

**Alternative Joint Report to the Human Rights Committee on the
compliance with the International Covenant on Civil and Political Rights**

Plurinational State of Bolivia*

Submitted by:

unitas
**Unión Nacional de Instituciones
para el Trabajo de Acción Social**



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* This report is presented in Spanish (original): 9,232 words, and English: 8,495 words.

A. Organizations submitting the alternative report

1. **The UNITAS** Network is a non-profit civil association established in Bolivia in 1976. The association is currently composed of 22 member institutions that are present in the poorest rural and urban areas of the country. Its objective is to contribute to the creation of alternative proposals for development and social change towards a democratic, supportive, equitable and just society with full guarantee of human rights.¹
2. **Derechos en Acción** is a non-profit civil society association that promotes compliance with international human rights standards in Bolivia; the association was established in Bolivia in 2013.²

B. Methodology

3. The two organizations present this joint alternative report with specific comments on the fourth periodic report (CCPR/C/BOL/4) submitted by the Plurinational State of Bolivia (hereinafter "the State", "the State party" or "Bolivia") to the Human Rights Committee (hereinafter the "Committee" or the "HRCtte") on 13 December 2018.
4. Our observations refer both to the information provided by the State party on the implementation of the recommendations contained in the Concluding Observations of 2013 (CCPR/C/BOL/CO/3) and to Bolivia's progress in complying with its obligations under the International Covenant on Civil and Political Rights (hereinafter, the "Covenant" or "ICCPR"). We are not focusing on all aspects of the Covenant, but on those that form part of our ordinary working agenda, or on some other major issues.
5. In addition to presenting our comments on the State report, we suggest a series of questions that the Committee might address to the State party when presenting the list of issues, as well as a series of recommendations that we consider relevant to be included in the Concluding Observations resulting from the consideration of the fourth report of Bolivia.

C. General comments on the kind of information contained in the fourth State report (CCPR/C/BOL/4)

6. We welcome the fact that the Bolivian State has submitted its fourth periodic report to the CHR only one month after the deadline, as compared to the delay in the case of other reports to treaty bodies. However, the State has not rigorously followed the guidelines set out in document CCPR/C/2009/1, so the information contained in the fourth report is incomplete and does not allow the Committee to adequately assess Bolivia's compliance with ICCPR.

¹ www.redunitas.org - Adjuntamos copia de la Resolución No. 182489 de 9 de noviembre de 1976, que reconoce la personalidad jurídica de **UNITAS**. Véase el **Anexo 1**.

² www.derechosenaccion.org - Adjuntamos copia de la Resolución No. 1198/2013 de 21 de octubre de 2013, que reconoce la personalidad jurídica de **Derechos en Acción**. Véase el **Anexo 2**.

7. For instance, the guidelines in paragraph 19 (a) and (c) of CCPR/C/2009/1 have been virtually ignored. On the one hand, the State has not reported on many of the recommendations made by the Committee in its 2013 concluding observations. Instead, it merely cites legislation³ or mentions any other subject that is not included in those recommendations. Furthermore, instead of providing the HRCttee with an update on progress made in relation to the rights enshrined in the Covenant, the State party refers to the information it submitted eight years ago, in 2011, when it submitted its third periodic report. Finally, Bolivia has set aside very sensitive issues on which the Committee should insist that the State party address them in its response to the LOI and at the constructive dialogue.

D. Comments by article

Article 2

a. State information regarding the implementation of the recommendation in paragraph 5 (mechanisms for implementing the Committee's views) of the Concluding Observations CCPR/C/BOL/CO/3

8. The State party does not report on the implementation of this recommendation, which has not been implemented. It is important for the State party to create the necessary mechanisms to allow for the implementation of the Committee's views because, since 2017, this treaty body has again in three communications adopted decisions on Bolivia: CCPR/C/120/D/2491/2014, CCPR/C/122/D/2628/2015 and CCPR/C/122/D/2629/2015. A fourth communication is pending before the HRCttee (communication 3211, Madeleine Alicia Rodríguez).
9. The Committee should be aware that Bolivian petitioners have resorted to the communications procedure of United Nations treaty bodies after several decades,⁴ refraining from resorting exclusively to the Inter-American human rights system. It is therefore crucial that the State party establishes the necessary and appropriate mechanisms to ensure that the Committee's views are duly implemented.
10. At present, because of the lack of such mechanisms, the two decisions issued by the Committee in 2018 have not been complied with and the actors have not been granted reparation. In addition, the *Procurador General del Estado* (Attorney General) has explicitly stated that "[t]he views (of the Human Rights Committee) are not legally binding, since they are not judgments."⁵

³ En oposición a lo que establece el documento CCPR/C/2009/1, párrafo 26.

⁴ En los años ochenta y noventa del siglo pasado, el HRCttee solamente tramitó las comunicaciones CCPR/C/31/D/176/1984 y CCPR/C/43/D/336/1988.

⁵ "Menacho afirma que se cumplió fallo de la ONU en favor de Delgado, ésta le pide pruebas". URGENTEBO, 18 de abril de 2019, disponible en: <https://www.urgentebo.com/noticia/menacho-afirma-que-se-cumpli%C3%B3-fallo-de-la-onu-en-favor-de-delgado-esta-le-pide-pruebas> y "Delgado y Maldonado refutan a Procurador: Son vinculantes los dictámenes de la ONU". Los Tiempos, 18 de abril de 2019, disponible en: <http://www.lostiempos.com/actualidad/pais/20190418/delgado-maldonado-refutan-procurador-son-vinculantes-dictamenes-onu> Véase el Anexo 3.

b. Information from the State on the compliance with its obligations under ICCPR's article 2 (2) and (3) (paragraph 14 of CCPR/C/BOL/4)

11. The State has not submitted any updated information, but simply refers to the information it submitted to the HRCtte in September 2011, when it submitted its third periodic report.

c. Issues or questions that could be incorporated into the LOI

12. What is the Bolivian State's legal basis for determining that the Committee's views are not legally binding on States parties to the First Optional Protocol to the International Covenant on Civil and Political Rights?

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

13. Within the framework of General Comment No. 33 (paragraphs 14 and 15), the Committee might reiterate to the Bolivian State its duty to establish, as soon as possible, a mechanism for the effective implementation of the HRCtte's views.

Article 3

a. State information regarding the implementation of the recommendation in paragraph 8 (harassment and political violence against women) of the Concluding Observations CCPR/C/BOL/CO/3

14. In paragraphs 113 - 117 of CCPR/C/BOL/4, the State party reports on the implementation of the Human Rights Committee's observation contained in paragraph 8 of that document, but it does not provide information on one of the Committee's most important concerns: *"The Committee encourages the State party to take practical steps on an urgent basis to issue implementing regulations for the new Act on Political Harassment and Violence against Women so as to ensure that the perpetrators of political harassment and murders of women are investigated, tried and punished in an appropriate manner and that victims are properly protected"*.

b. Information from the State on the compliance with its obligations under ICCPR's article 3

15. It is necessary to inform the Committee that although Decree 2935 regulating Law 243 (on harassment and political violence against women) has already entered into force, it took four years for it to be adopted. In those four years, allegations of political harassment and violence were not investigated and prosecuted in a timely manner, nor did the State respond adequately to the critical situation of women leaders.
16. The murder of the Councillor of the Municipality of Ancoraimas, Juana Quispe Apaza, in 2012, gave rise to strong social pressure that led to the adoption of Law 243. Even so, the current normative framework aimed at fighting violence against women is nothing more than a set of norms that only express the "good will of the State". To date, the perpetrators of the Counsellor's murder

remain unpunished, as no sentence has been handed down in the case. That is seven years of impunity.

17. In the context of harassment and political violence against female social leaders or female authorities, no convictions have been issued to respond to the structural problems faced by women who enter public life and seek to exercise their political rights in conditions of equality and security. On 3 July 2019, an MP from the ruling party publicly stated:

Of all complaints filed in the ordinary courts for harassment and political violence in seven years, there is not a single sentence. We still have obstacles regarding women's political activity, for example, late payment of salaries to women Councillors.⁶

18. In this regard, in 2018 one of the organizations presenting this joint alternative report (UNITAS) requested a hearing to the Inter-American Commission on Human Rights (IACHR) to draw the attention of the regional system on the impunity problem that exists in Bolivia with regard to harassment and political violence against women. For further information, the thematic hearing is available to the Committee at: <https://www.youtube.com/watch?v=FTvWb2BQdoA&t=231s>⁷

c. Issues or questions that could be incorporated into the LOI

19. What are the fundamental measures, beyond the mere adoption of legislation, that the Bolivian State will take to ensure that women victims of harassment and political violence have access to a prompt and secure justice?

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

20. Urge the Bolivian State to comply with the corresponding recommendation of the 2013 Concluding Observations --beyond the implementation of the regulations of Law 243-- so that those responsible for murders and political harassment are duly investigated, prosecuted and punished and the victims effectively protected and granted reparation.

Article 4

a. State information regarding the implementation of the recommendation in paragraph 6 (adopt legislation on state of emergency) of the Concluding Observations CCPR/C/BOL/CO/3

⁶ "En 7 años de la ley, no hay sentencias por acoso político". Página Siete, 3 de julio de 2019, disponible en: https://www.paginasiete.bo/nacional/2019/7/3/en-anos-de-la-ley-no-hay-sentencias-por-acoso-politico-222925.html?fbclid=IwAR0hAi7qpNqI_h_JNZrtOeFGYiO0zpPZ3_Isf1KC08vw2oEY-NZxjXjJSos Véase el Anexo 4.

⁷ Canal de la Comisión Interamericana de Derechos Humanos, 169° Período de Sesiones. Audiencia "Bolivia: Violencia contra lideresas sociales".

21. The State party does not report to the HRCtte on the implementation of this recommendation. The State party has not complied with the recommendation, since in Bolivia there is not a law that enforces ICCPR's article 4 (or articles 137 - 140 of the Constitution⁸).

b. Information from the State on the compliance with its obligations under ICCPR's article 4 (paragraph 14 of CCPR/C/BOL/4)

22. The State party has not submitted any new information in this regard, it simply refers to the one it submitted to the Committee eight years ago. Accordingly, the State party fails to comply with the Committee General Comment No. 29, which states: "... *States parties to the Covenant should include in their reports submitted under article 40 sufficient and precise information about their law and practice in the field of emergency powers*" (paragraph 2).

c. Issues or questions that could be incorporated into the LOI

23. Why has the Legislative Assembly not adopted a law compatible with article 4 of ICCPR?

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

24. Reiterate to the Bolivian State the corresponding recommendation formulated in the 2013 Concluding Observations.

Article 13 (in connection with Arts. 14 and 21)

a. State information regarding the implementation of recommendations on ICCPR's article 13 formulated in the Concluding Observations CCPR/C/BOL/CO/3

25. In its 2013 Concluding Observations, the Committee has made no recommendations on article 13.

b. Information from the State on the compliance with its obligations under ICCPR's article 13 (paragraphs 50-54 of CCPR/C/BOL/4)

26. In its fourth periodic report, Bolivia states that "*[Migration] Act No. 370 establishes the concept of mandatory departure, which may be ordered subject to an administrative hearing under the supervision of the General Directorate of Migration*" (paragraph 50).

27. Furthermore, in its third periodic report to the **Committee on the Protection of the Rights of All Migrant Workers and Members of their Families** (CMW/C/BOL/3) of 29 November 2018, Bolivia states that

... the Migration Act [No. 370] does not provide for collective expulsions; on the contrary, when it comes to obligatory departure, each case is examined and assessed individually, with due regard for the relevant

⁸ Estos artículos corresponden a las normas constitucionales sobre estados de excepción. Véase: https://www.oas.org/dil/esp/Constitucion_Bolivia.pdf

constitutional guarantees, once the relevant administrative procedure has been carried out by the General Directorate of Migration.⁹

28. In this regard, we inform the HRCtte that, on 17 March 2019, the Ministry of the Interior carried out a migratory operation in a shelter in the city of La Paz where it detained 14 Venezuelan citizens. Six of those 14 people were placed on the border with Peru on the same day, without having been subjected to administrative or judicial proceedings. The Ministry of the Interior justified that action by stating that the affected individuals

confessed to being involved in conspiracy actions and participating in political activities that affect public order, in exchange for money.

Faced with this irregular migration and their conspiracy actions, six Venezuelans were forced to leave the country...¹⁰

29. The alleged "conspiracy and political actions" referred to by the Bolivian government was the peaceful protest of some thirty Venezuelan and Bolivian citizens, three days before the migration operation took place, in front of the Cuban embassy in La Paz, in which they criticized the president of Venezuela and asked Cuba to stop supporting Nicolas Maduro's regime.¹¹

30. In addition to the fact that no proceedings were carried out prior to the expulsion of the six Venezuelan citizens, which is mandatory under article 37 (1) of Law 370,¹² it should be noted that on 5 January 2001, through constitutional sentence 4/2001, the Constitutional Court of Bolivia had established that

... every person can freely express his or her ideas, opinions and points of view by any means of oral or written dissemination, for the same reason he or she can refer critically to a certain situation that forms part of the internal politics of the country, or in his or her case, express a critical thought on the politics of the government of his or her country of origin, a fact that cannot and should not constitute a reason for the expulsion of the foreign citizen, even more without subjecting him or her to a previous due process of law.¹³

31. Likewise, constitutional judgment 37/2007-R of 31 January 2007, referring to the arbitrary expulsion of a Cuban citizen from Bolivia, establishes:

based on judgment 0004/2001 of 5 January declaring unconstitutional certain provisions of (DS 24423), which allowed the expulsion of foreign citizens for participating in the internal political affairs of the country, with no prior proceedings...

⁹ Tercer informe periódico del Estado Plurinacional de Bolivia en virtud del artículo 73 de la Convención. CMW/C/BOL/3, 28 de enero de 2019, párrafo 78.

¹⁰ Comunicado del Ministerio de Gobierno, 17 de marzo de 2019, disponible en: <http://www.mingobierno.gob.bo/index.php?r=content%2Fdetail&id=572&chnid=11> Véase el Anexo 5.

¹¹ "Venezolanos en La Paz salen a protestar contra Maduro y Cuba". Página Siete, 14 de marzo de 2019, en: <https://www.paginasiete.bo/planeta/2019/3/14/venezolanos-en-la-paz-salen-protestar-contra-maduro-cuba-211934.html> Véase el Anexo 6.

¹² Ley 370, artículo 37 (1). La Dirección General de Migración, previa sustanciación de un proceso administrativo resolverá la expulsión de la persona migrante extranjera del territorio nacional. Véase el Anexo 7.

¹³ Tribunal Constitucional de Bolivia. Sentencia constitucional 4/2001 de 5 de enero de 2001. Véase el Anexo 8 (el texto completo de la sentencia está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

... given the binding nature of constitutional decisions, the rationale of the constitutional judgment [0004/2001] must be observed by judicial and administrative authorities when applying other provisions dealing with the same legal problem that has already been the subject of a constitutional judgment of this Court...

This implies that the ground for expulsion based on the intervention of foreigners in internal politics, contained in Supreme Decree (24423), and without prior proceedings, cannot serve as the basis for issuing a resolution, either by SENAMIG authorities or by the Ministry of the Interior (...) which implies that the rationale of Constitutional Sentence 0004/2001 must be observed in the decision making of judicial and administrative authorities in charge of resolving the aforementioned problem, who, consequently, cannot base their resolutions of expulsion of foreigners on that ground, since it breaches constitutional provisions.¹⁴

32. In conclusion, despite the fact that the Bolivian Constitutional Court declared in 2001 and 2007 that the expulsion of foreigners for exercising freedom of expression on political issues (with regard to Bolivia or a third State) was unconstitutional, in March 2019 the Bolivian government expelled six Venezuelan citizens solely for having participated in a peaceful protest against the Venezuelan government. The expulsion of these six people was not preceded by administrative or judicial proceedings.

c. Issues or questions that could be incorporated into the LOI

33. Request Bolivia to inform on the expulsion, without due process, of six Venezuelan citizens for conducting a peaceful political protest on 17 March 2019.
34. Request the State party to indicate which judgement of the Constitutional Court has replaced the jurisprudence developed by judgements 4/2001 of 2001 and 37/2007-R of 2007.

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

35. Recommend that the Bolivian State refrain from expelling foreign citizens for exercising their rights to freedom of expression and peaceful assembly, and from expelling any foreign citizen without a prior fair trial.

Article 14

a. State information regarding the implementation of the recommendation in paragraph 22 (judicial independence) of the Concluding Observations CCPR/C/BOL/CO/3

36. In its fourth report, the State party dedicates five paragraphs (175-179) to the election of the High Courts of Justice members, as a way to guarantee judicial independence. The State mentions *inter alia* that

¹⁴ Tribunal Constitucional de Bolivia. Sentencia constitucional 37/2007-R de 31 de enero de 2007. Véase el Anexo 9 (el texto completo de la sentencia está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

175. ... the highest judicial authorities are appointed by election in order to guarantee the independence of the judiciary, enshrined in the Constitution, which is the guiding principle of system of justice administration. Bolivia has held two such elections to date, the first on 16 October 2011 and the second on 3 December 2017.

37. It should be noted that the Bolivian State shows this system of appointment of magistrates as a positive aspect, when, in fact, this system has proved to be inadequate. As mentioned by the State party, the first elections for magistrates were held in 2011 and the majority of voters disagreed with this appointment system. This was expressed in the election's results: blank and null votes prevailed over valid votes: 59.27 per cent against 40.72 per cent, respectively. The vast majority of elected magistrates did not get 10 per cent of the votes, many others only got 5 or 8 per cent.¹⁵ Another criticism to that first election was the final composition of the High Courts, made up of lawyers closely related to the ruling party.

38. A few years after that first electoral experience, the government itself stated publicly that

[President Evo Morales:] "I had a lot of hope and confidence in the authorities elected by the people's vote. I am very sorry to say: the elected authorities have not improved at all and I even feel that we have moved backwards on the issue of administration of justice...", Morales said in an exclusive interview with ACLO radio station.¹⁶

[Vice President Álvaro García Linera:] "Justice in Bolivia is rotten, if you have money, it is good for you; if you have time, it is good for you; if you have friends, it is good for you; if you have justice on your side, it is not good for you. What takes precedence over truth is friendship, money and pressure, it's a shame," said the national authority.¹⁷

[Minister of Justice Héctor Arce:] "We share the view of the President and Vice President that many Constitutional reforms in the field of justice have failed, among them the election of authorities..." declared the Prosecutor General and [current Minister of Justice].¹⁸

39. The second election of High Courts' members was held in 2017. Some corrective measures were taken,¹⁹ but they were insufficient to resolve the problem. Voters again disagreed with this type of

¹⁵ Órgano Electoral Plurinacional - Tribunal Supremo Electoral. Elección de autoridades del Órgano Judicial y del Tribunal Constitucional 2011 - Resultados Finales, disponible en:

https://www.oep.org.bo/wp-content/uploads/2017/03/separata_resultados_judiciales_2011.pdf

¹⁶ "Evo admite fracaso con la elección de magistrados y dice que la justicia retrocedió". Eju.TV, 30 de abril de 2015, disponible en: <http://eju.tv/2015/04/evo-admite-fracaso-con-la-eleccin-de-magistrados-y-dice-que-la-justicia-retrocedi/> **Véase el Anexo 10.**

¹⁷ "García Linera: 'la justicia en Bolivia está podrida'". Vicepresidencia de Bolivia. 27 de enero de 2016, disponible en: <https://www.vicepresidencia.gob.bo/Garcia-Linera-la-justicia-en-Bolivia-esta-podrida> **Véase el Anexo 11.**

¹⁸ "Arce: modelo para elegir autoridades judiciales fracasó". El País, 17 de octubre de 2015, disponible en: <http://www.elpaisonline.com/index.php/2013-01-15-14-16-26/sociedad/item/190777-arce-modelo-para-elegir-autoridades-judiciales-fracaso> **Véase el Anexo 12.**

¹⁹ Para esta última elección judicial hubo ciertos cambios en la fase de preselección de postulantes, principalmente se incluyó la participación de las universidades públicas y se asignó una puntuación a las hojas de vida y a la entrevista de los postulantes ante la Comisión Mixta de Constitución, lo que no impidió que una buena parte de los postulantes seleccionados sean, por un lado, personas identificadas como cercanas al gobierno y, por otro, que no sean los mejores juristas del país.

appointment system. On this second occasion the valid votes were only 34.02 percent,²⁰ while the null votes were 50.93 percent and the blank votes 14.93 percent.²¹

40. In conclusion, in Bolivia there is an open opposition to the election of magistrates of the High Courts of Justice. In this regard, it is important to remind that the Human Rights Committee was

23. ... concerned about the impact which the current system of election of judges may, in a few States, have on the implementation of the rights provided under article 14 of the Covenant and welcomes the efforts of a number of States in the adoption of a selection system based on merit....

(...)

36. The Committee recommends that the current system in a few States of appointment of judges through elections be reconsidered with a view to its replacement by a system of appointment on merit by an independent body.²²

b. Information from the State on the compliance with its obligations under ICCPR's article 14 (paragraphs 55-57 CCPR/C/BOL/4)

41. The organizations presenting this joint alternative report are convinced that there is a vast evidence that the Bolivian justice system suffers the greatest flaws. Other alternative reports will certainly provide complete and detailed information in this regard.

c. Issues or questions that could be incorporated into the LOI

42. Given that in the 2011 and 2017 elections to the Highest Courts of Justice, the valid votes were less than the null and blank votes, why does the Bolivian State maintain this system of appointment of magistrates?

43. How is meritocracy, professional competence and independence of judges who are elected by vote to the High Courts of Justice guaranteed?

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

44. Recommend the State party to consider replacing the current system of appointment of High Courts magistrates with a system that is not rejected by the population and that guarantees a selection process based on the merits, professional competence and independence of the applicants.

²⁰ "Elecciones judiciales: el voto nulo se consolidó con el 50,9%". Página Siete, 7 de diciembre de 2017, disponible en: <http://www.paginasiete.bo/nacional/2017/12/7/elecciones-judiciales-voto-nulo-consolid-509-162232.html> Véase el Anexo 13.

²¹ Entre votos nulos y blancos sumaron el 65,86 por ciento de los votos emitidos.

²² Comité de Derechos Humanos. Examen de los informes presentados por los estados partes de conformidad con el artículo 40 del Pacto. Observaciones del Comité de Derechos Humanos - Estados Unidos de América. CCPR/C/79/Add.50, de 7 de abril de 1995, párrafos 23 y 36.

Article 15

a. State information regarding the implementation of recommendations on ICCPR's article 15 formulated in the Concluding Observations CCPR/C/BOL/CO/3

45. In its 2013 Concluding Observations, the Committee did not formulate recommendations on article 15 of ICCPR.

b. Information from the State on the compliance with its obligations under ICCPR's article 15 (paragraphs 59-61 of CCPR/C/BOL/4)

46. In its fourth periodic report, the Bolivian State quotes partially article 123 of the Political Constitution (related to article 15 of ICCPR): "*law provides only for future events and cannot be applied retroactively, except in the sphere of employment, if retroactive application in favour of workers is expressly provided for, and in criminal matters, if retroactive application benefits the accused (...)*".

47. The State does not cite the final part of article 123 of the Constitution, which states: "*... benefits the accused; **in corruption matters to investigate, prosecute and punish crimes committed by public servants against the State's interests; and in the rest of the cases indicated by the Constitution***".

48. It is important that the Committee takes note that OHCHR has pointed out the following with respect to article 123 of the Bolivian Constitution: "*the main concern of OHCHR-Bolivia with regard to the Constitution refers to the retroactive application of criminal law in cases of corruption*".²³

49. In addition to article 123 of the Bolivian Constitution, the Anti-Corruption Law 4/2010²⁴ is another Bolivian norm that breaches article 15 of ICCPR. The First Final Provision of such law is associated to the final part of article 123 of the Constitution:

Acts of investigation and prosecution of permanent crimes of corruption and related crimes, established in article 25 paragraphs 2) and 3) of this Law, **must be enforced by the competent authorities within the framework of article 123 of the Political Constitution of the State.**

50. Since 2010, these two norms (article 23 of the Bolivian Constitution and Law 4/2010) have been used to prosecute opposition politicians and former government officers for alleged corruption charges, despite the fact that statute of limitation was applicable to those acts of corruption or those acts were not considered crimes before 2009.

51. In paragraphs 60 and 61 of its fourth report, the Bolivian State refers to constitutional rulings 1742/2013 and 0743/2014 in order to demonstrate that the principle of non-retroactivity of criminal

²³ OHCHR. Informe de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos sobre las actividades de su oficina en el Estado Plurinacional de Bolivia, 2009. A/HRC/13/26/Add.2, 18 de marzo de 2010, párrafo 4.

²⁴ Ley de Lucha contra la Corrupción, Enriquecimiento Ilícito e Investigación de Fortunas "Marcelo Quiroga Santa Cruz" de 31 de marzo de 2010. Véase el Anexo 14.

law is respected in Bolivia. Both examples, however, are not related at all to the retroactive application of criminal law in corruption cases.²⁵

c. Issues or questions that could be incorporated into the LOI

52. Is criminal law being applied retroactively in Bolivia to prosecute acts of corruption allegedly committed before 2009 or acts of corruption that are already statute-barred?
53. In light of article 15 of ICCPR, what is the legal basis for justifying the last part of article 123 of the Constitution that allows for the retroactive application of unfavorable criminal law "in corruption cases"?

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

54. Recommend that the Bolivian State bring article 123 of the Bolivian Constitution (in its final part) and the First Final Provision of Law 4/2010 (in its first part) into line with article 15 of ICCPR and with the human rights standards developed by the HRCtte.

Article 16

a. State information regarding the implementation of the recommendation in paragraph 24 (legal personality of NGOs under Law 351) of the Concluding Observations CCPR/C/BOL/CO/3

55. Paragraph 64 of the fourth report submitted by the State party states that, pursuant to article 298.II.14 and 15 of the Constitution, the regulatory framework for granting legal personality to social organizations, NGOs, foundations and non-profit civil entities operating in more than one department has been adopted. The State highlights the application of Law 351 (2013) and its regulatory Decree 1597 (2013), disregarding the recommendation made by the Committee (CCPR/C/BOL/CO/3, paragraph 24) to "*amend its legislation on the legal status of NGOs in such a way as to eliminate the requirements that place excessive restrictions on their ability to operate freely, independently and effectively.*"
56. On 16 December 2015, through ruling 106/2015,²⁶ the Constitutional Court declared the constitutionality of the above-mentioned provisions, even though various expert analyses concluded that Law 351 breaches both national and international law.

²⁵ En el primer ejemplo, la sentencia constitucional plurinacional 1742/2013 se relaciona con un caso de contrabando, no de corrupción. En el segundo, la sentencia constitucional plurinacional 0743/2014 se refiere a un caso de violencia doméstica, no de corrupción. Véase el Anexo 15 (el texto completo de las sentencias está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

²⁶ Tribunal Constitucional Plurinacional. Sentencia constitucional plurinacional 106/2015 de 16 de diciembre de 2015. Véase el Anexo 16 (el texto completo de la sentencia está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

57. The abovementioned judgement ruled on the unconstitutionality motion filed by the Defensoría del Pueblo de Bolivia (the national human rights institution) in 2014, which challenged the constitutionality of articles 7 (II) of Law 351 and 19 (g) of Decree 1597, under the following reasoning:

(...) the second paragraph and section 1 of art. 7 of the Law on the Granting of Legal Personalities - Law 351 of March 19, 2013 - by obliging non-governmental organizations and foundations to mention in their statutes the contribution to economic and social development, imposes an additional requirement not foreseen for social organizations and non-profit civil entities, which is totally unconstitutional, because it is interpreted as a limitation on freedom of association, by imposing an additional burden that is arbitrary and discriminatory, calling into question the approval of its statutes and legal personality that are not aligned with government policy and official of social economic development, and it is discriminatory because such a requirement is only imposed on this type of non-governmental organizations and foundations.

(...)

(...) the right to freedom of association is violated when arbitrary restrictions are imposed tending to prevent the functioning the association, make it more burdensome or prevent its exercise. Thus, section g) of art. 19 of DS 1597, by determining that the legal personality regulated by the Law on the Granting of Legal Personalities may be revoked for "failure to comply with sectoral policies and/or regulations, subject to a report by the Ministry of the area", violates this right, since the administrative authority that is part of the State may order the extinction of the collective person for failure to comply with sectoral policies and regulations that: "...most of the time not even the central government itself complies", restricting the power to carry out its own policies according to its object of creation or constitution, so that such legislation violates the right to freedom of association recognized by the arts. 21.4 of the American Convention on Human Rights; 16.1 and 2 of the American Declaration of the Rights and Duties of Man.

58. Two *amicus curiae* briefs were also filed as part of the proceeding of the abovementioned motion of unconstitutionality.²⁷ One was presented by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and association, Mr. Maina Kiai (2011-2017), who pointed out:

the provisions in article 7 (II) (1) of Law 351; and article 19 (g) Decree 1597, unjustifiably restrict the right to freedom of association granted by the law, international norms and principles. (...)

The Special Rapporteur also wishes to take this opportunity to express his concern about the conformity with international law of other provisions of Law 351 and Supreme Decree 1597; and therefore about the fulfilment of the positive and negative obligations of the Plurinational State of Bolivia regarding the right to freedom of peaceful assembly and association.²⁸

59. With regard to the concern expressed by the Committee in its concluding observations CCPR/C/BOL/CO/3, the cancellation of legal personality is *per se* a very serious measure that could render the right to freedom of association null and void. The wording in Bolivian law is dangerous and undermines the functioning of associations.

²⁷ El segundo escrito de *amicus curiae* fue presentado por el Director Ejecutivo para las Américas de Human Rights Watch.

²⁸ Opinión de Amigo del Tribunal. Maina Kiai, Relator Especial de las Naciones Unidas sobre los Derechos a la Libertad de Reunión Pacífica y Asociación, 30 de abril de 2015. Véase el Anexo 17.

c. Issues or questions that could be incorporated into the LOI

60. Request the State party to explain to the Committee to what extent the Constitutional Court, through judgement 106/2015, took into account the *amicus curiae* brief submitted by the former United Nations Special Rapporteur on the rights to freedom of peaceful assembly and association, Mr. Maina Kiai.

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

61. Request the State party to establish a revision process of the regulations governing the operation of NGOs, foundations and non-profit civil entities, in particular Law 351 and Supreme Decree 1597. The process should include the inclusive participation of civil society and consider international human rights standards as well.

Article 18

a. State information regarding the implementation of the recommendation in paragraph 21 (legislation on conscientious objection to military service) of the Concluding Observations CCPR/C/BOL/CO/3

62. In its fourth report (paragraphs 173 and 174), the State party admits that Bolivia does not have a law that recognizes the right to conscientious objection to military service. It simply refers to the existence of a "bill" on alternative services to military service and to the fact that "*the armed forces have indicated that the Bolivian navy search and rescue service and the Bolivian air force search and rescue service could offer alternatives to compulsory military service.*"
63. It should be noted that the "preliminary bill" referred to by the State party (paragraph 173) has not even been submitted to the Legislative Assembly. The last bill submitted to the Legislature was PL 234-18, which proposed an alternative "police service" of a punitive nature as it proposed a service that would last two years, twice as long as compulsory military service.
64. On the other hand, the Search and Rescue service referred to by the State party (paragraph 174) are not provided as alternatives to compulsory military service for people who oppose the latter based on religious or ethical convictions. These Search and Rescue services also have a punitive nature, since they last two (Bolivian Air Force) and three years (Bolivian Navy) --while compulsory military service lasts one year only--, as the Bolivian State has informed the Inter-American Commission on Human Rights (IACHR) in the context of Petition P-1384-16.²⁹

b. Information from the State on the compliance with its obligations under ICCPR's article 18 (paragraph 66 of CCPR/C/BOL/4)

65. The State failed to inform the Committee about the case of José Ignacio Orías, who was denied protection by the Constitutional Court and whose right to conscientious objection was not

²⁹ Escrito de objeciones preliminares del Estado boliviano en la Petición 1384-16, 21 de marzo de 2019. Véase el Anexo 18.

recognized by constitutional ruling 265/2016-S-2 of 23 March 2016.³⁰ In that decision and in its complementary ruling 7/2016-ECA of 24 March 2016,³¹ the Constitutional Court urged the Legislative Assembly "to regulate, by means of specific rules, everything relating to the right to conscientious objection and to alternative or substitute service to compulsory military service ... before the end of the current legislature", i.e. by January 2020. More than three and a half years have passed since these judicial decisions were issued, and to date the Bolivian State has not adopted any legislation recognizing the right to conscientious objection to military service and establishing an alternative service.

c. Issues or questions that could be incorporated into the LOI

66. Request the State party to submit the bill aimed to comply with constitutional ruling 265/2016-S-2.
67. Request the State party to submit constitutional judgment 265/2016-S-2 of 23 March 2016 and inform the HRCtte in this regard.

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

68. Reiterate to the Bolivian State the recommendation made by the HRCtte in its 2013 Concluding Observations.

Article 19

a. State information regarding the implementation of the recommendation in paragraph 24 (investigation on attacks suffered by journalists) of the Concluding Observations CCPR/C/BOL/CO/3

69. In paragraphs 189-195 of its fourth report, the State party fails to inform the Committee about the measures it has taken to fight impunity in cases of journalist attacks. As a proof that impunity in this matter is an unresolved issue in Bolivia, in 2018 the IACHR adopted two admissibility reports in two journalists' cases who were killed while performing their functions: i) Report No. 5/18, Petition 1520-08, *Carlos Quispe Quispe and family*, and ii) Report No. 4/18, Petition 1519-08, *Juan Carlos Encinas Mariaca and family*. The former case concerns a radio journalist who, in 2008, suffered a political motivated attack while he was broadcasting from the radio station where he used to work. He died two days later. In its admissibility report, the IACHR states: "*In the present case, after almost 10 years of the alleged facts, there would be no signs of progress in the investigative*

³⁰ Tribunal Constitucional Plurinacional. Sentencia constitucional plurinacional 265/2016-S-2 de 23 marzo de 2016. Véase el **Anexo 19** (el texto completo de la sentencia está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

³¹ Tribunal Constitucional Plurinacional. Auto constitucional plurinacional 7/2016-ECA de 24 de marzo de 2016. Véase el **Anexo 20** (el texto completo de la sentencia está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

process, and the case would remain in impunity".³² The latter case concerns the violent death of another journalist while covering a social protest in 2001.³³

70. Like these two cases, others have not been investigated or sanctioned by the Bolivian justice system.

b. Information from the State on the compliance with its obligations under ICCPR's article 19 (paragraph 68 of CCPR/C/BOL/4)

71. The State party simply mentions two constitutional provisions that recognize the right to freedom of expression and the right to information. It refrains from providing further information on the compliance with its treaty obligations with regard to freedom of expression, freedom of the press and the right to information; or information on outstanding challenges in relation to these rights.

72. We will not make an exhaustive analysis on the exercise of the rights established in article 19 of ICCPR, we will just focus on the issue of censorship.

73. Censorship is prohibited by article 106.II of the Bolivian Constitution. Article 19 of ICCPR does not expressly prohibited censorship, however, the HRCtte has banned it in its General Comment No. 34 (paragraph 13).

74. Since the 2013 Concluding Observations, there have been several instances of censorship in Bolivia. We illustrate the HRCtte with three such cases that have occurred in the last three years.

First case:

75. In January 2016, political analyst Diego Ayo, then Director of the Pazos Kanki Foundation, published the research-book "*The Truth about the Indigenous Fund*".³⁴ The publication deals with the irregular handling of this public fund by government officers and other persons related to the ruling party. As a result of this publication, Ayo received various notarized letters from the Executive Director of the Indigenous Fund (FONDIOC or FDPPIOYCC).

76. In her first letter, of February 2016, the Executive Director observed the book because, according to her, it contained erroneous and incomplete information. The letter pointed out:

I express my rejection of the content of the document, sponsored by National Unity through the "Pazos Kanki" Foundation, because it does not contain truthful, complete, reliable and verifiable information; the necessary legal actions will be initiated for the commission of public order crimes, since the information has been distorted...³⁵

³² CIDH. Informe No. 5/18, Petición 1520-08, Carlos Quispe Quispe y familia, disponible en: <http://www.oas.org/es/cidh/decisiones/2018/BOAD1520-08ES.pdf> Véase el Anexo 21.

³³ CIDH. Informe No. 4/18, Petición 1519-08, Juan Carlos Encinas Mariaca y familia, disponible en: <http://www.oas.org/es/cidh/decisiones/2018/BOAD1519-08ES.pdf> Véase el Anexo 22.

³⁴ Véase: <https://www.scribd.com/doc/297150164/La-Verdad-Sobre-El-Fondo-Indigena>

³⁵ Carta FIN/DEJ/LIQ/2016-0027 de 3 de febrero de 2016, suscrita por Lariza Fuentes, Directora Ejecutiva Liquidadora del FONDIOC.

77. In May 2016, the Executive Director addressed Ayo a notarized letter, with the same threatening tone. The letter indicated:

... through this notarized letter, I request that you rectify the data contained in your book "The Truth about the Indigenous Fund", in accordance with the observations contained in my Note FIN/DEJ/LIQ/2016-0027 of 3 February 2016, for which you are granted a 72-hour deadline, otherwise the legal actions already announced will be taken.³⁶

78. Finally, also in May 2016, the Executive Director sent Ayo a third letter, also a notarized letter, in which she compels him to rectify his work within 48 hours.³⁷ The note said *inter alia*

under your own responsibility, you must remove from every channel of distribution, local or national, the book "The Truth about the Indigenous Fund" for the purposes of the rectification referred to in Note FIN/DEJ/LIQ/2016-027 of 3 February 2016.

... in the same way that you presented the book "The truth about the Indigenous Fund" , you must rectify the points observed in the Note FIN/DEJ/LIQ/2016-027 of 3 February 2016 (written, oral and television media, rectification presentations at the universities where you presented your book).

... rectify and modify even the title of your work "The Truth about the Indigenous Fund", since this title is subjective and incites readers to take the inaccurate, incorrect and erroneous data collected unilaterally as absolute truths; the publication's main objective is to confuse readers and take political profit which does not coincide at all with the truth of the facts and figures generated in the first instance by the Intervention of the FDPPIOYCC and subsequent [the] Liquidation Unit of the FDPPIOYCC.

... the only official document that can be disseminated for the purpose of truth about the facts and figures concerning the former FDPPIOYCC, it is the 'intervention report' considered as reliable information, and that no other document can resemble this one, because precisely this document has as its normative backing DS No. 2274 of 24 February 2015, whose content and purpose is to convey an existing truthful situation, the same that is timely, accessible, complete, accurate and objective to which you have deliberately misrepresented."³⁸

Second case:

79. In September 2018, the Pazos Kanki Foundation published a public interest study on the administration of the Bolivian State-owned telecommunications company: "*ENTEL, MAS war booty. The Country's Largest Telecommunications Company among Corruption, Waste and Labor Tourism.*"³⁹

80. The company sent a notarized letter to the Pazos Kanki Foundation with the following subject: "*Request to close the publication and announce legal action.*"⁴⁰ In the letter, ENTEL ordered the Foundation, under threat of criminal prosecution, to stop publishing the research on the foundation's website and to refrain from publishing the work in a printed form as well. The letter pointed out:

³⁶ Carta notariada FIN/UJU/AGJ/LIQ/2016-0001 de 19 de mayo de 2016, suscrita por Lariza Fuentes, Directora Ejecutiva Liquidadora del FONDIOC.

³⁷ "Gobierno conmina a Diego Ayo a cambiar versión sobre desfalco en Fondo Indígena". Eju.TV, 30 de mayo de 2016, en: <http://eju.tv/2016/05/ministra-conmina-diego-ayo-cambiar-version-desfalco-fondo-indigena/> Véase el Anexo 23.

³⁸ Carta notariada FIN/UJU/LIQ-2016-084 de 24 de mayo de 2016. Véase el Anexo 24.

³⁹ Véase: <https://www.scribd.com/document/397429349/ENTEL-Botin-de-Guerra-Del-MAS>

⁴⁰ Carta notariada de 26 de septiembre de 2018, suscrita por el Gerente Legal de ENTEL. Véase el Anexo 25.

... in order to avoid judicial conflicts with the Vicente Pazos Kanki Foundation and to prevent it from being sanctioned in the future (...) we expressly urge you to close the publication and/or remove the information "ENTEL, MAS war booty..." from your website, for which you are granted the peremptory period of 24 hours following the receipt of this Notarized Letter;

... likewise, the Foundation must refrain from editing and/or publishing online the text whose irresponsible authorship corresponds to Mrs. Elizabeth Reyes (...) this person will in due course be summoned before the competent authority to prove her assertions and assume her responsibility:

In case of refusal of the closing of the publication and/or elimination of the referred information, ENTEL S.A. announces criminal actions against the representatives of the Vicente Pazos Kanki Foundation and others who may correspond.⁴¹

Third case

81. In August 2016, in the context of a violent social protest, the Vice Minister of the Interior was murdered by a horde of mining workers in the locality of Panduro. After the events took place, images of the protest began to be broadcasted through social networks showing the Vice Minister, surrounded by a mob, trying to make cell phone calls to other ministry officers. The Ministry of the Interior issued an official press release to prevent the diffusion of those images on social networks. The statement read:

The video shows images of people who, after being identified by Police Intelligence, will be apprehended as the main suspects of the crime committed against the former Vice Minister Illanes... The Ministry of Government also informs the public that it will proceed in the same manner with people who disseminate unscrupulously and maliciously images that hurt the sensitivity of the family of the former Vice Minister...⁴²

82. Thanks to this video, which shows a public officer performing public functions, the public learned that the Vice Minister had tried on several occasions to communicate with government authorities before being brutally killed.

c. Issues or questions that could be incorporated into the LOI

83. We call on the HRCtte to request the Bolivian State to provide an explanation on the notarized letters that censored two public interest researches related to alleged corruption acts within a public fund and a state-owned company.

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

84. Recommend the Bolivian State to allow the free circulation of ideas and information, refraining from resorting to censorship.

⁴¹ Ibidem.

⁴² Ministerio de Gobierno pide que Video del Viceministro Illanes se Constituya en Prueba del Asesinato y se Convoque a Valverde, 29 de agosto de 2016, disponible en: <http://www.mingobierno.gob.bo/index.php?r=content%2Fdetail&id=233&chnid=11> Véase el Anexo 26.

Article 25

a. State information regarding the implementation of recommendations on ICCPR's article 25 formulated in the Concluding Observations CCPR/C/BOL/CO/

85. In its 2013 Concluding Observations, the Committee did not formulate any recommendation on article 25 of ICCPR

b. Information from the State on the compliance with its obligations under ICCPR's article 25 (paragraphs 82 and 83 of CCPR/C/BOL/4)

86. The State makes a laconic reference to Bolivian legislation on political rights, without giving further explanations on the actual exercise of these rights. The most notorious fact is that the State does not refer to the referendum held in Bolivia on 21 February 2016. In that referendum voters were asked if they wanted to modify article 168 of the Bolivian Constitution⁴³ to allow the indefinite re-election of the president and vice president.

87. "NO" votes won the referendum with 51.3 per cent of the votes, that is the option of not modifying the Constitution.⁴⁴ However, in September 2017, a group of MPs of the ruling party MAS filed an action of unconstitutionality against several provisions of Law 26 of the Electoral Regime which, in accordance with article 168 of the Constitution, do not allow more than one consecutive re-election. The plaintiffs also argued that article 23 of the American Convention on Human Rights (equivalent to article 25 of ICCPR) does not establish among the restrictions on political rights the fact that a candidate had been elected consecutively on several occasions and, therefore, article 23 of the American Convention should be applied in preference to article 168 of the Constitution.

88. On 28 November 2017, the Constitutional Court issued ruling 84/2017⁴⁵ in which it decided in favour of MAS' MPs, stating that

In accordance with article 256 of the Constitution, the Court declares the PREFERENT APPLICATION of article 23 of the American Convention on Human Rights, as the most favourable rule in relation to political rights, over articles 156, 168, 285.II and 288 of the Political Constitution of the State, in the phrases: "for only one time" of articles 156 and 168, and "continuously for only once" of articles 285.II and 288, in accordance with the constitutional grounds expressed in this Judgment; and,

⁴³ Constitución Política del Estado de Bolivia. Artículo 168. "El periodo de mandato de la Presidenta o del Presidente y de la Vicepresidenta o del Vicepresidente del Estado es de cinco años, y pueden ser reelectas o reelectos por una sola vez de manera continua".

⁴⁴ La Ley 26 de Régimen Electoral señala: "[e] Referendo es un mecanismo constitucional de democracia directa y participativa por el cual las ciudadanas y los ciudadanos, mediante sufragio universal, deciden sobre normas, políticas o asuntos de interés público" (artículo 12); "[l]as decisiones adoptadas mediante Referendo tienen vigencia inmediata y obligatoria, y son de carácter vinculante. Las autoridades e instancias competentes son responsables de su oportuna y eficaz aplicación" (artículo 15); y "[l]as etapas y resultados de los... referendos... no se revisarán ni se repetirán..." (artículo 2.k).

⁴⁵ Tribunal Constitucional Plurinacional. Sentencia constitucional plurinacional 84/2017 de 28 de noviembre de 2017. Véase el **Anexo 27** (el texto completo de la sentencia está disponible en: [https://buscador.tcpbolivia.bo/buscador/\(S\(epiyprp4pl2pizrzyqp353y3\)\)/WfrResoluciones1.aspx](https://buscador.tcpbolivia.bo/buscador/(S(epiyprp4pl2pizrzyqp353y3))/WfrResoluciones1.aspx)).

The Court declares the UNCONSTITUTIONALITY of articles 52.III, in the statement "for only one time"; 64 inc. d), 65 inc. b), 71 inc. c) and 72 inc. b), in the statement "for only one time", of the Electoral Law 026 of 30 July 30 2010.

89. As a result of this ruling, on 4 December 2018, the Supreme Electoral Tribunal authorized Evo Morales and Álvaro García to run for the fourth consecutive time, in opposition to the vote of 51.3 per cent of the voters that opposed a new re-election of both authorities, in the general elections to be held in October 2019,⁴⁶.

90. On 20 March 2018, upon the request of the OAS Secretary General, the Venice Commission of the Council of Europe determined that in international law there is not a right to indefinite re-election and that limits on presidential re-election do not unduly restrict the human and political rights of candidates or the voters.⁴⁷

c. Issues or questions that could be incorporated into the LOI

91. What is the legal reason for not recognizing, through constitutional ruling 84/2017, the 21 February 2016 referendum's result?

d. Recommendations which might be formulated in the Concluding Observations to the fourth report

92. Recommend that the State party respects the result of the referendum held on 21 February 2016.

⁴⁶ "El TSE habilita la candidatura de Evo Morales y Álvaro García Linera". El Deber, 4 de diciembre de 2018, disponible en: <https://www.eldeber.com.bo/bolivia/El-TSE-habilita-la-candidatura-de-Evo-y-Alvaro--20181204-0065.html> Véase el Anexo 28.

⁴⁷ Informe sobre los Límites a la Reelección Parte I – Presidentes. Estudio No. 908/2017. Estrasburgo, 20 de marzo de 2018. Comisión Europea para la Democracia a través del Derecho (Comisión de Venecia), disponible en: [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2018\)010-spa](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2018)010-spa) Véase el Anexo 29.