

EXTERNAL (for general distribution)

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Fear of Ill-treatment / Legal Concern

21 April 1995

BOLIVIA Oscar SALAS, Secretary General, *Central Obrera Boliviana (COB)*, Bolivian Labour Confederation

Evo MORALES, leader, *Federación de Trabajadores Campesinos del Trópico*, Federation of Tropical Region Peasant Workers

David OLIVARES, trade unionist

Roberto PANCORBO, trade unionist

Antonio MORENO VARGAS, Peruvian national, member of *Confederación Campesina del Perú (CCP)*, Peasants' Confederation of Peru

Augusta TEJADA HUALLPA (f), Peruvian national, member of CCP

Eliseo CONDORI, Peruvian national, member of *Federación Provincial de Campesinos de Sandia-Puno*, Peasant's Provincial Federation of Sandia-Puno

Genaro CAHUANA SERNA, member of Peasants' Provincial Federation of Cusco

Hugo CABIESES, Peruvian national, *Consejo Andino de Productores de Coca*, Adviser to Andean Council of Coca-leaf Growers

Ricardo SOBERÓN, Peruvian national, member of *Comisión Andina de Juristas*, Andean Commission of Jurists

Roger RUMRRILL, Peruvian national, journalist

Alberto QUINTANILLA, Former Peruvian Deputy

Baldomero CACERES, Peruvian national, psychologist

Guido GONZALEZ, Peruvian national, sociologist

and many others (names unknown)

On 18 April 1995, scores of people were arrested by police without judicial warrants in the capital La Paz and the city of Copacabana, La Paz Department, and there are reports of police raids on private houses around the country.

The detainees are mainly members of Bolivian trade unions and foreign nationals attending a conference of coca leaf growers from the Andean countries. Amnesty International is concerned for the safety of all those arrested.

A few hours after the mass arrests, President Gonzalo Sánchez de Lozada decreed a state of siege giving the security forces powers of arrest without a judicial warrant and imposing a curfew. Amnesty International is concerned at the arrest procedures followed before the state of siege was declared, which seems to have contravened Article 9 of the Bolivian constitution which establishes that nobody can be arrested without a written order issued by a competent authority.

Although the exact number of detainees and their whereabouts are unclear, it has been reported that more than 100 people were arrested and sent into internal exile (*confinados*) to remote places in the country.

Several trade union leaders and members are reported to be among the detainees, including some, whose names are not known, who were arrested in La Paz when police raided their union's headquarters. Evo Morales was arrested in Copacabana together with an undisclosed number of people, including the ten Peruvians listed above and other foreign nationals who were attending the Fifth Conference of the Permanent Council of Coca-leaf growers from the Andean Countries (*V Sesión del Consejo Permanente en Defensa de los Productores de Hoja de Coca en los Países Andinos*).

Amnesty International has received no information indicating that any of those named above have been involved in violent activities, and it considers any

arrested for their peaceful trade union activities as prisoners of conscience.

Fears for the safety of all those arrested has been heightened by reports over the past year of the ill-treatment of detainees in police custody.

BACKGROUND INFORMATION

The reported arrests and declaration of state of siege follows three weeks of demonstrations, some violent, staged by the teachers' unions against the Educational Reform Law (*Ley de Reforma Educativa*) and the general strike called by the *Central Obrera Boliviana* in support of the teachers' demands.

Under Bolivia's constitution the state of siege is an exceptional measure which the executive power may invoke in order to preserve public order. It must be lifted within 90 days, or it will expire *ipso facto*. Article 111 of the constitution provides that those persons who have been subject to restriction under the state of siege, shall be set free after 90 days unless they have been placed under the jurisdiction of competent courts. Minister of Government Carlos Sánchez Berzaín stated that it is the duty of the executive to preserve and defend internal order and that the measure had been necessary as it had been impossible to maintain a dialogue with the union leaders.

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

- expressing concern at the mass arrests on 18 April 1995 which were carried out without judicial warrants hours before the state of siege was announced;
- urging that the detainees be granted access to their families and lawyers, seeking assurances that they are being treated in accordance with internationally recognized standards;
- requesting the names and places of detention of all those arrested and seeking clarification of their legal situation, and urging that if they have been detained solely because of their peaceful trade union activities and in the absence of any charge for a recognizably criminal offence they be immediately and unconditionally released.

APPEALS TO

PRESIDENT

Excelentísimo Sr. Presidente
Lic. Gonzalo Sánchez de Lozada
Palacio de Gobierno
La Paz, Bolivia

Faxes: + 5912 392606

Telegrams: Sr. Presidente, Palacio de Gobierno, La Paz, Bolivia

Salutation: Su Excelencia / Your Excellency

MINISTER OF FOREIGN AFFAIRS

Sr. Ministro de Relaciones
Exteriores y Culto
Dr. Antonio Aranibar Quiroga
Ministerio de Relaciones
Exteriores y Culto
La Paz, Bolivia

Faxes: + 5912 371155

Telegrams: Sr. Ministro Relaciones Exteriores, La Paz, Bolivia

Salutation: Sr. Ministro / Dear Minister

MINISTER OF GOVERNMENT (formerly Minister of Interior)

Sr. Ministro de Gobierno
Dr. Carlos Sánchez Berzaín
Av. Arce esq. Belisario Salinas, La Paz, Bolivia
Faxes: + 5912 371334
Telegrams: Sr. Ministro de Gobierno, La Paz, Bolivia
Salutation: Sr Ministro / Dear Minister

PRESIDENT OF SENATE

Sr. Presidente de la Cámara de Senadores

Dr. Juan Carlos Durán Antelo
Palacio Legislativo
Plaza Murillo, La Paz, Bolivia
Faxes: + 5912 361649
Telegrams: Sr. Presidente Cámara Senadores, La Paz, Bolivia
Salutation: Sr. Presidente / Dear President

COPIES OF YOUR APPEALS TO:

Permanent Assembly for Human Rights

Asamblea Permanente de los Derechos Humanos de Bolivia
Cajon Postal 9282
La Paz Bolivia

Peasants' Confederation of Perú

Confederación Campesina del Perú
Casilla Postal 4160
Lima 100, Perú

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 2 June 1995.