

PERMANENT COUNCIL OF THE
ORGANIZATION OF AMERICAN STATES
COMMITTEE ON INTER-AMERICAN SUMMITS MANAGEMENT
AND CIVIL SOCIETY PARTICIPATION IN
OAS ACTIVITIES

OEA/Ser.G
CP/CISC-573/11 rev. 1
26 March 2014
Original: Spanish

APPLICATION TO PARTICIPATE PURSUANT TO ARTICLE 6 OF THE
OF THE GUIDELINES FOR PARTICIPATION BY CIVIL SOCIETY ORGANIZATIONS
IN OAS ACTIVITIES [CP/RES. 759 (1217/99)]

[Fundación Construir]

ANALYSIS OF FACTORS RELATING TO THE APPLICATION BY *FUNDACIÓN CONSTRUIR* TO PARTICIPATE IN OAS ACTIVITIES

This document was prepared by the Department of International Affairs/Secretariat for External Relations to provide information to the member states of the Organization of American States (OAS) on the civil society organization *Fundación Construir*.

The information contained in this report is provided pursuant to resolution CP/RES. 759 (1217/99), "Guidelines for the Participation of Civil Society Organizations in OAS Activities," and includes a summary and a list of data and documentation presented by *Fundación Construir* in accordance with the aforementioned Guidelines.

1. **Background**

Fundación Construir is a nonprofit organization established on July 4, 2009 in Sucre, Bolivia, with headquarters in La Paz, Bolivia. The mission of *Fundación Construir* is to promote citizen participation and advocacy, bolster transparency, and access to justice, and encourage development and the rights of women, children, adolescents, and indigenous peoples.

Fundación Construir works in six main areas: 1) Prevention and handling of violence against women; 2) Rights and participation of indigenous peoples; 3) access to justice; 4) Advocacy on penal process reform and improvement of conditions in the prison systems; 5) citizen participation and transparency; and 6) Peaceful settlement of conflicts.

In the area of prevention of gender-based violence, *Fundación Construir*, in conjunction with networks of local civil society organizations in the Departments of La Paz, Oruro, Cochabamba, and Tarija, conducts training and publicity campaigns targeting women, civil society organizations, indigenous communities, youth, and local authorities, to raise awareness about gender-based violence, strengthen institutional capacity for governmental and nongovernmental organizations to assist women affected by violence, and educate women about their rights and complaints and treatment procedures in cases of violence. Those programs benefited close to 8,000 individuals in Bolivia's four Departments in 2010.

With respect to indigenous peoples, *Fundación Construir* has facilitated consultations and provided nine *ayllus* (communities) of the Totora Marka indigenous nation in San Pedro de Totora, Oruro Department, with technical support to develop statutes for autonomous indigenous communities and promote recognition of their self-determination in municipal public bodies, in accordance with the Constitution of Bolivia. Through its Access to Plural Justice Program, *Fundación Construir* seeks to harmonize state justice systems and community justice by facilitating dialogue between judicial bodies and police institutions at the national, departmental, and municipal levels and indigenous, aboriginal, and peasant leaders, to improve understanding and trust between them.

Regarding reform of the criminal process, the organization developed a partnership with the Justice Studies Center of the Americas (JSCA) to promote the presumption of innocence and due process in judicial proceedings. It also produces studies and analyses on prison conditions in Bolivia

to assess the current situation and ensure persons deprived of their liberty have their rights observed and are afforded humane living conditions and minimal access to health care, in accordance with the Political Constitution of the State and international standards recognized by that country.

The citizen participation program of *Fundación Construir* revolves around freedom of expression and of association, the right to identity, civil society participation, and access to public information. *Fundación Construir* collaborated with the Legal Defense Institute (Peru), Law and Society Center (Ecuador), Justice (Venezuela), and Freedom House (USA), to prepare the "2010 Report on the Situation of Freedom of Expression in the Andean Region," which was presented to the Inter-American Commission on Human Rights (IACHR) Special Rapporteurship for Freedom of Expression. *Fundación Construir* has also participated in a number of international events on the right of association, transparency, and citizen participation, and also created the Citizen's Observatory on Plural Justice, geared towards ensuring all citizens can monitor constitutional judgments related to fundamental rights.

Finally, *Fundación Construir* has been promoting plural dialogue round tables among public operators of justice and indigenous authorities in several cities across the country, benefiting more than 800 individuals through mediation programs to peacefully settle conflicts in these communities.

Fundación Construir finances its activities through contributions from the United States Department of State, Partners of the Americas, and the Embassy of Canada accredited to Bolivia.

Fundación Construir submitted its application to the OAS on March 25, 2011.

2. Name, address, and date of establishment

Name of Organization:	Fundación Construir
Address:	Calle Lisímaco Gutiérrez No. 379 (entre Av. 20 de octubre y Av. 6 de agosto), Sopocachi, La Paz Bolivia
Telephone/fax:	(591) 2-2432732
E-mail address:	rorias@fundacionconstruir.org
Website:	www.fundacionconstruir.org
Executive Director:	Ramiro Orias
Date established:	July 4, 2009

3. Primary areas of activities and contributions that could be of interest to the OAS

Fundación Construir promotes citizen participation and social control to strengthen the rights of women and indigenous peoples, access to justice, and prison systems in Bolivia. The organization's primary areas of work that might be of interest to the OAS include:

- Elimination of violence against women through public awareness programs and workshops aimed at strengthening the capacity of public agencies and civil society to handle cases and provide assistance to women affected by violence;
- Promotion of recognition of the rights, autonomy, and justice systems of indigenous peoples by the Government of Bolivia through technical support for indigenous and peasant communities to design their autonomous statutes for governance, in accordance with the Political Constitution of the Plurinational State of Bolivia and to strengthen access to justice for rural communities;
- Protecting the rights of persons deprived of freedom through research on the situation of the penal process and prison conditions in Bolivia in order to ensure government complies with constitutional and international standards in these areas; and
- Publishing of reports and participation at international conferences on the right of association, freedom of expression, and access to public information in order to strengthen civil society advocacy in the design, implementation, and monitoring of public policies.

4. Identification of potential areas of collaboration with the OAS

Fundación Construir proposes to collaborate with the OAS in the following areas:

- Supporting the Inter-American Commission of Women (CIM) in its efforts to monitor implementation of the Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belém do Pará";
- Participation in meetings and providing recommendations to the Working Group to Prepare the Draft American Declaration on the Rights of Indigenous Peoples of the Committee on Juridical and Political Affairs (CAJP), in cooperation with the Department of International Law of the Secretariat for Legal Affairs (SLA);
- Sharing information with the Rapporteurship on the Rights of Indigenous Peoples of the Inter-American Commission on Human Rights (IACHR), on the situation of indigenous communities and peasants in Bolivia;
- Providing the Special Rapporteurship for Freedom of Expression and the Rapporteurship on the Rights of Persons Deprived of Liberty of the Inter-American Commission on Human Rights (IACHR) with information on the human rights situation in Bolivia;

- Making recommendations to and sharing best practices with the Committee on Inter-American Summits Management and Civil Society Participation in OAS Activities (CISC) and the Department of International Affairs (DIA) of the Secretariat for External Relations (SER), on the participation civil society and the right to freedom of assembly and of association;
- Providing the Permanent Council's Committee on Juridical and Political Affairs (CAJP), through the Department of International Law of the Secretariat for Legal Affairs (SLA), with input on implementation of the Model Inter-American Law on Access to Public Information;
- Collaboration with the Department for Effective Public Management, of the Secretariat for Political Affairs (SPA), to implement the Program for Universal Civil Identity in the Americas (PUICA); and
- Contributing information to the Justice Studies Center of the Americas (JSCA), about penal reform processes in Bolivia.

5. Documents submitted by the CSO to the OAS

- Letter to the OAS Secretary General, dated March 25, 2011
- Articles of incorporation
- Statutes
- Institutional mission statement
- Activities report for 2010 and 2013
- Financial statements 2010 (audited by *Pozo & Asociados* C.P.A. S.R.L.)
- Institutional brochure