting obligations</b> Last report submitted on 13.12.2018. Last concluding observations from 05.12.2013. Last follow-up state party report submitted 28.02.2018.
4. International Covenant on Economic, Social and Cultural Rights	Accession: 12.08.1982 No reservations	<b>Compliant with reporting obligations</b> Last report submitted on 12.03.2019. Last concluding observations from 08.08.2008.
5. Convention on the Elimination of All Forms of Discrimination against Women	Ratification: 08.06.1990 No reservations	<b>Compliant with reporting obligations</b> Last report submitted on 29.08.2019. Last concluding observations from 28.07.2015, Last follow-up state party report submitted on 20.11.2017.
6. Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	Ratification: 12.05.1999 No reservations	<b>Compliant with reporting obligations</b> Last report submitted on 11.02.2019. Last concluding observations from 14.06.2013. Latest follow-up state party report was due 31.05.2014.
7. Convention on the Rights of the Child	Ratification: 12.06.1990 No reservations	<b>Compliant with reporting obligations</b> Last report submitted on 15.04.2019. Last concluding observations from 16.10.2009.
8. Convention concerning Forced or Compulsory Labour, No. 29	Ratification: 2005	<b>Compliant with reporting obligations</b> Latest CEACR comments: Observation 2018, Direct Request 2018. Next regular report due in 2020.
9. Convention concerning Freedom of Association and Protection of the Right to	Ratification: 1965	<b>Compliant with reporting obligations</b> Latest CEACR comments: Observation 2016.

<sup>18</sup> Reservations do not apply in the ILO system, so there is no relevance to providing information under these conventions.

Organise, No. 87		Last report received in 2019. Next regular report due in 2022.
10. Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No. 98	Ratification: 1973	<b>Compliant with reporting obligations</b>  Latest CEACR comments: Observation 2016; Direct Request 2016.  Last report received in 2019.  Next regular report due in 2022.
11. Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value, No. 100	Ratification: 1973	<b>Compliant with reporting obligations</b>  Latest CEACR comments: Observation 2016; Direct Request 2016.  Last report following comments received on 13.09.2018.  Next regular report due in 2021.
12. Convention concerning the Abolition of Forced Labour, No. 105	Ratification: 1990	<b>Compliant with reporting obligations</b>  Latest CEACR comments: Direct Request 2018.  Next regular report due in 2020.
13. Convention concerning Discrimination in Respect of Employment and Occupation, No. 111	Ratification: 1977	<b>Compliant with reporting obligations</b>  Latest CEACR comments: Direct Request 2016.  Last report following comments received on 13.09.2018.  Next regular report due in 2021.
14. Convention concerning Minimum Age for Admission to Employment, No. 138	Ratification: 11.06.1997  Minimum age specified: 14 years	<b>Compliant with reporting obligations</b>  Latest CEACR comments: Observation 2018; Direct Request 2018. CAS Country Case at ILC 2015.  Last report submitted 2018 (requested by ILC).  Next regular report due in 2020.
15. Convention on Worst Forms of Child Labour, No. 182	Ratification: 06.06.2003	<b>Compliant with reporting obligations</b>  Latest CEACR comments: Observation 2017; Direct Request 2017.  Next regular report due in 2020.
16. CITES	Ratification: 06.07.1979	<b>Lack of compliance with reporting obligations</b>  Last Annual Report (2018 and 2017) submitted on 08.05.2019.  Last Biennial Report (2014-2015) submitted 01.03.16.  Implementation Report for 2015-2017 due <sup>19</sup> .  Annual Illegal Trade report for 2017 due. <sup>20</sup>
17. Montreal Protocol	Accession: 03.10.1994	<b>Compliant with reporting obligations</b>

<sup>19</sup> Reporting mandatory, but not subject to compliance procedure.

<sup>20</sup> As above.

		Most recent data for 2016 was submitted. No more recent reporting data is available.
18. Basel Convention	Ratification: 15.11.1996 No reservations	<b>Compliant with reporting obligations</b> Last National Report (2017) submitted on 28.12.2018. No data on 2018 Annual National Report available.
19. Convention on Biological Diversity	Ratification: 03.10.1994	<b>Lack of compliance with reporting obligations</b> Last (Fifth) report submitted on 27.03.2015. Latest (Sixth) National Report was due on 31.12.2018. National Biodiversity Strategy and Action Plan (v.2) submitted 28.03.2019.
20. UN Framework Convention on Climate Change	Ratification: 03.10.1994 No reservations	<b>Lack of compliance with reporting obligations</b> Last (Second) National Communication submitted 02.12.2009. Third National Communication was due in 2013. Biennial Update Reports for 2014, 2016, and 2018 are due.
21. Cartagena Protocol on Biosafety	Ratification: 22.05.2002 No reservations	<b>Compliant with reporting obligations</b> Latest (Third) National Report was submitted on 10.02.2016. Next (Fourth) National report due on 01.09.2019
22. Stockholm Convention	Ratification: 03.06.2003 No reservations	<b>Compliant with reporting obligations</b> Last (Fourth) National Report was submitted on 31.08.2018.
23. Kyoto Protocol	Ratification: 30.11.1999 No reservations	<b>No reporting obligations</b>
24. UN Single Convention on Narcotic Drugs	Accession: 11.01.2013 Reservation on coca leaf. <sup>21</sup>	<b>Reviewing is fulfilled by the International Narcotics Control Board (INCB).</b>
25. UN Convention on Psychotropic Substances	Accession: 20.03.1985 No reservations	INCB mission took place 17-20 October 2016. See report of the INCB for 2017 and 2018.
26. UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances	Ratification: 20.08.1990	
27. UN Convention against Corruption	Ratification: 05.12.2005 No reservations	<b>Reviewing is fulfilled by the UN Office on Drugs and Crime (UNODC).</b> Review covering period 2010-15 was performed July 2014 and issued in January 2015. Second review cycle (2015-2020) visit was conducted in November 2018, report expected in 2019.

<sup>21</sup> Reservation made on paragraphs, which could be interpreted as establishing as a criminal offence the use, consumption, possession, purchase, or cultivation of the coca leaf for personal consumption.