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U.S. must assist in bringing Gonzalo Sanchez de Lozada and accomplices to justice

In September and October of 2003, former President Gonzalo Sanchez de Lozada and his entire cabinet signed a decree ordering the military to put down popular protests in El Alto over the exportation of gas from Bolivia. The decree states, "The State of Bolivia guarantees indemnification for any damage to property and persons which might occur as a result of the fulfillment of the objective of this present Supreme Decree."

During the protests, troops killed 67 people, including several children, by using snipers with live ammunition and firing into the streets and homes. Hundreds of people were injured, including many who lost limbs or their eyesight. Days after the massacres, Sanchez de Lozada and two of his ministers fled to the U.S. where they have remained ever since. The former Bolivian president resides a mere six miles away from the White House in Chevy Chase, MD.

Since before the election of Evo Morales in 2005, the Bolivian justice system has sought the return of Sanchez de Lozada to testify in the case. In September 2007, the Center for Constitutional Rights and human rights attorneys from Harvard University filed a civil lawsuit in the United States against Sanchez de Lozada and his Defense Minister Carlos Sanchez Berzain on behalf of the victims' families, and the case is currently before a court in Miami.

On November 10, 2008, the Bolivian embassy gave the State Department an official request for the extradition of Sanchez de Lozada as well as former Minister Sánchez Berzaín and former Minister Jorge Berindoague Alcócer who have been living in Key Biscayne, FL and Moraga, CA respectively. The U.S. government should respect its extradition treaty with Bolivia and proceed with the steps required for extradition.

Perceptions in Bolivia

There is a strong perception among the Bolivian public that Sanchez de Lozada is taking advantage of friendships with powerful people in Washington to avoid legal responsibility for the killings. It is important for the United States to demonstrate impartiality in light of these concerns:

- The Bolivian Foreign Ministry summons for Sanchez de Lozada's presence in court was sent to the U.S. government in 2005, but the U.S. did not serve the summons even though the prosecutors obeyed Bolivian and international laws in emitting the notification.
- Sanchez de Lozada's lawyer, Greg Craig, has been named White House Counsel. It is important the Mr. Craig fulfill his promise not to advise the Obama administration on this case to avoid any conflict of interest.

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- The Department of Homeland Security granted political asylum to Carlos Sanchez Berzain in 2007. Yet in his application for asylum, Sanchez Berzain falsely claimed that Evo Morales publicly stated that, as President, he would “use all of his power as President to persecute and torture me if I were to return to Bolivia.” This, and other false statements in the application, could result in the revocation of the asylum.

Claims of political persecution

Sanchez de Lozada and his former Ministers claim they are being politically persecuted by the Morales administration, but the facts do not support this claim.

- To process high elected officials in Bolivia requires a special procedure called a Trial of Responsibility. The request for these judicial proceedings passed by a two-thirds vote in Congress, which was dominated by Sanchez de Lozada’s party and allied parties during the term of Sanchez de Lozada’s vice president. The then Supreme Court, most of whom had been appointed by Sanchez de Lozada and other party members, ratified the decision, most of whom had been appointed by Sanchez de Lozada and other party members. All of this took place before Evo Morales was elected.
- Sanchez de Lozada fled Bolivia to the U.S. immediately following the massacres, where he has remained. He has never given testimony regarding the events (something which almost all those involved in the protest have now done, including Evo Morales and other social movement leaders).
- The Bolivian judiciary is independent of the Morales administration. The Bolivian courts previously tried a former head of state, General Garcia Meza, for human rights violations. General Garcia Meza was given a fair trial and treated humanely after being found guilty and incarcerated.
- The current Evo Morales government has guaranteed Sanchez de Lozada’s protection should he return for trial. In no way would the ex-President be putting his life at risk by returning to stand trial for the crimes for which he is accused.

By extraditing leaders like Sanchez de Lozada to face trial for human rights violations, the United States government and the Bolivian courts can set a precedent that the killing of innocent civilians, whether protesters or bystanders, is unacceptable, making leaders think twice before resorting to indiscriminate violence as a method of social/political control.

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For more information: www.juiciogoniya.org.bo

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