

Bolivia goes after high-powered figures

The Miami Herald
Sep. 05, 2006

LA PAZ, Bolivia - For six weeks, Marcela Nogales has been jailed without charge for letting a besieged government make emergency withdrawals from Bolivia's central bank in October 2003 when she was its general manager.

Prosecutors contend Nogales abused her office by releasing money that facilitated a military crackdown whose repercussions - some 60 people shot to death - prompted a president to flee into exile.

But to many Bolivians, the "preventative detention" of this 47-year-old career woman and mother of two preadolescents is a political vendetta of the highest order.

They fear that President Evo Morales' government, in its zeal to redress historic injustices in favor of the indigenous poor majority, is callously trampling on civil liberties, using the courts to silence opponents and move loyalists into key state agencies.

Targeted are high-ranking figures from the political class that Morales' populist revolution swept from power in December elections. Many of them have led institutions such as the central bank that have proven difficult to purge.

To date, the Morales team has announced plans to prosecute some 150 people who held high-level jobs in previous governments - including five ex-presidents - for crimes ranging from "genocide" to "espionage" and "destruction or deterioration of state assets."

Yet the government has provided scant evidence to back the accusations, relying instead on news conferences and public harangues. In the Nogales case, an ambiguous video of people removing stacks of money from a bank vault was leaked to TV networks in June and broadcast widely.

Attempts by The Associated Press to obtain legal documents in the most prominent cases were frustrated by uncooperative prosecutors and court officials, even though Bolivian law says the documents are, with few exceptions, public record.

Among the high-profile targets:

_Eduardo Rodriguez, the 50-year-old ex-Supreme Court chief who steered Bolivia through political turmoil as caretaker president last year, successfully organizing the December elections. Congress is now weighing whether he should be tried for alleged crimes that could land him prison for 30 years over the U.S. military's removal for destruction of aging shoulder-fired anti-aircraft missiles just before Morales took office. Rodriguez says the missiles were removed without his knowledge and that he's been denied due process.

_Jose Maria Bakovic, a 68-year-old former World Bank official who ran Bolivia's national roads agency for 4 1/2 years and was jailed for three weeks in April on corruption accusations. Four months later, no formal charges have been filed, yet judges have prohibited Bakovic from leaving the capital.

_Juan Antonio Morales, who in his 11 years as central bank president won international praise for bringing fiscal discipline to the country. Dismissed early this year, the 62-year-old university professor has been hounded by prosecutors over the October 2003 withdrawals and accused of sexual harassment and other misdeeds in a book by an ex-bank employee.

_Chief prosecutor Pedro Gareca is also seeking criminal charges against 44 people including former government ministers and state oil company executives for allegedly cheating Bolivians in a 1990s gas pipeline deal with Enron.

Most of the other cases similarly involve accusations that former government officials wronged the Bolivian people through allegedly illegal oil and gas contracts.

"Everyone feels frightened and intimidated," professor Morales, who is unrelated to the president, said in an interview. "All the time there are unfounded accusations." Prosecutors have twice interrogated him for eight hours but filed no charges. He fears Nogales is being pressured into providing damning but false evidence against her former superiors.

"They think we're hiding something but, sorry to say, they're not finding anything at all," said Nogales, who was arrested July 21 as she and her family boarded a plane for Chile, where her husband started a new job in January.

Prosecutor Milton Mendoza says Nogales is being held to keep her from fleeing while his office investigates her "abuse of authority" for letting Finance Ministry

officials withdraw 13.7 million bolivianos (US\$1.8 million) over three days beginning Sunday, Oct. 12, 2003.

Her lawyer will try again on Wednesday (Sept. 6) to win her release on bond or house arrest.

Nogales told the AP in a jailhouse interview that she merely allowed a client to withdraw its money during a national emergency, when protesters, many of them organized by Evo Morales, were blockading La Paz.

Mendoza bristled at that defense.

"First of all, the money doesn't belong to the people in the government," he said. "That money belongs to all of us."

Mendoza said prosecutors would soon file charges against the then-acting finance minister and four other former top government officials. None of them have been arrested.

Gareca also is seeking Gonzalo Sanchez de Lozada, who as president ordered the October 2003 crackdown and then fled into U.S. exile, to stand trial on charges including genocide. He has yet to file an extradition request.

Several leading Bolivian jurists, including Rodriguez, accuse Gareca of being a tool of Evo Morales, and thwarting justice to make it appear as if he's moving decisively against corruption, long a major problem in South America's poorest nation.

Gareca declined AP interview requests. His spokesman, Wilfredo Chavez, said: "You can't say this is a witch hunt," noting that the case against Sanchez de Lozada was initiated well before Evo Morales' election.

Nogales, meanwhile, stew in jail. She struggles to explain to her son and daughter, now living with relatives while their father works in Chile, why after sacrificing family life for years in the 12-hour-a-day job, she was dragged from them at the airport.

"It's terrible. All their lives they're proud of their mother," she says. "And they say, 'Mommy, what happened? Why are you here? What does this mean?'"