

AI Index: PRE 01/332/2009
09 September 2009

Bolivia: Victims of the Pando massacre still await justice

The failure to conclude investigations and legal proceedings into the acts of violence committed in Pando a year ago seriously impairs victims' right to justice, Amnesty International said at the end of a research visit to Bolivia.

This Friday, across the country and particularly in Pando, a variety of activities will take place to commemorate the victims of the events known as "the Pando massacre" and to show solidarity with those affected.

An Amnesty International delegation visited the Pando region in northern Bolivia to look into the state of investigations into the violent events of 11 and 12 September 2008 when up to 19 people died and some 50 were injured. These tragic events took place in the context of a demonstration by campesinos [peasant farmers] who were concerned about possible backtracking in land distribution and the management of other natural resources in the region.

"Although reports by several national and international commissions have succeeded in shedding some light on what happened and identifying some of the alleged perpetrators, what is lacking now is a comprehensive and impartial investigation to clarify the full facts and determine responsibilities for the violations committed," said Louise Finer, Amnesty International's researcher on South America. "Attention also needs to be paid to the possibility that judicial guarantees may have been violated since the violence took place."

"One thing is clear: human rights were seriously violated in Pando," Louise Finer said. "However, the legal confusion currently surrounding the case is jeopardizing the possibility of achieving true justice in the future and is further prolonging the victims' suffering."

Amnesty International said that even though there were investigations under way, their fragmentary nature makes the likelihood of any future trial encompassing all the events related to the case questionable. The possible existence of political intent in emphasizing some charges over others and targeting only some of those responsible makes it even more doubtful that the current proceedings will achieve justice.

"Justice in Bolivia is in an appalling state. This case is just one example of a systematic problem. The serious difficulties the Bolivian justice system faces make it very possible that the proceedings that have been started could lead to further violations being committed against the people involved in them," Louise Finer said.

The organization also received testimonies about threats and harassment directed at certain witnesses, human rights defenders and union leaders in the context of the investigations. Several people in Pando told the Amnesty International delegation that people involved in the massacre are still walking around the city of Cobija or in the vicinity of communities where some of the victims or their relatives live and that a

significant number of the alleged perpetrators have fled to Brazil to avoid being brought to trial.

Amnesty International reminds the Bolivian authorities of the importance of conducting impartial investigations under strict standards that allow evidence to be gathered to serve as a basis for the trial and subsequent punishment of those responsible for the offences that took place. Such investigations should be carried out swiftly while not undermining constitutional guarantees and the principles of due process.

Bolivia is at present undergoing significant structural and institutional change that provides the country with a unique opportunity to strengthen the justice system and ensure its independence. Amnesty International trusts that the government and other Bolivian institutions will make good use of this opportunity. By so doing they will be clearly fulfilling their constitutional mandate and also showing their commitment to the victims of human rights violations.

General Information

During the visit, the Amnesty delegation interviewed victims and witnesses of the violence in Pando, people who have been indicted for offences committed there, representatives of civic organizations in the department and members of the judiciary, executive and legislature in La Paz, Pando and Sucre.