



Plenary sitting

B9-0247/2021

27.4.2021

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on Bolivia and the arrest of former President Jeanine Añez and other officials (2021/2646(RSP))

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on behalf of the S&D Group

B9-0247/2021

European Parliament resolution on Bolivia and the arrest of former President Jeanine Añez and other officials (2021/2646(RSP))

The European Parliament,

- having regard to its previous resolutions on Bolivia,
- having regard to the statement by the EEAS Spokesperson of 14 March 2021 on the latest developments in Bolivia,
- having regard to the statements by the HR/VP Spokesperson of 10 August 2020 on the electoral preparations in Bolivia, of 23 October 2020 on the general elections in Bolivia,
- having regard to the statement of 13 March 2021 by the UN Secretary-General’s spokesperson on Bolivia,
- having regard to the report by the UN High Commissioner for Human Rights of 24 August 2020 on how The Human Rights Situation in the Aftermath of the 20 October 2019 General Elections in Bolivia,
- having regard to the statement by the Inter-American Commission on Human Rights (IACHR) of 16 March 2021 on “IACHR Urges Bolivia to Respect Inter-American Standards for Due Process and Access to Justice and Stresses the Country's Obligation to Investigate and Punish Anyone Responsible for Human Rights Violations Committed in the Context of the 2019 Electoral and Institutional Crisis, and to Ensure Comprehensive Reparations for Victims and their Families”,
- having regard to the Statements from the Organisation of American States (OAS) General Secretariat of 15 and 17 March 2021 on the situation in Bolivia,
- having regard to the European Union Guidelines on Human Rights Defenders and on Freedom of Expression,
- having regard to the International Covenant on Political and Civil Rights and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, of which Bolivia is party,
- having regard to the Universal Declaration of Human Rights,
- having regard to Rules 144 of its Rules of Procedure,

A. Whereas the political and social situation in Bolivia remains delicate, since the presidential elections of 20 October 2019,

B. Whereas at least 35 people died and 833 were injured in the context of the protests that began in October 2019 and many others were detained in breach of the rules of due process, amid reports of widespread human rights violations and abuses; whereas these human rights violations have not been adequately investigated, prosecuted or punished, allowing impunity for them to persist; whereas, under the auspices of the Inter-American Commission on Human Rights, the Interdisciplinary Group of Independent Experts for Bolivia (GIEI) began its investigations in Bolivia at the end of November 2020, rekindling the hope of justice, truth and reparation for the victims of human rights violations;

C. Whereas in November 2019 Bolivia's interim government filed a criminal complaint with prosecutors, seeking the maximum penalty for the former President Evo Morales of terrorism and sedition over his alleged role in fomenting unrest in the country;

D. Whereas in March 2021 arrest warrants have been issued and enforced by the national prosecution against former President Áñez, ministers of her interim government and other individuals who made up the interim government in 2019–2020, for crimes including sedition, terrorism, and conspiracy, in the context of a legal case known as "Coup d'état"; whereas on 18 February 2021, Supreme Decree 4461 was approved granting an amnesty or pardon to supporters of the government of President Arce who were detained for alleged crimes committed during the political crisis that started in October 2019;

E. whereas the EU has played an important role as facilitator in the pacification in 2019 and 2020 and in support of fair elections

1. Calls for a solution within a framework of transparent justice and without political pressure for the accusations for the events of 2019, including the latest detention of ex-interim President Jeanine Anez; calls for full respect of her rights during detention, including medical care;

2. Calls for full respect of the independence of power branches and that political differences are addressed through dialogue and reconciliation in order to preserve democracy, the rule of law and the respect of human rights;

3. Celebrates that the elections held on 18 October 2020 were held without incidents and with full democratic guarantees. Highlights the clear electoral victory of Luis Arce and the Movimiento al Socialismo party.

4. Expresses concern at the dire social and political situation, which has been unfolding and worsening in Bolivia since 2019 and deeply deplores the tragedy that has befallen all victims of the unrest in Bolivia, from all sides; underlines the critical need to uphold the entirely lawful pluriethnic and plurilingual state; calls on the Plurinational State of Bolivia to undertake structural changes and reforms to address the root causes of the crises that we have seen flare up in the country;

5. Calls on the Bolivian Government to urgently and diligently investigate, prosecute, and punish anyone responsible for the violence and serious human rights violations committed in the context of the crisis, and to ensure reparations for victims; stresses the importance of drawing up a plan to immediately assist victims of human rights violations and their families, and to provide comprehensive reparations for them; is deeply concerned that, to date, not a single person has been held accountable for the deaths in Sacaba and Senkata nor for the

majority of the killings that happened in 2019; stresses that failure to act will deepen divisions, aggravating current tensions and undermining public trust in State institutions;

6. Stresses that the independence of institutions and division of powers is essential to ensure due process, and notes that the lack of independence affects access to justice and more generally diminishes citizens' trust in the national justice system; calls in this respect on the government of Bolivia to take any measures necessary to continue to uphold the rule of law and ensure the independence and impartiality of the country's justice system, guaranteeing victims' access to justice and on the need for timely and adequate reparations;

7. Stresses that all judicial proceedings must be conducted in full respect with the principle of due process in line with international law and ensuring judicial guarantees, judicial protection and access to justice, in the context of an independent and impartial justice system that is free from interference by other State institutions;

8. Is concerned about the increase in the past years in violent and inflammatory language, as well as verbal and physical violence directed against journalists, human rights defenders and indigenous people, reflecting deeply entrenched racism; strongly condemns all acts of racism and denigration, considers them severe human rights violations, and asks for their swift and full clarification with a view to the prosecution and punishment of all material and individuals responsible; underlines that freedom of the press is an essential element of stability;

9. Commends and supports the work of the U|N mission), working under the auspices of Inter-American Commission on Human Rights (IACHR) and demand the re-establishment of Office of the United Nations High Commissioner for Human Rights and of the Interdisciplinary Group of Independent Experts for Bolivia (GIEI);

10. Commends the successful holding of the subnational elections in 2021 and acknowledges the EU support to the 2020 presidential election with an Experts Electoral Mission and the EU positive role as facilitators in the pacification in 2019 and 2020.

11. Calls on the EEAS and Member States to increase their support for dialogue and structural change to address the profound causes of human rights violations in the country and to ensure non-recurrence, of politically and institutionally motivated violence in Bolivia, by supporting the urgent launch a national dialogue and reconciliation process, with the aim of defusing the tension and hostilities that are latent within Bolivian society, to ensure full respect for the human rights of all people;

12. Calls on the EEAS and Member States to increase their protection and support for environmental and human rights defenders in Bolivia; calls on the EU Delegation to fully implement the EU Guidelines on human rights defenders and offer support to civil society and access to protection of people at risk of persecution;

13. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the government and Parliament of Bolivia, and the Euro-Latin American Parliamentary Assembly.

