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Bolivia: Amnesty International presents an Open Letter to the new Plurinational Legislative Assembly

On the eve of the debate of several key legislative proposals for reforming the justice system in Bolivia, Amnesty International has written to the new Plurinational Legislative Assembly asking for human rights to be at the core of all discussions. As a contribution to the debate around the reforms, the letter is being made public today.

In its letter, Amnesty International recognizes that Bolivia needs to make structural changes to its justice system in order to improve full access to justice and put an end to a longstanding culture of impunity. In its recent report to the United Nations Human Rights Council, the organization welcomed the intention to implement proposals that promote equality and social justice in order to radically change a history based on discrimination.

In its letter, Amnesty International says that implementation of the plurinational justice system presents challenges that need to be carefully addressed. It stresses how important it is for the reforms endorsed by the Plurinational Assembly to safeguard principles such as full independence for the judiciary, due process and non-discrimination and equality before the law.

Amnesty International also underlines the key role that bodies within the executive have in ensuring that human rights principles are included in any proposals they make to the legislature, thereby complying with the international human rights obligations incumbent on the Bolivian State.

“Bolivia cannot waste the opportunity it has before it to ensure that reforms serve to strengthen the justice system. The success of the changes will depend on the ability of the Bolivian authorities to incorporate internationally-recognized human rights standards into the new legislation”, said Louise Finer, Amnesty International’s researcher on Bolivia.

The organization is therefore encouraging legislators to make sure that the debate on the proposals is open and transparent so that the legislation is strengthened.

“It is time for the Bolivian authorities to take concrete steps to ensure that the promised improvements with regard to human rights are put into practice,” Louise Finer said.

The recommendations made by Amnesty International include the following:

- Ensure that all legislation relating to the justice system and parallel jurisdictions adheres strictly to existing international human rights standards;
- Pay special attention to principles of due process, equality before the law; independence of the judiciary and the criteria for selecting judges when discussing legislative proposals;
- Promote transparency and open debate around the proposals so as to ensure that the legislation is strengthened and accepted by different constituents.

Additional information

The Plurinational Legislative Assembly established under the 2009 Constitution started work in January 2010. Its priority tasks include passing laws to reform the Supreme Court of Justice, the Plurinational Constitutional Court, the Public Prosecutor’s Office, the Judiciary and the

Judicial Council. There are also plans for a “Law on Jurisdictional Delimitation” to establish the boundaries between ordinary jurisdiction and indigenous, aboriginal and campesino jurisdiction.

For further information, see:

<http://www.amnesty.org/en/library/info/AMR18/002/2010/en>

<http://www.amnesty.org/es/library/info/AMR18/002/2010/es?refresh=9707434931>

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