

Drug War *Monitor*

JULY 2002

A WOLA BRIEFING SERIES

Coca and Conflict in the Chapare

by Kathryn Ledebur

When United States-funded security forces shot and killed *cocalero* (coca grower) leader Casimiro Huanca on December 6, 2001, during a peaceful protest, his death represented the skyrocketing violence in the Chapare, Bolivia's largest coca-growing zone. The protests and the ensuing violence resulted from the *cocaleros'* increasing resolve, beginning in September 2001, to openly resist forced eradication. Ten *cocaleros* have been killed and at least 350 have been injured or detained in a country considered by the United States to be their Latin American anti-drug success story, with the eradication of over 70,000 acres of coca in the region.

But success has come at a high price. Viable alternative development programs to provide subsistence income for the affected population have not accompanied massive eradication gains in the Chapare. Eradication of the coca crop has also resulted in the loss of approximately \$500 million a year to the Bolivian economy, the poorest in Latin America after Haiti.¹ The violence and unrest stemming from the combination of these two factors forced the Bolivian government to back down in February 2002 after five months of grueling confrontations. The Bolivian government had lost control of the Chapare region and made broad concessions to *cocaleros* in order to maintain its legitimacy within Bolivia and to improve its political standing for the June 30 elections. This change of tactics by the Bolivian government earned searing criticism from the United States State Department in the annual International Narcotics Control Strategy Report (INCSR) for failing to meet antidrug objectives.

Although the scale of social conflict and human rights violations cannot compete with that of neighboring Andean nations, an examination of the impact of hard-line U.S.-funded antidrug programs in Bolivia provides an important case study. In Colombia and Peru it is difficult or almost impossible to attribute abuses directly to official counter-narcotic forces because of the complexities created by guerrilla and paramilitary actions. In contrast, the ineffectiveness and outright damage generated by antidrug programs is clearly evident in Bolivia. This direct causality provides a unique opportunity in the often confusing scenario of the Andean drug war to explicitly assess current policy.

I. Background

Early U.S.-funded counternarcotics programs in Bolivia

The semi-tropical Chapare region is one of two primary coca-producing areas in Bolivia. Although some areas of the country, such as the Yungas (see map), have produced coca for centuries, the great majority of coca production in the Chapare began more recently as a result of the widespread migration of peasant farmers and ex-miners to the area. Economic structural adjustment measures implemented in 1985 to alleviate overwhelming hyperinflation accelerated this migration. The relatively accessible Chapare region provided an essential escape valve for the

This is a publication of WOLA's "Drugs, Democracy and Human Rights" project, which examines the impact of drug trafficking and U.S. international drug control policies on human rights and democratization trends throughout Latin America and the Caribbean

BOLIVIA





excess labor force and landless smallholding peasant farmers. The coca economy helped stabilize the currency by generating income for this displaced population, and greatly stimulated the overall national economy.²

Beginning in the late 1980s, U.S.-funded programs to combat coca production in Bolivia were plagued with poor coordination, corruption and ineffective alternative development. Bolivian government officials generally complied with minimum eradication goals to earn U.S. certification for cooperating in drug war efforts in order to maintain funding and access to international loans, but eradicated coca was quickly replaced. Three Bolivian administrations (Paz Estenssoro, Paz Zamora and Sánchez de Lozada) were reticent about pushing too hard in fear of generating widespread clashes with *cocaleros*, who maintained some degree of popular support. The Paz Zamora administration (1989-1993) eradicated the required 7,000 hectares, but net hectareage increased by 312 hectares.³

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The Gonzalo Sánchez de Lozada government (1993-1997) employed both voluntary and forced eradication. Over the course of 1994 and 1995 Bolivia received \$69.8 million, more U.S. antidrug funding than any other Andean nation. In spite of this increased funding, U.S. certification goals were not met. Although President Clinton certified Bolivia in 1995, the administration required the approval of an extradition treaty with the United States, a comprehensive eradication plan and the eradication of 1,750 hectares of coca.⁴ On April 18, 1995, the government declared a three-month state of siege in response to widespread social protest and in order to complete required eradication efforts by June.⁵ The state of siege, which lasted six months, established a curfew, banned meetings, and sparked mass detentions of coca growers and other leaders. At its conclusion, the government finally reached its goal through voluntary eradication by *cocaleros*.

Ex-dictator Hugo Banzer, elected in 1997, abandoned this hit-or-miss approach to trying to meet U.S. requirements without destabilizing the nation and proposed an all-out, no-holds-barred approach to eradication through his administration's five-year *Plan Dignidad* ("Dignity Plan"). To the surprise of critics and supporters, the plan almost achieved its goal of total eradication in the Chapare. Unfortunately, the government's inability to provide subsistence for affected families through viable alternative development provoked a spiral of protest and confrontation that threatened the stability of the Banzer administration.

Conflict and social unrest stemming from the application of United States antidrug policy in the Chapare region generally occurs in recurring cycles of protest, repression and temporary conciliation. "The cycle of conflict can be understood as arising from the lack of compliance with agreements between *cocalero* unions and the government, or are activated by unilateral decisions by the government or *cocaleros*, producing a continuum of tension, instability and crisis between the two."⁶ With the application of *Plan Dignidad*, the intensity and duration of the conflicts increased exponentially.

The failure of alternative development

Viable alternative development plans that can at least partially replace lost income from coca are essential to a peaceful resolution of the present conflict. Unfortunately, aggressive eradication efforts have consistently outpaced the income-generating capacity of alternative development. According to the General Accounting Office, "The rapid pace of the Bolivian government's eradication campaign has created gaps

between eradication and alternative development assistance that can leave peasant farmers without livelihoods.”⁷ For example, pineapples first bear fruit after two years, citrus fruit trees become productive after eight years and forestry programs only provide income after more than ten years. This notable lag has greatly exacerbated the extreme poverty in the region and led to soaring malnutrition, heightening tensions in the region and provoking conflict.

Timing is not the only difficulty. While coca bushes can be harvested three or four times a year and the leaves are light and easily transported to market, production of alternative crops is much more costly and problematic. Costly additional labor and imported fertilizers and pesticides, added to prohibitive transportation costs, production gluts, and falling international prices, have impeded positive results.

Cocaleros are demanding a radical reworking of alternative development programs that, after sixteen years of implementation, have not been able to provide basic subsistence for the great majority of farmers. A 1998 survey on Chapare alternative development projects found that ninety-two percent of the sample population had taken part in at least one project. Of these, sixty-seven percent said that they had not benefited in any way and an additional nineteen percent stated that they had suffered losses.⁸

USAID alternative development programs refuse to work with *cocalero* unions and instead form alternative producers’ associations that require total eradication if the farmers want to participate in the projects. The failure of these associations has led



JEREMY BIGWOOD

Chewing coca, *cocalero* union leaders from the Six Coca Growers’ Federations discuss plans for shutting down Bolivia with roadblocks. Chapare, September 2000.

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Inequality in Bolivia

- ▶ Bolivia’s ethnic distribution is estimated to be fifty-six to seventy percent indigenous people and thirty to forty-two percent European and mixed, of a total population of about eight million people.
- ▶ Bolivia is one of the least-developed countries in South America. About two-thirds of its people, many of whom are subsistence farmers, live in poverty,* with nearly thirty percent of the population subsisting on less than a dollar a day.**
- ▶ Twenty-three percent of the population is considered by the United Nations Development Programme to be undernourished (the average for all of Latin America is twelve percent).[†]

INCOME DISPARITY IN BOLIVIA

Sector of population	% of national income received
Poorest 10%	0.5
Richest 10%	45.7
Poorest 20%	1.9
Richest 20%	61.8

In Bolivia, the richest ten percent of the population receives an income that is over ninety times greater than that of the poorest ten percent.^{††}

* U.S. Department of State, Bureau of Western Hemisphere Affairs, Background Note: Bolivia. April 2001. <<http://www.state.gov/r/pa/ei/bgn/1958.htm>>

**United Nations Development Programme (UNDP). *Human Development Report 2001: Making new technologies work for human development*. New York, Oxford: Oxford University Press, 2001. 150.

† UNDP, 164-165.

††UNDP, 182-185.

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Chapare residents to shift back and forth between unions and associations and replant coca. One long-term participant in alternative development efforts explained:

I founded APIBAC (a banana producers' association) with twenty-six affiliates, but we don't even have roads. We went into alternative development with our eyes shut. I have tried to get answers from officials...but I never got good responses. We proposed bridges four years ago. They were approved but they have never followed through, even after we offered to contribute our labor. We receive no guarantees from the government for working with alternative development. I invite the press and the facilitators to verify where pineapple is sold—six to seven pineapples for one boliviano (approximately \$0.15), fields of palm heart that haven't been cut for up to a year. Pepper was initially bought at \$350/quintal, [but] each year it has gone down until now it's at \$50/quintal. Some producers that planted pepper had to burn their fields when they were attacked by disease. The only solution to avoid confrontation in the Chapare would be to stop the eradication of coca while no alternative development can be demonstrated.⁹

On October 25, 2001, Bolivian government officials proposed a payment of approximately \$930 to each family in 2002 to stimulate the production of alternative crops through existing programs for one year. Government spokespeople state that this amount surpasses the income generated in one year by the 1,600 meters of coca for

traditional use that the *cocaleros* are demanding they be allowed to plant. The government also offered to find guaranteed markets and fixed prices for alternative development crops or government purchase of these crops as well as technical assistance for alternative development efforts. The coca growers showed interest in the proposal, but were unwilling to accept it without its conversion into a law or some other concrete guarantee of continued implementation, and they expressed skepticism about the government's ability to implement its proposal, based on chronic incompletion with past agreements.¹⁰ These fears were well founded. In 1998 the vice minister for alternative development stated that eradication authorities had not complied with over a thousand agreements made with *cocaleros* during past administrations.¹¹ This constant violation of agreements has created suspicion and reluctance to participate in alternative development projects. Representatives of Chapare residents and of the coca growers' union also noted that a one-year payment would not adequately substitute income from ongoing coca cultivation.

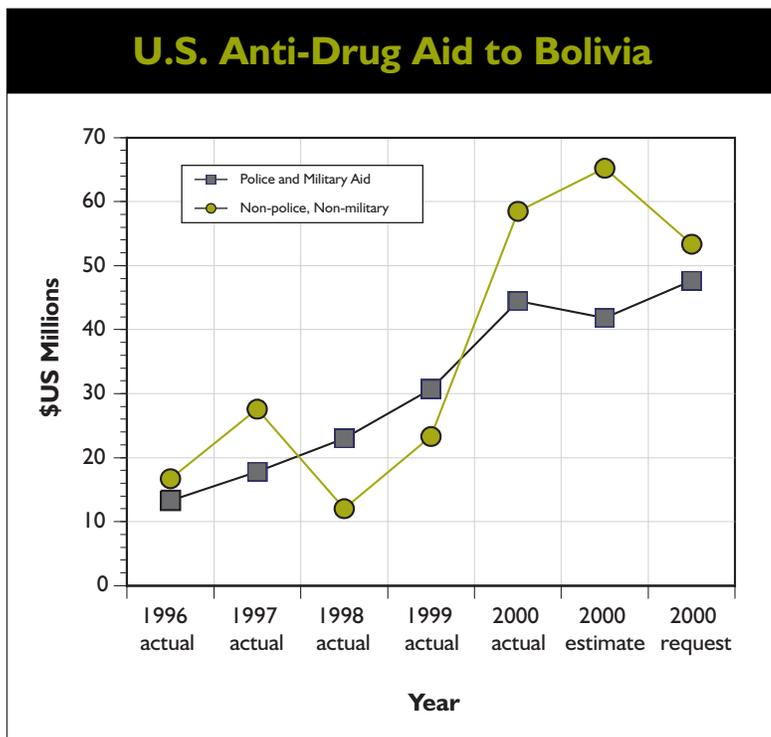


Figure 1: Shows funding of equipment, training, eradication, alternative development, and other programs of the State Department's Bureau for International Narcotics and Law Enforcement (INL). Non-police, non-military aid is mostly for alternative development programs. The funding for Plan Colombia (\$110,000,000 of which \$25,000,000 was police and military aid) is shown as divided equally between years 2000 and 2001. For figures on U.S. aid to Bolivia outside of the State Department International Narcotics Control account (such as International Military Education and Training [IMET] and Section 1004 Counterdrug) see "Just the Facts" at <http://ciponline.org/facts/bo.htm>.

Source: U.S. State Department, International Narcotics Control Strategy Report (INCSR), 2002.

The INCSR states that alternative development programs "enable farmers to

support themselves and their families without the need to cultivate coca.” The report states that 16,167 families received assistance for alternative development from U.S.-funded programs.¹² However, as recently as November 2001, Bolivian government officials conceded the inadequacies of alternative development and claimed that only about 12,000 of the total 35,000 coca-growing families benefited, not just from USAID, but also from all alternative development projects combined. In addition, many *cocaleros* who belong or once belonged to alternative development producer associations admitted they simultaneously planted coca with alternative development crops or abandoned these crops for coca in order to ensure their subsistence. When asked why they have adopted a policy of active resistance to coca eradication efforts, many coca growers responded that they feel that they have nothing left to lose. In December 2001, coca growers piled pineapples, bananas, and other rotting alternative crops on the side of the road to protest the lack of markets for their licit goods.¹³

II. Plan Dignidad: Too much eradication too soon

The national dialogue: a questionable mandate

The Banzer government’s five-year *Plan Dignidad* launched in early 1998 proposed the total elimination of Chapare coca deemed illegal by antidrug Law 1008 by the year 2002. Over-ambitious officials then proclaimed that the “zero coca” goal would be reached by early 2001.

According to the text of *Plan Dignidad*, its content was based on the 1997 National Dialogue between government officials and members of organizations of Bolivian civil society, including *cocaleros*. Although the National Dialogue is presented as the foundation of popular support for the plan, its implementation contradicted several of the dialogue’s key precepts. The Dialogue’s conclusions specified that antidrug efforts 1) must shift away from past emphasis on repressive measures, 2) should respect human rights, and 3) should foster dialogue between *cocaleros* and the government.¹⁴ In 1999 the Defense Policy Analysis Unit (UDAPDE), a “think tank” within the Bolivian Defense Ministry, pointed out that the plan had been written and implemented without consolidating the long-term support of non-governmental actors and without taking into account the social and political effects of its implementation. It criticized the government for “underestimating the costs implied...[by the] context of instability and recurring conflict in coca-growing regions. This continues to reflect a democratic culture that has yet to value peace as a strategic resource for economic development.”¹⁵ This criticism was correct: The plan’s implementation resulted in the use of heavy repression and the absence of productive dialogue.

The five-year plan proposed four pillars of action: alternative development, prevention and rehabilitation, eradication of illegal excess coca, and interdiction based on a “shared responsibility” with the international community to reach these goals.¹⁶ In practice, the Bolivian government focused primarily on the forced eradication of 38,000 hectares of coca. Since 1987, coca producers had received direct economic compensation of \$2,000 to \$2,500 for each hectare eradicated. The five-year strategy replaced this with community-level compensation that diminished over time and disappeared in January 2001.¹⁷ Unfortunately, the concept of community was poorly defined and the compensation process remained bureaucratic. In addition, in-kind instead of cash compensation failed to provide significant income for affected families, and *cocaleros* gradually limited their participation in the plan.

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Coca Cultivation in Bolivia

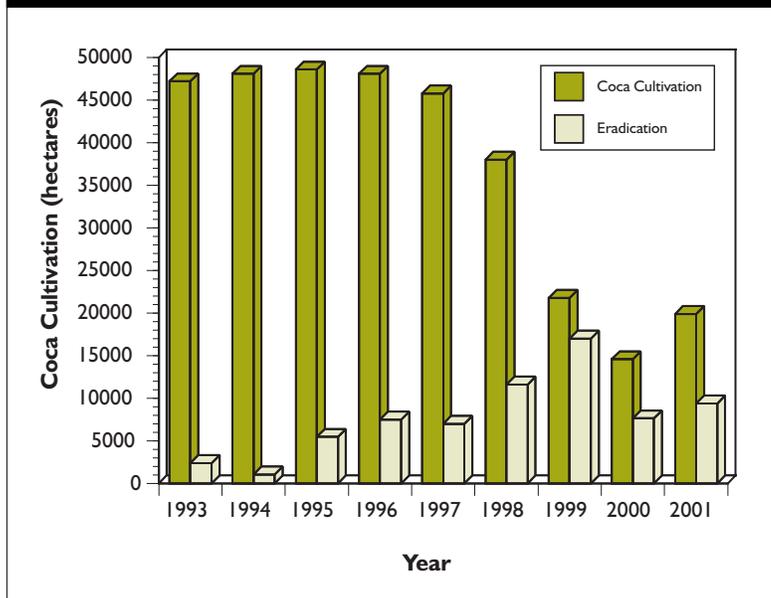


Figure 2: The graph shows the number of hectares under coca cultivation in Bolivia as well as the number hectares of coca eradicated each year in Bolivia from 1993-2001. During this period, total coca cultivation in the Andean region (including Peru, Colombia, and Bolivia) rose from 195,700 hectares to 223,700 hectares. Source: U.S. State Department, International Narcotics Control Strategy Report (INCSR), 2002.

Coca Cultivation in the Andes

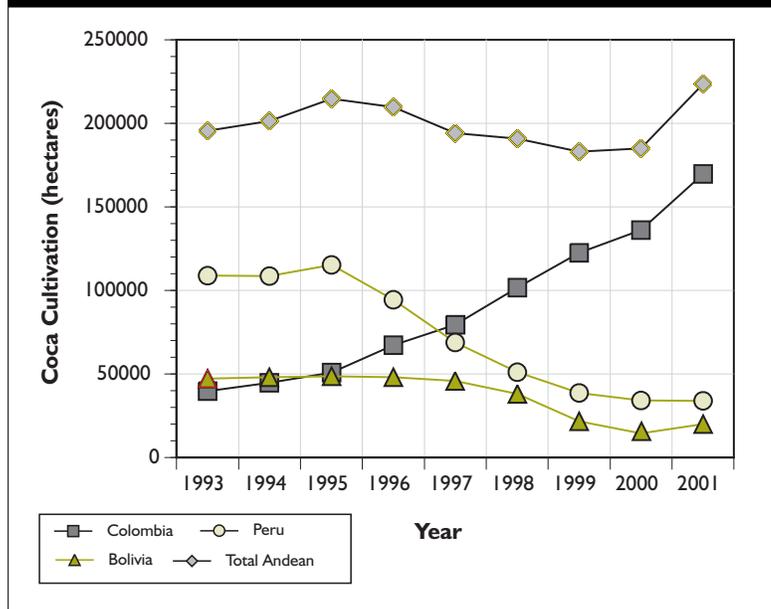


Figure 3: Coca production in Colombia rises as that in Peru and Bolivia drop, keeping total production close to steady with an increase in 2001. Source: U.S. State Department, International Narcotics Control Strategy Report (INCSR), 2002.

Forced eradication through militarization

Forced eradication became the center of the plan, while funding and implementation for the remaining three pillars of the five-year plan lagged behind. Alternative development efforts were unable to keep up with rapid advances in eradication. President Hugo Banzer warned in 2001, "The time has come for the world to value our action and translate this into investment that will generate employment to replace the jobs and income eliminated along with the coca fields, and open its markets to products that have replaced the volume of poison that we helped remove from [drug] consumption areas."¹⁸ The international community failed to provide the over \$700 million budgeted for the plan. \$85 million in alternative development aid from the United States proved to be too little and too late to stem brewing social strife.

The cornerstone of the widespread eradication strategy was the creation of a direct antidrug role for the Bolivian military in forced eradication. This institution previously had participated only in some air and riverine interdiction efforts. The formation and insertion in April 1998 of the U.S.-funded Joint Task Force (JTF), a combined force of police and military, sparked three months of violent conflict in the region, leaving thirteen *cocaleros* and three members of the security forces dead. The use of military conscripts to manually eradicate coca plants led to dramatic advances in coca eradication—over 70,000 acres—but at a high social cost.

An attempt to begin forced eradication in the Yungas region, in spite of being slated by Law 1008 as a traditional coca production zone, failed miserably in June 2001. *Cocaleros* and the general population violently resisted the incursion of the JTF into the region, and on June 19, the Bolivian government agreed to suspend forced eradication and remove the security forces from the region. This attempt to eradicate coca in the traditionally legal zone diminished public support for *Plan Dignidad* as the Bolivian people expressed frustration with shifting parameters for compliance with anti-drug goals.

In September 1999, the United States announced it would fund and build three military bases to house the soldiers of the newly-formed Ninth Army division.¹⁹ In

mid-September 2000, *cocaleros* blocked the Panamerican highway between Cochabamba and Santa Cruz for over a month to protest the base construction, and the plan was cancelled.

Plan Dignidad's over-confident authors advanced the deadline for “zero coca” in the Chapare region to December 2000. At that time, the Bolivian government prematurely announced that it had completely eradicated all the coca in the Chapare region. A month later, they admitted that as a result of satellite error, an additional 600 hectares had been identified.²⁰ Since then, wide-spread replanting of coca leaf and active

campesino resistance has continually prevented total elimination of the coca crop. According to Bolivian eradication forces, security forces eradicated approximately 6,000 hectares of coca in 2001, with at least 4,000 remaining, while the State Department sets the year's total eradication at 9,395 hectares.²¹ Eradication officials have confirmed that a permanent military presence in the region will continue in order to deter further replanting.²² This ongoing military presence, combined with the failure to provide viable alternative development, has created a pressure cooker in the Chapare.



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The battle of the bridge at Villa Tunari between members of the Six Coca Growers' Federations and U.S.-backed Bolivian government forces. Villa Tunari, Chapare, September 2000.

III. September 2001-February 2002 conflict

Resistance and increased military presence

In response to the failure of alternative development to provide subsistence for the approximately 35,000 coca-growing families affected by forced eradication in the Chapare region, *cocaleros* took a more assertive stance against U.S.-funded militarized eradication in mid-September 2001 by surrounding eradication camps and blocking troops' access to replanted coca fields. They were protesting the failure of alternative development to provide adequate subsistence and demanding the right to grow at least 1,600 square meters (one *cato*) of coca per family to provide a steady source of income. Tensions in the region increased throughout September. Security forces indiscriminately used force (including tear gas, rubber pellets, and bullets) against protesting Chapare residents. On September 25, a member of the JTF shot 15-year-old Felix Marin above the ankle. On September 27, members of the JTF fired live ammunition at a group of journalists entering Loma Alta, where *cocaleros* had surrounded an eradication camp. Ramón Pérez (age 42), a small farmer working as a guide for the journalists, was killed in the incident.

Resistance and repression continued during the following month. On October 4, members of the JTF shot two *cocaleros* (Rosalia Mérida and Claudio Llave) who were surrounding an eradication camp. The next day, when a group of 150 coca growers held a vigil at the military camp near Isinuta, members of the JTF tear-gassed the group, fired live ammunition and beat some individuals. Two people suffered serious injury.

On October 16, another *cocalero* died as a result of the impact of a tear gas canister as residents attempted to block the entrance of the JTF into the area. Three days later a group of 800 heavily-armed soldiers entered the community again, wearing masks or

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The Expeditionary Task Force consists of civilian contract employees hired for eradication and law enforcement functions who have, reportedly, arbitrarily arrested, beaten, and tortured groups of Chapare residents.

face paint to hide their identities, as a crowd of angry *cocaleros* prepared for confrontation. Mediation by the Human Rights Ombudsman's representative and the Villa Tunari parish priest convinced both groups to back down.

Throughout the month there were repeated complaints made against the security forces, especially the Expeditionary Task Force (ETF). The ETF consists of civilian contract employees hired for eradication and law enforcement functions who have, reportedly, arbitrarily arrested, beaten, and tortured groups of Chapare residents.

The following month marked an escalation in the conflict. Coca growers announced that they would block the highway between Santa Cruz and Cochabamba, the main road through the Chapare, on November 6. In response, the Bolivian government transferred an additional 2,000 soldiers and police officers into the region, and established rigid checkpoints at bridges and major intersections, stating they would not permit the interruption of free transit. Coca growers reported that they were forbidden to travel in cars and buses, and *cocalero* leader and congressman Evo Morales announced that he was not being permitted to leave Eterazama. The heavy concentration of *cocaleros* and combined security forces in the town led to repeated clashes.

Tensions peaked on November 15, when members of the combined forces fired live ammunition into a crowd of *cocaleros* attempting to block the Santa Cruz-Cochabamba highway near Ivirgarzama. Three people died from gunshot wounds. In the weeks that followed, security forces beat up dozens of members of different communities along side roads and in their communities in an apparent effort to discourage large concentrations along the main highway.

Violence brings parties to negotiating table, talks break down as a result of U.S. pressure

The escalating confrontations between security forces and *cocaleros* from November 15 to 22 led both parties to accept dialogue facilitated by the Catholic Church, the Human Rights Ombudsman, and the Permanent Human Rights Assembly from November 26 to 28. The *cocaleros* agreed to suspend their roadblocks and the Bolivian government agreed to hold off on coca eradication in the Chapare.

Throughout the course of the negotiations, both sides in the conflict appeared well-disposed to making concessions. The Bolivian government offered to provide compensation for each Chapare family engaged in alternative development efforts. *Cocaleros* expressed willingness to consider the proposal, but requested that eradication be postponed for an additional three days to continue negotiations. The Bolivian government refused, and the JTF began forced eradication again on November 29. Both sides, as well as members of the facilitators' groups, cited strong U.S. pressure to resume eradication as the cause for the breakdown in dialogue.²³

The U.S. embassy had already made it clear that the importance of forced eradication outweighed the need to negotiate with coca growers. Manuel Rocha, U.S. ambassador, stated on October 17, 2001, that if Bolivia did not continue to carry out *Plan Dignidad* the country would lose a significant amount of U.S. funding. He said, "If a time comes in which this commitment no longer exists, be assured, our aid will be different. The funds are there because of the commitment and without it, the aid will diminish."²⁴ This comment pressured Bolivian government officials to confirm that eradication efforts in the Chapare would continue despite the fact that the underlying issues that brought the Bolivian government and the coca growers to the negotiating table in November persisted. The conflict continued.

On December 1, *cocaleros* decided to reinstate road blockades, but expressed a willingness to participate in further negotiations. On December 6, Bolivian president Jorge Quiroga traveled to Washington to meet with U.S. government officials, including George W. Bush, to discuss antidrug efforts and trade agreements.

On the same day, the ETF tear-gassed a peaceful demonstration in Chimore without provocation and shot members of the coca growers' federation (see box on human rights cases), provoking outrage on the part of the Bolivian public as well as international and national human rights communities.



Coca sale prohibition sparks violent confrontations

In January 2002, two months before the announcement of U.S. antidrug certification decisions, the Bolivian government made aggressive moves to clamp down on *cocaleros*, putting an end to a month of relative calm. The no-holds-barred approach marked a dramatic change in the cyclical give and take between the two parties. The government began to enforce Supreme Decree 26415, passed on November 27, 2001, which prohibited the drying, transport, and sale of coca leaf grown in the Chapare region in the previously legal markets. The law also established a potential jail sentence of about eight years for those convicted. The coca-drying process is unnecessary for cocaine production, but is essential for traditional consumption. Ironically, experts expressed concern that the closing of the fifteen Chapare markets and the central market in Sacaba—the only legal markets for Chapare coca—encouraged the sale of coca on the black market for cocaine production.

The Human Rights Ombudsperson, Ana María Romero de Campero, considers Supreme Decree 26415 illegal. She stated that the government does not legally have the right to create new sanctions against coca cultivation because a supreme decree, which does not require congressional approval, cannot override Law 1008, the penal code, and the Bolivian constitution.²⁵

The move to control coca sales provoked an overwhelmingly violent response from *cocaleros* and merchants. On January 15, several thousand *cocaleros* entered the General Coca Directorate (DIGECO) offices and the central coca market, both closed by the government on January 3. They set fire to twenty-five vehicles and damaged other parts of the compound. Police responded by shooting off large quantities of tear gas, birdshot, rubber pellets, and live ammunition. The worsening national economy and increased government pressure fueled the conflict, which had been on hold during the Christmas holiday.

On January 17, *cocaleros* again attempted to enter the coca market. Violent clashes between protesters and security forces continued. The next day, four security officers were found dead. Their cadavers showed evidence of torture—their hands had been tied and their heads had been bashed in with rocks. These brutal murders turned Bolivian public opinion against the *cocaleros* and caused the Bolivian government to clamp down on them further, creating an environment in which negotiations and any resolution appeared impossible.

The government quickly responded to the deaths. On January 19, members of the Police Special Security Group (GES) forcibly entered the *cocaleros*' federation building

Congressman and Indian leader Evo Morales speaks to his followers in the Chapare, September 2000.

The government's refusal to negotiate with the movement's leaders hindered any peaceful solution to the increasingly acute conflict.

Security Forces in the Chapare

An investigation by the Human Rights Ombudsman's Chapare office in October 2001 detailed the complex patchwork of existing military and police facilities in the region that constitute a massive presence designed to control the 35,000 coca-producing families:²⁹

- ▶ UMOPAR (U.S.-funded anti-drug police) base in Chimore, as well as posts and checkpoints in seven other communities;
- ▶ Expeditionary Task Force in Chimore, housing 500 salaried, nonmilitary eradication and security personnel;
- ▶ "Talons of Valor" International Training Facility in Senda Tres, to train future UMOPAR officers and military and police personnel from around Latin America;
- ▶ Ninth Army Division in Ibuelo. This base is currently undergoing widespread construction to improve and broaden its infrastructure;
- ▶ Isinuta Joint Task Force Camp, an established base for three years;
- ▶ Ichoa Camp (Joint Task Force);
- ▶ Special Jungle Operations Troops Center (CIOS-II) in Santa Rosa — consolidated military infrastructure that houses military conscripts;
- ▶ COE Naval Force in Puerto Villarroel, an established naval base;
- ▶ BI-26 Infantry Battalion in Colomi (a mountain town close to the Chapare) built in 1970; and
- ▶ Seven additional mobile JTF eradication camps.

and roughly arrested sixty union leaders. *Cocaleros* reported receiving brutal beatings during detention and in holding cells. Over twenty other leaders were detained during the following week. By arresting the majority of their experienced leaders, the Bolivian government hoped to paralyze the *cocaleros'* movement. The government's refusal to negotiate with the movement's leaders hindered any peaceful solution to the increasingly acute conflict. It appeared likely that this strategy would lead to prolonged, indiscriminate violence from both sides.

The government also tried to block the coca growers' communications in the Chapare. On January 22, security officers in seven military transport trucks confiscated the transmitter belonging to the *cocalero* radio station, "*Radio Soberanía*," with the justification that the station lacked the appropriate paperwork and permits. The station's closing and the loss of the equipment raised serious concerns for the freedom of the press in Bolivia.

On January 24, a majority of the lower house of the Bolivian Congress removed Evo Morales, leader of the Six Coca Growers' Federations, from Congress. The motivation behind stripping Morales of his congressional immunity was to make him eligible for prosecution on criminal and other charges; however, district attorneys did not press any charges upon his ouster from Congress. The government's move backfired and heightened Morales's popularity, and the *cocaleros'* demands gained support in other sectors of society.

On January 29, 2002, an ETF patrol dispersed a group of *cocaleros* in Shinahota. Members of the force shot and killed Marcos Ortiz Llanos. This death pushed the tensions in the Chapare to the boiling point.

Bolivian government signs agreement with *cocaleros*

On February 9, 2002, *cocalero* leaders and the government arrived at an agreement, with the mediation of the Human Rights Ombudsman's Office, the Catholic Church and the Permanent Human Rights Assembly. *Cocaleros* halted their roadblocks and the government agreed to suspend Supreme Decree 26415 for three months, reevaluate the removal of Evo Morales from Congress, carry out investigations of all those killed and wounded in the conflict, pay economic compensation and medical costs for these individuals, reinstate normal operation of *Radio Soberanía*, and release jailed union leaders.

All of the *cocalero* leaders were released. Investigations into the deaths of ten *cocaleros* have not progressed, while the cases of the murders of the four security officers in Sacaba slowly move forward. To date, the only recipient of any economic compensation has been the family of Casimiro Huanca. Both the Sacaba coca market and the fifteen local Chapare markets are open and functioning. The ninety-day suspension of Supreme Decree 26415 expired on May 9, 2002, but Bolivian government officials stated that they would not re-enact the decrees during the current administration.²⁶

Political analysts and human rights monitors attribute the surprising shift in the Bolivian government's hard-line approach to widespread public concern and a wish to avoid the substantial economic and human losses that continued blockades and violence in the Chapare and around Cochabamba would produce during the four-day Carnival weekend. Government representatives also feared that sustained violence would further erode the ruling coalition's already substantially deteriorated credibility in the June presidential and congressional elections of 2002.

Sadly, the spiraling violence beginning in mid-January could have been avoided if government officials had negotiated the same points earlier. The concessions made in the agreement will most likely provide only a superficial and temporary “band-aid” for deep-rooted social problems. Violence may erupt again after the inauguration of the new president, when renewed attempts at forced eradication are likely to begin. Although the agreement temporarily pacified the region, it also irked U.S. policymakers, who strongly criticized the Quiroga administration for backing down from full compliance with U.S. antidrug objectives in the region.



Expeditionary Task Force at Senda 6, November 2001.

IV. Bolivian security forces in the Chapare

Potpourri of regular forces

Eighteen years of alternative development have had negligible results in the region. Clearly the strong emphasis on militarization has had a much greater impact; unfortunately this impact has been negative as existing forces are beefed up and new ones are created. Greater militarization has provoked an increase in human rights violations and catalyzed an increasingly aggressive and sometimes violent response from *cocaleros*. UDAPDE warned in 1999 that the security forces’ bellicose “war on drugs” mentality would provoke greater violence and further polarize the conflict.²⁷

By the end of November 2001, between 4,000 and 4,500 members of the security forces were stationed in the Chapare, an increase of approximately 2,000 troops since the end of October. This temporary transfer of troops marked an all-time peak in the militarization of the region.²⁸

At the beginning of November 2001, the Bolivian government confirmed a total of eighteen “temporary” combined forces camps in the region. U.S. government officials state that they are working to improve the combined forces’ infrastructure in the region. The October 15, 2000 agreement between Six Coca Growers’ Federations leaders and government officials stated that there would be no new bases in the Chapare region.³⁰ However, *cocaleros* interpret large-scale construction and remodeling at existing military bases as a violation of this agreement.

Both U.S. and Bolivian governments officially state that a long-term sustained military presence in the region is indispensable to maintaining eradication goals and preventing resurgence of the coca crop.³¹ Initially, the JTF was to be disbanded in December 2000 upon the planned completion of forced eradication efforts.³² Many analysts believe that U.S. commitment to funding a continued presence is both costly and damaging to Bolivia’s fragile democracy. The ongoing use of military action for antidrug efforts (traditionally considered to be a police function) is counterproductive to the nation’s efforts to establish a credible civilian system of governance.

Bolivia has maintained steady democratic elections only since 1982, and has been known for frequent military coups and changes in government. Between July 1978 and

The ongoing use of military action for antidrug efforts (traditionally considered to be a police function) is counterproductive to the nation’s efforts to establish a credible civilian system of governance.



Funeral for *cocaleros* killed in Senda 6, November 2001.

The Permanent Human Rights Assembly has documented the deaths of fifty-seven *cocaleros* at the hands of the security forces since 1987.

July 1980 two elections took place, five presidents ruled without winning an election and there were three successful coup attempts.³³ The election of ex-military dictator Hugo Banzer in 1997 increased concerns that the military may slip out of its relatively new subordinate role to civilian power.

The Expeditionary Task Force (ETF)

The Expeditionary Task Force was formed in January 2001 with 500 members. This group is not part of the Bolivian police or military, though it has military commanders. The force receives funding for transportation, food, uniforms and a salary bonus of approximately one-hundred dollars from the Narcotic Affairs Section of the U.S. embassy, as well as training from the U.S. Military Group.³⁴ Human Rights Ombudsperson Ana María Romero sustains that the members of the

ETF are mercenaries. She told the press that the Bolivian military does not have authorization to increase the number of people it employs without approval from Congress.³⁵ The logic behind the creation of this new hired force is questionable. Although the State Department claims that the force members are part of the military reserve who have completed mandatory service, no such formal body exists within the Bolivian armed forces. If this were the case, the great majority of Bolivian adult males could be considered part of the reserve.

The ETF has been implicated in a significant percentage of human rights violations in the Chapare region, including the deaths of three *cocaleros*: Casimiro Huanca, Andres Condori, and Marco Ortiz Llanos. Human rights monitors, and even military officers, have expressed concern about the irregular status of this group. In March 2002, five members of the U.S. Congress requested that funding for this force be suspended due to credible allegations of gross human rights violations. In spite of criticism from these U.S. representatives and both national and international human rights organizations, the ETF expanded to 1,500 members in January 2002. Some members of the security forces privately stated that the ETF let things “get out of hand” last year.³⁶

V. Human rights

Repeated patterns of violations

During the first six months of the Quiroga presidency,³⁷ the high levels of violence and unrest spiraled. The Permanent Human Rights Assembly sustained that, during that time, there was an average of one death a week and one detainee and two wounded per day.³⁸ The great majority of these violations occurred in the Chapare and Sacaba regions. International organizations, including Human Rights Watch, Amnesty International, WOLA and the Andean Information Network, have consistently denounced human rights violations in the Chapare since the mid-1990s. A 1995 Human Rights Watch investigation found that arbitrary detentions, beatings of Chapare residents and the use of excessive physical violence by anti-drug police were common.³⁹ Although abuses during interdiction operations and eradication have lessened, the participation of the military in antidrug efforts in the Chapare has exacerbated the human rights crisis in periods of cyclical conflict. Pressure to meet eradication goals continue to take precedence over human rights.

Bolivian Human Rights Cases Related to Counternarcotics Activities

1. Ramón Pérez

Ramón Pérez was shot and killed on September 27, 2001, when members of the JTF "Amarillo 2" fired live ammunition at a group of journalists entering Loma Alta in the Carrasco Federation, where coca growers had surrounded an eradication camp. Pérez was a 48-year-old *campesino* acting as guide for the journalists. He died while security forces transported him to the UMOPAR clinic in Chimoré. Eyewitness accounts from the journalists Pérez accompanied state: "Those of us that were there... were surprised by the shots coming from the camp. No one warned us that we could not approach that military zone. One of those bullets killed Pérez, who was [standing] very close to two of our co-workers. We are witnesses that the military and police... fired their firearms first, then rubber pellets and finally tear gas, in spite of our shouts that we were members of the press."

2. Nilda Escobar Aguilar

Coca growers and members of the JTF clashed for three hours on October 16, 2001, in Isarzama. According to witnesses and investigations by human rights monitors, a combined forces group from the Rio Blanco eradication camp entered the Quillacollo rural union to begin eradication there, where about 1,000 *campesinos* armed with rocks and sticks awaited them. The approximately fifty members of the JTF fired tear gas and live ammunition into the protesters. Nilda Escobar Aguilar (age 38) was hit by a tear gas canister which imbedded itself in her forehead, suggesting that members of the JTF fired at extremely close range. She died at the health center soon after. The district attorney's investigation has not moved forward.

3. Senda 6: Three dead, five others suffer bullet wounds

On November 15, 2001, a crowd of coca growers attempted to block the Santa Cruz-Cochabamba highway in Senda 6, near Ivirgarzama. Members of the ETF fired at the crowd, killing three people with shots from behind: Máximo Rojas Siles (age 22), Abel Orozco Torrico (48) and Claudio Quiroga Ordóñez (20). Another five suffered from bullet wounds: Justo Jimenez López (56), Benito Mayda Guzman, Filberto Castro Fernández (28), Carlos Merino (23) and Joeser Mamani Pérez (25). Investigations by the district attorney's office have not progressed.

4. Marcos Ortiz Llanos

On January 29, 2002, an ETF patrol dispersed a group of coca growers attempting to block the Cochabamba-Santa Cruz highway in Shinahota, and members of the forces shot directly at a group of farmers on a market road crossing the highway. Multiple eyewitness testimonies state that Col. Aurelio Burgos Blacutt, easily identifiable because he is missing his right forearm, aimed and fired directly at Marcos Ortiz Llanos. Several other people were wounded in the incident. Members of the ETF continued to beat coca growers with nightsticks and kick them after the shooting. Witnesses state that a man was videotaping the incident but ETF members beat him, and his camera and video were taken from him.

5. Casimiro Huanca

On December 6, 2001, a small group of coca producers in Chimoré began to stack fruit on the side of the Cochabamba-Santa Cruz highway to peacefully protest the lack of markets for alternative development products. Members of the ETF warned coca producers that they would disperse the crowd in five minutes. As the people fled, forces tear-gassed the crowd. Soldiers followed some of the coca growers into the union federation office near the highway. According to eyewitness testimony and video footage, ETF officers detained Casimiro Huanca, the Chimoré Federation leader. One ETF member, Juan Eladio Bora, shot Huanca two times inside the compound. The ETF also shot Fructuoso Herbas at close range outside the office as he attempted to escape. Although the U.S. State Department called the injury a "slight ankle wound," Herbas' leg was amputated above the knee as a result. The military court determined that the security forces acted in self-defense. The parallel civilian investigation has not progressed.



Fructuoso Herbas, who, according to the U.S. State Department, suffered a "slight ankle wound" during a coca growers' demonstration in December, 2001.

"We are witnesses that the military and police... fired their firearms first, then rubber pellets and finally tear gas, in spite of our shouts that we were members of the press."



JEREMY BIGWOOD

Members of the Six Coca Growers' Federations await the arrival of the army and police at a roadblock. Villa Tunari, September 2002.

The military justice system generally is susceptible to senior-level influence and corruption and avoids making rulings that would cause embarrassment to the military.

Justice and Human Rights Minister Mario Serrate bluntly stated the government's priority at the height of the 2001 conflict: "Human rights are not the key issue. The main issue is coca eradication in the Chapare, which is a national law."⁴⁰

During the September 2001-February 2002 conflicts, there were repeated accounts of excessive use of force by the police, the military and the ETF. For example, during that period, the Andean Information Network tabulated ten serious injuries and one death from the impact of tear gas canisters. Scores of other individuals suffered respiratory damage from inhalation. The repeated reports of excessive use of force, and the

killings and shootings of unarmed civilians during confrontations, have not been fully investigated by representatives of the district attorney's offices in the Chapare.

Attacks on security forces

Since the implementation of *Plan Dignidad*, some coca growers have adopted increasingly violent stances. Starting in the mid-1990s, *cocalero* unions formed self-defense committees against forced eradication in their communities. These small groups, generally armed with sticks and machetes, primarily functioned as a deterrent. Beginning in 1998, some *cocaleros* retaliated against members of the security forces. During several months of confrontation in 1998, three members of the security forces were killed. In October 2000, during the month-long roadblocks in the Chapare, five security officers and one of their wives disappeared. The body of one UMOPAR antidrug policeman was found soon afterward on a riverbank. Several months later, the badly mangled bodies of UMOPAR member David Andrade and his wife Graciela Alfaro were found buried near Shinahota; the bodies of soldiers Julio Veramendi and Juan Lazarte were discovered in the Yungas Region; policeman Silvano Arroyo's body was never found. *Cocaleros* and their leaders were arrested in connection with the deaths, but trials have not taken place. Intense press coverage of the incidents generated indignation on the part of the Bolivian public against the coca growers.

In 1998, JTF commanders and other government officials began to report the discovery of booby traps placed in areas slated for eradication. In multiple incidents, members of the security forces and civilians sustained leg and other injuries as a result of explosions. For example, on October 7, 2001, nine-year-old Mirtha Cespedes Escobar triggered the trip wire of a booby trap when crossing the main road. Fragments from the explosion punctured her upper lip and fractured a tooth. She also received abrasions on her arm and shoulder.

Authorities also informed of an increase in random gunfire aimed at eradication camps, and there are several cases of gunshot wounds caused by snipers. In early September 2001, unidentified snipers shot two soldiers, and in November another two suffered gunshot wounds while traveling in military transport trucks. On October 16, 2001, the JTF commander and the prefect of Cochabamba made public that *cocaleros* had fired rifles and set off dynamite around three eradication camps; coca growers also shot at a DIRECO (eradication control agency) pick-up truck.

Coca growers also forcibly entered alternative development and antidrug offices. On October 16, a group of approximately fifty *campesinos* returning from Nilda Escobar's funeral took control of the offices of CIAPROT, an alternative development project funded by USAID, forcing employees to flee and burning a motorcycle. Security forces approached and the *campesinos* eventually left the installation. The most dramatic incident of all, however, was the torture and death of four security officers in Sacaba in January 2002, as described earlier in this document. As mentioned above, these cases are currently under investigation.

Impunity

The Permanent Human Rights Assembly has documented the deaths of fifty-seven *cocaleros* at the hands of the security forces since 1987.⁴¹ Only three of these cases made it into court, and none of them was ever concluded. The pervasive impunity in human rights violations committed within the framework of U.S.-funded antidrug efforts continues. No legal investigations have been completed of gross human rights violations committed during roadblocks in September and October 2000 or occurring in 2001.

In spite of eyewitness testimony and available documentation, the Chapare district attorney's offices, in charge of carrying out preliminary investigations with the help of the judicial police, have not completed any investigations, and ongoing ones have not moved forward. Although technically this office should be autonomous, it is subject to constant political pressure and the control of the powerful Ministry of Government.

Bolivian government officials have reacted strongly to efforts to investigate human rights cases. District Attorney Daniel Humerez received intense criticism from government ministers and commanders of the armed forces for confiscating six rifles

The impunity accorded to human rights violations and, in particular, the use of torture, which appears to be widespread, results from the... slow pace and inadequacy of such investigations of complaints.

International Concern for Impunity in Bolivia

The United Nations Committee Against Torture, Amnesty International and the United Nations Human Rights Committee highlighted the ramifications of the lack of investigations of human rights violations and of systematic impunity:

The impunity accorded to human rights violations and, in particular, the use of torture, which appears to be widespread, results from the lack of any investigation of complaints and the slow pace and inadequacy of such investigations. This demonstrates the lack of any effective action by the authorities to eradicate these practices and, in particular, the gross dereliction of duty on the part of the public prosecutor's office and the courts. The lack of investigations is further compounded by the failure to remove from office the responsible police officers, further reaffirming their impunity and encouraging them to continue or to resume these practices.⁴²

Amnesty International is concerned that the Bolivian authorities do not appear to have taken any kind of effective action to eradicate the use of torture and ill-treatment. The organization continues to be concerned that most allegations of torture and ill-treatment are not investigated and that, in cases when investigations are opened, progress is slow. In many cases where an investigation has been opened, even those which were reported several years ago, there is little or no progress, with the investigation often coming to a complete standstill.⁴³

The Human Rights Committee has already expressed its concern [that] "the current legislation for combating impunity has proven to be ineffective in the identification, trial and punishment of those responsible for human rights violations, and in the payment of compensation to the victims." The Committee also expressed concern at the delays and failures of the process of law and at the non-compliance by the police with United Nations minimum standards.⁴⁴

Since March 2001, the Bolivian government has begun to refer particularly egregious cases of human rights violations to its military tribunal, despite stipulations in the Bolivian constitution and in international law that civilian courts should try these cases.

from the military eradication camp in order to carry out ballistics tests in an effort to determine who shot *cocaleros* Rosalia Mérida de Mejía and Claudio Llave Pina on October 4, 2001.⁴⁵ High-ranking Bolivian officials stated that they would force the district attorney to appear before a congressional commission to explain his actions and that the confiscation of arms is an insult to the armed forces. Congressman Carlos Sánchez Berzain, ex-government minister, stated to the press that, “Whether the population likes it or not, the armed forces have a military legal code and prosecutors or other authorities cannot come and confiscate weapons.” He also stated that the military has its own court and legal proceedings.⁴⁶ The district attorney’s offices in the Chapare remain the weak link, as investigative judges in the region cannot open cases without a completed report. The offices’ poor performance has allowed impunity to persist in the region and criticism of the slowness of the civilian justice system has served to justify using military courts.

Military trials in human rights cases violate Bolivian and international law

Since March 2001, the Bolivian government has begun to refer particularly egregious cases of human rights violations to its military tribunal, despite stipulations in the Bolivian constitution and in international law that civilian courts should try these cases. There are no laws that provide for transparency in military court proceedings, and hence human rights workers and affected family members have no access to such proceedings. The Catholic Church, the Permanent Human Rights Assembly and the Human Rights Ombudsman’s office have repeatedly insisted that legal investigations be carried out within the civilian court system. However, military personnel have refused to cooperate in investigations carried out by the attorney general’s representatives in the region, asserting that they are answerable to internal military investigations only.

Military tribunals are inappropriate in the context of both Bolivian law and the international laws to which Bolivia is a signatory.⁴⁷ Amnesty International highlighted the impropriety of military jurisdiction in a letter addressed to the Minister of Government in October 2001:

Amnesty International considers that the practice of military jurisdiction in cases of human rights violations by members of the security forces generates a situation of impunity and denies the victims of human rights violations and their relatives the right to an effective legal solution. The United Nations Human Rights Committee and the Organization of American States’ Interamerican Human Rights Commission have repeatedly stated that trial by military tribunals of members of the armed forces accused of human rights violations is incompatible with the obligations that bind States in terms of international law.⁴⁸

Nor does Bolivian law authorize military jurisdiction in human rights cases. Article 12 of the Bolivian Constitution states: “All types of torture, coercion, demands or any form of physical or psychological violence are prohibited under penalty of immediate dismissal and without prejudice to any punishment to which those who inflicted, ordered, incited or allowed them to occur may be liable.” Article 34 of the Bolivian Constitution establishes that, “those who violate constitutional rights and guarantees are subject to prosecution by the civilian court system.” Furthermore, Article 48 of the new criminal procedures code states, “If there is doubt about the appropriate jurisdiction, as a result of concurrence or connection between special and civilian jurisdictions, the crimes should be addressed by the civilian jurisdiction. Civilians can never be submitted to military jurisdiction....”

In spite of such international and Bolivian stipulations that such cases should be tried in civilian courts, the Bolivian legal system transferred the only cases in which military commanders faced criminal prosecution to the military tribunal. In 1999, the judge in Villa Tunari, Roger Triveno, initiated legal proceedings against General Walter Cespedes Ramallo and Vicente Ruiz Lira, JTF commander and sub-commander respectively, for the deaths of coca growers Alberto Coca, Agustín Gutierrez and Benedicto Martínez.⁴⁹ The judge received pressure and threats from high-ranking government officials and UMOPAR officers in an effort to get him to drop the case.



JEREMY BIGWOOD

Military police advance on the bridge at Villa Tunari, Chapare. September 2000.

In June 2001, the Cochabamba District Court transferred the first two cases to the military courts, while the Martínez case continued to languish in the civilian courts. The cases were dropped for lack of evidence on June 6, 2001. The court's investigator had not interviewed witnesses or conducted an investigation.⁵⁰

Since that time, the military tribunal has acquitted José Eladio Bora in the shooting of Fructuoso Herbas and the killing of Casimiro Huanca. In a textbook example of impunity, within two weeks, the Bolivian military tribunal concluded that ETF member Bora shot Huanca in self-defense,⁵¹ even though video footage of the incident clearly demonstrates the peaceful nature of the protest. Military judicial investigators questioned military personnel involved in the incident only, and did not obtain statements from *cocaleros* and other eyewitnesses.⁵²

None of the cases that have gone to military tribunals has resulted in a conviction. The State Department recognizes problems with military tribunals in the 2001 Human Rights Practices Country Report on Bolivia, concluding: "The military justice system generally is susceptible to senior-level influence and corruption and avoids making rulings that would cause embarrassment to the military."⁵³ In spite of this observation, the State Department asserted that the decision to move cases to the military tribunal is in accordance with Bolivian law.

Human rights, the U.S. government and the Leahy amendment

The Leahy amendment provides the U.S. government with means to ensure that U.S. funds do not go to security forces that commit gross human rights violations. It requires that these abuses be investigated and the responsible parties face prosecution, stating:

None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice.

The amendment's application would greatly facilitate the fight against endemic impunity for violations committed by Bolivian security forces. During the 2001-

The military justice system generally is susceptible to senior-level influence and corruption and avoids making rulings that would cause embarrassment to the military.

2001



- September ● Coca growers surround eradication camps in protest.
- September 25 ● Joint Task Force (JTF) members shoot 15-year-old Felix Marin above the ankle.
- September 27 ● Ramón Pérez shot by JTF while guiding journalists to Loma Alta eradication camp.
- October 4 ● The JTF shoots Rosalia Mérida and Claudio Llave who were surrounding an eradication camp.
- October 16 ● Nilda Escobar dies from the impact of a tear gas canister shot by the JTF.
- Oct–Nov ● Repeated accusations against the Expeditionary Task Force (ETF) for beating and torturing Chapare residents.
- November 6 ● Coca growers attempt to block main highway through the Chapare. Congressman Evo Morales announces that he was not permitted to leave Eterazama.
- November 15 ● Members of the ETF shoot eight protesters, killing three in Senda 6.
- November 26-28 ● Dialogue facilitated by the Catholic Church, the Human Rights Ombudsman, and the Permanent Human Rights Assembly.
- November 27 ● Bolivian government enacts Supreme Decree 26415, prohibiting drying, transport and sale of the Chapare coca leaf.
- November 29 ● Dialogue breaks down, the Bolivian government resumes forced eradication.
- December 1 ● Coca growers reinitiate roadblocks, but express willingness to negotiate.
- December 6 ● Bolivian president Jorge Quiroga meets with U.S. government officials, including George W. Bush, to discuss antidrug efforts and trade preferences.

The ETF tear-gasses a peaceful demonstration in Chimore without provocation, shoots Fructuoso Herbas, and shoots and kills union leader Casimiro Huanca.

2002



- January 3 ● Bolivian government closes Sacaba central coca market.
- January 15 ● Coca growers forcibly enter DIRECO offices and coca market and burn vehicles to protest Supreme Decree 26415.
- January 17 ● Security forces and protesters clash again at coca market. Four members of the security forces are killed.
- January 19 ● Police Special Security Group forcibly enters the coca growers' federation in Cochabamba. They beat and detain over sixty union leaders.
- January 20-27 ● Over twenty more coca grower leaders detained.
- January 22 ● Security officers confiscate coca growers' radio station.
- January 24 ● Evo Morales removed from Congress, loses congressional immunity.
- January 29 ● An ETF patrol disperses a group of *cocaleros* in Shinahota. Eyewitnesses state that the patrol commander, Col. Aurelio Burgos, shot and killed Marcos Ortiz Llanos.
- February 9 ● Bolivian government signs agreement with *cocaleros*.
- March 1 ● U.S. Department of State criticizes Quiroga government for not meeting anti-narcotics goals in its International Narcotics Control Strategy Report.

2002 conflict, governmental and nongovernmental human rights organizations gathered considerable documentation of abuses, including photographs, eyewitness testimony and Bolivian government medical certificates. Television cameras captured the events surrounding Ramón Pérez's death and the events leading up to Casimiro Huanca's shooting. In two cases, the member of the security forces responsible for the shooting has been clearly identified but not brought to justice. However, the United States government has yet to withhold funds as the Leahy amendment would dictate.

The substitution of military tribunals and internal disciplinary measures for the civilian legal system's jurisdiction over human rights violations satisfies neither the Leahy amendment nor international law. Seven members of the U.S. House of Representatives made the same point to the U.S. ambassador to Bolivia, Manuel Rocha, on November 15, 2001: "As you are aware, neither internal disciplinary measures by the security forces, nor economic compensation for the victims' families, will satisfy U.S. law. It is also our assessment that military jurisdiction in such cases is not satisfactory..."⁵⁴

The amendment could prove to be a powerful tool to identify and prosecute human rights offenders in Bolivia and ensure that U.S. funding does not contribute to human rights abuses. Unfortunately, U.S. embassy officials commonly adopt the Bolivian authorities' version of events without further investigation. Although embassy officers state that they consult a variety of sources when looking into human rights cases, they routinely cite the Bolivian government and security forces as their principal source. Human Rights Watch highlighted the same problem in 1995: "U.S. officials dismiss or downplay abuses by U.S.-supported counternarcotics forces" and "make excuses for or attempt to justify human rights violations."⁵⁵

The U.S. government has funded a series of projects and initiatives on human rights with mixed results, including the new criminal procedures code, which took effect in June 2001. The new code has improved due process in court cases and thus helped to relieve extreme crowding in the country's penal system. The United States also indirectly funds the Chapare Justice and Human Rights Center, part of the Bolivian Ministry of Justice, through PL480 residual funds, and lends administrative support. The Center's most important contribution is providing medical certificates and autopsy reports prepared by its forensic doctor. These official documents confirm the cause of death and could be extremely useful tools for prosecuting human rights violators. Unfortunately, access to these reports is restricted, and embassy officials claim that they cannot gain access to the medical certificates and autopsy reports that would allow them to evaluate whether or not credible evidence of violations exists.

The embassy also has a signed agreement from the Bolivian government to receive quarterly human rights reports as a condition for receiving balance of payment funds. One embassy employee stated that these reports had never been requested.⁵⁶ The contradiction between U.S. pressure to meet counternarcotics goals and the embassy's formal discourse of respect for human rights while failing to comply with its own human rights requirements provokes outrage in the Bolivian human rights community. In March 2001, Waldo Albarracin, president of the Permanent Human Rights Assembly, told the press, "They [the United States] talk about human rights and pressure the Bolivian state to carry out forced eradication, which is a synonym for violence, death, murdered *campesinos*, and tortured military and police. They put up the funds and we offer up the dead."⁵⁷

As UDAPDE predicted in 1999, *Plan Dignidad's* rigorous application of eradication and interdiction goals led to "a rupture of the shaky equilibrium between the government and some coca growers' unions, provoking a spiral of social conflict capable of jeopardizing the... governability of the nation."

Pressure to meet eradication goals continued to take precedence over human rights.

VI. What the future holds

The concessions made by the Bolivian government in the February 9, 2002 agreement with the coca growers, such as revoking executive orders that would have shut down coca markets, offered the only respite from violent confrontation for both sides and the Bolivian public since the year began, and allowed the Quiroga government to shore up the region's wavering political stability. As UDAPDE predicted in 1999, *Plan Dignidad's* rigorous application of eradication and interdiction goals led to "a rupture of the shaky equilibrium between the government and some coca growers' unions, provoking a spiral of social conflict capable of jeopardizing the...governability of the nation."⁵⁸

Though the State Department's annual International Narcotics Control Strategy Report (INCSR) offered measured praise for Bolivia in some areas, it criticized the Quiroga government for not keeping up the pace of forced eradication and failing to close fifteen coca markets in the Chapare region and outside Cochabamba. Furthermore, the report suggested that the Quiroga government's "sensitivity" to social unrest had impeded compliance with drug war goals.⁵⁹ Given the economic, political, and above all human toll that coca conflicts have taken over the last six months, many Bolivians, from *cocaleros* to Quiroga, vehemently protested the State Department's conclusions.

The INCSR's censure of the Quiroga government's antidrug efforts has provided an invaluable lesson to Bolivian policymakers. The Banzer and Quiroga governments ambitiously promised the United States that they could eradicate a great deal of coca in an unreasonably short time span without guaranteeing alternative sources of income for the coca growers. Efforts to comply with U.S. counternarcotics goals led to increased pressure and demands, without Bolivia receiving the expected compensation in trade concessions and economic benefits. As the June presidential and congressional electoral campaigns got underway, Quiroga's *Plan Dignidad* received widespread criticism in the political arena. Ex-president and MNR party leader, Gonzalo Sánchez de Lozada, even stated that he had consistently opposed forced eradication. Quiroga's party, ADN, fared particularly poorly, while Evo Morales' presidential candidacy did much better than expected.

It is unlikely that U.S. counternarcotics policy will change noticeably during the next Bolivian government, as the United States continues to push on the heightened expectations and demands fueled by Quiroga's enthusiasm. U.S. Ambassador Manuel Rocha stated that funding decisions would depend on the policies set by the new government: "The most important thing is what the president-elect will think and what he will do when he takes over. If he doesn't want aid then we will not help a person that doesn't want assistance. I never force a lady to dance the tango if she doesn't want to dance a tango with me."⁶⁰ This public image of flexibility will most likely not translate into a less repressive policy, as any government will face strong U.S. pressure to continue the "Bolivian success story." Yet success is measured in terms of coca eradicated and not by the well-being of the Bolivian people. Repeated cycles of protest, repression and temporary conciliation will continue indefinitely until lasting, concrete, and peaceful solutions can be reached.

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The Bolivian Elections

The most salient feature of Bolivia's June 30 presidential and congressional elections was the surge of the *campesino* and coca growers' party, MAS, led by Evo Morales. Morales, who had trailed in fourth place with some thirteen percent of the vote during pre-election polls, edged up to a close second place with 20.94 percent in the final vote count, following former president Gonzalo Sánchez de Lozada's 22.46 percent. At the time of this writing, the election was in the hands of the Bolivian Congress, which according to Bolivian law, designates the president when no candidate receives a majority of the vote. The outcome will depend on the coalitions formed in the Congress; the new president will assume office on August 6.

MAS's popularity largely represents a rejection of Bolivia's current neoliberal economic model, which has not brought hoped-for benefits to the impoverished indigenous and *campesino* majority. It also indicates a rejection of U.S.-backed coca eradication policies while providing Evo Morales with the opportunity to widen his base of support. The MAS ticket also drew protest votes against the traditional parties which are accused of corruption and inept handling of the growing economic crisis.

MAS representatives will now form the second-largest bloc in Congress, with eight senators and twenty-seven congresspersons. In the last round of elections, the *cocaleros* and their allies had just three congressional representatives — now, MAS will represent a formidable opposition force.

The U.S. government spoke out publicly about candidates in the election, invoking anger from Bolivians for attempting to influence the vote. Referring to Morales four days before the election, the U.S. ambassador to Bolivia, Manuel Rocha, warned, "I want to remind the Bolivian electorate 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."^{*} Rocha's statements appear to have backfired and increased support for Morales. Phil Chicola, director of the State Department's Office for Andean Affairs, told non-governmental organization representatives that the U.S. government "makes no excuses or apologies" for statements regarding specific candidates and that such statements are justified when U.S. interests are at stake. He said that the U.S. government wanted Bolivians to understand precisely what was at risk — the cutoff of U.S. aid and branding Bolivia as a pariah state — if the Bolivian electorate was "playing footsie with coca growers."^{**}

Presidential candidate	Party acronym	% of votes won by presidential candidate	Number of seats won by party in Senate (out of 27)	Number of seats won by party in House (out of 130)
Gonzalo Sánchez de Lozada	MNR – National Revolutionary Movement	22.46%	11	36
Evo Morales	MAS – Movement Towards Socialism	20.94%	8	27
Manfred Reyes Villa	NFR – New Revolutionary Force	20.92%	2	24
Jaime Paz Zamora	MIR – Revolutionary Leftist Movement	16.32%	5	26

The U.S. policy position regarding the Bolivian elections is consistent with attempts to marginalize the coca growers at the same time as their demands are resonating with a growing number of Bolivians. U.S. officials consistently demonize coca growers and leader Evo Morales — Ambassador Rocha went so far as to label the coca growers the "Taliban of Bolivia." U.S. officials not only call coca growing an illegal activity but also characterize the coca growers' federations as an illegal social movement advocating an illegal activity.[†] Only when pressed on the topic do U.S. officials acknowledge the distinction between the illegal cultivation of coca and the right to protest counternarcotics policy. While espousing that the elections represented a demand for change, U.S. officials stated that U.S. policy toward Bolivia should remain fundamentally the same and that what was needed was better implementation and repackaging on the part of the Bolivian government.

— Tina Hodges

* Public speech given by Ambassador Rocha, 26 June 2002, at the inauguration of the new "Dignity" airport in Chimoré, Bolivia.

** WOLA interview, 15 July 2002.

† Ibid.

The U.S. ambassador stated that if Bolivia did not continue to carry out *Plan Dignidad* the country would lose a significant amount of U.S. funding.

Notes

- ¹ Linda Farthing and Ben Kohl. "The Price of Success: Bolivia's War Against Drugs and the Poor." *NACLA Report on the Americas*, July-Aug. 2001. 36.
- ² Robert Laserna. "Las Drogas y el Ajuste en Bolivia: Economía Clandestina y Políticas Públicas." La Paz: Cedla, 1993. 89-90.
- ³ Jacqueline Williams. "Waging The War On Drugs in Bolivia." Washington, DC: Washington Office on Latin America, 1996. 2.
- ⁴ "Bolivia: Human Rights Violations and the War on Drugs." Human Rights Watch, Americas, July 1995. 15.
- ⁵ Williams, 10.
- ⁶ UDAPDE. "Programa de prevención, gestión y resolución de conflictos en el marco de la lucha contra las drogas en Bolivia." La Paz: Ministerio de Defensa Nacional, June 1999. 6.
- ⁷ U.S. General Accounting Office. *Drug Control: Efforts to Develop Alternatives to Cultivating Illicit Crops in Colombia Have Made Little Progress and Face Serious Obstacles*. Washington, D.C.: GAO 02-291, Feb. 2002. 27.
- ⁸ Oscar Coca et al. *Cifras y datos del desarrollo alternativo en Bolivia*. Cochabamba: CEDIB, 1999. 168.
- ⁹ Marcos Fernández López. Speech made during negotiations, 26 Nov. 2001. Cochabamba, Bolivia, 2001.
- ¹⁰ Personal interviews by author, Nov. 2001.
- ¹¹ Oscar Coca et al., 89.
- ¹² U.S. Department of State, *International Narcotics Control Strategy Report, Latin America*, 1 March 2002. <<http://www.state.gov/inl/rls/nrcrpt/2001/rpt/8477.htm>.>
- ¹³ For more information on alternative development in the Andes, please see: Potter, George Ann, ed. *Rhetoric vs. Reality: Alternative Development in the Andes (Bolivia, Colombia and Peru)*. DPF/TLC (Drug Policy Alliance) Final Report, Cochabamba, Bolivia, April 2002.
- ¹⁴ "Critique of the GOB's Five-Year (1998-2002) Strategy for the Fight against Drug Trafficking," Andean Information Network, March 1998.
- ¹⁵ UDAPDE, 2
- ¹⁶ Por la Dignidad! Estrategia Boliviana de Lucha contra el Narcotráfico. La Paz, January 1998. 2.
- ¹⁷ Por la Dignidad! 22.
- ¹⁸ *Bolivia con Dignidad: Realidad y Perspectiva de la Lucha Contra las Drogas*. La Paz, 21 Feb. 2001. 10.
- ¹⁹ *Andean Information Network Newsletter*. Cochabamba, Jan. 2000.
- ²⁰ U.S. Department of State. *2000 International Narcotics Control Strategy Report: Bolivia*. 1 March 2001.
- ²¹ U.S. Department of State. *2001 International Narcotics Control Strategy Report: Bolivia*. 1 March 2002. Note: The disparities among the various sources can be attributed to differing data collection methods, inefficiency and/or political reasons.
- ²² Personal interview by author, 24 Jan. 2002. Note: many people interviewed wish to remain anonymous.
- ²³ Personal interviews by author, 30 Nov. 2002; "Diálogo de la coca queda roto por falta de voluntad política." *Opinión*, 28 Nov. 2001.
- ²⁴ "EE.UU. advierte con reducir ayuda antidrogas." *Los Tiempos*, Cochabamba, 18 Oct. 2001.
- ²⁵ "La Defensora cuestiona el decreto contra la coca." *La Razón*, 18 Jan. 2002.
- ²⁶ "El Poder Ejecutivo no hará otro decreto para la venta de coca." *La Razón*, 11 May 2002.
- ²⁷ UDAPDE, 2.
- ²⁸ Andean Information Network interview, 29 Nov. 2001.
- ²⁹ "La Defensora advierte del peligro de la militarización en el Chapare." *La Razón*, 3 October 2001. Also, personal interview by author with Godofredo Reinicke, Special Representative of the Human Rights Ombudsman's office in the Chapare, 15 Oct. 2001.
- ³⁰ "Acuerdo entre el Gobierno y la Coordinadora de las Federaciones del Trópico de Cochabamba." Chimore, 15 Oct. 2001.
- ³¹ Andean Information Network interviews, 16 Jan. 2001 and 15 Aug. 2001.
- ³² Personal interview by author, 18 Aug. 2000.
- ³³ Dunkerly, James. *Rebellion in the Veins*. London: Verso Editions, 1984. 248.
- ³⁴ Letter from Paul V. Kelly, Assistant Secretary of Legislative Affairs to Rep. Maurice Hinchey, D-NY, 28 March 2002.
- ³⁵ "La nueva fuerza hace el trabajo sucio en Chapare." *Los Tiempos*, 22 Nov. 2001.
- ³⁶ Personal interview by author, 15 Jan. 2002.
- ³⁷ Due to illness, President Banzer resigned as president on 6 August 2001, a year before his term ended; Vice President Jorge Quiroga was appointed as his successor.
- ³⁸ "El Gobierno es acusado de violar los DD.HH." *La Razón*, 14 Feb. 2002.
- ³⁹ "Bolivia: Human Rights Violations and the War on Drugs." Human Rights Watch, Vol. 7. No. 8. July 1995. 2.
- ⁴⁰ "Derechos humanos en Chapare a segundo plano." *Los Tiempos*, 31 Oct. 2001.
- ⁴¹ "El Gobierno es acusado de violar los DD.HH." *La Razón*, 14 Feb. 2002.
- ⁴² Conclusions and Recommendations of the Committee Against Torture: Bolivia, CAT/C/XXVI/Concl.3. (Concluding Observations/Comments), 5 March 2001. 15.
- ⁴³ "Bolivia, Torture and Ill-Treatment: Amnesty International's Concerns." 15 June 2001. 2.
- ⁴⁴ *Ibid*, 12.
- ⁴⁵ Personal interviews by author. 6-7 Oct. 2001.
- ⁴⁶ "El gobierno y el MNR respaldan la decision de las Fuerzas Armadas: Militares no entregarán sus armas al Ministerio Público." *La Prensa*, 6 Oct. 2001.
- ⁴⁷ Bolivia has been a state party to the American Convention on Human Rights since 19 July 1979 and has recognized the obligatory jurisdiction of the Court since 27 July 1993.
- ⁴⁸ Susan Lee, Amnesty International Regional Director. Letter to Leopoldo Fernández, Minister of Government, 22 Oct. 2001.

- ⁴⁹ Author interviews, May 2000.
- ⁵⁰ "Análisis Jurídico — Alberto Coca Coyo, Augustin Gutierrez y el Tribunal Militar." Andean Information Network, 3 Dec. 2001.
- ⁵¹ "En Proceso de Paramilitarización las Fuerzas Armadas han perdido el control." *Pulso*, 17 Dec. 2001.
- ⁵² Personal interviews by author, 16 Jan. 2002.
- ⁵³ U.S. Department of State. Bureau of Democracy, Human Rights, and Labor. "Bolivia: Country Reports on Human Rights Practices — 2001." 2 March 2002. 8. <www.state.gov>
- ⁵⁴ Letter to U.S. ambassador to Bolivia, Manuel Rocha, from Rep. Maurice Hinchey, et al., 15 Nov. 2001.
- ⁵⁵ "Bolivia: Human Rights Violations and the War on Drugs." Human Rights Watch, Vol. 7. No. 8. July 1995. 2.
- ⁵⁶ Personal interview by author, 13 April 2001.
- ⁵⁷ "EE.UU. ahora deplora a las violaciones de DD.HH." *Los Tiempos*, 5 March 2002.
- ⁵⁸ UDAPDE, 2.
- ⁵⁹ U.S. Department of State. *International Narcotics Control Strategy Report, Latin America*. 1 March 2002.
- ⁶⁰ *Los Tiempos*. 26 March 2002.

WOLA's "Drugs, Democracy and Human Rights" project

WOLA's "Drugs, Democracy and Human Rights" project, which began in 2001, examines the impact of the drug trade and U.S. international counternarcotics policy on human rights and the consolidation of democracy throughout Latin American and the Caribbean. Looking at both producer and transit countries, researchers from Argentina, Bolivia, Colombia, Ecuador, Mexico, Peru, Puerto Rico and Central America will document and analyze a number of themes, including:

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- ▶ whether the judiciary is effectively pursuing such cases, or if they are handled by military courts;
- ▶ the definition of the military's mandate, the relationship between military and police forces, and whether antidrug funding is empowering the military to expand into activities normally reserved for the police;
- ▶ the functioning of civilian institutions, including mechanisms for oversight of counternarcotics activities through legislation and congressional committees.

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Volume I, Number I ISBN: 092951355X

This WOLA briefing series is supported in part by grants from the Open Society Institute, the Ford Foundation and the John Merck Fund.



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1630 Connecticut Avenue, NW, Washington, D.C. 20009