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Bolivia: Military documents must be handed over if justice for past disappearance cases is to be achieved

Amnesty International today called on all authorities of the Bolivian State, and particularly the Armed Forces, to cooperate by handing over immediately, unconditionally and in full all military documents related to cases of forced disappearance and other human rights violations from the past.

On 10 February, the Eighth Examining Magistrate for Criminal Matters, Róger Valverde, ordered the Armed Forces to hand over any documents from their archives that might help locate the remains of Marcelo Quiroga Santa Cruz, Juan Carlos Flores Bedregal and Renato Ticona Estrada, among others, who “disappeared” under the de facto government of Luis García Meza (1980-1981). Despite this court order, which supplements a court ruling from 16 September 2009, the Armed Forces have yet to supply such information. On 18 February 2010 the Armed Forces refused the prosecutor in charge of investigating past violations access to Miraflores Barracks where files that could be relevant for clarifying the truth might be found.

Amnesty International reiterated its appeal to the Bolivian State, and the Armed Forces in particular, for them to locate and make available any files related to human rights abuses committed during the period of military and authoritarian rule. “It is worrying that 30 years after these extremely serious crimes took place it has still not been possible to provide information that could clarify what happened”, said Louise Finer, Amnesty International’s researcher on Bolivia. “Meanwhile, the suffering of the relatives of the disappeared is prolonged, which in itself constitutes an ongoing violation of their own human rights”.

The right for victims of human rights violations and their families to know the truth has been clearly enshrined in international standards to which Bolivia is a party, including the Inter-American Convention on the Forced Disappearance of Persons and the United Nations International Convention for the Protection of All Persons from Enforced Disappearance. Other countries in the Americas, including Chile, Guatemala, Mexico and Paraguay, have managed to make progress in the search for justice after information from their military archives was revealed.

Providing full access to information about past human rights violations is essential to be able to break with violations from the past that remain unpunished. However, the Armed Forces’ persistent refusal to declassify their files makes the search for truth and justice impossible.

Additional information

In November 2008, in its judgment in the case of *Ticona Estrada et al v. Bolivia*, the Inter-American Court of Human Rights found the Bolivian State responsible for violating the right of the relatives of the victims of forced disappearance to mental and moral integrity, among other violations. The Court stated that the severe anguish of relatives is increased “by the constant refusal of the State authorities to provide information on the whereabouts of the victim or to open an effective investigation to clarify what occurred”. (Para. 87)

In May 2009, the Ministry of Defence issued a resolution stating that it was willing to make available information from the past contained in its archives. However, to date none of this information has been handed over to the authorities from the Public Prosecutor’s Office.

The Association of Relatives of Disappeared Detainees and Martyrs for National Liberation (Asociación de Familiares de Detenidos Desaparecidos y Mártires por la Liberación Nacional, ASOFAMD) has estimated that 24 people disappeared in Bolivia under the government of García Meza (1980-1981).

On 10 February this year, at the United Nations Human Rights Council, Amnesty International recommended to the Bolivian State that it “make concerted efforts to locate and make available archives relating to human rights abuses committed during the period of military rule”. In response to recommendations made to Bolivia by other countries with regard to the issue of impunity, the Bolivian Government agreed to carry out whatever action was necessary to comply with the recommendations.

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