



Inter-Parliamentary Union
For democracy. For everyone.

Bolivia

(Plurinational State of)

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 173rd session (Geneva, 23 January to 7 February 2024)



Ms Ericka Chávez Aguilera, 2022 © Bolivian Chamber of Deputies

BOL-85 – Ericka Chávez Aguilera

Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence

A. Summary of the case

According to the complainant, on Tuesday 23 May 2023, the Bolivian Minister of the Interior, Mr. Carlos Eduardo Del Castillo Del Carpio, was questioned in the chamber of the Plurinational Legislative Assembly of Bolivia about his alleged involvement in the arrest of the governor of the department of Santa Cruz, Mr. Luis Fernando Camacho. During the session, the minister reportedly failed to respond fully to questions from opposition parliamentarians, describing them as "radical, violent groups of thieves and thugs who have come to steal the money of the Bolivian people".

The complainant states that, following these remarks, opposition members of parliament rose to their feet and held up posters in support of the governor of Santa Cruz. In response, members of parliament of the majority party *Movimiento al Socialismo* (Movement towards Socialism) (MAS) began hitting and kicking them. Against this background, opposition member of parliament, Ms. Ericka Chávez Aguilera, was allegedly assaulted by two MAS members of parliament, Ms. María José Rodríguez Gálvez and substitute senator Ms. Yolanda Ponce Condo. According to the information provided by the complainant, Ms. Ponce Condo violently pushed member of parliament

Case BOL-85

Bolivia: Parliament affiliated to the IPU

Victim: Female opposition member of parliament

Qualified complainant(s): Section I.(1)(a) of the Committee Procedure (Annex I)

Submission of complaint: May 2023

Recent IPU decision(s): - - -

Recent IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communication from the authorities: Letter from the President of the Legislative Assembly (September 2023)
- Communication from the complainant: January 2024
- Communication to the authorities: November 2023
- Communication to the complainant: January 2024

Ms. Chávez Aguilera, who fell to the ground and hit herself hard against the wooden steps of the chamber's rostrum. She then got up to try to help another opposition member of parliament who continued to be hit by MAS members of parliament. At this point, member of parliament Ms. María José Rodríguez allegedly attacked Ms. Chávez Aguilera from behind, pulling her violently by the hair and pushing her to the ground.

According to information provided by the complainant, member of parliament Ms Chávez Aguilera is currently having difficulty walking as a direct result of the attack to which she was allegedly subjected during the parliamentary session. Following a forensic examination, a medical certificate was issued authorizing her to be temporarily absent from parliament. A copy of a temporary sick note dated 26 May 2023 was added to the file. The complainant states that, to date, no action or disciplinary measures have been taken against member of parliament Chávez Aguilera's attackers.

In a letter dated 12 September 2023, the parliamentary authorities stated that no complaint had been recorded in the archives of the secretariat of the Chamber of Deputies regarding the complainant's allegations. Nor had any record of sick leave in the member of parliament's name been found in the relevant records during May, June, July and August 2023. The authorities also provided a copy of a witness statement signed by Ms. Rodríguez Gálvez maintaining that Ms. Chávez Aguilera had assaulted Ms. Rodríguez Gálvez and not the other way round, as the complainant had stated.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Notes* that the complaint was submitted in due form by a qualified complainant under section I.1(a) of the Procedure for the examination and treatment of complaints (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians);
2. *Notes* that the complaint concerns an incumbent member of parliament at the time of the alleged violations;
3. *Notes* that the complaint concerns allegations of torture, ill-treatment and other acts of violence, which are allegations that fall under the Committee's mandate;
4. *Considers*, therefore, that the complaint is admissible under section IV of the Procedure for the examination and treatment of complaints; and *declares itself competent* to examine the case;
5. *Thanks* the parliamentary authorities for the information provided and for their willingness to cooperate and engage in constructive dialogue with the Committee;
6. *Notes* in the information provided by the parliamentary authorities that no mention of member of parliament Chávez Aguilera's sick leave appears in the records for May, June, July and August 2023; *notes* that the statement that the member of parliament had not taken sick leave is signed by Ms. Rodríguez Gálvez in her capacity as First Secretary of the Chamber of Deputies; *wishes* to receive further information on the circumstances in which the statement was drawn up, and to receive assurance that the fact that the person accused by the complainant is the same person producing the evidence that could exonerate her from any liability will not alter the credibility of that evidence or compromise the impartiality essential to the fairness of any proceedings;
7. *Notes* also in the information provided by the parliamentary authorities that no complaint relating to the complainant's allegations is recorded in the archives of the secretariat of the Chamber of Deputies; *wishes* to receive in this regard, irrespective of potential individual complaints, information concerning any investigations and/or preventive measures that may have been put in place *ex officio*, and their outcomes, following the violent incidents that took place in parliament on 23 May 2023;
8. *Notes* that the version of events put forward by Ms. Rodríguez Gálvez contradicts that of the complainant; *wishes* in this regard to receive full, unedited copies of the video recordings taken by the relevant parliamentary departments in order to be able to form its own opinion on the alleged facts;

9. *Requests* the Secretary General to convey this decision to the Speaker of the Plurinational Legislative Assembly, the complainant and any third party likely to be in a position to supply relevant information.
10. *Decides* to continue examining the case.