

United States Senate
WASHINGTON, DC 20510

July 7, 2020

The Honorable Michael Pompeo
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, DC 20520

Dear Secretary Pompeo,

We are increasingly concerned by the growing number of human rights violations and curtailments of civil liberties by the interim government of Bolivia. These began shortly after the interim government headed by Jeanine Áñez came into power last November when Evo Morales stepped down amid widespread protests and pressure from the military. Reports of abuses have accelerated recently with acts—often framed as responses to the COVID-19 pandemic—that serve to intimidate and undermine the interim government’s political adversaries ahead of presidential and legislative elections currently expected to take place by September 6th.

We encourage State Department officials to call for prompt, free and fair elections and an end to the disturbing actions being committed by Bolivia’s interim government. The near silence concerning recent events stands in contrast to our approach in countries like Venezuela, where the administration has rightly and consistently condemned human rights violations. Some of our key concerns include:

1. Wielding interim authorities to perpetuate itself in power:

After the upheaval of the Bolivian state last November, the international community made clear that it expected the newly-constituted interim government to recognize the polarized nature of Bolivian society and focus its efforts on organizing free and fair elections. However, the interim government headed by Áñez has overstepped its caretaker role. It has sought to exact revenge against political opponents and perpetuate itself in power. After assuming office, Áñez vowed that she would not run for president, but she subsequently reversed herself and chose to campaign for the presidency, deepening Bolivia’s polarization and increasing risks of renewed political conflict and violence.

It is crucial that the interim government refrain from any further actions that would disrupt preparations for the upcoming elections or otherwise jeopardize the credibility of the electoral process in the eyes of all Bolivians. After fits and starts, Bolivia's electoral authority proposed that elections take place by September 6th, a proposal that was then approved by the legislature and eventually signed by interim President Áñez after she initially sought to push back the date. Any attempt by the interim government to unilaterally postpone elections or to set a new voting date, or to frustrate efforts by electoral authorities to ensure a free and fair vote with adequate public health safeguards in place, should be strongly opposed.

2. Military attempts to intimidate Bolivia's legislature:

The Armed Force's high command's efforts to bypass Senate approval of military promotions appear to violate the terms of Bolivia's constitution. Moreover, the recent decision by the Ministry of Defense to press criminal charges against the President of the Senate, Eva Copa, represents a serious attack both on legal norms and the country's only remaining democratically elected body.

3. Violent repression and impunity in the immediate aftermath of taking power:

Interim President Jeanine Áñez came into power in the midst of a constitutional crisis and highly contentious political environment. Ensuing protests were met with repression that left 36 people dead, 833 injured and 1,504 detained by military and police forces. In the towns of Senkata and Sacaba, in episodes characterized as massacres by the Inter-American Commission on Human Rights, security forces are alleged to have killed 20 people. Most of these acts occurred under a presidential decree (which Áñez was later pressured to rescind) that effectively granted immunity to members of the security forces who participated in the crackdown. More than six months later, the government has still conducted no serious investigation of these deaths and injuries. This is of particular concern to us, as U.S. law prohibits assistance for units of security forces credibly accused of gross violations of human rights when the government is not taking effective steps to bring the responsible members of the security force unit to justice.

4. Civil liberties violations carried out under the guise of the COVID-19 crisis:

In April and May the interim government put into effect a pair of executive decrees that established that people who disseminate information "generating uncertainty in the population" regarding COVID-19 are in violation of criminal laws and subject to imprisonment of up to ten years. In April, the country's interim interior minister, Arturo Murillo, announced what he has called a "cyberpatrol" operated by the armed forces, police and his own staff, to identify and prosecute those accused of spreading "misinformation" during the coronavirus outbreak.

Human Rights Watch considered the decrees to be "one of the more crystal-clear cases of a government taking full advantage of this health crisis, this global pandemic, to go after opposition leaders and restrict fundamental freedoms." OHCHR's Mission in Bolivia warned that the decrees needed to be "modified so as not to criminalize freedom of expression." In the face of such criticism, the interim government relented and withdrew both decrees. However, it remains to be seen how the government will handle the many individuals who were detained, prosecuted, and sentenced under the two decrees.

5. Unfair and hazardous treatment of Bolivian prisoners in the midst of the COVID-19 pandemic:

Bolivian prisons are severely overcrowded and unsafe for inmates under normal circumstances, and have become even more dangerous in the midst of the COVID-19 crisis. Nearly two-thirds of inmates are being held in pre-trial detention and without a final conviction. Although the

government proposed and the legislature confirmed a limited pardon and amnesty initiative, only a small percentage of eligible prisoners has been released. At least one prison in Santa Cruz has experienced rioting as a result of dangerous conditions and fears of COVID-19 contagion, and Bolivia has registered growing numbers of infections among prison inmates.

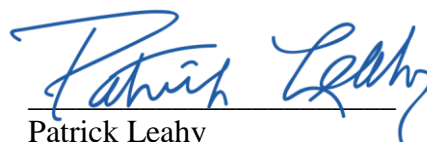
Without a change in course by the interim government, we fear that basic civil rights in Bolivia will be further eroded and the legitimacy of the crucial upcoming elections will be put at risk.

We respectfully request additional information on the specific actions the administration is taking to press the interim government of Bolivia on these matters.

Sincerely,



Christopher S. Murphy
United States Senator



Patrick Leahy
United States Senator



Benjamin L. Cardin
United States Senator



Tim Kaine
United States Senator



Bernard Sanders
United States Senator

/S/ Chris Van Hollen

Chris Van Hollen
United States Senator



Edward J. Markey
United States Senator