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## **AIN GIEI SUMMARY AND TRANSLATION\***

AIN translated and summarized the July 23, 2021, Interamerican Human Rights Commission Independent Interdisciplinary Expert Group (GIEI) report.<sup>1</sup> The mandate of the GIEI was to investigate violence and human rights violations in Bolivia from September 1, 2019, to December 31, 2019.<sup>2</sup> AIN will publish this summary by section and eventually release a complete breakdown of the report. The following sections are not direct translations. AIN condensed information into timelines, tables, victim narratives, and bullet points, remaining true to the original content of the GIEI report. The corresponding pages of the original report are cited for each section. All photos, maps, and footnotes explaining organizations mentioned in the text are AIN additions and not included in the official GIEI report.

### **BACKGROUND ON BOLIVIA'S 2019 CRISIS**

The GIEI report considered accusations of electoral fraud and a state coup as context for the investigation into events after the election.<sup>3</sup> However, the mandate of the GIEI did not include an evaluation of these events and the validity of different narratives.<sup>4</sup> The following section considers events leading up to the 2019 crisis.

#### **1.1 The Morales Presidencies and Election Law:<sup>5</sup>**



Evo Morales during his third term as president of Bolivia

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<sup>1</sup> <https://gieibolivia.org/informes/>

<sup>2</sup> Pg. 12

<sup>3</sup> Pg. 13

<sup>4</sup> Pg. 13

<sup>5</sup> Pg. 18-20

**December 18, 2005:**

Bolivia elected Evo Morales of the Movement Toward Socialism (MAS) party as president with 54% of the vote

- first indigenous president
- inclusion of indigenous peoples in government
- nationalization of key parts of economy

**August 6, 2006:**

Constitutional Assembly elected to write a new constitution

**January 25, 2009:**

Resulting constitutional draft sent for approval in referendum

**February 7, 2009:**

Bolivia accepted new constitution with 61.43% of referendum votes

- gave autonomy and land rights to indigenous people and peasants
- recognized economic, social, and environmental rights
- established Bolivia as a plurinational state
- Article 168 stated the president and vice-president could only be continuously reelected one time

**December 2009:**

Morales won reelection to a second term with 64% of the vote

**February 2013:**

Congress approved a law stating that Article 168 only applied to consecutive reelection after the establishment of the new constitution

**April 25, 2014:**

Constitutional Court ruled Morales could be reelected for third term

- argued that Morales's first term as president of Bolivia occurred before the new constitution established the Plurinational State of Bolivia

**October 12, 2014:**

Morales re-elected with 61% of the vote

**February 21, 2016:**

Morales called for a constitutional referendum to modify Article 168 to permit two consecutive reelections of the president and vice-president

**March 13, 2016:**

The public voted "No," with 51.30% of the vote, in the constitutional referendum

- Morales accepted the results

**September 2017:**

MAS members of Congress filed a complaint that Article 168 was unconstitutional

**November 28, 2017:**

Constitutional Court published Constitutional Sentence 0084/2017, which removed term limits for all publicly elected officials

- ruling stated that the right to participate in elections was a human right under the American Convention on Human Rights
- international human rights law takes precedent over domestic law in Bolivia's constitution
- criticism and protests followed the decision

**December 5, 2018:**

Supreme Electoral Court stated Morales could run for a fourth term

**December 7, 2018:**

University students in Santa Cruz set the Departmental Electoral Court on fire

**1.2 2019 Election and Electoral Crisis:<sup>6</sup>**

**October 2018 to January 2019:**

Three of seven Supreme Electoral Tribunal members resigned, citing disagreement with administrative decisions and personnel changes

**May 27, 2019:**

The Supreme Electoral Court set the date for general elections

**July 6:**

The Pro Santa Cruz Civic Committee<sup>7</sup> held a 24-hour strike

- fourth strike held against the election, rejecting Morales's candidacy
- three opposition candidates for president supported the strike

**August 21:**

Civic leaders in six of the nine Bolivian departments held a national strike

**October 4:**

Luís Fernando Camacho<sup>8</sup> and other opposition leaders protested in Santa Cruz

**October 20:**

Election day

- Morales led, but not with the 10% lead necessary to win
- rapid count system suspended at 8pm until the next morning
- problems with the rapid vote counting system (TREP) raised worries of possible vote manipulation

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<sup>6</sup> Pg. 21-23

<sup>7</sup> The Pro Santa Cruz Committee is a civic group in Santa Cruz that describes itself as "the moral government of Santa Cruz citizens and primary defender of the interests of the population"

<https://www.comiteprosantacruz.org.bo/announcement/1950-fundacion-del-comite-pro-santa-cruz/>

<sup>8</sup> Luís Fernando Camacho was the leader of the Pro Santa Cruz Civic Committee in 2019

### **October 21:**

Morales led by over 10%, enough to win the election

The Organization of American States Electoral Observation Mission expressed concern about change in results and recommended a second round

### **Next several days:**

Departmental electoral courts attacked, harassed, and set on fire

### **October 22:**

The vice-president of the Supreme Electoral Court, Antonio Costas, stepped down, citing discomfort about the suspension of rapid count

CONADE,<sup>9</sup> Bolivia Says No,<sup>10</sup> civic committees,<sup>11</sup> and Comunidad Ciudadana<sup>12</sup> called for an indefinite national strike

- blockaded urban streets
- MAS affiliated organizations, including the National Coordinator for Change (CONALCAM)<sup>13</sup> and the Confederation of Bolivian Trade Workers' Union (CSUTCB),<sup>14</sup> defended election results in protests

### **October 24:**

The Six Federations of the Cochabamba Tropics<sup>15</sup> gathered in the Cochabamba September 14 Plaza to celebrate Morales's electoral win

### **October 25:**

The Electoral Court announced the official election results

- Morales received 47.08% of the vote
- Mesa received 36.51%
- Morales won by over 10%: in accordance with Bolivian election rules, the election did not go to a second round<sup>16</sup>

### **October 27:**

The Six Federations of the Tropics declared a state of emergency

- Cochabamba Tropics (Chapare) farmers blockaded roads in their region to support Morales's election.

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<sup>9</sup> CONADE is the National Committee for the Defense of Democracy, a leading opposition group

<sup>10</sup> "Bolivia Dice No" is a social media group that rejected a new presidency for Morales, <https://twitter.com/boliviadiceno?lang=en>

<sup>11</sup> Civic committees are citizens groups, generally representing upper-middle class interests

<sup>12</sup> Comunidad Ciudadana is a centrist Bolivian political party led by former president Carlos Mesa

<sup>13</sup> CONALCAM is an alliance of Bolivian unions and grass-roots movements

<sup>14</sup> The CSUTCB is a national umbrella union for rural farm workers

<sup>15</sup> The Six Federations of the Cochabamba Tropics is the umbrella organization for Chapare coca growers, still led by ex-president Evo Morales

<sup>16</sup> Bolivia's electoral system allows a candidate to win either by receiving over 50% of the vote or by receiving over 40% of the vote with a 10% or greater lead over other candidates. If a candidate does not win in either of these ways, the election goes to a second round with the top two candidates.

### **October 28:**

Andrónico Rodríguez, the vice-president of the Six Federations of the Tropics, said the blockades were to defend against an opposition coup

- Morales stated that a coup against him was underway

### **October 31:**

During a national meeting in La Paz, citizens' groups demanded:

- Morales resign and not run for reelection,
- an election audit,
- and called on the police and armed forces to "unite the people"

### **November 2:**

The Pro Santa Cruz Civic Committee President wrote the military high command to ask them to take more radical measures

- gave Morales 48 hours to resign

## **1.3 The Crisis Intensified, Provoking Morales's Resignation:<sup>17</sup>**



The Armed Forces "suggest" Evo Morales step down

### **November 8:**

The Police Tactical Operations Unit (UTOP) in Cochabamba mutinied and demanded Morales resign

- Luis Fernando Camacho publicly praised the mutiny
- Camacho later revealed that he and his father negotiated the mutiny with the police<sup>18</sup>

Police in Sucre, Tarija, Oruro, Santa Cruz, Trinidad, Beni, and Potosí joined the mutiny

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<sup>17</sup> Pg. 24-26

<sup>18</sup> <https://www.youtube.com/watch?v=WdEwgtGyQgU>

### **November 9:**

Police in Pando and La Paz mutinied

- police deserted the Murillo Plaza, leaving the presidential residence and Congress unprotected
- groups that led strikes and denounced electoral fraud supported the mutinies
- private citizens organized more blockades and violence to maintain order
- government opened a dialogue to end the mutiny and restore order

### **November 10:**

General Secretary of the OAS published a Preliminary Findings Report on the election

- stated they could not certify the election's integrity because "manipulations and irregularities" made it impossible to confirm the margin of Morales's win over Mesa

In response, Morales announced new elections and selection of a new Electoral Court to oversee them

- a military fighter flew over blockades in Challapata [Oruro] without presidential or ministerial authorization
- armed forces initially prevented the President and Vice-President from using the presidential plane
- President and Vice-President flew from La Paz to Chapare

Police and Armed Forces National Commanders called for Morales to step down:

- **3:00pm:** "We join the Bolivian people's call to President Evo Morales to resign to pacify the nation at this difficult time." (Police Commander, Yuri Calderón)
- **3:45pm:** "Taking into account the escalating conflicts throughout the country, in order to preserve the lives and the safety of the population, and protect the integrity of the State...we suggest that the President resign his presidential mandate, in order to pacify the country and restore stability." (Commander of the Armed Forces)

Morales resigned as President and stated:

- "I am resigning so that my brothers and sisters in MAS will no longer be harassed, persecuted, and threatened. I am deeply saddened by this coup, with sectors of the police, violently threatening our democracy and social welfare with violence, and threats, intimidating the Bolivian public...It is my obligation as an indigenous president and president of all Bolivians to ensure social peace. I am stepping down so that our colleagues' families will no longer be mistreated, so the ministers and representatives are no longer attacked, so the poorest among us are no longer abused."

Vice-President Álvaro García Linera, Senate President Adriana Salvatierra, and President of the of the lower house of Congress, Víctor Borda, resigned

- these four officials were the only people in line for presidential succession, according to Article 169 of Bolivia's constitution

### **November 11:**

As a result of continued violence, many representatives, senators, governors, mayors, vice ministers, and an ambassador resigned, as well as Defense Minister, Javier Zavaleta

- Morales stated that a police official issued an arrest warrant against him and denounced violent trespassing in his home
- The police arrested Maria Eugenia Choque, President of the Supreme Electoral Court, and her Vice President with an arrest warrant from the State's Attorney

**Following days:**

Police arrested 36 other electoral officials across the country

The Armed Forces Commander announced that the police had been over-run, and that the military would carry out joint operations with them

- military troops surrounded government buildings and patrolled the streets

**1.4 Jeanine Áñez Took Office:<sup>19</sup>**



Jeanine Áñez holds up a Bible in the capital building after appointing herself president

**November 12:**

After the resignation of all officials in line for constitutional succession as president, Jeanine Áñez proclaimed herself president of the Senate, without the required quorum. Next, without the legally required quorum, Áñez appointed herself interim president of Bolivia:

- Article 169 (of the Constitution) states that the line of succession to replace the President is the Vice-President, the President of the Senate, then the President of the lower house of Congress
- new elections must be held within 90 days
- the election of a new Senate president requires a quorum of 19 of 36 senators, according to regulations
- regulations stipulate that the Senate president must be from the party with the majority of representatives (MAS)

Áñez entered the presidential residence and the head of security gave her the presidential sash and scepter

- discourses celebrating Áñez's presidency were overtly religious and anti-indigenous, provoking indignation from those that identify as indigenous, first nations, community members, and small-holding farmers
- hateful acts showing contempt for and rejection of indigenous identities, represented by the Wiphala flag, occurred
- high ranking new government officials stated that they would "hunt down" and "teach a lesson to" their opponents [MAS]

The Plurinational Constitutional Court (TPC) put out a press release stating that a 2001 Constitutional Declaration from 2001 on presidential succession still applied under the 2009 Constitution

**November 14:**

The Áñez administration signed Executive Order 4078, exempting members of the security forces from legal responsibility if they "acted to reestablish internal order and maintain stability"

- international and civil society organizations expressed concern about the decree
- the Interamerican Commission on Human Rights stated: "The Decree attempts to exonerate military personnel from legal responsibility during missions to reestablish order, in violation of international human rights standards and stimulating violent repression. The scope of the decree violates the state's responsibility to investigate, try, judge, and sanction human rights violations."

**November 24:**

Law 1266 invalidated the 2019 election results, convened new general elections, and replaced electoral officials

**November 28:**

The Áñez administration repealed Decree 4078

- massacres by the Armed Forces and police, in Sacaba (November 15) and Senkata (November 19), incidents provoking the most casualties, occurred before this repeal

\*Estelle Shaya translated and summarized this document in coordination with Carolina Gálvez and Kathryn Ledebur.

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