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Andean – U.S. Dialogue Forum

Country Visit

Bolivia

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## Documents and Articles

- I. Bilateral Relations (General)..... 12-18
- a. Ledebur, Kathryn and John Walsh. “Change for the Better; The Change to Recast US-Bolivian Relations.” January 23, 2009. Washington Office on Latin America.  
[http://www.wola.org/index.php?option=com\\_content&task=viewp&id=853&Itemid=2](http://www.wola.org/index.php?option=com_content&task=viewp&id=853&Itemid=2)
  - b. Burbach, Roger. “Treating Bolivia as a Sovereign Partner.” *NACLA Report on the Americas* 42:1, Jan/Feb 2009, pages 33-35. PRISMA [database online], accessed 2 April 2010.  
[http://gateway.proquest.com.proxy.library.vanderbilt.edu/openurl?url\\_ver=Z39.88-2004&res\\_dat=xri:prisma&rft\\_val\\_fmt=info:ofi/fmt:kev:mtx:article&rft\\_dat=xri:prisma:fulltext:1645447281](http://gateway.proquest.com.proxy.library.vanderbilt.edu/openurl?url_ver=Z39.88-2004&res_dat=xri:prisma&rft_val_fmt=info:ofi/fmt:kev:mtx:article&rft_dat=xri:prisma:fulltext:1645447281)
- II. Democracy..... 19-39
- c. Brooke Larson, Raúl Madrid, René Antonio Mayorga, and Jessica Varat. “Bolivia: Social Movements, Populism, and Democracy.” Woodrow Wilson Center. August 2008.  
[http://www.wilsoncenter.org/topics/pubs/lap\\_policy\\_Bolivia1.pdf](http://www.wilsoncenter.org/topics/pubs/lap_policy_Bolivia1.pdf)
  - d. Gaudín, Andrés. “President Evo Morales Begin Second Term.” Latin American Database (*Notisur*). February 5, 2010.  
[http://ladb.unm.edu.libproxy.unm.edu/prot/search/retrieve.php?ID\[0\]=27426](http://ladb.unm.edu.libproxy.unm.edu/prot/search/retrieve.php?ID[0]=27426)
  - e. Gaudín, Andrés. “Bolivia: Transition to Plurinational State Begins.” Latin American Database (*Notisur*). July 16, 2010.  
[http://ladb.unm.edu.libproxy.unm.edu/prot/search/retrieve.php?ID\[0\]=27561](http://ladb.unm.edu.libproxy.unm.edu/prot/search/retrieve.php?ID[0]=27561)
- III. Drugs and Security.....40-49
- f. Latin American Database (*Notisur*). “*Bolivia defends traditional use of Coca Leaf after UN calls for criminalization.*” March 14, 2008.  
[http://ladb.unm.edu.libproxy.unm.edu/prot/search/retrieve.php?ID\[0\]=26908](http://ladb.unm.edu.libproxy.unm.edu/prot/search/retrieve.php?ID[0]=26908)
  - g. International Narcotics Control and Strategy Report: Country Report 2009. United States Department of State: Bureau of International Narcotics and Law Enforcement Affairs
- IV. Media..... 50-65
- h. Mayorga, Fernando. “Comunicación política y democracia en Bolivia: *Mass media* en medio de la polarización.” June 2009.
  - i. Inter-American Press Association Country Report: Bolivia  
[http://www.sipiapa.com/v4/index.php?page=det\\_informe&asamblea=25&infolid=391&idioma=us](http://www.sipiapa.com/v4/index.php?page=det_informe&asamblea=25&infolid=391&idioma=us)
- V. Human Rights..... 66-78
- j. “Human Rights Report: Positive Aspects and Overall Progress and Recommendations Sections” Inter-American Commission on Human Rights. 2009.  
<http://cidh.org/annualrep/2009eng/Chap.V.1.htm#I>
  - k. “Country Report: 2009 Political Rights and Civil Liberties Excerpt” Freedom House

<http://www.freedomhouse.org/template.cfm?page=22&country=7570&year=2009>

VI. Trade.....79-85

1. Ledebur, Kathryn and John Walsh. "Obama's Bolivia ATPDEA Decision: Blast from the Past or Wave of the Future?" Andean Information Network and Washington Office on Latin America. 11 August 2009.  
[http://wola.org/index.php?option=com\\_content&task=viewp&id=972&Itemid=2](http://wola.org/index.php?option=com_content&task=viewp&id=972&Itemid=2)

VII. Environment and Energy Issues.....86-94

- m. "Climate Change in the Andes: when Ice changes to water" The Economist. 14 July 2007.
- n. Farthing, Linda. "Bolivia's Dilemma: Development Confronts the Legacy of Extraction." *NACLA Report on the Americas* 42:5, Sep/Oct 2009, pages 25-29. PRISMA [database online], accessed 2 April 2010.  
[http://gateway.proquest.com.proxy.library.vanderbilt.edu/openurl?url\\_ver=Z39.88-2004&res\\_dat=xri:prisma&rft\\_val\\_fmt=info:ofi/fmt:kev:mtx:article&rft\\_dat=xri:prisma:fulltext:1880621501](http://gateway.proquest.com.proxy.library.vanderbilt.edu/openurl?url_ver=Z39.88-2004&res_dat=xri:prisma&rft_val_fmt=info:ofi/fmt:kev:mtx:article&rft_dat=xri:prisma:fulltext:1880621501)

## **“Change for the Better; The Chance to Recast U.S.-Bolivian Relations”**

Kathryn Ledebur, Andean Information Network (AIN)  
John Walsh, Washington Office on Latin America (WOLA)  
January 23, 2009

**The waning days of the Bush administration saw the breakdown of U.S.-Bolivian relations. The Obama administration and Bolivia’s President Evo Morales should now seize the moment to repair the bilateral relationship, to the benefit of both countries.**

In September 2008, Bolivian President Evo Morales expelled the U.S. ambassador, Philip Goldberg, stating that he had violated national sovereignty by interfering in Bolivian political affairs. The Bush administration denied any improper conduct and immediately expelled the Bolivian ambassador, Gustavo Guzman. Evidently as a reprisal for Ambassador Goldberg’s expulsion, the administration then declared (without basis<sup>1</sup>) that Morales’ government had “failed demonstrably” to honor its international drug control obligations and suspended Bolivia from eligibility for benefits under the Andean Trade Promotion and Drug Eradication Act (ATPDEA). Accusing members of the U.S. Drug Enforcement Administration (DEA) of engaging in espionage and political interference, President Morales then expelled the DEA from Bolivia.

### **A Fresh Start for Bilateral Relations?**

However, since last November, when U.S. voters made history by electing Barack Obama, President Morales and other high-ranking Bolivian officials have frequently expressed their optimism about the Obama presidency and their interest in improving relations. After addressing the United Nations General Assembly in New York in mid-November, Morales remarked: “My interest is how to improve relations with the new president,” adding “I think we could have a lot of things in common.”<sup>i</sup> The next day, at a ceremony on the steps of the Lincoln Memorial where he paid homage to the Rev. Martin Luther King, Jr., Morales affirmed that “We have a lot of hope that diplomatic, trade, and investment relations with our country [and the United States] are going to improve. We have a lot of hope and we’re optimistic.”<sup>ii</sup>

This week, Bolivian Foreign Minister David Choquehuanca saluted the historic Obama inauguration, and reiterated his country’s hopes for improved relations with the United States, suggesting that it is time that both governments name new ambassadors.<sup>iii</sup> Coming on the heels of the turbulent preceding months and Bolivians’ great mistrust of U.S. intentions, especially during the closing days of the Bush presidency, statements of optimism by Morales and others can hardly be interpreted as playing to Morales’ domestic political base, and should be considered genuine. But as Obama assumed the presidency in Washington, and Bolivians prepare to vote on a new constitution, the bilateral relationship remains in limbo. Will the

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<sup>1</sup> For analysis of the Bush administration’s decision to decertify Bolivia, see AIN and WOLA’s submission to the Office of the U.S. Trade Representative, “Decertifying Bolivia: Bush Administration ‘Fails Demonstrably’ to Make its Case,” at [http://www.wola.org/index.php?option=com\\_content&task=viewp&id=797&Itemid=2](http://www.wola.org/index.php?option=com_content&task=viewp&id=797&Itemid=2). The memo argues: “The Bush administration evidently chose to use drug decertification and suspension from ATPDEA in an attempt to punish the Morales government for expelling the U.S. ambassador. In order to justify labeling Bolivia a “demonstrable failure” in drug control, the Administration perpetuated serious inaccuracies and distortions of the record. The next U.S. administration and Congress should not be deceived by the Bush administration’s decision to decertify Bolivia, but be prepared to consider Bolivia’s policies fairly and without prejudice. To be sure, Bolivia faces real drug control challenges, and a respectful bilateral partnership should be in the interests of both countries.”

acrimony that marked relations in the waning days of the Bush administration continue, or will the new Obama administration and the Morales government find ways to renew dialogue and achieve respectful relations, rather than prolonging old stereotypes and inherited resentments?

### **Mixed Signals**

To be sure, the signals from Washington have thus far been mixed. Even as the Bush administration expired, the anger towards Morales in many quarters of Washington remained palpable, especially over the ambassador's September expulsion. In written responses to questions from her January 14 Senate confirmation hearing, Hillary Clinton, now confirmed as President Obama's Secretary of State, referred to "fear-mongering propagated by [Venezuelan President Hugo] Chavez and Evo Morales."<sup>iv</sup> While Clinton's intent in characterizing President Morales as engaging in "fear-mongering" is unclear, the statement does not seem to suggest a readiness to improve relations. Although the new Secretary of State's reply received scant attention in the United States, it was front-page news in Bolivia, and was easily open to interpretation as a deliberate rebuff of the Bolivian government's repeated expressions of readiness to engage the new U.S. administration.

On the other hand, Clinton's testimony was also hailed by Bolivia's Vice Foreign Minister, Hugo Fernandez, as signaling that the Obama administration shared Bolivia's desire for closer relations; v Clinton remarked, for example, that "bilateral cooperation on a range of issues would be in the mutual interest" of both countries.<sup>vi</sup> Moreover, President Obama's own words, while not explicitly directed to Bolivia, could imply a willingness to move beyond the embittered state of affairs that his administration has inherited. In his Inaugural Address, Obama told those watching around the world that "America is a friend of each nation, and every man, woman and child who seeks a future of peace and dignity." Addressing the "people of poor nations," he pledged to "work alongside you to make your farms flourish and clean waters flow, to nourish starved bodies and feed hungry minds." And the new president struck a note of humility regarding the exercise of U.S. power, recalling that earlier U.S. generations "understood that our power cannot protect us, nor does it entitle us to do as we please."

Just days before he assumed office, Obama told the *Washington Post* how he hopes to make his presidency "an example of how people can bridge differences – racial and otherwise."<sup>vii</sup> In his own words, Obama hopes to model "a way of interacting with people who aren't like you and don't agree with you that changes the temper of our politics."<sup>viii</sup> Obama may have had in mind domestic U.S. politics when he spoke these words, but this outlook could shape his approach to international affairs as well.

### **President Morales' November Visit to Washington**

Following Obama's election in November, President Morales paid his first-ever visit to Washington, where he spoke at the Organization of American States (OAS) and made a point of reaching out to key legislators to directly express his views on the ruptured relations with the United States and his interest in mending them. Although Morales evidently did not meet with members of Obama's transition team, he did sit down with members of Congress with a significant role in shaping U.S. foreign policy, including Senators Harry Reid (D-NV), John Kerry (D-MA), Chris Dodd (D-CT) and Richard Lugar (R-IN), as well as Representatives Howard Berman (D-CA) and Eliot Engel (D-NY).

Despite the tensions in relations with the Bush administration, Morales' visit to Washington gave grounds for hope that the situation could improve with Obama's entrance. Especially noteworthy was the pragmatic view expressed by Senator Lugar, the ranking Republican on the Senate Foreign Relations Committee, who hailed Morales' visit as "a positive step toward improving dialogue and understanding

between the two nations.”<sup>ix</sup> Moreover, Senator Lugar’s statement acknowledged and addressed Morales’ grievance, highlighting that: “The United States regrets any perception that it has been disrespectful, insensitive, or engaged in any improper activities that would disregard the legitimacy of the current Bolivian government or its sovereignty. We hope to renew our relationship with Bolivia, and to develop a rapport grounded on respect and sovereignty.”<sup>x</sup>

The face-to-face meetings that Morales experienced with Senator Lugar and other congressional leaders permitted the sort of frank exchanges that can create rapport, laying the basis for more regular dialogue and better mutual understanding. Indeed, after returning to La Paz, Morales wrote to Senator Lugar that, “Our productive encounter a few days ago in Washington, D.C., amply confirmed for me that a renewed and respectful relationship between our peoples and governments is possible.”<sup>xi</sup>

### **Turning Points for Both Countries**

Even as the U.S. general election campaign was reaching its historic conclusion last fall, Bolivian politics entered its own crucial phase, with conflict over constitutional reform becoming violent and threatening to plunge the country into turmoil. After the expulsion of U.S. Ambassador Goldberg, Bolivia’s neighbors (through the efforts of UNASUR, Union of South American Nations), as well as the United Nations and the OAS, helped facilitate a compromise between Bolivian government and opposition political forces on the hotly-debated draft constitution. Once compromise was reached, the Bolivian Congress set a date – this Sunday, January 25 – for a national referendum to approve or reject the draft.

This crucial episode of international support for conflict resolution and compromise points to the possibilities for redefining the U.S. role in Bolivia – and the region – as a team player in multinational efforts. The Bush administration’s punitive attitude toward Bolivia, so apparent in its closing days, underscored the extent to which the U.S. government had fallen out of step with the priorities of the region’s other democracies (such as Brazil and Chile), whose support has helped Bolivia weather tumultuous days. The Obama administration now has the chance to set a new tone.

By negotiating directly with opponents in the Bolivian Congress, the Morales government underscored that political decision-making lies in the hands of the national legislature – not with the opposition leaders, despite their attempts to assume this role. In turn, the Bolivian Congress’ reassertion of its role and responsibilities also helped to neutralize the undue influence of civic, regional and social movement leaders (including the opposition departmental prefects), who had repeatedly overstepped their bounds. Should the new constitution be approved on January 25 – which is considered quite likely – fresh elections would be slated for December 2009. President Morales initially won office with an unprecedented 54 percent of the vote, and was reconfirmed in a referendum last August, balloting a landslide 67 percent. He therefore stands a good chance of winning another term in office (until 2014), meaning that U.S.-Bolivian relations will likely feature the administrations of Presidents Obama and Morales for the next four years.

### **Making the Most of the Opportunity**

U.S.-Bolivian relations could use a fresh start, and doing so appears entirely feasible, with a modicum of flexibility from both governments. President Obama’s election and President Morales’ subsequent November 2008 visit to Washington opened the door to fashioning a new relationship. It is now up to both governments to make the most of this opportunity to begin the sort of respectful, mutually beneficial diplomacy that ought to be possible. Of course, the two governments’ interests and agendas will not always coincide, and real differences will persist and new disputes will arise; but the perpetuation

of the suspicions and antagonism that led to a breakdown in bilateral relations during the Bush administration and is neither desirable nor inevitable.

For their part, Bolivia and the Morales government face enormous challenges, especially in delivering economic development and reducing poverty – challenges that will only be heightened by the current global economic crisis. It is crucial for Bolivia to be able to count on the new Obama administration’s support to tackle these challenges, especially poverty alleviation. At the same time, President Obama and the United States confront tremendous problems at home and abroad. It would make little sense to prolong or let fester inherited problems that can be resolved for the better. Indeed, the new Obama administration and Congress could help repair some of the damage done to the U.S. reputation in Latin America in recent years by taking a flexible, respectful approach toward Bolivia, in cooperation with Bolivia’s neighbor democracies and the international community. The Obama administration would also do well to recognize that Bolivia’s political dynamics, demands for profound reform, and jealous defense of national sovereignty and self-determination have emerged from the country’s own history, and have not been somehow foisted upon it by outside powers against the democratic wishes of the Bolivian people. With this in mind, a positive first step for Washington, already endorsed by Senator Lugar, would be to signal the renewal of Bolivia’s eligibility for the ATPDEA benefits suspended by President Bush.

According to Lugar, “Lifting the suspension on the ATPDEA with Bolivia will strengthen the growing political and economic relationship between our nations and help bring new jobs and good will to the region.”<sup>xii</sup> For its part, the Bolivian government has already expressed its strong interest in improving relations, gestures that can be reinforced by concrete steps to build confidence with the new Obama administration and the Congress. Both the U.S. and Bolivian governments should also prepare to put in place new ambassadors as soon as possible, and to ensure that the new envoys will be attuned and equipped to advance an agenda of mutually respectful and beneficial relations.

**Erin Hatheway, Program Assistant at the Andean Information Network, and Rachel Robb, Program Assistant at the Washington Office on Latin America, contributed to this memo.**

## ENDNOTES

i Patrick Worsnip, “Bolivia’s Morales Seeks Better Ties with Obama,” Reuters, 17 November 2008.

ii EFE, “Morales visits U.S. hoping for better relations with Obama,” 18 November 2008.

iii ABI, “Bolivia aguarda mejorar relaciones con el nuevo Gobierno de Estados Unidos,” 20 January 2009.

iv Senator John Kerry, “Questions for the Record, Nomination of Hillary Rodham Clinton, Department of State, Secretary of State,” January 2009, p. 74,

<http://www.foreignpolicy.com/files/KerryClintonQFRs.pdf>.

v ANF, “Vicecanciller: EEUU tiene política de acercamiento,” 20 January 2009.

vi Senator John Kerry, “Questions for the Record, Nomination of Hillary Rodham Clinton, Department of

## **“Treating Bolivia as a Sovereign Partner”**

By Roger Burbach

*NACLA Report on the Americas* 42:1, Jan/Feb 2009, pages 33-35.

A PROGRESSIVE U.S. POLICY TOWARD BOLIVIA must confront three major thrusts of Washington's current Latin America policy: (1) the war on drugs, which is linked to the global war on terror, (2) the effort to expand U.S. economic and corporate influence through free trade agreements, and (3) a determination to counteract the growing influence of leftist leaders and the social movements that are militating against neoliberalism and the historic U.S. domination of the region.

All three came into play when Evo Morales was inaugurated as Bolivia's president in January 2006 and thereafter pursued anti-neoliberal economic policies, a strengthening of South-South foreign relations, and a more nuanced approach to controlling the illicit drug trade. As Gustavo Guzmán, former Bolivian ambassador to the United States, put it in October: "Morales's victory represented both a defeat of past U.S. policies and a challenge to see if the United States could bend itself to the new realities of Bolivia." Guzmán, who was expelled from Washington by the Bush administration (in retaliation for Morales's expulsion of U.S. Ambassador Philip Goldberg from Bolivia in September), added: "The U.S. embassy is historically used to calling the shots in Bolivia, violating our sovereignty, treating us like a banana republic."<sup>1</sup>

In 2002, when Morales narrowly lost his first bid for the presidency, then U.S. ambassador in La Paz Manuel Rocha openly warned Bolivians to vote against him, saying that "if you elect those who want Bolivia to become a major cocaine exporter again, this will endanger the future of U.S. assistance to Bolivia."<sup>2</sup>

After Morales's inauguration, the Bush administration pursued a two-track policy similar to the strategy the United States employed to overthrow the government of Salvador Allende in Chile in 1973: diplomatic negotiations and destabilization. Washington's negotiations came to center almost exclusively on differences over drug policies, with the United States continually threatening to cut or curtail economic assistance and trade preferential programs if Bolivia did not closely follow the U.S. line.<sup>3</sup>

The destabilization took the form of direct, covert assistance to the opposition movement centered in the Media Luna region, which comprises the country's four eastern departments (states) dominated by agro-industrial interests intent on capturing revenue from the hydrocarbon resources located in their departments. Through Washington's embassy and the Agency for International Development (USAID), the United States funded anti-Morales social movements, along with political forces that opposed Morales himself and his political party, the Movement Toward Socialism (MAS).

As in Chile under Allende, the business elites and allied truckers engaged in "strikes," withholding or refusing to ship produce to the urban markets in the western Andes, where the country's indigenous population is concentrated, while selling commodities on the black market at high prices. The Confederation of Private Businesses of Bolivia called for a national producers' shutdown if the government refused "to change its economic policies."<sup>4</sup>

In August, Morales put his presidency on the line with a recall referendum in which his mandate as well as the mandates of the departmental prefects (state governors) of the Media Luna could be revoked. On August 10, voters went to the polls and Morales won a resounding two thirds of the vote. However, the

insurgent prefects also had their mandates renewed. They proceeded to call for autonomy, moving first to take control of Santa Cruz, the richest department.

The United States became directly involved in orchestrating this revolt of the wealthy. Ambassador Philip Goldberg flew to Santa Cruz on August 25 to meet with Rubén Costas, the prefect of Santa Cruz and the principal leader of the rebellion's prefects and Morales's main antagonist. After Goldberg left, Costas declared himself the "autonomous governor" of the department and ordered the formal takeover of national government offices, including those collecting tax revenues.

Morales cited Goldberg's visit to Costas as the reason for declaring the U.S. ambassador *persona non grata* on September 10. Seven weeks later the U.S. Drug Enforcement Agency was expelled from Bolivia as the government presented evidence of the agency's involvement in supporting the rebellious departmental activities of August and September.

The day after Goldberg was expelled, the prefects' rebellion began to unravel as they overplayed their hand with violent actions. On September 11, in the department of Pando, a paramilitary band with machine guns attacked Indians from the community of El Porvenir near the capital of El Cobija, killing at least 13 people.

The events in El Porvenir precipitated a national mobilization of the indigenous peoples and social movements as well as a sense of outrage in neighboring countries. Chilean president Michelle Bachelet called an emergency meeting in Santiago of the Union of South American Nations (UNASUR) to discuss the Bolivian crisis. The "Declaration of La Moneda," signed by all 12 UNASUR governments, expressed their "full and decided support for the constitutional government of President Evo Morales" and warned that their respective governments "will not recognize any situation that entails an attempt for a civil coup that ruptures the institutional order, or that compromises the territorial integrity of the Republic of Bolivia." UNASUR appointed a commission to go to Bolivia "to accompany the legitimate government of Bolivia" to establish and clarify the facts of the El Porvenir massacre, and to facilitate a dialogue with the opposition to preserve national unity.<sup>5</sup> Morales, who participated in the meeting, thanked UNASUR for its support, declaring: "For the first time in South America's history, the countries of our region are deciding how to resolve our problems without the presence of the United States."

The UNASUR declaration was instrumental in compelling the prefects of the Media Luna to call off their rebellion, accepting the Morales governments call to open a dialogue over the new constitution and the issue of autonomy. But the discussion went nowhere, even though the government agreed to incorporate some limited constitutional amendments around departmental autonomy. The prefects also demanded that all the agrarian-reform clauses in the new constitution be eliminated, but in this case Morales, backed by MAS and the social movements, refused to back down. On October 5, the negotiations collapsed. Morales announced that he would go to Congress to get the date set for the public referendum on the new constitution.

Given this history, a progressive attempt to repair the situation should focus on the following: First, to overcome this hostile Washington environment and the Washington-generated misconceptions of the recent Bolivian events, it would be important for the new U.S. Congress to hold hearings on the role of the U.S. embassy and intelligence agencies in trying to destabilize the Bolivian government. Due to the entrenchment of the national security state under the Bush administration, of course, this will be a difficult task. Therefore, absent hearings by a congressional panel, it would behoove the progressive

nonprofit organizations in Washington concerned with Latin American policy, along with interested academic groups, to come together and sponsor a set of public forums on what happened in Bolivia.

Second, a progressive U.S. policy would need to seriously consider adopting the model of controlling coca production that the Morales government is implementing in Bolivia. The failed U.S. war on drugs, steeped in violence, is destroying the social fabric of several countries - Colombia and Mexico in particular - and has not reduced the flow of cocaine into the United States. Just before Morales's inauguration in 2006, he declared "Yes to Coca, No to Cocaine," making a distinction behind the widespread use of coca leaf as an integral part of indigenous culture, and cocaine, the highly processed drug that is produced from the leaf for illegal export. During his administration, Morales has encouraged and supported local industries that make coca leaves into teas, foods, and health products, while carrying on a campaign to destroy cocaine-processing labs.<sup>5</sup> Agreements have been reached with small-scale growers in the coca regions of Chapare and Yungas that limit coca producers to about one third of an acre per family. These growers have collaborated with the government in eradicating plots that exceed this amount.

This contrasts sharply with the U.S. history of trying to uproot all coca production in Bolivia. From 1998 to 2003, coca growers had access to USAID funding for alternative crops, but only after the complete eradication of their coca crop. As a result families with no other income went hungry before the new crops were funded and harvested, compelling many to replant coca.<sup>6</sup>

USAID refused to work directly with the coca growers union in the Chapare region, then headed by Morales. They instead formed parallel associations and demanded that farmers leave the unions. Community promoters were goaded into becoming informers, generating deep divisions and conflict, as the U. S. -funded special military units to carry out raids to uproot coca plants.<sup>7</sup>

The new administration needs to reverse course on the drug policies of the Bush administration. It must see to it that the United States no longer condition assistance by USAID on the prior eradication of coca plants. Efforts to curtail coca growing need to be done in cooperation with the coca farmers to prevent violence and human rights violations. More importantly, the war on drugs should not be used to penalize the Bolivian government because of its political differences with Washington. The new U.S. administration needs to emphasize incentives and partnerships rather than sanctions. Above all, a progressive U.S. policy regime should simply recognize the outcomes of democratic elections.

The scene outside Santiago, Chile's La Moneda in September, as an emergency meeting of UNASUR took place to discuss the Bolivian crisis. The "Declaration of La Moneda," signed by all 12 UNASUR governments, expressed their "full and decided support for the constitutional government of President Evo Morales."

Colombia Support Network

# Bolivia: Social Movements, Populism, and Democracy

Brooke Larson, Raúl Madrid, René Antonio Mayorga, and Jessica Varat

## INTRODUCTION

by Jessica Varat

Since Evo Morales' inauguration as president of Bolivia in January 2006, sharp debates have erupted within the country and abroad regarding the role in politics of the country's social movements; the revival of populist forms of governance and their compatibility with the institutions of liberal democracy; the resurgence of resource nationalism, this time in the natural gas sector; and Bolivia's foreign relations, particularly the country's relationship with Venezuela. This publication offers multiple perspectives on political conflict in the country and its implication for Bolivian democracy. The contributors, drawn from multiple disciplines, reflect the stark divisions that have emerged during Morales's first two years in office. Nonetheless, certain areas of convergence emerge: namely, that the current administration has had great difficulty effectively governing an increasingly fragmented and volatile political situation in the country.

The Morales administration has presided over a period of growing polarization in Bolivia against a backdrop of racial and economic inequality that has haunted the country for centuries. Morales' supporters have united around the convening of a Constituent Assembly to rewrite the country's constitution; indeed, the first measure of the *Movimiento al Socialismo* (MAS)-led government upon taking office was to fulfill a pre-election promise by convening the Assembly. Many participants were to represent sectors of the population that had previously been excluded from the process of post-author-

itarian institution-building in Bolivia, principally indigenous peasants and workers. MAS supporters viewed the assembly as a revolutionary foundational moment for Bolivia, which offered the chance to take up such long-standing issues as land reform, the nationalization of the hydrocarbons sector, and the implementation of a regional governance structure composed of indigenous autonomies. However, the MAS has not commanded the majority it needed to pass articles which would institutionalize these sweeping reforms; in the meantime, various social groups within the MAS have pressured the government to quickly carry out its original mandate.

Representatives of the MAS and of the opposition parties in the assembly negotiated how new articles, and the constitution itself, would be approved. Attempts were made outside of the Constituent Assembly to broker agreements on the most conflictive issues, including regional and departmental autonomies. Yet these efforts were overwhelmed by a fiery national debate over whether the political capital of the country, La Paz, should be transferred to the judicial capital, Sucre. Tensions came to a head in November of 2007, when members of the Constituent Assembly approved the MAS-backed constitution in the absence of almost all opposition delegates, many of whom had not been present in the Oruro meeting where debates were taking place.<sup>1</sup>

While the constitution holds no legal weight until it is submitted to national referendum, the actions of the MAS enraged opposition forces which

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include both members of the political party PODEMOS, and political and civic leaders from the country's *media luna* region.<sup>2</sup> The backlash came in the form of a statute of autonomy proposed by the department of Santa Cruz; voters there approved the referendum on May 4, 2008, followed a few weeks later by similar votes in the provinces of Beni and Pando. The MAS-led government declared the autonomy votes illegal but now finds itself in a tenuous position: on August 10th, Bolivians will return to the ballot box to vote on whether or not to recall President Morales, Vice-President Álvaro García-Linera, and the nine departmental prefects from office. In order to maintain their current posts, the officials must win with the same percentage of votes—with at least the same voter turnout as in the 2005 elections—that originally brought them to office.<sup>3</sup>

In the meantime, violent manifestations of ethnic, social, and political tensions have become even more frequent. Recent instances of race-based violence against indigenous members of the MAS and continued street clashes between supporters and opponents of the government have raised questions about the country's long-term stability, the viability of the Morales government, and the future of democratic governance.<sup>4</sup>

The authors of this publication reflect on the circumstances which have brought Bolivia to this point. *Raúl Madrid* of the University of Texas-Austin examines the 2005 election of Evo Morales through the lens of ethnic politics and discusses the ways these elections signified a rupture from past electoral processes. *René Antonio Mayorga*, Centro Boliviano de Estudios Multidisciplinarios (CEBEM), examines the populist dilemmas facing the MAS as it confronts its dual identity as both a social movement and political party at the

head of a government. Finally, *Brooke Larson* of the State University of New York, Stony Brook, charts the historical participation of indigenous groups in Bolivian politics and society and questions to what degree the current administration will be able to address the inequalities that plague the country.

## The Indigenous Movement and Democracy in Bolivia

*Raúl Madrid*  
University of Texas-Austin

The emergence of indigenous parties in the Andes, particularly the *Movimiento al Socialismo* (MAS) in Bolivia, has had a mixed impact on democracy. Latin America has not traditionally had major ethnic parties. This phenomenon changed with the rise of the MAS in Bolivia, and the emergence of *Pachakutic* in Ecuador. Existing literature suggests that the development of ethnic parties would have a negative impact on democracy, primarily because they would focus exclusively on mobilizing members of their own ethnic group. The assumption is that the party cannot win votes from members of other ethnic groups, therefore they mobilize their own ethnic group through exclusionary appeals and by demonizing other groups.

This is not going to take place in Latin America; the fluidity of ethnic boundaries in the region makes it much more feasible for these ethno-populist parties to win votes from members of diverse ethnic groups. In fact, most people in Bolivia will identify both as indigenous and *mestizo*, depending on the circumstances. While it has not led to exclusionary ethnic politics, the rise of MAS

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The Latin American Program's Project on Democratic Governance and the 'New Left' in Latin America explores political trends and policy outcomes in eight countries: Argentina, Bolivia, Brazil, Chile, Ecuador, Nicaragua, Uruguay, and Venezuela. The Project aims to understand how or why left governments have come to power at this moment in the region's history, and to assess the implications for democratic governance of specific public policies in such areas as social welfare, political inclusion, citizen participation, accountability, and human rights.

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*Support for the MAS may prove more stable than for other parties because of its foundation of identity-based ties, which do not change from election to election.*

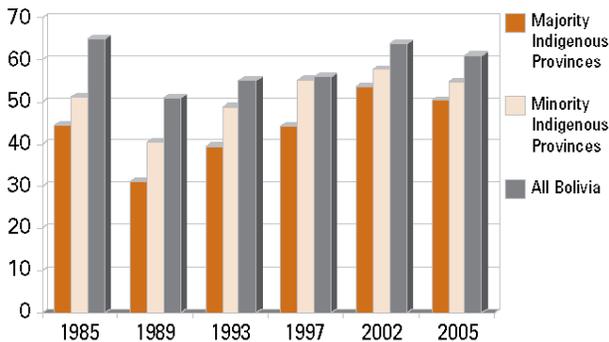
has impacted several facets of Bolivian democracy: political participation, party system fragmentation, electoral volatility, satisfaction with democracy, and democratic governance.

**Voter Turnout**

Voter turnout in Bolivia after the transition to democracy, as in most Latin American countries, started out quite high. People were excited about the return to democracy, but shortly thereafter, turnout began to fall. Throughout this process, turnout was consistently lower in areas with an indigenous majority than other areas. However, the emergence of the MAS—beginning in 2002—boosted voter turnout, measured as a percentage of the voting age population. Moreover, voter turnout in indigenous areas has risen faster than in other areas. Turnout in minority indigenous provinces continues to be higher than majority indigenous provinces, but the gap between the two has narrowed.

A variety of factors contributed to the increase in turnout. The MAS lobbied for more voting centers and pushed to make registration easier. More importantly, it campaigned heavily in indigenous areas. Unlike the traditionally dominant parties in Bolivia, which did not recruit many indigenous candidates or only recruited them for minor posts, the MAS recruited many indigenous candidates. The MAS embraced indigenous issues and groups that had close ties with indigenous organizations.

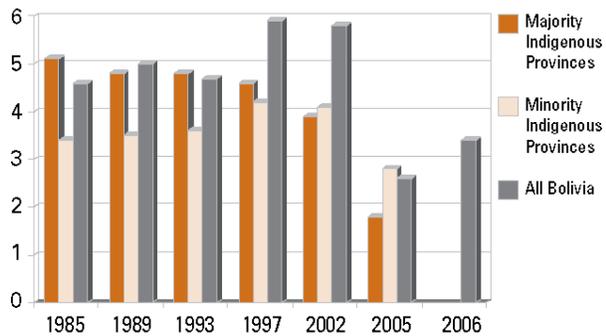
**Voter Turnout in Bolivia:**  
(as a % of voting age population)



**Party System Fragmentation**

The degree of party system fragmentation in Bolivia has traditionally been one of the highest in Latin America. This makes it difficult for the president to garner support from the range of different parties needed to pass legislation. As a result, the tradition of “pacted democracy” emerged in Bolivia, in which pacts were formed between different political parties to facilitate the political process.

**Effective Number of Parties in Bolivian Elections, 1985–2006**



Before the rise of the MAS, party system fragmentation was particularly prevalent in Bolivia’s indigenous areas, as these groups tended to split their vote much more widely than those from other ethnic groups. The rise of the MAS has helped reduce party system fragmentation in general and has had a significant impact in indigenous areas. This is, in large part, because indigenous voters flock to the MAS, concentrating their votes rather than disbursing them to other parties. At the same time, opponents of the MAS in non-indigenous areas coalesced around PODEMOS. In both non-indigenous and indigenous areas, there has been a decline in party system fragmentation in recent years. In the majority of indigenous provinces, party system fragmentation dropped under two effective parties.

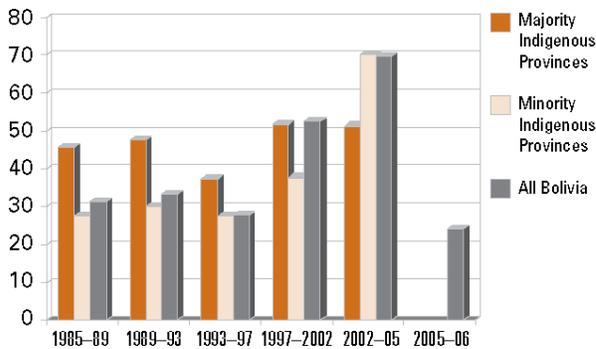
**Electoral Volatility**

Electoral volatility in Bolivia has also traditionally been high, especially in indigenous areas, posing a problem to effective governance. When parties are constantly changing, it becomes difficult to maintain and implement long-term plans and develop expertise. The rise of the MAS initially worsened volatility, particularly in indigenous areas, because many voters flocked to the MAS from a variety of other parties.

Recently, this volatility has begun to decline. Between the 2005 and 2006 elections it was low because voters—particularly indigenous and *mestizo* voters—stood with



### Electoral Volatility in Bolivia

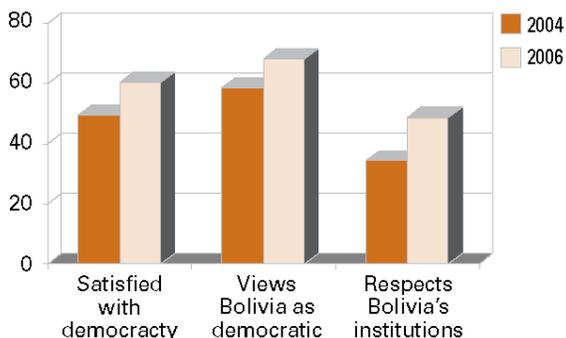


the MAS. Support for the MAS may prove more stable than for other parties because of its foundation of identity-based ties, which do not change from election to election. Voting patterns established on the basis of ethnic identity are likely to be more stable than those that rest on economic performance, which tends to fluctuate.

### Satisfaction with Democracy

Bolivia has also traditionally had very low levels of satisfaction with democracy. This problem is common throughout the Andes. Citizens are dissatisfied with how democracy functions in their countries. However, according to the Latin American Public Opinion Project of Vanderbilt University, in the wake of Morales's elections satisfaction with democracy in Bolivia increased, particularly among the indigenous population. The Latinobarometer also suggests that satisfaction with democracy has increased in Bolivia over the years. Support for Bolivian institutions, namely political institutions, also rose sharply between 2004 and 2006. In addition, a larger percentage of Bolivians now view the country as being democratic. This is in large part due to the rise of Evo Morales. A large sector of the population—which was previously disenchanted and believed traditional parties were corrupt, did not represent them, and did not cater to their interests and needs—is more satisfied with Evo Morales and

### Satisfaction with Democracy in Bolivia



the MAS. Now, it remains to be seen whether that will continue in the future; the Andean electorate is notoriously fickle in this sense.

### Democratic Governance

Democratic governance in Bolivia paints a mixed picture. On the positive side, the MAS has expanded the influence of marginalized groups, as the indigenous population in Bolivia traditionally did not have much political influence. They began to reverse this trend through their social movement, utilizing demonstrations, mobilizations, and road blockages to exercise power. However, the indigenous populations did not have power in the legislature or the executive branch of government prior to the rise of the MAS.

Currently, the MAS is the dominant party in Bolivia. The social movements that represent the indigenous population, to one degree or another, also have a great deal of power. It is a positive development that these long unrepresented groups now have influence.

The MAS has, by and large, respected civil liberties and human rights. They have not infringed on freedom of expression to a large degree; in fact, many newspapers are extremely critical of the MAS. Though Evo Morales criticizes the media, he has not imposed on their ability to express themselves. In 2006, the U.S. State Department country report on human rights was critical of Bolivia in some aspects, but confirmed that there were no political killings. While there are problems with the police in Bolivia, these problems do not appear to be of a political nature.<sup>5</sup>

Under MAS rule, the government held certified free and fair elections in 2006 for the Constituent Assembly. The MAS has shown a great deal of moderation in social and economic policy, though its rhetoric is at times quite polarizing. In fact, the nationalization of the gas industry was not really a nationalization, but a moderate reform to try to increase tax revenue by raising the prices that foreign countries were paying for Bolivian gas. So far, the land reform initiatives put forth by the MAS have not amounted to much.

On the negative side, however, the MAS has at times employed very aggressive rhetoric. For example, Vice-President García Linera traveled to the Aymara highlands and told the local population to “keep their rifles ready to defend the revolution.” Additionally, Morales has been quite aggressive in denouncing the media. Even more troubling, Morales has sought to consolidate powers in ways that have authoritarian overtones. There has been a campaign to rid the government of some of the opposition prefects that have been very critical of Morales.<sup>6</sup> Morales also dramatically decreased the salaries of government officials by cutting his own salary and maintaining that no one could earn more than the president. Many speculated this measure was aimed at

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motivating resignations, which would allow Morales to appoint new officials.

There have been a variety of efforts to take the opposition out of the running. The country's former president, Gonzalo Sánchez de Lozada, has been charged with various crimes. Morales has also encouraged street protests to put pressure on the opposition, members of the legislature, and the Constituent Assembly. This has been viewed by many as a negative development. In general, there has been an increase in regional polarization in Bolivia, and ethnic polarization has been less of an issue. Instead, polarization has taken on a regional character, occurring between the lowland provinces in the east and the highland provinces in the west.

In conclusion, the MAS has had a mixed impact on Bolivian democracy thus far. It has boosted participation and satisfaction with democracy and helped consolidate and stabilize the party system. However, it has also demonstrated some troubling authoritarian tendencies and contributed to the increasing polarization of Bolivian society.

### **Populism in Bolivia: Can a Social Movement Govern without a Party?**

*René Antonio Mayorga*  
*Centro Boliviano de Estudios Multidisciplinarios*

Bolivia is one of the most remarkable cases of populist resurgence in the Andean region. What is most striking is that this revival did not take place under the umbrella of outsiders, as in Ecuador, but rather was led by an indigenous peasant movement. The dual nature of the *Movimiento al Socialismo* (MAS) and its confrontational approach, rooted in social movements, has aggravated the primary roots of the political crisis in Bolivia: polarization and the regional stalemate. These factors were not only

the sources of President Evo Morales' rise to power, but also continue to define the current political situation.

As a political movement, the MAS has been able to gain power through a dual strategy of mobilization and participation in democratic elections. In the context of the prevailing populist tendencies in the region, the present Bolivian government constitutes a kind of laboratory, posing diverse puzzles about the nature of the relationship between social movements and political parties, and particularly, about the conflicts that arise when a successful social movement turns into a governing political movement.

The first objective of this paper is to examine the idea that the MAS is marked by a duality, as a political party and a social movement, and that this duality stands out vis-à-vis previous populist experiences. The second objective is to explore some of the consequences of this duality for MAS government formation and some of the policies it carried out in its first year in office. In this regard, there is no comparative historical experience, either in Bolivia or elsewhere. The core question is whether government by a social movement is feasible at all.

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*The MAS's mutation into a governing party has, in fact, triggered an unintentional process of differentiation between the social movement, its social base, and the party organization.*

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The MAS is, on the one hand, a loose and heterogeneous coalition of mainly indigenous organizations. Given its anti-apartheid rhetoric and the assumption that the MAS is an entity of self-representation for each of these social organizations, the MAS leadership is reluctant to build a political party. On the other hand, the MAS has unwittingly turned into an organization responsible for building a government, and therefore, for ruling the country.

Does this process entail, necessarily, the political movement's transformation into political party? Will the MAS develop a well differentiated political organization which is autonomous from its social base like the *Partido dos Trabalhadores* (PT) in Brazil? Are the union leaders, above all Evo Morales himself, reshaping their roles into those of party leaders? The MAS's mutation into a governing party has, in fact, triggered an unintentional process of differentiation between the social movement, its social base, and the party organization. Moreover, this process is reversing the organization's bottom-up grass roots mobilization, resulting in a top-down relationship between the MAS and the social organizations with which it aligns.



Thus, it is appropriate to examine the internal duality of the MAS. The MAS itself rejects this duality and understands itself basically as a social movement. This is the reason for the triple role of Evo Morales as president, party chief, and secretary general of the Chapare coca peasant unions, and why his style of governance as president has strongly resembled that of a union leader. Given the assumed symbioses of social movement and party, there is supposedly no pattern of subordination of the MAS as a party to its social base, nor is there any pattern of autonomy of the MAS vis-à-vis a social base.

The MAS claims that its government is a government by social movements, a new type of government in which a predominately indigenous social movement is represented politically through the MAS, and thereby directly gains control of the state apparatus. Its main spokesperson, Vice-President Álvaro García Linera, enthusiastically argues that the MAS government reflects not only a historically new pattern of relationships between state and society, but also an enhanced form of direct participatory democracy.

In fact, this supposedly new pattern constitutes a stark utopian claim which incorporates social movements into the state apparatus and erases the boundaries between state and civil society. In an article in which he upholds the total, unified identity of party, state, and indigenous social movement, García Linera extols the political figure of Evo Morales by defining the MAS as all-encompassing. He boasts that the MAS has not only overcome a century long Marxist debate on the role of partisan unions, but also is a unique historical project with continental and even worldwide scope and implications.

This notion is too romantic to be true; currently, the ideological self-image of the MAS and political reality are clashing in Bolivia. The MAS governing party is undergoing a differentiation between social movement and party, and even between party and government. At the root of this process is the pressure to perform inherent in the exercise of government power, which prompts an inchoate and unintentional party-building process, straining the MAS self-identity as a confederation of social movements. Party logic and social movement logic tend to diverge, and clear trends towards unintentional party formation are becoming apparent.

First, power has become extremely concentrated in the leadership of Evo Morales and a small group of his close associates. This centralization entails a reversal of the original linkages between Morales and the social organizations and the emergence of a new, top-down arrangement. Second, an authoritarian and hierarchical relationship has emerged between the leadership and MAS representatives in Congress, as well as the rank and file. This reflects its roots in the non-democratic practices of the unions. Given its confused collectivist and leftist ideology, the MAS is increasingly evolving as a non-

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democratic party, grounded in the central figure of Evo Morales, hailed by his followers as the light of the continent and the harbinger of a new era.

Third, government formation is moving into a clear-cut detachment process. Most ministers and vice ministers holding key positions in Morales's two cabinets are far from indigenous peasant union leaders. They have urban, middle-class origins, and most have non-governmental organization backgrounds and joined the MAS at the beginning of the campaign or during the government building. Given the lack of competence and experience present in the ranks of the MAS, collaboration between the MAS and NGOs seems justified.

Conversely, there is only moderate, low-key participation of union leaders and party members, and only at lower levels of government. This represents a shift from direct participation of popular organization leaders to the delegation of government responsibilities to professional party officials and cadres, under the unquestionable leadership of Morales. This shift is fraught with strains and contradictions that could undermine the MAS and its government. In summary, the MAS is undergoing an uneven process in which former union leaders and individuals alien to the MAS are turned into party leaders and government officials, distinguishing themselves from the MAS representatives in Congress who are union leaders and members of the rank and file of the social organizations which support the MAS.

In a way, having become a state actor, the MAS has turned out to be a party in denial, which governs on behalf of the indigenous movement. It is also an ethno-leftist populist movement, whose main ideological and political characteristic is the belief in communitarian democracy, taking the traditional *ayllu* model as a model for the reform of the state. However, indigenous culture does not in fact reject institutions of representative democracy and does not promote the centralization of power in the head executive while local power is atomized at the grass roots.

It must be taken into account that political radicalism does not necessarily translate into economic populism, at least in the traditional way. Interestingly, the Morales government, until now, has been characterized by political radicalism, but moderation in economic policies. Morales has been very careful to preserve the fiscal balance of the state. He has not engaged in populist overspending or expenses. For example, he has committed to preserving the windfall revenues from gas exports for future domestic programs. It is important to note, however, that these windfalls came at a cost. Morales' nationalization of gas resources dramatically changed the role of the state in the economy and significantly increased state revenues, up 57 percent in 2006 from the year before. The way he handled the process caused tensions with Brazil, the main investor for the Bolivian gas industry. The Brazilian state firm Petrobras has repeatedly declared that it will not continue to invest in Bolivia because of the rules Morales is trying to impose.

On the other hand, the MAS is politically populist because it is trying to establish a political regime based on a personalistic leader (Morales). The tendency towards personalization of power erodes the democratic regime and the state, deepening the vicious cycle and engendering populism. These features are characteristic of conservative populism, and therefore do not allow the MAS to be convincingly presented as a modern leftist populist movement or modern leftist movement, let alone as a social democratic political movement.

The notion of left politics, in fact the very idea of a democratic left, involves a forward looking perspective towards the continued struggle to expand citizenship, strengthen democratic rule, promote the separation of state powers, engage in institution building, and support modernity. But the thrust of indigenous inclusion and its democratizing effects, the advancement and struggle for recognition and equal dignity, and the goal of a tolerant, multicultural society is about to fade under this brand of ethnic fundamentalism. The acrimonious rhetoric in the name of restoring ancient indigenous cultural identities underlines MAS' efforts to turn the tables and change government policies along those same lines.

The government's political decisions and policies so far demonstrate that the MAS has not changed its pre-

dominantly confrontational approach, which is grounded in its roots as a social movement. As a governing party, the MAS behaves like a social movement and employs anti-institutional confrontational strategies. The MAS has, for example, transformed its social organizations into instruments of violent mobilizations, and even into *de facto* troops for political coercion, intimidation, and to deter the opposition. They were used for these purposes in Santa Cruz in December of 2005 and particularly during the violent mobilization against Cochabamba's governor in January of 2007. This strategy to overthrow a democratically elected governor was well received by the MAS-led Constituent Assembly in 2007, although the party had to distance itself from it two weeks later when the violent offensive failed.

The predominantly confrontational logic of the MAS has permanently mobilized the peasants against the opposition. Additionally, the presence of corporatist interests in government has resulted in severe tensions and contradictory policies. This is exemplified by a violent miners clash in November of 2006, in which a conflict between independent cooperative miners and state-employed miners resulted in the death of 26 people. The government promised concessions to various groups before its formation, including the miners. In the case of an increase in mining taxes, Morales was forced to acquiesce to the cooperatives, who opposed the increase.

The MAS has also brought ethnically based, divisive, and inflammatory discourse to bear on relations with the eastern part of the country, as well as the opposition in Congress and the Constituent Assembly. The MAS tried to impose a majority vote in the Constituent Assembly without success, proclaiming the originary and pleni-potentiary corrective of Constituent Assembly, thereby breaching the constitution and the law with which Morales, himself, convened the Constituent Assembly. The MAS disregarded the autonomy referendum results and other decisions made in the assemblies of the so-called "half moon," the half of the country which opposes Morales.

One issue that has emerged in the Constituent Assembly as particularly divisive for Bolivia is land reform. The soil in the western highlands is exhausted, making land reform a necessary project. The only way for the labor force which resides in the western highlands to find new lands is to look east. The problem is that Evo Morales wants to align a land reform in the east by establishing collective properties along the structures of ancient indigenous communities. The MAS's plan is very clear: to foster an economy based on solidarity, reciprocity, and the institutions of the ancient community.

Morales' proposition to reconstruct the economy along the lines of ancient organizations is problematic, and ultimately unfeasible. It calls for an anti-capitalistic road whereas the lowlands are dominated by capitalistic



modes of production. If Morales wants to push this strategy, it will lead to violence. That is the key issue behind the demands for autonomy coming from the eastern lowlands, and behind the MAS plan in the Constituent Assembly to revitalize indigenous communities.

Finally, the government has no policy to strengthen state bureaucracy and efficiency, due to of the presence of corporatist interests in the government and the predominance of patronage in the MAS government. Evo Morales has not been able to carry out a policy of strengthening state management and state efficiency, which runs counter to his goal of enhancing the state's role through the nationalization of natural resources. There has been a great instability in state management, above all in the state oil company, which deposed its president four times in one year. There is no stability, nor any competent personnel, in the most important state company in the country.

When a competitive political party system exists, it can curb authoritarian tendencies in a governing party, and to a certain extent, Bolivia's political system is competitive. Morales's triumph by an absolute majority did not ensure control over all mechanisms of power. He does not control the constitutional tribunal or the congress, where the opposition leads the Senate. He does not have an overwhelming majority and does not control six out of the nine governorships. A journalist recently described him as a mini-Chávez. In a way, this is true; although he would like to control the state, he may be prevented from doing so because of the opposition he faces in certain state institutions.

Evo Morales's political plan to implement state reform through a Constituent Assembly in order to institutionalize indigenous hegemony and make it possible for him to stay in power permanently has failed in the face of the challenge presented by the eastern lowlands, and by the six opposition governors. As the conflict continues the future of his democratic and cultural revolution, which until now has been neither democratic nor cultural, looks bleaker than ever.

## **Bolivia: Social Movements, Populism, and Democracy**

*Brooke Larson*

*State University of New York–Stony Brook*

The purpose of this paper is to bring an historical perspective to contemporary indigenous movements on the national political stage in Bolivia. Scholarly literature on contemporary indigenous movements is a new growth industry. There is an abundance of sociological and political science studies on social movements and the challenges they pose to citizenship regimes and democracy in the region. Scholars like Donna Van Cott, Deborah Yashar, Xavier Albó, and others have focused on Indian

Rights Movements in Colombia, Ecuador, and especially Bolivia.<sup>7</sup> Meanwhile, historians have been engaged in uncovering the long underground processes through which modernizing nation states have tried (and mostly failed) to integrate marginal native peoples into oligarchic and populist states over much of the 20th century.

Yet there is a curious disconnect between these scholarly bodies of literature. Political scientists and sociologists interested in contemporary social movements sometimes seem to think that Indian Rights Movements sprang out of the air, as indigenous peoples suddenly transformed themselves into political actors and subjects under a new host of circumstances in the 1980s and 1990s. Historians, on the other hand, know that indigenous peasants have been actively engaging their wider political worlds for most of the colonial and postcolonial periods. But historians generally fail to link up their long-term historical studies to contemporary indigenous movements on the scene today.

This paper attempts to bridge that gap by offering historical ways to think about contemporary indigenous movements (the resurgence of ethnic politics) in the Bolivian Andes, especially in light of the 2005 election of Evo Morales. The events that have taken place since 2000 mark a critical juncture—that is, a rupture and turning point in Bolivia's sociopolitical history of nation making.

A brief review of the insurgent cycle of events begins with the Water Wars in 1999 and 2000; which escalated into a series of popular mobilizations in 2003. As a result, road blocks and military retaliations shut down the cities—and virtually the whole country—during “Red October,” 2003, and then led to the fall of President Gonzalo Sánchez de Lozada. The insurgent cycle finally culminated—not in street mobilizations or revolution—but rather in the constitutional resolution of conflict and change, with the landslide election of Evo Morales, the country's first indigenous president. As the leader of the MAS, he soared to political prominence on the wing of a popular coalition of forces and growing political aspirations for a broader, deeper kind of democracy that would finally bring the nation's indigenous majority into the center of political life. And he was elected in December, 2005, with an unprecedented 54% of the vote.

From an historical perspective, it is much too soon to offer a calibrated assessment of the political achievements and/or short-comings of the Morales regime. Of course, there have been some glaring errors of judgments, failures of policy, and excesses that can be chalked up to inexperience or power grabs. The new government's problems were compounded by the powerful coalition of opposition forces, based in Santa Cruz. And there is, of course, the perennial worry about whether the MAS is consolidating itself as a hegemonic party (taking over the MNR's historic one-party dominance after 1952).

On the other hand, the year 2006 closed with “strongly positive economic indicators” at the same time Morales was redefining Bolivia’s position vis-à-vis the global economy.<sup>8</sup> Clearly, Evo Morales has positioned himself at the forefront of anti-globalization forces—reversing twenty-years of market-crazed economic policies pressed on the country from abroad. Growing coca leaves is not the central issue, here, except on a symbolic level. But recovering national control over gas and oil, privatized away at bargain prices in the 1990s is the main issue. Yet there is a deep sense of pragmatism that runs through Morales’s rejection of market fundamentalism. As one political commentator observed, Evo may talk like a revolutionary populist, but the much vaunted “nationalization” of Bolivia’s natural gas reserves really amounted to a massive hike in royalties and taxes paid into Bolivia’s government coffers by Petrobras and other foreign energy companies.

On the international front, Evo’s relationship with Chávez and Castro has brought Bolivia much needed economic and technical assistance (cheap diesel fuel, energy industry technicians, etc. from Venezuela, and a cadre of literacy workers and doctors from Cuba), but Evo Morales has resisted the tutelage of Chávez or Castro. (In fact, the “lesson” he took away from his visit to Fidel Castro in early 2006 was to avoid any head-long rush into revolutionary rhetoric and actions, and instead to concentrate on the slow institutional work of reforming health care and education in Bolivia).<sup>9</sup> In the meantime, Bolivia has widened its circle of economic and political alliances, cultivating relations with Brazil and Argentina, and it is looking to negotiate future commercial agreements with India, China, and South Africa.

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**Clearly, Evo Morales has positioned himself at the forefront of anti-globalization forces—reversing twenty-years of market-crazed economic policies pressed on the country from abroad.**

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Ultimately, however, the legitimacy of this government rests with the MAS’ broadest and most volatile constituency—the nation’s indigenous underclass, which makes up almost two-thirds of nation’s population (and which correlates, almost exactly, with that two-thirds of the nation’s total population that lives below the poverty level. And indeed, according to a 2002 UN report, 66.9% of the nation’s rural indigenous population falls into its category of “extreme poverty”).<sup>10</sup> The fate of Evo’s legitimacy (and, indeed, Bolivia’s citizenship democracy) rests on the fragile hope that Bolivia’s windfall tax revenues will go a long way towards solving Bolivia’s intractable social

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problems—poverty, unemployment, illiteracy, ill health and high infant mortality rates, social marginalization, racial discrimination, political disenfranchisement, etc.

To put it more broadly, the social basis of Bolivian democracy lies at the grassroots—in the ability of the MAS to refashion Bolivian democracy around the ideals of social and economic justice. This is hardly an innovative platform, since Bolivia’s post 1952 revolutionary-nationalist regime was at the forefront of Latin American populist regimes that began to broaden the notion of citizenship rights to include social rights to basic economic livelihood and security. Clearly, the Morales regime is not planning to turn back the nation’s clock to the MNR era. But the political legacy of that era was to mobilize and instruct indigenous and laboring groups as to their “social rights” to livelihood, universal literacy and education, healthcare, and participatory unionization and democracy. Generations of Bolivian peasants, miners, urban laborers, union members, rural teachers, popular housewives committees, etc. were nurtured in a local political culture that defined citizenship rights, not only in classical liberal political terms, but as constitutive ‘social rights’ (along the lines defined by T. H. Marshall)<sup>11</sup> to basic life needs—land or livelihood, literacy and schooling, healthcare, and the forms of collective self-representation.

The movement towards broader and deeper citizenship rights as ‘social rights,’ which had substantially raised popular political expectations, came to an abrupt halt in 1964. The military overthrew the MNR government that year and ruled for the next 18 years. It was only in the early 1980s, that Bolivia restored civilian rule



under electoral democracy. The restoration of civilian rule in 1982 (part of Latin America's "third wave democracy") restored basic civil and political rights, but I would argue that Bolivia's neo-liberal policies over the past two decades have eroded even the most limited social rights, as successive Bolivian governments have cut back on government subsidies to food, agriculture, and social programs, dismantled state-owned mines and privatized other enterprises, and introduced the painful 'structural adjustments' aimed at limiting inflation and opening up the Bolivian economy to foreign investment and trade. Neo-liberal policies did make a positive impact in some areas: they tamed inflation and attracted foreign investment capital. But they also ended the government's role as economic actor and provider of basic public services.<sup>12</sup>

Most scholars agree that neo-liberalism "has generated pervasive market failures, new forms of social polarization, and a dramatic intensification of uneven development at all spatial scales."<sup>13</sup> To take but one human example of the price neo-liberalism exacted on Bolivia's laboring class: the government's decision to sack 12,000 mine workers in the process of divesting the state-owned tin mines in the mid-1980s. (Morales's family was caught in that vice-grip, and followed the tracks of thousands of displaced workers of newly de-nationalized mines, who fled east into the valleys and lowlands in search of an alternative farming livelihood. Chapare's coca fields became one destination of choice.) Meanwhile, as government revenues dropped, state subsidies of agriculture, education, and health suffered drastic cuts. For all intents and purposes, neo-liberalism's "trickle down" agenda went into reverse, by redistributing income upwards, towards the top of Bolivia's rigid and steep class hierarchy. (Proverbial "rich got richer"...etc.) Bolivia thus entered the 1990s burdened by a grotesque pseudo-democracy that had all but forsaken the nation's revolutionary-populist heritage of 'social rights.' Inevitably, perhaps, it is Evo Morales and his movement, the MAS, that now carry the mantle of recovering and revitalizing the idea of 'social citizenship' rights that was, and continues to be what shapes popular political expectations and social mobilizations.

Of course, there is no going back to the revolutionary-populist pact of 1952. Those days are long gone. Not only has the nation, and the global economy, changed in fundamental ways over the past half-century, but Bolivia's popular political landscape has also shifted rather dramatically—just in the past 25 years or so, with the onset of powerful indigenous social movements in both the highlands and, more recently, in parts of the vast eastern lowlands. The late 1970s and 1980s saw the emergence of a new set of social actors in Bolivia: a variety of indigenous activists and their constituencies who have broadened and deepened the older (T.H. Marshall) idea of "social rights" to encompass communal or patrimonial rights to indigenous traditions, identities, and territoriality. This is not to argue

that Bolivian indigenous politics suddenly sprang out of the mountains and jungles, beginning around 1980. On the contrary, indigenous activism and resistance have been woven into the fabric of social life since colonial times. In fact, recurring historical cycles of indigenous mobilization and ethnic militancy can be traced throughout the 19th and 20th centuries. But it is equally true that ethnic politics were temporarily buried and forgotten during and after the 1952 nationalist-populist revolution, only to spring back into political action in the 1980s and 1990s.

What were the historical conditions that gave rise to Bolivia's contemporary indigenous movement—which is, arguably, now one of the most powerful Indian Rights Movement in the Americas? Without delving into details, I would point to the paradoxes of neo-liberalism and re-democratization in Bolivia during the 1980s and 1990s. Bolivia presents a classic case of neo-liberalism's very mixed blessings. On the one hand, free-trade capitalism and neo-liberal reforms inflicted economic hardship, as we have seen. On the other hand, re-democratization was a hard-fought political process that opened political and discursive spaces for new groups to bubble up from below, and stake their claims in the nation's political system. In the 1980s, the *Katarista* indigenous movement (and its union, CSUTCB) emerged as important venues in which Aymara and Quechua laborers and peasants began to press their demands for certain social and cultural rights. A vibrant urban group of Aymara intellectuals began to assert their rights and identities as the descendants of Bolivia's "originary communities." They had a crucial impact on reshaping historical narratives and social memories, and on popularizing indigenous oral history through Aymara-language radio programs, bilingual books, and street-theater. In the 1990s, those grassroots pressures for inclusion began to trickle up and seep into the normative institutions of Bolivian society. It was during Gonzalo Sánchez de Lozada's first administration, in the mid-1990s, that the Bolivian state began to institutionalize the idea that Bolivia was, historically and still today, a "pluri-ethnic and multicultural" nation. Some of this official 'pluri-multi' posturing was simply political theater, or worse, window-dressing for what was, otherwise, a cruel neo-liberal regime bearing down on the most vulnerable sectors of Bolivian society. But there were also important substantive political reforms coming out of the *Ley de Participación Popular* (LPP), for example, which ended up catapulting some indigenous leaders into municipal and later congressional positions of power. Thus, did Bolivia's indigenous movement become broader, more diversified, and more deeply rooted in the political system during the 1990s.<sup>14</sup>

Another development that boosted and broadened Bolivia's indigenous movement in the 1980s and 1990s was the emergence of multiple, lowland tribal groups

onto the national political stage. The shocking clash between global capitalism and tribal peoples is a familiar story that has rippled across the vast Amazonian basin, and it galvanized some progressive groups in the Global North into taking action on behalf of ecological preservation, biodiversity and cultural survival. Indeed, it was the convergence of ecological and indigenous rights on the international stage in the 1990s that created a crucial set of transnational (non-state) activists and infrastructures, which have helped put local indigenous (especially tribal) movements on the world map. Thanks to the convergence of movements for ecological protection and indigenous protection, Indian activists have ways to incorporate their own local struggles into transnational networks and resources, based in London, Washington, New York, Geneva, etc. This is now the case, in fact, with most indigenous activist groups.

The entry of lowland tribal groups onto the national stage in Bolivia happened dramatically, in 1990, with the 700 mile March for Territory and Dignity. It was there that indigenous lowlanders, who had trekked across hundreds of miles of lowland forest and up over

the mountains, encountered their highland counterparts, the leaders of Aymara and Quechua communities, in a moving ritualized encounter of unity and solidarity in struggle. Perhaps this was a political spectacle, but the encounter opened the compass of political possibility and hope under an inter-ethnic indigenous coalition of unprecedented scope and ambition. As the new decade began, the indigenous groups were to press their agenda of political inclusion and cultural pluralism onto the ruling elite. They insisted on a broader and deeper meaning of citizenship, which included specified 'cultural rights' for the nation's indigenous populations.

In many ways, Evo Morales embodies, or hopes to embody, the synthesis of an older brand of 'social rights' (defining Bolivia's revolutionary-populist order of the 1950s) and the recent indigenous mobilization for ethnic rights. Clearly, one of Evo Morales' great challenges is to nurture the nation's fragile participatory-multicultural democracy, while also attacking the intractable problems of poverty and social marginalization. That Evo has done so well, thus far, is perhaps little less than a miracle in Bolivia's volatile political climate.

## Endnotes

1. Juan Karita, "Bolivian Assembly Endorses New Charter," Associated Press, December 10, 2007.

2. The *media luna* (half moon) region of Bolivia is a crescent shape land area in the eastern part of the country, and includes four of the nine departments of Bolivia: Santa Cruz, Beni, Pando, and Tarija. These four provinces generate a large part of the nation's wealth and are home to large natural gas fields as well as a booming agro-business sector (Ed).

3. "Morales sets Bolivia recall date." May 12, 2008. *BBC News*. The rules proposed by Morales may be adjusted before the August 10th referendum. <http://news.bbc.co.uk/2/hi/americas/7396809.stm>

4. See, for example, Juan Karita, "Two Dead in Bolivia as Protestors Attack Police Offices, Burn Jail in Conflict Over Constitution," Associated Press, "November 25, 2007; "Bolivia." Amnesty International Report 2008 State of the World's Human Rights, <http://thereport.amnesty.org/eng/regions/americas/bolivia>; "Grupos violentos evitan el viaje del Presidente al Sucre," *La Razón*, May 25, 2008.

5. The 2007 State Department country report on human rights reaffirms this trend, noting "the government or its agents did not commit any politically motivated killings during the year, but security forces apparently killed five persons in separate incidents" [Ed.]

6. In December of 2007, President Morales proposed a recall referendum which would allow citizens to revoke the mandates of the president, vice-president, and the nine regional prefects. This proposal was passed by the opposition-controlled Senate in May of 2008, and the referendum will take place on August 10, 2008 [Ed].

7. D. L. Van Cott, *The Friendly Liquidation of the Past: the Politics of Diversity in Latin America* (Pittsburgh: University of Pittsburgh Press, 2000); Deborah Yashar, *Contesting Citizenship*

*in Latin America. The Rise of Indigenous Movements and the Postliberal Challenge*.

Cambridge: Cambridge University Press, 2005; Xavier Albó, *Pueblos indios en la política*. La Paz: CIPCA, 2002.

8. Mark Weisbrot, "Bolivia's Economy: The First Year," Center for Economic and Policy Research, cited by the Washington Office on Latin America web newsletter, January 19, 2007. That report cites, in turn, International Monetary Fund Country Report, No. 06/270, July 2006 on government revenue increases from the hydrocarbon industry.

9. Carlos Valdéz, "Castro Once Advised Morales to Shun Arms," Associated Press, December 29, 2006; EFE News Service, "Bolivia's Morales rejects labels, stresses problem-solving," February 19, 2007, <http://global.factiva.com/ha/default.aspx>.

10. United Nations Development Group, *Pueblos Indígenas Originarios y Objetivos de Desarrollo del Milenio*, 2007, *Anexo 1*.

11. See T. H. Marshall, *Class, Citizenship, and Social Development* [1949], New York: Doubleday, 1964.

12. See Benjamin Kohl and Linda Farthing, *Impasse in Bolivia*. London: Zed Press, 2006, 89-90.

13. N. Brenner and N. Theodore, "Cities and Geographies of 'Actually Existing Neo-liberalism,'" *Antipode*, 34:

2002, quoted in Kohl and Farthing, 122; Harry Sanabria, "Consolidating States, Restructuring Economies, and Confronting Workers and Peasants: The Antinomies of Bolivian Neoliberalism," *Comparative Studies of Society and History* 43:3 (1999): 535-562.

14. John-Andrew McNeish, "Stones on the Road: The Politics of Participation and the Generation of Crisis in Bolivia," *Bulletin of Latin American Research*, 25:2 (2006): 220-240; Andrew Canessa, "Todos somos indígenas: Towards a New Language of National Political Identity," *Bulletin of Latin American Research*, 25:2 (2006): 241-263.



## **“President Evo Morales Begin Second Term.”**

Andres Gaudín

Latin American Database (*Notisur*)

February 5, 2010

As Bolivian President Evo Morales began his second term on Jan. 22, most analysts and international press agreed that this new period would be radically different. The president will now have not only the position but also the power, and the new indigenist Constitution approved by referendum in January 2009 will be fully in effect (see [NotiSur, 2009-02-13](#)). His impressive victory in the Dec. 6, 2009, election, in which he received an amazing 64.22% of the vote (see [NotiSur, 2009-12-18](#)), and the dispersion of the opposition, which has been reduced to the most extreme sectors of the right, raises the possibility that the April 4 departmental elections could give Morales' Movimiento al Socialismo (MAS) control of most of the administrative apparatus at all levels. This would allow the president to expand the process of change begun in January 2006, when he was first sworn in as president of Bolivia.

Analysts' predictions are already coming true. The right is falling into terrible disrepute. It still has no unified discourse and is instead enmeshed in a fierce dispute for the elective offices at stake in the coming elections. In addition, many of its leaders have fled the country to avoid prosecution.

The government has not failed to take advantage of these circumstances and, in the few weeks following the overwhelming re-election victory, it has moved toward expanding its indigenist project and is developing a strategy of approaching middle-class sectors of the population, which until now have opposed it. In addition, it is advancing its economic program and has announced measures that will affect major groups, such as nationalizing the railroads with the support of Chinese capital, eliminating the private pension system, and undertaking a development plan that includes state exploitation of the country's rich lithium deposits (50% of the world's reserves).

### **Foreign relations pose challenges**

In foreign relations, everything is not as rosy, however. Analysts quoted by Radio Nederland said, "Unlike in the recent past, Morales will encounter an adverse international climate, especially after the electoral victory of Sebastian Pinera (see [NotiSur, 2010, 01-22](#)), the rightist candidate in Chile." The Dutch broadcasting service alluded to the country's land-locked status since Bolivia lost part of its territory, and with it its ocean access (see [NotiSur, 2008-02-08](#)), in the War of the Pacific (1879-1883). After more than a century in which Chile, winner of the war, had refused to dialogue about an eventual agreement to give Bolivia use of a port, possibilities for a favorable solution arose during the government of President Michele Bachelet, which Pinera rejected outright during his recent electoral campaign.

That is not Morales' only foreign-relations problem. During the last week of December, the US government announced that Bolivia would continue on its list of countries that do not cooperate in the anti-drug war and therefore remain excluded from the benefits of the

Andean Trade Promotion and Drug Eradication Act (ATPDEA), a law that eliminates duties on exports to the US from coca-growing countries (see [NotiSur, 2008-10-31](#)). Bolivia, whose diplomatic relations with the US have been frozen since it expelled US Ambassador Philip Goldberg in September 2008 (see [NotiSur, 2008-09-19](#)), responded by charging the White House with interfering in its internal affairs as well as by accusing the administration of President Barack Obama of protecting Bolivians in the US who are wanted by the Bolivian judiciary for alleged crimes against humanity. The fugitives from Bolivian justice include two-time former President Gonzalo Sanchez de Lozada (1993-1997, 2002-2003), his former defense minister Carlos Sanchez Berzain, and most recently former presidential candidate Manfred Reyes Villa, who arrived in Miami last Dec. 15.

A third point of international tension is Peru. Four other ministers of Sanchez de Lozada's administration have lived in Lima since last year. They are also wanted in connection with the deaths of 67 people killed during the repression of a protest march in 2003 in La Paz (see [NotiSur, 2004-10-29](#)).

When the Peruvian government granted the former ministers political exile, Morales accused Peruvian President Alan Garcia of "turning Peru into a refuge for perpetrators of genocide."

Reyes Villa has left Lima for the US. He entered Peru illegally on Dec. 14 and the next day traveled legally to the US on an American Airlines flight. The Peruvian government acknowledged the incident, and the US admitted that the fugitive was living in Florida. He reappeared in public on Jan. 13, giving an interview to the Miami Spanish-language daily *Nuevo Herald*, in which he said he was a victim of "political persecution." Using the same tone as Morales' critics and predicting new friction with the neighboring country, governing-party Sen. Isaac Avalos, a prominent campesino leader, said, "All the scoundrels seek refuge in or escape to Peru because Alan Garcia defends our country's assassins and those who are corrupt."

### **Economic indicators give Morales a boost**

Economically, Morales began his second term with limitations inherent to a country that depends exclusively on mining and gas exports. Nevertheless, to fulfill his major objective of ending extreme poverty, which affects some 30% of the 10 million Bolivians, Morales can count on an economic situation that any of his predecessors or his colleagues in many countries might envy: international reserves of US\$9 billion, a large tax surplus, and marked growth in per capita GDP, from US\$1,010 in 2005 to US\$1,870 in 2009. Thus, during Morales' first term, GDP grew by 84%.

In addition, on Jan. 7, the Associated Press reported that Bolivia's 2009 accumulated inflation rate stood at only 0.26%, significantly below the government's goal of 3%, set at the beginning of the year.

With these numbers at hand, Economy Minister Luis Arce said, "In 2009, for the first time, Fitch Ratings and Moody's Investors Service raised Bolivia's grade, and the

International Monetary Fund (IMF) praised the country's macroeconomic policies as an example of prudence and balance."

With this advantage, and with a promise from the Chinese government of an investment of US\$1.5 billion a year for five years, Morales' administration plans to nationalize and upgrade the two small railway lines, privatized in 1996 and controlled by US (Genesee & Wyoming, Inc.) and Chilean (Bolivian Railways) capital. The official announcement states that the aim is for the railways to integrate the eastern part of the country with the west and to transport exports of iron, whose reserves are estimated at 40 billion tons, concentrated in the El Mutun iron-ore deposits in the eastern department of Santa Cruz. Minister of Public Works Walter Delgadillo told Reuters that nationalizing the railways is part of an ambitious development plan to make the country a connecting point between Brazil's Atlantic ports and Chile's Pacific docks. The old Empresa Nacional de Ferrocarriles had barely 2,500 km of track separated in two unconnected networks when it was privatized. Their sale to the two foreign companies was made in exchange for a commitment to expand both and make them complementary, but that was never done. In the plan to retake control of sectors privatized during the Sanchez de Lozada governments, and in fulfillment of provisions of the new Constitution, only two days after Morales was sworn in for his second term, the government announced that the state would once more manage the retirement system, which, since the end of 1996, has been in the hands of two European groups: Administradora de Fondos de Pension (AFP) Prevision of the Spanish Banco Bilbao Vizcaya Argentaria and AFP Futuro of the Swiss Zurich Financial Service.

Analysts told Prensa Latina news agency that, once tensions calm down after the April departmental elections, there will be new, far-reaching announcements because Morales "has exceptional popular support that allows him to successfully address the undertakings that other governments have not even had the courage to mention."

## **“Bolivia: Transition to Plurinational State Begins.”**

Andrés Gaudín

Latin American Database (*Notisur*).

July 16, 2010.

Bolivian President Evo Morales' administration is gradually organizing the new plurinational state, as mandated by the Constitution approved in a plebiscite last year (see *NotiSur*, 2009-02-13). The process is gradual because the right, weak and with scant legislative representation, is nevertheless pulling out all the stops to delay congressional passage of the five laws that must be approved by July 22. Although one step at a time, the process will go forward.

Meanwhile, the administration continues deepening the changes. Between May 1 and June 15, it nationalized four large multinational electric companies (bringing the total state-controlled electricity generation to almost 60%); reduced the retirement age from 65 to 58 (the opposite of advice from the International Monetary Fund [IMF] to European countries in crisis); and renationalized the pension and retirement system (managed until now by the Swiss group Zurich and Spain's Banco Bilbao Vizcaya).

Vice President Álvaro García Linera, referring to the right, said, "While they play at delaying the revolutionary process, we continue acting, and the new Constitution will be fully in force within the established time frame. We know how to learn from history." And Bolivia has a rich constitutional history.

The 1886 Constitution was written and presented personally by South American liberator Simón Bolívar in Chuquisaca--present-day Sucre, the administrative capital of the country. It had some unique features such as dividing the government into four branches: a tricameral legislative branch, comprising three chambers--Senate, Tribunes, and Censors; the executive, headed by a president-for-life and four ministers; the judicial; and the electoral, made up of the citizens and charged with electing authorities.

### **New Constitution, new world view**

After 183 years and 15 short-lived constitutional reforms, on Feb. 7, 2009, President Morales obtained approval for the *Constitución del Estado Plurinacional de Bolivia*. To not break the tradition of uniqueness, the text, from its almost poetic preamble, presents a new world concept for a country that suffered for five centuries a silent but systematic marginalization and was invisible to the large centers of world power.

The text begins, "In time immemorial mountains arose, rivers ran, lakes were formed. Our Amazonia, our Chaco, our altiplano, and our plains and valleys were covered with lush greenery and flowers. We populated this sacred Mother Earth with different faces, and we have understood since then the plurality existing in all things and our diversity as beings and cultures. That is how we formed our communities. We never knew racism until we suffered from it beginning with the disastrous colonial times."

The end of the preamble is written in a unique literary style for this type of document, generally formal and cold. "Fulfilling the mandate of our people, with the strength of our Pachamama and thanks to God, we refound Bolivia," it says.

Beyond the lyricism, this Magna Carta, which is being provided with the necessary complementary legislation, proposes a complex framework that integrates the 36 recognized nationalities, including the Aymara, Quechua, Guaraní, and Afro-Bolivian, among others, in a "Single Social State of Plurinational Communitarian Law, free, independent, sovereign, democratic, intercultural, decentralized, and with autonomies." And it is organized through the separation and independence of the executive, legislative, judicial, and electoral branches, as was the 1886 Bolivarian Constitution.

The legal framework will establish five parallel levels of government--plurinational, departmental autonomy, regional autonomy, indigenous autonomy, and municipal autonomy--which require an arduous administrative mechanism for a country trying to eradicate centuries-old injustices without resorting to racial extermination, a mechanism so well-known in other corners of the world that are used as an example.

The approval of the Constitution effectively implies a revolution, and thus all laws in effect now will have to be reformulated to conform to this new concept of state and the shared life among its peoples. The basic laws for the functioning of the new Bolivian state will be approved by July 22. Recently, during the festival of Inti Raymi--the sun god--President Morales signed the Law of Judicial Authority, a system also unprecedented and probably exemplary in that it meshes four levels of judicial administration: ordinary, agroenvironmental, special, and indigenous-campesino jurisdictions.

The first, ordinary jurisdiction, covers civil, commercial, family, childhood and adolescent, tax, administrative, labor and social security, anti-corruption, and penal law. Agroenvironmental jurisdiction's function is to intervene in agrarian, livestock, forestry, environmental, water, and biodiversity issues. The indigenous peoples and nations will now have their own judicial functions and competency, which will be exercised through their authorities, applying their principles, cultural values, norms, and ancestral procedures.

"Today Bolivia begins to build what we have called a plurinational state, a communitarian social economy, and a process of decentralizing power under the distinct forms of autonomy. It is undoubtedly a complex state," García Linera told an auditorium of experts from the UN Economic Commission for Latin America and the Caribbean (ECLAC). "We are proud to reclaim this egalitarian dimension of our country. We reclaim the importance of the state, but not a suffocating state, rather one with a pluralistic economic system that continues working with private business and with foreign markets and also protects domestic demand and the rights of its citizens."

### **People to elect Tribunal Supremo justices**

Another unique and significant feature of the new Constitution is that judges, including those in the Tribunal Supremo de Justicia (TSJ), which has nine justices plus their

respective alternates, will henceforth be elected by direct popular vote, with the first judicial elections scheduled for Dec. 5, 2010.

"We hail this new law for revolutionizing the judicial branch," said Morales at the signing. "The time has come to decolonize the Bolivian judiciary, to nationalize and to democratize the law."

What is being attempted is to "leave aside the discriminatory treatment by public officials who often treat someone wearing a tie better than someone wearing a poncho," said the president.

The law explicitly stipulates that "all payments for official stamps, forms, and fees for filing for any judicial appeal in any type or class of process, payments for Judiciary Treasury certificates, and any other type of payment that encumbers litigants is hereby suppressed and eliminated."

The pursuit of justice will be free and universal, something that, like electing TSJ justices, is unique and unprecedented in the world. "In addition, justice will now be truly humane, without discrimination, without exclusions," said Morales.

It is not surprising, then, that opposition to this law has come from the most conservative sectors of Bolivian society--sectors that for centuries had privileges based on exploiting the indigenous majorities--from the right that attempts the secession of the rich eastern and southern departments where few descendants of the original peoples live. Nor is it surprising that the traditional judiciary is hurling all kinds of insults because these changes leave it without its professional prerogatives.

Thus in recent weeks, the media have been up in arms, reporting on some actions in which, in the name of communitarian justice, all kinds of outrages were committed, such as the assassination of four police in a town in the southern department of Potosí.

"It would even seem that these acts, precisely at this moment in the political life of the country, were instigated and financed by the same right that wants to divide the country's people and society," said a commentator on a community radio station in the department of Cochabamba.

Sen. René Martínez, interim president of the upper house, told the Argentine daily *Tiempo* that, in this as in other cases brandished by the right and the rightist media, there is a deceptive vision of reality that tries to prove the supposed inability of the communities to administer justice. "Indigenous laws are the oldest and do not allow the death penalty. There can be excesses, which must be investigated, but that is not the law of indigenous peoples," he said.

"In these days and as a result of a crisis that threatens continental integration, Europe is experiencing the most brutal budgetary cuts, which represent, perhaps, a death blow to the welfare state. They are part of the same IMF recipes imposed on Latin American countries in the 1990s. And let's not forget that they failed and brought these countries their worst crises," said Argentine analyst Alberto López. "Bolivia is an example. Europe

would do well to look to this poor altiplano country that has been giving lessons since the first uprising against the monarchy, in Chuquisaca, on May 25, 1809, 201 years ago."

## **“Bolivia defends traditional use of coca leaf after UN calls for criminalization”**

Latin American Database (*Notisur*).

April 14, 2009

The Bolivian government, headed by President Evo Morales, a former coca-grower activist, stepped up its international effort to defend the traditional use of the coca leaf after the UN called for its criminalization in Bolivia and Peru. The international body claims that the legal market for coca in those countries contributes to the illicit trade of cocaine, while indigenous traditionalists of the Andes defend chewing coca, a mild stimulant, as a centuries-old campesino tradition.

### **UN wants Andean countries to ban all traditional uses**

A report released in March by the UN agency charged with enforcing narcotics treaties also urged the governments "to establish as a criminal offense" using the leaf to make tea, flour, and other products. The report says consuming the leaves from the bushy Andean plant used to make cocaine plays a role "in the progression of drug dependence." The annual report by the Vienna-based International Narcotics Control Board (INCB), an update on drug-control efforts worldwide, angered the leaders in Andean nations where coca is grown, especially Bolivia's Morales, a former coca grower who has called for legalizing the leaf and brought coca with him to a speech he gave to the UN shortly after coming to power.

"In Bolivia, there will never be a policy of zero coca," said Hilder Sejas, spokesman for the vice ministry of social defense. "To do so would walk all over the rights of millions of Bolivians for whom coca is a symbol of our cultural identity."

Morales' representatives traveled to Vienna in March to reject the abolitionist call by the INCB, calling instead for "the sacred leaf" to be removed from the list of dangerous drugs.

The coca plant contains trace amounts, less than 1%, of the alkaloid that in large quantities can be used to make cocaine. Andean campesinos chew it for its mild stimulant effect, which helps ward off hunger and can make labor in high-altitude regions easier. Coca advocates point to uses for the leaf that include nutritional, ritual, cultural, and medicinal practices.

A 1961 UN treaty stipulates that governments must gradually eliminate coca chewing and other traditional uses of the leaf as well as attempt to eradicate the plant. Trade in coca leaves is allowed only for scientific purposes or as a flavoring agent as long as the alkaloids are removed.

"Nobody doubts the medical value of coca, heroin, or cocaine, just as nobody denies their illegality under the 1961 convention," Philip Emafo, the Nigerian president of the INCB, said in a telephone interview from Vienna. "If the provisions of the convention are being breached, the board in its wisdom, or lack of wisdom, is obligated to act."

Referring to the 1961 Single Convention on Narcotic Drugs ratified worldwide, the report calls on Peru and Bolivia--the second- and third-largest cocaine producers in the world, after Colombia--to "consider amending their national legislation so as to abolish or prohibit coca-leaf chewing and the manufacture of coca tea."

### **"No evidence of toxicity or addiction in 4,000 years of use"**

Bolivia--ostensibly in violation of its treaty obligations--allows the use of coca in its natural form. Wade Davis, a Washington-based author and botanist who studied coca in Colombia for his 1996 book *One River*, said coca's treatment as a narcotic as dangerous as heroin and cocaine in the UN convention is "absurd."

"Coca is as vital to the Andes as the Eucharist is to Catholics," said Davis, who is also a National Geographic Society explorer-in-residence. "There's no evidence of toxicity or addiction in 4,000 years of use."

Policy Consortium, a network of drug-policy experts, said the ban on coca was based on outmoded science and reflects "harsh and narrow judgments that condemn countries that permit traditional coca use and the industrialization of coca."

In his 2006 speech before the UN General Assembly, Morales lashed out at the criminalization of the coca leaf. "This coca leaf represents Andean culture, it is a coca leaf that represents the environment and the hope of our peoples," Morales said, holding up the leaf.

For his 80th birthday, Cuban President Fidel Castro received a cake baked with coca flour from Morales. Venezuelan President Hugo Chavez, also a critic of the US-backed policy of forced coca eradication, said on Jan. 11 that he chews coca daily. The Venezuelan leader is also paying for the construction of a factory in Bolivia to produce coca tea, flour, and other natural products.

David Johnson, US assistant secretary for the bureau of international narcotics and law enforcement affairs, said the US is concerned about Bolivia's stated goal to increase coca production for traditional uses from 12,000 to 20,000 hectares. "We believe that the policy, as it's been articulated to me, is not consistent with Bolivia's obligations under international law," he said at a Washington press conference Feb. 29 to present the State Department's annual report on international anti-narcotic progress.

### **Protestors: Why don't you stop drinking Coca-Cola first?**

Bolivian governmental representatives and activists regarded the INCB's demand as an attack on their culture, with vice minister for coca and integral development Geronimo Meneces saying the UN should recognize that "coca in Bolivia is a culture and tradition, because coca in its natural state is not cocaine."

Government Minister Alfredo Rada said, "We reject the INCB report, it seems to us to have a highly colonialist content."

"Who has died consuming coca?" asked coca-growers leader Hernan Justo, president of the Asociacion Departamental de Productores de Coca de La Paz (Adepcoca). "No one has died consuming coca."

In the Peruvian newspaper *La Republica*, one cartoon depicted a balding man in a suit pointing an accusing finger at a farmer dressed in indigenous clothing and leading a sheep. "You have to stop chewing coca leaf," commands the man in a suit. "All right, then" says the farmer. "You stop drinking Coca Cola."

A series of marches against the report are being organized in Bolivia to demonstrate against the INCB, including a proposed occupation of the Coca-Cola facilities in the city of El Alto and demonstrations in front of the UN headquarters in Bolivia. In the past, cocalero groups have called on Coca-Cola to remove the "Coca" from its name. Adepcoca leader Hernan Centeno accuses the transnational company of making "bad use" of the leaf.

Coca-Cola released a statement on March 15, 2007, saying Coca-Cola has never used cocaine as an ingredient but did not say whether the natural coca leaf was used to flavor their soda. "For proprietary reasons, the Coca-Cola Company does not disclose information about what flavorings we do or do not use," Kari Bjorhus, a spokeswoman for the Atlanta-based company, said. The ingredients are safe and in compliance with regulations, she said.

The 1961 UN treaty stipulates that governments may allow international trade in coca leaves as a flavoring agent as long as the alkaloids are removed. That is how Coca-Cola Co. uses the leaf, Dominic Streatfeild, author of "Cocaine: An Unauthorized Biography," said from London.

"We know very well that Coca-Cola buys coca leaf in Bolivia," said Margarita Teran, president of a commission from the Constituents Assembly rewriting the Bolivian Constitution. "I remember in Chapare [a coca-producing region] they bought it," said Teran in 2007 when her commission proposed Coca-Cola remove coca from its name. The company rejected the call and said its brand is recognized under Bolivian law. "They need to understand our situation," said David Herrera, a state government supervisor for the Chapare region. "They exported coca as a raw material for Coca-Cola, and we can't even freely sell it in Bolivia."

While the Morales government has a "zero cocaine, not zero coca" policy, US reports have claimed that a large majority of coca production goes to illicit uses, rather than less-profitable traditional use. In December, the Bolivian government said it had exceeded annual coca eradication goals by eliminating 5,778 ha of illegal coca plantations. The policy of eradication happens in concert with the US, although Morales' call to expand the total acreage of licit plantations from 12,000 ha to 20,000 ha has met with US criticism.

**International Narcotics Control and Strategy Report: Country Report 2009**  
**United States Department of State: Bureau for International Narcotics and Law**  
Enforcement Affairs  
**Bolivia**

**I. Summary**

Bolivia is one of 20 major narcotics producing or transit countries. On September 15, 2009, the President of the United States determined for the second consecutive year that the Government of Bolivia (GOB) “failed demonstrably” to adhere to its obligations under international counternarcotics (CN) conventions. In this determination, the President raised concern with rising Bolivian coca cultivation and cocaine production and explained that the GOB’s expulsion of the Drug Enforcement Administration (DEA) severely undermined Bolivian law enforcement efforts to identify and dismantle drug trafficking organizations. The President noted that despite Bolivia’s success in meeting minimum eradication goals, the total effort by the GOB fell short of its obligations as outlined in the United Nations (UN) Conventions and bilateral agreements.

In 2009, the GOB reported eradication of over 6,341 hectares of coca nationwide, 84 percent of which took place in the Cochabamba tropics (Chapare). Although the GOB met its minimum bilateral requirement to eradicate 5,000 hectares of coca, these efforts have not kept pace with rising coca cultivation and cocaine production. Bolivia is a party to the 1988 UN Drug Convention.

**II. Status of Country**

Bolivia is the world’s third largest producer of cocaine, and it is a significant transit zone for Peruvian origin cocaine. The United States Government (USG) estimates that Bolivia’s coca cultivation increased by ten percent in 2009, and potential cocaine production increased by 50 percent from 130 metric tons in 2007 to 195 metric tons in 2008 and remained at that level in 2009. Increased potential cocaine production over the past two years can be attributed to the adoption of more efficient, Colombian style cocaine processing methods and the increased presence of Colombian and Mexican drug traffickers in Bolivia. The majority of cocaine trafficked from or through Bolivia is destined for Brazil, Chile, Argentina, and Paraguay, with a significant amount transshipped to Africa and Europe.

GOB coca eradication forces face resistance from local coca growers on average one to three times per month when they attempt to carry out eradication missions. These missions are negotiated with and agreed upon by the General Directorate of Integral Development for Regional Coca Production (DIGPROCOCA) and relevant coca federations. Resistance includes throwing stones at eradicators and gathering groups of hundreds of coca growers to physically resist the eradicators. Most incidents occur in so-called “zero coca zones,” such as protected Bolivian national parks. When facing resistance, eradication forces usually retreated in order to avoid injuries or conflict escalation. Coca cultivation expansion led to recent violent incursions by coca growers into the Indigenous Territory National Park Isiboro Secure (TIPNIS), leaving one person dead in September 2009. Police acted to remove the coca growers.

President Morales remains the leader of a coca growers’ federation, and the GOB continues its efforts at the international level to obtain the legalization of trade in coca leaf.

The expulsion of the DEA from Bolivia in January 2009 negatively impacted CN programs, especially in the area of interdiction operations and drug-related investigations. The expulsion reduced Bolivia’s ability to identify, investigate, and dismantle drug trafficking organizations

(DTOs) and severely limited the amount of actionable law enforcement leads developed in Bolivia.

In June, 2009, the President of the United States did not determine that Bolivia satisfied the eligibility requirements under the Andean Trade Promotion Act, including criteria on counternarcotics, and Bolivia's trade preferences under the Act were not reinstated.

On September 15, 2009, the President of the United States determined for the second consecutive year that the Government of Bolivia (GOB) "failed demonstrably" to adhere to its obligations under international counternarcotics (CN) conventions. In this determination, the President raised concern with rising Bolivian coca cultivation, cocaine production, and lack of control over "licit" coca markets resulting in diversion of excess coca leaf to cocaine production. The President also explained that the GOB's expulsion of DEA severely undermined Bolivian law enforcement efforts to identify and dismantle drug trafficking organizations. The President noted that despite Bolivia's limited success in meeting eradication goals, the total effort by the GOB fell well short of its obligations as outlined in the United Nations (UN) Conventions and bilateral agreements.

The USG continues to provide administrative and logistical support to Bolivian CN programs, and to work productively with the GOB at the technical level, but program accomplishments have diminished as a result of GOB policies and actions. The U.S. remains committed to working with the GOB to improve counternarcotics results.

### **III. Country Actions Against Drugs in 2009**

**Policy Initiatives.** The GOB promotes a policy of "zero cocaine but not zero coca" and has continued its policy to allow an increase in coca cultivation from 12,000 to 20,000 hectares, which violates Bolivian Law 1008 and international agreements. Bolivia produces coca leaf for traditional purposes, such as chewing, making tea and religious rites, but this coca leaf is also diverted to cocaine production. Current Bolivian law permits up to 12,000 hectares of legal coca cultivation in the "traditional coca growing area," most of which is in the Yungas, to supply the licit market. In September 2008, the GOB signed an agreement with 25,000 coca growers from the Yungas federation to eradicate 6,900 hectares by 2010. This agreement simultaneously permitted an additional 6,500 hectares of coca to be grown in new areas in and around the Yungas. In 2009 the GOB also continued the policy that allows one cato (between one-sixth and one-quarter of a hectare) of coca to be cultivated annually per coca growing family in the Chapare region. This policy has resulted in at least 7,000 additional hectares of coca growth. It is widely recognized that coca grown in the Chapare is not suitable for chewing, and there is no evidence to suggest that Chapare coca is currently used for any other licit purposes, such as the manufacture of tea and other commercial products.

In October 2008, the GOB, with substantial support from the U.S. and neighboring countries, completed a one-year project designed to significantly improve the GOB's money laundering, antiterrorism financing, and asset forfeiture legislation. The draft legislation, currently pending Bolivian Congressional approval, would provide the requisite legal resources to law enforcement entities to improve their ability to conduct and prosecute narcotics trafficking, money laundering, terrorist financing, and corruption cases in Bolivia. The legislation also contains provisions that would allow judicial intercepts of wire communications, plea bargaining, and other reforms to the Code of Criminal Procedure.

**Accomplishments.** The GOB eradicated 6,341 hectares of coca nationwide in 2009—84 percent (5,359 hectares) in the Chapare, 8 percent (521 hectares) in Ypacani, and 7 percent (459 hectares) in the Yungas.

In 2009, the Special Bolivian Counter Narcotics Police (FELCN) seized approximately 1,574 metric tons of coca leaf, 22 metric tons of cocaine base, and 5 metric tons of cocaine hydrochloride (HCl), totaling approximately 27 metric tons of illicit cocaine product. These illicit cocaine product seizures are fewer than the same period in 2008 and are insufficient to stem rising potential cocaine production. The GOB counternarcotics forces located and destroyed 24 cocaine HCl processing and chemical recycling labs; 4,864 cocaine base labs; and 6,666 maceration pits. In comparison to 2008, forces interdicted fewer base labs and maceration pits, but seized more cocaine HCl processing and chemical recycling labs. These results track the rising prevalence of Colombian-style manufacturing methods, rather than traditional maceration pits, and the increasing presence of Colombian and Mexican drug traffickers in Bolivia. Additionally, operations intended to disrupt drug labs frequently fail to seize drugs processed at the labs and only result in the arrest of low-level workers. FELCN seized approximately 1,937 metric tons of marijuana; 872 metric tons of solid precursor chemicals; and 1,578,681 liters of liquid precursors in 2009, an increase over prior year results. The lack of DEA or other international law enforcement working with FELCN in the field on a daily basis makes it difficult to independently verify the accuracy of these figures reported by the GOB.

The GOB arrested 3,397 persons on narcotics-related offenses in 2009. The GOB opened 2,903 narcotics cases during 2009 with 1,236 defendants. Of the total, formal charges of narcotics violations have taken place in 1,160 cases. 104 of the cases have judicial resolution, while 1,056 remain pending in court. Internal reviews of the statistical conviction rates by the Public Ministry and a survey conducted by the National Fiscal Training Facility in Sucre indicate that there continue to be significant problems within the CN prosecutor's offices relating to the ability of the prosecutors and their understanding of the accusatory judicial system that began in 2001.

**Law Enforcement Efforts.** FELCN is mandated to combat all aspects of drug trafficking, including interdiction of drugs, illicit coca, and precursor chemicals, intelligence gathering, money laundering investigations, and rural operations. The Department of State's Bureau for International Narcotics and Law Enforcement Affairs' (INL) Narcotics Affairs Section (NAS) continues to provide logistics and administrative support to the FELCN and the Bolivian National Police (BNP) training academy. However, without DEA presence, the USG does not have the capability to support operational engagement or sharing of actionable law enforcement information with Bolivian counterparts.

FELCN reported that throughout 2009 it focused on higher level violators, resulting in more priority target organizations being investigated with the assistance and support of regional partner nations. The U.S. has no information on priority target drug trafficking organizations dismantled or high level violators arrested by the GOB in 2009. The increase of cocaine supply, expansion of drug trafficking activities, the presence of sophisticated organizations operating in Bolivia, and proliferation of large foreign-managed cocaine laboratories pose a growing challenge, given FELCN's limited capacity. Bolivia is seeking support from other countries and has improved law enforcement cooperation with Brazil, Argentina and Chile. However, this improvement has not sufficiently addressed the gap in operational support and enhanced investigative capabilities to target and dismantle drug trafficking organizations created by DEA's expulsion.

**Corruption.** There are no proven cases of senior GOB officials encouraging or facilitating the illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions.

The USG continues to provide significant administrative support to the BNP Office of Professional Responsibility (OPR) and the Disciplinary Tribunal. The OPR is the “Internal Affairs Investigators” of the BNP. The Tribunal is responsible for the review of cases and determination of punishment, if appropriate, for police officers involved in misconduct and other integrity-related violations. The BNP/OPR reports that they have investigated a total of 2,444 allegations of various forms of misconduct involving police officers during 2009. Of these cases, 176 involved officers assigned to the FELCN. To date, the Tribunal has reviewed and undertaken prosecutorial, disciplinary or other administrative action in 1,378 of these OPR cases. The remainder of the cases are pending investigations, or awaiting tribunal action.

**Agreements and Treaties.** Bolivia is a party to the 1988 UN Drug Convention, the 1961 UN Single Convention on Narcotic Drugs as amended by the 1972 Protocol, and the 1971 UN Convention on Psychotropic Substances.

Bolivia is a party to the UN Convention against Transnational Organized Crime and its Protocols on Trafficking in Persons and Migrant Smuggling, the UN Convention against Corruption, and the Inter-American Convention against Corruption. Nevertheless, Bolivia is lacking many of the legal and enforcement mechanisms needed to fully implement these agreements. Bolivia has signed, but has not yet ratified, the Inter-American Convention on Extradition.

**Extradition.** The GOB and the United States signed a bilateral extradition treaty in 1995, which entered into force in 1996. The treaty permits the extradition of nationals for most serious offenses, including drug trafficking. The United States has one pending extradition request to Bolivia as of December 2009.

**Cultivation/Production.** Overall coca cultivation increased ten percent in 2009 to 35,000 hectares according to official USG estimates, up from 32,000 hectares in 2008. (The United Nations Office on Drugs and Crime (UNODC) estimated that in 2008 Bolivians cultivated 30,500 hectares, a 6 percent increase from 2007. UNODC figures for 2009 were not available.) Regional changes from 2008 to 2009 are as follows: Chapare cultivation increased 6 percent (8,300 to 8,800 hectares); Yungas cultivation increased 10 percent (21,000 to 23,000 hectares); Caranavi cultivation increased 37 percent (1,600 to 2,200 hectares); Vandiola cultivation decreased 19 percent (315 to 255 hectares); and Apolo cultivation decreased 60 percent (660 to 260 hectares). Bolivia also produces marijuana, primarily for domestic consumption. GOB estimates show that marijuana production increased significantly from 195 metric tons in 2008 to more than 1,831 metric tons in 2009.

USG estimates indicate that potential pure cocaine production increased approximately 50 percent, from 130 metric tons in 2007 to 195 metric tons in 2008 and remained at 195 metric tons in 2009. Estimated potential export quality cocaine (derived after pure cocaine has been cut, mixed, and diluted) in 2009 was 240 metric tons, largely due to less efficient leaf yield from new plants. (UNODC estimated that 2008 potential pure cocaine production in Bolivia was 113 metric tons, a 9 percent increase from 2007.)

Over the last couple of years, Bolivian CN units, as well as DEA (prior to its departure), have observed a steady increase in the use of the more efficient “Colombian” methods for cocaine

production during lab seizures, including use of mechanized coca maceration and solvents, instead of acids for alkaloid extraction.

**Drug Flow/Transit.** Although cocaine production in Bolivia is increasing, there continues to be limited information on how much Bolivian cocaine is seized outside of Bolivia. Existing reports indicate that most Bolivian-origin cocaine exports flow to other Latin American states for either domestic consumption or onward transit towards Europe, with little exported to the U.S. Still, there appears to be a growing number of Mexican and Colombian traffickers in Bolivia. A GOB official stated that Mexican drug cartels are working with Colombian drug cartels to invest capital in Bolivia and Peru to help ensure a sufficient supply is available to satisfy market demand. The official noted that Mexican cartels provide money to the Colombians, who then administer the funds to secure sufficient supply. DEA is monitoring its Cocaine Signature Program for any indication of an increase in Bolivian cocaine appearing in the U.S. market.

The increase in coca cultivation and cocaine production, particularly since 2007, as well as the lack of effective government response in Bolivia, directly affects neighboring countries. DTOs in the Southern Cone—Argentina, Brazil, Chile, Paraguay, and Uruguay—have taken advantage of the current situation in Bolivia to increase their drug trafficking activities in the region. All countries bordering Bolivia have experienced an increase in drug trafficking from Bolivia during the reporting period, especially Brazil and Chile. All report increased seizures of Bolivian drugs and arrests of drug traffickers linked to Bolivia, as well as the increased use of small aircraft and containerized shipments to move large quantities of cocaine from land-locked Bolivia to international destinations. Argentine authorities report the presence of cocaine HCl labs in their countries, supplied by Bolivian cocaine base. Brazilian authorities have stated that most of the cocaine seized in São Paulo comes from Bolivia.

**Alternative Development.** The USG's Integrated Alternative Development (AD) program provides support to help diversify the economies of Bolivia's coca growing regions, reduce communities' dependency on coca, and complement the Government of Bolivia's voluntary eradication program. AD assistance helps strengthen the competitiveness of Bolivia's agricultural products (e.g., coffee, bananas, pineapples, cocoa, and palm hearts) in national and world markets, improve basic social conditions (e.g., access to clean water), and improve rural road infrastructure and access to markets. Beginning in Fiscal Year (FY) 2007, AD support shifted focus from the Tropics of Cochabamba to the Yungas region in accordance with the GOB's rationalization plans. In 2009, USAID terminated most of its work in the Tropics of Cochabamba at the request of the GOB.

Cooperation between USAID and the Vice Ministry of Coca and Integrated Development (VCDI) continued over the past year. Activities and investments under the programs to promote productive and social development were all jointly approved by USAID and VCDI counterparts. These include a relatively large number of new productive initiatives in La Asunta, an under-developed, highly coca dependent region of the Yungas, where the GOB started to eradicate in agreement with the coca growers' federations. Project personnel worked closely with principal GOB counterparts, the La Asunta federation, and communities to prioritize investments and identify the most promising products to be developed. There has been significantly more demand for alternative production among communities than originally envisioned.

Data on results achieved over the last year indicate that USAID's Integrated Alternative Development program activities continued to produce results. U.S. assistance helped introduce, establish or rehabilitate 4,047 hectares of crops, such as bananas, cocoa, palm hearts and coffee,

and helped place an additional 614 hectares under forest management plans. Income from some of the first yielding crops, such as the natural sweetener product stevia, began in November 2009.

In FY 2009, the annual value of USAID-promoted exports reached nearly \$39.5 million, an 11 percent increase over FY 2008. The assistance provided to farm communities and businesses helped generate 5,866 new jobs and \$29 million in sales of AD products. Approximately 12,660 families benefited directly from U.S. assistance. More than 530 kilometers of roads were maintained or improved and 19 bridges were constructed. In addition, four potable water systems were constructed, benefiting 1,269 families in the Yungas region.

**Domestic Programs/Demand Reduction.** A 2008 UNODC report stated that Bolivian domestic drug consumption continued to increase. The most recent credible study on drug use in Bolivia, conducted in 2005 by the Latin American Center for Scientific Research (CELIN), showed that 4.9 percent of the population uses illegal drugs (cocaine, marijuana, hallucinogens and others). Despite this, GOB support for drug abuse prevention programs is inadequate. The USG provided support to CELIN to update the 2005 study on illegal drug use in Bolivia and several demand reduction programs. Due to the lack of GOB support on a national level, the USG focused drug prevention outreach activities at the municipal and prefectural levels throughout 2008 and 2009. Since February 2008, the USG has worked with UNODC to conduct a drug abuse prevention and citizen safety project in El Alto that has reached over 80,000 teachers, students, and community members. The USG also works with the non-governmental organization Communication, Research and Action of Social Policies (CIAPS) on a community-based drug abuse prevention program for high-school students in the cities of La Paz and Sucre. The CIAPS program is expected to reach 20,000 people.

Since 2000, the USG-supported Drug Abuse Resistance Education (DARE) program educated 142,290 school children on drug prevention. The program reached 18,000 students in 2009. In the Department of Cochabamba, the USG helped implement the region's "Healthy Schools Drug Prevention Program" by training health professionals, teachers, and parents on drug abuse prevention techniques. During the reporting period, the USG conducted training in demand reduction issues and techniques for several technical teams of trainers from the municipalities of Cochabamba, Tarija, Sucre, and Guayaramerin. The USG also conducted a counternarcotics-themed sports outreach effort by sponsoring the "Tahuichi" Soccer Academy in Santa Cruz. The Academy launched a tournament in the coca growing area of Los Yungas that involved three teams and 70 youth participants. The USG also provided three year-long soccer scholarships to at-risk children from rural areas of the country. The scholarships allow the children to live, study, and train at the academy for one year.

#### **IV. U.S. Policy Initiatives and Programs**

**Policy Initiatives.** USG programs aim to enhance the capabilities of the GOB to reduce coca cultivation; arrest and bring drug traffickers to justice; promote alternative economic development; disrupt the production of cocaine within Bolivia; interdict and destroy illicit drugs and precursor chemicals moving within and through the country; reduce domestic abuse of cocaine and other illicit drugs; institutionalize a professional law enforcement system; and improve the awareness of the Bolivian population regarding the dangers of illicit drugs. The USG also provides logistics support that enables training for BNP officers in modern money laundering and terrorism financing investigative techniques, and on trafficking in persons (TIP) and human rights.

**Bilateral Cooperation.** Bilateral cooperation continued to be challenging in 2009. However, Bolivian and U.S. officials meet regularly to implement programs and to advance common issues of concern.

In February 2009, the GOB advised the USG that U.S.-sponsored training for military and police personnel outside of the country would no longer be supported by the GOB and that any future training nominations would be directed to the respective unit commanders for initial approval. These nominations would then be forwarded to the Minister of Government and President for their respective approvals. This new policy has serious detrimental effects on the continued development and professionalism of the national police and military forces, due to their inability to attend U.S. sponsored training courses, especially management courses.

Despite this setback, the USG supported a number of GOB institutional developmental projects, including a basic and advanced law enforcement training program. In 2009, the Law Enforcement Development Program supported sixty-two (62) training courses, seminars and/or conferences that have reached 5,600 police officers, prosecutors, and GOB and non-government organization counterparts. The USG provided administrative support to four special BNP TIP investigative units consisting of 28 police officers and 12 full time prosecutors in La Paz, Santa Cruz, and Cochabamba.

**The Road Ahead.** With sharply rising potential drug production levels, the presence of Colombian and Mexican drug traffickers operating in Bolivia, as well as increasing potential for conflict between coca growers and the GOB in the national parks, the USG is concerned about the effectiveness of the GOB's counternarcotics policies and actions. The GOB's policies supporting the expansion of coca cultivation contribute to rising excess coca cultivation and increases in cocaine production. The GOB is encouraged to revise its policies on coca cultivation and implement a national eradication strategy that improves efficiency and effectiveness of eradication, leading to net reductions in coca cultivation that keep pace with replanting. We also encourage the GOB to take measures to prevent diversion of coca to cocaine production by establishing strict controls over the licit coca market and closing illegal markets. Bolivia has stated its intention to nationalize eradication efforts, but this goal will require increased financial support from the GOB. The legal and regulatory framework in Bolivia hinders law enforcement and prosecutorial efforts to effectively and efficiently combat drug production and trafficking, money laundering, corruption, and other transnational crime and requires GOB action. There is also a growing gap in international law enforcement/counternarcotics information sharing caused by DEA's expulsion. To that end, we encourage Bolivia to enhance its collaborative efforts with Brazil, Argentina, Chile, and other neighboring and international partners on counternarcotics.

1 The reported leaf-to-HCl conversion ratio is estimated to be 370 kilograms of leaf to one kilogram of cocaine HCl in the Chapare, 315:1 in the Yungas.

## **“Comunicación política y democracia en Bolivia: *Mass media* en medio de la polarización”**

By Fernando Mayorga

June 2009

### 1. Introducción

Desde enero de 2006, con el arribo de Evo Morales a la presidencia de la República a la cabeza del Movimiento al Socialismo (MAS), la comunicación política se despliega en un escenario de intensa polarización ideológica que influye en las estrategias comunicacionales y en los contenidos de los discursos de los actores políticos. Este hecho se manifiesta nítidamente en el espacio mediático, el cual se caracteriza por una división y contraposición entre medios de comunicación de carácter privado, que juegan un rol claramente opositor, y medios de propiedad estatal que funcionan al servicio del gobierno.

Hace un par de décadas, como ocurrió en la mayoría de los países de América Latina, el espacio mediático boliviano empezó a sufrir una metamorfosis. A mediados de los años ochenta se inició un reacomodo empresarial en el mundo de la comunicación social merced a la desregulación estatal que impulsó la aparición de empresas privadas en el espacio televisivo; más adelante, debido a la proliferación de canales privados y la creación de nuevos diarios se modificó el régimen de propiedad de los medios de comunicación con el tránsito al establecimiento de redes multimedia con rasgos de concentración y atisbos de alianza con capitales extranjeros.

Coincidentemente, las relaciones entre empresarios, periodistas y políticos, así como, entre mass media y actores políticos adoptaron nuevas pautas caracterizadas por la rivalidad, el intercambio o la complicidad en temas comunes como “la fijación, control e interpretación de la agenda pública; la representación de intereses y canalización de demandas ciudadanas; y la pugna por el reconocimiento y atención del público” (Exeni 2000: 30). Una relación que se tornó más compleja con la irrupción de movimientos sociales en la arena política a principios de esta década y, más aún, durante la gestión gubernamental del MAS (2006-2010). Veamos este recorrido para evaluar sus alcances a partir de bosquejar las características del sistema político boliviano y el proceso de reformas institucionales.

### 2. Reforma política y ampliación de la democracia

La reforma política es concomitante a la democratización, por ello puede ser comprendida como un proceso de ampliación de la democracia a través de la implementación de una serie de cambios institucionales dirigidos a fortalecer la representación política y la participación ciudadana. No obstante, sus efectos fueron contradictorios porque su aplicación no permitió superar la crisis política que, a partir del año 2000, se transformó en una crisis estatal que fue encarada mediante una Asamblea Constituyente.

La reforma se inició a fines de los años ochenta resolviendo tareas pendientes de la transición democrática iniciada en 1982, se profundizó con la aprobación de dos reformas constitucionales parciales en el lapso de diez años (1994 y 2004) y adquirió nuevos bríos con la aprobación de una nueva Constitución Política del Estado en enero de 2009. Este proceso de reforma se desplegó en tres momentos que corresponden a similares fases en la configuración del sistema de partidos y en el tipo de relaciones entre partidos y movimientos sociales.

El primer momento de la reforma política comienza en la década de los años noventa y se desarrolla durante una fase de estabilidad en el sistema de partidos que corresponde a la denominada “democracia pactada” que se caracterizó por la conformación de cinco gobiernos de coalición entre 1985 y 2003, mediante pactos partidistas. La “democracia pactada” tuvo el protagonismo de tres partidos tradicionales: Movimiento Nacionalista Revolucionario (MNR),

Acción Democrática Nacionalista (ADN) y Movimiento de Izquierda Revolucionaria (MIR) y el apoyo de dos fuerzas neopopulistas, Conciencia de Patria (Condepa) y Unidad Cívica Solidaridad (UCS), mostrando la solidez de un modelo de gobernabilidad sustentado en la democracia representativa y en una política económica neoliberal.

El segundo momento estuvo signado por la crisis política. El esquema de “democracia pactada” empezó a ser cuestionado a partir de 2000 mediante protestas populares contra el neoliberalismo y los partidos tradicionales, con fuerte protagonismo del movimiento campesino e indígena y sectores urbanos populares y la emergencia de partidos campesinos e indígenas. Una crisis de gobernabilidad provocó la caída del gobierno de Sánchez de Lozada en octubre de 2003 por efecto de una revuelta popular. Se produjo la sucesión constitucional pero la crisis siguió su curso provocando el adelantamiento de elecciones generales para diciembre de 2005. A la presión de los movimientos sociales de raigambre campesina e indígena que enarbolaban demandas de asamblea constituyente y nacionalización de los hidrocarburos se sumó la emergencia de movimientos regionales reclamando la descentralización política del Estado con una propuesta de autonomías departamentales. Las elecciones generales de 2002 ya habían expresado estas mutaciones discursivas porque se produjo una recomposición en el sistema de partidos bajo el signo de la polarización política a partir de la presencia de fuerzas opositoras, entre las que sobresalía el MAS bajo el liderazgo de Evo Morales.

El tercer momento se inaugura en diciembre de 2005 con la victoria del MAS y el arribo de Evo Morales a la presidencia con mayoría absoluta de votos. Los resultados electorales provocaron una nueva renovación en el sistema de partidos y, de manera simultánea, se eligieron prefectos en los departamentos (provincias) mediante voto ciudadano con la novedad de una mayoría de opositores al partido de gobierno. La reforma política se convirtió en pieza de un proceso más amplio de cambios promovidos por el MAS. La gestión gubernamental de Evo Morales se despliega bajo la impronta del nacionalismo y del indigenismo, a través de una política de nacionalización de recursos naturales que reformuló las relaciones entre el Estado y la inversión extranjera y mediante un proyecto de reforma constitucional que se resumió en un modelo de “Estado Plurinacional” que enfatiza en los derechos colectivos de los pueblos indígenas. La reforma estatal mediante una Asamblea Constituyente marcó la agenda política desde mediados de 2006, sin embargo, este proceso se vio truncado porque la bancada oficialista aprobó una propuesta de nueva constitución a fines de 2007 sin concertar con la oposición y violando las normas de su reglamento interno. La aprobación de esa propuesta constitucional que reconocía varios niveles de autonomía territorial, privilegiando la autonomía indígena en desmedro de la autonomía departamental promovida por la oposición, fue respondida con la realización de referendos en cuatro regiones opositoras para aprobar sus estatutos autonómicos entre mayo y junio de 2008. Los intentos de resolver este impasse mediante un acuerdo político que permita combinar el proyecto de nueva constitución con los estatutos autonómicos fracasaron sucesivamente provocando una mayor polarización política, la exacerbación de las fracturas étnicas y regionales en la sociedad y el agravamiento de la pugna entre el gobierno central y los prefectos opositores. Esa pugna intentó ser resuelta con la convocatoria a un referéndum sobre revocatoria de mandato del presidente y los prefectos que se realizó en agosto de 2008. Los resultados de la consulta ratificaron a Evo Morales con 67% de votos, pero también a cuatro prefectos opositores que, un mes después, promovieron graves protestas en sus regiones que derivaron en un agravamiento de la grave crisis política. Finalmente, por medio de un acuerdo congresal entre oficialismo y oposición se introdujeron varios cambios en el proyecto oficialista y se convocó a referéndum para aprobar la Constitución Política del Estado en enero de 2009.

En el transcurso de este proceso se produjeron varias modificaciones en el sentido de la democracia. Desde la inauguración de la “democracia pactada” en 1985 y hasta la crisis política

de octubre de 2003, la democracia representativa centrada en partidos políticos fue el rasgo dominante del funcionamiento del sistema político y el sustrato de un régimen de “presidencialismo híbrido” (Lazarte 2005, René Antonio Mayorga 2002) que era resultado de la elección congresal del presidente en segunda vuelta parlamentaria, debido a la ausencia de vencedores con mayoría absoluta en las urnas. Los partidos canalizaban las demandas sociales y el proceso decisional estaba circunscrito al poder ejecutivo en concordancia con el órgano legislativo.

Después de la caída del gobierno en octubre de 2003 se aprobaron modificaciones constitucionales con la incorporación de instituciones de democracia participativa (referéndum, asamblea constituyente e iniciativa legislativa ciudadana) y la apertura de la competencia electoral a agrupaciones ciudadanas y pueblos indígenas, quebrando el monopolio partidista. A la presencia de nuevas modalidades organizativas en la competencia electoral y novedosas pautas de participación ciudadana se sumó la inédita elección de prefectos mediante voto ciudadano, en diciembre de 2005, dando inicio a la descentralización política. La democracia participativa se puso en marcha en abril de 2004 con la consulta popular sobre la propiedad de los hidrocarburos y a mediados de 2006 con la realización de un referéndum sobre autonomías departamentales y con la elección popular de representantes a la Asamblea Constituyente.

En la Asamblea Constituyente se plantearon nuevas reglas para ampliar la representación y la participación, entre las que resaltan nuevas modalidades de ejercicio de la democracia. Por una parte, la elección presidencial directa y la revocatoria de mandato, que incrementan la eficacia del voto ciudadano porque se elimina la mediación parlamentaria en la elección presidencial. También se incluye la reelección presidencial inmediata por un período constitucional y la revocatoria de mandato de las autoridades políticas. Asimismo, se incorpora la democracia comunitaria a la política institucional con el reconocimiento de normas y procedimientos propios para la participación de los pueblos indígenas pero sin negar el principio liberal del voto individual.

En suma, la democracia representativa se modificó con la eliminación de la prerrogativa congresal de elegir presidente en segunda vuelta, la democracia participativa se fortaleció con la revocatoria de mandato por votación y, finalmente, se introdujeron pautas de democracia comunitaria subordinadas a las reglas de la democracia representativa. Este proceso de reforma constituye el contexto político institucional donde acontece la emergencia y el rol de los medios de comunicación en la democracia, tanto en los eventos electorales como en la definición de la agenda pública.

### 3. Los medios de comunicación en la política

Con la transición democrática, desde 1982 se inauguraron nuevos espacios para la circulación de los discursos políticos denotando la conformación de una esfera pública. Se inició la configuración de una sociedad civil a partir de la ciudadanización, la autonomía de las organizaciones sociales respecto al aparato gubernamental y la mediatización pluralista del espacio público por efecto de la democratización. Si en la dictadura (entre 1964-1982, con cortos interregnos democráticos), los medios de comunicación estaban sometidos a la censura o actuaban como aparatos ideológicos del estado –por ejemplo, solamente el canal de la TV pública tenía cobertura nacional–, pocos años después, la proliferación de medios de comunicación privados, sobre todo canales televisivos, y la aparición de nuevos diarios provocó la gestación de múltiples espacios de difusión de noticias y deliberación pública en el nivel nacional, regional y local.

El crecimiento de medios de comunicación después de 1985 fue notable y sobre todo se acrecentó la influencia de la televisión. No obstante, la radio siguió jugando un papel fundamental sobre todo en las poblaciones rurales y urbano-marginales. A fines de los años noventa, “el país está ocupado territorialmente por estaciones radiales que prestan servicios que, en otras latitudes, son confiadas al teléfono, la red Internet o al correo ... la radio habría engendrado los primeros cimientos de una ‘comunidad imaginada’, uno de los requisitos para la construcción de una nación” (Archondo 1999:133) y este hecho adquirió, como veremos, mayor importancia bajo el impulso del gobierno de Evo Morales con la conformación de una red nacional de radioemisoras comunitarias. En este ensayo privilegiamos el análisis de la prensa televisiva y escrita por su impacto más directo en la actividad política y porque refleja de manera más evidente la polarización ideológica que acompaña el proceso político de los últimos años.

Al inicio del actual ciclo democrático, el espacio televisivo se reducía a la presencia monopólica del canal estatal, sujeto a los dictámenes gubernamentales, y era escasamente disputado por ocho canales universitarios de alcance local y sin posibilidades de operar como red nacional. A partir de 1984 se produjo una acelerada creación de canales privados en todas las regiones: si en 1985 eran 35, a fines de los años noventa existían alrededor de 78 estaciones, las cuales 24 eran provinciales (Archondo 1999:122). Paulatinamente, se desplegó una tendencia al establecimiento de redes nacionales por razones de competencia empresarial y porque permitía a sus propietarios disponer de mayor influencia política. La creación de redes puso de manifiesto la existencia de varias lógicas en la vinculación entre comunicación y política. En la actualidad existen varias redes televisivas nacionales (ATB, UNITEL, REDUNO, PAT, BOLIVISION) que responden a diversos conglomerados empresariales. En algunas coyunturas políticas sus propietarios fueron candidatos o, bien, algunos jefes partidistas compraron medios como parte de su estrategia electoral.

En cuanto a la prensa escrita, también aparecieron signos de diversificación después de las medidas de ajuste estructural aplicada en los años ochenta, no obstante la mayoría de los diarios siguen concentrados en las ciudades de La Paz, Cochabamba y Santa Cruz que conforman un eje que recorre el país de occidente a oriente. Casi todos los periódicos tradicionales se renovaron y algunos desaparecieron en el camino, como Presencia, de propiedad de la Iglesia católica, por entonces el único diario de cobertura nacional. Después de 1985, se fundaron nuevos periódicos entre los que se destacan: Opinión (1985), El Nuevo Día (1987), La Razón (1990), La Estrella del Oriente (1996) y La Prensa (1998). En los últimos años, aparecieron el diario El Mundo (2003) vinculado a un ala radical de los sectores empresariales de Santa Cruz y Cambio (2009), de inspiración gubernamental. En general, es un periodismo de élite, dirigido a los estratos altos y medios, con un tiraje global que apenas supera 100.000 ejemplares y destina más de la mitad de sus portadas a información política, denotando un carácter monotemático alejado de las preocupaciones cotidianas de la sociedad (Peñaranda 1999). Una novedad en los últimos años fue la aparición de tabloides en formato de “crónica roja” (Gente, La Voz y Extra, desde 2000) que forman parte de las redes mediáticas y muestran una estrategia de diversificación de audiencias.

Frente a este panorama, el gobierno del MAS optó por crear su propio órgano de difusión escrita que se constituye en el primer periódico oficialista en este ciclo democrático. Se trata de Cambio, que se presenta como “periódico estatal de circulación nacional” en versión impresa y como “periódico del Estado Plurinacional Boliviano” en formato digital ([www.cambio.bo](http://www.cambio.bo)). En términos generales, los medios impresos combinan tres tipos de tareas que evidencian un cambio sustantivo en su labor informativa: la opinión en columna periodística, en la que participan cientistas sociales, políticos y periodistas; el reportaje de investigación, aunque de manera precaria, en manos de gente de oficio; y la entrevista a personajes públicos, cada vez con mayor contrapunto y cuestionamiento por parte de los periodistas.

En los últimos diez años, a partir de ese crecimiento, se manifestó una tendencia a la concentración de medios y a la conformación de redes multimedia. Es el caso de un empresario que abrió una red televisiva, ATB, con 14 estaciones y que ostenta el mayor rating televisivo. Ese consorcio privado adquirió en 1997 el diario de mayor circulación nacional, La Razón, y junto con otros diarios -El Nuevo Día en Santa Cruz, y Opinión en Cochabamba- formaron una red que incluyó un tabloide y el único diario en inglés, de vida breve, aparte de otros diarios locales. En agosto de 2000, este consorcio se asoció con el grupo empresarial español Prisa, y la administración financiera pasó a manos de los socios extranjeros, aunque con una presencia minoritaria en la televisora ATB debido a restricciones legales a la inversión privada en el campo de la televisión. Se inició un proceso de transnacionalización en este rubro que se truncó por el fallecimiento del propietario y luego por la política de nacionalización de los recursos naturales implementada por el gobierno de Evo Morales que modificó en términos generales las condiciones objetivas y subjetivas para la inversión extranjera. A principios de 2009, el grupo Prisa anunció la venta del diario La Razón y los rumores de que los nuevos propietarios eran inversores venezolanos no fueron desmentidos ni confirmados hasta la fecha.

Otra modalidad de concentración empresarial provino de familias de tradición periodística que formaron una red multimedia compuesta por diarios de varias ciudades y un canal televisivo con cobertura nacional (PAT), medio en el cual gestó su prestigio un periodista (Carlos Mesa) que, en 2002, fue elegido vicepresidente y un año después asumió la presidencia por sucesión constitucional. En los últimos años, esta red multimedia se ha diversificado, no obstante su labor está influenciada por las demandas regionalistas que han recrudecido en los últimos años, puesto que uno de los ejes conflictivos durante el gobierno del MAS tiene que ver con las reivindicaciones de autonomía departamental esgrimidas por Santa Cruz y otros departamentos; este tema influyó e influye decisivamente en la construcción de las agendas políticas en el plano nacional y regional. Es decir, los medios privados no están articulados en un solo consorcio, existen matices en su seno y cada vez son más permeables a las influencias políticas locales, al margen de su alineamiento en un escenario político polarizado.

También sobresale un grupo mediático de propiedad de la Iglesia católica con 42 radios, 10 canales de televisión y 7 medios impresos, aparte de productoras de video, agencias de noticias, imprentas y editoriales. Se trata de una red con múltiples aristas cuyas partes integrantes están sometidas a influencias disímiles. La importancia política de la iglesia católica, empero, no depende de la cantidad ni de la labor de sus medios sino del papel de mediación que jugó esta institución desde la transición democrática y, particularmente, en los conflictos sociales de los últimos años, constituyéndose en un actor central para la gobernabilidad. Sin embargo, desde el ascenso de Evo Morales al poder las relaciones entre gobierno e iglesia católica se volvieron problemáticas y en varias oportunidades la institución religiosa realizó campañas contra las decisiones oficialistas; así, los sermones dominicales del cardenal son transmitidos en directo por canales privados con críticas al gobierno, más aún después de la aprobación de la nueva Constitución Política del Estado –de inspiración masista- que define el carácter laico del Estado boliviano y reconoce el pluralismo religioso.

Finalmente, se encuentra una red formada por los medios de propiedad estatal que retomaron su importancia de antaño porque se constituyen en la mirada contraria a la difundida en los medios privados; no obstante su credibilidad es igualmente relativa debido a una postura oficialista que les resta credibilidad. La televisión estatal tiene cobertura nacional (cuenta con 250 repetidoras), su influencia es débil y su programación no le permite disputar con éxito los públicos que convocan las redes privadas, con todo, su audiencia se ha incrementado notablemente en los últimos años. En el ámbito radial las decisiones gubernamentales fueron contundentes con la

creación de la Red Patria Nueva con base en una emisora estatal (Radio Illimani) y con repetidoras en todas las regiones; además articulada a una red de radios comunitarias creada en 2007. Se trata de 30 radioemisoras que forman el Sistema de Radios de los Pueblos Originarios, interconectados mediante satélite con la estatal Red Patria Nueva y que tienen apoyo financiero del gobierno venezolano, en el marco del programa “Bolivia cambia, Evo cumple”. A esto se suma el periódico Cambio con las características ya descritas.

Este complejo escenario mediático, sin embargo, en cierta medida se reduce a la existencia de dos circuitos comunicacionales por donde transitan los discursos políticos y los discursos sobre la política. Por una parte, las redes y consorcios mediáticos vinculados al sector empresarial que elaboran, reproducen y amplifican las posturas opositoras al gobierno. En contrapartida, una red nacional de radioemisoras comunitarias locales que amplían el uso de la radio estatal, del periódico gubernamental y de la televisión pública que son utilizadas por el gobierno para apuntalar sus decisiones. En ninguno de los casos, la objetividad forma parte de la construcción de las noticias.

Un nítido ejemplo se manifestó en el tratamiento noticioso respecto a un evento que tuvo resonancia internacional. En septiembre de 2008 se produjo una masacre de campesinos afines al MAS, hecho que ocurrió en una región alejada de la sede de gobierno. A los pocos días, como prueba documental de la masacre, en la televisión pública se difundieron imágenes de campesinos escapando, cruzando a nado un río, voces de gente y sonidos de disparos. En algunos canales privados desmintieron la versión gubernamental, también mostrando imágenes del río pero cuestionando la pertinencia del lugar y la certeza respecto al ruido de balas, e inclusive si las personas que cruzaban el río eran campesinos. Cada versión se reforzaba con imágenes para sentenciar si fue una masacre o un enfrentamiento entre oficialistas y opositores. En estas circunstancias ¿quién definió la verosimilitud de los hechos?. Varias comisiones investigadoras (algunas de carácter internacional enviadas por UNASUR o las Naciones Unidas, otras locales vinculadas al Defensor del Pueblo y al congreso nacional) emitieron sus informes, en la mayoría de los casos ratificando la versión gubernamental, sin embargo, la doble lectura de los hechos formó una opinión pública dividida entre segmentos que rechazaban la “otra” versión. Es decir, a las fisuras sociales, fracturas regionales y polarización ideológica que caracterizan la política boliviana se suma una suerte de división del espacio mediático que refuerza y exagera las diferencias entre actores políticos y sectores sociales. Así, los medios de comunicación no son sólo el escenario donde acontece la política sino también son actores en el proceso político. Sin embargo, antes de analizar estos rasgos abordaremos los cambios en la retórica política al influjo, precisamente, de la mediatización de la democracia.

#### 4. Retórica y estrategias electorales

Desde la transición a la democracia se produjo un cambio sustantivo en la retórica política, esto es, en las modalidades que asume el discurso político y en el manejo de técnicas e instrumentos para lograr su finalidad específica: convencer, persuadir y manipular, en suma, disputar el poder y gobernar. Antes del neoliberalismo y la democracia electoral, o sea, antes de 1985, la retórica se sustentaba en una lógica más cercana a la ideología (el deber ser de la política: el poder de las razones) que al pragmatismo (la política tal cual es: las razones del poder). Después de cerca de veinte años de predominio del pragmatismo, con el arribo de Evo Morales al gobierno se produjo un retorno a la ideologización de la comunicación política. Esto ocurrió no solamente por la prédica nacionalista e indigenista del MAS, ni por la invocación de un difuso e impreciso “socialismo del siglo XXI” por parte de Evo Morales; también porque varios sectores de la oposición enarbolan posturas basadas en reivindicaciones e identidades de carácter regionalista que contrastan con las demandas e identidades indígenas. A eso se suma la cercanía del MAS a los regímenes de Venezuela y Cuba que ha provocado la reaparición de viejas posturas basadas

en el clivaje izquierda/derecha. La combinación de estos elementos genera un reforzamiento de la polarización que se traduce en un maniqueísmo más cercano a la “guerra fría” que a la globalización.

¿Cuáles eran los principales espacios de circulación de los discursos políticos en la fase previa a la transición? El sindicato era la principal arena de acción para los partidos de izquierda, mientras que el aparato represivo del Estado era el ámbito de conspiración de las organizaciones de derecha. En este caso, la política era clandestina y carente de deliberación. En el otro, la política transitaba por espacios de debate para la toma de decisiones, pero subordinados a una lógica asambleísta en la cual la validez de los argumentos dependían de su adecuación a la estrategia política (democracia o revolución) y su verosimilitud reposaba en la congruencia de los discursos a un principio de autoridad conferido por la doctrina o la línea del partido. Esta modalidad perdió su importancia a medida que la mediación sindical fue sustituida por el sistema de partidos y la competencia electoral se convirtió en rutina propiciando la creciente importancia de los mass media en el hecho político. La emergencia de movimientos sociales a principios de esta década, sobre todo en el caso de campesinos e indígenas, recuperó y acrecentó esa tradición sindical que puso de manifiesto la importancia de las estructuras organizativas y movilizadoras del sindicalismo y de las agrupaciones indígenas. Precisamente, el movimiento cocalero, cuyo líder es Evo Morales desde fines de los años ochenta, es una expresión de esa tradición sindical de raigambre obrera que se expandió a una zona de colonización agrícola y cuyos rasgos generales analizamos más adelante.

Desde otra perspectiva, con la televisión convertida en el centro del espacio mediático, la retórica política sufrió un desplazamiento. Si antes predominaba el discurso persuasivo basado en la palabra y la argumentación, de manera paulatina fueron adquiriendo mayor importancia los elementos suasivos del discurso, es decir, la imagen del emisor y su puesta en escena (Lo Cascio 1991). La seducción y el convencimiento dejaron de ser el efecto buscado de los mensajes políticos a través de sus contenidos; paulatinamente, el perfil del enunciador adquirió una importancia creciente y su imagen empezó a depender de los medios y técnicas utilizadas para su difusión. El arribo de Evo Morales a la presidencia marcaría un hito al respecto, por la fuerza simbólica de la imagen del “primer presidente indígena” difundida, sobre todo en los medios de comunicación globales, como CNN. En esos ámbitos, Evo Morales es el “otro” y la verosimilitud de las demandas campesinas e indígenas que encarna no se sustenta solamente en palabras que pretenden persuadir, o en invectivas que reclaman justicia histórica, sino en factores suasivos, aquellos que acompañan su palabra y definen su verosimilitud y eficacia interpelatoria: imagen, color de piel, vestimenta, estilo, impronta, en suma, aquello que Evo Morales representa en términos culturales.

La transformación en la retórica política fue paulatina. Antes de 1985, la verosimilitud del discurso político estaba concentrada en la elaboración de ofertas programáticas y poco dependía de la capacidad para producir propagandas y spots afinados en la imagen de los candidatos. La influencia de la televisión en los procesos electorales se inició en 1985, coincidentemente con la proliferación de canales privados. Las imágenes inundaron las pantallas y las metáforas fueron utilizadas para "explicar" la crisis que agobiaba al país. La historia era reducida a un mensaje con capacidad de persuasión de una masa votante convertida en público o audiencia. No fue casual que los candidatos de los tres partidos que utilizaron mayor espacio propagandístico en la televisión ocuparan los primeros lugares en la elección de ese año, sin embargo, la influencia de este medio de comunicación era todavía precaria.

A partir de los comicios de 1989, los cambios en la retórica política tuvieron otra consecuencia, exacerbando la tendencia a la personalización de la representación política que se manifestó de

manera patente con el surgimiento de nuevas figuras políticas, a la sazón empresarios, vinculadas de diversa manera a los medios de comunicación: Gonzalo Sánchez de Lozada, Max Fernández y Carlos Palenque. La imagen pública de estas figuras políticas se había forjado en estrecho vínculo con la televisión. Sánchez de Lozada, candidato del MNR y vencedor en esa contienda, declaró que era un producto de los mass media y fue el primer candidato que desplegó una estrategia asentada en el uso de sondeos y encuestas y en la fabricación de una imagen a partir de exacerbar sus atributos personales, entre ellos su perfil tecnocrático y su peculiar acento en el uso del castellano –hablaba como “gringo”- debido a su formación escolar en Estados Unidos. Max Fernández, un empresario de nula capacidad histriónica, desplegó una labor proselitista aprovechando los innumerables espacios publicitarios que disponía su empresa de cerveza –la más grande del país- en radios, periódicos y canales que magnificaban su imagen de filántropo, cuyas acciones –“las obras entran por los ojos”- contrastaban con la demagogia atribuida a los políticos tradicionales. Carlos Palenque era propietario del Sistema de Radio y Televisión Popular y hacía gala de sus dotes como artista y conductor de programas de enorme audiencia en La Paz; precisamente, una clausura temporal de sus medios provocó protestas multitudinarias que concluyeron en la fundación de su partido con base en su audiencia popular convertida en masa votante que le dio la victoria en ese distrito en todas las elecciones en las que participó su partido hasta su inesperado fallecimiento en 1995 (Castells 1999).

En 1989 también ocurrió otro hecho novedoso con la realización de un debate entre los tres principales candidatos, evento que fue transmitido en cadena nacional de radio y televisión con una cobertura inédita y con el auspicio de una entidad de periodistas. La valoración de ese acontecimiento se ciñó en el desempeño escénico de los candidatos y su performance personal en un evento mediático sustituyó a la comparación de los masivos cierres de campañas partidistas en plazuelas. La suposición de que la televisión era decisiva en los comicios empezó a tomar fuerza pero rápidamente fue relativizada, en buena medida, a consecuencia del “fenómeno Fujimori” en Perú y su victoria frente a Vargas Llosa, en 1991, con una campaña caracterizada por un mínimo acceso a los mass media.

En los comicios de 1993 y 1997, los candidatos relativizaron la lógica del marketing político y dieron un giro hacia el contacto directo con los ciudadanos. La audiencia pasó a formar parte de los programas de televisión que incluían a gente invitada al set para formular preguntas y plantear demandas. El contacto directo entre candidatos y electores asumió mayor importancia y esos encuentros eran reproducidos en las pantallas de televisión, cuya influencia pasó a ser una variable más en el diseño de campañas, aunque su uso siguió siendo el más requerido y el que concentraba los gastos de campaña. El contacto personal adquirió más importancia con la inclusión de diputados uninominales en el congreso, merced a una modificación constitucional introducida en el sistema electoral desde 1997 que exacerbó la personalización en la representación política. Precisamente, la irrupción política de Evo Morales se produjo en el ámbito parlamentario como diputado uninominal obteniendo la mayor votación en circunscripciones de ese tipo. Su figura estaba asociada, empero, a la protesta social que por entonces tenía como protagonistas a los campesinos cocaleros. El perfil indígena del liderazgo de Evo Morales no jugó un rol crucial en los comicios presidenciales de 2002, cuando obtuvo el segundo lugar, y tampoco adquirió una importancia inusitada en ocasión de su victoria por mayoría absoluta en diciembre de 2005. Esa imagen adquirió mayor predicamento por el protagonismo del movimiento campesino e indígena y, sobre todo, por las ceremonias de posesión en el cargo de presidente de la República que fueron transmitidas por innumerables medios televisivos de varios países, en particular un acto revestido de ritos indígenas que se realizó en la zona arqueológica del lago Titicaca, el más alto del planeta, con la presencia de representantes de pueblos indígenas de todas las latitudes.

Otro efecto de la comunicación política centrada en la televisión se manifestó en la contrapropaganda como estrategia electoral a través de “guerra sucia” con spots dirigidos a menoscabar a los rivales. Se inició en las elecciones de 1997, al extremo que la Corte Nacional Electoral por primera vez intervino para prohibir spots que dañaban la imagen de los candidatos y alcanzó su clímax en 2002 cuando el candidato que resultó vencedor (Gonzalo Sánchez de Lozada del MNR) desató una campaña sistemática contra la imagen de un rival que partía como favorito en las encuestas. Manfred Reyes Villa, el candidato en cuestión, terminó ocupando el tercer lugar, siendo desplazado por Evo Morales que obtuvo el segundo puesto en su primera incursión como candidato presidencial. La estrategia de la “guerra sucia” contra Reyes Villa fue reseñada en la película documental *Our brand is crisis* (Nuestra marca es la crisis) que fue presentada por HBO en su estreno, a mediados del 2005, con la siguiente sinopsis: “Engaño, manipulación y espionaje son algunos de los factores que rigen las campañas electorales. Este documental narra cómo un grupo de consejeros americanos determinaron el auge y caída del presidente de Bolivia, Gonzalo Sánchez de Lozada”

(<http://videosdebolivia.blogspot.com/2007/08/our-brand-is-crisis.html>).

Lógicamente, el cambio en el perfil de los candidatos y la importancia propagandística de la televisión por su amplia cobertura, exigieron una modificación paulatina de los planes partidistas. Las estrategias electorales, en general, se adaptaron a la importancia que adquirieron los mass media en los comicios. También se modificaron de manera parcial las pautas de reclutamiento de los militantes para proponerlos como candidatos a los diversos cargos electivos. Antes las candidaturas estaban subordinadas a decisiones del jefe del partido, a la trayectoria interna de los militantes o a su papel como brokers; sin embargo, paulatinamente la imagen pública de los militantes o dirigentes empezó a adquirir mayor relieve como requisito de selección de candidatos y el espacio mediático se convirtió en un terreno extrapartidista de competencia entre aspirantes a cargos de elección popular. Más aún, las organizaciones políticas optaron por invitar a personalidades de la sociedad en desmedro de sus propios cuadros dirigentes. La preponderancia de la imagen personal, la consideración del electorado como un público consumidor y las exigencias técnicas de una comunicación política remozada exigieron modificaciones en la organización de los equipos de campaña que pasaron a depender, cada vez más, de expertos en marketing y de asesores de imagen que se convirtieron en núcleos de trabajo tan importantes como los cuadros partidistas. A esto se sumó la incorporación del uso de encuestas y sondeos de opinión cuyos resultados orientaban las decisiones tácticas. Esta modalidad tuvo su bautizo en los comicios presidenciales de 1989, cuando los principales partidos contrataron a empresas y/o asesores especializados. En la campaña del partido ganador, MNR, participó la empresa norteamericana Sawyer & Miller, que había trabajado en la campaña del NO en Chile y con Angeloz en Argentina y luego asesoró a Vargas Llosa en Perú; y también una empresa de estudios de mercado, Kennan Research, que asesoró a Dukakis en Estados Unidos. Antes, un ministerio contrató a la empresa brasilera Propaganda para apuntalar una campaña de apoyo indirecto al candidato oficialista. En otro caso, participaron asesores argentinos y españoles y expertos vinculados a la Internacional Socialista, que habían apuntalado a Carlos Andrés Pérez en Venezuela.

Esto no implica que los partidos hayan prescindido de la utilización de las modalidades típicas de organización de su labor proselitista, tales como, “aparatos” institucionales de propaganda y/o brokers que actúan en agrupaciones barriales o sectoriales conformando redes formales e informales para el reclutamiento y la movilización de adeptos. Como vimos, esta modalidad organizativa de signo más bien tradicional fue recuperada por el MAS, no tanto como estrategia partidista sino porque sus lazos con el electorado dependían y dependen de la red de organizaciones sindicales e indígenas, comunidades campesinas y diversos grupos organizados donde también se destacan organizaciones no gubernamentales y fundaciones.

Los esfuerzos organizativos fueron articulados de manera paulatina al manejo de medios de comunicación para proporcionarles un impacto propagandístico adicional, ampliando su radio de interpelación con la finalidad de cautivar otros públicos. Si la disputa electoral adquirió nuevos contornos al influjo de los mass media, también el espacio mediático sufrió evidentes modificaciones debido al protagonismo de los medios de comunicación.

##### 5. Mass media: ¿escenarios y actores de la política?

La transición a la democracia fue producto de una acción colectiva basada en la consistencia de la sociedad civil articulada en torno a los sindicatos, cuyo predominio organizativo se traducían en la conformación de una red comunicacional de índole informal por la que discurrían los discursos políticos, habida cuenta del control dictatorial de los medios de comunicación de propiedad estatal y de la censura aplicada a los medios privados. En la medida que una demanda asociada a la democracia era el derecho a la libertad de información y de expresión, esta reivindicación suponía un futuro rol positivo para los mass media. Así, el período democrático se inició con la esperanza puesta en que la transparencia de los actos gubernamentales iba a reflejarse en los medios de comunicación como ámbitos públicos proclives para una racionalización de la política, sometida al debate colectivo. Empero, la democracia también trajo la rutina electoral y la creciente importancia de la televisión en el proselitismo, apuntalada por la aparición de canales de carácter privado que empezaron a prefigurar una mercantilización de los eventos electorales.

Empero este efecto era, inicial y básicamente, de corte escénico y los medios eran, precisamente, escenarios donde se publicitaban los personajes y los hechos políticos. Más adelante, los mass media se constituyeron en espacios privilegiados del debate público y, luego, en los ámbitos de construcción de la agenda política o en instrumentos de la oposición política y empresarial. En la actualidad, como acontece en Venezuela con Hugo Chávez, en Ecuador con Rafael Correa y en Argentina con Cristina Kirchner, los medios de comunicación privados –“la prensa”– son considerados como la principal fuerza opositora al gobierno del MAS, al extremo que Evo Morales decidió, desde principios de 2009, no conceder entrevistas a periodistas de los medios privados nacionales y solamente ofrece conferencias de prensa a los corresponsales extranjeros.

Es decir, paulatinamente los medios de comunicación, antaño escenarios de la política, se convirtieron, también, en actores del proceso político; sobre todo a partir de 1997, cuando la corrupción se erigió en un tema central en la agenda política provocando una suerte de transferencia de la tarea de fiscalización congresal a los actos del gobierno a los mass media. Un hecho aleatorio definió este desplazamiento en el tratamiento noticioso. A partir de 1999, el éxito de la crónica roja puesta en primer plano por nuevos diarios de formato tabloide y precios bajos provocó una tendencia a la espectacularización del tratamiento noticioso de la política en los medios periodísticos convencionales. Los diarios tradicionales entraron a competir con los tabloides adoptando una postura sensacionalista, aunque en vez de orientar sus pesquisas a los hechos anómicos del mundo cotidiano las dirigieron hacia personajes políticos y funcionarios gubernamentales.

¿Qué consecuencias tiene una superposición entre escenario y actor de la política? En primer lugar, esta doble cualidad se explica por la pérdida de legitimidad de los partidos y el debilitamiento de sus funciones típicas como mecanismos de expresión de las demandas ciudadanas, provocando una variación en el carácter de la representación política. Como se sabe, la política juega un papel de representación simbólica y de representación institucional (Landi 1995). Por una parte, permite que los diversos grupos de la sociedad se manifiesten en el espacio público expresando sus demandas y que los individuos se reconozcan como miembros de una comunidad política nacional. Por otra, viabiliza las demandas de la población y las transforma –o las incorpora– en políticas públicas a través de representantes electos mediante el voto. Al inicio

del período democrático estas dos dimensiones de la representación estaban relativamente concentradas en los partidos, aunque los sindicatos todavía disputaban la representación institucional. Paradójicamente, a medida que los partidos desplazaron a los sindicatos en las tareas de mediación, la representación simbólica de la política se desplazó a los mass media por efecto de la erosión de la credibilidad ciudadana en la eficacia de los partidos que, sin embargo, mantienen la representación institucional, esto es, la prerrogativa de definir políticas públicas. En suma, los mass media desplazaron a los partidos en la representación simbólica de la política, porque en ese ámbito se escenifican las demandas sociales y el espacio legítimo del debate de los asuntos públicos, mientras que la arena partidista es considerada como un ámbito de negociación y componenda sometido a intereses circunstanciales y carentes de transparencia. Esta disyunción provocó algunos problemas puesto que los mass media no pueden cumplir la tarea de canalizar las demandas sociales para su transformación en decisiones estatales.

#### 6. A manera de colofón

Con la democratización y la privatización del espacio mediático, los medios de comunicación adquirieron una importancia decisiva en los procesos electorales, empero, sin llegar a desplazar a las instancias organizadas de la sociedad civil, particularmente sindicatos y movimientos sociales, que adquirieron una renovada influencia debido a la crisis del sistema de partidos a fines de los años noventa. Para entender los rasgos de la comunicación política en el caso boliviano es necesario considerar un hecho sociopolítico que no tiene carácter coyuntural sino histórico. Este se refiere a la existencia de una política institucional débil (partidos políticos, parlamento, aparatos estatales en general) y una acción colectiva muy fuerte, al extremo que se caracteriza como “política en las calles”. Sobre este último aspecto vale la pena detenerse en algunos ejemplos actuales que marcan el carácter que ha asumido la comunicación política desde la victoria del MAS. En general, la movilización social tiene una dimensión expresiva muy fuerte con marcados elementos identitarios que operan como factores culturales que forman parte de la movilización de diversos actores sociales. En el caso de la oposición, la convocatoria basada en apelaciones identitarias de carácter regionalista (“autonomía departamental”) también invoca argumentos clasistas o modernos porque defiende a los sectores de clase media y a la población urbana frente al supuesto avasallamiento campesino indígena que se traduce en una disyunción entre campo y ciudad. En el caso del oficialismo, se trata de una movilización matizada por la presencia protagónica del movimiento campesino e indígena que forma parte de una compleja red de organizaciones sindicales de diversa índole, configurando un peculiar circuito de comunicación política en torno a la figura de Evo Morales.

Evo Morales en la actualidad es presidente de la República, jefe del MAS y principal dirigente del movimiento sindical cocalero. Adicionalmente, en el transcurso de 2008, llegó a ser la cabeza de una red de asociaciones sindicales de diversa índole que agrupa a más de sesenta organizaciones populares bajo la denominación de CONALCAM (Coordinadora Nacional por el Cambio). Esta supra entidad organizó multitudinarias marchas de apoyo al gobierno y también actos de presión a la oposición parlamentaria mediante cercos al congreso. En el transcurso del año pasado se organizaron varias asambleas de CONALCAM en formato sindical con la presencia de una centena de dirigentes, asambleas que fueron transmitidas en directo por una red de radioemisoras durante varias horas. Estos eventos fueron dirigidos por el Presidente de la República en calidad de moderador, puesto que ejercía su papel de dirigente sindical, otorgando la palabra a los asistentes, discutiendo las propuestas y dirigiendo un debate que conducía a la toma de decisiones. Era obvia la influencia de Evo Morales en ese proceso decisional, sin embargo, él también terminaba acatando el veredicto de la asamblea. Era una figura muy sugerente porque ponía en juego varios elementos: la investidura presidencial combinada con la tradición sindical, el formato de asamblea utilizado como mecanismo informal para el ejercicio de gobierno; y todo ventilado en el espacio público a través de la transmisión radial. Un síntoma de

los cambios en la comunicación política en una sociedad sometida a intensas transformaciones entre las que sobresale la modificación de la estructura de mediaciones políticas y la centralidad de un liderazgo que tiende a subvertir las pautas convencionales de la representación política.

## **Inter-American Press Association Country Report: Bolivia Bolivia**

Freedom of the press and of expression, characterized by an ongoing siege by the government and other sectors of journalists and news media, are now threatened with being restricted by a ruling that President Evo Morales intends to introduce “to educate” journalists “not to lie,” and that on asking a question they raise their left arm with closed fist and fight against “imperialism.”

The presidential warning to issue such a ruling has put the press on the alert, but at the same time it has generated a certain concern among news organizations which are coming up with various alternatives to prevent freedom of expression from being mutilated in this way. The Bolivian Confederation of Press Worker Unions (CSTPB) said it has a legislative bill on alternative press ready to put to the consideration of the self-styled Multinational Legislative Assembly. The National Press Association (ANP) and the National Association of Journalists of Bolivia (ANPB) are rejecting the attempt to adopt any such law, saying that it would give a green light for freedom of expression to be threatened. To this end the news organizations have agreed to hold debates in the country to come up with a final position.

The ANP named and put to work in 2009 a news ethics tribunal with the objective of improving the quality of print journalism, and providing a body which authorities or persons that feel harmed by news reports may go to. The tribunal will be in charge of judging ethical shortcomings of journalists and media belonging to this organization, and imposing moral sanctions. It is made up of a former Supreme Court chief justice, a former chief justice of the Bolivian Constitutional Court and three journalists who have been awarded the National Journalism Prize.

The ANPB, the Bolivian Broadcast Association and the Association of Journalists of La Paz set up another ethics tribunal to pass judgment on transgressions of ethics principles by other news media.

Both tribunals comply with the Bolivian Constitution, whose part 2, paragraph 2 of Article 107 states that the principles of accuracy and responsibility “shall be exercised through the standards of ethics and self-regulation of the organizations of journalists and news media and the law.”

Since President Morales obtained an overwhelming 64% vote on which he was re-elected for a new five-year term in the December 6, 2009 elections, there have been signs of an increase in self-censorship in some independent media. Several television channels have lowered their news profile and, although there has been official silence, it is known that government sympathizers have acquired some television channels and print media that add new government-sympathetic entities to a newspaper, the country’s most widely viewed television channel, and the radio network Patria Nueva, all state-owned, to serve as government propaganda outlets.

President Morales has assumed full control of the three branches of government. His party has a more than two-thirds majority in the Legislature and he personally appointed the justices of the Supreme Court and the Bolivian Constitutional Tribunal, the Judiciary Council and the Attorney General, who in turn named public prosecutors in the country’s nine provinces, four of them militants of the governing party.

It is increasingly frequent for journalists to be called in by public prosecutors, presumably government supporters, to be witnesses in cases, especially those with political implications. In the ANP’s view this is a means to intimidate that can lead journalists to refrain from covering conflicts.

The prosecutors have virtually frozen investigations into armed attacks by police on reporters from the UNITEL television network on September 3, 2009 and from PAT television on November 26, both in the city of Santa Cruz de la Sierra.

On September 3, 2009 UNITEL reporter Alberto Ruth and cameraman Francisco Cuéllar were attacked by police officers belonging to the Crisis Resolution Tactical Unit (Utarc) as they were covering the arrest of a citizen involved in a land dispute with peasant supporters of the government. The two were beaten, a police pickup crashed into their car, their camera was shot at and destroyed, and the film was confiscated.

The government the next day admitted that police under the command of Captain Walter Andrade had taken part in the assault, and it dissolved that elite police unit which had been engaged in other bloody actions of a political bent, saying that they had suspended those involved to face internal legal proceedings. To date the attackers have not been sanctioned despite having been identified.

On November 26, also in Santa Cruz, two female reporters of the PAT television network were chased, ordered out of their car, and dragged by the hair for several yards by police belonging to the Delta group, who fired their guns, wounding Ismael Jesús Montero in the leg, the driver of the journalists' car, which was also a target of the shots. Reporters Shirley Flores and Karen Paola Rueda were gathering information about the abduction of a minor. The Interior Ministry announced an investigation to try those responsible in internal proceedings or fire them, but nothing is known to have been done.

On January 25, on announcing that a law to educate journalists should be drawn up, President Morales urged journalists and news media to join in "this task of fighting capitalism."

The case of journalist Carlos Quispe Quispe, murdered on March 29, 2008 by a group of demonstrators opposed to the mayor of the Andean town of Pucarani, remains a mystery. The public prosecutor's office in the town of El Alto de La Paz, where the case is located, along with the police, halted investigations and no authority has done anything to revive them.

To this panorama is added the fact that the President has broken a virtual truce that he himself gave, with his systematic attacks on journalists. Since November 2009 a total of 21 attacks on or verbal criticisms of journalists have been recorded. Six of them, that is more than 25%, came from President Evo Morales himself.

The latest verbal assault was on March 3, when he threatened reporter Nicole Bisbal of the UNITEL network that he will personally order that it publish textually what he declared. "Have you understood? Have you been listening?" he said in front of the cameras.

The government, through the Legislature, has adopted a controversial Anti-Corruption Law that enables investigation of unlawful enrichment by former government officials, and another on Hearings of Responsibilities of former presidents and government dignitaries who may have committed administrative offenses.

Those laws are questioned by legal analysts and government opponents who feel they violate human rights in ignoring, among other things, the presumption of innocence until guilt is proven, and that they will only be used as an instrument of political revenge.

Despite these and other laws described by the government as aimed at generating transparency in public administration, decrees have been issued that shut the doors on access to public information, denying the people and journalists the possibility of investigating details of the assets and earnings of officials, unless there is a legal order issued in due process.

The Armed Forces have shielded themselves behind their internal regulations to withhold information requested legally on murders, disappearances and tortures committed by dictatorial regimes.

In April 2009 the government issued a Supreme Decree that requires the legislative and judicial branches of government to provide access to information, the 2005 Supreme Decree having referred only to the executive branch. In practice, however, few agencies fulfill their obligations, due to the lack of any entity of enforcement in case of a failure to comply.

Meanwhile, a bill for a Law on Access to Information, drawn up four years ago by the current Transparency Minister, is asleep on some Chamber of Deputies shelf, although it is posted on the Ministry's website.

Other important developments in this period:

On November 9, a group of disabled persons demanding severance payment from the government attacked the state-owned radio station Patria Nueva, threatening to beat up journalists there, and they cut the electric lines, causing the media outlet to suspend broadcasting for two hours, journalist Jenny Abiza reported.

On November 10, President Morales asked the IAPA to teach some journalists in Bolivia to respect him, in response to the demand that he refrain from "insulting and verbally attacking" reporters." The IAPA tells Evo to respect the journalists, but I want to tell the IAPA that as an organization it should teach some journalists to respect me," he said in the town of Potosí. "If they do not respect the President, how are they going to respect the Bolivian people?" he asked. "We want the press to tell the truth, only the truth .... That is an international battle that has to be fought."

On November 27, reporter Paola Mallea of PAT television was stabbed as she was leaving her home. This happened less than 24 hours after a team from the same television network was shot at by an elite police unit, about which the media outlet filed a formal complaint and asked the government for protection. The female journalists reported that some days later they were temporarily abducted by two assailants.

On December 2, President Morales suggested the possibility of declaring himself on hunger strike to "free" journalists who are "instruments of the right." "I can get work for all of them, so all of them can come and work and not be at the service of the right to harm Bolivia, the homeland, the Bolivians, and also life," he declared.

On December 18, the editor-in-chief of the pro-government newspaper Cambio, Ramiro Ramírez Simons, was attacked in La Paz by a group of unidentified persons as he was returning home. As a consequence of the beating he sustained a broken nose and a possible broken jaw.

On January 10, Juan Manuel Arias, spokesman of Santa Cruz businessman Branko Marinkovic, accused the newspaper La Razón of carrying out "persecution" of his boss, due to the fact the newspaper wanted to know Marinkovic's whereabouts, the paper reported.

On January 12, the mayor's office of the town of Sucre (in southern Bolivia) issued a memo in which it warned intermediaries that "they are not authorized to issue public statements in news media without prior authorization."

On January 25, President Morales announced that his government would regulate news media so that "they do not lie" and asked journalists to "join the fight against capitalism."

Morales declared that there are news media that make comments about him when they call him an Indian, an animal or a macaque, and that they even suggest he should be killed; he then warned that "We have to start to correct and regulate so that we all act within the law."

On January 28, the speaker of the Bolivian Chamber of Deputies, Héctor Arce (of the governing MAS party), declined to attend a consultation meeting of television news media outlets and ordered a reduction in space provided to reporters covering the legislature.

On February 23, Oscar Sandy, executive director of Insumos Bolivia – an agency of the Production Development and Plural Economy Ministry – announced that he would sue Carmen Melgar, a reporter with the UNITEL television network, for libel for having reported that the food agency had out-of-date flour in stock.

On March 3, President Morales reprimanded two female reporters during a press conference he gave at the government headquarters. He asked one of them to take note textually of what he was saying and said he would "be in charge of seeing whether there is freedom of expression." The other, after her question, he described as "spokesperson of some colleagues and compatriots who are left as the remains of neo-liberalism."

Nicole Bisbal of UNITEL had asked him: "Mr. President, what is your opinion about the United States and the International Monetary Fund and their relationship with Bolivia?" To the question Morales responded: "Look, the United States and the International Monetary Fund allow everything .... Excuse me, what media outlet are you from?" The reporter answered and the President continued: "UNITEL, I want you to write down textually what I say, I am going to be in charge of seeing whether there is freedom of expression .... Understand? Are you listening?"

On March 7, the judge of the La Paz 7th District Criminal Court, Alvaro Melgarejo, momentarily seized the tape recorder of La Razón reporter Miguel Melendres during a hearing of accusations of unlawful purchases brought against three former officials of the National Customs Service, the journalist reported.

On March 9, Foreign Minister David Choquehuanca became annoyed when during a press conference he was asked when he would give the Bolivian government the money raised in his campaign "Chile and Haiti need you," and asked the reporters there how much they had donated for that cause. "I ask you if the people of the press have joined in. You ask how much exactly, I ask you how much have you given?" he declared.

## **“Human Rights Report Bolivia: Positive Aspects and Overall Progress and Recommendations Sections”**

Inter-American Commission on Human Rights, 2009

### II. POSITIVE ASPECTS AND OVERALL PROGRESS

6. The Commission notes that, generally speaking, the current government has continued to give priority to public policies and programs that reflect a political will to move forward with a human rights agenda in Bolivia.
7. The Commission regards as positive a number of legislative and administrative initiatives that, combined with adequate and effective steps for their implementation, could become important instruments for improving the human rights situation in Bolivia.
8. For example, the Commission was informed that the government designed the National Plan of Action on Human Rights (2009-2013) enacted by Supreme Decree No. 29851 of December 10, 2008. It is a government policy instrument whereby the State undertakes to observe, ensure, and advance the exercise of human rights at the national, departmental, regional, and municipal level, as well as for indigenous communities.[1] The Commission hails the extensive societal participation in the Plan’s design. In March and April 2008, the Office of the Vice Minister of Justice and Human Rights presented for the consideration of civil society, civic, and youth organizations in all nine departments in the country, a draft of the document in order to gather inputs. Subsequently a second phase of the process was held in which six panels were set up on specific issues: children and adolescents; gender and equity; economic, social and cultural rights; indigenous peoples; migration; and education and protection of human rights.[2]
9. According to information supplied by the State, the Plan includes the pertinent national and international standards; recommendations made to the Bolivian State by international human rights organizations; the objectives and results desired; problems in exercising rights subject to protection in the domestic jurisdiction; the government organs responsible for implementation; and the budget assigned.[3]
10. The Commission also notes that, in keeping with the recommendations contained in the Report of the IACHR, human rights training programs were carried out in 2007 and 2008.[4] The Commission was informed that the government provided training to various state authorities in this area. According to the Ombudsman, “in the country as a whole training was given to 1,145 members of the Armed Forces and 2,803 police operatives. As regards (...) civil servants, 1,871 officials received training. Groups were set up in different state institutions to replicate the training in human rights.”[5]
11. The State reported that in 2008 the following human rights training courses were offered: i) training course for citizen and family conciliation units, March 13-April 30, 2008; ii) human rights and gender awareness course for trainers of police cadets and students of the professional training institutes, March 3-7, 2008; iii) human rights and gender course for police in the operational units in La Paz and El Alto; iv) lectures for the command and senior staff course, July 9-12, 2008, called “The Bolivian Police as a Guarantor of Human Rights and Conflict Resolution”; v) human rights and women cycle, September 22-October 11, 2008; and vi) crosscutting human rights program with gender focus to consider the governing regulations of the Bolivian police, through workshops to review domestic and comparative legislation, and to draft regulatory proposals[6].

12. The State added that the Bolivian police, together with civil society and the ombudsman, developed an annual operations plan for 2009 that includes human rights activities. In this regard, the Commission considers it a positive step that curricula on human rights and international humanitarian law are now required in the armed forces training institutes.[7] The Commission is also pleased to note the police initiatives in connection with the awareness campaigns on violence against women, human rights in performance of official duties, and the rights of children.[8]

13. The Commission draws attention to the progress in terms of the creation of Integrated Justice Centers, the results of which are detailed below in the section on Administration of Justice and Judicial Coverage.

14. The Commission also welcomes the efforts of the Ministry of Justice and the Prosecutor's Office [Ministerio Público] with regard to protection programs for victims and witnesses in cases involving human rights violations. These aspects are analyzed in greater depth in the section on impunity in cases of human rights violations.

15. The executive branch presented to the Congress a bill entitled "Law on Respect for Differences: against all forms of discrimination." [9] The Commission hopes that the relevant authorities will initiate the process of discussion and approval of this bill, which could be a fundamental instrument for preventing discrimination in the exercise and enjoyment of rights.

16. The Commission takes a favorable view of the fact that, in keeping with one of the recommendations contained in Access to Justice and Social Inclusion, the new Constitution provides for the elevation to constitutional rank of all international human rights treaties, which, as that report mentions, could increase the effectiveness of judicial mechanisms for the protection of human rights.[10]

17. In general terms, the Commission takes a positive view of the fact that the new Constitution approved by referendum and promulgated on February 7, 2009, contains a broad catalogue of civil, political, economic, social, and cultural rights, including collective ones. Recognition of these rights comes with constitutional protection mechanisms such as habeas corpus, suit for constitutional protection, suit for protection of privacy, suit for unconstitutionality, suit for compliance, and peoples' suit. The Commission also notes with satisfaction that Article 14 of the new Constitution expressly prohibits discrimination based on sexual orientation and gender identity.

18. The Commission acknowledges the efforts of the government to achieve a high percentage of literacy in the country which culminated in its declaration as an "illiteracy-free territory" by UNESCO on December 20, 2008. The Commission has also taken note of other important measures in this regard, such as the Juancito Pinto Bonus and Dignity Plan [Renta Dignidad], designed to advance economic, social and cultural rights, and to improve quality of life for the Bolivian people.[11] The Commission also welcomes the development of the Equal Opportunity Plan by the current Vice Minister for Equal Opportunity, enacted in Supreme Decree No. 29850 of 2008.[12]

19. The Commission encourages the Bolivian State, in keeping with its constitutional and legal powers, to continue efforts to ensure the highest possible standard in the exercise of economic, social and cultural rights, which are indivisible from civil and political rights.

## **X. RECOMMENDATIONS**

247. Based on the information and observations contained in this report, the Commission reiterates to the State of Bolivia the need to continue its efforts to implement the recommendations contained in the report *Access to Justice and Social Inclusion* - which are transcribed below - and to maintain the results achieved to date.

### **Administration of justice**

1. Increase the mechanisms of publicity and dissemination for the rights of the citizens and the judicial actions established in the Constitution as an instrument for giving effect to them, as well as the procedures and requirements for accessing them.
2. Adopt the necessary measures to achieve the fullest possible coverage of judges, prosecutors and public defenders, using criteria based on a diagnosis of the real needs in the different areas of the country, both in terms of population and jurisdictions. These measures must include budgetary and human resources so that the respective authority will have not only a physical presence but also permanent and stable personnel.
3. Immediately appoint the judges of the Constitutional Court, the Supreme Court of Justice, and the Attorney General, in keeping with the appropriate constitutional and legal procedures. In the case of the Constitutional Court, the State should design and implement a mechanism to deal with the procedural delays caused by the fact that it has been inoperative for more than one year.
4. Comply strictly with the procedures for appointing judges and prosecutors, established as a guarantee of independence and impartiality both in the Constitution, in the case of members of the high courts, the district Superior Tribunals, the Attorney General and the district prosecutors, and in the laws and regulations governing the judicial and prosecutorial careers in the case of other judicial authorities and the prosecutors.
5. Effectively implement the judicial and prosecutorial careers systems, and eliminate all provisions relating to hierarchy and promotion for these authorities that could increase levels of corruption in the judiciary and in the Prosecutors' Office. In particular, ensure that entry and promotion in those careers is done through public competitions and selection based on exclusively technical criteria.
6. Strengthen the disciplinary system for judges and create coordination mechanisms with the criminal jurisdiction to fill the gaps in the law that have so far prevented effective disciplinary or criminal punishment of judicial authorities who commit acts of corruption, who contribute to procedural delay, who take decisions manifestly contrary to law, or who in general obstruct access to justice.
7. Take the necessary steps to implement the evaluations and other legal mechanisms of internal and external control, with respect to both the

performance and the suitability of judicial authorities and the Prosecutors' Office.

8. Conduct a clear analysis of the shortcomings in implementation of the 1999 Code of Criminal Procedure and institute comprehensive measures that include, at least, adequate training; the distinction of investigative functions; decongestion and settlement of cases at the investigation stage; guidelines for cooperation between all authorities involved in all instances, whether police, prosecutors or judges; mechanisms to comply with procedural deadlines, notifications and the holding of public hearings within legal parameters; and implementation of measures for participation by victims and their relatives.
9. Take steps to eliminate the legal uncertainty surrounding the statute of limitations for criminal cases, and establish clearly, in accordance with international standards, that its applicability cannot be determined on the basis of whether the affected person availed himself of the remedies and mechanisms of defense that criminal procedural law provides.
10. Strengthen the National Public Defender System with particular attention to the coverage and quality of service, and to the mechanisms for the hiring and tenure of public defenders.
11. Step up investigations of forced disappearances, police and military repression of public demonstrations, and other violations of human rights, using all the means at its disposal to overcome the obstacles that have to date prevented the establishment of the truth, the identification of the material and intellectual authors of the events, imposition of the corresponding sanctions, and determination of reparations for victims and their relatives.
12. Ensure that investigations of cases of lynching are initiated *sua sponte* and carried out by the appropriate authorities with due diligence in the identification and punishment those responsible.
13. Initiate the necessary investigations to determine the truth of allegations of abuses committed by the police and military during the state of siege in the Department of Pando from September 12, 2008 to November 24, 2008. Furthermore, move forward with the necessary investigations of the officials who, in abuse of their powers under the decree instituting the state of siege, refused to recognize inalienable rights under Article 27(2) of the American Convention and disregarded judicial decisions adopted in the framework of *habeas corpus* proceedings.

#### **Prison conditions and rights of persons deprived of liberty**

14. Ensure that the judicial authorities apply preventive detention reasonably and in conformity with the international standards mentioned in the relevant section of this report, and that all accused have access to a judicial remedy to question excessive time in preventive detention.

15. Take the necessary judicial, legislative and other measures to correct the excessive application of preventive detention and the procedural delays that persist in the administration of justice. Among other measures that the State may deem pertinent, these should include the release of all detainees who have not been sentenced within a reasonable time without prejudice to the continuation of the proceedings against them.
16. Take judicial, legislative and other measures with a view to reducing overcrowding and improving living conditions in Bolivian prisons, while ensuring that prisoners are treated with the respect due to the inherent dignity of human beings.
17. Establish effective systems to ensure that accused persons are segregated from those who have been convicted, and create mechanisms for classifying persons deprived of liberty according to sex, age, reason for detention, special needs, and applicable treatment.
18. Put an immediate halt to the practice of keeping minors under the age of 18 years, accused or convicted, in prison together with accused or convicted adults, even temporarily.
19. Adopt the necessary measures to immediately regain control of internal areas of prisons in the country, and monitor – also through serious investigations – cases of corruption observed. Also, establish special recruitment and training programs for all personnel in charge of the administration, supervision, operation and security of prisons and other places of deprivation of liberty, which must include education on international human rights standards related to prison security, the proportionate use of force, and the humane treatment of persons deprived of liberty.
20. Adopt measures with a view to improving infrastructure in those prisons where conditions are precarious and do not meet the minimum requirements with respect to drinking water, sanitary facilities, personal hygiene, floor space, light and ventilation; sufficient and adequate food; and adequate bedding.
21. Take the necessary steps to ensure that persons deprived of liberty have access to adequate medical attention, which requires the presence of a medical team sufficient in relation to the number of inmates, with the capacity to respond to medical emergencies, and the availability of medications; in particular, for immediate attention to the elderly, the sick and children living in prisons.
22. Take steps to provide and facilitate educational and working opportunities for persons deprived of liberty with a view to assisting in their reform, social readaptation, and personal rehabilitation.
23. Take the necessary measures to ensure that when children are lodged in detention centers together with their father or mother deprived of liberty, the best interest of the child is taken into account upon establishing

pertinent policies, and particularly that they have access to special protection, food, health and educational services necessary for their proper development. Also, take measures to guarantee, in the same terms, the best interest of children not living in prison with the parent deprived of liberty who has custody of the child. In this context, the State shall carry out serious and diligent investigations whenever there is a complaint of sexual abuse to the detriment of persons that live in prisons.

24. Ensure that detention conditions are effectively controlled by criminal enforcement judges in the case of convicted persons, and by the respective judges in cases of persons under preventive detention.
25. Make available adequate and effective remedies of an individual and collective nature for judicial control of overcrowding and violence in prisons. Those remedies must be accessible to persons deprived of liberty, their relatives, their private or public defenders, NGOs, the Ombudsman and other competent institutions.

### **Rights of indigenous peoples and peasant communities**

26. Take all necessary steps to eradicate any kind of discrimination based on the indigenous and/or peasant status of persons subject to its jurisdiction, particularly in access to justice, education and health, and to the benefits of other state policies intended to increase the coverage of economic, social and cultural rights.
27. Ensure that all measures taken in connection with the right to education and health for indigenous peoples are compatible with their particular worldview and the maintenance and strengthening of their cultural identity, and that they in no way imply a form of assimilation of indigenous peoples into the non-indigenous culture.
28. Guarantee effective enforcement of the new law relating to agrarian reform, adopting the necessary measures to eliminate the obstacles cited by the Commission that have prevented access to land and territory for all sectors of Bolivian society. As part of this process, it is essential that the State bear in mind the particular relationship that indigenous peoples have with the land and that consequently, in the process of land titling, it must give priority to recognizing their ancestral lands and territories as essential for the survival of their cultural identity.
29. Ensure that all judicial proceedings concerning such matters before the National Agrarian Tribunal comply strictly with due process guarantees and, in particular, that they be disposed of within a reasonable time.
30. Incorporate the provisions of ILO Convention 169 on this issue in Bolivia's domestic legislation on development projects, and adopt measures for their effective enforcement.
31. Consistent with its international obligations, guarantee the participation of indigenous peoples and communities concerned in projects for

exploration and exploitation of natural resources, through prior and informed consultations designed to obtain their free consent in the design, execution and evaluation of such projects, as well as in determining benefits and compensation for damages, according to their own development priorities.

32. In the context of projects underway, implement participatory mechanisms to determine the environmental damage they may be causing and their effects on the basic subsistence activities of indigenous peoples and peasant communities living in the vicinity of such projects. If their lives or personal integrity are threatened, such projects should be immediately suspended and the appropriate administrative and criminal penalties imposed. If the projects continue, the State must guarantee that the persons concerned share in the benefits from those projects, and it must determine and enforce compensation for such damage.
33. Guarantee access to an adequate and effective judicial remedy to enable collective challenges against environmental damages, so that, in addition to criminal action, there is also a judicial mechanism available to seek an immediate response in circumstances where irreparable damage is being caused to groups of persons.
34. Give priority to measures for eradicating forced labor and bondage, and take immediate steps to strengthen the recognition and regularization of property for persons affected by this situation, and to prevent any weakening of labor and social rights for persons working in the rural sector.
35. Conduct an immediate analysis of the situation of bondage analogous to slavery and/or forced labor in various parts of Bolivia, including data on all families and persons subjected to this form of life, the related social, cultural and psychological factors, and the various private and State players involved, particularly weaknesses in the various administrative and judicial bodies.
36. Adopt necessary measures to guarantee that recognition of community justice does not depend on the coverage or procedural workload of official justice, but stems from the pluricultural nature of the Bolivian State and from respect for the autonomy of indigenous peoples.
37. Establish, in the short term, guidelines for coordinating official justice with community justice, taking into account as a minimum the parameters set out in the respective section of this report.

### **Women's rights**

38. Enforce existing national legislation and policies to protect women against acts of violence and discrimination, and their political, economic and social consequences, and allocate sufficient funding to enforce them effectively throughout the country.

39. Design a comprehensive and coordinated policy, with sufficient public funding to permit continuity, to ensure that the victims of violence have full access to adequate judicial protection to remedy their suffering and to prevent, investigate, punish and provide reparations for acts of violence.
40. Implement public awareness measures and campaigns on the duty to respect women's civil, political, economic, social, cultural, sexual and reproductive rights; on the judicial services and remedies available for women whose rights have been violated; and on the legal consequences for the perpetrators.
41. Develop educational programs for citizens, starting at a young age, to promote respect for women as equals and to recognize their particular needs as women, and to respect their right not to suffer violence and discrimination.
42. Identify and institutionalize new forms of training for public employees in all sectors (justice, security, health and education) that include a comprehensive approach to women's right to live free of violence and discrimination, and the need for public servants to respect women's physical and psychological integrity, in the exercise of their functions.
43. Ensure effective enforcement of laws that guarantee women's participation in public affairs, and take the steps necessary to prevent and punish any act of discrimination against women who accede to public office, in all circumstances.
44. Create and strengthen systems for recording statistical and qualitative information on incidents of violence against women within the systems for the administration of justice. Strengthen the recording of cases of violence against women to guarantee that such records are uniform, accurate and transparent.
45. Strengthen the institutional capacity of judicial bodies, such as the Prosecutors' Office, the police, the courts and the tribunals, and the forensic medical services, in terms of both human and financial resources, to combat the pattern of impunity in cases of violence against women, through effective criminal investigations followed by appropriate judicial action, thus guaranteeing proper punishment and reparations. This will involve the purchase of the necessary technical equipment to conduct chemical and forensic tests, as well as all the evidence required to clarify the facts investigated.
46. Take immediate steps to provide effective training on women's rights to all public officials involved in handling cases of violence against women (including prosecutors, police officers, judges, court-appointed lawyers, administrative officials and forensic medical professionals) so that domestic and international standards can be applied for prosecuting these crimes, and so that the integrity and dignity of victims and their relatives

will be respected when they complain of such events and during their participation in the judicial process.

47. Take steps to institutionalize cooperation and information sharing among the authorities responsible for investigating acts of violence and discrimination, in particular between the Prosecutors' Office and the police.
48. Design protocols to facilitate and promote effective, uniform and transparent investigation of acts of physical, sexual and psychological violence, including a description of the complexity of the evidence, and a detail of the minimum proof that must be compiled to substantiate charges, including scientific, psychological, material and testimonial evidence. It is important to encourage multidisciplinary investigation of such crimes.

### **Children's rights**

49. Give priority to implementing policies for preventing the situations described in this section and others that constitute gross violations of the human rights of Bolivian children, through a clear analysis of the situation that afflicts this sector of society.
50. Guarantee access to the civil registry free of charge, as established in the Constitution, and take steps to identify all children who have been prevented by various means from obtaining an identity document.
51. Take all steps necessary to expand the coverage of public education as far as possible, both in terms of access and in terms of educational continuity and quality.
52. Adopt measures to expand the coverage of the Juvenile Defenders' Offices and other institutions provided for in the legislation, both for protection and for the prevention, investigation and punishment of crimes of all kinds committed against children.
53. Adopt all necessary measures to ensure that children are protected from all forms of violence, making certain that national norms do not include any ambiguous wording, for example, "abuse of corrective measures" or "discipline" or "disciplinary," since such terms raise doubts about the criteria used to determine when corrective measures are excessive and harmful to children. In their place, it must be established clearly that corporal punishment of children is prohibited.
54. Design policies to eradicate labor in rural and urban areas for children under the age of 14, and to ensure strict compliance with the rules according to which the employment of persons under 18 years is allowed, in terms of their social rights and restrictions on working hours and activities performed.

55. Take immediate steps to prevent and eradicate all forms of sexual exploitation of children, and to investigate and punish such conduct. To that end it is essential to take steps for the effective enforcement of existing legislation.
56. Ensure that, in applying the so-called "social responsibility" or criminal liability of juveniles, deprivation of liberty is imposed only as a last resort, and that the necessary measures are taken to create establishments for the reeducation of children in this situation.
57. Take steps necessary to grant special guarantees of due process enshrined in domestic legislation in accordance with international standards, and in particular the effective implementation, with the widest possible coverage, of specialized courts for determining the criminal liability of children.
58. Repeal the provisions of the Juvenile Code that establish "public threat" as grounds for preventive detention of children. The State must guarantee that this measure is used only exceptionally and for exclusively procedural purposes.

#### **Rights of asylum seekers**

59. Take all steps necessary to eliminate the obstacles facing persons who apply for refugee status in Bolivia, and facilitate the processing of applications and the obtaining of identity documents, whether provisional, in the case of persons whose applications are being processed, or permanent, in the case of persons already recognized as refugees.
60. Ensure strict compliance with due process in administrative procedures relating to application for refugee status or its revocation. In this respect, the State must establish mechanisms whereby the applicant may submit all the evidence he deems pertinent and present arguments in favor of recognition.
61. Ensure that decisions denying or revoking refugee status are adopted through due process, with sufficient substantiation and in full observance of the notification and publicity mechanisms that allow the interested party to present an appeal within the legally established time limits.
62. Refrain from returning a person to his country of origin, by any means, if that person has valid refugee status in Bolivia, and in all cases ensure that before any decision on his deportation or extradition is taken there is an adequate assessment of the situation of risk facing the person, using the legally established procedure for this purpose that allows the person to participate and defend himself and to file an appeal with suspensive effect.

## **Freedom House: Country Report 2009: Bolivia “Political Rights and Civil Liberties Excerpt”**

### **Political Rights and Civil Liberties**

Bolivia is an electoral democracy. The 2005 presidential and congressional elections and the 2006 Constituent Assembly elections were generally free and fair, as was the 2008 presidential recall referendum; however, the opposition complained of a rapid increase in the voter rolls prior to the recall balloting. Presidential and congressional terms are both five years. The National Congress consists of a 130-member Chamber of Deputies and a 27-member Senate, which would increase to 36 seats under the new charter. Under the existing system, senators and 60 deputies were elected by proportional representation, and 70 deputies were elected in individual districts. A similar system is called for in the draft constitution, and a certain number of seats will be reserved for indigenous representatives. During negotiations on the draft, Morales agreed to run for only one additional term as president, and a presidential runoff provision was included to replace Congress's role in deciding elections in which no candidate wins an outright majority.

Bolivians have the right to organize political parties. Many of the traditional parties saw their power effectively eliminated in the wake of the 2005 elections. The current dominant electoral vehicle is President Evo Morales's MAS, an alliance of social movements whose disputes Morales must mediate. The opposition had been led by the center-right Social Democratic Power (PODEMOS) party, but in 2008, it split over the negotiations on the draft constitution. After the 2005 elections, the base of opposition to the president shifted from Congress to the departmental prefects.

The European-descended elite controlled the government for most of Bolivia's post-independence history, but the indigenous majority has played an increasingly prominent role over the last decade. The Aymara and Quechua ethnic groups form the political base of the MAS, and the process of drafting the constitution reflected their influence.

Despite the government's anticorruption platform, graft and nepotism remain common, and the administration has yet to build successful institutional anticorruption mechanisms. A new anticorruption law was approved by the Chamber of Deputies in 2007 but subsequently stalled in the opposition-controlled Senate. Bolivia was ranked 102 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

Although the constitution guarantees freedom of expression, the media are subject to some limitations in practice. Most outlets are privately owned, and radio is by far the leading source of information. Many newspapers and television stations tend to feature opposition rather than pro-government opinion pieces. A general climate of hostility toward journalists has increased along with political tensions. Dozens of journalists were assaulted in 2008 while covering protests, and one journalist was killed during a local civic dispute. Morales refused to engage with certain press outlets, on occasion naming specific reporters as enemies. In general, government efforts to counteract aggression toward the media were insufficient.

The government does not restrict access to the internet.

Freedom of religion is guaranteed by the constitution. Tensions between the Catholic Church and the government have risen considerably in recent years. The draft constitution ends the Church's

official status and creates a secular state. The government does not restrict academic freedom, and the law grants public universities an autonomous status, which students defend vigorously.

Bolivian law provides for the rights of peaceful assembly and freedom of association, although social protests sometimes turn violent. In 2008, politicians on all sides continued to use the threat of protests to obtain political leverage. MAS supporters adopted the strategy of encircling Congress to put pressure on opposition members, who considered the tactic highly coercive. Both the human rights ombudsman and independent human rights organizations are able to report on brutality by the security forces. In some cases, such as that of the 2008 deaths in Pando, security forces were accused of passivity in the face of violence; they responded by claiming that the rules of engagement were unclear. The right to form labor unions is guaranteed by the constitution, and unions are an active force in society.

The judiciary remains the weakest branch of government. It is corrupt, inefficient, and inaccessible to many Bolivians, especially non-Spanish speakers. Although the government has made efforts to improve the administration of justice, including making the courts more responsive to the needs of poor and rural citizens, lack of resources and political difficulties have limited progress. The system of selecting Supreme Court and Constitutional Tribunal (TC) justices broke down in 2007 and 2008, leading to a crisis at the judiciary's highest levels. In 2007, a fight between the administration and the TC over Supreme Court appointments led to the Chamber of Deputies filing charges against four TC members for dereliction of duty; by year's end, all but one of the tribunal's members had resigned, citing constant harassment by the executive branch. The TC remained inquorate throughout 2008, leading to a backlog of over 3,000 cases and creating a judicial vacuum during a period in which delicate legal issues frequently arose.

Prison conditions are harsh, and rehabilitation is essentially nonexistent. Although the criminal procedure code recognizes indigenous conflict-resolution traditions, judicial reform efforts to date have not effectively codified and incorporated indigenous customary law. This lack of clarity has in recent years resulted in dozens of acts of "communal justice," including lynching, in violation of international human rights norms. Several cases of multiple lynchings occurred in 2008, spurring debate over the government's response and the way indigenous justice would coexist with ordinary law under the new constitution. Another controversy in 2008 was related to detentions following the Pando massacre, which appeared to violate basic rules on warrant approval, judicial access, jurisdiction, and other procedures. The government argued that given the volatile climate, speedy detentions were necessary.

Crime in La Paz and other major cities is increasing, though it remains at a lower level than in many South American countries. Coca cultivation, most of which is authorized, has risen in recent years, as have drug seizures and arrests. Morales' policy of greater cooperation with coca growers has resulted in a significant decline in rights violations. However, cocaine production appears to be on the increase, as does the transit of Peruvian narcotics through Bolivia to Brazil and Argentina, a development that contributed to a rise in violence along some routes in 2008.

The 1994 Popular Participation Law guarantees respect for the integrity of Bolivia's 36 native groups, and the languages of the indigenous population are officially recognized. However, racism is rife in the country, especially by opposition supporters against the highlands indigenous. In May 2008, a small group of indigenous government supporters was subjected to violence and humiliation by a larger crowd of antigovernment civic activists in Sucre. Indigenous territories

remain vulnerable to illegal exploitation by coca growers and timber thieves. Some rural employers keep indigenous workers in debt peonage. Indigenous rights were a major theme of the Constituent Assembly process. The draft constitution officially recognizes the 36 indigenous nationalities, declares Bolivia a “plurinational” state, requires that all public servants speak an indigenous language, and formalizes local political and judicial control within indigenous territories. However, some indigenous groups felt that their goals were weakened in the final compromise agreement.

The law provides for freedom of movement within the country, and the government generally respects this right in practice, although there have been clashes between landowners in the lowlands and migrants from the highlands. In addition, protesters often block highways and city streets, causing serious economic losses. Property rights are another subject of controversy in Bolivia. Foreign investors have grown wary in the wake of the government’s aggressive renegotiation of contract terms in the energy, mining, and telecommunications industries. Sporadic land invasions by landless peasants continue to occur in the eastern lowlands. In December 2006, the government passed a law that allows for the redistribution of land deemed idle or with unclear ownership, and the government began to allocate land titles in 2007. Eastern landowners fear that the law will be used to confiscate their holdings, while the law’s supporters believe that many of those lands were acquired illegally. A standoff between government surveyors and powerful landowners lasted through much of 2008 in the Alto Parapeti region and turned violent on several occasions.

Although women’s political representation has increased notably in recent years, the observance of women’s rights remains problematic. Violence against women is pervasive, women generally do not enjoy social status equal to that of men, and the justice system is ineffective at safeguarding women’s legal rights. Child prostitution and child labor are problems, particularly in urban areas and in the Chaco and Chapare regions.

*\*Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*

## **Obama's Bolivia ATPDEA Decision Blast from the Past or Wave of the Future?**

By *Kathryn Ledebur, Andean Information Network* And *John Walsh, Washington Office on Latin America*

August 11, 2009

At April's Summit of the Americas in Trinidad and Tobago, President Barack Obama and Secretary of State Hillary Clinton made clear their intention to repair frayed U.S. relations with Latin America. In May, building on momentum from the Summit, the U.S. and Bolivian governments initiated a high-level dialogue in La Paz aimed at establishing the framework for a mutually respectful relationship. But President Obama clouded the hopeful outlook at the end of June when he opted to maintain Bolivia's suspension from Andean Trade Promotion and Drug Eradication Act (ATPDEA) trade benefits – a suspension initiated in 2008 by President Bush, on the false grounds that Bolivia was shirking its international drug control obligations.<sup>2</sup>

In contrast to the goodwill generated by Obama and Clinton during and after the Summit, the ATPDEA decision came as an unwelcome blast from the past. With the high-level dialogue underway, Bolivia had expected Obama to reverse the Bush decision. The governments of other countries in the region, including Brazil, supported Washington reinstating Bolivia.<sup>3</sup>

Beyond the president's decision itself, inaccurate and distorted portrayals of Bolivian drug control efforts included in the memorandum dismayed Bolivian officials, as detailed below. The memorandum's perplexing criticisms of other aspects of Bolivian law and policy generated additional friction. Predictably, the immediate Bolivian reaction was scathing, with President Evo Morales denouncing Obama as having "lied to Latin America when he told us in Trinidad and Tobago that there are not senior and junior partners."<sup>4</sup>

Evidently, the Obama administration was internally divided about reinstating Bolivia as an ATPDEA beneficiary, and faced strong opposition from some lawmakers, including Senator Charles Grassley, the Iowa Republican whose membership on the powerful Finance Committee positions him to play a pivotal role on some of the Administration's top legislative priorities this year. The forward-looking aspirations from the April Summit succumbed to bureaucratic inertia in Washington – Obama's eventual ATPDEA decision remained tethered to the past.

Although June's ATPDEA decision complicated the high-level dialogue, both governments still profess a desire to push ahead with talks to strengthen the relationship. A week after the decision, Morales reiterated that Bolivia wanted "the United States' important presence, but a diplomatic presence, not [one of] interference."<sup>5</sup> Under U.S. law, the Obama administration will need to decide whether or not to certify that Bolivia is fulfilling its international drug control obligations by September 15. Despite the Bush administration's drug control de-certification of Bolivia in 2008 and Obama's ATPDEA decision, the two governments have in fact found considerable common ground on drug control. In the weeks ahead, U.S. officials should take advantage of the high-level bilateral dialogue and significant on-the-ground drug control cooperation to carefully

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<sup>2</sup> See "Decertifying Bolivia: Bush Administration 'Fails Demonstrably' to Make its Case," Kathryn Ledebur, Andean Information Network, and John Walsh, Washington Office on Latin America, October 2008.

<sup>3</sup> Letter from Brazilian Minister of Foreign Relations, Celso Amorim, to U.S. Secretary of State Clinton, 29 June 2009.

<sup>4</sup> Simon Romero, "Bolivia: President Denounces Obama Over Trade," *New York Times*, 2 July 2009.

<sup>5</sup> "Morales acepta que EEUU tenga 'presencia importante' en Bolivia," Associated Press, 9 July 2009.

re-evaluate the assertions contained in the June ATPDEA justification and ensure that the September 15 certification decision is based on a more complete understanding of Bolivian efforts.

Repeating the errors and distortions found in the justification for the recent ATPDEA decision, largely inherited from the Bush administration, would not only risk the genuine common ground that does exist on drug control, but raises questions about the future of the high-level dialogue. Indeed, the dialogue itself affords U.S. and Bolivian officials alike the opportunity to appreciate the complicated and difficult issues that surround the drug policy debate in both countries.

### **Inaccuracies Presented in the June 2009 ATPDEA Justification Counternarcotics Cooperation**

*“On September 15, 2008, President Bush [...] noted that the Government of Bolivia had failed to take any of the specific CN [counternarcotics] measures the U.S. Government had requested over the previous year, such as making it a top priority to eliminate excess coca production or to limit licit coca cultivation.”*

- President Bush decertified Bolivia in September 2008 to punish Bolivia for having just expelled the U.S. Ambassador, Philip Goldberg, whom President Morales accused of conspiring against the government. Of course, the Bush administration often expressed discomfort over Bolivia’s coca policies. But despite harsh rhetoric on the part of both governments, bilateral drug control cooperation had remained fairly strong. To justify labeling Bolivia a “demonstrable failure” in drug control, the Bush administration resorted to extreme inaccuracies and distortions of the record.<sup>6</sup>

- Despite the tensions following the U.S. ambassador’s expulsion, the Bolivian government and the U.S. embassy’s Narcotics Affairs Section (NAS) have continued to coordinate closely on coca reduction and interdiction efforts.

- On April 7, 2009, the U.S. and Bolivian governments signed a new bilateral drug control agreement, entailing \$26 million in U.S. funding to support coca reduction.

- For the coming year, the Bolivian government budgeted \$20 million for drug control programs, a significant increase from previous years. With these increased funds, the Bolivian government assumed greater responsibility for coca reduction and interdiction efforts, including fuel, rations, transport, and aviation operations, all of which the U.S. government previously funded. According to Bolivian Minister of Government, Alfredo Rada, the new bilateral accord and Bolivia’s increased budget allocation “guaranteed the conditions necessary to continue operations in the fight against drug trafficking.”<sup>7</sup>

*“The loss of [the U.S. Drug Enforcement Administration] DEA presence and its information network has severely diminished Bolivia’s interdiction capability both in the short and long term.”*

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<sup>6</sup> For a detailed critique of the 2008 decertification, see: “Decertifying Bolivia: Bush Administration ‘Fails Demonstrably’ to Make its Case.” Kathryn Ledebur, Andean Information Network, and John Walsh, Washington Office on Latin America, October 2008.

<sup>7</sup> “Estados Unidos cede, otorgará más de 26 millones de dólares para la lucha antidroga,” *Erbol* 7 April 2009.

- Contradicting this assertion, three paragraphs later the memorandum itself states that the “Bolivian government has maintained its support for interdiction efforts.” The memo notes, moreover, that “Interdiction of drugs and precursor chemicals continues to rise, and the Bolivian counternarcotics police and other CN units have improved coordination effectiveness.” (As the memo also acknowledges, more drug seizures can be a function of more drugs, not just more or better-targeted enforcement.)

- In any case, according to official Bolivian figures, the number of interdiction operations and seizures has increased since the DEA’s departure. Between November 1, 2008, when the DEA ceased operating in Bolivia, and June 7, 2009, Bolivian anti-drug forces carried out 7,058 missions, confiscating 1,818 kilograms of cocaine and marijuana. During the same period a year earlier, with DEA support, anti-drug forces conducted 6,903 missions and seized 1,136 kilograms of illegal drugs.<sup>8</sup>

- In an effort to replace cross-border intelligence-sharing, which U.S. officials regard as the most important role played by the DEA in Bolivia,<sup>9</sup> the Bolivian government has signed bilateral agreements with three neighboring countries since the DEA’s departure: On February 18, 2009, the Bolivian National Police and the Brazilian Federal Police signed an agreement for cooperation against drug trafficking and international organized crime, including logistical support in crop eradication, air transport, joint missions, cross-border intelligence exchange, training, translation and monitoring. Brazil is the destination for the majority of the cocaine produced in or transshipped through Bolivia. On June 24, 2009, Bolivia and Paraguay signed an antinarcotics agreement, with a special focus on border control and anti-drug intelligence-sharing.<sup>10</sup> On January 13, 2009, Bolivia and Argentina, the second-largest destination of Bolivian cocaine, signed a similar agreement.<sup>11</sup>

*“The United Nations and other CN experts indicate that coca cultivation continues to increase.”*

- For 2008, the UN Office on Drugs and Crime (UNODC) reported a 6 percent increase in the land under coca cultivation in Bolivia.<sup>12</sup> In both Bolivia and Peru, UNODC has reported increases in coca growing each year since 2005. Still, Bolivian coca growing accounts for just 18.2 percent of the Andean total, behind Peru (33.5 percent) and Colombia (48.3 percent).<sup>13</sup> According to UNODC, Bolivian cocaine production has also increased, but remains just 13 percent of the Andean total, far behind Peru and Colombia.

*“Bolivia’s Law 1008 authorizes the cultivation of up to 12,000 hectares of coca for licit use.”*

- The 12,000-hectare limit for coca growing was arbitrarily established as part of Law 1008 in 1988. It does not represent a scientifically-derived, widely agreed-upon estimate of the amount of coca needed for legal consumption of the coca leaf and related products.
- Even at the peak of U.S.-funded forced eradication, coca cultivation never dropped below the 12,000-hectare ceiling established by Law 1008.

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<sup>8</sup> Bolivian government statistics, via AIN written communication with Bolivian drug control official.

<sup>9</sup> AIN interview, February 2009; AIN-WOLA interview, July 2009.

<sup>10</sup> ABI, “Bolivia y Paraguay sellan pacto de lucha conjunta contra el ‘crimen organizado,’” 24 June 2009.

<sup>11</sup> “Bolivia y Argentina firman convenio contra narcotráfico,” *El Mundo*, 14 January 2009.

<sup>12</sup> United Nations Office on Drug and Crime (UNODC), *Monitoreo de Cultivos de Coca: Bolivia*, June 2009.

<sup>13</sup> UNODC, June 2009.

- The European Union (EU) is currently funding a comprehensive study that the Morales government has agreed to use as a guideline to set the legal limit for coca cultivation. Results of the EU-funded study should be available in 2010. Meanwhile, the Morales government has temporarily established a 20,000-hectare ceiling on coca growing.

*“Regulation and control of the licit coca commerce is virtually non-existent in Bolivia and leads to high levels of diversion for cocaine production.”*

- According to UNODC, a complex regulatory system for legal coca markets is in place, although Bolivian anti-drug authorities recognize that it has flaws: “In Bolivia, the commercialization of coca leaf is regulated by the General Director of Commercialization and Industrialization of Coca Leaf (DIGCOIN) [...] which controls the circulation of commercialized coca leaves in two markets: Villa Fatima in the city of La Paz and Sacaba, near the city of Cochabamba. [...] DIGCOIN authorizes on a monthly basis a fixed quantity of each [approved] type of commercialized coca. The authorization of DIGCOIN specifies the origin of the coca leaf and the point of final destination for its sale. Coca is sold [...] in packets no larger than 15 pounds.”<sup>14</sup>

- According to UNODC, in 2008 there was a 13 percent increase in coca sales to the government agency that regulates market prices and quantities in the major coca producing regions. Bolivian anti-drug law states that the Executive branch should establish coca commercialization and monitoring policies.<sup>15</sup>

*“The current challenges include explicit acceptance and encouragement of coca production at the highest levels of the Bolivian government.”*

- In interviews, U.S. drug control officials in Bolivia have pointed to U.S. collaboration with the Bolivian government’s coca control policy. In spite of bilateral tensions after the expulsion of Ambassador Goldberg and the DEA, this coordination continued.
- Similarly, a U.S. drug control official affirmed in February 2009 that increased coca production was not due to the Morales administration’s lack of political will, but to the unwillingness on the part of some coca growers to comply with limits set by the government, despite significant efforts by the government to negotiate compliance.<sup>16</sup>
- In response to UNODC’s June 2009 report, Bolivian Drug Czar Felipe Cáceres publicly recognized Bolivia’s responsibility to reduce 10,500 hectares of coca. “If there are 30,500 hectares, there is an excess of 10,500 ... and this has to be eradicated in the coming years.”<sup>17</sup>

*“... government tolerance of and attractive income from increased and unconstrained growth of coca cultivation in both the Yungas and the Chapare regions; and increased and uncontrolled sale of coca to drug traffickers.”*

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<sup>14</sup> UNODC, June 2009, Section 2.4, “Price and Commercialization of Coca Leaf,” p. 33.

<sup>15</sup> “The production, circulation and marketing of coca are subject to State control, through the appropriate agency of the Executive, and shall be the subject of special regulations within the legal framework of the present Law (Article 15, Law 1008). The Executive shall establish a system of permits and monitoring, both for producers and for transporters and merchants (Article 19, Law 1008).”

<sup>16</sup> AIN interview, La Paz, 10 February 2009.

<sup>17</sup> “Ofrecen reducir 10,500 hectáreas, pero sin plazos,” *La Razón*, 27 June 2009.

- The Bolivian government has continued to enforce the *cato* system that allows each coca growing union member family to cultivate a 1,600 square-meter plot of coca (about onethird the size of a football field). This system has eliminated protests, conflict, and human rights violations in the Chapare region and has provided a legal source of subsistence income for farmers.
- In March 2009, the State Department’s annual International Narcotics Control Strategy Report (INCSR) noted the Bolivian government’s announcement of a coca-growing ceiling of 20,000 hectares. The ceiling is intended as a limit, not as an invitation to “unconstrained growth of coca cultivation.” In September 2008, the Bolivian government signed an agreement with 25,000 coca growers from the Yungas federation to eradicate 6,900 hectares of coca by 2010.
- In June 2009, UNODC noted that where the *cato* system had been successfully implemented, farmers generally respect the government-mandated limit. “Aerial photographs and videos obtained during monitoring, like last year, clearly demonstrate a tendency to grow coca in *cato*-sized plots.”<sup>18</sup>
- On June 20, Drug Czar Felipe Cáceres announced the initiation of forced eradication in areas of concern identified by the UNODC (the national parks Yapacani and La Asunta) in an effort to comply with Bolivia’s international responsibilities,<sup>19</sup> in spite of the high social cost forced eradication would incur.
- In coordination with the EU, the Morales administration has instituted an extensive Social Control Program in the Yungas and Chapare to control coca production in coordination with communities. The program reinforces pre-existing sanctions for violations of the *cato* limit, such as losing the right to grow coca and, for repeat offenders, loss of property rights to land where illegal coca is grown.
- While the memorandum might be read to imply that Bolivian government officials enjoy direct, monetary benefits of coca and/or the drug trade, the State Department’s March 2009 INCSR noted that, “There are no proven cases of senior GOB officials encouraging or facilitating the illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions.”<sup>20</sup>

*“The efficiency and success of eradication efforts have significantly declined in the past few years.”*

- The Morales administration has met or surpassed its coca reduction target of 5,000 hectares each year<sup>21</sup> and is on track to do so for 2009;<sup>22</sup> Law 1008 mandates annual coca reduction between 5,000 and 8,000 hectares.<sup>23</sup>
- The Morales Administration on average has reduced more coca per year than the first Sánchez de Lozada administration, and a higher percentage of the coca crop.<sup>24</sup>

<sup>18</sup> UNODC, June 2009, p. 13.

<sup>19</sup> “Anuncian erradicación de coca en los parques,” *Los Tiempos*, 20 June 2009.

<sup>20</sup> U.S. State Department, INCSR, March 2009, at <http://www.state.gov/p/inl/rls/nrcrpt/2009/vol1/116520.htm>

<sup>21</sup> According to the March 2009 INCSR, Bolivia reduced 5,070 hectares of coca in 2006; 6,269 hectares in 2007; and 5,484 hectares in 2008.

<sup>22</sup> According to the Vice Ministry of Social Defense, from January 1 through July 29, 2009, Bolivia had reduced 3,289 hectares of coca. See <http://www.vds.gov.bo/>

<sup>23</sup> Artículo 10. Ley del Régimen de Coca y Sustancias Controladas. Ley 1008.

<sup>24</sup> State Department, INCSR, March 2009, at <http://www.state.gov/p/inl/rls/nrcrpt/2009/vol1/116520.htm>

## Investment Policies

*“Article 56 of the new Bolivian Constitution provides that property may be expropriated for the public good or when the property does not fulfill a ‘social purpose,’ a term that is not fully defined in Bolivian law. However, Article 56 also stipulates that just compensation must be provided.”*

- In fact, this constitutional norm is almost identical to the text of the previous Bolivian constitution, although it now contains a specific prohibition of the expropriation of urban property.<sup>25</sup>
- This article in both versions of the Bolivian constitution refers to eminent domain, also stipulated in the 5th Amendment to the U.S. Constitution.<sup>26</sup> According to U.S. Supreme Court decisions, eminent domain “appertains to every independent government. It requires no constitutional recognition; it is an attribute of sovereignty.”<sup>27</sup>
- The concept of “social purpose” has been clearly defined in Bolivian legislation and has been a Bolivian constitutional norm for over 70 years.<sup>28</sup> The concept of social purpose appears in the Spanish, Italian and many Latin American constitutions.<sup>29</sup>
- Article 57, not Article 56, stipulates compensation for expropriation for public use.<sup>30</sup>

*“A United States-Bolivia BIT [bilateral investment treaty] entered into force in June 2001. The Bolivian government has expressed an interest in renegotiating the BIT.”*

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<sup>25</sup> Previous Bolivian Constitution (1967): “Artículo 22 – Garantía de la propiedad privada. I. Se garantiza la propiedad privada siempre que el uso que se haga de ella no sea perjudicial al interés colectivo. II. La expropiación se impone por causa de utilidad pública o cuando la propiedad no cumple una función social, calificada conforme a ley y previa indemnización justa.” Current Bolivian Constitution: “Artículo 57 – La expropiación se impondrá por causa de necesidad o utilidad pública, calificada conforme con la ley y previa indemnización justa. La propiedad inmueble urbana no está sujeta a reversión.”

<sup>26</sup> U.S. Constitution, 5th Amendment: “...nor shall private property be taken for public use, without just compensation.”

<sup>27</sup> *Boom Co. v. Patterson*, 98 U.S. 403, 406 (1879); *United States v. Carmack*, 329 U.S. 230, 241-42 (1946), see <http://caselaw.lp.findlaw.com/data/constitution/amendment05/14.html#f161>

<sup>28</sup> The concept of social purpose has been part of the Bolivian Constitution since 1938. Article 17 of the 1938 constitution stated, “La propiedad es inviolable, siempre que llene una función social; la expropiación podrá imponerse por causa de utilidad pública, calificada conforme a ley y previa indemnización justa.” Constitución Política del Estado de 1938.

<http://www.cervantesvirtual.com/servlet/SirveObras/01476284433725484232268/p0000001.htm>. The concept has appeared in every subsequent constitution and has been thoroughly defined in the 1996 and 2006 agrarian reform laws: Law 3545 28 Nov. 2006. (Modifying Law 1715). Law No 1715 del 18 Octubre 1996, Ley de Servicio Nacional de Reforma Agraria.

<sup>29</sup> The concept of social purpose (función social) first appeared at the turn of the century. See “La Función Social de la Propiedad.” 1 July 2008, at Juris Civilis, <http://www.iuriscivilis.com/2008/07/la-funcin-social-de-la-propiedad.html>. The Constitutions of Chile, Colombia, Brazil, Ecuador and Argentina contain similar stipulations.

<sup>30</sup> Artículo 57. “La expropiación se impondrá por causa de necesidad o utilidad pública, calificada conforme con la ley y previa indemnización justa. La propiedad inmueble urbana no está sujeta a reversión.”

- It is surprising that the United States raised concerns about another country's interest in renegotiating a BIT, since the Obama administration is conducting its own review of the U.S. model bilateral investment treaty.<sup>31</sup>

- BIT renegotiation is far from unprecedented. According to the United Nations Conference on Trade and Development (UNCTAD), countries have renegotiated more than 120 bilateral investment treaties, in some cases to reflect social and environmental concerns and the host country's right to regulate.<sup>32</sup>

## Conclusion

The Obama White House has deliberately dropped the term “war on drugs” from its lexicon, and good riddance. Actual policy change is another matter. With another drug control certification decision looming on September 15, the Obama administration has the chance to move beyond the distortions that have come to dominate perceptions of Bolivian drug policy in Washington. Like supply-side drug control efforts in other countries, Bolivia's coca reduction and cocaine interdiction programs face tremendous obstacles. But the Morales administration has demonstrated a clear commitment to meeting its international obligations with a wide array of bilateral and multilateral partners. The United States can choose to help strengthen Bolivia's efforts through cooperation under the terms of the new framework being negotiated as part of the high-level dialogue, or the United States can distance itself. The September 15 certification decision could be telling.

*Erin Hatheway, Program Assistant at the Andean Information Network, contributed to these comments.*

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<sup>31</sup> E-mail communication with Sarah Anderson, Institute for Policy Studies

<sup>32</sup> UNCTAD, *World Investment Report 2008*, p. 15. “At the same time, a growing number of BITs [bilateral investment treaties] are being renegotiated. In fact, as many as 10 of the 44 (23%) BITs signed in 2007 replaced earlier treaties. This brought the total number of renegotiated BITs to 121 at the end of 2007. To date, Germany has renegotiated the largest number of BITs (16), followed by China (15), Morocco (12) and Egypt (11). This number may rise, as many BITs are becoming relatively old, and more countries are revising their model BITs to reflect new concerns related, for example, to environmental and social issues, and the host country's right to regulate. Environmental considerations are also featuring in negotiations of new BITs (e.g. one under way between Canada and China). Furthermore, a growing number of recent agreements mark a step towards a better balancing of the rights of foreign investors, on the one hand, and respect for legitimate public concerns on the other.”

**Climate change in the Andes: When ice turns to water**  
**Economist, The (London, England) - Saturday, July 14, 2007**  
**Glacial melting poses potentially costly problems for Peru and Bolivia**

FOR centuries, the run-off from the glaciers atop the spectacular snow-capped mountains of the Carabaya range has watered the pastures where alpacas graze around the small town of Macusani. More recently, the mountains have provided the town with drinking water and hydroelectricity, as well as hopes of attracting tourists to one of Peru 's poorest areas. But in Carabaya, as across the Andes, the glaciers are melting fast. Their impending disappearance has large, and possibly catastrophic, implications for the country's economy and for human life.

Peru is home to the world's biggest expanse of tropical glaciers . Of the 2,500 square kilometres (965 square miles) of glaciers in the four countries of the tropical Andes--Bolivia, Colombia, Ecuador and Peru --70% are in Peru and 20% in Bolivia. The last comprehensive satellite survey by Peru 's National Environmental Council, carried out in 1997, found that the area covered by glaciers had shrunk by 22% since the early 1960s. In the Carabaya range, they had receded by 32%.

Partial surveys by geologists suggest that the rate at which the glaciers are melting has speeded up over the past decade. The glacier at Pastoruri, in the Cordillera Blanca range north of Lima, shrank by more than 40% between 1995 and 2006, with the loss of ice caves popular with tourists, according to Marco Zapata, a glaciologist at the government's Natural Resources Institute. He reckons it will be gone by 2015. That is the fate that has already overtaken many smaller glaciers in Bolivia, and that of Cotacachi in Ecuador. Chacaltaya, above Bolivia's capital, La Paz, has almost disappeared; it is the site of the country's only ski resort, whose future is now uncertain.

"We are already experiencing the effects of global warming," says Nancy Rossel, the mayor of Macusani. To those who doubt its existence, she offers to show them pictures taken ten years ago of Allinccapac, the mountain above the town, and "they can see how far the glaciers have receded." A report by a team from the World Bank published last month in the bulletin of the American Geophysical Union (AGU), a scientific association based in Washington, DC, confirms most of the mayor's fears. It predicts that many of the lower glaciers in the Andes will be gone in the next decade or so, and that glacial runoff may dry up altogether within 20 years. It also paints a troubling picture of the future impact on water and power supplies.

One danger is that as the ice melts, newly formed lakes may send water cascading down mountainsides, triggering mudslides that are potentially lethal for the villages below. Another is that if there are no glaciers to regulate water flow, flood will alternate with drought.

That is a particular worry for Peru . After decades of migration from the Andes, two out of three Peruvians now live on its desert coast. Lima, with 8m people, is the world's second largest city located in a desert, after Cairo. Big irrigation projects have made the desert bloom and enabled an agro-export boom. Yet most of Peru 's fresh water lies east of the Andes. Water for both irrigation and human consumption from the short, coastal rivers will become more irregular. The government says it needs to spend about \$4.5 billion to bring domestic potable-water coverage up from its current level of 78% to the regional norm of over 90%. Billions more will be needed to divert water along tunnels beneath the Andes if glacial melting accelerates.

Another problem is that more than 70% of Peru 's electricity comes from hydroelectric dams sited on the glacier -fed rivers. If their flow becomes more irregular, so will power supply. Once the

glaciers disappear, Peru will have to invest \$1.5 billion a year in thermal generation, according to the AGU article.

Some of these problems are common to neighbouring countries. The Bolivian Mountain Institute, an NGO, reckons that glacial melting threatens water supplies to La Paz and its satellite city, El Alto, and will aggravate existing conflicts between farmers and miners over use of the water from the marshes of the Altiplano, the high intermontane plain. In Chile, glaciers are receding at a slower rate than in its tropical neighbours. But there are worries there about the long-term impact on hydroelectric supply.

It is easier to monitor glacial melting than to remedy the problems it is likely to cause. A public debate is only just starting, led mainly by NGOs. Peru's government, faced with immediate problems of poverty and poor public services, has found it hard to focus on what seems a distant threat. However, officials have suggested that new hydroelectric schemes should be built only on rain-fed rivers to the east of the Andes.

César Portocarrero, a glacier expert with Practical Action, an NGO, argues that the first step is to encourage farmers to reduce their water use. He worries that the flow of water to Chavimochic, a large irrigation project on the north coast, could start to fall after 2020. He is also working on a plan to build small dams on mountain lakes to regulate river levels. This could work well for Macusani, because unlike the coast it enjoys a rainy season. At least such dams could help the alpacas, even if they don't attract the tourists.

SOURCE: The Economist

## **“Bolivia’s Dilemma: Development Confronts the Legacy of Extraction”**

By Linda Farthing

*NACLA Report on the Americas* 42:5, pages 25-29

Sep/Oct 2009

AS WITH SO MUCH ELSE IN SOUTH AMERICA'S landlocked and impoverished heartland, Bolivia's natural environment excels in superlatives: It is home to the world's largest salt flat (Salar de Uyuni in the southwest); the world's highest navigable lake (Titicaca, straddling the border with Peru); and the second-largest high mountain plateau (the altiplano), after that of Tibet. The result is an often breathtaking landscape of magnificent snow-covered mountains surrounding windswept plateaus and lakes of an almost unimaginable deep blue, high valleys unfolding eastward into dense, vast jungles to the north, and open savannas to the south.

Less fortunately for both Bolivia's environment and its people, the exploitation of the country's considerable natural resources has also been nearly unparalleled: The country was once home to the Spanish colony's richest silver and gold mine (Potosí); boasted one of the world's richest tin mines (Siglo XX); and today has two of the world's largest silver mines (San Cristóbal and San Bartolomé), an estimated half of world's lithium reserves (Salar de Uyuni), the future largest iron ore mine (Mutun), and the secondlargest proven gas reserves in South America (after Venezuela's). It comes as no surprise that Bolivia's history and environment have been dominated by relentless extraction.

Even since the 2006 election of indigenous president Evo Morales and his progressive government, the social pressure to satisfy the country's immediate economic needs through extractive industries that destroy the natural environment - primarily natural gas, mining, and forestry - remains as strong as ever. Moreover, the government confronts a terrible legacy of ecological degradation. For despite a relatively low population density, about a quarter of the national territory, or 60 million acres, is environmentally degraded, with almost 17 million acres under threat, according to the Environmental Defense League (Lidema), Bolivia's principal environmental coalition.<sup>1</sup>

It's not that the current government doesn't express a commitment to the environment. In April, Morales declared before the United Nations General Assembly: "Not only do human beings have rights, but mother earth should have them too. The capitalist system has made the earth belong to human beings. Now it is time to recognize that we belong to the earth."<sup>2</sup>

But despite such inspired words, continued extraction is accelerated by the political demands from government supporters in powerful social movements that have long insisted that Bolivia's vast natural resources benefit the country rather than foreigners. Their demands usually trump the small but persistent voices of Bolivia's environmental movement, which comprises largely middle-class NGOs as well as local indigenous groups.

This pressure is compounded by Bolivia's status as one of Latin America's poorest countries. Basic survival needs frequently prevail over longer-term considerations, government bodies often lack the necessary resources to protect the environment, and it costs violators very little to pay off impoverished communities. "How are you going to tell someone struggling to feed their family that they can't cut down a tree, dump garbage, or irrigate their crops with dirty water?" asks Mirso Alacalá, an official with the Ministry of Environment and Water.

You don't have to look far to see the destruction. Even the most casual visitor to La Paz is likely to cross the turbid, foaming waters of the Choqueyapu River, which cuts across the city, some of

it underground. From its headwaters 21 miles to the north in the altiplano, the crystalline glacial flow tumbles into the magnificent basin that cradles La Paz and is transformed into an open sewer. Heavy metals from the Milluni mine some 20 miles northeast of La Paz, industrial waste from neighboring El Alto's textile and food industries, and household garbage mix into a poisonous stew that races downhill to the community of Río Abajo. There, its waters irrigate campesinos' fruit and vegetable crops, later sold in markets throughout the city. The river then continues east, eventually dissipating its waste into a tributary of the Amazon.

Every week, the La Paz mayor's office tests the river's water quality and finds, in addition to organic waste, chemicals including chromium, lead, and arsenic at levels seven times international standards. In an "out of sight out, of mind approach," the mayor, Juan del Granado, announced in December that even more of the river would be run underground, hiding it from public view.<sup>3</sup> "Neither the mayor, nor the city council president, nor much less the parliamentary representatives from La Paz could care less," Gonzalo Sanjinés Portugal, a neighborhood leader in the city's wealthier southern zone, where the river is at its most contaminated, told the La Paz newspaper *El Diario*.<sup>4</sup>

But the urban Choqueyapu is far from the only polluted body of water in Bolivia. One of Lidema's eight most critical polluted sites (out of more than 100) is the Cohana Bay, located in the shallower part of Lake Titicaca, where waste from the constantly expanding altiplano city of El Alto is dumped, threatening local health, livestock, and crops. Partly in response to the outcry from the local population and Lidema, the government's Ministry of Environment and Water announced in June that it would invest \$7.5 million to expand the area's water-treatment plant. But this will only partly solve the problem, since much of the contamination is due to the limited sewage system in El Alto, Bolivia's poorest city.<sup>5</sup>

To the west of Cohana Bay, an oil pipeline burst in January 2000, spilling 29,000 gallons of oil into the country's most important highland river, the Desaguadero, contaminating almost 2,400 square miles of crop and grazing lands belonging to indigenous peoples. The ruptured pipeline, operated by Transredes, a subsidiary of Shell and the now defunct Enron, caused one of the country's worst environmental disasters; yet the cleanup and compensation effort was marked more by an expensive public relations campaign and government neglect than by a serious effort at environmental remediation (i.e., the removal of contaminants from soil and water). In a pattern repeated throughout Bolivia, poverty meant the company was able to defuse community protest by providing minimal compensation.<sup>6</sup>

Bolivia's past inability to force polluters to pay for the costs of cleaning up their mess has left the country with what are euphemistically called "environmental debts," and what Lidema's research and monitoring coordinator, Marco Octavio Ribera, more accurately calls "transgenerational debts," insisting that this legacy of pollution has never been addressed. "At some point, there has to be a day of reckoning," he warns, "and every year it comes closer."

According to Giovanni Altuzarra, a planning analyst in the Ministry of Environment and Water, "To remedy these environmental problems, many of which are inheritances from mining operations dating as far back as colonial times, would take a massive investment and many years of work." The remediation efforts throughout the country that have been under way since at least the 1990s are continuing at roughly the same pace under the Morales government.

In 1996, just outside the southern highland city of Potosí a tailings dam broke at Porco, a mine in operation since the Inca empire. Denounced by Britain's *New Scientist* magazine as one of the worst environmental disasters in Latin America, and further exacerbated by the waste from Potosí

ore concentration plants, the spill has destroyed the Pilcomayo River.<sup>7</sup> At the time of the accident, Porco was owned by COMSUR, which itself was owned by then Bolivian president Gonzalo Sánchez de Lozada. The government did not insist on remediation.<sup>8</sup>

Leonora Castro, of the Sucre Association of Ecology (ASE), one of Lidema's 28 regional member organizations, which works downriver from Porco and Potosí in the department of Chuquisaca, has dedicated the last decade to coping with the Pilcomayo disaster. g "Beginning in 2000, we started pressuring authorities to act. But actually the situation is only getting worse," Castro says. "In 2002, there were 14 legal ore-concentrating plants in Potosí. With the mid2000s boom in mineral prices, the number rose to 33."

The contamination forced people to migrate. One of the most affected communities, Sotomayor, has seen its population drop from 1,200 families to 800 since 1996. The 192 acres of cabbage and carrots the community produces for markets in the city of Sucre contain a range of contaminants.<sup>10</sup>

When the ASE pushed hard for solutions, the Chuquisaca Department government appointed Castro director of the local environment ministry in 2004. Under Castro's leadership, the ministry began educating local authorities and communities about the problem. "But we faced an enormous complication," she says. "If we publicized the level of contamination, the urban population won't buy products from anywhere near the river. You can imagine the conflict this created between us environmentalists and the local community."

Castro recalls the response to her calls for closing Potosí's ore-concentrating plants in 2005. "Within days, cooperative miners kidnapped me and other authorities, forcing us to back down. So we had to change tack. We instituted watercollection projects and installed a pilot water-treatment plant in Sotomayor, but unfortunately it is not yet operational because of ongoing disagreements with the community."

**BOLIVIA HAS BEEN ACCURATELY DESCRIBED AS HAVING** abstract laws and concrete violations in every area.<sup>11</sup> "We have plenty of good rules," says Alturruza of the environment ministry. "We just can't get people to follow them. For too long the wealthy just used the laws to their own advantage, so as far as the poor are concerned, why should they obey them? As well, we just have never had real enforcement capacity, so impunity for crimes large and small is widespread."

Long histories of contraband flooding across the country's five borders, combined with the mushrooming of the informal economy to encompass almost 70% of the urban population during 20 years of neoliberalism, together with the illegal production of coca leaf, coca paste, and cocaine, have only reinforced tendencies to ignore the law.<sup>12</sup> "In particular, instituting environmental controls in small-scale mining carried out by cooperatives is almost impossible," explains Alacalá. "We just don't have enough resources, and often when we try, we find a confrontation with angry miners on our hands."

One of Bolivia's biggest problems with illegal extraction is found in the rich northeastern forests, laden with precious species from mahogany to tropical cedar. "Uncontrolled forestry is almost impossible to prevent," Alacalá laments. "Much of this occurs in one of the country's 22 protected areas that have limited road access. Loggers illegally chop down trees within the reserves and then float them down river to process them. They don't even use the entire tree."

A different type of environmental problem is found in several of the eastern protected areas in recent years: the proliferation of mobile coca-paste factories. "In the Chapare, east of Cochabamba, alone we are finding eight to 10 factories a day, six days a week," explains Major Julio Velasquez, the anti-drug police's local operation commander. "These factories need large amounts of water and dump the chemicals they use directly into streams, destroying aquatic life and poisoning crops, animals, and people who use the water downstream."

One potential avenue for extending respect for environmental laws is in community-based enforcement, known in Bolivia as "social control," a notion that stems from social and economic arrangements deeply embedded in rural Andean communities. Similar to the Morales government's efforts to reduce the quantity of coca diverted to paste and cocaine production by involving local unions in control efforts, the hope is that strengthening environmental stewardship at the local level will yield positive results.

In the department of Chuquisaca, local efforts build on local control to combat rampant soil erosion due to intensive land use. ASE's Apolonia Rodriguez, a 20-year veteran of Bolivia's environmental movement, emphasizes the situation's gravity. "We have an accelerated process of desertification under way," she says, "with as much as 50% of the land severely deforested and eroded." But she expresses optimism about possible alternatives, noting that in the central area of Chuquisaca, some municipalities have successfully instituted social control that requires replanting and community approval to fell trees, and has mandated fines for those who fail to comply. Government spokespeople Alturruza and Alcalá, meanwhile, are cautiously optimistic about community control, identifying the process as only just beginning and still relatively weak.

Social control has functioned best in rural communities with homogenous indigenous populations. Several of these communities, sometimes with the support of urban NGOs, have protested local environmental degradation. Many environmentalists consider the Regional Coordinator for the Desaguadero River and Uru Uru and Poopó Lakes Watershed, formed by 80 communities in 2006 with the support of Lidema member organization CEPA, based in Oruro, the strongest such effort. Lake Poopó, south of Oruro, is one of the country's most polluted lakes after centuries of mining. The Regional Coordinator has demanded that the government halt ongoing contamination of the lake and implement some 50 remediation projects.<sup>13</sup>

On the other side of the country, tensions have arisen between Bolivia's third-largest ethnic group, the Guaraní, and the MAS government over the monitoring of natural gas operations. Teofilio Murillo, a representative from the Association of Guaraní Peoples Itika Guasu (APG) to the government's recently established Social Environmental Monitoring Committee, expresses frustration.

"For the last 10 years the hydrocarbons companies have come onto our lands without respecting or consulting us," Murillo says. "When we have done monitoring on our own in the past, our reports and our complaints were just ignored."<sup>14</sup>

Itika guasu, from the name of Murillo's organization, means "big river" in Guaraní and refers to the mining-polluted Rio Pilcomayo, damaging the considerable number of Guaraní settlements located along its banks. The APG was originally formed in the 1990s to protest the contamination of the Pilcomayo.

Guaraní disgruntlement has not yet led to any kind of rupture with the government, however: In June, CIDOB, which represents almost all the eastern indigenous groups, including the Guaraní, announced its support for Morales's reelection in the upcoming December presidential contest.<sup>15</sup>

MARCO OCTAVIO RIBERA OF LIDEMA HAS DEDICATED 30 years to environmental issues both within and without the government. Sitting in his tiny La Paz office, crammed with books, maps, and charts, he says the struggles led by communities around Poopó and by the Guaraní convince him that grassroots environmental actions are taking root in Bolivia's regions.

"It's not a movement as such," he explains, "but it has a vision that is much broader and more concrete than what you see among people in the city."

In rural northern Chuquisaca, doctoral researcher Karen Marie Lennon found that rural indigenous people are greatly concerned about local environmental problems. "While they have many good ideas for addressing them," Lennon says, "they don't seem to know how to go about it largely due to a lack of resources and/or political support."

Perhaps the greatest future environmental challenge that Ribera and other environmentalists see ahead stems from the massive Initiative for the Integration of Regional Infrastructure in South America (URSA), signed in 2000 by 12 mostly conservative leaders, including Bolivia's then vice president, Jorge Quiroga. The initiative, promoted by the Inter-American Development Bank, the Andean Development Corporation (CAF), and the Plata River Basin Financial Development Fund (FONPLATA), involves more than 500 projects in transportation, communications, and energy at a cost of \$69 billion.<sup>16</sup>

Rather astoundingly, the Morales government has not revisited the question of URSA, which will reshape the interior of South America, bringing roads, dams, and development that will inevitably threaten the environment and indigenous peoples. In November, Bolivia's principal indigenous organizations joined their counterparts in Peru, Colombia, Chile, Argentina, and Ecuador to demand great transparency and the adoption of stronger social and environmental controls.<sup>17</sup>

Just as surprising, the Morales government has also announced plans to reactivate the Balas dam project, promoted by the World Bank. Widely condemned by environmentalists for its technical, economic, and environmental unviability, the dam would flood part of Parque Madidi, a protected area and biodiversity hot spot encompassing the country's richest forests.<sup>18</sup> As well, the giant Mutun iron ore mine east of Santa Cruz, close to the border with Brazil, was approved by the Morales government in 2007, with construction slated to begin in the second half of 2009. It is "the big problem to come," according to ASE's Rodriguez.

Finally, extractive agriculture, which permanently impoverishes the natural-resource base, has come to Bolivia in the form of agro-industrial soy production, as it has in Paraguay, Argentina, and Brazil. Since 1985, the area of land devoted to soy production near the city of Santa Cruz has increased from 168,000 acres to almost 2 million acres, while pesticide use has mushroomed from 188 tons in 1985 to 12,000 tons in 2008.<sup>19</sup> Soy monoproduction provokes deforestation, destroys fragile tropical soil structures, and leads to eventual desertification.<sup>20</sup> Nonetheless, the industry shows no signs of slowing.

Discussion about what the current MAS government can and will accomplish in terms of these projects tends to be highly polarized. But almost every observer, both within and outside the government, agrees about what went on before the MAS assumed power in 2006. Rodriguez is forthright.

"For government after government, sustainable development and environmental protection have been nothing more than a slogan," she insists. "We are the 10th most bio-diverse country in the

world, but we are being devastated by uncontrolled forestry, mining, and hydrocarbon extraction, and ever expanding soy cultivation." Like most of her colleagues in the environmental movement, she decries the perspective both within and outside the current government "that prioritizes economic growth over everything else."

In contrast, Environment and Water Ministry spokespeople Altuzarra and Alcalá, both of whom served in previous environment ministries, insist that it is a great time to be working on these issues.

"For the first time we have an environmentally committed government," Alcalá asserts.

Lidema's Ribera isn't convinced, but tries hard to put a positive spin on the Morales government's efforts.

"Have we seen the changes needed? Not yet - but my emphasis is on 'yet' because we still hope that the government will make its rhetoric a reality," he says. He adds that the environmental licensing processes required for initiating extractive industries remain a problem, since "no matter how many errors and omissions there are in the environmental impact reports, the government will always grant the license."

But he admits that the process is still better during previous governments, when "the whole thing was a joke." Alcalá insists that the 299 environmental licenses boasted of on a government website "are subject to active monitoring for the first time because we have far more technical staff to conduct follow-up than ever before."<sup>21</sup> He acknowledges, however, that the challenge remains "to make sure that all, absolutely all, concessions are carried out within the law."

For Alberto Borda, planning director in the Ministry of Planning and Development, the constraints are largely organizational.

"Our challenge is to create a really functional Ministry of the Environment," Borda says. "Until the beginning of this year, we had environmental issues scattered across three ministries which made for an incoherent system. Unfortunately, when we tried to fix this, turf wars erupted between the ministries."

As a result, the problem was only partially resolved. But to Teresa Flores of the environmental organization Prodena and a columnist for the La Paz daily La Prensa, the problem runs far deeper.

"Current government policy is full of contradictions," she says. "Just look at the National Development Plan, and even the new Constitution passed at the beginning of this year. In some parts of both, a strong 'development at whatever cost' orientation predominates, and in others there is more emphasis on protecting the environment. We are deeply conflicted about these issues as a country."

According to Flores, much of the Latin American left, including the Morales government, justifies "indiscriminate exploitation" by arguing that "northern countries only want us to conserve our natural resources in order to hinder our development so we won't compete with them, and our resources will be available for their future use."

Within the government, Lidema's Ribera maintains, there are programs and an active discourse on the environment. "But they are like lambs in a wolf's lair," he says. "They just don't have much

influence. Where the power lies is with the ministries focused on extraction. And within these ministries, the environment usually isn't even considered."

This predominance of economic over environmental concerns makes both healing Bolivia's environmental wounds and preventing future destruction an exceptionally difficult proposition. No past government has ever resolved this dilemma, nor even seriously considered it. Given this history, and despite the pressures from its support base, if the Morales government can move beyond rhetoric to significant action in favor of the environment, it will be an impressive accomplishment indeed.

President Evo Morales plants the national flag on Bolivia's richest iron-ore deposit, Mutun, In 2007. He was celebrating the signing of a contract with the Indian company Jindal Steel to begin mining operations there.

Bolivia's past inability to force polluters to pay for the costs of cleaning up their mess has left the country with what are euphemistically called "environmental debts."

The predominance of economic over environmental concerns makes both healing Bolivia's environmental wounds and preventing future destruction an exceptionally difficult proposition.

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