



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues in relation to the third periodic report of the Plurinational State of Bolivia*

Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations (CAT/C/BOL/CO/2, para. 27), the Committee requested the State party to provide it with information on the action taken in response to its recommendations regarding the maintenance of official registers of persons deprived of their liberty (para. 9 (b)); the prosecution of persons suspected of having committed acts of torture or ill-treatment (para. 11 (d)); and access to civilian and military files that may contain documentation relevant to the investigation of grave human rights violations committed when the country was under military rule (1964–1982) (para. 13 (c)). With reference to the information provided in the State party's third periodic report (CAT/C/BOL/3), the Committee finds that the recommendation contained in paragraph 13 (c) of the previous concluding observations has not yet been implemented (see para. 26 below). The recommendations made in paragraphs 9 (b) and 11 (d) of the previous concluding observations are considered to have been only partially implemented (see paras. 3 and 23, respectively, below).

Articles 1 and 4

2. With reference to paragraphs 8 and 65 of the State party's periodic report, please provide updated information on the legislative steps taken to establish a legal definition of the criminal offence of torture that is consistent with article 1 of the Convention. Please also indicate the status of the draft bill on the amendment of the Criminal Code, which would amend article 295 (torture and ill-treatment).¹ Please describe the measures taken by the State party to ensure that the offences of torture and ill-treatment are punishable by appropriate penalties that take into account their grave nature, in accordance with article 4 (2) of the Convention.

Article 2²

3. With reference to paragraphs 66–79 of the periodic report, please provide updated information on the measures taken by the State party to ensure that all detainees enjoy, in

* Adopted by the Committee intersessionally on 7 May 2020.

¹ CAT/OP/BOL/3, paras. 26–27; CCPR/C/BOL/CO/3, para. 13.

² The issues raised under article 2 may also relate to other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2 by States parties, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent such ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.



practice and from the outset of deprivation of liberty, all fundamental legal safeguards, in particular the right to be informed of the reasons for their arrest and the nature of the charges against them, the right to receive legal assistance without delay, the right to have a person of their choice informed of their detention, the right to request and receive an independent medical examination by a doctor of their choice, irrespective of any medical examination performed at the request of the authorities, and the right to have their detention recorded in a register.³ Please describe the measures taken to monitor compliance by law enforcement officials with these fundamental legal safeguards. In that regard, please provide information on any disciplinary measures taken, since the consideration of the State party's previous periodic report, against law enforcement officials who have not immediately allowed persons deprived of liberty to benefit from these safeguards. Please also explain how the State party ensures, in practice, the right of detainees to challenge the legality and necessity of their detention. Please also provide information on the steps taken to ensure that free, good-quality legal assistance is available to detainees.⁴

4. With reference to paragraphs 198–204 of the periodic report, please provide information on the specific measures taken to ensure that the Service for the Prevention of Torture has the resources that it needs to function properly, in accordance with the Optional Protocol to the Convention.⁵ Please also provide information on the measures taken to ensure that the Service, as the national preventive mechanism, has financial and operational autonomy when carrying out its functions.⁶ In addition, please indicate whether the State party has considered amending Act No. 470 of 30 December 2013 in the light of the recommendations made by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment regarding the need to include provisions that clearly set forth the functions of the Service for the Prevention of Torture, the rules governing the selection and appointment of its members, and their mandate, including the length of time for which they are appointed and their conditions of service.⁷

5. With reference to paragraphs 111–167 of the periodic report, please provide updated information on the legislative or other measures taken during the period under review to combat gender-based violence, especially those cases involving actions or omissions by the authorities of the State party or other entities that engage the international responsibility of the State party under the Convention.⁸ Please also provide updated information on the protection and support services available to victims of gender-based violence in cases involving actions or omissions by the authorities of the State party. Please include comprehensive statistical data, disaggregated by age and ethnic origin or nationality of the victims, on the number of complaints, investigations, prosecutions, convictions and sentences recorded in cases of gender-based violence since the consideration of the State party's previous periodic report.⁹ Please indicate whether the State party has considered establishing more special investigative courts to deal with cases of gender-based violence, increasing the number of prosecutors specializing in gender-based offences or opening additional shelters.¹⁰ Please provide updated information on the measures taken to improve training programmes for law enforcement officers aimed at raising their awareness of domestic and sexual violence and to expand public awareness-raising campaigns concerning all forms of violence against women.

6. With reference to paragraphs 138–167 of the periodic report, please provide comprehensive statistical information on the number of complaints investigated, the number of prosecutions conducted and the number of convictions handed down in relation to abuse and sexual violence against minors, particularly in schools. Please also provide updated information on the steps taken by the State party to prevent and eliminate this type of abuse.

³ CAT/OP/BOL/3, paras. 55–64.

⁴ *Ibid.*, paras. 45–54; A/HRC/28/3/Add.2, para. 51.

⁵ CAT/OP/BOL/3, para. 16 (c); CCPR/C/BOL/CO/3, para. 13; A/HRC/WG.6/34/BOL/1, paras. 12–13.

⁶ CAT/OP/BOL/3, para. 16 (a); A/HRC/28/3/Add.2, para. 71.

⁷ CAT/OP/BOL/3, paras. 12 and 16 (b); CRPD/C/BOL/CO/1, paras. 39–40.

⁸ CCPR/C/BOL/CO/3, para. 10; CEDAW/C/BOL/CO/5-6, paras. 18–19; A/HRC/28/3/Add.2, paras. 21–25 and 92 (i); A/HRC/WG.6/34/BOL/1, paras. 97–105 and 130.

⁹ A/HRC/28/3/Add.2, paras. 22–23.

¹⁰ CCPR/C/BOL/CO/3, para. 10; A/HRC/28/3/Add.2, para. 21.

7. Please provide updated information, disaggregated by sex, age and ethnic origin or nationality of the victims, on the number of complaints, investigations, prosecutions, convictions and sentences recorded in cases of human trafficking since the consideration of the State party's previous periodic report.¹¹ Please also provide information on:

(a) Any new legislation or measures that have been adopted to prevent and combat human trafficking;¹²

(b) The measures taken to ensure that victims of human trafficking have access to effective remedies and reparation;¹³

(c) The measures taken to ensure that non-custodial accommodation with full access to appropriate medical and psychological support is provided to potential victims of trafficking while identification processes are being carried out;¹⁴

(d) The signature of agreements with the countries concerned in order to prevent and combat trafficking in persons.

Article 3

8. With reference to paragraphs 30–34 and 168–174 of the periodic report, please provide updated information on any legislative or other measures taken during the period under review to ensure that no person is returned to a country where he or she might be in danger of being subjected to torture. According to paragraph 32 of the periodic report, Supreme Decree No. 1440 of 19 December 2012 provides for exceptional cases in which persons may be expelled for reasons of State security or public order. Please indicate the reasons for such exceptions and explain how they are compatible with article 3 of the Convention. Please also provide details regarding the new requirements established by the State party for the admission of nationals of the Bolivarian Republic of Venezuela into its territory.

9. With reference to paragraphs 171–174 of the periodic report, please indicate what specific measures have been taken by the State party to establish mechanisms for identifying asylum seekers, stateless persons and other persons in need of international protection and referring them to the National Commission for Refugees. Please explain how the State party ensures that these mechanisms are effective in practice and that immigration officials and other security personnel are appropriately trained. Please comment on reports that, in practice, asylum applications cannot be submitted or processed at the border or at the offices of the National Commission for Refugees in Santa Cruz de la Sierra. Please also indicate whether all persons in respect of whom an order of expulsion, return or extradition has been issued are informed of their rights to seek asylum and to appeal a decision authorizing an expulsion, and clarify whether such appeals have suspensive effect. Please indicate how the State party ensures that asylum seekers have access to free legal assistance and interpretation services during asylum proceedings. Please also comment on reports that immigration officials have subjected asylum seekers to abuse and extortion during the period under review.

10. Please provide updated information on the number of asylum applications received during the period under review, the number of successful applications and the number of cases in which asylum was granted because the applicant had been tortured or might be tortured if returned to his or her country of origin.¹⁵ Please include information, disaggregated by sex, age and country of origin, on the number of persons who have been returned, extradited or expelled since the consideration of the State party's previous report. Please provide details regarding the grounds on which these measures were taken, including a list of the countries to which the persons concerned were sent. Please indicate whether the State party has put in place mechanisms to monitor the situation of vulnerable individuals and groups in receiving countries after their return.

¹¹ CCPR/C/BOL/CO/3, para. 17; CEDAW/C/BOL/CO/5-6, paras. 20–21.

¹² CMW/C/BOL/CO/2, paras. 44–45; CCPR/C/BOL/CO/3, para. 17; A/HRC/WG.6/34/BOL/1, paras. 84–87.

¹³ CMW/C/BOL/CO/2, paras. 44–45; CCPR/C/BOL/CO/3, para. 17.

¹⁴ CMW/C/BOL/CO/2, paras. 44–45.

¹⁵ A/HRC/WG.6/34/BOL/1, para. 82.

11. Please indicate how many returns, extraditions and expulsions have been carried out by the State party during the period under review on the basis of the acceptance of diplomatic assurances or equivalent guarantees, and the number of cases in which the State party has offered such diplomatic assurances or guarantees. Please also indicate what arrangements for subsequent monitoring have been made in such cases.

Articles 5–9

12. With regard to paragraphs 35–45 of the periodic report, please provide more detailed and up-to-date information on any new legislation adopted or measures taken during the period under review to implement article 5 of the Convention. Please also provide information regarding any extradition treaties concluded with other States parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please describe the legislative and administrative measures taken by the State party to ensure that the Convention may be invoked as a legal basis for extradition in respect of the offences referred to in article 4 of the Convention when it receives an extradition request from a State with which it has no extradition agreement or treaty. Please indicate whether, in the period since the State party's previous periodic report was considered by the Committee, the State party has rejected, for any reason, the request of a State for the extradition of an individual suspected of having committed torture and whether it has started proceedings to prosecute such an individual as a result. If so, please provide information on the status and outcome of such proceedings. Please give details of the mutual assistance treaties or agreements that the State party has entered into with other entities, such as countries or international tribunals or institutions, and indicate whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples.

Article 10

13. With reference to paragraphs 205–216 of the periodic report, please provide updated information on training programmes developed by the State party on human rights and the prohibition of torture to ensure that all public servants, especially members of the security forces and the armed forces, prison personnel and justice officials, are fully aware of the provisions of the Convention and the absolute prohibition of torture and know that breaches will not be tolerated and will be investigated and that any offenders will be prosecuted. Please indicate the number, institutions and percentage of public servants who have participated in such training programmes. With regard to paragraph 216 of the periodic report, please clarify whether the State party has considered developing a methodology to assess the effectiveness and impact of its training programmes in reducing the incidence of torture and ill-treatment and, if so, please provide information in this regard.

14. With reference to paragraphs 53, 84 (iv) and (v) and 211 (a) of the periodic report, please provide detailed information on training programmes designed to teach judges, prosecutors, forensic doctors and medical personnel who deal with persons deprived of liberty how to detect and document the physical and psychological after-effects of torture. Please indicate whether such programmes include specific training with regard to the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).

Article 11

15. Please describe the procedures in place for ensuring compliance with article 11 of the Convention and provide information on interrogation rules, instructions, methods and practices and arrangements for custody, especially those adopted or amended since the consideration of the State party's previous periodic report, and indicate how often they are reviewed. With reference to paragraphs 4, 5, 7, 13–17, 175–177 and 182–184 of the periodic report, please provide updated information on the measures taken to improve material conditions in all places of detention,¹⁶ to alleviate overcrowding in prisons¹⁷ – in

¹⁶ CAT/OP/BOL/3, paras. 65–66, 74–78, 84, 87 and 93–97; A/HRC/28/3/Add.2, para. 92 (e).

¹⁷ CAT/OP/BOL/3, paras. 68–73; CCPR/C/BOL/CO/3, para. 20; A/HRC/28/3/Add.2, paras. 49–50; A/HRC/WG.6/34/BOL/1, para. 147.

particular any measures aimed at promoting the use of alternatives to deprivation of liberty both before and after trial¹⁸ – and to avoid excessively prolonged pretrial detention.¹⁹ Please provide recent statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners, and the occupancy rate of all places of detention.²⁰ Please comment on reports that a high percentage of persons deprived of liberty in the State party are under 21 years of age. With reference to paragraphs 178–181 of the periodic report, please provide an assessment of the impact of the steps taken by the State party to ensure that sufficient resources are allocated to provide inmates with proper meals and medical and health care.²¹ Please also indicate the number of detainees who went on hunger strike in the period under review and provide information on their state of health and whether they were fed against their will.

16. Please provide information on the steps taken by the State party to meet the special needs of women,²² minors²³ and indigenous persons²⁴ deprived of liberty. Please indicate whether there are protocols in place to meet the special needs of other groups of prisoners, such as persons with disabilities,²⁵ older persons and lesbian, gay, bisexual, transgender or intersex persons. With regard to paragraphs 37 and 38 of the periodic report, please clarify the normative framework governing the detention of juvenile offenders. Please indicate whether the detention of juvenile offenders in prisons is allowed. Please also provide a detailed description of the measures taken to ensure that remand prisoners are separated from convicted prisoners²⁶ and that adult offenders are separated from juvenile offenders in all detention facilities.

17. With reference to paragraph 69 of the periodic report, please clarify whether the disciplinary sanctions applicable to prisoners include the prohibition of family contact.²⁷ Please also provide information on the measures taken by the State party to ensure that its law and practice regarding solitary confinement are consistent with international standards.²⁸ Please also provide information on existing programmes for the social reintegration of prisoners.²⁹

18. With reference to paragraphs 188 and 189 of the periodic report, please provide information on inter-prisoner violence, in particular any cases involving possible negligence on the part of prison officials and members of the security forces, and on the number of complaints made in this regard and the results of investigations into those complaints.³⁰ Please indicate what preventive measures have been taken in this regard. Please also include information on measures taken during the period under review to ensure monitoring and security within prisons.³¹ Please provide information on the steps taken to combat corruption in prisons.³²

19. With reference to paragraphs 191–195 of the periodic report, please provide comprehensive statistical data on the number of deaths in custody during the period under review, disaggregated by place of detention, sex, age, ethnic origin or nationality of the deceased and cause of death.³³ Please describe how these deaths were investigated, the outcome of the investigations and the measures taken to prevent similar cases in the

¹⁸ CAT/OP/BOL/3, paras. 29 (a) and (c) and 32 (c); CCPR/C/BOL/CO/3, para. 19.

¹⁹ CAT/OP/BOL/3, paras. 29 (b), (f) and (g), 32 (d), 60, 64 (a) and 71 (a); CCPR/C/BOL/CO/3, para. 19; A/HRC/28/3/Add.2, paras. 48 and 67; A/HRC/WG.6/34/BOL/1, para. 27.

²⁰ A/HRC/28/3/Add.2, para. 67.

²¹ CAT/OP/BOL/3, paras. 77–78 and 82.

²² *Ibid.*, paras. 112–115.

²³ *Ibid.*, paras. 85–92 and 116–118; A/HRC/WG.6/34/BOL/1, paras. 142–143. With regard to minors living in prison with their parents, see CCPR/C/BOL/CO/3, para. 20.

²⁴ CAT/OP/BOL/3, para. 108; A/HRC/WG.6/34/BOL/1, para. 120.

²⁵ CAT/OP/BOL/3, paras. 119–125.

²⁶ CAT/C/BOL/CO/2, para. 18 (f).

²⁷ See Sentence Enforcement and Supervision Act (Act No. 2298), art. 103.

²⁸ CAT/OP/BOL/3, paras. 20 and 21 (d).

²⁹ A/HRC/WG.6/34/BOL/1, paras. 148–151.

³⁰ *Ibid.*

³¹ CAT/OP/BOL/3, paras. 33 and 44; CCPR/C/BOL/CO/3, para. 20.

³² CAT/OP/BOL/3, paras. 33 and 44.

³³ *Ibid.*, para. 23; A/HRC/28/3/Add.2, paras. 65 and 68–69.

future.³⁴ Please indicate whether, in any of these cases, the relatives of the deceased received compensation.

20. Please provide updated information on the number of asylum seekers and immigrants in an irregular administrative situation who are deprived of liberty in the State party. Please describe any measures taken by the State party during the period under review to ensure that asylum seekers and migrants in an irregular situation are detained only as a last resort, only where necessary and for as short a period as possible, and to promote the use, in practice, of alternatives to deprivation of liberty. Please comment on reports that the conditions of detention of asylum seekers and immigrants in an irregular administrative situation are inadequate and that such detainees are deprived of fundamental legal safeguards.

21. Please provide information on the number of persons deprived of liberty in psychiatric hospitals and other institutions for persons with psychosocial disabilities.³⁵ In addition, please comment on reports of excessive and prolonged use of physical, mechanical and chemical restraints on such persons.³⁶ Please clarify whether the Service for the Prevention of Torture conducts monitoring visits to such institutions.³⁷ Please also describe the situation with respect to alternative forms of treatment, such as community-based rehabilitation services and other outpatient treatment programmes.

22. Regarding paragraph 196 of the periodic report, please indicate the number and nature of visits made by the Ombudsperson's Office, the Service for the Prevention of Torture and other bodies responsible for monitoring or inspecting places of detention during the period under review, and provide information on the content of the recommendations issued by the Ombudsperson's Office and the follow-up given to them. Please indicate any measures taken to build the capacity of non-governmental organizations that carry out monitoring activities. Please indicate whether all human rights non-governmental organizations are given access to the country's prisons upon request.³⁸

Articles 12 and 13

23. With reference to paragraphs 51–61 and 83–88 of the periodic report, please provide updated statistics, disaggregated by sex, age, ethnic origin or nationality and place of detention, on complaints filed during the period under review concerning acts of torture or ill-treatment, including sexual violence, or excessive use of force resulting in the death of demonstrators, particularly any complaints submitted in relation to events that occurred between 1 September and 31 December 2019. In that regard, please include information on any investigations launched, including those launched ex officio, disciplinary and criminal proceedings opened, convictions handed down and criminal or disciplinary sanctions applied.³⁹ Please also provide examples of relevant cases and judicial decisions. Please indicate whether the State party has considered establishing a special independent complaints mechanism so that reports of torture or ill-treatment can be dealt with swiftly and impartially, as recommended by the Committee in its previous concluding observations,⁴⁰ and whether an assessment of the internal complaints systems available to persons deprived of liberty has been carried out in order to determine how effective they are.⁴¹

24. With regard to paragraphs 56–61 of the periodic report, please provide detailed information on any measures taken by the State party during the period under review to ensure that witnesses to and victims of torture or ill-treatment and their families receive effective protection and assistance.

25. With reference to paragraph 89 of the periodic report, please provide updated information on the status and scope of the amendment of the Organic Act on the Armed

³⁴ A/HRC/28/3/Add.2, para. 65.

³⁵ CAT/OP/BOL/3, para. 98; CRPD/C/BOL/CO/1, paras. 37–38.

³⁶ CAT/OP/BOL/3, paras. 18, 21 (c) and 100.

³⁷ CRPD/C/BOL/CO/1, paras. 39–40.

³⁸ CAT/C/BOL/CO/2, para. 20 (b).

³⁹ CAT/OP/BOL/3, paras. 17–27; CCPR/C/BOL/CO/3, paras. 13 and 15.

⁴⁰ CAT/C/BOL/CO/2, para. 10.

⁴¹ Ibid.

Forces (Act No. 1405) of 30 December 1992. Please also indicate what specific measures have been adopted to ensure that grave human rights violations and other abuses committed against civilians by military personnel do not fall within the jurisdiction of military courts.⁴²

26. With reference to paragraphs 94–110 of the periodic report, please provide updated information on any progress made in the investigation and prosecution of grave human rights violations, including cases of torture and enforced disappearance, that occurred in the State party between 1964 and 1982.⁴³ Please include updated information on the work of the Truth Commission established in August 2017 to shed light on these crimes, and updated information on any progress made in the declassification of military files and the disclosure of information on victims of enforced disappearance.⁴⁴

Article 14

27. With regard to paragraph 62 of the periodic report, please provide information on redress and compensation measures, including means of rehabilitation, that have been ordered by the courts and actually provided to victims of torture or their families since the consideration of the State party's previous report. The information should include the number of requests for compensation that have been made, the number of requests granted and the amounts ordered and actually provided in each case. Please also provide information about ongoing reparations programmes, including programmes involving treatment for trauma and other forms of rehabilitation provided to victims of torture or ill-treatment, and on the material, human and budgetary resources allocated for their proper functioning.

Article 15

28. With reference to paragraph 47 of the periodic report, please provide information on the specific measures adopted during the period under review to ensure that the principle of the inadmissibility of evidence obtained through torture is respected in practice. Please provide examples of cases that have been dismissed by the courts owing to the introduction of evidence or testimony obtained by means of torture.

Article 16

29. With reference to paragraphs 90–93 of the periodic report, please provide information on the investigation and prosecution of alleged incidents involving the ill-treatment of conscripts and other members of the armed forces by military officials during the period under review. Please also provide data on non-combat deaths recorded in the military since the consideration of the previous periodic report and on the cause of death in each case. Please indicate whether, in any of these cases, the relatives of the deceased received compensation.

30. With reference to paragraphs 217–228 of the periodic report, please comment on reports that even though the requirement of judicial authorization for access to abortion when a pregnancy is the result of rape has been eliminated, and the offence need only be reported in order for such access to be granted (Plurinational Constitutional Court Decision No. 0206/2014 of 5 February 2014), access to safe abortion services is still not guaranteed in practice. Please also indicate whether the impact of existing legislation on women's health has been assessed.⁴⁵

31. Please comment on allegations of numerous acts of harassment, including by government officials, against human rights defenders⁴⁶ and journalists before and after the resignation of former President Juan Evo Morales Ayma.⁴⁷ Please provide information on the measures taken to protect human rights defenders and other civil society representatives at risk, to investigate the offences committed against them and to punish the perpetrators of

⁴² *Ibid.*, para. 12; CCPR/C/BOL/CO/3, para. 13.

⁴³ CCPR/C/BOL/CO/3, para. 12; A/HRC/28/3/Add.2, para. 72.

⁴⁴ A/HRC/WG.6/34/BOL/1, paras. 29–30.

⁴⁵ CAT/C/BOL/CO/2, para. 23; CCPR/C/BOL/CO/3, para. 9; CEDAW/C/BOL/CO/5-6, paras. 28–29; A/HRC/28/3/Add.2, para. 26; A/HRC/WG.6/34/BOL/1, paras. 110–112.

⁴⁶ A/HRC/28/3/Add.2, paras. 73–74.

⁴⁷ CCPR/C/BOL/CO/3, para. 24.

acts of violence and intimidation directed at them. In this regard, please provide detailed information on the investigation of reports that personnel of the Instituto de Terapia e Investigación sobre las Secuelas de la Tortura y la Violencia Estatal (Therapy and Research Institute on the Effects of Torture and State Violence) have been subjected to intimidation and followed.⁴⁸

32. Please describe the steps taken by the State party to prohibit the corporal punishment of minors in all settings.⁴⁹

Other issues

33. Please provide updated information on the measures taken by the State party in response to terrorist threats. Please indicate whether these measures have affected human rights safeguards in law and in practice and, if so, in what manner. Please also explain how the State party has ensured that the measures are consistent with its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area; how many persons have been charged, prosecuted and convicted under counter-terrorism laws;⁵⁰ what legal safeguards and remedies are available in practice to persons subjected to counter-terrorism measures; and whether there have been any complaints of non-observance of international standards in the application of counter-terrorism measures and, if so, what the outcomes of those complaints have been. In this regard, please clarify the status of the proceedings against former President Juan Evo Morales Ayma, former Minister of the Office of the President Juan Ramón Quintana and other former ministers and high-ranking officials of the Movimiento al Socialismo Government, and whether the charges brought against them include offences of terrorism and sedition allegedly committed before and/or after the resignation of the former President. Lastly, please comment on reports of harassment and excessive surveillance of diplomatic premises in La Paz by members of the military and paramilitary forces.

34. Considering that the prohibition of torture is absolute and non-derogable, including in the context of measures related to states of emergency and other exceptional circumstances, please provide information on the measures taken by the State party during the coronavirus disease (COVID-19) pandemic to ensure that its policies and actions are in compliance with its obligations under the Convention. In addition, please indicate what measures have been taken with regard to persons deprived of their liberty, including in places of confinement such as homes for older persons, hospitals and institutions for persons with intellectual or psychosocial disabilities.

⁴⁸ A/HRC/28/3/Add.2, para. 73.

⁴⁹ CCPR/C/BOL/CO/3, para. 16.

⁵⁰ A/HRC/28/3/Add.2, paras. 57–60.