



BOLIVIA INFORMATION FORUM

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UN report into Pando violence

This is a short summary of the report by the United Nations Office of the High Commissioner for Human Rights (OHCHR) into the violence that took place in Pando, northern Bolivia, in September 2008. There has been considerable controversy surrounding reports into exactly what happened and who was responsible. The OHCHR version of events places primary responsibility for the worst atrocities that took place on people working for the local prefecture, led by opposition politician Leopoldo Fernandez.

The UN report into the Pando violence was published on 25 March. The head of the OHCHR mission to Bolivia, Denis Racicot (Canadian), presented the report at a press conference in La Paz.

These are the principal findings, taken from the executive summary of the report:

Violence on 11 September

- The events in Pando lead to the loss of life of at least eleven people, according to information from the public prosecutor's office (nine peasants and two people linked to the Pando prefecture).
 - ⇒ According to Racicot, this is a provisional figure taken from the ongoing investigation by the public prosecutor.
- The killings constituted a "massacre of peasants" and a "grave violation of human rights".
- There were also more than 50 people injured, the majority of them peasants.
- The massacre was committed by officials from the Pando prefecture, personnel from the local road service office (SEDCAM), members of the Pando Civic Committee and others linked to the prefecture.
- Prior to the massacre there was a confrontation between peasants and supporters of the prefecture involving aggression from both sides. Other serious human rights violations took place in this confrontation, including:
 - ⇒ The death of an official from the prefecture.

- ⇒ The unlawful retention of at least six supporters of the prefecture, who may have been subjected to ill treatment by the peasants and their supporters
- ⇒ The perception on the part of the peasants that their rights to physical and moral integrity, to free association and to freedom of movement had been infringed.
- It is the responsibility of the Bolivian judiciary to carry out an impartial investigation leading to the trial and punishment of those responsible for the human rights violations mentioned and to adequate reparations being paid to the victims .
 - ⇒ The report also calls for an investigation into the role of the national police force in these events. It highlights the responsibility of the police to protect citizens against human rights violations.

State of siege

- Regarding the state of siege declared by the Bolivian state from 12 September to 23 November 2008, the report concludes that the Bolivian state complied with its obligations under international law. However:
 - ⇒ There were some excesses with respect to people's physical and moral integrity, personal freedom, access to justice and due process.
 - ⇒ Regarding those who were arrested in Pando and confined in La Paz, the OHCHR observed that none was brought before a judge in compliance with the Bolivian constitution.
- The OHCHR also makes reference to the dignified and humane treatment received by those who were detained.

Judgement of ex-Pando Prefect Leopoldo Fernandez

- The OHCHR observes that the Pando events are currently being investigated by a special commission from the Chamber of Deputies of the Bolivian Congress, aided by the public prosecutor's office.
- Regarding the eventual trial and judgement of the ex-prefect, Leopoldo Fernandez (currently detained in La Paz), the OHCHR considers that it is the responsibility of the Bolivian authorities to decide whether an ordinary trial should be held or a special trial for failure to carry out his public duties.