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**PROGRAM OF ASSISTANCE FOR A REPRESENTATIVE CONGRESS  
(PARC) BOLIVIA**

**QUARTERLY REPORT**

**APRIL – JUNE 2004**

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**SUBMITTED TO:**

**UNITED STATES AGENCY FOR INTERNATIONAL  
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**SUBMITTED BY:**

**The State University of New York  
Center for International Development**

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## **I. SUMMARY OF ACCOMPLISHMENTS**

The activities of SUNY during this reporting quarter have been particularly intense. In this period, SUNY assisted the Congress in carrying out:

- Five public hearings
- Three major training events for brigades on the national and departmental budgets
- Thirty seven Citizens' Forums for congressional committees, brigades and uninominal deputies
- Six Interactive Radio Programs
- Five Regional Minimal Agendas (RMAs) for the departmental brigades
- Fourteen publications including information bulletins and dissemination of RMAs.

Through these activities, SUNY is now assisting 32 of the 68 uninominal deputies (47%), comprised of 14 deputies from the Nationalist Revolutionary Movement (MNR) party, 7 from the Movement of the Revolutionary Left (MIR) party, 5 from the Movement Toward Socialism (MAS) party, 2 from the New Republican Force (NFR) party, 2 from the Nationalist Democratic Action (ADN) party, and one each from the Socialist Party (PS) and Pachakuti Indigenous Movement (MIP) party.

## **II. THE EMERGENCY PLAN**

### **A. Background**

The USAID IQC Task Order for the second phase of the PARC program (PARC II) contains 16 components for the institutional strengthening of the Congress, primarily in its representative functions. PARC II began on October 1, and on October 17, a popular insurrection forced the resignation of the constitutionally elected President, Gonzalo Sanchez de Lozada. The new president, Carlos D. Mesa, assumed power without the support of political parties, and while he continues to enjoy relatively high ratings in the polls, lacking institutional backing of the political parties his government is weak and faces daily social, economic and political conflicts, creating a crisis for the stability of the democratic system in Bolivia.

While maintaining the objectives of the PARC II program, SUNY quickly modified many of its proposed activities at the request of USAID/Bolivia to confront this crisis by assisting the Bolivian Congress to support the critical legislative agenda imposed on the President as a result of the insurrection:

- 1) A national referendum on the exportation of Bolivia's gas reserves,
- 2) A new hydrocarbon law,
- 3) The convoking of a constitutional assembly to formulate a new constitution for the country.

These emergency measures have necessarily displaced some of the 16 original components of PARC II. Left behind have been the components relating to the following:

- Congressional interns,
- Training of the Ethics Committee,
- Institutional strengthening of FUNDAPPAC,
- Training in bill drafting, and
- The optional law codification component.

## **B. Changes in the Bolivian Congress**

Besides the problems created in the Executive, the insurrection of October 2003 also had dramatic consequences on the operation of the Bolivian Congress. President Mesa's decision to govern without the participation of political parties in his cabinet broke the traditional scheme of governability through pacts and quotas, an ethically questionable but effective *modus operandi* of insuring support for the Executive's legislative proposals.

Instead of the simple, but now defunct, system of "officialist" and "opposition" congressional blocks that insured governability and the passage of the President's legislative agenda, the Congress now presents the following chaotic scenario:

- The "organics", *i.e.* anti-reformist traditional party stalwarts, all of whom want to recuperate the old patterns of power and influence of their parties, and some of whom want to render the Congress inoperative in order to block the process of bringing to trial the ex-President and his ministers, many of whom have recuperated their seats in the Congress.
- The "transversals", a group fluctuating between 15 and 27 representatives who have broken with party discipline to support or oppose presidential legislative initiatives on the merits of the particular issue.
- The opportunistic "democratic" left and *cocalero* group from the MAS party, who support the president in order to preserve a stable democratic government required for them supposedly to win the municipal and subsequently the national elections.
- The radical "indigenists," or MIP party, generally opposing the President from an ethnic and indigenous nationalistic ideology.

Paradoxically, this difficult scenario has made the PARC program more important than ever. President Mesa has made clear that he will not and cannot govern without a functioning Congress. Despite the gridlock in the Congress, the one issue that all representatives must, under popular pressure, at least nominally accept is the preparation of the Constituent Assembly, which SUNY has effectively supported under its emergency plan during this quarter. Another important measure in the PARC program is SUNY's support to individual deputies, congressional committees and departmental brigades in relating to their constituents. These two important program activities are specifically designed to help the Congress be more responsive to urgent popular concerns and, in this manner, to foster greater stability in the Mesa government as much as possible.

### III. PROGRAM ACTIVITIES

#### A. The Emergency Program

The emergency program developed in response to the governmental crisis of 2003 has two objectives:

1. To support the President's legislative agenda of conducting a national referendum on the use of Bolivia's gas reserves, and of convoking a Constituent Assembly, and
2. To put the Congress and its members in contact with the public by the development of rapid response mechanisms such as interactive radio sessions and Citizens' Forums.

#### A. *Support for the Referendum on Gas Reserves*

During this quarter, SUNY supported Citizens' Forums and Interactive Radio for seven uninominal deputies in their circumscriptions on the issue of the gas reserves and the referendum. Participation in these events ranged from 73 to 350 citizens, for a total audience of 900, of which 271 were women (30%). SUNY provided written documentation and contracted experts to support the deputies. Nevertheless, most uninominal deputies were reluctant to promote these forums because of the complexity of the subject, their own lack of knowledge, and the conflictive nature of the issue. For example, of the three uninominal deputies from El Alto, only Claudia Paredes ventured a forum with 165 attendees from her district (81 men, 84 women), which turned out to be unruly but useful.

The most important congressional event concerning the gas reserves and the referendum was the multi-brigade forum held on May 10 in Cochabamba which included the brigades from Tarija, Chuquisaca, and Santa Cruz as well as the *comités cívicos* (civic committees) and the *consejos departamentales* (department councils) from these regions. This forum has special importance for it indicated the consensus opinion of the congressional representatives from these departments concerning the new hydrocarbon law as their interpretation of the results of the referendum. Many of the proposals and conclusions emerging from the forum were compatible with the proposed law drafted by the President. Some, however, were problematic, such as these conclusions:

- *“la venta del gas – exportación – pone en riesgo los mercados para productos con valor agregado”* [Selling gas – exportation – puts the markets for products with added value at risk.]
- *“La exportación no es compatible con la industrialización masiva de nuestro gas en las circunstancias actuales,”* [Exportation is not compatible with the massive industrialization of our gas in present circumstances], and finally,
- *“no [estamos] de acuerdo en las imposiciones del Gobierno de que las empresas que tengan que industrializar el gas tengan 70% de mercado asegurado fuera del país.”* [We do not agree with the Government's imposition regarding the fact that companies that have to industrialize the gas will have 70% of their assured market outside of the country.]

Coming from the gas producing departments, these doubts about the export of gas were especially significant and indicate that the approval of a new hydrocarbons law may require extensive debate in the Congress before consensus is reached.

In February, SUNY had provided support for two international conferences held under the auspices of the UNDP/UNCTAD and the Bolivian Congress. The third and final event of the series was to be held in May, but was postponed to early July in La Paz. The February events were very useful in promoting debate and providing information to the departmental brigades which participated in organizing and conducting the events. The La Paz Brigade, however, was not involved in the final conference, which SUNY therefore did not support. SUNY is awaiting the final report on the three events to determine whether it will fund the dissemination of the conferences and their conclusions. Although the editing and production of a video of the conference had been contemplated, given the lateness of this last event, it was deemed to be of limited use for the uninominal deputies, and therefore, not undertaken.

### ***B. Support for the Constituent Assembly***

During this quarter, SUNY continued and concluded its support for the Joint Congressional Committee on Constitutional and Justice Affairs to draft and enact (June 30) the Law on Citizens' Groups and Indigenous Communities, which effectively broke the monopoly of the political parties to present candidates for elective office. Two important features of this law were:

- Financing, on the same basis as the political parties, of Citizens' Groups and Indigenous Communities which participate in special or regular elections on the local, departmental and national level; and
- The gender quota, establishing that a minimum of 50% of all candidates must be women, and that in the list of candidates, women must alternate with the male candidates.

More directly related to the Constituent Assembly, SUNY also continued and concluded its assistance to the Committee to complete a draft of the Law Convoking the Constitutional Assembly, which will set the ground rules for how the Assembly will be formed and conducted. SUNY provided technical assistance, hiring of a team of six legal and constitutional experts to work inside the Committee. Technical assistance was also provided through a subcontract with the *Maestrias para el Desarrollo* of the Catholic University, which brought together three international and ten national experts in constitutional law working as a group for ten days to analyze and adapt the lessons learned from previous constituent assemblies held in Argentina, Venezuela, Ecuador, Colombia and elsewhere in the world, and provide recommendations to the Committee experts and members in the formulation of the Convoking Law. As with the referendum, the issues included in this law are extremely sensitive, have the potential to provoke serious conflicts between opposing groups and, unless resolved satisfactorily, will vitiate the legitimacy of the Assembly from its inception. The draft law makes a serious effort to make compatible the diverse and often conflicting opinions expressed by citizens in public forums (see below) concerning the representativity and number of the members in the Assembly, the location and the period of time the Assembly should function. The draft law was concluded on June 30 and will be passed on to the restructured Joint Committee after the Congress elects its new authorities. Whether and

what form of assistance SUNY will provide after that date will depend on the decision of new Joint Committee. Preliminary discussion with present authorities suggest that assistance will be requested to support a series of public hearings on the draft law to incorporate a second round of public input, and to maintain the legal experts for the final draft of the law to be presented to the plenary of the Congress. The law must be passed by the end of January 2005, to allow time for Assembly elections to be held and the Assembly to be installed by August 2005.

Finally, an essential aspect of the law formulation has been citizen input, and SUNY has provided logistical, organizational, and financial support to the Joint Committee to hold citizens' forums for each of the nine departments plus El Alto. These forums were conducted jointly by the Committee and by the respective departmental brigades. Each forum was attended by the major civil society organizations and the public at large for an average total of between 100-150 participants. (See annex) Each forum responded to the same set of questions:

- How should the members of the assembly be elected (representation by election vs. corporate selection, the gender mix, population vs. territorial representation, election of uninominals vs. list candidates)?
- How many members should the assembly have?
- Where should the assembly take place?
- How long should it last?

The different answers to these questions, both within each forum and between forums, were tabulated with the help of the German international development agency, GTZ. The results of the tabulation were presented to the technical team of the Joint Committee and to the experts working with the "*Maestrias para el Desarrollo*" for use in the formulation of the draft law. After the election of the new authorities in the Congress in August or September, SUNY will present a plan to the Joint Committee to provide assistance for public hearings, where the draft law will be submitted to public scrutiny and suggestions for modifications will be considered. These hearings will be necessary in order to assure the legitimacy of both the Convoking Law and the Assembly itself.

The Joint Committee has a number of other laws or law reforms that must be passed in preparation for the Constituent Assembly, principally the Electoral Law and the Law of Political Parties, both of which must be brought into conformity with the recently passed Law on Citizen Groups and Indigenous Communities. The Electoral Law must be reformed so that it includes clauses that allow the presentation of candidates by these groups, as so that it includes the gender quota requirement of a minimum of 50% women candidates. Furthermore, citizens groups are already asking that the new law allowing citizens' groups be interpreted to enable pre-election funding of these groups to conduct their election campaigns. This would require a change in the law of political parties that stipulates only post-election funding, and only for those parties that receive a minimum of 5% of the national vote total. If a reform of the political party law is blocked, then a new clause would be required in the new Citizens' Groups Law establishing a special norm not subject to political party rules for funding these groups.

One final step in preparing for the Constitutional Assembly is the desire of the Congress to provide regulations, procedures and rules for the Assembly. However, whether or

not the Congress has the right to bind the Assembly by the procedures it develops will depend on the determination of the very complicated constitutional question as to whether this Assembly will be deemed "derivative" or "originary." In the latter case, the Assembly would become a sovereign entity with the faculty to determine its own rules, regulations, structure, organization and length of duration.

These legal reforms make for a heavy work schedule of the future Joint Committee on the Constitution and Justice, which is also tasked with the process of selecting candidates for Magistrates of the Supreme Court and of the Constitutional Tribunal, as well as selecting a candidate for the Prosecutor General. SUNY is collaborating with Partners of the Americas on these issues. A final law waiting for consideration by the Committee is the Law on Freedom of Information and Transparency, being promoted by the Carter Center. It is doubtful that the Committee will want to promote many more new laws because of the uncertainty of what the new constitution will mandate.

### ***C. Support for Congressional/Constituent Relations***

After the hiatus in congressional activities caused by the lengthy post holiday congressional recess that lasted to mid January, and by the pre- and post Carnival celebrations in February and March, an intense program of activities was resumed in April. As a result, SUNY carried out a total of 55 congressional activities in this quarter in support Citizens' Forums, Interactive Radio Programs, public hearings, formulation of departmental Minimum Agendas, and REDICs for uninominal deputies, congressional committees, and departmental brigades.

#### **1. Citizens' Forums**

These forums are designed to meet the national emergency by providing a streamlined mechanism for the Congress to interact with the public. They are primarily exchanges between the Congress (individual members, congressional committees, brigades) and citizens, giving the Congress the opportunity to inform the citizens on important national or local topics, and the public the opportunity to express their concerns and demands. The strength of the citizen forums is that they do not have the cumbersome bureaucratic apparatus or the fearsome obligation for congressional representatives to commit to specific policies that are involved in the more formal mechanisms of public hearings, participatory municipal encounters (EDCs) or local interest group meetings (REDICs).

During this quarter, there were a total of 37 Citizens' Forums conducted with SUNY's support (in contrast to only 7 for the previous quarter):

- Nine Citizens' Forums from the Joint Committee on the Constitution and Justice in preparation for the drafting of the Law Convoking the Constitutional Assembly mentioned above
- Seven from Departmental Brigades  
Santa Cruz conducted a total of *four* forums in April and May on the following topics:
  - The land issue
  - Competition as the necessary condition for economic development

- Regional planning
- Citizen ethics

Pando conducted *one* forum on the issue of establishing a free trade zone in Cobija.

Cochabamba conducted *two* forums on the following:

- The issue of the gas reserves and the referendum at which the departments of Tarija, Santa Cruz and Chuquisaca attended (mentioned above for the importance of the conclusions that emerged from the forum)
  - Increasing the tourism potential of the department. For the first time, a brigade Committee on Tourism was created and a systematic survey was made of actual and potential tourist sites and a database constructed for use by the Committee. This forum was originally intended to be a REDIC, but was reduced to the level of a forum because of the lack of participation from the appropriate government ministries.
- Twenty one from uninominal deputies (as contrasted with only three in the previous quarter) as follows:
    - *Five* on the issue of the gas reserves and the referendum, held by one deputy each from circumscriptions in the departments of Potosi, Oruro, Chuquisaca and Santa Cruz, and one from El Alto (Claudia Paredes)
    - *Sixteen* on the issue of the Constituent Assembly. These Forums were supported with the added assistance of the UAGP, SUNY'S technical counterpart in the Congress. SUNY collaborated with the UAGP to produce an educational video explaining the reasons for and the objectives of the Assembly. The uninominal deputy was in charge of conducting the sessions, backed up by a technical expert hired by SUNY to give an introductory talk explaining some of the most important issues to be discussed in the Assembly. SUNY will also produce written materials for distribution to the participants and to other groups within the circumscription of each uninominal. The material will incorporate the technical considerations of the *Maestrias para el Desarrollo* to be concluded in the month of August.

## 2. Interactive Radio Programs

This mechanism is more suited to giving information rather than discussing complex problems such as those associated with the Constitutional Assembly. Therefore, its use was less than the forum mechanism, but nevertheless totalled sixteen sessions in this quarter, seven by uninominal deputies and one by a departmental brigade:

- Oruro Brigade: the brigade conducted *four* sessions in June to inform all citizens of the department of Oruro concerning the Minimal Regional Agenda and the activities associated with its implementation. Issues that are receiving priority attention are tourism, mining, and the cultivation and commercialization of llamas and their products.

- Jhony Antezana, uninominal from the city of Cochabamba, had *one* session on the hydrocarbon law as a follow-up to the Citizens' Forum he held last March on the same issue.
- Roxana Sandoval from Santa Cruz held *six* sessions on the SAFCO Law, the Municipalities Law, and the Census Law, as well as informing of her activities in the Congress and the departmental brigade in favor of the department of Santa Cruz.
- Alejandro Zapata of El Alto held *three* sessions, also in June, concerning the laws approved in favor of infrastructure works and the economic development of El Alto. It is important to understand that these "laws" almost exclusively refer to declaring these respective issues as "priorities" for the national congress or for the executive branch ministries. Such a declaration through a "law" is often a necessary first step to encourage action on these issues, but their approval does not imply that the deputy formulated or drafted substantive laws on these issues.
- Claudia Paredes of El Alto conducted *four* interactive radio sessions, all concerning her activities in the congress, with groups from the business community and from civil society. These sessions were linked to the previous Citizens' Forums she has held during the last two quarters and were effective as follow-up activities.

### 3. Public Hearings

Five public hearings were supported by SUNY during the quarter:

- The most important public hearing was conducted in mid-June by the Joint Committee on the Constitution and Justice on the proposed Law on Citizen Groups and Indigenous Communities. As mentioned above, the primary objective of this law was to break the monopoly of the political parties on the presentation of candidates for all levels of regular and special elections. The bill had been drafted with the help of a legal expert hired by SUNY on a three-month contract. The hearing was highly successful in eliciting commentaries, opinions, and strong criticisms from the public for lack of coordination between the Committee's version of the draft law and two other versions that had been formulated by the Municipal Federation (FAM) and one from a former congressman (Carlos Borth). Also, at the insistence of the committee, the hearing was held in the Congress which did not have enough space for all who wanted to attend and also excluded a number of base groups who were prevented from attending due to the tight security measures (entrance by invitation lists only) in force in the Congress at present. Despite these inconveniences, however, the hearing was highly successful and the Committee was able to incorporate the suggestions of the alternate proposals concerning gender equity and the requisites for registering in the Electoral Court. Some adjustments may still be necessary concerning the financing of the new groups. The present stipulation is that financing will be done in the same manner as the political parties, which receive funding only post-elections and having received at least 5% of the national vote. The present arrangement, therefore, would deprive the groupings of funds to use in their election campaigns.
- The departmental brigades of Tarija, Chuquisaca and Oruro held three public hearings on the occasion of their anniversaries. These hearings were conducted jointly by the brigades and by the full Senate, which participated in these events at the insistence of the President of the Senate. In one sense, these hearings proved more effective by the presence of a Senate quorum, which was able to pass

“legislation” on the spot and in the presence of the participants (See above, 2.1.3.2. Interactive Radio of Alejandro Zapata for an explanation of the character of these “Laws”).

- One public hearing was held by the Committee on Social Policy on the issue of medical negligence. This was the third hearing on this controversial issue to receive input from the major cities in the country. This hearing was held in Santa Cruz, the first and second having been conducted in Cochabamba and La Paz. The law proposal has passed through two versions, but strong opposition from the Medical Association will make this a difficult bill to formulate and pass.

The quality of the hearings is gradually improving, as committee chairpersons are slowly conforming to the main objective of the hearings, which is to receive input from the public, instead of using them for launching discourses, turning them into seminars for the instruction of the participants, or introducing personal or political agendas into the proceedings.

#### **4. Brigade Training**

SUNY continues training the departmental brigades in two areas – the formulation and follow-up of the Regional Minimal Agendas (RMA), and the training and consultation on budget analysis and public investment in the departments. Because of an overload of work on these two training areas, SUNY was not able to provide assistance in the formulation of the Institutional Strategic Plan for any of the brigades.

- SUNY divided its training on the Regional Minimal Agendas between formulation and follow-up. The brigades of Santa Cruz, Chuquisaca, Oruro, and Cochabamba have accepted the RMA as a useful “work plan” for the brigade’s legislative activities. The Potosi, Tarija, Beni, and Pando Brigades are still in process of assimilating the concept, while the brigade from La Paz is still too inoperative and wrought by divisions and power struggles to have adopted the RMA even in principle. During the past quarter, SUNY assisted in the formulation of the RMAs for the brigades of Potosi, Tarija and Santa Cruz, thus bringing to eight the total of RMAs completed for this calendar year. There is no possibility of working with the La Paz Brigade, at least during the present year.
- Training in budget analysis. During the previous quarter, seminars on understanding and analyzing the national budget were conducted for five brigades. The training was continued this quarter for three more brigades, Potosi, Oruro and Pando, bringing the total training to eight brigades. Once again, La Paz has rejected the training offered in this area. Also during this quarter, the consultant providing the budget training developed a “Guide for Oversight of Public Investment.” This guide contains an explanation not only of the national budget, but also an explanation and method for oversight of the departmental budgets and investments, elements of more immediate interest to the members of the respective brigades. Training in the Guide was extended to the brigades of Oruro and Cochabamba during this quarter, and will continue with the other six brigades in the near future. An information and monitoring system (SISIN) through computer access is still being developed and, when completed, brigade members will receive training in its use as a complement to the training in the Guide. This training has had an

immediate impact as seen by the fact that the brigades of Oruro and Cochabamba have asked for and received follow-up assistance from the SUNY budget expert on particular departmental investments.

### **5. Follow up**

As explained in the last quarterly report, compliance with commitments made in public hearings, departmental brigade Minimal Agendas and EDCs has been extremely uneven. Rates of compliance have varied between 100% (legislation) in the case of the Public Hearings of the Beni and Oruro Brigades and the Hearings of the Committees on Sustainable Development, Human Development and Social Policy, to 66% with the Pando Brigade, to only 15% in the Potosi Brigade. The compliance with brigade Minimal Regional Agendas is much poorer in the Pando Brigade registering 66% compliance with oversight commitments, 15% with executive branch activities, and 0% in legislation; while the Oruro Brigade 50% oversight, 70% *gestiones*, and 90% legislation. As previously explained, however, the rather impressive percentages with reference to legislation are misleading, for a qualitative analysis shows that many of the "laws" passed, really do not merit the name of law, being in most cases general instructions to the Executive to seek funding, or some general permission or request.

During the present quarter, special attention was given to this problem by the hiring of a consultant to follow up on compliance. In the brigades of Oruro, Cochabamba, Pando, and Santa Cruz, Citizens' Forums were supported as direct responses to items in the RMAs. Santa Cruz held two forums, one on the problem of land tenure, and the other on the issue of improving competitiveness as a condition for economic development. Pando organized a forum on its Agenda item concerning the establishment of a free trade zone, and Cochabamba and Oruro held forums on increasing the tourism potential of their departments, also priority items in their RMAs. While supporting these events, SUNY is also providing assistance in brigade budgeting to provide to the congressional budget directors a consolidated budget of the needs of brigades in organizing follow up activities.

### **6. Accountability and Dissemination**

SUNY is supporting information dissemination concerning the Congress and individual uninominal deputies as a means of making the deputies accountable to their constituencies, as well as a way to improve the image of the Congress and its members. During this quarter, SUNY financed focus groups to evaluate the impact of different approaches to dissemination. One extremely important conclusion of this exercise was that emphasis should be shifted away from the abstract and remote entity of the "Congress," and should emphasize individual deputies. To this end, SUNY has hired Radio Fides to do a series of interviews of individual deputies from strategic circumscriptions, like those of El Alto, La Paz, and the gas producing regions of Bolivia. The results and impact of these interviews will be evaluated after a three-month trial and pilot period.

Meanwhile, SUNY continues to support publications providing information concerning the activities and compliance of deputies, brigades and committees:

- The RMAs for four brigades were published: Oruro, Pando, Chuquisaca, and Potosi. The RMA for Oruro was also disseminated through four interactive radio sessions in June.
- Twelve information bulletins completed, and four in the final stages of preparation:
  - *Five* bulletins containing information on the forums held by the Joint Committee on the Constitution and Justice on the Law Convoking the Constitutional Assembly.
  - *Three* bulletins informing of the activities of uninominal deputies.
  - *One* bulletin for the Santa Cruz Brigade on results of the forum on the proposed hydrocarbon law.
  - *Three* bulletins on the results of public hearings for the Committees on Human Development (2) and Social Policy

Other accountability measures included the *three* interactive radio sessions mentioned above which informed of the activities of Alejandro Zapata and Claudia Paredes of El Alto, and Roxana Sandoval of Santa Cruz.

## 7. Women Legislators

Activities with the women legislators were devoted mainly to the following:

- Assisting UMPABOL in lobbying activities with the Joint Committee on the Constitution and Justice as a corollary to the efforts of ACOBOL and FAM to include a 50% gender quota in the Law on Citizens Groups and Indigenous Communities. For three months, meetings were held with the UMPABOL coordinators and prominent women legislators like Senadora Alicia Muñoz and Diputadas Haydee Velásquez, Tomasa Quelca, Gina Méndez, Ximena Calvo y Ericka Brockmann, and several gender oriented NGOs to maintain regular contact with the presidents and members of the Joint Committee. This activity culminated in the public hearing held committee and in the passage of the law in the plenary session of the extraordinary Congress on June 30. Also much time was spent organizing strategies to introduce the same gender quotas in a series of related laws.
- Conducting a needs assessment of women legislators to determine training needs with reference to congressional procedures and instruments (*e.g.*, congressional requests for written and oral reports from the executive branch ministries, regulations for public hearings held by congressional committees and departmental brigades, work in committees). Nineteen women legislators were interviewed concerning their interests and how those interests could be promoted in the Congress through their specific work as legislators. All of the women interviewed, among whom are some of the most active in the congress, were interested in meeting with their constituents, and most had knowledge of the entire set of congressional instruments and procedures and had carried out *gestion*es through legislation (see above on the character of this "legislation"). The one area of technical assistance which received the most requests from the legislators was help in drafting laws. The strategy that SUNY had been

employing previous to this quarter was to assist in strengthening the relation between the legislators and gender-oriented NGOs whose resources could be used in research, documentation, law drafting and social mobilization. That strategy was superseded during the reporting quarter by the almost exclusive attention devoted by both the legislators and the NGOs to the issue of gender quotas.

- One workshop with gender-oriented NGOs to prioritize the laws of the Women's Legislative Agenda to be promoted in this and the coming legislative periods. Priority laws decided upon were as follows:
  - Reform of the Law on Domestic Violence
  - Passage of a law to protect women harvesters of Brazil nuts ("Castañeras")
  - Passage of a Law sanctioning political harassment of women public servants and elected officials
  - Lobbying to include women candidates in the Law Convoking the Constituent Assembly
  - Bi-weekly workshops with alternate legislators, departmental brigades, and regional gender-oriented NGOs to prepare proposals for the Constituent Assembly on parity of women candidates in national and local elections.

#### **PROBLEMS, DELAYS, AND CORRECTIVE ACTIONS**

- a. *Training of indigenous legislators.* A group of nine indigenous legislators has been formed, eight from the MAS and one MIP member. They continue to interpret their role in the congress more as community and union leaders than as legislators and have shown little interest in receiving training in congressional procedures.

*Corrective action:* SUNY has adopted a new strategy of devoting more attention to supporting these legislators in their circumscriptions as a first step to follow-up activities in the Congress. To date, SUNY has supported 5 of 9 in forums and interactive radio programs.

- b. *Fragmentation in the Congress.* The abandonment of the traditional system of reaching agreements in the Congress through party discipline, pacts and quotas, has left the Congress divided into four or five different groups, each with their own agenda. This situation increases the ineffectiveness of the Congress and its poor public image and has caused delays in SUNY's work with the Joint Committee on the Constitution in its drafting of the Law Convoking the Constitutional Assembly.

*Corrective action:* SUNY has proposed to USAID a strategy of supporting the departmental brigades in preparing consensus positions on the major divisive topics to be treated in the Constitutional Assembly. This effort by the brigades will be the most unifying factor available since it will be an opportunity to put consensus regional issues ahead of party factionalism.

- c. *Strengthening of UMPABOL.* The attention of both the women legislators and the NGOs was devoted to developing the strategy and lobbying for the inclusion of gender quotas into the Law on Citizens Groups (passed) and the Electoral and Political Party Laws (pending) to the detriment and delay of the institutional strengthening elements of this component.

*Corrective action:* Now that the major battle of gender quotas has been won in the Law on Citizens groups, UMPABOL and the gender NGOs should have more time available for the other objectives of this component.

- d. *Aggravated relations between Executive and Legislative Branches.* The Minister of the President is still functioning as the liaison between the branches. This arrangement continues to be inadequate as a means of access to the Ministries by the legislators in their oversight and *gestiones*, especially harming SUNY's support for the departmental brigades in these activities.

*Corrective action:* Unless and until President Mesa finds a strategy of dealing with the Congress that does not alienate and offend the legislators, this problem will continue to weaken the effectiveness of SUNY's program. Nevertheless, SUNY is attempting to mitigate the worst effects of this conflict through its program of support for the departmental brigades in their oversight of public investment in their regions. If successful, this program will necessarily entail the meeting between the brigades and the executive branch on the prefecture and ministerial levels.

It is also important to note that the Director of the UAGP, the SUNY counterpart in the Congress, has been fired by the President of the Chamber of Deputies. The letter announcing his dismissal cites "irregularities". The same (former) Director, however, remains in charge of the project named SETTIAL, the institutional strengthening project, whose future is now seriously in question. Whether or not it will continue depends on the Danish international development agency, DANIDA, which had committed to provide \$2 -3 M for its operations.

#### **IV. ADMINISTRATIVE BACKGROUND**

##### **Three No-Cost Extensions, Two Task Orders Operating Concurrently**

As mentioned in previous quarterly reports, the SUNY Bolivia Task Order 805 was to end on September 27, 2003. On October 1, 2003, SUNY was awarded a new Task Order, under competitive bidding limited to IQC holders of the Deliberative Bodies area. Since not all the funds for the 2001-2003 IQC were expended during the contract, a no cost extension was granted which ran concurrently with the new IQC and was to terminate on December 31, 2003. The social upheaval and political changes that occurred during October, however, prevented the complete implementation of the high cost activities of radio and TV dissemination as well as a national level advocacy workshop, leaving the extension at the end of 2003 with a positive balance. A second

no cost extension of IQC #805 was therefore approved for use of the unspent funds in support of the Congress's representative function under the new political and social conditions prevalent since the month of October. The funds from this second extension were slated to be used in the emergency program of supporting President Mesa's agenda, with emphasis on the convoking of the Constituent Assembly and the extension was to terminate on April 30, 2004. Once again however, delays in the Congress and prolonged negotiations with the Catholic University over their sub-contracting proposal to provide technical assistance to the Congressional Committee charged with developing the law convoking the Constituent Assembly motivated the USAID/Bolivia Mission to approve *a third extension*, which will terminate on August 31, 2004.