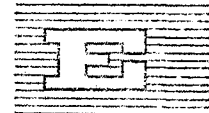


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COMMISSION ON HUMAN RIGHTS
Thirty-seventh session
Item 13 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Situation of human rights in Bolivia

Note by the Secretariat

At its thirty-third session the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted resolution 23 (XXXIII) concerning the situation of human rights in Bolivia and requested Mrs. Halima Embarek Warzazi to make an analysis of the information received by the Secretary-General from Governments, specialized agencies, other intergovernmental organizations as well as non-governmental organizations in consultative status, and to present this analysis, together with such recommendations as she deems appropriate, to the Commission on Human Rights at its thirty-seventh session. Attached to this note is the analysis requested by the Sub-Commission.

*/ Re-issued for technical reasons.

I. INTRODUCTION

1. The Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted at its thirty-third session in August/September 1980 resolution 23 (XXXIII) on the situation of human rights in Bolivia. This resolution makes an urgent appeal to the Government of Bolivia to respect the Universal Declaration of Human Rights and to take all necessary steps to restore and safeguard basic human rights and fundamental freedoms in Bolivia, particularly those when there are threats to human life and liberty; recommends that the Commission on Human Rights at its thirty-seventh session study reported violations of human rights in Bolivia and take urgent measures aimed at the restoration of human rights in that country; requests Governments, specialized agencies, other intergovernmental organizations as well as non-governmental organizations in consultative status to submit to the Secretary-General for transmittal to the Commission on Human Rights recent and reliable information on violations of human rights in Bolivia; it also requests Mrs. Halima Embarek Warzazi to make an analysis of the information received and to present this analysis, together with such recommendations as she deems appropriate, to the Commission on Human Rights at its thirty-seventh session. Finally, it requests the Secretary-General to bring the present resolution to the attention of the Government of Bolivia.

2. Pursuant to the Sub-Commission's resolution 23 (XXXIII), notes requesting information on allegations of violations of human rights in Bolivia were sent on 17 October 1980 to governments, specialized agencies, intergovernmental organizations and to governmental organizations in consultative status. A note verbale G/SO 214 (39) transmitting the Sub-Commission's resolution 23 (XXXIII) in accordance with its operative paragraph 5 was sent to the Government of Bolivia on 17 October 1980.

II. DEVELOPMENTS AT THE THIRTY-FIFTH SESSION OF THE GENERAL ASSEMBLY

3. In connection with the human rights situation in Bolivia certain developments should be noted which took place at the thirty-fifth session of the General Assembly. By a letter dated 5 November 1980 addressed to the Secretary-General, the Permanent Representative of Bolivia to the United Nations transmitted a note dated 29 October 1980 from His Excellency General Luis García Meza, President of the Republic of Bolivia, with the request that it be circulated to all Member States as an official document of the General Assembly under agenda item 12, Report of the Economic and Social Council A/35/C.3/9, reproduced in the present document as annex I. The President's letter refers to the Government position regarding human rights and states that the new Bolivian "National Reconstruction of the Armed Forces Government" is ready to fix a date in which a delegation from the Commission on Human Rights may visit the country "to dispel once and for all the distorted picture which biased informants are seeking to give of Bolivia ...".

4. The General Assembly adopted resolution 25/185 on 15 December 1980 reading as follows:

"Noting that all Member States have an obligation to respect and promote human rights in accordance with the responsibilities they have undertaken under various international instruments,

"Recalling its resolution 34/175 on effective action against mass and flagrant violations of human rights,

"Having taken cognizance of reports on violations of human rights in Bolivia,

"Taking note with satisfaction of the decision of the Preparatory Committee of the General Assembly of the Organization of American States to include the question of Bolivia on the agenda for its tenth regular session, and of resolution CP/RES 308/80 of its Permanent Council,

"Taking note also of the letter of the Bolivian authorities to the Secretary-General, dated 29 October 1980, indicating their readiness to fix a date on which a delegation from the Commission on Human Rights may visit Bolivia,

"1. Urges the Bolivian authorities to ensure respect for human rights and fundamental freedoms, including freedom of expression and trade union rights;

"2. Requests the Commission on Human Rights to accept the invitation by the Bolivian authorities in order to study the human rights situation at first hand and to review at its thirty-seventh session the human rights situation in Bolivia."

III. INFORMATION RECEIVED

5. A number of replies were received in response to the request sent on 17 October 1980 to Governments, specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status. The materials received have been classified for analysis purposes as follows:

- (a) Submissions from Governments,
- (b) Submissions from United Nations organs and specialized agencies,
- (c) Submissions from intergovernmental organizations,
- (d) Submissions from non-governmental organizations in consultative status.

(A) Submissions from Governments

6. Replies were received from the Governments of France, Sweden and the United States of America. The text of these Government replies is reproduced in Annex II. The Governments of Austria, Botswana, Costa Rica, the Federal Republic of Germany, Haiti and Mexico indicated that they had no information on the situation in Bolivia, and the Government of Argentina acknowledged receipt of the request of information by note verbale dated 12 November 1980.

(B) Submissions from United Nations organs and specialized agencies

7. Replies were received from the following United Nations organs and specialized agencies:

(a) United Nations High Commissioner for Refugees - Letter dated 5 November 1980 informing of the material assistance provided to a number of Bolivian nationals who, as a result of political events, sought refuge in neighbouring countries. Information on assistance given to Bolivian refugees is contained in document A/AC.96/577/Add.2, paragraph 37, which reads as follows:

"As a result of the recent events in Bolivia, a number of Bolivian nationals have sought refuge in neighbouring countries where they are receiving UNHCR protection and material assistance. Since the return of these refugees to their country of origin seems unlikely in the near future, an allocation of 50,000 Dls. is proposed for multipurpose assistance in 1980 in north-western South America and a similar allocation of 50,000 Dls for multipurpose assistance in southern Latin America. These funds will service to provide assistance

towards meeting the immediate needs of the refugees and, more particularly, towards their local integration or their resettlement in third countries. An allocation of 125,000 Dls. is proposed to continue multipurpose assistance for Bolivian refugees in north-western South America in 1981 and a similar allocation is proposed in southern Latin America for the same purpose".

(b) United Nations Educational, Scientific and Cultural Organization: Letter dated 8 January 1981 stating that UNESCO has received a number of communications relating to alleged violations of human rights in Bolivia. These communications are being or will be dealt with in accordance with the confidential procedure laid down by its Executive Board. Therefore UNESCO is unable to transmit details on the subject.

(c) International Labour Office - Letter dated 5 November 1980 making reference to a number of complaints alleging violations of trade union rights and to a visit of an ILO representative to Bolivia in October 1980 for preliminary contacts with the authorities and various organizations and individuals concerning these allegations. The complaints, as well as the report of the ILO representative, were considered by the Freedom of Association Committee of the Governing Body and the Committee's report contained in document GB/214/11/9 was presented and considered by the Governing Body.

(d) World Health Organization - Letter dated 5 November 1980 stating that WHO is not in a position to transmit to the Commission of Human Rights recent and reliable information on violations of human rights in Bolivia.

(C) Submissions from intergovernmental organizations

8. A reply was received from one intergovernmental organization.

Organization of American States - Letter dated 19 November 1980 which states that "due to the fact that petitions alleging human rights violations are kept confidential until acted upon by the Commission, the OAS is unable to provide the substance of particular denunciations. However, the Permanent Council of the OAS, in Resolution 308 of 25 July 1980, called upon the Inter-American Commission of Human Rights to examine the situation in Bolivia. The Resolution deplores the coup d'état which was the proximate cause of the loss of human lives and other serious human rights violations against the Bolivian people". Attached to the letter is a copy of the Permanent Council's Resolution as well as a copy of a letter sent to the Bolivian Minister of Foreign Relations, requesting all the necessary facilities to carry out an on-site observation.

(D) Submission from non-governmental organizations in consultative status

9. Replies were received from the following non-governmental organizations in consultative status:

(a) Women's International Democratic Federation - Letter dated 18 November 1980 denouncing the application of the "security" law providing for the death penalty and for the establishing of concentration camps.

(b) International Association of Democratic Lawyers - Letter dated 7 November 1980 enclosing a report of a private mission to Bolivia by Mr. Joe Nordmann. The report includes: correspondence between UNESCO and the mission, resolution 670 of the Interparliamentary Union on Bolivia, transcriptions of statements received on

20 July in the mine of San José, letters from miners' wives of the district of Caracoles dated 9 August 1980 addressed to Monsignor Jorge Manrique, Archbishop of La Paz, and the declaration of the Conference of the Permanent Episcopal Council of Bolivia.

(c) World Council of Churches - Statement dated 27 August 1980 addressed to their members expressing regret that "the coup d'état had interrupted a positive process of democratization" and making an appeal of solidarity to the churches of that country.

(d) Christian Peace Conference - Statement dated 6 November 1980 supporting resolution 23 (XXXIII) of the Sub-Commission.

(e) The International League for Human Rights - Letter dated 10 December 1980, containing information on reported violations of freedom of expression, trade union rights, and on arbitrary arrests and imprisonment.

(f) Inter-Parliamentary Union - Letter dated 14 November 1980 enclosing a resolution on the situation in Bolivia adopted unanimously by the 67th Inter-Parliamentary Conference on 24 September 1980; and a Report of the Special Committee on violations of the human rights of Parliamentarians in Bolivia.

(g) International Commission of Jurists - Letter dated 3 January 1981, enclosing materials providing background information on Bolivia, political activities developed during the elections and the military coup d'état, repression and resistance, freedom of expression, labour organizations, position of the Church and economic data related to Bolivia.

IV. SUMMARY DESCRIPTION AND EVALUATION OF THE SOURCES

10. The allegations of human rights violations contained in the materials listed in III above originate mainly from information provided by Governments, specialized agencies, intergovernmental organizations and non-governmental organizations; some transmit information received on the spot as, for example, the International Labour Organization.

11. In approaching the question of evaluating the bases of the allegations of human rights violations in Bolivia and of the reliability of the information contained in the materials under review, it must first be recognized that no thorough and comprehensive investigation of the human rights situation in that country by an impartial international body has yet been made. However, the information provided by the different sources listed above contains allegations of serious violations perpetrated during and after the coup d'état in 1980.

V. ALLEGATIONS

(A) Background information

12. The materials submitted pursuant to resolution 23 (XXXIII) of the Sub-Commission contain allegations of violations of several rights enumerated in the Universal Declaration of Human Rights.

13. The allegations, contained in reports of official and non-official delegations that visited Bolivia after the coup d'état of 17 July 1980 have been taken into account. These allegations are also endorsed by submissions of some governments.

14. The military coup brought General Luis Garcia Meza to power, interrupting what appeared to be a process of democratization under the interim government of Mrs. Lidia Gueiler. It should be recalled that Mrs. Lidia Gueiler called elections for 29 June 1980, which were held as planned. Union Democratica y Popular (UDP), obtained 33 per cent of the votes. Based on an apparent agreement reached with other parties, its presidential candidate, Mr. Hernán Siles Zuazo, was to be invested formally by Congress on 6 August 1980. The military authorities took over on 17 July 1980.

15. The analysis of the material received appears to establish a direct relationship between the violations of human rights and the events that took place in the country after the military coup.

(B) Review of the main allegations as enumerated in the Universal Declaration of Human Rights

16. This part (B) contains a review of the main allegations of violations of human rights relating to the present Government of Bolivia. The central and predominant feature of the materials consists of accusations concerning violations of the rights enumerated in articles 3, 5, 21 and 23 (4) of the Universal Declaration of Human Rights.

Article 3: Everyone has the right to life, liberty and security of person

17. The main allegations examined under this article may be summarized as follows:

- (i) Execution by military forces of a large number of people, mainly mine workers, within a few days of the assumption of power by the present Government in various places of Bolivia.
- (ii) Destruction of the headquarters of the Central Obrera Boliviana in La Paz, and the murder of trade union leaders in presence of witnesses.
- (iii) Assassinations perpetrated by paramilitary groups, mainly in La Paz.

18. Following are extracts from the materials illustrative of the foregoing.

(a) Extracts from a letter sent to Monsignor Jorge Manrique at La Paz by Desperate mothers and wives of Caracoles dated 9 August 1980.

"Reverend Monsignor,

We send you our greetings in these moments of sorrow and grief. We want you to know what happened in our mining centre so that through your mediation, the International Red Cross or some other human rights organization will come to testify to the acts of barbarity.

The Max Toledo regiment from Viacha, a sector of the Torapaca regiment and the Camacho regiment from Oruro attacked Caracoles with cannons, tanks, and war planes. Our husbands defended themselves with stones, shovels, and dynamite. By Monday afternoon most of the miners were dead and the survivors fled to the hills and others to the houses in Villa Carmen. The army forces followed them, killing the men in their homes, arresting others and torturing them and putting the bayonets through some of them. The wounded were beheaded. ...

... On Tuesday, 5 August, at dawn they loaded the dead onto three Army trucks headed for La Paz.

Until Friday, they continued to bring prisoners tied with wire.

Women were prevented from picking up the dead to give them Christian burial on the pretext: There is no order. Finally on Friday, they gave us the order to look for the dead, but we found only: jackets, trousers, sweaters, cups, shoes, etc., soaked with blood; the dead had disappeared. Some had been dropped into wells behind the cemetery, but they didn't let us identify them.

About 900 have disappeared, it is not known if they are living or dead.

We are attaching some of the names of the disappeared, wounded, dead, and prisoners.

We thank you for your understanding and help."

(Documentation provided by the International Association of Democratic Lawyers dated 7 November 1980.)

(b) Extracts from the documentation provided by the Government of the United States of America, dated 8 December 1980.

"... On 17 July, a military uprising was staged in Trinidad, initiating the long-threatened military take-over by Army General Luis Garcia Meza. Almost immediately, the Garcia Meza régime began a systematic campaign of oppression designed to gain control of the country and demolish the opposition. Hundreds of people were arrested, beaten and tortured. Pockets of resistance in the mines were annihilated by the use of tanks, strafing helicopters and aerial bombardment".

(c) Extracts from the documentation received from the World Council of Churches, dated 27 August 1980.

"Reliable reports received since the 17 July military take-over depict an alarming picture giving evidence of the grave and massive violations of fundamental human rights in the country:

- The killing of hundreds of people, including entire families in the mining areas of the altiplano".

(d) Extracts of the Report No. GB/214/11/9 received from the International Labour Organization:

"The complainant organizations have given a general picture of the harsh repression suffered by the trade union movement following the military coup d'état on 17 July 1980. In particular, they expressed their profound concern at the reported murders of certain trade union leaders ... the occupation and demolition of the headquarters of the Central Obrera Boliviana ...".

"The allegations made in the present case refer to the violent death of trade union leaders ... The Committee observes that the Government has supplied no information regarding the death of fifteen union leaders who are said to have been shot, nor on the death of the Miners' Federation leader, Gualberto Vega ...". (ILO Document No. GB/214/11/9, paras. 11, 32 and 34.)

Article 5: No one shall be subject to torture or to cruel, inhuman or degrading treatment or punishment

19. The materials examined contain numerous allegations of violations of article 5, particularly regarding the cruel methods of execution and a number of accounts concerning torture during imprisonment, particularly:

- (i) Methodical beating of prisoners by security forces.
- (ii) Application of electric current and use of drugs to force confessions.
- (iii) Summary executions by cruel and barbaric methods.

20. Following are some extracts illustrative of the foregoing:

(a) Extracts from a letter sent to Monsignor Jorge Manrique of La Paz from Desperate Mothers and Wives of Caracoles, dated 9 August 1980.

"... They put dynamite in the mouth of one miner in the middle of the plaza and blew him to pieces.

They robbed from the houses and loaded the Army trucks with televisions, machines, radio record players (three in one), suit jackets, blankets, money clothes from the stores, shoes from Manaco and Zamora, food from the company store.

Children were tied with cables and made to eat gunpowder.

Youths were made to lie on broken glass and we were obliged to walk over them, after which the soliders marched on them.

The Army men appeared to be fierce savages because they were drugged and they did not hesitate to rape us and also the young girls and even little girls

They sacrificed sheep, hens, pigs, etc., loading them onto the army truck ..."

(Documentation provided by the International Association of Democratic Lawyers dated 7 November 1980.)

(b) Extracts from the submission of the Government of the United States of America, dated 8 December 1980.

"There are reliable reports by eyewitnesses of sadistic and methodical beating of blindfolded prisoners by masked officials at the Ministry of Interior and Armed Forces G-2 offices in La Paz since the July 17 takeover. Men and women have been routinely subjected to physical and mental abuse to force them to implicate themselves and others believed to be unfriendly to the régime, to punish them for their political beliefs or labour union association, and at time for sheer sadistic sport by inebriated paramilitaries. Electric current was being applied as late as September to prisoners to force confessions at the Ministry of Interior.

"The régime's paramilitaries have also threatened the families of individuals in hiding with beatings, rape, and death unless they report on the whereabouts of their loved ones. Police officials and military officers have pistol-whipped or beaten individuals for failure to co-operate with them. These abuses have been carried out against both Bolivians and non-Bolivians.

"The Garcia Meza régime has systematically engaged in the abuse, both mental and physical, of its political prisoners. Newsmen and clerics were made to lie down on manure at the Armed Forces Headquarters in La Paz after their arrests. Even though Garcia Meza on September 16 denied torturing or abusing prisoners, since then eyewitnesses have reported watching paramilitaries beat blindfolded prisoners with rifle butts, pistols, and with their hands. One eyewitness saw paramilitaries at the armed forces headquarters beat and burn with cigarettes a young man as his Father was made to watch. Other eyewitnesses in the interior of the country reported seeing several hooded prisoners who had been beaten and burned with cigarettes reportedly by Naval personnel. Another witness reported talking to a Woman in jail who said she had been tortured with electric current applied to her genitals in an effort to make her reveal the names of her exiled husband's friends."

(c) Extracts from the materials provided by the International Commission of Jurists, dated 8 January 1980.

"An example of the unbridled repression was the massacre carried out by the army in the mining district of Caracoles. In the first few days of August, special troops of the Viacha and Oruro regiments attacked Caracoles with mortars, tanks and light planes, while the workers defended themselves with their rudimentary weapons.

... The troops systematically looted the humble homes of the miners, taking away domestic animals like hens, pigs and sheep, smashing and destroying everything and even violating the women. A large number of men were taken away to an unknown destination.

In the towns and manufacturing centres, the repression assumed another form. The trade union and political organizations are the prime target, and a systematic and selective hunt for activists and militants has been instituted. ... Torture is applied savagely and on a wide scale; it is known that at first the prisoners were kept without food and water for long periods and slept without blankets in places where the temperature drops below zero ..."

(d) Extracts from the materials provided by the International League for Human Rights, dated 10 December 1980.

"A case of special concern to the International League was that of Father Julio Tumiri Javier, a 72 year old parish priest, President of the Permanent Assembly for Human Rights, and known for his compassion among the poor. He was arrested shortly after the coup, and beaten severely during his imprisonment. A book written by Father Tumiri critical of the attempted coup in November 1979 so enraged Bolivian authorities that he was forced to eat the book page by page.

"As a result of his maltreatment, Father Tumiri required critical medical attention. Only after outside pressures were applied did Bolivian authorities arrange for his hospitalization. He was released in mid-October."

Article 21: concerning the right to take part in the government of one's country; the provision for periodic and genuine elections based on universal and equal suffrage and secret balloting

21. The materials submitted contain allegations concerning violations of political rights of the Bolivian people. As stated in the documentation, two years ago a gradual process of return to democratic life appeared to begin in Bolivia, a country broadly known by its constant and recurring changes of governments.

In 1978, after eight years of military régime, a decree was issued by the Government of General Hugo Banzer granting political amnesty, free trade unions operations and elections to designate the President of the Republic and to appoint a Parliament. The first elections were held in July 1978, which were annulled and followed by two successive military coups. One took place on 21 July 1978 and the other on 24 November 1978. Elections were called for a second time on 1 July 1979 but no candidate obtained an absolute majority. In these circumstances, according to the Bolivian Constitution, the Congress has the responsibility of appointing the President of the Republic.

22. The Congress thus nominated Mrs. Lidia Gueiler as interim President, Mrs. Gueiler called elections for 29 June 1980 and Union Democrática Popular emerged as the winning party. The process was interrupted by the military authorities on 17 July 1980.

23. An analysis of this information shows that article 21 of the Universal Declaration of Human Rights has been violated. This can be summarized as follows:

- (i) Interruption of the constitutional process
- (ii) Arbitrary arrest and imprisonment of parliamentarians and other political figures.

24. The following extracts from materials referred to above are illustrative of this analysis.

(a) Extracts from submission by the Government of the United States of America, dated 8 December 1980.

"A curfew was imposed and vigorously enforced throughout the country. The régime abolished Labour Unions, established press censorship, and prohibited unauthorized meeting. The régime arrested scores of foreign Priests and Missionaries, detained and expelled many foreign correspondents, and made all foreigners residing in Bolivia register with the Minister of Interior. The Garcia Meza régime has attempted to discredit internationally recognized human rights institutions which have reported on ongoing abuses, and threatened groups from international labour organizations such as the Inter-American Regional Organization of Workers (ORIT), the International Confederation of Free Trade Unions (ICFTU), the Latin American Workers Confederation (CLAT) and The World Confederation of Labor (WCL) by arresting or mistreating their representatives when they visit Bolivia to ascertain the state of human rights observance.

"Most Bolivian asylees who sought refuge in Diplomatic Missions in La Paz, including former President Gueiler, were allowed to leave Bolivia only after long delays; the régime has not accounted for all political prisoners; undisciplined paramilitary and security forces continue to arrest, beat, and torture people, narcotics trafficking continues with the alleged assistance of highly-placed régime officials; and Garcia Meza seems no closer to allowing Bolivians to choose their own leaders - at one point declaring he would stay in power for as long as necessary."

(b) Extracts from the submission of the World Council of Churches, dated 27 August 1980.

"Two years ago, as a result of the political will and determination of the people, a new process of gradual return to democratic life emerged in Bolivia. It began with the successful culmination of a hunger strike carried out by tin miners' wives and children. The WCC welcomed the decision of the Bolivian military government, to accede to the demands of the strikers, through a submission in February 1978 by the Commission of the Churches on International Affairs to the Thirty-fourth Session of the Commission of Human Rights of the United Nations, for the 'good faith shown by ... the President of the Republic of Bolivia ... in reaching, on 18 January, a peaceful negotiated agreement with participants in the massive hunger strike', providing for general amnesty of all political prisoners and exiles, the reinstatement of all miners dismissed from their jobs, guarantees for work, and the general conditions leading to the first free national elections in almost a decade. Since 1978 the road has not been an easy one, but it led to general elections on 29 June of this year, thus raising high the hopes of the Bolivian peoples for a democratically-elected civilian government."

(c) Extracts from the submission of the Government of Sweden, dated 7 November 1980, relating to a visit to Bolivia of a Swedish non-official delegation in September 1980.

"The delegation has further stated the following.

"During 1980 - until the coup d'état - religious and union groups, as well as most of the political parties had a very successful co-operation within the Committee on Maintaining the Democracy (CONADE). The first actions by the new leaders were concentrated towards the Government building and the CONADE. When the committee held an emergency meeting at this time, the above-mentioned persons, as well as Mortimer Arias, a bishop of the Methodist church, were arrested.

"Institutions dealing with social and economical development in certain rural districts were also suffering from actions taken by the new leaders. One of the institutions, CIDOB, working with social and economical documentation and analysis was completely destroyed."

(d) Extracts from the submission of the Interparliamentary Union, a report dated September 1980 communicated on 14 November 1980, reporting on the situation of 54 parliamentarians, immediately after the military takeover.

"Outline of the cases:

It emerges from the evidence that the Bolivian Parliament was dissolved on 17 July 1980 after the coup d'Etat in that country on the same date; that at the time of its dissolution the Parliament was not sitting; that general

elections had taken place on 29 June 1980 to renew the membership of the Parliament but that in accordance with the provisions of the Bolivian Constitution, the mandate of the members of the previous Parliament was due to remain effective until 4 August 1980, the date on which the new Parliament was to take office; that after the dissolution of the Parliament, the great majority of parliamentarians from both the previous and the new Parliament were proceeded against; that the individual situation of each of the fifty-four parliamentarians whose cases are submitted to the Special Committee is reported to be as follows:

Parliamentarians whose mandate was due to expire on 4 August 1980:

Mrs. Lydia Gueiler: former President of the Congress and former acting President of the Republic, has been a refugee in the Papal Legation since 18 July 1980 (left the country in August 1980)

Mr. Walter Guevara Arze: President of the National Congress (re-elected on 29 June 1980) has been a refugee in the Venezuelan Embassy in La Paz since 20 July 1980

Mr. Carlos Flores: killed on 17 July 1980 during the attack on the headquarters of the Bolivian Workers' Organization (COB)

Mr. Julio Tumiri Apaza: arrested on 18 July 1980 at his home and detained since then in La Paz

Mr. Dulfredo Rúa: detained in La Paz since 18 July 1980; said to be at the concentration camp in Puerto Cavinás

Mr. Benjamin Higuera and Mr. Juvenal Castro: are the subject of proceedings

Mr. William Bluske: former President of the Foreign Affairs Committee, and Mr. José Luis Roca are prohibited from returning to their country

Parliamentarians elected on 29 June 1980:

Mr. Jaime Paz Zamora: Vice-President elect of the Republic, due to take up office on 4 August 1980, ex-officio President of the Congress, prohibited from returning to his country; victim of a criminal assault on 2 June 1980

Mr. Marcelo Quiroga Santa Cruz:* was arrested, unarmed, during the attack on the headquarters of the Bolivian Workers' Organization (COB) by paramilitary forces on 17 July 1980; several persons were witnesses to these facts; Marcelo Quiroga was allegedly tortured and killed; the authorities announced his death on 20 July and have so far refused to return his body to his family

Mr. Simon Reyes: was wounded and arrested during the attack on the headquarters of the Bolivian Workers' Organization (COB) by paramilitary forces on 17 July 1980; it is alleged that he was tortured; it appears that he is in a grave condition at the headquarters of the Department of Political Order (DOP) (Special Police of the Ministry of the Interior) in La Paz

Mr. Victor Andrade Uzquiano: was detained in La Paz until 15 August 1980

Mr. Leopoldo Lopez* and Mr. José Vargas:* there is no news of them and it is feared that they have "disappeared"

Mr. Manuel Cardenas Mallo:* is detained in La Paz

Mr. Cayetano Llobet Tabolara: has been detained since 18 July 1980; said to have been sent to the concentration camp at Puerto Cavinás

Mr. Carlos Quiroga; Mr. Alfonso Camacho; Mr. Alfonso Ferrufino;*
Mr. Gaston Encinas;* Mr. Abraham Salas; Mr. Gregorio Andrade;
Mr. Severo Torres; Mr. José Reyes Carvajal; Mr. Adalberto Kuajara;*
Mr. Amalia Decker; Mr. Jorge Kelle Cueto;* Mr. Abelardo Villalpando;
Mr. Carlos Barragan Vargas; Mr. Carlos Carvajal Nava;*
Mr. Edgar Ramirez;* Mr. Oscar Salas Moya;* Mr. Ramiro Barrenechea;
Mr. Walter Morales Ugarte; Mr. Horacio Torres; Mr. Mario Roncal;*
Mr. Felix Rospigliosi;* Mr. Oscar Zamora; Mr. Federico Alvarez Plata;
Mr. Federico Alvarez Pinto: are the subject of proceedings

Mr. Ramiro Velazco;* Mr. Guido Capra;* Mr. Oscar Vega;* are refugees at the Venezuelan Embassy; Mr. Alcides Alvarado Daza* is a refugee at the Mexican Embassy in La Paz; Mr. Aldo Flores* and Mr. José Maria Palacios* are also refugees in an embassy in La Paz; Mr. Jaime Taborga* is a refugee in the Embassy of the Federal Republic of Germany

Mr. Antonio Aranibar,* Mr. Marcos Dominic Ruiz,* Mr. Juan Rodriguez,*
Mr. Hector Borda Leano, Mr. Aldo Flores,* Mr. Guillermo Carobianco*
and Mr. Luis Pelaez Rioja* are prohibited from returning to their country."

* The asterisk indicates that the person in question was a member of Parliament in 1979 and had been re-elected in 1980.

(e) Extracts from the materials submitted by the International Commission of Jurists dated 8 January 1981.

"Once the pronunciamiento had become an established fact, a state of siege and curfew were decreed. The first announcement by the authors of the coup proclaimed 'the whole country a military zone', thus enabling Martial Law to be instituted. Parliament was dissolved, and until it is re-established, government is to be by decree. In their proclamation of 20 July, the military made known their programme which is entitled 'Participation of the armed forces in the present political process'. Among the points made is the maintenance of the 1967 Constitution 'in so far as it does not conflict with the aims, objectives and actions of the new government', the preparation of a statute for the political parties and the adoption of union and labour laws. The new Head of State declared that 'electoral adventures are over'.

At the end of September 1980, it was announced that government institutions would be reorganized, and a Governing Junta set up composed of the Commanders in Chief of the Army, the Navy and the Air Force. The Junta is to be the 'Supreme Government'; it will command the armed forces and head the 'process of national reconstruction'. The statute which will regulate its functions invests the Junta with all political legislative and electoral powers, including designation of the Head of State. This system is to be maintained for three years, after which the Junta itself will evaluate the situation and decide whether to prolong it or not.

As far as the judicial power is concerned, all the members of the Supreme Court and all the Presidents and many members of the regional High Courts were removed from their posts as from 9 September, and jurists who had the confidence of the new authorities were appointed in their place."

Article 23 (4): Everyone has the right to form and to join trade unions for the protection of his own interest

25. In accordance with the submitted materials neither the trade union rights nor the rights of association are respected by the present régime. New legislation was enacted to control union activities and, since 17 July 1980, successive decrees were issued suspending trade union activities and removing union officials at all levels. Pursuant to the new laws all union leaders, called relacionados, must be first approved by the Government before they can be elected, and the right to strike is prohibited.

26. Allegations of violations of human rights perpetrated in the area of trade union rights were received from a number of sources. The following paragraphs contain allegations illustrative of these events:

(a) The report of the ILO Committee on Freedom of Association of 12 November 1980, as submitted to the two hundred and fourteenth session of the Governing Body, contains details about allegations of violations of trade unions in Bolivia. They pertain in particular to:

- (i) Violent deaths and imprisonment of trade union leaders
- (ii) Dissolution of trade unions and restriction of free exercise of trade union rights.

(b) Extracts from the materials submitted by The International League for Human Rights, dated 10 December 1980.

"Since the coup, the Bolivian régime has violated these rights by totally suspending the activities of most labour unions, federations and confederations, including the Central Obrera Boliviana (COB). Only two unions have been allowed to continue to function, although under close government surveillance. These are the 'Federación de Transportistas' and the railroad labour federation. In addition, union leaders were among the first victims of human rights violations following the coup. Many were arbitrarily arrested and detained for long periods of time. A number of these were tortured, including Juan Lechin Oguendo, a leader of COB, who was kidnapped by armed men and tortured during incommunicado detention. Others who were detained include Simon Reyes, Liber Forti, Noel Vazquez, and Victor Lima."

(c) Extracts from the materials submitted by the Government of the United States of America, dated 8 December 1980.

"Officials of the Garcia Meza régime have threatened with harm, beaten, robbed and harassed non-Bolivians they considered 'extremists' or accused them of activities against the régime. In the case of several representatives of an

international labour organization who were arrested while visiting Bolivia with the full knowledge and consent of Garcia Meza, interior ministry officials not only abused them, struck one of them in front of the others and later severely beat him alone, but also robbed them of their money and other personal documents and possessions."

(d) Extracts from the materials submitted by the Government of Sweden dated 7 November 1980.

"Pursuant to this request, I have the honour to inform you that a Swedish non-official delegation visited Bolivia in September 1980. The delegation noted that union leaders have been hit hard by the oppression and many of the leaders are now imprisoned, e.g. Mr. Juan Lechin, Secretary-General of the Confederation of Trade Unions (COB) and Mr. Simon Reyes, Head of the Miners' Union. COB is now forbidden and its headquarters have, so far, been partly demolished."

(e) Extracts from the materials submitted by the International Commission of Jurists dated 8 January 1981.

"The trade unions probably constitute the sector that is hardest hit. Neither the right of association nor other trade union rights are respected. On 17 July, the new government banned all trade union and political activity, even before passing any laws to this effect. The statements made by the Generals, and the first governmental proclamation, refer to proposed new trade union and labour legislation, and to a statute for the political parties, with a view to 'normalizing' these activities. The right to strike is also prohibited. At the end of July, a decree was enacted suspending all trade union officials, in other words, removing union officials at all levels (factory committees, unions, federations, confederations) from the posts to which they were elected.

The only trade union organization now is the so-called Workers' Confederation - Central de Trabajadores - which does not represent the workers but follows the military line. During the Banzer régime, Labour Co-ordinators had been appointed in place of the union leaders to look after the interests of the workers. These Co-ordinators disappeared in 1978, when the unions recovered their rights. They have now reappeared as officials of the Central de Trabajadores.

On 30 July, a government decree instituted the 'Patriotic Service of the State' clearly inspired by an earlier decree enacted by Banzer in 1974, which was subsequently abrogated. This decree obliges all citizens without exception to perform the work or tasks entrusted to them by the Supreme Government on pain of 'punishment for contempt'. The obligation must be complied with, whether the persons concerned are unemployed, or work in the public or private sector. It is a law designed to invalidate the right to strike. The penalties include imprisonment."

(e) Extracts from the materials submitted by the Government of the United States of America, dated 8 December 1980.

"Labour unions have been prohibited from continuing their work. The régime also withdrew its recognition of previous labour leaders and began to appoint new leaders from lists requested from the workers at every work

place. There are reports that some of those selected as new 'Relacionadores Laborales' (State-appointed Labour Co-ordinators) were not even listed on the rosters provided by the workers at some factories. Many labour leaders have been arrested, sought asylum at Embassies, left the country on their own, lost their jobs, or are in hiding. Union funds were frozen by the régime. The régime does not allow collective bargaining and workers do not have the rights to strike."

Articles 6-11: concerning recognition of persons before the law, entitlement to equal protection of the law, right to effective remedies, freedom from arbitrary arrest, detention or exile, right to a fair and public hearing and right to the presumption of innocence

It is alleged in the materials that there is a lack of proper judicial process. The right of habeas corpus, granted by the Constitution, has been routinely ignored. People were arrested even by paramilitary groups, placed in prison or in concentration camps where they stayed for long periods without trials.

Extracts from the submissions of the above allegations are contained in the following materials:

(a) Extracts from the materials submitted by the Government of the United States of America, dated 8 December 1980.

"The Security Forces and the paramilitary units act under the orders of the President, the Interior Minister, or the Chief of the Armed Forces G-2. Their excesses can be considered to have full government sanction and their perpetrators enjoy total immunity from prosecution.

"Since July persons accused of anti-régime sentiments or activities have been arrested and held without charge for longer periods than the constitution allows. The right of habeas corpus has been routinely ignored by officials of the present system.

"Régime figures on the number of detainees are highly suspect. They fluctuate because persons arrested may be released within a few days without the régime's revising its detention figures. Some persons arrested may be released routinely. There are also detainees in the Eastern lowlands regions who have never been included in the régime's official figures announced in early September. Spokesmen for the régime do not agree on the numbers of detainees; Interior Minister Arce asserted in August the number of detainees did not exceed 500 persons while days later the Secretary to the President told a foreign newsman the number of persons detained at the time did not exceed 2,500."

"Generally, no explanation is given to people detained by either the security forces or the paramilitary units. In some cases detainees have been told they had been arrested for suspected connections with 'inter-national extremism' or for opposition to the régime. Father Julio Tumiri, President of the Bolivian Human Rights Assembly (PAHR), was arrested shortly after the coup and no charges were placed against him. Labour leaders such as

Juan Lechin and Simon Reyes are considered 'dangerous' to the present political scheme. Newsmen such as Albert Brun and Mary Helen Spooner were accused of exporting lies about the régime. Methodist Bishop-Emeritus Mortimer Arias was detained for suspected links with 'extremists'. Many foreign Roman Catholic Missionaries have been detained because their work with Campesinos and Miners made them suspect to the Garcia Meza régime."

(b) Extracts from the materials submitted by the Government of Sweden dated 7 November 1980.

"According to the delegation many persons were tortured soon after the coup. The group who was arrested when CONADE held its emergency meeting had to spend 24 hours in a stable without being permitted to move. If one made a slight movement, he or her was immediately punished. In the basements of the Ministry of Interior and the building of the Supreme Command of the Armed Forces, prisoners were tortured and even drugs were used. In the province of Beni, in northern Bolivia, a concentration camp has been constructed. It is meant for miners and farmers in opposition. It is hard to find out how many political prisoners there are. It could be, says the delegation, as many as 1,000 or 2,000. However, it is possible, that some kind of amnesty for demonstrators etc. will be issued within a short period of time.

About twenty clergymen were arrested. Most of them have now been released but there are persons who have been working for the above-mentioned Parish of Human Rights and CONADE who are still in prison."

(c) Extracts from the materials submitted by the International League for Human Rights, dated 10 December 1980.

"Soon after the July 17 coup, the new military régime imprisoned large numbers of individuals. Most were released several months later although they never had been charged or tried. The Permanent Assembly of Human Rights in Bolivia estimated at least 1,500 arrests. Among those arrested were trade union leaders, members of church, student, and human rights groups, and opposition politicians in the countryside, mining regions and cities."

(d) Extracts from the materials submitted by the Women's International Democratic Federation (WIDF).

"These measures and the establishment, after the July coup d'état, of four concentration camps in the Bolivian jungles, according to reports from former prisoners in those camps, constitute further proof of the desperation of the perpetrators of the coup caused by their international isolation and the growing resistance of the Bolivian people, who have not resigned themselves to their fate."

WIDF requests

"the elimination of the concentration camps, which take mankind back to the era of Hitlerism which was thought to be a thing of the past."

Article 15: (1) Everyone has the right to freedom of movement and residence within the borders of each State; (2) Everyone has the right to leave any country, including his own, and to return to his country

The following is an extract from the materials submitted by the Government of the United States of America, dated 8 December 1980.

"Bolivians are not presently allowed to travel freely within their own country. There are many citizens that have been internally banished to distant towns in the interior of the country (residenciados) who cannot return to their homes. There are also many Bolivians who had to leave the country because of the political intolerance of the Garcia Meza régime. Others may be facing that fate soon as the régime seeks to improve its soiled image abroad by exiling a number of its political prisoners."

Article 19: Concerning the right to freedom of opinion and expression, the right to seek, receive and impart information

It is alleged in the materials submitted that the right to freedom of opinion or expression has been suppressed throughout Bolivia since the military coup of 17 July 1980. The following is an extract from the materials submitted by the International League for Human Rights, dated 10 December 1980

"... every individual has the right to seek, receive, and impart information and ideas of all kinds. The Bolivian régime continues to violate this fundamental right through governmental restrictions on the activities of the independent press and strict supervision and censorship of the work of reporters. A number of media organizations, if not forced to close entirely, are forced to operate with government restraints. The weekly Aqui has been officially closed since the coup, after its offices were destroyed. 'Radio Fides' and 'Radio Anirac', two radio stations, also suffered the same fate. All the radio stations in the mining areas have also been closed down. These include Radio San Gabriel, Radio Panamericana, Radio Continental, and Radio Pio XII. In addition, the Catholic newspaper Presencia has been working under very strict official censorship, and only recently has there appeared to be a loosening with the reappearances of reports from international cable services.

Journalists, as a group, have been the target of harassment and repression. Approximately 20 reporters have either been imprisoned or expelled from the country in the recent months. Among them are Heraldo Olmos of the Associated Press; Eduardo Perez Irabarne of Agence-France Press; Humberto Vacafior, Mary Hiller Spooner of The Financial Times; and Ray Bonner of Newsweek Magazine."

The International Commission of Jurists, submitted on 8 January 1981 the following information on the subject:

"Freedom of expression is virtually non-existent. As far as the press is concerned, although there is no formal system of pre-censorship, sanctions are imposed in practice on journalists who venture to criticize the methods of the authorities or to report on clandestine activities. For the radio, on the

other hand, there is pre-censorship. Radio stations must give the Ministry of Information in advance a written version of the texts they intend to broadcast. Numerous journalists have been persecuted and imprisoned. Colonel Luis Arce Gómez, one of the strong men of the régime, summoned the representatives of the national press to hear a threatening speech on what they were forbidden to publish and on the sanctions they would incur if they did so. Several foreign press correspondents were arrested and expelled from Bolivia. In reply to the international protests about the detention for several days of the correspondent of Agence France Presse and his subsequent expulsion from the country, the government accused him of maintaining 'contacts with subversion, publishing biased information, installing a telex without official authorization and interviewing Sr. Siles Zuazo, a leader of the underground opposition ...'. As already mentioned the premises were invaded of the radio station, San Gabriel, of the periodical Presencia and of the radio station Fides, in this case with the destruction of its equipment, and the radio stations of the minors were destroyed."

Letter dated 5 November 1980 from the Permanent Representative of
Bolivia to the United Nations addressed to the Secretary-General

In handing over personally the note dated 29 October from His Excellency General Luis Garcia Meza, President of the Republic of Bolivia, I would request you, on instructions from my Government, to arrange for this note to be circulated to all Member States as an official document of the General Assembly under agenda item 12.

(Signed)

Fernando ORTIZ SANZ
Ambassador
Permanent Representative

ANNEX

LETTER DATED 29 OCTOBER 1980 FROM THE PRESIDENT OF THE REPUBLIC
OF BOLIVIA ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to the cordial talk which you had with the Minister of Foreign Relations of Bolivia on 9 October last. This was a suitable occasion for him to give you a brief account of the origins, purposes and basic policy of the Government of National Reconstruction of Bolivia.

I consider it appropriate at this time to confirm all that was said on that occasion by the Bolivian Foreign Minister, General Javier Cerruto Calderón, and for my part, to refer to certain matters I feel are important to clarify the nature of the Government over which I have the honour to preside.

A number of official documents issued by the Government of Bolivia have already stated that human rights are respected in Bolivia unrestrictedly and in all cases within the framework of the laws regulating Bolivian society.

I wish to emphasize this point because of the highest esteem in which Bolivia, as a Member of the United Nations, holds the Organization. I do so because the Government of National Reconstruction of the Armed Forces wishes to define clearly its basic view of the social and historical content of human rights.

We believe that these rights cannot be merely formal, abstract and individual concepts, but must constitute real and specific rights forming part of a broad Christian and humanistic outlook. This view is confirmed in the preamble of the Universal Declaration of Human Rights, which describes them "as the highest aspiration of the common people" and it is also confirmed in many General Assembly resolutions, including resolution 52/130 of 16 December 1977, which states that "All human rights ... are interrelated and indivisible".

My government considers as human, social and historic rights those which are aimed at establishing better conditions of life for dependent peoples and those which are aimed at guaranteeing to the peoples a life free of all forms of pillage and exploitation, the achievement of fair prices for their raw materials and monoproductions, i.e. at the achievement of the basic desire of conquering poverty and backwardness, a right on which all the others depend.

This is our integral conception of human rights. Accordingly, we cannot disregard any question related to individual rights, whether political and civil, which affect the dignity of men and women.

If, for compelling reasons, we are forced during the lives of our peoples to adopt, against our will and with the maximum possible caution, preventive measures to uphold public order and avoid useless clashes, we do so with the absolute assurance of interpreting the wishes of the great national majorities, for the benefit of domestic peace and with the conviction that such measures will be maintained for the period strictly necessary to consolidate the normal working of our institutions.

This consolidation has been achieved and we now have the satisfaction of having completed the first stage in the attainment of our basic objectives. We have re-established peace, order and peaceful coexistence among Bolivians. The peaceful exercise of human rights in Bolivia, within the integral conception of the policy we are following, is now a reality. We are now in a position to build the new Bolivian democracy.

Accordingly, and bearing in mind that this was one of your concerns, I wish to state that my Government is ready to fix a date on which a delegation from the Commission on Human Rights may visit Bolivia so as to dispel once and for all the distorted picture which biased informants are seeking to give of Bolivia in an effort to do harm to my country.

I thank you for your attention to this matter and I take this opportunity to renew to you the assurances of my highest consideration.

(Signed)

Louis GARCIA MEZA

ANNEX II

The Permanent Mission of the United States of America presents its compliments to the Secretariat of the United Nations and has the honor to refer to the Secretariat's Note No. G/SO 214 (39) dated 17 October 1980, concerning Resolution 23 (XXXIII), of the Sub-commission on Prevention of Discrimination and Protection of Minorities, requesting information on human rights violations in Bolivia.

Enclosed is a copy of the response of the Government of the United States of America.

The Permanent Mission of the United States of America avails itself of this opportunity to express the assurances of its highest consideration.

Permanent Mission of the
United States of America
Geneva December 8, 1980

Ref: United Nations Note No. G/50 214 (39) dated 17 October 1980

Responses of the Government of the United States of America, to
resolution 23 (XXIII) of the Sub-commission on Prevention of
Discrimination and Protection of Minorities, concerning the
question of human rights violations in Bolivia

On July 17, a military uprising was staged in Trinidad, initiating the long threatened military take-over by Army General Luis Garcia Meza. Almost immediately, the Garcia Meza regime began a systematic campaign of oppression designed to gain control of the country and demolish the opposition. Hundreds of people were arrested, beaten and tortured. Pockets of resistance in the mines were annihilated by the use of Tanks, strafing Helicopters, and aerial bombardment.

A curfew was imposed and vigorously enforced throughout the country. The regime abolished Labour Unions, established press censorship, and prohibited "unauthorized meeting". The regime arrested scores of foreign Priests and Missionaries, detailed and expelled many foreign correspondents, and made all foreigners residing in Bolivia register with the Minister of Interior. The Garcia Meza regime has attempted to discredit internationally recognized human rights institutions which have reported on ongoing abuses, and threatened groups from international labor organizations such as the Inter-American Regional Organization of Workers (ORIT), The International Confederation of Free Trade Unions (ICFTU), The Latin American Workers Confederation (CLAT) and The World Confederation of Labor (WCL) by arresting or mistreating their representatives when they visit Bolivia to ascertain the state of human rights observance.

Most Bolivian asylees who sought refuge in Diplomatic Missions in La Paz, including former President Gueller, were allowed to leave Bolivia only after long delays; the regime has not accounted for all political prisoners; undisciplined paramilitary and security forces continue to arrest, beat, and torture people, narcotics trafficking continues with the alleged assistance of highly-placed regime officials; and Garcia Meza seems no closer to allowing Bolivians to choose their own leaders - at one point declaring he would stay in power for as long as necessary.

There are reliable reports by eyewitnesses of sadistic and methodical beating of blindfolded prisoners by masked officials at the Ministry of Interior and Armed Forces G-2 offices in La Paz since the July 17 takeover. Men and women have been routinely subjected to physical and mental abuse to force them to implicate themselves and others believed to be unfriendly to the regime, to punish them for their political beliefs or labor union association, and at times for sheer sadistic sport by inebriated paramilitaries. Electric current was being applied as late as September to prisoners to force confessions at the Ministry of Interior.

The regime's paramilitaries have also threatened the families of individuals in hiding with beatings, rape, and death unless they report on the whereabouts of their loved ones. Police officials and military officers have pistol-whipped or beaten individuals for failure to cooperate with them. These abuses have been carried out against both Bolivians and non-Bolivians.

Officials of the Garcia Meza regime have threatened with harm, beaten, robbed and harrassed non-Bolivians they considered "extremists" or accused them of activities against the régime. In the case of several representatives of an international labor organization who were arrested while visiting Bolivia with the full knowledge and consent of Garcia Meza, interior ministry officials not only abused them, struck one of them in front of the others and later severely beat him alone, but also robbed them of their money and other personal documents and possessions.

The Garcia Meza régime has systematically engaged in the abuse, both mental and physical, of its political prisoners. Newsmen and Clerics were made to lie down on manure at the Armed Forces Headquarters in La Paz after their arrests. Even though Garcia Meza on September 16 denied torturing or abusing prisoners, since then eyewitnesses have reported watching paramilitaries beat blindfolded prisoners with rifle butts, pistols, and with their hands. One eyewitness saw paramilitaries at the armed forces headquarters beat and burn with cigarettes a young man as his father was made to watch. Other eyewitnesses in the interior of the country reported seeing several hooded prisoners who had been beaten and burned with cigarettes reportedly by Naval personnel. Another witness reported talking to a woman in jail who said she had been tortured with electric current applied to her genitals in an effort to make her reveal the names of her exiled husband's friends.

The Security Forces and the paramilitary units act under the orders of the President, the Interior Minister, or the Chief of the Armed Forces G-2. Their excesses can be considered to have full government sanction and their perpetrators enjoy total immunity from prosecution.

Since July persons accused of anti-régime sentiments or activities have been arrested and held without charge for longer periods than the constitution allows. The rights of Habeas Corpus has been routinely ignored by officials of the present system.

Régime figures on the number of detainees are highly suspect. They fluctuate because persons arrested may be released within a few days without the régime's revising its detention figures. Some persons arrested may be released routinely. There are also detainees in the Eastern lowlands regions who have never been included in the régime's official figures announced in early September. Spokesmen for the régime do not agree on the numbers of detainees; Interior Minister Arce asserted in August the number of detainees did not exceed 500 persons while days later the Secretary to the President told a foreign newsman the number of persons detained at the time did not exceed 2,500.

Generally, no explanation is given to people detained by either the security forces or the paramilitary units. In some cases detainees have been told they had been arrested for suspected connections with "inter-national extremism" or for opposition to the régime. Father Julio Tumiri, President of the Bolivian Human Rights Assembly (PAHR), was arrested shortly after the coup and no charges were placed against him. Labor leaders such as Juan Lechin and Simon Reyes are considered "dangerous" to the present political scheme. Newsmen such as Albert Brun and Mary Helen Spooner were accused of exporting lies about the régime. Methodist Bishop-Emeritus Mortimer Arias was detained for suspected links with "extremists". Many foreign Roman Catholic Missionaries have been detained because their work with Campesinos and Miners made them suspect to the Garcia Meza régime.

While the régime ostensibly permits its citizens to worship as they wish, many priests, Ministers and Missionaries have been arrested on suspicion of either espousing ideas contrary to official policy or they have been accused of co-operating with "extremists". Church services have been interrupted. Priests and nuns have been arrested and beaten, and many have had either to flee the country, seek asylum at the Papal Nunciature, or go into hiding, church buildings have been broken into and searched without warrants.

Labor Unions have been prohibited from continuing their work. The régime also withdrew its recognition of previous labor leaders and began to appoint new leaders from lists requested from the workers at every work place. There are reports that some of those selected as new "Relacionadores Laborales" (state-appointed Labor Co-ordinators) were not even listed on the rosters provided by the workers at some factories. Many labor leaders have been arrested, sought asylum at Embassies, left the country on their own, lost their jobs, or are in hiding. Union funds were frozen by the régime. The régime does not allow collective bargaining and workers do not have the rights to strike.

Bolivians are not presently allowed to travel freely within their own country. There are many citizens that have been internally banished to distant towns in the interior of the country (residenciados) who cannot return to their homes. There are also many Bolivians who had to leave the country because of the political intolerance of the Garcia Meza régime. Others may be facing that fate soon as the régime seeks to improve its soiled image abroad by exiling a number of its political prisoners.

The régime did permit the visit of representatives of the International Labor Organization in October and attempted to use the visit to show that accusations against it abroad were false. The ILO representatives met with representatives of the régime, supporters of Garcia Meza now in Labor Union positions, and with representatives of the Pro-Coup private employers association. When they visited two detained labor leaders they were not allowed to speak to them alone. All press statements concerning the visit were made by régime spokesmen.

The régime of Garcia Meza has set back the process of a return to Democracy in Bolivia, perhaps for years, and placed in jeopardy the Human Rights of its citizens.

Permanent Mission of France to the
United Nations Office at Geneva

Ref.No. 371

Sir,

In his letter G/50 214 (39) of 17 October 1980, the Secretary-General of the United Nations requested the French Government to provide the Division of Human Rights with information on violations of human rights in Bolivia, in application of resolution 23 (XXXIII) of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

Below, I have the honour to communicate my Government's reply and would be glad if you would arrange for its distribution, despite its late arrival.

The French Government considers that the Sub-Commission is not competent, within the limits of its mandate, to institute - or get the commission on Human Rights to institute - a review of the human rights situation in a particular country. It can be apprised of such situations only in application of procedure 1503 or on the initiative of the Commission.

As an organ composed of experts acting in a personal capacity, it cannot address requests directly either to governments, or to intergovernmental organizations, whether world-wide or regional. This is a prerogative which organs composed of experts acting in a personal capacity possess only if they have been established by multilateral treaties, that is to say, by covenants or conventions which are binding, by definition, on States Parties alone.

A government can, without infringing the principle of non-interference, provide information on the human rights situation in a country other than its own, and at the express request of a competent intergovernmental institution, but the matter must then remain confidential, at least in the initial stage.

Accept, Sir, the assurances of my highest consideration.

(Signed)

Jacques le BLANC
Acting Permanent Representative of
France to the Office of the
United Nations at Geneva

Stockholm, November 7 1980

MINISTRY FOR FOREIGN AFFAIRS

Sir,

By letter of October 17, 1980, the Secretary-General of the United Nations asked the Swedish Minister for Foreign Affairs to forward to you for transmittal to the Commission on Human Rights, recent and reliable information on violations of human rights in Bolivia in accordance with operative paragraph 3 of the Sub-Commission's resolution 23 (XXIII) entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

Pursuant to this request, I have the honour to inform you that a Swedish non-official delegation visited Bolivia in September 1980. The delegation noted that union leaders have been hit hard by the oppression and many of the leaders are now imprisoned, e.g. Mr. Juan Lechin, Secretary-General of the Confederation of Trade Unions (C O B) and Mr. Simon Reyes, Head of the Miners' Union. C O B is now forbidden and its headquarters have, so far, been partly demolished.

Rev. Julio Tumiri, Head of the Parish of Human Rights, is still in prison despite his age and bad health.

The delegation has further stated the following.

During 1980 -- until the coup d'état -- religious and union groups, as well as most of the political parties had a very successful co-operation within the Committee on Maintaining the Democracy (CONADE). The first actions by the new leaders were concentrated towards the Government building and the CONADE. When the committee held an emergency meeting at this time, the above mentioned persons, as well as Hortimer Arias, a bishop of the Methodist church, were arrested.

Institutions dealing with social and economical development in certain rural districts were also suffering from actions taken by the new leaders. One of the institutions, CIDOB, working with social and economical documentation and analysis was

About twenty clergymen were arrested. Most of them have now been released but there are persons who have been working for the above mentioned Parish of Human Rights and CONADE who are still in prison.

According to the delegation many persons were tortured soon after the coup. The group who was arrested when CONADE held its emergency meeting had to spend 24 hours in a stable without being permitted to move. If one made a slight movement, he or she was immediately punished. In the basements of the Ministry of Interior and the building of the Supreme Command of the Armed Forces, prisoners were tortured and even drugs were used. In the province of Beni, in northern Bolivia, a concentration camp has been constructed. It is meant for miners and farmers in opposition. It is hard to find out how many political prisoners there are. It could be, says the delegation, as many as 1000 or 2000. However, it is possible that some kind of amnesty for demonstrators etc., will be issued within a short period of time.

I avail myself of this opportunity to renew to you, Sir, the assurances of my high consideration.

Hans Djork
Acting Head of the Legal Department