

EXTRA 34/00 Fear of ill-treatment / legal concern

11 April 2000

BOLIVIA Gabriel Herbas, member of the Cochabamba Environment Foro (*Foro del Medio Ambiente*);
Walter Antezana, leader of the Departmental Bolivian Labour Federation (COD), *Central Obrera Departamental*;
Emilio Sejas, Leader of Cochabamba Lorry Transport Workers (*Ejecutivo de Transporte Pesado de Cochabamba*);
Ascencio Picha, Leader of Cochabamba Federation of Tropical Region Peasant Workers (*dirigente del Tropico de Cochabamba*);
Felipe Quispe Huanca, Leader Single Union Confederation of Rural Bolivian Workers (*Federacion Sindical Única de Trabajadors Campesinos de Bolivia*);
Fred Nuñez, Leader Rural Teachers Union (*Sindicato de Profesores Rurales*);
Also: Angel Claire, Sacarias Pereira, Victor Cossio, Francisco Partis, Santiago Gareca, Victor Nina, Enriqueta Imaca, Emilio Rodriguez, Filomeno Rivera, Felipe Flores, Osvaldo Toco, Juan Yapura, Pedro Soto

Amnesty International is concerned for the safety of union and community leaders and union members who were arrested on 7 and 8 April 2000, following a week of anti-government protests. Most are now believed to be being held incommunicado - "confinamiento" (internal exile) - in the remote location of San Joaquin (Beni Department), where they could be at risk of torture or ill-treatment. The number of detainees are not known.

The organization is also concerned at reports of excessive use of force by police during the arrests and of police and military violence during the demonstrations.

Most of those detained have been involved in protests against a government waterworks project in the city of Cochabamba, department of Cochabamba, which will raise water rates. Four leaders were also arrested in the capital La Paz, including Felipe Quispe Huanca and Fred Nuñez.

Five people have reportedly been killed, including an army officer and a minor, during violent confrontations between protestors and the military in Cochabamba and La Paz. In addition, at least 40 people are said to have been wounded, some by bullets when the army opened fire against protesters. A media blackout has reportedly been imposed and local radio stations forced off the air. There has been no indication that those who are reportedly in "confinamiento" have been involved in the violence.

During the evening of 7 and the early hours of 8 April it is reported that hooded police raided the homes of union leaders and members of the Coordinating Committee for the Defence of Water and Life (Coordinadora Departamental de Defensa del Agua y la Vida) in Cochabamba, arresting the leaders, beating up members of their families, stealing household goods and shooting neighbours with pellets. A number of other union leaders have since gone into hiding.

BACKGROUND INFORMATION

On 8 April a state of siege was declared by the government in response to the demonstrations. Under Bolivia's constitution, this is an exceptional measure which the executive power may invoke in order to preserve public order in cases of 'internal commotion'. It must be lifted within 90 days, or it will expire *ipso facto*. Article 111 of the constitution states that anyone subjected to restrictions under the state of siege shall be set free after 90 days unless they have been placed under the jurisdiction of competent courts.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Spanish or your own language:

- seeking assurances that all those detained (mentioning some of the names above) on 7 and 8 April 2000, including those now believed to be being held in San Joaquin, will be humanely treated, according to international standards;
- urging that they be granted immediate access to their families and lawyers;
- asking that, if they have been detained solely because of their involvement in peaceful protests and in the absence of any charge for a recognizable criminal offence, they be immediately and unconditionally released;
- requesting guarantees that the state of siege will not be used as justification to arrest people on the grounds of their legal trade union activities;
- seeking assurances that the state of siege will not infringe on the basic rights of those detained as guaranteed by the Constitution, such as the right of *Habeas Corpus* and of not being held in incommunicado detention;
- asking for information on the present conditions of those in detention and a full list of all those arrested, place of detention and seeking clarification of their legal situation.

APPEALS TO (fax numbers might be difficult to get through to. If voice answers say: «me puede dar tono de fax por favor»):

Excmo. Sr. Presidente, Gral. Hugo Banzer
Palacio de Gobierno, La Paz, Bolivia

Telegrams: Presidente, La Paz, Bolivia

Faxes: + 5912 332055 / 391216

Salutation: Sr. Presidente / Dear President

Sr. Ministro de Gobierno, Sr. Walter Guiteras Dennis
Ministerio de Gobierno, Av. Arce esq. Belisario Salinas
La Paz, Bolivia

Telegrams: Ministro Gobierno, La Paz, Bolivia

Faxes: + 5912 371352 / 371334

Salutation: Sr. Ministro / Dear Minister

Sr. Ministro de Justicia, Sr. Juan Chahin
Ministerio de Justicia, Palacio de Comunicaciones, Piso 6
Avenida Mariscal Santa Cruz, La Paz, Bolivia

Telegrams: Ministro Justicia, La Paz, Bolivia

Faxes: + 5912 356530

Salutation: Sr. Ministro / Dear Minister

COPIES TO:

Sr. Ministro de Relaciones Exteriores y Culto
Dr. Javier Murillo de la Rocha
Ministerio de Relaciones Exteriores y Culto, La Paz, Bolivia

Faxes: + 59 12 371155

Asamblea Permanente de Derechos Humanos, Cajón Postal 9282, La Paz, Bolivia

Faxes: + 5912 335715

CEDIB, Centro de Documentación e Información Bolivia, Casilla 3302
Cochabamba, Bolivia, **Faxes: + 5914 252401**

and to diplomatic representatives of BOLIVIA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 May 2000.