

## **Background- Bolivia<sup>1</sup>**

Bolivia is a South American country that has struggled for more than a century due to an economy based primarily on extracting minerals and gas, devastating defeats in three wars, and a chaotic series of dictatorships that tortured and disappeared their opponents. Bolivia returned to democracy in 1981 but never fully rejected the former dictatorships, reelecting former dictator Hugo Banzer as president in 1997. In 2005, Bolivia elected a left wing, populist and indigenous president, Evo Morales, but, although initially popular, his regime has been marred by continued repression and a recent corruption scandal.

Once the heart of empires, Bolivia has struggled following independence in 1809 due to its dependence on mining and ill-conceived wars against its neighbors. Beginning in the 7th century, Bolivia was successively part of the Tiwanaku empire, the Inca empire, and the Spanish empire. The Incans sent Quechua Indians to colonize what was previously a primarily Aymara Indian area, while the Spanish forcibly conscripted Indians to perform backbreaking work in the massive silver mines located at the city of Potosí. In the 1780s, Bolivians participated in the Peruvian-based rebellion lead by the Incan and Spanish noble Túpac Amaru II but the Spanish quickly suppressed the rebellion and tortured Amaru to death. However, in 1809, Bolivians again joined with their neighbors to fight for independence from Spain, this time successfully. In 1825, with the support of its namesake, Venezuelan revolutionary Simón Bolívar, Bolivia rejected territorial bids by Peru and Argentina to become its own independent country, extending from South America's central highlands to the Pacific. Unfortunately, mining had ground to a halt during the war and Bolivia lacked adequate native food production to feed its population. Bolivia's leaders embarked on a series of botched military take-overs of neighboring countries. In the 1830s, Bolivia took over Peru but Peruvians successfully rebelled with Chile's support. In 1879, Bolivia enlisted Peru's support to levy taxes on Chilean companies extracting nitrate in disputed regions of the Pacific coast. Bolivia lost the resulting "War of the Pacific" and, with it, Bolivia's entire nitrate-rich Pacific coast. Despite this loss, Bolivia's economy rebounded thanks to increased demands for silver and tin and the 1880s to 1920s were comparatively prosperous and stable. However, personality clashes among the elites and falling tin markets lead to a series of coups in the 1920s, culminating in the 1930 appointment of landowner Daniel Salamanca to the presidency. Salamanca promptly began a war with Paraguay over their shared Chaco region, resulting in the loss of all of Bolivia's territory in Chaco and the death of 57,000 Bolivians.

The "Chaco War" touched off what would ultimately be almost five decade of short lived governments and military dictatorships, lasting from 1936 to 1981. In 1936, embittered veterans of the Chaco War staged a socialist military coup, blaming the war on established political and business elites. Opponents quickly formed competing fascist and communist groups that

---

<sup>1</sup> Caitlin Hunter, *Author, Foreign and International Law Librarian at Loyola Law School*; Erin Gonzalez, *Chief IACHR Editor*; Cesare Romano, *Faculty Advisor*.

jockeyed for power throughout the 1940s. Increasingly, these power struggles incorporated the poor, largely Indian miners and peasants who had previously been shut out of politics. From 1952 to 1964, in what was dubbed the Bolivian National Revolution, the government extended universal suffrage, nationalized the mines, and gave Indians land and arms. However, violent seizures of power continued and, in the late 1960s, a series of left and right wing coups ended in the rise to power of right-wing dictator Colonel Hugo Banzer Suárez. Banzer oversaw improvements in the economy but was notably brutal in suppressing worker movements, using troops to take over the mines and using police to torture and kill opponents. His regime's victims included 21 year old philosophy student José Carlos Trujillo Oroza, lawyer José Luis Ibsen Peña, and Ibsen's son Rainier Ibsen Cárdenas, all of whom were tortured and then disappeared.<sup>2</sup>

In 1978, Banzer stepped down facing a coup and a flurry of regime changes followed, during which Bolivia ratified the American Convention on Human Rights and elected its first female president. By 1980, however, Bolivia was again under military rule, this time lead by General Luis García Meza, whose regime was noted for murder, torture, cocaine trafficking, and the recruitment of ex-Nazis. Victims of his regime included Renato Ticona Estrada and Hugo Ticona Estrada, two brothers who were arrested and tortured by a military patrol while travelling to visit their sick grandfather. Hugo was held for three months and Renato never returned.<sup>3</sup> García Meza was forced to step down in 1981, enabling Bolivia to finally return to democracy.

Since 1982, Bolivia has remained a democracy but it has never fully dealt with its legacy of dictatorship. In 1982, Bolivia formed the National Commission for Investigation to investigate human rights abuses during the dictatorships and, in 1983, the Commission discovered the bodies of fourteen Banzer regime victims, including Ibsen Cárdenas. However, in 1985, the Commission was dissolved and the bodies were interred without further investigation. On July 27, 1993, Bolivia recognized the competence of the Inter-American Court of Human Rights and the Ibsen Cárdenas' family subsequently spent most of the 2000s litigating before the Inter-American Court and Bolivian courts to obtain the formal identification and return of Ibsen Cárdenas' remains and the investigation of his death. In the meantime, Banzer's NDR party was democratically elected in 1985 and Banzer himself was democratically elected president from 1997 to 2001. Banzer did not return to the level of brutality he had displayed as dictator but neither did he support human rights and, during his presidency, various human rights violations continued. In 2000, the mayor of La Paz spent six months in pre-trial detention before being found not guilty of corruption charges.<sup>4</sup> Also in 2000, a government hospital involuntarily

---

<sup>2</sup> Trujillo Oroza v. Bolivia, Merits, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 64, (Jan. 26, 2000), <https://iachr.ils.edu/cases/trujillo-oroza-v-bolivia>; Ibsen Cárdenas and Ibsen Peña v. Bolivia, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 217 (Sept. 1, 2010), <https://iachr.ils.edu/cases/ibsen-c%C3%A1rdenas-and-ibsen-pe%C3%B1a-v-bolivia>.

<sup>3</sup> Ticona Estrada v. Bolivia, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 191 (Nov. 27, 2008), <https://iachr.ils.edu/cases/ticona-estrada-et-al-v-bolivia>.

<sup>4</sup> Andrade Salmón v. Bolivia, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C.) No. 272 (Dec. 1, 2016), <https://iachr.ils.edu/cases/andrade-salm%C3%B3n-v-bolivia>.

sterilized a Peruvian refugee.<sup>5</sup> In 2001, Bolivia illegally expelled a family of Peruvian refugees back to Peru.<sup>6</sup> Conservative governments also inspired widespread resentment as they imposed austerity measures to control Bolivia's hyperinflation and took aggressive steps to curb cocaine trafficking, which had grown to epidemic proportions under García Meza. Resentment was particularly strong among indigenous coca growers who had grown and used coca since Incan times and relied on it for income. Beginning in 2003, opponents of the governments' economic policies took to the streets in massive protests and the police and military responded harshly, killing dozens of protestors. Two successive conservative presidencies collapsed and, in 2006, voters elected President Evo Morales, a coca union leader and the first Bolivian president to self-identify as indigenous.

Since 2006, President Evo Morales has been an initially popular but increasingly controversial figure, thanks to his leftist economic policies, support for coca growers, and growing reputation for repression and corruption. Morales re-nationalized the energy and mining industries and sued Chile in the International Court of Justice, demanding the return of the land Bolivia lost during the War of the Pacific. He also successfully decreased cocaine production while defending indigenous peoples' right to grow coca for tea and chewing, including expelling U.S. Drug Enforcement Administration agents from Bolivia and briefly leaving the U.N. anti-drug convention.<sup>7</sup> Outraged voters in conservative provinces made symbolic votes for regional autonomy and successfully demanded a recall election. However, with the economy booming and wide support from the indigenous community, Morales easily won the recall election and was elected to second and third terms.

By 2015, however, Bolivia's economy had been hit hard by falling natural gas prices and even Morales' supporters were disillusioned by his repressive tactics and corruption scandals. Despite Morales' efforts to improve conditions in indigenous communities, indigenous people remain disproportionately impoverished and money intended to help indigenous communities has been embezzled for political campaigns. Police and the military attack indigenous and labor protestors, torture criminal suspects, and harass journalists who criticize the government. For their part, labor protestors have become increasingly aggressive, in one case beating to death a government official sent to negotiate with them. The overburdened, corrupt judicial system has prompted frustrated mobs to take matters into their own hands and lynch suspected thieves.<sup>8</sup> In

---

<sup>5</sup> *I.V. v. Bolivia*, Preliminary Objections, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 336 (Nov. 30, 2016), <https://iachr.ils.edu/cases/iv-v-bolivia>.

<sup>6</sup> *Pacheco Tineo Family v. Bolivia*, Preliminary Objections, Merits, Reparations, and Costs, Inter-Am. Ct. H.R. (ser. C) No. 272 (Nov. 25, 2013), <https://iachr.ils.edu/cases/pacheco-tineo-family-v-bolivia>.

<sup>7</sup> *How Bolivia Fights the Drug Scourge*, N.Y. TIMES (Sept. 14, 2016), <http://www.nytimes.com/2016/09/14/opinion/how-bolivia-fights-the-drug-scurge.html>; William Neuman, *Bolivia: Morales Wins Victory as U.N. Agrees to Define Some Coca Use as Legal*, N.Y. TIMES (Jan. 11, 2013), <http://www.nytimes.com/2013/01/12/world/americas/bolivia-morales-wins-victory-as-un-agrees-to-define-some-coca-use-as-legal.html>.

<sup>8</sup> *Country Reports on Human Rights Practices for 2015: Bolivia*, U.S. DEPARTMENT OF STATE (2015), <http://www.state.gov/j/drl/rls/hrrpt/2015/wha/252993.htm>.

February 2016, voters rejected Morales' bid to amend the Constitution to enable him to run for a fourth term, amid allegations that Morales' ex-girlfriend, Gabriela Zapata, had secured hundreds of millions of government contracts for Chinese companies and secretly given birth to Morales' child.<sup>9</sup> In 2017, Zapata was sentenced to ten years in prison for improper use of government funds, following a dramatic trial in which she presented a child in court who she said was Morales' son but who Morales said was an imposter.<sup>10</sup> Morales' term ends in 2019 but it remains to be seen if he will truly leave office. Despite voters' refusal to authorize a fourth term, he has announced that he will run for one anyway and has filed a lawsuit before Bolivia's Plurinational Constitutional Tribunal alleging that Bolivia's term limits violate the American Convention on Human Rights.<sup>11</sup>

### More information

Additional background was provided by the sources below.

For historical background, see the [Encyclopedia Britannica](#) and [BBC Country Profiles](#).

For an overview of the current human rights situation, see the [U.S. Department of State's 2017 Human Rights Report](#).

For information about human rights, including all relevant treaties and legal documents, see [Office of the High Commissioner for Human Rights](#).

---

<sup>9</sup> Nicholas Casey, *Bolivia's President, Evo Morales, Faces Setback in Bid for Fourth Term*, N.Y. TIMES (Feb. 24, 2016), <http://www.nytimes.com/2016/02/24/world/americas/a-setback-for-bolivias-leader.html>; Dan Collyns, *Sex, Lies and Paternity Claims: Bolivia's President Reels Amid Tumultuous Scandal*, THE GUARDIAN (June 24, 2016), <https://www.theguardian.com/world/2016/jun/24/bolivia-evo-morales-press-freedom-gabriela-zapata-child>; *Evo Morales's Estranged Son 'To Talk to Media'*, BBC (March 2, 2016), <http://www.bbc.com/news/world-latin-america-35705714>.

<sup>10</sup> Nicholas Casey, *Bolivia Tells President His Time Is Up. He Isn't Listening*, N.Y. TIMES (Jan. 28, 2018), <https://www.nytimes.com/2018/01/28/world/americas/bolivia-evo-morales-elections.html>; *Bolivian Leader Morales' Estranged Son 'Does Not Exist'*, BBC (May 17, 2016), <http://www.bbc.com/news/world-latin-america-36310935>; *The Worst Boyfriend in Bolivia*, N.Y. TIMES (May 25, 2016), <http://www.nytimes.com/2016/05/26/opinion/the-worst-boyfriend-in-bolivia.html>; Helen T. Verongos, *Review: 'A Moment of Silence' Follows the Evo Morales Era in Bolivia*, N.Y. TIMES (May 19, 2016), <http://www.nytimes.com/2016/05/20/movies/a-moment-of-silence-review.html>.

<sup>11</sup> Casey, *supra* note 10; José Miguel Vivanco and Juan Pappier, *The Hypocrisy of Evo Morales*, N.Y. TIMES (Nov. 20, 2017), <https://www.nytimes.com/2017/11/20/opinion/eva-morales-bolivia.html>; *In Bolivia, an Entrenched President*, N.Y. TIMES (Jan. 11, 2017), <https://www.nytimes.com/2017/01/11/opinion/in-bolivia-an-entrenched-president.html>.