



Report on the Human Rights Situation in Bolivia

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Human Rights Foundation (HRF) is a nonprofit nonpartisan organization that promotes and protects human rights globally, with an expertise in the Americas. HRF unites people in the common cause of defending human rights and promoting liberal democracy. Our mission is to ensure that freedom is both preserved and promoted around the world.

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Report on the Human Rights Situation in Bolivia

This report covers the most relevant aspects of the human rights situation in Bolivia during the month of September 2008. The report briefly addresses the causes of politically motivated violence that resulted in the deaths of at least 21 people and injured hundreds more in Bolivia. The report determines that the official discourse of the Bolivian government is restraining freedom of expression, provoking attacks against the media, and inciting violence and racial hatred, all of which are in violation of article 13, paragraph 5 of the American Convention on Human Rights.

I. Background

a. Recall referendum

The results of the recall referendum for the president, vice president, and governors—held on August 10, 2008—confirmed the persistent political polarization in Bolivia. According to official results published by the National Electoral Court, the mandate of the president of Bolivia, Evo Morales Ayma, was ratified with 67% of the national vote. According to the same data, that figure mainly reflects the high level of support enjoyed by President Morales in the departments of La Paz (83%), Oruro (83%), Potosí (85%), and Cochabamba (71%), which account for 61% of registered voters on a national level.

On the other hand, in the remaining five Bolivian departments (which are mostly opposed to Morales) the results were also significant: the votes in favor of recalling his presidency and ratifying the governor were 59% and 66%, respectively, in Santa Cruz; 50% and 58% in Tarija; 56% and 64% in Beni; 48% and 56% in Pando; and 46% in Chuquisaca. The governor of Chuquisaca, Sabina Cuellar, was not part of the referendum since she had been elected on June 29, 2008, with 52% of the vote.¹

The results of the recall referendum were subject to fraud claims and prompted the Electoral Observation Mission of the Organization of American States (OAS)² to recommend an audit of the voter registration list. This recommendation led the National Electoral Court (CNE in Spanish) to announce Resolution No. 149/2008 on September 1, 2008, which stated that an international audit would be carried out between September and December.

¹ This election took place after Governor David Sanchez, a member of the ruling party MAS, resigned and asked for political asylum in Peru, as a result of the pressure that followed the murder of three Bolivian citizens outside the Glorietta Military Headquarter in Sucre, Chuquisaca, during the approval of the constitutional text, without the participation of the main opposition parties.

² See press release of August 12, 2008, from the newspaper La Prensa: *The OAS and the CEELA suggest auditing the electoral system*. Available at http://www.laprensa.com.bo/noticias/12-08-08/12_08_08_polil.php



b. Constitutional text

One of the main causes of the political polarization in Bolivia, according to several public statements made by President Morales (as well as the governors of the five opposition departments, which form part of the National Democratic Council [CONALDE in Spanish]), is the approval by a referendum and the coming into force of the new constitutional text. The text was approved in November in Sucre following several clashes which led to the deaths of three opposition protesters.³ This new constitutional text will allow the ruling party to carry out its “cultural and democratic revolution” and to guarantee its “process of deep changes;” for the opposition governors, however, such text would “deny the autonomy gained on July 2, 2006” to four departments, consolidate the “confiscation of resources stemming from the Direct Tax on Hydrocarbons (IDH in Spanish)” and “close all doors to the debate over the location of the capital” in the Constituent Assembly, in violation of what is stipulated by the Bolivian Constitution and the Special Act Convening the Constituent Assembly—both of which require the approval of the Constitution (by two thirds of the votes of the members of the Constituent Assembly) and forbid excluding any topics from discussion by the Assembly—including the issue of the location of the capital and Law 3365 (“Calling a National Referendum Binding to the Constituent Assembly on Departmental Autonomies”), which granted the right to departmental autonomy to the departments of Beni, Pando, Santa Cruz, and Tarija.

c. Referendums on autonomy statutes

During the months of May and June 2008, the political polarization in Bolivia increased when the referendums to ratify and put into effect the autonomy statutes took place in all of the opposition departments: Santa Cruz (May 4, 2008), Beni (June 1, 2008), Pando (June 1, 2008), and Tarija (June 22, 2008). The referendums were carried out by the respective Departmental Electoral Courts, in defiance of the CNE’s position. The Bolivian citizens of the aforementioned opposition departments ratified the autonomy statutes by 86%, 80%, 82%, and 79% of the votes, respectively.

II. Events that took place between August and September 2008

On August 4, 2008, the various sectors of civil society in all of the five opposition departments began a hunger strike demanding the return of the resources originating from the Direct Tax on Hydrocarbons (IDH), which—according to the protesters—were “confiscated” since October 24, 2007, through Presidential Decree 29322, thus greatly reducing the revenue of the departmental prefectures (governments) corresponding to the IDH. On August 16, the protesters placed road blocks on important roads. On August 19, all five opposition departments took part in a “civic strike,” completely halting activities and vehicle movement as a means of protest. From August 25 onwards, the road blockades intensified.

³ See statement by HRF-Bolivia at <http://hrfbolivia.blogspot.com/2008/08/no-mas-muertos.html>



On August 28, President Morales issued Decree 29691, which called for multiple referendums to be held on December 7, one of which was the approval of the project for the new constitution resisted by the departments engaged in protests. On that same day, clashes between sympathizers of the president and people opposed to the government occurred in the cities of Santa Cruz and Yacuiba (department of Tarija), and on the following day, the governor of Chuquisaca called for a referendum on departmental autonomy to be held on November 30, 2008. On August 31, the CNE decided not to proceed with the referendums that had been called, arguing “legal impediments,” a decision that was ignored by the government of President Morales. Following that day, civil society groups in the opposition departments forcibly took over the offices of several public institutions. On September 1, a group of disabled people took over the offices of the presidential representative in Santa Cruz. On September 2, pro-autonomy protesters tried to take over the offices of the National Tax Service (SIN in Spanish) in Trinidad, Beni. On September 3, pro-autonomy peasants took over the offices of the National Institute for Agrarian Reform (INRA in Spanish) and the Bolivian Administrator of Roads (ABC in Spanish) in Cobija (Pando). On September 4, the government finally recognized the decision of the CNE and put forward a bill calling for a referendum before the Bolivian Congress, ensuring that the Court could not find “more excuses for not holding the referendum.”

On September 9 in Tarija, after clashes with the police and the military, pro-autonomy protesters, comprised primarily of university students, took over the offices of the Superintendence of Hydrocarbons and the INRA, in addition to those of the SIN and Migration, which were seized earlier. In Beni, demonstrators took over the Trinidad airport as well as the Administration of Airports and Auxiliary Services of Air Navigation (AASANA) building. In Chuquisaca, the SIN was taken over, and in Santa Cruz de la Sierra, the protesters (primarily university students, as well as adolescents and young members of the Santa Cruz Youth Union [UJC in Spanish]), took over the offices of the SIN, the INRA, Migration and state-owned companies YPFB and ENTEL. These actions led local citizens to clash with police and military forces, leaving at least 50 injured protesters who received medical attention in ambulances and local hospitals.

On September 10 in Santa Cruz, the National Customs’ offices, the offices of the Superintendence of Forests, the Bimodal Station, four agencies of the Education Service, and a unit of the Ministry of Labor were occupied, resulting in increased fighting with the police and the military, and leaving at least ten young protesters injured who were later taken to local hospitals. In Tarija, the day began with a dynamite blast at the Prefecture Building (somewhere between 3:00 to 3:50 a.m.), according to a report by the Special Taskforce Against Crime (FELCC). Later on, university students took over the National Customs building, and military intervention prevented them from taking over Oriel Lea Plaza Airport. At 10:00 a.m., fighting broke out between government sympathizers and pro-autonomy protesters in the Peasant’s Market. At 2:00 p.m., the police abandoned the area, leaving both groups to fight each other with sticks, stones, and sharp objects, leaving over a hundred people injured—55 of whom received medical attention at San Juan de Dios hospital in Tarija.



With regard to the aforementioned protests by autonomists opposed to the government, it is important to point out that the position of the Human Rights Foundation coincides with the statement of HRF-Bolivia of September 9, 2008:⁴ the solution to the conflicts in Bolivia should be dialogue, and in his capacity as head of state and commander-in-chief of the armed forces and the national police, it is mainly the president's responsibility to facilitate dialogue and avoid repression, with the purpose of protecting the lives and physical integrity of all people in Bolivia, whether or not they are sympathizers of the government. Along the same lines, HRF believes that political and civic leaders of the opposition departments should take all necessary steps to ensure that, in their departments, any act of protest (in agreement with the right to freedom of expression and association) is peaceful and any use of violence against the institutions of the state—or citizens who sympathize with the government or disagree with the departmental protests—is avoided.

III. Violations of freedom of speech

a. Attacks against the press

During the protests demanding the return of the IDH in the opposition departments, there were many clashes between citizens who supported the government and opposition autonomists. During these clashes, several journalists covering the events were attacked. However, instead of condemning the aggressions, on August 19, 2008, President Morales and government spokesperson Ivan Canelas accused the television networks PAT and Unitel, as well as the newspaper *El Mundo*, of being “dirty” and “irresponsible.”

Given the gravity and frequency of the attacks against the media in Bolivia, the National Press Association (ANP in Spanish) published a bulletin on August 26 denouncing that “every time the President [Morales] verbally attacks the press, hordes of government supporters beat up and throw stones at journalists. The press and the journalists have never before suffered so many attacks so frequently by the social movements that support the government.”

According to the Bolivian News Agency in a note from September 1, 2008, President Morales verbally attacked the press at least twice in 2006, five times in 2007, and nine times up to that date in 2008. His language against the media includes, among other words: “dirty,” “liars,” “bribed,” “terrorists,” and “political.”⁵

The official government discourse and the consequences of the actions of its supporters violate article 19, paragraph 2 of the International Covenant on Political and Civil Rights, the Ninth Principle of the Inter-American Declaration of Principles on Freedom of Expression of the OAS, and freedom of expression and opinion as established by the Inter-American Commission on Human Rights (IACHR) in its *Report on Situation of Human Rights in Mexico*: “Attacks on journalists are specifically intended to silence them, and so they also constitute violations of the

⁴ Available at <http://hrfbolivia.blogspot.com/2008/09/exhortacin-urgente-al-gobierno-de-evo.html>

⁵ Available at <http://abnoticias.info/2008/09/01/“democrata”-evo-morales-endurece-sus-criticas-a-la-prensa-y-la-violencia-aumenta-viola-la-carta-democratica-interamericana/>



right of a society to have free access to information.” Likewise, the government’s actions contradict the principle established in the preamble of the Declaration of Principles on Freedom of Expression of the IACHR: “...freedom of the press is essential for the full and effective exercise of freedom of expression and an indispensable instrument for the functioning of representative democracy, through which individuals exercise their right to receive, impart and seek information.”

b. Propaganda favoring political violence

HRF determined that there are strong indications that President Morales’s discourse not only incites violence against the press, but also incites political violence throughout the country. Political violence is reflected in aggressions committed by the police and the armed forces against opposition citizens, aggressions committed by these citizens against the police, and aggression between “social movements” supportive of the government and citizens who oppose it.

In the last few months, political violence in Bolivia has reached disturbing levels. For instance, in the past few weeks, disabled people staging protests to demand the reinstatement of some of their social benefits were repressed with tear gas and batons by police in La Paz and Santa Cruz. These incidents⁶ of violence committed by the police demonstrate their lack of respect for the dignity and physical integrity of these citizens. The violent actions of the police prompted a violent reaction from some sectors of civil society in Santa Cruz against the national police, as well as a request for the formation of a departmental police force. The political violence derived from the discourse of the president comes also from the so-called “social movements” supportive of the government against dissident minorities in the departments of La Paz⁷ and Cochabamba.⁸ This violence is directed at the opposition majorities in the departments of Pando, Beni, Santa Cruz, and Tarija.

HRF notes with concern that President Morales and high ranking members of his government constantly describe political leaders and the millions of citizens who do not support the government’s policies (in particular those in the departments of Beni, Pando, Santa Cruz, Tarija, and Chuquisaca) as “racists,” “fascists,” “separatists,” “oligarchs,” “landowners,” “landlords,” “anti-nationalists,” “right-wingers,” and “anti-nation,” among other terms. These are pejorative labels that seek to sow division and confrontation. Such speech denigrates opposition leaders and silences those who support departmental autonomies, or those who simply do not agree with the policies of the government.

In the months of May and June—as part of a television advertisement campaign by the government discrediting the departmental referendums on the autonomy statutes—the spokespersons of the electoral court of Santa Cruz, and all of the political and civic leaders and citizens that supported departmental autonomy, were referred to by the aforementioned adjectives. HRF was able to verify

⁶ Available at <http://es.youtube.com/watch?v=QRerGXpRL0I&feature=related>;
<http://es.youtube.com/watch?v=38y5ZvxrvB0>

⁷ See recurrent aggressions against pacifists in La Paz <http://web.iespana.es/actu/americalatina/164790>

⁸ See the murder of Christian Urresti in January 2007 in Cochabamba
<http://www.redbolivia.com/noticias/Regionales/38035.html>



this *in situ*, since it sent a high level international commission—in which the president and chairman of HRF took part—to observe the May 4 referendum in the department of Santa Cruz.

On September 3, in the wake of escalating protests in Santa Cruz, Pando, Beni, Tarija, and Chuquisaca, President Morales continued to use disqualifying language against the opposition, calling CONALDE the “National Right-Wing Congress,” accusing it of favoring a “civic-prefectural coupe d’état” and, as commander-in-chief, “calling on the armed forces to defend Bolivian democracy.” Additionally, on September 6, President Morales stated that “some groups are being financed by the American embassy to take part in the blockading of roads.”

When faced with the rising number of injured citizens as a result of the protests and the repression by police and military forces, the minister of government, Alfredo Rada, discredited the protesters using the same words officially used by the government against the opposition: “racist and violent groups, which have already taken action before [and] attacked institutions that are part of the Bolivian patrimony. (...) We will not fall for the provocations that have turned Santa Cruz into a racist camp. (...) Fascism, entrenched in the committees and prefectures, has began a civic-prefectural coupe d’état against democracy” (emphasis added).

On September 10, in spite of the delicate situation of the human rights of the protesters and the large number of people wounded in the repression carried out by the armed forces and the national police—entities that, according to the Bolivian Constitution, are under the command of the president and the ministers of defense and government, respectively—the Minister of Government, Alfredo Rada, held opposition Governor Ruben Costas responsible for all the turmoil in Santa Cruz. According to Rada—repeating the same language used against political opponents—Costas allegedly did not fulfill “his essential obligation to guarantee the peaceful coexistence of the citizenry... These two characters [Costas and Branco Marinkovic, president of the Pro-Santa Cruz Committee] incited, promoted and carried out this fascist and racist violence” (emphasis added).

On September 13, President Morales called on his supporters to achieve victory or die: “Nobody can stop this democratic and cultural revolution, I am not asking you to defend Evo Morales, but the changes... They are conspiring with a fascist, racist coupe d’état. ... Their plan is to overthrow the Indians. They may overthrow the Indians, but they cannot overthrow the Bolivian people. We have to defend this process of change no matter the cost. [I call upon you] to defend the process of change and to resist the fascist and racist coupe ... that some civic leaders are leading... We have to be willing to die for the nation and the Bolivian people. Long live the revolutionary process of change. Country or death!” (emphasis added).⁹

HRF rejects outright any call in Bolivia to choose between death and the political project of the ruling party. It is vital to realize the severity of the situation: in a state which is party to one of the

⁹ See national and international press notes on the issue. Available at:
http://www.nacion.com/In_ee/2008/septiembre/14/mundo1700364.html
<http://www.emol.com/noticias/internacional/detalle/detallenoticias.asp?idnoticia=321778>
<http://www.eldeber.com.bo/2008/2008-09-13/vernotaahora.php?id=080913172450>



most important international treaties on human rights, the head of state calls on people in his country to choose between his own project and death.

In immediate response to the speech of September 13, in which the president exhorted his social movements to “defend the revolution” or “die” trying, Adolfo Chavez, executive of the Confederation of Indigenous Peoples of the Bolivian East—an organization that brings together natives and peasants from the east who support the government—announced that “there will be road blocks in different parts of the country, such as roads in Beni, Tarija, Villamontes, and Cochabamba, but to safeguard our strategy we won’t give out any more details.” He also said they would “process in a Tribunal of Communitarian Sentence, which will be in session on October 3, all those natives who were part of the Right’s game, provoking fighting among natives, so that this may never happen again.” According to information we have received by those affected, Chavez was referring to the Chiquitos, Guaraní, Ayoreo, Guarayo and Moxos people who are members of the Santa Cruz Legislative Assembly, who informed HRF of their concern that this measure could endanger their freedoms and their lives.

Subsequently, on September 15, 2008—in addition to condemning the violent takeover of institutions by university students and members of the UJC during the IDH protests—a group of young supporters of President Morales in Santa Cruz wearing hoods (called “The Red Squadron”) made public their violent intentions to take up arms and “defend” the “process of change” led by President Morales from the political and civic leaders of Santa Cruz.¹⁰

HRF would like to stress that President Morales’s speech—which unequivocally calls the leaders of the opposition departments (comprised primarily of governors and civic committees) and, in general, all those who oppose the government, “racists,” “fascists,” “separatists,” etc., and also calls upon his followers to “die” to “defend the revolution” from their “coup-plotting” actions—constitutes propaganda for war and incites political violence, endangering the lives of everyone in Bolivia. Article 13, paragraph 5, of the Pact of San Jose, Costa Rica—referring to freedom of thought and expression—establishes: “Any propaganda for war and any advocacy of national, racial, or religious hatred that constitute incitements to lawless violence or to any other similar action against any person or group of persons on any grounds including those of race, color, religion, language, or national origin shall be considered as offenses punishable by law.”

Moreover, HRF would like to point out that it already expressed its condemnation of the use of the concept of “communal justice” to justify violations to due process and even justify the lynching of individuals for political motives. HRF also expressed its concern over the inclusion of communal justice in the constitutional project approved by the party of President Morales in November and December of 2007.¹¹

¹⁰ Images available at <http://es.youtube.com/watch?v=-RdQ8XevqnE&feature=user>; and the Red Squadron Resolution at: <http://www.ubnoticias.org/es/article/resolucion-de-los-jovenes-de-plan-3000-santa-cruz>

¹¹ See statements by HRF and correspondence with the Bolivian government in regards to communitarian justice and lynching in Bolivia. Available at: <http://www.humanrightsfoundation.org/>



c. Advocacy for racial hatred

The language used by the government of President Morales has far more serious implications than those purely political. HRF is concerned because the political speech meant to discredit the opposition is also promoting racial hatred from the national majorities living in the western part of the country (specifically the people of Aymara and Quechua origin) against the minorities that inhabit the eastern and southern parts of Bolivia (Cambas¹² and Chapacos,¹² who live mostly in the departments that oppose the government), and vice versa. According to the ethnic self-identification census of 2001, those who identify themselves as Aymaras or Quechuas live mostly in the western departments of Bolivia—specifically La Paz (68% Aymara and 8% Quechua), Oruro (37% Aymara and 36% Quechua), Potosi (77% Quechua and 6% Aymara), Cochabamba (66% Quechua and 7% Aymara), and Chuquisaca (61% Quechua), which together make up 67% of the national electorate. These departments support the government by a vast majority (see results of the recall referendum *supra*), with the exception of Chuquisaca, whose governor of Quechua origin became a dissident of the ruling party following the deaths on November 24, 25, and 26, 2007, in Sucre. On the other hand, Cambas and Chapacos—who are labeled as “none” in the ethnic self-identification census of 2001—live primarily in the departments of Beni (67% “none” and 12% Moxos), Pando (84% “none”), Santa Cruz (63% “none”, 8% Chiquitos and 17% Quechua), and Tarija (80% “none” and 12% Quechua).

HRF was able to verify demonstrations of racial hatred towards those considered Cambas, both in public protests in the city of El Alto in the department of La Paz¹³ and on websites that actively support the government of Morales.¹⁴ HRF fears these demonstrations are incited by the official discourse of the government. It is important to point out that even though the official discourse of Morales’s government does not refer directly to these national minorities (Cambas and Chapacos) that represent the majority of the population in the main opposition departments, such discourse does refer to them indirectly as primary political opponents deserving of such pejorative adjectives as “racists,” “fascists,” “oligarchs,” “separatists,” etc. They are targets of attacks by government supporters in “defense of the revolution” so that they don’t “overthrow the Indian.”¹⁵

Sadly, as a result of this official discourse, there were several incidents indicating that intolerance and racial violence are starting to take root in Bolivia. There is evidence that strongly suggests that government sponsored television ads—which have been running over the last few days to describe the politically motivated killings in Pando (see details ahead)—seek to alter the political context of the dispute to portray it as one that is racially motivated, thus escalating violence of this kind in Bolivia.

¹² According to the Royal Spanish Academy Dictionary of the Spanish Language, Camba is the “Indian or mestizo from Eastern Bolivia” and Chapaco is a “person from Tarija”.

¹³ Available at http://www.laprensa.com.bo/noticias/12-09-08/12_09_08_poli5.php

¹⁴ Available at <http://bolivia.indymedia.org/search/node/cambas>

¹⁵ See Evo Morales’s speech from September 13 *supra*.



Therefore, the official discourse constantly repeated by President Morales, government spokespersons, and high-ranking officials, not only represents propaganda for war and a public incitement to violence, but also constitutes an advocacy for racial hatred that incites violence, which is in violation of article 13, paragraph 5 of the Pact of San Jose, Costa Rica.

HRF considers that as long as the official discourse of the government of President Morales continues making propaganda for war and racial hatred among Bolivians—as well as inciting political violence in Bolivia—it will be very difficult to reach a lasting peace in that country and the human rights situation in Bolivia will worsen. In this regard, it is necessary to bring to the attention of President Morales the negative role that government propaganda for war and racial hatred played in the political conflicts which eventually led to genocides in Rwanda and Kosovo in the last 20 years.

IV. Deaths caused by politically motivated fighting and risks of escalation of violence

a. Clashes of September 11, 12 and 13, 2008

On Thursday, September 11, political violence in all five opposition departments degenerated into a tragic incident: pro-autonomy demonstrators and supporters of President Morales engaged in a firefight, in which least 18 people died¹⁶ and more than 65 were wounded.

According to different non-governmental press offices,¹⁷ around 400 people (citizens and community leaders from the town of Filadelfia and some other municipalities in the department of Pando, as well as people sent from La Paz) took up arms and headed to the city of Cobija with the objective of confronting the pro-autonomy protesters and retaking the institutions they had seized. After the first clash took place during early hours in the town of Tres Barracas, several pro-autonomy individuals were taken hostage, lashed, and beaten. Afterward, at 9:34 a.m., Pedro Oshiro, a forest engineer, was intercepted while fleeing Tres Barrancas with Hugo Duran, who was executed by a shot to the head by government supporters after being pulled down from the truck he was riding. At 11:47 a.m., government supporters arrived in El Porvenir, where locals and town hall workers—assisted by workers of the Pando Prefecture (pro-autonomy), who had arrived from Cobija—were already waiting for them with weapons. After approximately two hours of negotiations between the two parties, police sergeant Mirtha Sosa found the hostages in one of the trucks; upon the discovery, violence broke out. Government supporters allegedly quickly ran out of bullets but managed to kill the brother-in-law of the mayor of El Porvenir and wound 20 people,

¹⁶ The people who died on September 11, 2008, according to official reports and press releases are: Arnoldo González, Dieter Tupa Mati, Celedonio Basualdo, Bernardino Racua, Nora Montero de Racua, Dumay Villanueva, Agripino Vargas, Roberto Rodríguez, Germán Justiniano, Jhonny Cori Salsuri, Wilson Castillo Quispe, Alfonso Cruz Quispe, Emilio Peña, Meter López, Félix Roca, Pedro Oshiro and Alberto Céspedes Rojas.

¹⁷ The most comprehensive and balanced press note on the events can be found under the title *Clashes and massacre in Porvenir*, in the digital edition of the national newspaper El Deber, Available at: <http://www.eldeber.com.bo/vernotaahora.php?id=080921222943>



while the autonomists allegedly chased down and shot to death at least 16 people¹⁸ and wounded 20 others.

On the following day, President Morales declared martial law in the department of Pando. After landing at the airport of Cobija, the military contingent in charge of retaking the airport opened fire on demonstrators, causing the death of 55 year-old evangelical pastor Antonio Toni Rivera and wounding a dozen others, among them journalist Claudia Mendez of the PAT network, who was shot in the ankle.¹⁹ According to a report by the Ministry of Health, on the same day, a marine from the 7th Engineer Battalion of El Porvenir, Ramiro Tinini, died during the operations at the Cobija airport. Finally, on September 13, in the department of Santa Cruz, 16 members of the UJC (autonomists) moved from the city of Santa Cruz de la Sierra to Tiquipaya to confront local residents blocking the road there. When the fighting broke out, several young men from the pro-autonomy group were gravely injured. Edson Ruiz Aguayo, aged 25, died three days later after suffering brain damage from a severe beating received during the fighting. As a result of the deaths on September 11, the governor of Pando and more than a dozen other people were detained, confined, and accused of “genocide” by high ranking government officials,²⁰ while more than 400 autonomists from Pando fled to Brazil. However, no one was accused of or arrested for the killings of members of the opposition on September 12 and 13.

In this climate of political prisoners, refugees, and killings, the violence continued. On September 23, Wilson Oliva Becerra, a driver for the Prefectural Road Service, was murdered with two shots to the head at approximately 2:00 a.m. Two explosions were heard at the time and the Cobija Police are now investigating the cause of Oliva’s death. Apparently, government sympathizers accused the drivers of the prefecture of the deaths of September 11, 2008.²¹ Likewise, on September 30, hooded men held up Jose German Vaca Ortiz, a worker for the Electricity Service of Tarija, who was later imprisoned under terrorism and sedition charges in connection with the IDH protests in Villamontes. This arrest is just one more on a list of several arbitrary detentions in the last few days that were publicly denounced by HRF-Bolivia, including the arrests of five young men in Santa Cruz and one in Tarija, each the result of a plan to systematically imprison opposition citizens.²² This type of detention (for political reasons), beyond having the effect of silencing freedom of

¹⁸ There have been 15 identified casualties: Arnaldo González, Dieter Tupa Mati, Celedonio Basualdo, Bernardino Racua, Nora Montero de Racua, Dumay Villanueva, Agripino Vargas, Roberto Rodríguez, Germán Justiniano, Jhonny Cori Salsuri, Wilson Castillo Quispe, Alfonso Cruz Quispe, Emilio Peña, Meter López y Félix Roca.

¹⁹ See images at: http://es.youtube.com/watch?v=rF9e32_rqU&feature=related

²⁰ According to a press release dated October 2, HRF-Bolivia stated that there were 13 people detained after martial law was declared in the department of Pando, besides the prefect: Hugo Apaza Saloner, Gualberto Paz Mugro, Felipe Brigabriel Villarroel, Gabriel Delgadillo Vargas, Jose Salinas Bazán, Rubén Franco Tuno, Mirtha Sosa del Chalar, Adhemar Herrera Guerra, Claudio Franco Égüez, Osvaldo Valdivia, Néstor da Silva Rivero, Agapito Vira y Willam Misuko. Available at: <http://hrfbolivia.blogspot.com/2008/10/21-presos-politicos-en-bolivia.html>

²¹ See press note from the newspaper El Deber: <http://www.eldeber.com.bo/2008/2008-09-24/vernotanacional.php?id=080923225357>

²² According to HRF-Bolivia’s press release of October 2, the list (which is made up of 24 people, especially civic leaders of the opposition departments) was confirmed by the national police.



expression of opposition citizens, violates article 13, paragraph 2 of the Pact of San Jose, Costa Rica, regarding freedom against arbitrary detention.

HRF considers it important to note that human rights are universal, and therefore are inherent to every human being, regardless of race, color, sex, language, religion, political beliefs or beliefs of any other kind, national or social origin, economic status, birth, or any other social condition. In this respect, the violation of the human rights of any person must be decisively avoided and its perpetrators universally persecuted and punished, whether they are supporters or opponents of the government.

In Bolivia, those who lost their lives and were injured during the days of September 11, 12, and 13 join the ranks of the more than 40 Bolivian citizens who died and the thousand others who were injured since President Morales took office.²³ Since the inception of HRF in 2006—which coincided with the inauguration of President Morales’s term—we observed that Bolivia is the country with the highest number of politically motivated deaths, second only to Colombia, which faces a long internal battle with the terrorist organization FARC. These deaths were primarily a consequence of the repressive actions of the police and the military, as well as the efforts of the so-called “social movements,” directly incited by the executive power. The deaths caused by the opposition on September 11, 2008, and onwards join this grim list.

b. Danger of serious violence due to an armed march into the city of Santa Cruz de la Sierra²⁴

HRF observed with extreme concern that from September 13, when President Morales called for the defense of his revolution to the death, until September 23, a group of the “social movements”—mostly peasants, settlers, miners, and coca leaf growers supportive of the president—began marching from different towns and cities across the country. Armed with shotguns, rifles, dynamite, sticks, slings, and other weapons,²⁵ they marched into 24 de Septiembre Square in the heart of Santa Cruz de la Sierra, a city that is home to 1.4 million inhabitants and the largest number of citizens opposed to the government of President Morales.

On September 20, the main leaders of these social movements (Peasant Federations of Santa Cruz and Potosí, the Departmental Coca Organization of Cochabamba, and the Council of Peasant Federations of the Yungas, among others) were informed that approximately 50,000 people were marching into Santa Cruz to demand, among other things, the resignation of Governor Ruben

²³ See the websites of HRF and HRF-Bolivia on lynching in Cochabamba, the two killings of Huanuni in Oruro, the massacre of la Calancha in Sucre, the two deaths of Caihuasi in Oruro, etc.

²⁴ All of the events hereby reported can be verified in any national newspaper edition or national television station in Bolivia, between September 14 and 24, with the exception of the state news agency ABI and the state-owned television station, Channel 7.

²⁵ See television images of the armed marchers and the press note by CNN, which—in a sad manipulation of publicly known facts—does not show the armed nature of the march, recognized even by the minister of government himself, Alfredo Rada, and the vice president of Bolivia, Alvaro García: <http://es.youtube.com/watch?v=UQdgytD6lBg>



Costas and the signing of an agreement proposed by President Morales regarding the approval of a law calling for multiple referendums—among them one to ratify the constitutional text approved in Sucre and Oruro, which is resisted by opposition departments. During the days of the march of the “social movements,” the burning of effigies, flags, and other autonomy symbols, vandalizing of autonomy campaign houses, dynamite explosions, and intimidation of the civilian population were widely reported by the Bolivian press.

On September 23, 2008, the district attorney of Santa Cruz, Jaime Soliz, leading a delegation of 40 attorneys without police support,²⁶ arrived at the town of San Juan de Palometillas to ask the marchers to put down their weapons; the attorneys (and the journalists covering the events) were received with sticks, stones, bullets (warning shots), and dynamite blasts. A driver of the office of the public prosecutor and an attorney were wounded, as well as several journalists—among them a correspondent from the newspaper *La Razon* and a journalist from channel Full TV.

In response to the pleas of several national and departmental institutions from Santa Cruz to prevent the armed groups from entering the city, President Morales replied: “I would like to ask the prefect: sign [the agreement] so that we can have a peaceful anniversary,” referring to the anniversary of the call for liberty of Santa Cruz on September 24, 1810. Likewise, the vice president of the republic, Alvaro Garcia, defended the march by citing that it was “for the unity of the country and the institutionalism of democracy.” Finally, the minister of government declared that the police would not prevent the armed social movements from marching into Santa Cruz: “When agreements are reached in the dialogue between the government and the regions, the protesters will disperse.”

On September 22, the main public institutions of Santa Cruz (the municipal council, the legislative assembly, the congressional delegation, the departmental government, etc.) announced the suspension of all festivities on the anniversary of September 24 and called upon all citizens to attend mass on that day and pray for peace. However, members of the UJC of Santa Cruz and the Sovereign Committee for the Defense of the Dialogue for Peace announced that they would give the social movements “the welcome they deserved,” hinting at their intention to meet the social movements’ march with violence.

Suddenly, at the end of the afternoon of September 23, the social movements decided to halt their march into Santa Cruz and lifted all road blocks they set up. According the press, the leader of the Federation of Settlers of Bolivia, Fidel Surco, and the leader of the peasant unions of Santa Cruz, Salustio Flores, said that they “decided to pause so that the parties could continue talks in Cochabamba and make it through the crisis our country is going through,” referring to the talks that were taking place in Cochabamba since September 12 between President Morales and the governors of all five opposition departments (with the exception of Pando, whose governor was imprisoned and accused of genocide for the deaths of September 11). Surco added: “The prefects have no other

²⁶ “Since the police did nothing about it, we will try to disarm the peasants who threaten to come to Santa Cruz,” said Santa Cruz District Attorney Jaime Soliz. Available at: http://www.la-razon.com/versiones/20080923_006404/nota_249_675962.htm



choice but to sign before Thursday and give the country a political solution. Otherwise, if they do not sign, other actions will be taken.”²⁷

It is evident that the armed march of 50,000 people into the city of Santa Cruz de la Sierra could have degenerated into a great wave of violent incidents with severe consequences for the human rights of thousands of people in that city and the marchers themselves, and it is clear that the danger is still lingering. In this regard, HRF expresses its support for all the press releases issued by HRF-Bolivia calling for dialogue and non-violence and exhorts all authorities and public and private institutions in Bolivia to take all necessary steps to prevent any future conflict that could damage the human rights of the people in that country.

V. Conclusions and Recommendations

a. Conclusions

The results of the referendums for autonomy in the months of May and June and the recall referendum in August confirm the political polarization in Bolivia. There are millions of people who support President Morales and support his constitutional project and reject the autonomy statutes. These citizens live mostly in the departments of La Paz, Oruro, Potosi, and Cochabamba. But there are millions of other Bolivians who reject the policies of President Morales—among them his new constitution project—and ratified their autonomy statutes by a large majority in response to his policies. These citizens live mostly in the departments of Santa Cruz, Tarija, Beni, Pando, and recently, Chuquisaca, joining the autonomist departments after the violent events of November 2007 in Sucre.

The polarization degenerated into political violence, which caused the deaths of at least 21 people and left hundreds of others wounded during the departmental protests for the IDH and, especially, during the armed clashes in Pando on September 11 and 12. These casualties come after more than 40 deaths resulting from the political violence that occurred since Evo Morales took office in January 2006.

A march of approximately 50,000 people grouped in “social movements” that sympathize with the government—armed with firearms, dynamite, and stick—was prepared to enter the city of Santa Cruz de la Sierra with the direct consent of the president, vice president, and the minister of government of Bolivia. In the future, such action could spring a wave of violence of great proportions and have severe consequences for the human rights of thousands of people in the country.

The discourse of President Morales—which consists of calling departmental political leaders and, in general, anyone who is in the opposition “racist,” “fascist,” “separatist,” etc., and also calling on

²⁷ See press note on the newspaper El Deber regarding this issue. Available at: <http://www.eldeber.com.bo/2008/2008-09-24/vernotaahora.php?id=080923230556>



people to “die” to “defend the revolution”—constitutes propaganda for war and incites political violence and racial hatred, endangering the lives of everyone in Bolivia. As a result of such belligerent speech, physical attacks against members of the press at the hands of government sympathizers also escalated. All of these actions are in violation of article 13, paragraphs 1 and 5 of the Pact of San Jose, Costa Rica, regarding freedom of thought and expression.

b. Recommendations

HRF believes that lasting peace in Bolivia can only be achieved through willingness to engage in dialogue by all parties involved in the conflict, as well as a sincere commitment to make both the new constitution project and the autonomy statutes legal instruments in service of the human rights of all the people in Bolivia, regardless of their race, color, sex, religion, political beliefs, or beliefs of any other kind, national or social origin, economic status, birth, or any other social condition. In this respect, HRF recommends that both the president and the opposition governors adjust each one of their proposals and demands to the obligations assumed by the Bolivian State in the International Covenant on Civil and Political Rights and the American Convention on Human Rights.

At the same time, HRF offers its good offices to participate in the process of investigation, supervision, and clarification of all of the violations to human rights and, in particular, the politically motivated deaths documented in this report. HRF also recommends that President Morales cease using a discourse for war propaganda and advocacy for racial hatred, which incites violence between his supporters and the political opposition, as well as against the press.

Finally, HRF agrees with the statements of HRF-Bolivia: that the solution to the conflicts in Bolivia should be dialogue, not repression, and that the president, in his capacity as commander-in-chief of the police and the armed forces, should facilitate dialogue and avoid repression in order to protect the lives and physical integrity of all Bolivians, whether or not they support his government. Along the same lines, HRF considers that the political and civic leaders of the opposition departments must take all the necessary steps to ensure that any protests staged in their departments—in accordance with the right to freedom of expression—are entirely peaceful, and any act of violence against institutions of the State, citizens who support the government, or any other person who disagrees with the departmental protests be avoided.