

**HUMAN RIGHTS VIOLATIONS OF INDIGENOUS
PEOPLES IN THE BOLIVIAN LOWLANDS
February 2019**

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Presentation

Indigenous rights are part of human rights, not a separate or different thing. Since the Declaration of Human Rights is universal and general in nature, while issues of indigenous peoples are delicate and specific to a most vulnerable population, a special framework of rights is needed to more effectively protect indigenous peoples from the voracity of development. The need is urgent in the case of countries that do not issue specific norms for the protection of Indigenous Rights. For example, Bolivia has never ratified the Indigenous Act: there are only articles and informal references in Bolivia's new national Constitution, and laws that ratify International Conventions in general.

At the global level, and in comparison to the Declaration of Human Rights, the formal recognition of Indigenous Rights is relatively recent. Indigenous Rights are the collective rights of peoples and cultures covers around the world, and are now considered to be in their third generation.

For many centuries, the Human Rights of indigenous peoples and peasant farmers have been systematically weakened and violated, especially in Latin America, even long after the Universal Declaration in 1948.

Certainly, the cases of violence against indigenous peoples and peasants have declined compared to past decades, although they still occur, as the cases of Chaparina in Bolivia (2011), Bagua in Peru (2009), or Dayuma in Ecuador (2007), and most recently, of Tacovo Mora in the Bolivian Chaco and the murder of Honduran leader Bertha Cáceres. In addition to the violence, there has been an increase in other forms of human and indigenous rights violations. The visions of development and progress held by the governments of some countries may cause them to ignore or violate international conventions protecting human rights, such as Convention 169, or the constitutions of the countries, themselves. For example, the right to prior and informed consultation and consent may be ignored, or the consultations may be done in bad faith to accommodate the interests of governments and businesses. They divide indigenous organizations, and create parallel organizations that favor the interests of governments and businesses. They coopt and corrupt indigenous leaders and organizations, and they criminalize environmental and social protest and persecute indigenous leaders. What is more, they put obstacles in the path of indigenous peoples' participation in public roles and institutions. All these are constant and ongoing forms of violating Indigenous Rights.

Consultation is one of the fundamental Rights of Indigenous Peoples. Consultation must precede any work or project, and be free, informed and binding, in agreement with the right of free and informed prior consent established by the United Nations' Declaration on Indigenous Rights. In general, business and pro-extractive governments see consultation as a mere formality to give a green light to their plans and operations, but it should be the first defensive line of resistance

that indigenous peoples have to confront projects perceived to pose high social or environmental risks to themselves or their environments.

The Constitution of Bolivia (Article 30, paragraph 15) establishes the right of Indigenous Peoples to be consulted in good faith, through appropriate procedures and through their institutions, that is: through their most representative organizations, when considering any legislative or administrative measures which may affect them. This aspect is highlighted as being of utmost importance in Convention 169 and the Declaration of Indigenous Rights of the United Nations, but has been systematically ignored by successive governments.

Over the past ten years, the government has failed in many cases to meet its obligation to respect and guarantee the right of mandatory prior consultation in good faith regarding the exploitation of nonrenewable natural resources in the territories of indigenous peoples. There has been a painful series of encroachments of indigenous territories by extractive oil and mining projects, creating serious social and environmental impacts.

Free access to land and territory is another fundamental right that has been frequently violated in recent years. Organizations that bring together lowland settlers have expressed their objection to the practice of land endowment granted to the indigenous people, adducing that it is too big. Strangely, this position has intensified the conflict about the roadway that crosses the Indigenous Territory and Isiboro Secured National Park (TIPNIS) areas. The protest by the colonial settlers in this region concerns the allegedly huge area of indigenous territories in the Amazon, Chaco and in the east of the country, compared to its population density, which is effectively lower than the densities of other peoples and cultures. The colonial settlers are demanding a new "Ley de Tierras", a land law that would consider a redistribution of land surfaces. This position betrays a one-dimensional analysis, consistent with a purely agrarian vision; that is to say, it only considers land surface in terms of agricultural use. This in turn comes from the fact that the reality of indigenous production systems as practiced in the lowlands is effectively ignored or unacknowledged. In the lowlands, the survival systems and resource management of indigenous peoples are based primarily on hunting, fishing, and gathering. Although itinerant cultivation is important, it has not become the mainstay of survival for these groups. In regions of tropical and subtropical forest, resources are relatively scarce. The larger land surfaces needed for traditional practices is reflected in the distribution: hunting, gathering and fishing cannot be performed on surfaces of 50, 100 or even 1,000 hectares.

The rights and claims of indigenous peoples and their organizations to achieve results consistent with the principles of the new "Constitución del Estado", of the rights of Mother Earth, and of the principles of living well, are threatened by the advance of an increasingly predatory extraction of resources, which has the open support of the state apparatus.

Over the past ten years, we have denounced the strong intention of the government to the weaken indigenous organizations that observe and criticize policies that violate their developmental territories and rights. The organizational weakness of indigenous groups promotes division in their ability to represent their interests, and may tacitly allow the criminalization and persecution of social protest, or the cooptation of leaders and communities. Another major obstacle lies in the government's harassment and intimidation of environmental organizations and the media, when they defend and promote the defense of indigenous rights and protected areas. To this difficult situation, we must add the cooptation and complicity of the current "Defensoría del Pueblo"

(Ombudsman) who supports the government's plans and policies favoring the extraction of resources, without regard to the impact on indigenous peoples.

The struggle of the indigenous movement in Bolivia is centered on strengthening the existing capacities of indigenous organizations and creating greater sensitivity and support from civil society. This paper aims to contribute to strengthening and consolidating the voices of defense spokespersons and the resistance of indigenous peoples.

This analysis has been created at the express wish of the indigenous resistance movement in Bolivia, with the goal of plotting the major violations of the Rights of Indigenous Peoples on a map. The foundation of this map is a base of information supported by numerous references and testimonial sources. There have been a total of 64 serious human rights violations of the indigenous peoples of Bolivia, as well as nine structural situations related to the adoption of rules or processes that open the door to increased infringement of these rights.

The list of violations, as well as the information base and map, is partial. It includes only the most obvious or critical facts, such as those that have had extensive coverage in the media and social networks. However, there is a wider set of violations -- in the decades before 2006, for example—that are not as well known or supported by conclusive information, which are not presented in this document. In any event, it is an open list, given the increased pace of extracting natural resources in the country. Lamentably, the violations of the rights of indigenous peoples continue and increase in number.

We provide an appendix the analysis of data tables regarding the current subjugation of protected areas, which in most cases (16 in total) also include direct or indirect violations of the human rights of the indigenous peoples living in these areas. Another appendix refers to the main features of exploitative or predatory extraction of resources in the Bolivia, as shown in various criteria. Finally a summary chart provides a synthesis showing several on-going extractive processes and mega-projects (26 in all) that clearly affect the human rights of indigenous peoples in Bolivia.

General list of violations of Indigenous Rights in Bolivia

No.	Case 2006-2019 human rights violations
1	Government awards petroleum rights and contracts in protected areas and indigenous territories north of La Paz and Beni. Regions of Madidi, Pilon Lajas, and TIPNIS are affected. 2007
2	Government rewrites the El Bala mega-dam project. 2007
3	Government awards oil drilling rights in the Liquimuni area of northern La Paz to the company YPFB 2008
4	Government establishes an oil drilling area superimposed on the "intangible area for the protection of the Toromona indigenous people who live in voluntary isolation in the Madidi National Park. 2008
5	Violation of the process of consulting the people Mosetene-OPIM at the start of exploration operations in the Liquimuni area. March 2009
6	Seismic exploration causes a strong internal conflict between the OPIM and other indigenous organizations in the La Paz Amazon. October 2009 - 2012
7	Indigenous organizations representing both the lowlands and highlands of the country publicly denounce the subjugation of their territories to the forces of exploitation and the infringement of their rights caused by government policies. July 2009
8	Government approves road project crossing the TIPNIS 2009
9	The eighth march in defense of TIPNIS against the project promoted by the government. Violent repression of the march in Chaparina. 2011
10	Noncompliance of the government to Law 180, and the ninth march in defense of TIPNIS. 2012
11	Systematic weakening of indigenous organizations and the indigenous movement, cooptation of leaders and leadership groups. 2012 - 2013
12	False consultation of TIPNIS 2012 -2013
13	Weakening of the OPIM by cooptation and leadership groups foreign to indigenous organizations. from 2011 to 2012
14	Indigenous leaders denounce and reject the recommendation promoted by the lobby requesting the right to explore for oil in the Liquimuni perforatoria Block - Sector Sararia in July 2012
15	SERNAP violates indigenous rights in the TCO Pilon Lajas 2010 to 2011
16	Mining megaprojects in the mountains of Tucabaca create risks to the water sources of local populations from 2009 to 2012
17	Mega-mining in TCO Ayorea Guaye-Rincón del Tigre and protected area IMNA Matthias 2013-2010
18	Mega-mining operations in broken limestone in the PNANMI Abaroa Kaa Iya 2010 -2014

19	Mega-mining of gold and copper lands Chiquitanas-Mina Don Mario (Paítiti EMIPA) Orvana 2003-2014
20a	PETROBRAS in the San Antonio area violates indigenous rights of the Tucantí community, restricting the movement of Indians in their own traditional area. 2009
20 b	PETROBRAS continues to violate indigenous rights by restricting the free movement of the Tucantí indigenous community in their own traditional area. 2017
21	British Gas Operations in TCO Weenhayek 2008-2015
22	Oil operations in Margarita-Caipipendi affect the people and Ava Guaraní TCO in Tentayape 2009-2013
23	Alto Parapetí drilling at the Incahuasi II well. Inadequate consultation 2012
24	In the TCO region, TCO Itikaraparirenda in Chuquisaca and Alto Parapetí in Santa Cruz. Tunnel construction in Cerro Incahuasi, without consultation. 2013
25	REPSOL Operations in the Caipipendi Block - Campo Margarita, superimposed on the TCO Itika Guasu. 2005 - 2010
26	Government and multinational Assembly approve the entry of PETROANDINA into several areas of the Serranía de Aguarañe for exploration. The company China Petroleum & GAS SA EASTERN enter the Sanandita area for exploration and exploitation, without prior consultation. 2010 - 2012
27	The Guaraní Tucantí community calls attention to its basic demands regarding sector Sábalo adjacent to the PNANMI Serranía de Aguarañe. September 2012
28	Rejection by the APG-IG of 3D seismic exploration in Block San Antonio by PETROBRAS, and of the "consulting", which was done in poor faith. March 11, 2013
29	YPFB-PETROANDINA exploratory process is done without consultation and brings negative impact to the highlands PNANMI Timboy Aguarañe. 2013
30	A legitimate organization - the organic CRTM of Pilon Laja - is overwhelmed by a parallel organization headed by German Nate and promoted by the government-SERNAP. Highway communities versus Quiquibey river communities. October-December 2014
31	Government continues with plans to enter the TIPNIS. 2014 - 2016
32	TOTAL causes a diversion of the Parapetí river and other disturbances, without public consultation or environmental studies. 2014
33	Govern ment intends to form a parallel APG in order to give social approval to DS2366. 2015
34	Destruction of a sacred site of the Guaranis in Caraparicito by the TOTAL company July 2015
35	YPFB violates the right to consultation (Campo dorado) in TCO Takovo Mora and the government violently suppresses the protest of communities of the TCO. August 2015 (19 August 2015).

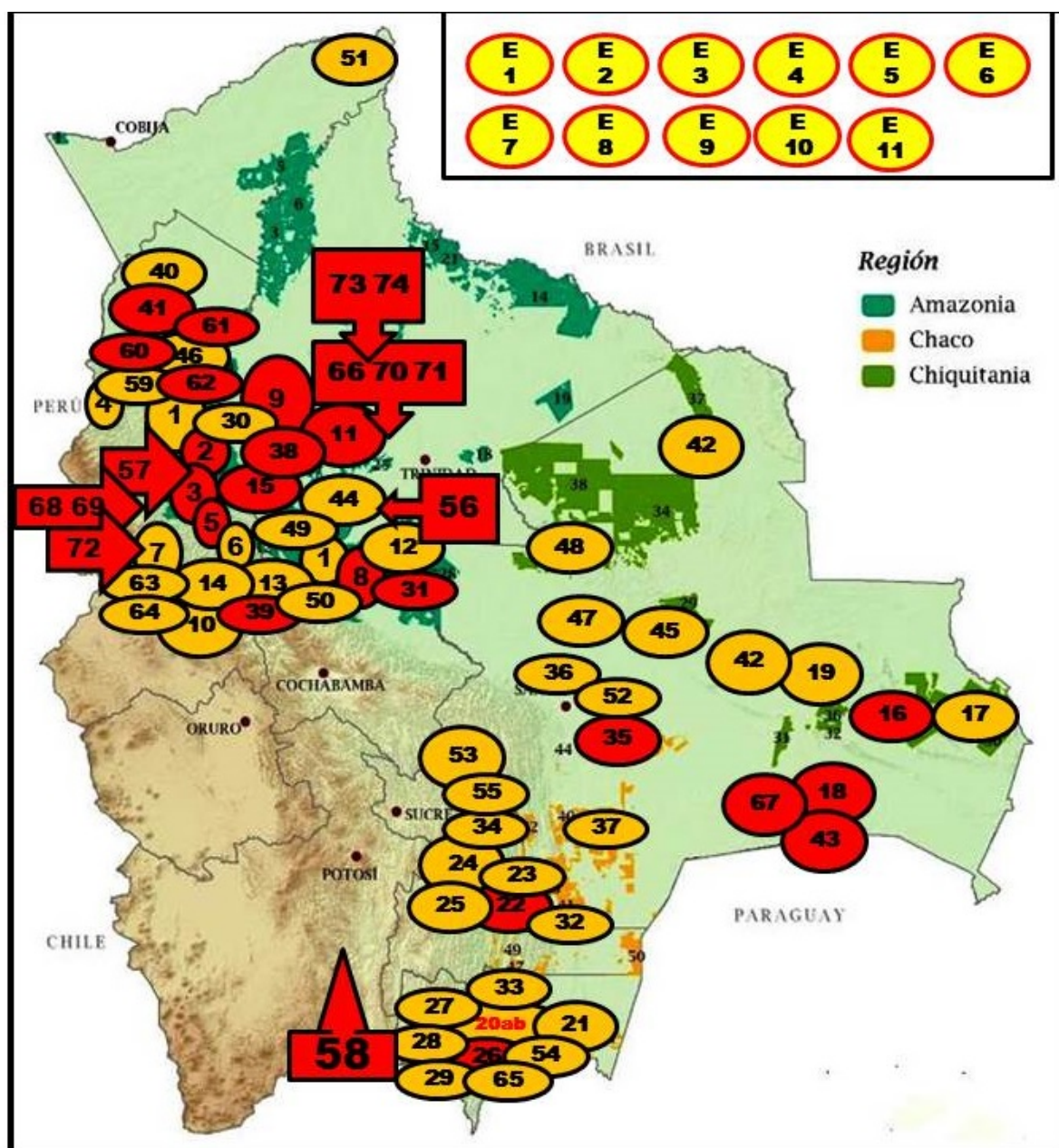
36	College of Petroleum Engineers and the YPFB push for future processing by hydraulic fracturing (fracking) and exploitation of "shale gas" in Guaraní land. Julio 2011 -2013
37	Agroambiental Court rules in favor of Mennonites occupying land in the TCO Isoso October 2013
38	The government awards the identification study for the Bala mega-dam to the company GEODATA, without prior consultation or any information being given to organizations and indigenous communities Madidi and Pilon Lajas. May 2015
39	The government awards the study for the final design of the El Bala and El Chepete hydroelectric projects to the GEODATA company, without prior consultation or any information given to organizations and indigenous communities of Pilon Lajas and Madidi. May 2015 - July 2016
40	YPFB promotes the 2D Seismic Project in the Cuenca Madre de Dios ("Mother of God Basin") Area in Nueva Esperanza (North of La Paz) 2015
41	Oil exploration in northern La Paz (Beni-Madre de Dios). Chinese company BGP reports an encounter with uncontacted Indians September 2016
42	INRA approves new settlements of colonization in San Jose de Chiquitos and San Ignacio affecting traditional lands of indigenous and rural farming communities in the area 2013
43	Ayoreos remains uncontacted in the Bolivia border - Paraguay is threatened by the operations of oil exploration 2016 - 2017
44	The National Institute of Agrarian Reform (INRA) through a resolution declares Chimane I and II territories (Forest Chimanes) to be public lands. June 2010 - March 2017
45	Mining impacts on the TCO Monte Verde, processes done without prior consultation or mitigation plans 2002 - 2006-2017
46	The Industrial Complex of San Buena Ventura Sugar causes severe impacts on land and resources of the indigenous people of the TCO Tacana I 2007-2016
47	Subjugation and colonization of the Guarayo people's land by large landowners. December 26, 2007
48	"Project by Supreme Decree" promoted by the ABT threatens to subsume and open the Guarayos Forest Preserve to colonization. March -April 2017
49	Evaluation by the Defensoría del Pueblo (Ombudsman) states that the river Chimanes Maniqui community does not have fundamental rights. December 13, 2011
50	Colonists in the municipality of Palos Blancos Mosetenes subjugate lands and burn homes. 19 January 2010
51	Violent eviction of residents of the La Selva community, in the municipality of Nueva Esperanza -Province Federico Román, by the MABET logging company. January 18, 2010
52	Brutal eviction of 130 families of the Guarani Iyambae community, near the city of Santa Cruz, by police. December 21, 2016

53	The national and regional Governments promote the construction of the Rositas dam and six other possible dams over the Rio Grande without prior consultation. Resistance by the indigenous communities of the Rio Grande. 2010 - 2017
54	The Government ignores the protected status of the Tariquia Reserve which was based in Decree 2366 and earlier agreements, by allowing oil exploration. Indigenous and rural farming communities express their resistance. 2007 - 2017
55	The Government ignores the Iñaño protected area by granting the Azero oil field to GP and TOTAL. 2013 - 2016
56	The Government approves Law 969, removing the concept of "intangibility" of the protected area in giving value to territories and cultures, and eliminates Act 180. It approves the road in the TIPNIS, entirely violating article 30 of the CPE. August 2017
56 b	Indigenous Rights Abuses in the TIPNIS and Trinidad, militarization of the territory, improper detention, criminalization of social-environmental protest, taking the office of the Subcentral ITNPIS in Trinidad. August 2017
57	Government signs agreement with an indigenous organization that was coopted La Paz to justify the Bala Chepete mega-projects. August 2017
58	Bolivian government imports more than 80 thousand tons of genetically modified corn from Argentina and United States. 2015-2017
59	Indigenous Toromonas and Chimanes denounce their exclusion in an action headed by Evo Morales in Ixiamas. June 2017
60	Minister of Rural Development and Land, César Cocarico, threatens the existence of an indigenous people in voluntary isolation in northern La Paz, offering as justification that it is a "project that benefits". 4 October 2017
61	The Central Organization of Tacanas II- Rio Madre de Dios (CITRMD) Indigenous Peoples declare a state of emergency in the face of attempted subjugation of their territories by settlers. September 20, 2017
62	Interculturales-colonos (peasant no auto identified as indigenous) affiliated with the Single Federation of Rural Workers of La Paz violently overrun the Tacana indigenous lands in northern La Paz (Tarene sector Chico near Tahua community). 18 October 2017
63	Police evict ITNPIS leaders from Plaza Murillo by physically pushing them, and brutally assault a journalist. October 20, 2017
64	Minister denies the possible existence of uncontacted Indigenous in the north Amazon of La Paz, but confirms the auction of 100 exploration areas and the supposedly high gas potential of the Madre de Dios basin. November 1, 2017
65	YPFB, signed three contracts for exploration and exploitation of hydrocarbons in the framework for the areas of Iñiguazu, San Telmo and Astillero (Tariquia), without consulting or socializing information November 21, 2017
66	Indigenous leaders of the TIPNIS filed a complaint of subjugation of their Territory and violation of their rights before the International Court of Nature's Rights

	November 8, 2017
67	The ABT (Forest and Land Authority) and the MMAA (Ministry of Environment and Water) published the Forest Plan for Bolivia. Due to its extractivist profile, said Plan puts at risk indigenous peoples in voluntary isolation December 2017
68	The indigenous leader of the Uchupiamonas Territory and representative of the Commonwealth of Indigenous Communities of the Beni, Quiquibey and Tuichi Rivers, Ruth Alipaz Cuqui, presented in the Permanent Forum of the Indigenous Issues of the United Nations, held in New York City, report on the mega project of the government of Evo Morales to build the hydroelectric mega-dam of El Chepete-El Bala on the Beni river. April 18, 2018
69	Evo Morales, president of Bolivia, accused in New York, some Non-Governmental Organizations of dividing the indigenous movement of the country to seek internal confrontation. April 18, 2018
70	Commission of the International Court of Nature Rights will arrive in Bolivia to visit the TIPNIS and verify the reports of violation of the environment and Mother Earth August 5, 2018
71	Assumed leaders of the TIPNIS, related to the government and the road plans, announced that they will not allow the entry of the Commission of the International Court of Nature Rights. Women leaders of TIPNIS reject the threat. August 13, 2018
72	The Government of Evo Morales intends to impose the project of the hydroelectric mega-dam of Chepete-El Bala, conditioning the provision of basic services. December 15, 2018
73	Commission of the International Court of Nature Rights, exhorted the sanction to the government of Evo Morales for a series of violations of the rights of nature and in direct correlation with a series of violations of Indigenous Rights. January 16, 2019
74	Polygon 7, occupied by colonizing peasants in the southeast of the TIPNIS, implies a direct violation of the Right to the Territory and various other indigenous rights. January 20, 2019
E1	Country level: Government rejects the results of the oil audit, which they themselves commissioned. 2007 - 2008
E2	Country level: Government increases from 33 to 56 the areas of land to be opened for exploration and exploitation of hydrocarbons by grants to YPFB, affecting protected areas and TCOs (Supreme Decree No. 0676). October 2010
E3	Country level: Supreme Decree 2549 again expands the oil frontier. 2015
E4	Country level: Government approves the Plan for YPFB exploration 2011-2020, without consultation or dialogue with indigenous organizations. 2010
E5	Country level: Government begins the process of supporting large agribusiness corporations and expansion of the agricultural frontier; Santa Cruz agricultural summit "Seeding Bolivia". 2011 - 2016
E6	Country level: The Law of Mining and Metallurgy, No. 535. is approved and promulgated. May 2014

E7	Country level: Government approves Decree 2298 allowing the modification of Regulation TI 29033 regarding consulting. in March 2015
E8	Country level: Government approves Decree 2366 in order to open oil operations in protected areas. 2015
E9	Country level: The appointment of David Tezanos as the new Defensor del Pueblo (Ombudsman) a painful setback in terms of the defense of indigenous rights. This office is now totally cooptated by the government and is unlikely to fulfill its responsibilities. 2016
E10	Country Level Government will auction 100 hydrocarbon fields to attract foreign investment and start exploration tasks November 2017

Map of violations of the Rights of the Human Indigenous Peoples of the lowlands of Bolivia
2006-2019



No	cases of violation of human rights 2006-2019	Summary of Critical Information
1	<p>Government grants contracts for oil development in protected areas and indigenous territories in the north of La Paz and Beni. Regions of Madidi, Pilon Lajas, TIPNIS are also affected.</p> <p>2007</p>	<p>Operating contracts with multinational companies (Petrobras, Repsol-YPF, Total) and Petroandina, are approved in areas that overlap (since 2001) with protected areas Madidi, Pilon Lajas TIPNIS, Aguarague. The MAS government supports the same fields grants and contracts that the government of Sanchez de Lozada had passed in 2001.</p> <p>The government violated the Constitution and international conventions, as it is not legal to adopt such <u>issued-impelled-applied-adopted-administrative</u> measures without conducting a consultation with indigenous peoples and civil society in general. Consultation is stipulated in international conventions as a means to protect indigenous rights and the Constitution itself. The Constitution of the State (CPE) in Article 30, paragraph 15, establishes the right of indigenous peoples to be consulted <u>in every case where legislative or administrative measures may have foreseeable effects on them.</u> ILO (International Labour Organization) Convention 169 on Indigenous Peoples of the United Nations establishes as a right: To be consulted in good faith, whenever the State <u>promotes administrative or legislative decisions and development plans.</u> While the Declaration of Indigenous Rights UN 2007, Article 19 on the right to consultation with indigenous peoples says: States shall consult and cooperate in good faith <u>before adopting and implementing legislative or administrative measures which affect them.</u> The Inter-American Commission on Human Rights (CIDH), in accordance with the policies established by the Convention 169 of the ILO and the Declaration on the Rights of Indigenous Peoples, recommended that the consultation procedure should be developed <u>"before designing and implementing projects that exploit natural resources in the ancestral lands and territories of indigenous peoples."</u> Convention 169 was ratified in 1991 by Law 1257, and the UN Declaration was ratified in November 2007 by the 3760 Act. Both Conventions and Laws of ratification are part of the constitutional Block (Article 410 of the EPC), and together with the Constitution are the most important rules of the country. This means that measures to award oil contracts without prior consultation has violated the Constitution and related laws.</p>
2	<p>Government rewrites the project for El Bala mega-dam</p> <p>2007</p>	<p>Issue of the Supreme decree declaring national interest as a priority and promoting the mega-dam of El Bala, affecting protected areas and indigenous territories in the north of La Paz and Beni.</p> <p>The government violated the Constitution and international conventions, as <u>"issued-impelled-adopted-applied"</u> a legislative measure (Decree 29191) without conducting a consultation with indigenous peoples and civil society in general, as stipulated by the international conventions for protection of indigenous rights and the Constitution itself. The Constitution of the State (CPE) in Article 30, paragraph 15, establishes the right of indigenous peoples to be consulted <u>whenever legislative or administrative measures which may affect them are</u> foreseen. ITO Convention 169 on Indigenous Peoples-UN establishes as a right: To be consulted in good faith, when the State <u>promotes administrative or legislative decisions and development plans.</u> While the Declaration of Indigenous Rights UN 2007, Article 19 on the</p>

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3	<p>Government awards the Liquimuni Block in northern La Paz to the YPFB Company</p> <p>2008</p>	<p>As in previous cases, the government awarded the Liquimuni oil field in northern La Paz to the YPFB Company, without prior consultation with indigenous peoples who manage their territories in the region to be affected, violating the Constitution and international conventions on indigenous rights.</p>
4	<p>Government establishes an oil field overlying the intangible area for the protection of the Toromona indigenous people who live in voluntary isolation in the Madidi National Park</p> <p>2008</p>	<p>In the face of evidence of the presence of an "uncontacted" indigenous people (possibly Toromonas) in Madidi Park in the sub-Andean Amazon in 2006, the Bolivian state created, from an administrative decision of SERNAP, the Intangible and Integral Reserve for Absolute Protection, for the protection of the Toromonas peoples who live in voluntary isolation there, pledging to respect their individual and collective ways of life. With the new Constitution, the Bolivian State (Art. 31) perfected the resolution, vowing to protect peoples living in voluntary isolation within Bolivia, preventing them being persecuted, harassed or killed by large projects installed in the areas that sustain their livelihoods and way of life, which might otherwise be smothered and eventually disappear. However, in 2008, the government established the Madidi oil field on strictly protected land of the Toromonas, and signed oil contracts with Petroandina SAM for future exploration.</p>
5	<p>Violation of consultation process of the Mosekene-OPIM people at the start of exploration operations in block ell Liquimuni</p> <p>March 2009</p>	<p>A survey conducted by the Ministry of Hydrocarbons and YPFB was inadequate and performed in bad faith, breaching the DS 29033 (Consultation and Participation Hydrocarbon Related Activities) and the Constitution of the State itself, since it obviated the parent organization (OPIM) and proceeded to a partial consultation, community by community, co-opting both women and men who are leaders in these communities. There is shameful evidence about co-optations involving offers of meals or treats that were given on condition of signing "certificates of participation". There were the "famous" 3,000 signatures, including those of children. According to Adolfo Chávez, the principle leader of the CIDOB, <i>"the error of the authorities of the sector and the oil company, was to avoid consulting with the highest authorities of the indigenous organization, and to opt instead for consulting in isolation with minor leaders or even</i></p>

		<p><i>families, to avoid the approved of methods and standards of consultation, not respecting the organizational structure and using manipulations. <u>They devoted themselves to making "parties so that the community would agree, in exchange for works that have so far not come."</u></i></p> <p>The Departmental Consultative Assembly of the Council of Indigenous Peoples of La Paz (CPILAP), was critical of the 2D seismic survey of the Liquimuni oil field which directly affects the TCOs of Mosetene and Leco of Larecaja towns, and indirectly the T'simane-Mosetene Pilon Lajas peoples.</p> <p><i>Vote of resolution of Organizations of Indigenous Originals and Rural Famers (CIDOB, CPILAP, APG, CONAMAQ, etc.): Therefore, we condemn the actions of the Ministry of Hydrocarbons on visits to Moseten and Lecos communities, who are members of CPILAP, for its backing and granting of an Environmental License to the YPFB-Petroandina S.A.M. for Phase II of the Lliquimuni Project, and we demand the nullification of this procedure because the organic structures have not respected, as mandated by Art. 118 of Law No. 3058 of Hydrocarbons and DS 29033, nor did they comply with the consultation and participation requirements, in accordance with regulations and as stated in the Constitution of the State.</i></p>
6	seismic exploration brings a strong internal conflict of OPIM and other indigenous organizations in the Amazon region of La Paz from 2009 to 2012	<p>While there were certainly localized environmental impacts as a result of seismic exploration, these were generally speaking neither strong nor widespread for most of the country. However, the socio-cultural impacts on the organizational structure of the Mosetene people were devastating. In the same vein, the conflict between the indigenous organization and the Government oil interests was coincidental and almost insignificant compared to the conflict created within the internal organization and the Mosetene people. The intrusion of oil interests in the region caused a profound weakening of the OPIM organization (Organization of Mosetene Indian people) who observed the actions of the oil interests very critically. There were internal conflict between leaders, as well as conflicts between communities that supported the oil interests and the OPIM, and between communities (some in favor and others against oil interests), and even within communities among families. The climate of conflict persists and deepens, even threatening the cultural survival of the ethnic group in the region. The government is dividing the Leco de Larecaja organization, promoting a parallel organization tied to the petroleum project.</p>
7	Indigenous organizations of the low and high lands of the country denounce the extractive subjugation to their territories and rights by government policies.	<p>The pronouncement of the indigenous organizations of the low and high lands of the country in the face of extractivist occupation is made public. This caused annoyance to the Bolivian President Evo Morales, who accused the environmental organizations of being "manipulating" and "confusing" the indigenous leaders with political interests. The pronouncement of the indigenous and native peoples of July 2009, denounced the subjugation of original traditional spaces, demanding the paralysis of new mining and oil operations in their territories, without their express consent and prior consultation. This statement was a strong demonstration of the position of the indigenous and peasant organizations of Bolivia, and was presented by: the National Council of Ayllus and Markas from Qullasuyu (CONAMAQ), the Single Trade Union Confederation of Peasant Workers of Bolivia (CSUTCB), the Trade Union Confederation of Native Indigenous Peasant</p>

	July 2009	<p>Women- "Bartolina Sisa" (CSMIOC- "BS"), the Indigenous Confederation of Bolivia (CIDOB), Bolivia's Landless Movement (MST-B) and the Afro-Bolivian People.</p> <p>For its part, the Departmental Consultative Assembly of the Council of Indigenous Peoples of La Paz- CPILAP (part of CIDOB) demanded that both the YPFB company and the national government respect the organic, legally and legitimately constituted body and leave aside their attempts to break the organic structure of CPILAP and to divide the organization, resorting to prebend, slander and defamation. In addition, it demanded that the government and the company YPFB PETROANDINA SAM, not continue with their intentions to break and violate the organic structure of CPILAP, entering directly into the communities, without respecting the organic and legitimately constituted instances.</p>
8	Government approves the road project that crosses the TIPNIS 2009	The government approves the Villa Tunari - San Ignacio de Moxos road project that crosses and cuts the TIPNIS in two (section II), and signs a loan with the BNDES of Brazil and the Brazilian company OAS (much disputed). There is no consultation, nor Environmental Impact Studies approved for section II. Therefore, the Political Constitution and International Conventions are violated. Consultation and Environmental Impact Studies of section III is inconsistent and flawed, despite this, is approved.
9	The eighth march in defense of TIPNIS, against the project promoted by the government. Repression of the march in Chaparina. 2011	On 15 August 2011, the eighth march in defense of TIPNIS began. After a journey of several weeks, in the town of Chaparina in the Amazonian Beni foothills, there was a brutal repression by the police to the marchers camp, violating the Constitution, as well as of International Conventions and Human Rights. The government hid those responsible for the operation. The march's entry into La Paz in October 2011 was an apotheosis: its arrival was greeted by more than 300,000 people. The indigenous peoples and citizens' movement required the government to issue a law (No. 180) halting construction on the sector II. The government took a perverse position, declaring the TIPNIS as "intangible" in order to prohibit the indigenous peoples themselves from using their own resources, a space that is the ancient traditional area of these indigenous people. In the end, ITNPIS organizations accepted "intangibility" as something favorable, and Law 180 was adopted.
10	The government fails to implement Law 180. The ninth march in defense of TIPNIS. 2012	In early 2012, the government pushed Law 222, which calls for prior consultation with indigenous TIPNIS. In calling for the referendum, Law 222 was implemented, and indirectly canceled Law 180. It did so in bad faith since it had the effect of partially dividing communities. Thus, by promoting a fraudulent and bad faith consultation in the TIPNIS and re-activating section II, the stage was set for new conflict. The indigenous movement was reorganized in the first months of 2012, and the ninth indigenous march in defense of TIPNIS began, in response to the ambivalence and lack of compliance by the government regarding Law 180, which had recognized its intangibility and halted construction of the controversial road.
11	Systematic weakening of the organizations and the indigenous movement, co-optation	As a result of the ninth march, the government implemented the strategy of systematically weakening the organizations and the indigenous movement. Part of the government's scheme to weaken the indigenous movement and break the ninth march was the signing of agreements called "joint program agendas", which began in March 2012 with the creation of a parallel CIDOB, which co-opted women leaders and leaders of the indigenous movement that supported the march ninth.

	of leaders and governance. 2012 - 2013	In much the same way, the government signed an agreement with leaders of the Indigenous Committee of the Amazon region of Bolivia (CIRABO) which grouped the Tacana Araona, Chacobo, Cavineño among other peoples, together, with the supposed goal of " <i>improving the quality of life and getting them out of exclusion</i> " (ABI, March 21, 2012). Previous to this, the leaderships and bases of the CIRABO gathered in an extraordinary assembly, to disown and reject this agreement with the government. The government also sought to weaken and divide the CPILAP, co-opting by means of sinecures (bribery), their top leadership (José Ortiz and Freddy Limaco), to get them to abandon the march and movement in defense of TIPNIS. Similarly, the government sought to weaken the CRTM of Pilon Lajas, when the Minister of the Presidency co-opted the then President of the organization, Germán Nate, to abandon the Ninth March. In fact, Germán Nate accepted an illegitimate and inorganic parallel CRTM. Because of this, in July 2012, the leaders of the communities of Pilon Lajas, ignored and dismissed Nate, forming a new, organic CRTM, under the direction of Mauricio Saravia and Clemente Caimani.
12	False consultation in the TIPNIS 2012 -2013	The Government undertook a consultation with the TIPNIS, which was characterized by co-opting and bribing communities and leaders, militarizing part of the territory, and persecuting indigenous leaders who opposed the consultation. One result of this was to provoke a confrontation between different indigenous groups of the same territory. The report of the Defensoría del Pueblo denounced the consultation as having been made "in bad faith". The church issued a similar report.
13	Weakening of the OPIM by co-optation and leadership from outside the indigenous organization 2011 - 2012	The progressive weakening of the indigenous organization OPIM, as a result of seismic exploration and the ninth march ITNPIS, culminated with the election of an intercultural candidate, Rubén Chambi, as president of the OPIM. This contradicted the internal status of the organization and engendered a deep conflict and division between communities. The election was promoted by persons with allegiance to the government. Not surprisingly, Ruben Chambi proved to be in favor of oil operations in the immediate vicinity of the TCO, with the drilling of Liquimuni in the Delicias-Sararia on the Beni River.
14	Indigenous leaders denounce and reject "the consulting group (lobby)" that backs exploration in the Liquimuni drilling field of Beni river July 2012	The government uses the drilling of the Liquimuni well as an electoral "political flag" in the region, and generates false expectations about the production of oil and gas. The opinions of several experts and oil geologists point repeatedly to negative prospects for the drilling area. Meanwhile, the government, through the Ministry of Hydrocarbons and Energy and YPFB, goes back and "revises" the failures and bad faith of the consultation process regarding seismic exploration done in previous years, establishing an information "council", which involves more than twenty cultural organizations in northern La Paz that had supported Liquimuni Centro XI oil exploration project conducted by Petroandina SAM. Pressure by the "interculturales" (outside peasant settlers) expressly excludes indigenous organizations in the region from the process, so that several leaders of the OPIM and CPILAP itself rejected the "consultation via cabildo (lobby)". It was noted that the regulation 29033 was not applied in the case of the Mosetene communities, since the drilling area was

		<p>within walking distance of the river Beni and in direct contiguity with the TCO OPIM, so would pose foreseeable risks of contamination. Subsequently, YPFB acted to co-opt and bribe some indigenous Mosetene and LECO communities along the Beni river, as was the case in Bajo Inicua.</p> <p>The Liquimuni well was a failure because no marketable reserves were found, they were required a high level of investment, and they caused much severe damage to ecosystems, as well as negative impacts on indigenous social organizations. YPFB fails to take appropriate remedial action in the withdrawal phase after the Liquimuni well is shut down.</p>
15	<p>SERNAP violates indigenous rights in the TCO Pilon Lajas</p> <p>2010 - 2011</p>	<p>Beginning in 2007, a deep rift grew between the SERNAP (National Service of Protected Areas) and the Pilon Lajas indigenous organization, the CRTM, reversing the positive relationship of previous years, with shared management and an effective strategic alliance. It is important to remember that the Pilon Lajas indigenous TCO has a total overlap with the Biosphere Reserve, thus a condition of dual management, so that management development had been conducted jointly and in a coordinated manner since 1996. From 2010 on, with the occasion of the marches in defense of TIPNIS, the relationship of TCO with the Direction of "protected Area" began to deteriorate. Increasingly, SERNAP, taking direction from the Direction of "protected Area", began to recognize the representation of the discredited Germán Nate, and marginalize the legitimate CRTM directive headed by Mauricio Saravia.</p> <p>Another clear example of the government's intention, via SERNAP and the Direction of "protected Area", to damage or weaken the TCO, was the creation of the new Management Committee of the protected area and TCO (Comité de Gestión del protected Area y TCO), in which the CRTM (or TCO) was reduced to a minority with a single representative, against a majority representing three colono (settlers) organizations in the region, in addition to the Municipality of Palos Blancos (predominantly of colono settlers), which meant an absolute weakening of TCO and its representative organization. Other critical elements and violations of indigenous rights orchestrated by the SERNAP to set apart the indigenous organizations, were: a) approval of construction of tourism infrastructure in the area of the Laguna Azul without consultation with the CRTM organization and communities, even though the area has the "intangible" designation and is characterized as a Sacred Site; b) approval of SISCO (Turismo charge system) by SERNAP, also without consultation or any coordination with the representative organizations and communities. What is striking about this situation is that to approve these measures, SERNAP turned to Germán Nate (as if he were a valid representative of the CRTM), ignoring the legitimately recognized CRTM directorship. This vertical subjugation of an indigenous organization imposed by the government, via SERNAP, is absolutely unprecedented in the history of the Protected Areas System. All these actions completely contradict Article 385, paragraph II, of the new national Constitution: CPEPB: Article 385. II. Where there is overlap of protected areas and indigenous territories of traditional rural farmers, shared management will be enacted, subject to the rules and procedures of the nations and native indigenous traditional peoples, respecting the objective for which creating these areas were created. This subjugation put the TCO and the CRTM in a condition of strong disadvantage complete vulnerability, and it increased the risks of intrusiveness petroleum projects as well as spreading colonization.</p>

16	<p>Mining megaprojects in the mountains of Tucabaca, with health risks to water sources of local populations</p> <p>2009 - 2012 - 2017</p>	<p>The Tucabaca Valley (Serranía de Santiago in the Chiquitana region of Chiquitos, municipality of Roboré), faced serious threats from mining megaprojects. These operations threatened areas of high ecological and scenic value in the protected area, but the greatest risk was to the water sources in the region, possibly affecting Santiago de Chiquitos and several rural communities, such as San Lorenzo, Candelaria and Naranjos. The megaprojects included KYLENO, which sought to exploit iron mining concessions in La Esperanza. Exploration plans could not be carried out due to the massive social rejection of the project by local communities and the municipality of Roboré itself; SIDERESTE, attempted to make use of the concessions for open pit at the foot of the mountains of Santiago, trying to bypass the public consultation process. MONTECARLO the business group in the field "Claudia", intended to consolidate the production of iron ore in volumes over one million metric tons (MT) per month, and reduce the iron through charcoal burning. In all of these cases, the right to consultation, including the approval stage of projects (through administrative means) by COMIBAL, and the strategic status of the protected area for the water supply in the region, was violated.</p> <p>In mid-2017, SIDERESTE returned to the region with new claims for entering the Serranía de Santiago within the protected area (Naranjos sector), reactivating the resistance and social rejection of local communities in the entire region.</p>
17	<p>Mega-mining in TCO Ayorea Guaye-Rincón del Tigre and San Matías protected area IMNA</p> <p>2010 - 2013</p>	<p>In 2011, the Brazilian company Votorantim Metais conducted exploratory mining operations in 19 concessions (called Tigre I-XIV) in the Rincon del Tigre, overlapping the indigenous territory Ayoreo Guaye, and within the protected area IMNA San Matías. VOTORANTIM is a Brazilian transnational giant with multiple investments and businesses in various branches besides mining. The concessions covered 2,834 "grids", for a total of 70,850 hectares. Their aim was to exploit probable reserves of platinum and nickel. Also present in the area is the GLOSOBYK SA mining company, a multinational backed by British, Brazilian, and Bolivian capital. This company had already started exploration and prospecting for platinum and nickel deposits, before the entrance of Votorantim. The granting of concessions to Votorantim and GLOSOBIK came towards the end of 2006, without honoring the process of consultation with indigenous organizations and communities in the region for such grants, in contradiction of laws related to international conventions, such as the violation of the protected area and range of prohibition of occupation by foreign companies in proximity to the border, as provided for in the national Constitution.</p> <p>In 2010, representatives of the Federation of Rural Farmers and Indigenous Chiquitanía Workers denounced the irregular granting of 19 concessions to the steel company Brazilian "Votorantim Metais" on an area of over 50,000 hectares, for nickel exploitation. They further denounced the Ministry of Environment, Biodiversity and Climate Change, for approving the environmental records of four Brazilian trans-national companies. The risk of co-optation and manipulation of communities and indigenous Ayoreo leaders by businesses is potentially very high, and it is possible that there are no good organizational systems in place to generate resistance to the incursions of megaprojects.</p> <p>The provision of concessions and permits did not consider the information and consultation processes with indigenous organizations, as stipulated by the Constitution and international conventions.</p>

18	<p>Limestones megaminería operations in Abaroa broken into the PNANMI Kaa Iya</p> <p>2010 - 2014</p>	<p>In 2010, a large project for the exploitation of limestone by open pit mining posed a great risk to Kaa Iya National Park (southeastern and eastern part of the area of direct influence on the Quebrada Abaroa). Initially presented by investors and interested parties from Santa Cruz department who were linked to the production of cement, it later took on a "social enterprise" character by incorporating Ayoreo Indians leaders, who were co-opted and confused by business interests from outside the protected area. In 2011, the Kaa Iya community mining company was established, with the support of indigenous Assemblyman Bienvenido Zacu and with the rationale of an announced cement shortage in the country. The proposal came to have government support. The Santa Cruz businessman Rosendo Barbary Paz (a principal shareholder) made references to an environmental license already held by the company (via documentation "certified" by the Mayor of Charagua), exploration and feasibility studies, registration in FUNDEMPRESA, a directory with eight legal representatives, contracts with a company to supply equipment and even the "approval" of President Evo Morales. According to the report Sergeotecmin (2012), there are 5 mining concessions totaling 962 assigned grids (24,050 hectares), of which 3 with 845 grids assigned (21,125 hectares), are within the Kaa Iya. The 3 mining concessions within the protected area are 4 years old, and the 2 concessions in the area of direct influence date from 2011. All were awarded after the creation of the protected area, without a consultation process. The region is part of the area considered Guaraní and Ayoreo traditional lands.</p> <p>The mining exploration conducted caused strong environmental impacts on fragile ecosystems in the areas and involved the implementation of temporary camps, the opening of gaps and pathways for the entry of lorries and construction machinery, drilling, surveying, geophysics, and digging 18 wells, with 6 additional wells possible. The region has a small supply of surface water; for example, the Abaroa stream is only intermittent, and many species of wildlife depend on its limited water, as do traditional farming activities. Therefore, the functioning of the overall ecosystem is at risk. A crucial element in the mining proposed for this area is that it is seasonally or occasionally occupied by an uncontacted Ayoreo group that moves through these lands from the border with Paraguay.</p>
19	<p>Mega-mining of gold and copper lands Chiquitanas-Mina Don Mario (Pa'ititi EMIPA), Orvana</p> <p>2003 - 2014</p>	<p>In 2003, large gold and copper mining operations in the area of Don Mario, were questioned by the indigenous people and the community of the Chiquitana region, who alleged that the environment was being affected. Indigenous and rural farming organizations then demanded compensation, to which the company spokespersons replied that, at most, they would support five adjacent communities with projects in health and education. The Canadian ORVANA company conducted initial operations of the sinkhole type, which gave way in 2011 to open pit gold-copper mines in the Don Mario (UMZ) superior mineral structure, and the installation of flotation extraction based on cyanide, with greatly increased impact and environmental risks. The leaching process used for obtaining gold depends on the use of cyanide, which implies a high level of environmental risk because of the high toxicity of this reagent. Cyanidation used to the concentrate mineral residue generates high concentrations of cyanide. The operation of the tailings dam is a permanent risk to the region. As in the other cases, the use of large volumes of water (detailed information about the exact amounts remains</p>

		<p>a question) and compromises water availability in the surrounding region. Plans for the project include the construction of a sulfuric acid plant with a production capacity of 150 tons per day, which provides acid leaching in batteries for processing copper by leaching.</p> <p>The tailings disposal in levees involves major earthworks, as well as enlarging the access road from the town of Taperas (a bi - oceanic corridor) for transporting materials and products to and from the mine. According to FOBOMADE, the mine has a direct and indirect impact on 7,557 indigenous Chiquitano families who live in areas of dry forest in the Bolivian Chiquitano Pantanal. Mining operations are located in the area of direct influence of IMNA San Matías, just 7 kilometers from the western boundary of this protected area. Unfortunately, according to environmental legislation, the development of the UMZ project only requires an update of its environmental license and not the development of a new Environmental Impact Study. Under the Directorate of Hydrocarbons and Mines of the Autonomous Departmental Government of Santa Cruz, this initiative was publicly applauded with great enthusiasm, and there is no known instance of an environmental review by the department. Mining operations have devolved into a game of economic compensation to indigenous organizations in the region, which has been denounced on several occasions as a co-optation that masks the social and environmental impacts.</p>
20 a	<p>PETROBRAS violates indigenous to prohibit the movement of indigenous traditional space in their own rights.</p> <p>2009</p>	<p>Humphreys and Katari (2009) denounced the unprecedented infringement of the rights of free movement of the Guaraní Indians of the Tucantí and Central communities in their traditional space 2009, due to a barricade and the presence of PETROBRAS Company's security services in the area of the Sábalo 1 wells, which prevented the passage of the Indigenous peoples at certain hours. This area was under PETROBRAS's contract operations in Sábalo's wells 1-6 in the San Antonio oil fields. The Humphreys and Katari report describes the situation: <u>Most surprising was the entrance to the Guaraní Tucantí community where an entrance gate controlled by PETROBRAS permits passage only at certain hours, so the movement of the community members is severely limited: if they are late, they must wait until the hour determined by the company to enter their homes. According to the communal Captain, the people have suffered this problem for over 6 years, and at no time has PETROBRAS made any effort to consult with the community</u>". This extraordinary case violates the new national Constitution, the Universal Declaration of Human Rights, the International Conventions, and other agreements, and is met by total indifference by the government.</p>
20 b	<p>PETROBRAS continues to violate indigenous rights and restrict the free movement of the Tucantí indigenous community in their own traditional space.</p>	<p>Early in 2017, the digital media site <i>elchacoinforma.com</i> confirmed the violation of human rights of the Guaraní Tucantí indigenous community and TCO in the San Antonio oil field of Aguaragüe (Villa Montes), by the transnational company Petrobras. Marbel Bejarano, Head Leader of the Tucantí indigenous community, reported that the PETROBRAS Company, which operates within the TCO, restricts the free passage of indigenous community members along the main road to their community: the company has installed a gate with padlocks and a security guard. The villagers have to ask permission from the oil company to enter their own land. This violation of human rights is chronic and had been denounced by LIDEMA in 2009. At that time, the APG immediately took steps to address the violation, but it seems no to be effective. It is a shameful situation that has been continued by the oil company and tolerated by the government. The</p>

	2017	<p>indigenous leader denounced the ongoing fact that when some community members arrive late at night to return to their community, the gate is closed and they must wait until morning. If they arrive at midday, they are made to wait in the heat; and sometimes they have an emergency or become ill and can neither enter nor leave. In the same vein, he reported that the company shows no respect for indigenous people, who are hired (as pawns) then driven out whenever the company decides. As workers, they are not indemnified; they are denigrated by the company. In 2016, Tucantí community members conducted a mobilized work stoppage of about 15 days, declaiming against the abuses committed by the company, and asking for a meeting with representatives of the APG at the national level, as well as of other authorities, to work toward an agreement. The oil company threatened to charge them eighty bolivianos per hour, for the damages and bad publicity they were supposedly causing. The company's action and the government's neglect and violation of human rights is chronic. This</p> <p>violates the Universal Declaration of Human Rights, as well as the indigenous rights enshrined in the national Constitution and international conventions. The contempt shown to the natives of the lowlands by Evo Morales' government, displays the unethical behavior of the oil companies, and the uselessness of the Ombudsman office (Defensoría del Pueblo) to perform its role, once again.</p>
21	<p>British Gas operations in the Weenhayek TCO</p> <p>2008 - 2015</p>	<p>In the TCO and along the course of the Pilcomayo river, 17 Weenhayek ethnic communities are distributed. British Gas (BG) has been the most active oil company in the area. The hydrocarbon exploration in the Weenhayek TCO started in the 1980's with the company Tesoro Bolivia and has been continued by BG Bolivia. By 2013, various oil operations had established under BG Bolivia, such as Vertiente, Los Suris, Escondido, Ibibobo and Palo Dial. In the TCO there are several oil installations, and the area is crossed by several roads and a pipeline built by BG, which was the subject of complaints by the TCO. There have been also numerous complaints from the indigenous communities, about the negative effects the various operations of the company have had on the bodies of water, the grasslands, agricultural land, forest areas, and hunting grounds. Cases of co-optation of leaders by the company were also reported.</p>
22	<p>Oil operations in Margarita-Caipipendi affect people and TCO Tentayape</p> <p>2009 - 2013</p>	<p>Since 2009, the government has promoted oil exploration in the Caipipendi oil fields by the transnational Repsol YPF. These operations have affected the TCO Tentayape, the last redoubt of the Iyambae Ava-Guarani Simbas of Bolivia. Under previous governments (before the nationalization process concessions given to this company raised several conflicts. The conflict with the Tentayape TCO began in the years 2001-2003, because of the damage caused in the operations of the Margarita field, which affected the region and the TCO. The oil company had conducted seismic surveys and constructed a pipeline in the heart of the Tentayape area, causing several impacts on watersheds and forested areas.</p> <p>However, despite being an extraordinary exhibition of the natural and cultural heritage of Bolivia, in 2010 the Repsol oil company announced the initiation of new 3D seismic surveys in the Caipipendi oil field in the Iguembe area, which once again affected the Tentayape TCO.</p>

		<p>In 2010, in an outrageous and flagrant violation of the norms fact, the Ministry of Hydrocarbons and Energy awarded the Environmental Profile Category 2 to IAES, contradicting the regulations of Environmental Law and violating indigenous rights. This action was rejected by indigenous organizations as something that needed to be rectified. In the following years, REPSOL went ahead with seismic 3D, however, due to indigenous resistance in the region of the Tentayape TCO, REPSOL stayed out of the area as it explored for oil.</p>
23	<p>Upper Parapetí area: drilling of the Incahuasi II well. Poor consultation.</p> <p>2012</p>	<p>For the Incahuasi II wellbore in the Upper Parapetí, the consultation process was denounced as being partial and inadequate. There were also cases of co-optation and bribery of leaders of the Itika-Huasú to get them to approve of the drilling.</p> <p>Testimony of Fidel Cejas, director in charge of the use of natural resources in Parapetí Alto (Santa Cruz Chaco):</p> <p><i>"What we want is to have our rights as indigenous people respected. Sometimes the government makes agreements with the oil companies without consulting us. For example, the Incahuasi X-2 area, which we did not know had been already awarded to the TOTAL oil company. And then, what does the company do? They come and say, "No, no, we have already spoken to the government", period. And we, what are we? No, this does not have to happen. This is why we have always been fighting and will continue to fight. We have often been told: "You're fighting for the economic part, for money." No, we're not fighting for that. For us, as leaders of the Upper Parapetí, we want no more activity by the oil companies! Because we have never lived like this. When the oil companies come, they enter our primary forests. But when oil operations start, what will happen? The animals of the forest will go ... Those places where we used to go hunting and find meat. Right now, the companies are in those areas, these activities are being done right there. When the oil industry is at work, they do not care about anything. For the oil industry, the only thing that interests the company is clearly economic: profit. But this is not true for us. What interests us is to maintain the resources that we have there. But sometimes they do not understand us.</i></p>
24	<p>Tunnel construction in Cerro Incahuasi, without consultation. Itikaraparirenda TCO in Chuquisaca región, and Parapetí Alto TCO, in Santa Cruz.</p> <p>2013</p>	<p>Another conflict emerged in the region of the TCO Itikaraparirenda in Chuquisaca and TCO Alto Parapetí in Santa Cruz, following the road project Monteagudo-Ipati, which involved the construction of the "longest tunnel in Bolivia", 1,260 meters long, to Incahuasi. It went through a hill, in an area where several Guarani communities and farmers live. Serranía de Incahuasi is one of the most important regions in the Bolivian Chaco; it contains the most significant reserves of water in the region, and is home to more than 150 Guarani communities, spread over the Ipahuasu, Itikaparirenda and Alto Parapetí TCOs. It is the "resting place" or "refuge" of Iya Guaraní: Lord of the Water, where rituals are still conducted. The conflict is not directly related to the oil issue, although interestingly it crosses areas of oil operations in Incahuasi and Aquio granted to TOTAL E & P. The Incahuasi Cerro area contains several water veins that provide water resources to the region. Indigenous organizations reported that government officials and ABC (Bolivian Highway Authority) toured the area months before, pressuring indigenous leaders to sign certain documents, and then taking for granted that the communities had been consulted; consequently, they argued that they had "prior consent". Only in mid-May, did the 70 representations of Guarani communities learn about the tunnel project, whose construction they had allegedly supported. The affected Guarani communities insist that the public consultation carried out by the Ministry of Public</p>

		Works was invalid because it was partially, co-opted and did not take into account the rights of indigenous peoples as covered by Convention 169 and the Declaration of Rights of Indigenous Peoples the United Nations, both of which hold the status of Law. Furthermore, the Incahuasi Cerro has the character of a sacred site for communities in the area.
25	REPSOL operations in Block Caipipendi - Campo Margarita, superimposed on the TCO Itika Guasu. 2005 - 2010	Within the Itika Guasu TCO, 20 environmental licenses have been granted. The most recent was issued in February 2010, to REPSOL YPF companies and the nationalized Transredes. These licenses were granted without respect for the right to consultation as required by DS 29033. The evaluation of environmental impacts, with which REPSOL offered in the case of Itika Guasu, were deficient, given that there were only three studies to operate 5 wells, to lay an oil pipeline, a gas pipeline, and even affect a portion of the PN IMNA Aguara Güe. These studies do not identify cumulative impacts or cultural impacts, nor do they offer mitigation measures that could avoid these impacts. The social impacts deriving from REPSOL YPF's activities in the country were not considered in their true magnitude when developing the environmental impact studies. Despite claims to have used much higher standards than those established in Bolivian law, it has failed to curb the process of social decay in communities. The confusion created by REPSOL's activities has taken a toll in terms of social and cultural functioning, which has enabled REPSOL YPF to sidestep consultation the processes, monitoring, indemnification, and fair compensation established by national laws and international treaties. Construction of the oil and gas pipelines in order to exploit the resources of the Campo Margarita has caused impacts on flora and fauna. The Itika Guasu's ongoing complaint is that Repsol YPF has failed to manage properly the processes of reforestation and erosion mitigation.
26	Government and Multi-national Assembly approve the entry of PETROANDINA into several areas of the Serrania del Aguara Güe for exploration, and of the Chinese company EASTERN PETROLEUM & GAS SA of the PNANMI, into the Sanandita area for exploration and	The Government approved plans for the PETROANDINA-YPFB consortium to enter several areas of the Serrania de Aguara Güe: south Aguara Güe, central Aguara Güe, north Aguara Güe, Tiacia, and Timboy, without providing appropriate prior consultation or daily information to the local communities. The exploratory process threatens areas of high ecological fragility, such as areas where groundwater is recharged and the headwaters of streams that provide water to the towns in the surrounding mountains. Also, the government furthered the approval process in the legislature to approve oil exploration by the Chinese company EASTERN PETROLEUM AND GAS S.A. in the Aguara Güe-Sanandita national park area. The APG leaders consulted about this said they had been unaware of the approval of these new seismic exploration operations. The project had been approved by the Chamber of Deputies and authorized YPFB to sign a contract with the company. The communities in the Sanandita area. and the leaders who help govern Yaku-Igua (Yacuiba Aguara Güe) reject absolutely the entrance of the company into their lands, because they were not consulted or informed in advance. What is more, they continue their complaints about previous promises that are still unfulfilled. According to spokespersons for the legal department of the EASTERN PETROLEUM & GAS SA company, in late June 2012 the Board of YPFB had approved the agreement study, inclusively, and had already approved the model contract, stating that they were "only waiting the acceptance of the Multinational Assembly to start our operations in Sanandita, which is the area that interests us and the one we have requested". The government obviated both, the

	<p>exploitation , without prior consultation.</p> <p>2010 - 2012</p>	<p>consultation and the Study of Environmental Impact Assessment, as well as the formal granting of the Environmental License.</p> <p>Once more, the government violated the Constitution and international conventions, as <u>issued-propelled-adopted-applied</u>, a legislative measure established without conducting a consultation with indigenous peoples and civil society in general, as stipulated by international conventions for the protection of indigenous rights and the Constitution itself. Article 30, paragraph 15 of the national Constitution (CPE), establishes the right of indigenous peoples to be consulted <u>whenever there are legislative or administrative measures which may affect them</u>. ILO Convention 169 on Indigenous Peoples-UN establishes as a right: To be consulted in good faith, whenever the State <u>proposes administrative or legislative decisions, as well as development plans</u>. While the Declaration of Indigenous Rights UN 2007, Article 19 Article 19, on right to consultation with indigenous peoples says: States shall consult and cooperate in good faith <u>before adopting and implementing legislative or administrative measures that affect them</u>. The Inter-American Commission on Human Rights (CIDH), in accordance with the establishment by Convention No. 169 and Declaration on the Rights of Indigenous Peoples, recommended that the consultation procedure be developed <u>"before designing and implementing projects to exploit natural resources in ancestral lands and territories of indigenous peoples "</u></p>
27	<p>Tucainti Guaraní community calls attention to basic demands.</p> <p>Sector Sábalo, adjacent to the PNANMI Serrania de Aguarague.</p> <p>September 2012</p>	<p>The situation of indigenous communities in the region's gas megafields tends to be precarious, as their traditional spaces are under occupation by oil companies. What remains of their land is crossed by oil roads and pipelines, made worse by a lack of services. Such is the case in the Guaraní Tucainti community (approximately 150 families) five kilometers from the Sábalo field run by PETROBRAS, in the municipality of Villamontes. This community has no electricity, no water, and no access road to their homes. Local leaders called attention to the immense amount of gas exported to Brazil, with no benefit to the local population living in areas of production. of the communities do not oppose the exploitation of their land and the oil extraction. but at least, basic services for the communities should be addressed. This vacuum of basic services is in fact a consequence of a failure of responsibility on the part of the local municipality. The Brazilian company also imposes limits on their access and freedom of movement.</p>
28	<p>Rejection by the APG-IG to 3D seismic exploration in the San Antonio Sector by PETROBRAS, and consulting vitiated due to invalidity</p>	<p>The Assembly of the Guaraní People Itika Guasu (APG IG) rejected the draft block 3D seismic exploration of San Antonio (Sábalo and Tarija oil fields) <u>in light of the fact that the consultation process by the Government and Brazil's Petrobras was nullified</u>. The oil company asked to restart the consultation process. <u>The Ministry of Hydrocarbons remained silent</u>, while the request was paralyzed indefinitely. All this contradicts the 29033 standard procedures of participatory consultation for indigenous peoples, which states that the head of the consultation process is the Ministry and not the oil company. In December 2011, <u>the Petrobras exploration manager Germán Fernández, requested a meeting with the APG to give viability to the process of consultation and participation</u>, and was rejected. APG IG reported that on May 20, 2011 the Petrobras Bolivia SA company rejected all negotiation on the basis of having received "instructions from the government authorities". According to oil regulations the company "has no authority to make agreements of</p>

	March 11, 2013	any kind" with the organization. APG considers this situation to be null and void and entirely ignorant of the indigenous laws enshrined in the Political Constitution.
29	YPFB-PETROANDINA causes environmental impacts through exploratory processes done without consultation, in the Timboy - PNANMI Serranía Aguarague area. 2013	In 2013, PETROANDINA moved its drill and other heavy machinery to Aguaragüe in order to proceed with drilling the Timboy X-2 well, ensuring that it had an environmental license. According YPFB, the reserve held an estimated 0.8 to 1 trillion cubic feet (TCF) of natural gas and liquid hydrocarbons (note that as in the Liquimuni case, the staggering assumptions without referring to the results from the drilling scan). APG leaders of Yacuiba, complained that the prior and informed consultation in accordance with regulation 29033 was not carried out: <i>Deposits do not accomplish anything, the agreement was only made with the leadership of Villa Montes. We participate in inspections, not in consultation</i> ". According to the president of OTB El Palmar Grande, Coca Egidio, there are a dozen communities affected by oil activity and the oil companies limited themselves to talking to a few social groups and not with land owning communities. In addition, movement by residents was restricted in the area. It was reported that through the construction of the road leading to the drilling field, the operation's caused greatest impact over streams leading to its desiccation.
30	The legitimate- organic CRTM organization of Pilon Lajas, is overwhelmed by a parallel organization headed by Germán Nate and promoted by the government- SERNAP. Highway communities oppose Quiquibey River communities. Oct-Dec 2014	In August 2014, the implementation of the Government Plan Patujú was used to try to divide the legitimate CRTM. This turned the Pilon indigenous communities in the area of the Yucumo-Rurrenabaque road against the legitimate CRTM, by co-optation of offerings projects. Again, the ex-president of CRTM, Germán Nate (who had been dismissed by the Board of leader communities), took advantage of the situation to form a parallel CRTM. He started a smear campaign against the actual Directorship of CRTM, Nate was supported by Melba Hurtado, head of the inorganic non-legitimate CIDOB at service of the government, and he received support from SERNAP. 13 districts and communities recognized this non-legitimate organization in an assembly held in the area. Meanwhile, 10 communities of the Quiquibey River (of 23 total TCOs) met in another Assembly, which recognized the legitimate directory, but decided that in December 2014 a new assembly would be convened; this assembly re-elected a new unified directory. Members of the legitimate CRTM argued that the apocryphal, or non-legitimate, organization that had taken over the CRTM had developed a process of supplementation, obeying the interests of the government in order to facilitate the entry of oil exploration into the Pilon Lajas. The position of Germán Nate and his advisors is favorable to the government's plans and silent on the issue of the El Bala mega-dam, which is a matter of great concern for the inhabitants of the communities of the Quiquibey River. River communities denounce their abandonment by the CRTM and call for an information event in Asuncion del Quiquibey, jointly with the Commonwealth of the Beni River communities.
31	Government continues with plans to enter the TIPNIS 2015 - 2017	The government and particularly Evo Morales, continue to promote the revival of the Villa Tunari-San Ignacio road project that threatens the TIPNIS and would divide communities and organizations in the region with open acts of bribery and co-optation. These actions caused clashes between the organization defending the territory (Subcentral Secure) and the factions in favor of building the road. In July 2017, leaders of some communities in the Indigenous Territory and Isiboro Secure National Park (TIPNIS), along with the deputy (Ramona Moye) representating of this region, presented a draft law allowing the TIPNIS

		<p>road. That proposal sought to replace Law 180, passed in 2011, declaring the TIPNIS an intangible zone and prohibiting any roads from passing through the reserve. According to statements about this proposal, canceling the intangibility nature of this territory could enable its residents to receive basic services and housing, and that Law 180 caused delays in improving the living conditions of residents of TIPNIS.</p> <p>In July 2017, in response to the proposal orchestrated by the government, at least 64 communities of the Indigenous Territory of Isiboro Secure National Park (TIPNIS) rejected the bill presented to the Multinational Legislative Assembly (ALP) that would have overturned Law 180 defining intangibility, and they opposed building the road through the heart of this protected area. The president of the TIPNIS Organization, Marqueza Teco, declared publicly: <i>"Indigenous women and communities categorically and strongly protest building the road through ITNPIS, by the government of the Multinational State and its operators, which would cause the abrogation of Law 180 and be a dishonest and corrupt act endangering human life, and causing permanent colonization and dispossession of three Indian nations"</i>. It is important to remember that Law 222, from the year 2011, calls for Prior Consultation with indigenous TIPNIS.</p>
32	<p>TOTAL cause a detour and other alterations in the course of the river Parapetí without public consultation or environmental studies</p> <p>2014</p>	<p>In mid-2014, the TOTAL transnational company developed the operations, laying one duct in the Parapetí River (Camirí sector) as part of the "Lateral Lines of Campo Aquio (Aquio oil fields) and Campo Incahuasi (Ipati field)" project that crosses under the Parapetí River in an area of 110 meters, near Camirí, Santa Cruz, causing impacts by diverting the river's course. According to the protests by local civic leaders the process went ahead without research or public consultation, and led to social conflict.</p> <p>Spokespersons for the company argued that they had held public consultation prior to intervening in the course of the Parapetí and that the work mentioned above had an environmental permit issued by the Ministry of Environment on 14 February 2014, and continued the operations. Civic leaders, indigenous leaders, leaders of "original farmers", along with other activists, complained that, in reality, only when the conflict began and threatened to extend (with the intervention of the Ombudsman office), the company made a pantomime of consultation to get by.</p>
33	<p>Government intends to form a parallel APG in order to give social approval to DS 2366</p> <p>2015</p>	<p>In July 2015, the government, through the Vice Ministry of Energy Development, held a meeting with the National Assembly of the Guaraní People (APG National) and the Council of Guaraní Captains of Chuquisaca (CCCH), to establish areas of dialogue to analyze and adjust Supreme Decrees 2298, 2195, 2366 and 2368. However, a press release got through, saying the meeting ... <i>"agreed to make way for oil exploration in indigenous territories prior to socialization of the decrees that allow oil operations in protected areas."</i> According to Evo Morales, the statement of support <i>"is an historic event for the Guaraní people"</i> and <i>"without any intermediary,"</i> referring to NGOs, Morales said that they <i>"will be compensated"</i> by the oil industry and should <i>"accelerate"</i> the prior consultation process. For his part, the president of YPFB, Guillermo Achá, <i>"thanked the support of the Guaraní people and said the benefits will return in productive projects"</i> (Page seven/ANF, August 3, 2015). Highlighted with unmistakable clarity here, are the co-optative line and the bribery applied by the government.</p>

		<p>Shortly thereafter, spokespersons of the national APG clarified that the APG NO spoke in favor of firms entering protected areas for exploration, but had talked with the Vice Ministry of Energy to reach agreement on the decrees, and regretted that they had been put into effect before agreements had been reached. Again, opportunism and bad faith on the part of the government were on full display. It is hardly worth drawing attention to the presence of the CCCH (Captains Council of Chuquisaca) in this charade, since this organization has proven to be quite permeable and opportunistic in response to the strategies of the REPSOL and Hydrocarbons Minister.</p> <p>Senior leaders of the national APG affirmed that the co-opted leaders of the Guaraní Itika Guazú TCO signed a declaration of support for President Evo Morales, which accepted and supported the exploration and exploitation of natural resources in protected areas, declaring itself to be a "National APG". The statement of support for the government was signed in the Ñaurenda community, within the framework of the meeting between a Guaraní faction and Evo Morales, and was broadcast on Bolivia TV. The signatory was the leader Hugo Arebayo, who declared that about 37 communities supported hydrocarbon activities in protected areas. Celso Padilla Guaraní, a senior leader, replied that the leadership Arebayo had little valid representation and that its legitimacy rested on only four communities, and that the legitimate president of the Itika Guazú was Neber Barrientos.</p>
34	<p>Destruction of a sacred Guaraní site of the in Caraparicito by the TOTAL company</p> <p>July 2015</p>	<p>The Continental Council of the Guaraní Nation (CONAGUA) declared a state of emergency because of the damage to its territory in the Caraparicito community, caused by TOTAL. The oil company constructed a gas treatment plant in the <u>Incahuasi megacampo (mega-field)</u>. <u>The transnational company removed 78 skeletal remains from a sacred, burial ground belonging to the Assembly of the Guaraní People (APG) of Alto Caraparicito Parapetí-sector. The gravesite also contained archaelolglcal items such as pieces of pottery, stone and shells.</u> This act angered the Guaraní, especially as the company did not suspend its work at the sacred site, <i>nor did they apologize or return the remains to the community.</i></p>
35	<p>YPFB violates the right to consultation (Campo Dorado,) in Takovo TCO Mora and the government violently represses the protest of the TCO communities.</p> <p>August 2015 (19 August 2015)</p>	<p>This is an area of intense activity, with numerous oil fields and liquid gas production. Several contracted oil operations (El Dorado, Rio Grande, Sauces, James, Percheles, La Peña-Tundy) are underway in this area, run by YPFB Andina SA, Chaco SA, and Pluspetrol Bolivia Corporation. All these operations and contract areas overlap the TCO Takovo, and have produced various socio-environmental conflicts between the communities and the companies over the years.</p> <p>As background, it should be recalled that the Guaraní People of the Takovo Mora TCO had instances of conflict with the oil sector (REPSOL, YPFB Andina) in the years 2011 and 2012, over the subjugation of titled lands that were used for the construction of the Planta de Rio Grande (Plataformaenergetica.org, January 27, 2012) . The Guaraní Takovo Mora Leadership (Capitanía) in Santa Cruz, joined a protest against the government-issued decrees to open protected areas to oil and gas activity and the lack of prior and informed consultation on its territory in relation to the El Dorado field (X-1700 well) operated by YPFB Chaco. YPFB refused to do the prior consultation, arguing that "only 15% of Takovo territory" overlapped the Campo El Dorado. Indigenous resistance began at a roadblock to Santa Cruz-Yacuiba, at the entrance to the Rio Grande and El Dorado oil fields operated by YPFB Chaco.</p>

		<p>As expected in a regime of violated rights, the police intervened violently on two occasions using tear gas on the blockade formed by the Guaranis of Takovo Mora. The second intervention was more violent, and the police even came into the homes of the Yateirenda community to stop the protestors, kicking in and breaking down doors and destroying the vehicles the Guarani used for transportation. In a press release, the Ministry of the Government said five policemen were injured and 26 Guaraníes were arrested and would be submitted to the Ministerio Público.</p> <p>The demand for prior and informed consultation (and eventual compensation) of the Guaraníes of Takovo is based on the clear overlap of the wells in the El Dorado field, especially "X 1700", one of the polygons specifically recognized as part of the TCO. While in YPFB's draconian view, the overlap is only 15% and therefore consultation is <u>not appropriate</u> (Page Seven, August 19, 2015). Note that in no part of Decree 29033 (that rules the consultation in indigenous lands) is there a condition establishing a percentage of territory that might be superimposed with that of an oil operation, which would alter the right to a prior and fair consultation process.</p> <p>The case of the Tacovo Mora TCO and the conflict raised with YPFB (YPFB Chaco) is a clear example of the subjugation of traditional spaces and indigenous rights by the ever more powerful oil interests. The government continues to use bribery and repression, as well as state violence and the criminalization of social protest, to divide social organizations.</p>
36	<p>The College of Petroleum Engineers and YPFB promote future fracking processes and exploitation of "shale gas" in Guarani land.</p> <p>Julio 2011 -2013</p>	<p>Carlos Sanchez, president of the College of Petroleum Engineers Santa Cruz, suggested the formation of a research team to develop medium term appropriate technology for exploiting existing deposits of shale gas in the country. Environmental organizations such as FOBOMADE and CEDIB, spoke out against the proposal of the association of engineers, arguing that there are no "appropriate technologies" that reduce the severe impacts of hydraulic fracturing of deep sediments.</p> <p>The rashly made decisions of the authorities in the oil sector in Bolivia, with respect to fracking became apparent in early 2013, when the Vice President of Administration, Control and Supervision of YPFB announced that the state company would begin preliminary studies to identify the reserve potential of "shale gas" in the country. It reported that: "The Union of Geology and Geophysics has issued a letter instructing all companies (carriers and subsidiaries) that when they drill wells, they should take out samples of the Los Monos formation, where shale gas is thought to exist, for later study", and that the Monos de Tarija (largely in the Aguarague National Park) formation has geochemical data that suggest deposits of shale gas.</p> <p>A few months later, YPFB and the Hydrocarbons Ministry expressed their intention to explore, and exploit via fracking, potential reservoirs of shale gas, following an assessment by the Argentina YPF company, for which it announced the preparation of an agreement between YPFB and YPF of Argentina (AN-YPFB, May 23, 2013). In June 2013, YPFB Bolivia and YPF Argentina signed five agreements, two of them agreeing to technical cooperation in studying the potential of unconventional resources, or shale gas, via fracking, in Bolivia.</p> <p>In early June 2013, YPFB reported a "mini-fracture" or "fracking" had been done in the Ingre X-2 well (Chuquisaca) by YPFB, which according to the source of the report, led to the discovery of "Tight oil" in reservoirs with low porosity and permeability, which had oil content. When "material" was injected (the identity of the "material" is not mentioned) to</p>

		create artificial permeability, oil could be recovered using the equipment currently available in the country. The exploratory area is part of the Tupambi formation found in traditional Indigenous Guarani lands. This type of impromptu operation was not approved of in the Environmental Impact Study of the Ingre wellbore; no consultations were held with organizations in the region, nor were there information sessions about this technology, which holds a high social and environmental risk.
37	Agro-Environmental Court rules in favor of Mennonites occupying land in the Isoso TCO October 2013	The Unger family, who are Mennonite settlers, was favored by the Agro-Environmental Court of Camiri in the department of Santa Cruz, and allowed to settle on 2,300 hectares of the 141,923 hectares of the Isoso Communal Land (TCO) of the Guarani people. In this ruling, the Agro -environmental Court violated the constitutional rights of Indigenous peoples. The conflict dates from 2007, when the Mennonites moved in and took over land in this Indigenous territory.
38	The government awards the identification study of El Bala mega-dam to the GEODATA company, without prior consultation or any information being provided to organizations representing the Pilon Lajas and Madidi Indigenous communities. May 2015	Before the announcement awarding the identification study of the El Bala to the GEODATA company of Italy, the Federation of Indigenous Communities and Indigenous Farmers of Rio Beni was formed in response to the reactivation of the El Bala mega-dam project. On May 25, a meeting of indigenous and peasant communities of the Rio Beni was held in the town of Rurrenabaque and issued a Decisive Vote rejecting the El Bala mega-dam because of the social and environmental devastation they would cause, and demanding information and consultation. The vote was sent to the Defensoría del Pueblo (Ombudsman). The award of the identification study, in fact an administrative action, was done without consultation. The government violated the Constitution and international conventions, as <u>issued-propelled-adopted-applied</u> , in 2007, by taking an administrative measure without conducting a consultation with Indigenous peoples and civil society in general, as stipulated by international conventions for the protection of Indigenous rights and the Constitution itself. The national Constitution (CPE), in Article 30, paragraph 15, establishes the right of Indigenous peoples to be consulted <u>whenever legislative or administrative measures which may affect them are proposed</u> . ILO Convention 169 on Indigenous Peoples of the OIT-UN establishes as a right: To be consulted in good faith, every time the State <u>proposes administrative or legislative decisions, as well as development plans</u> . While the 2007 UN Declaration of Indigenous Rights, Article 19, on the right to consultation of indigenous peoples says: States shall consult and cooperate in good faith <u>before adopting and implementing legislative or administrative provisions which affect them</u> . The Inter-American Commission on Human Rights (CIDH), in accordance with those established by Convention 169 of the ILO and the United Nations' Declaration on the Rights of Indigenous Peoples, recommended that the consultation procedure be developed <u>"before designing and implement projects to exploit natural resources in ancestral lands and territories of indigenous peoples"</u> .
39	The government awards the study for the final design of El Bala and	ENDE and Italy's GEODATA COMPANY signed a contract to prepare the final design study of the El Bala and Chepete hydroelectric projects, located in the north of La Paz, with an investment of 11.8 million dollars. This government action as an administrative fact was promoted, once again without prior consultation or information.

	<p>Chepete hydroelectric projects to the GEODATA company, without prior consultation or any information provided to organizations and communities of the Pilón Lajas and Madidi indigenous peoples..</p> <p>July 2016</p> <p>July 2016</p>	<p>Again, the government violated the Constitution and international conventions, as <u>issued-propelled-adopted-applied</u>, taking an administrative measure without conducting a consultation with Indigenous peoples and civil society in general, as stipulated by international agreements for the protection of Indigenous rights and the Constitution itself. The Constitution of the State (CPE) in Article 30, paragraph 15, establishes the right of indigenous peoples to be consulted <u>each time there are legislative or administrative measures which may affect them</u>. ILO Convention 169 on Indigenous Peoples-UN establishes as a right: To be consulted in good faith, whenever the State <u>proposes administrative or legislative decisions, as well as development plans</u>. While the 2007 United Nations' Declaration of Indigenous Rights, Article 19 on the right to consultation with indigenous peoples says: States shall consult and cooperate in good faith <u>before adopting and implementing legislative or administrative provisions which affect them</u>. The Inter-American Commission on Human Rights (CIDH), in accordance with the established by the Convention 169 of the ILO and the Declaration on the Rights of Indigenous Peoples, recommended that the consultation procedure must be developed <u>"before designing and implementing projects to exploit natural resources in ancestral lands and territories of indigenous peoples"</u></p> <p>The final report of the environmental impact study was released, showing that the design of the mega-dams in the Beni river would be in the form of a "cascade", to fit the gorges of Bala and Chepita, which meant the impacts would be amplified into the region of Alto Beni. The study proposed beginning with the Chepete mega-dam and considering the El Bala project a few years in the future.</p>
40	<p>YPFB drives the 2D Seismic Project in the Cuenca Madre de Dios area, Nueva Esperanza (North of La Paz)</p> <p>2015</p>	<p>In April 2015, through memo YPFB-GNCO-063/2015, the direct contracting process for the exploratory process Nueva Esperanza area was terminated, which awarded the 2D seismic acquisition project to the Association Accidental BGP. The project was awarded in the amount of 399,019,407.21 Bs. and planned to begin 486 days from issue of the order. This administrative measure was not supported by prior consultation and information processes with organizations and communities in the region. Again, the Constitution and the provisions of international conventions approved by hierarchical laws were violated in Bolivia.</p> <p>Oil operations promoted by YPFB in the northern Amazon region of the country with seismic exploration in the basin of the Madre de Dios and Beni Rivers (Block New Hope: 2D Seismic Project Mother Basin God Area New Hope ") affected the Tacana II and Araona TCOs, and possibly other areas inhabited by indigenous groups living in voluntary isolation. After an alleged quick consultation and strong support from the (pro-government) CPILAP. Local leaders denounced the way the oil companies used the "Mi Agua" (MY Water) campaign as a ruse when they entered the area. The Mi Agua program was never realized, and was, in fact, a mockery. None of these actions by the oil company complied with the provisions of Norm 29033, nor even those of Amending Decree 2298.</p> <p>The seismic operation was of enormous size (detonation at 20,168 points along the seismic grid, involving the use of approximately 190,000 kg. of explosives. The impacts covered an area of 323.26 hectares, and included seismic cracks, camps, helipads, etc. with extensive damage to fragile ecosystems, especially areas of chestnuts forests, waterways, and wildlife, driving birds and animals from their habitats.</p>

41	<p>Petroleum Exploration in Northern La Paz (Beni-Madre de Dios), E ompany China BGP reports an encounter with Indians not contacted</p> <p>September 2016</p>	<p>Operatives of the Chinese company BGP Bolivia SRL, subcontracted by the YPFB state oil company, between 12 and 19 September 2016, reported the presence of uncontacted Indians in the "2D Seismic Project in the Cuenca de la Madre de Dios area in Nueva Esperanza. Local residents of the Tacana II TCO confirmed the presence of groups of uncontacted Indians. These may be factions of the Esse Eja people, or Toromonas living in voluntary isolation.</p> <p>It is not known (because it was never publicly released) whether the EIA for the exploratory project mentions the issue of uncontacted indigenous groups in the region. The highest level of authority of the YPFB denied the presence of uncontacted indigenous peoples in the region. The actions of YPFB and the Bolivian government violated Article 31 of the national Constitution in two subsections: <i>I. Nations and Indigenous peoples in danger of extinction, in voluntary isolation and not contacted, will be protected and respected in their forms of individual and collective life.</i></p> <p><i>II. Indigenous nations and peoples in isolation and uncontacted have the right to remain in that condition, within the legal delimitation and consolidation of the territory they occupy and inhabit.</i></p> <p>This was also a violation of Act 450 (Law Protection for Indigenous Original Nations and Peoples in Situations of Extreme Vulnerability).</p>
42	<p>INRA approves new settlements of colonization in San Jose de Chiquitos and San Ignacio, affecting traditional areas of indigenous communities and farmers in the area</p> <p>2013</p>	<p>The National Agrarian Reform Institute (INRA), approved new colonization settlements in the municipalities of San José de Chiquitos and San Ignacio (Forest Bajo Paragua), affecting traditional territories of indigenous and farming communities in the area. The INRA endorsed giving away 140,000 hectares in San Jose de Chiquitos, an action that generated protests from the inhabitants of that region: a minimum of 5,000 indigenous farmers from the region joined the protest of the Chiquitana settlement plan. It was reported that, in addition to the measure approved by the INRA, settlers had entered the nature reserve of Santa Cruz la Vieja, which covers an expanse of 70,000 hectares in areas recognized and claimed by indigenous communities and farmers in the region, as well as private ranching properties. The OICH demanded that the government fulfill an agreement made in 2012, established to give priority in the new plan of land distribution, to residents of the municipality.</p>
43	<p>Uncontacted Ayoreo along the Bolivia-Paraguay border are threatened by oil exploration operations</p> <p>2016 - 2017</p>	<p>In the extreme south of Bolivia, between the southeastern and western KaaIya Otuquis Park along the Chaco border with Paraguay, there lies a part of the traditional spaces of a faction of the Ayoreo indigenous people. It is possible that a group living in voluntary isolation, perhaps a faction or "clan" of the Totobiegosode people, whose main location is in the eastern region of Paraguay (a country where they are being overwhelmed by the agribusiness and livestock industries). The above-named section of Bolivia coincides with the Monos formation, a Devonian formation with possible shale gas deposits. This may have influenced the Bolivian government's decision to grant concessions to YPFB in that region. However, this area is part of Indigenous ancestral territory and permits the constant mobility that is essential to their way of life. Although it constitutes one of the last refuges for Indigenous people, this area is also seriously threatened by oil operations promoted by YPFB. The number of inhabitants of this group in isolation is unknown. The</p>

		<p>awarding of concessions, the announcement of operations, and the actions by YPFB, and the Bolivian government, have all violated Article 31 of the national Constitution in two subsections: <i>I. Nations and Indigenous peoples in danger of extinction, or in voluntary isolation and not contacted, will be protected and respected in their forms of individual and collective life.</i></p> <p><i>II. Indigenous nations and peoples in isolation and uncontacted have the right to remain in that condition, within the legal delimitation and consolidation of the territory they occupy and inhabit.</i></p> <p>In these actions by YPFB and the Bolivian government, Act 450 (Law of Protection for the Indigenous Nations and People of Extreme Vulnerability) was also violated.</p>
44	<p>National Institute of Agrarian Reform (INRA), through a resolution, declares the Chimane I and II (Forest Chimanes) territory to be public land</p> <p>June 2010 - March 2017</p>	<p>In Resolution No. 0530 of June 30, 2010, the INRA declared territories of the Chimane I and II (Forest Chimanes) TCOs to be public, or fiscal, land. In March 2017, a total of 12 indigenous substations of Beni issued a statement demanding the return of these territories. The resolution of the March meeting stated that Supreme Decree 22611, which was the result of the first Indigenous march in 1990, had declared the Chimanes region to be an Indigenous socio-economic area, and a space necessary for the survival of the Chimanés, Mojeños, Yuracarés and Movimas, but that the INRA resolution of 2010 had converted the area into public, or fiscal, lands. The proclamation demanded the eviction of individual and collective settlements located in the area, and was signed by the Multiethnic Indigenous Subcentral (TIM), the Women's Multiethnic Territory Subcentral, the Mojeño Ignatiano Indigenous Territory Subcentral (TIMI), the Movima Indian Territory Subcentral, the Indigenous Women's Movement Subcentral, the Tsimane Great Council, the Indigenous Subcentral of San Francisco, and the Grand Indigenous Council of San Ignacio de Moxos. In mid-2017, in the face of governmental and INRA indifference, the Indigenous demonstrated their resistance with a march in support of their territory.</p> <p>The march, called "<i>Walk of reaffirmation of our historical rights over the Tsimanes forest area</i>" began on July 5 and was led by five groups of Indigenous peoples who rejected Resolution 2010 of the INRA. A few days later, on 14 July 2017, the march entered the Tsimanes Forest (Forest Chimanés), in a move that has historical significance in the long struggle for territory in these regions. The leader of the CPEMB, Ademar Mole reported that the column of about 150 people would travel and recognize the centenarian paths of the seekers of the Loma Santa ("Holy Hill", a mythic and mystic place into the jungle). At the conclusion of the walk, the marchers appealed to the Bolivian people for their solidarity.</p>
45	<p>Impacts of mining on the TCO Monte Verde, actions taken without prior consultation or mitigation plans</p>	<p>According to information from the Indigenous TCO organization, in the zona Sur (Southern zone), cases where private property adjoins TCOs was generating permanent conflicts. There were cases of forests being burned illegally to enable large-scale livestock ranches and agriculture. In the North, upland settlers seeking land were entering and occupying TCOs, and forestry enterprises were illegally harvesting lumber. But mining is considered the greatest threat to the Territory Monte Verde, because of its environmental impact and the conflicts, it engenders among communities, organizations and leaders. There are 7 mining concessions within the TCO that have the authorization of the former</p>

	2002 - 2006-2017	<p>Superintendent of Mines, for exploration and/or exploitation. These mining claims cover a total of 90 squares and cover an area of 2,250 hectares. Most of the concessions are located to the southeast of the TCO. The "Unión Minera III" is entirely superimposed on the community of San Pablo Norte; other concessions ("San Gabriel" and "Union Minera IV") are on land near the hunting land and fields of the community; the "Rominelli" concession is also superimposed on community lands north of San Pablo, and on private property. The "Liberata" and "Cinco Estrellas" concessions are superimposed on the lands of the Santa Monica community, and on private property. Mining activities in the Monte Verde TCO are characterized by exploration and the exploitation of semiprecious stones (beryllium, aquamarine), which proceed without any plan for mitigation of impacts and show a low level investment in its operations.</p> <p>Within the Monte Verde TCO, the companies have conducted explorations and installed 14 exploration wells in the area where the community lives. All of these exploration activities were undertaken by the companies, without consulting the community as stipulated in ILO (International Labour Organization) Convention 169 (Law No. 1257). The only intensive exploitation of mineral resources within the Monte Verde TCO dates back to the extraction of beryllium, aquamarine, and quartz, near the community of San Pablo, located south of the TCO (Concepción area). This activity has no plans to mitigate its impacts on the environment, and did not honor timely consultation with the community before entering the area, as established in Convention 169 of the ILO. Another concession with active mining operations, Tantalum ("Blue Hill" or "Marañón"), lies outside the TCO, but the prospecting was conducted in the Jenecherú community, into the TCO. The company did not carry out any consultation with the communities when they conducted the mining prospection.</p> <p>In the last two years, we have seen an increase in the plans and intentions of new mining operations entering TCOs, backed with support from the mining authorities.</p>
46	<p>Sugar Industrial Complex of San Buena Ventura causes severe impacts on land and resources of the indigenous people of the TCO Tacana I</p> <p>2006 - 2016</p>	<p>From the beginning (in 2006), the entry of the San Buenaventura Sugar industry into the lands of the Tacana I TCO, tore apart Law 3546, which was not consulted and therefore the lands of the TCO were subjugated. Jesús Leal, the then President of the Tacana Indigenous People, said they did not know about the progress of the agribusiness project, and so declared themselves to be on alert, because they believed that believing in "inventions" would not benefit the 22 communities in the area. The indigenous leader denounced the process: <i>"At first, there was a law (No. 3546), where social organizations were the major players in this "invention", and Indigenous peoples were included in growing the sugar cane, but with a decree, the project has been taken away from us"</i>. He also noted that: <i>"The magnitude of the effects coming out of this "sugar industry (ingenio) to communities in the area, has not been calculated; they have not asked us about the development of the "invention", we do not know if it has already been funded or not."</i></p> <p>Gladys Ybaguari, an indigenous woman from the town of Tacana Tumupasa, testified: <i>The Tacanas are the people who reside in the territory ancestrally and represent 29% of the total population of the municipality. Gladys is the president of the Tacana Indigenous Council of Central Committee of Indigenous Women of the Tacana People (CIPTA). She sees the serious impact of the sugar mill on the people of her community, especially due to clearing land for the cane fields. "We are dedicated to hunting, fishing and gathering fruit; we are now feeling the drought and seeing it in our</i></p>

		<p><i>streams, and this is due to deforestation", says Ybaguari. "The "interculturales" (settlers from outside the territory) use modern machinery and taking wood to sell; we make use of the forest's resources with ax and machete, in a sustainable manner".</i></p> <p>For Dalia Flower, Councilwoman and Mayor of San Buenaventura, the engineering company is causing a radical change in the virgin forest, trampling the rights of the indigenous Tacana, encouraging several communities to deforest in order to produce sugar cane. <i>"The machines are treading on the petas, the huasos, and peccaries (turtles, deer and wild pigs). I've seen monkeys with their babies affected. It has polluted streams and communities. It's created a sense of helplessness, because people cannot do anything. We, at the town hall level, cannot do anything".</i></p> <p>For Sandro Marupa, Secretary of Gender, Culture and Tourism (CIPTA), although building the sugar plant (el Ingenio) was a wish the Department of La Paz had held since the 1970's, in recent years it has failed to reach a consensus with the Indigenous Tacana. The Confederation of Indigenous Peoples of the Peace (CPILAP) noted, in 2008, the possible construction of the sugar plant (Ingenio San Buenaventura) on Tacana I TCO land. Since then, the Tacana have been petitioning the State for several years to return the 4,000 hectares of TCO land they were forced to give away for the construction of the mega-sugar project. "Because of our lack of financial resources, it was not possible to go to international courts to defend our affected rights", said Marupa. Moreover, the idea of the mega- project generated great expectations and induced an unregulated occupation of land, and the construction of secondary roads, for example to Laguna Moa, a place that until recently was well- preserved, and is now experiencing intensified strong pressure from exploitative timber harvesting and hunting.</p> <p>Additionally, witnesses in the region have reported that in the area of the Altamarani and Tres Hermanos communities, there have been environmental impacts and heavy pollution caused by the influx of contaminated wastewater to streams descending from the Porvenir area (agri-business industrial complex) which open into the Beni river.</p>
47	<p>Subjugation of Guarayo village lands by large landowners and colonization.</p> <p>December 26, 2007</p>	<p>The lands of the old village of Guarayo are lost at the hands of large landowners. The first-person account of Osfin Abiyuna is definitive: "the destruction and invasion of the natural setting is terrible." A reminder of this for Abiyuna was the physical beating he received when he served as a member of the disciplinary tribunal of the Central Organization of Native Guarayo Peoples (COPNAG), which put him in the hospital. He accuses people hired by landowners and corrupt Indigenous leaders. In images of his childhood, he remembers: <i>"We saw violent acts by the fierce machinery that devoured trees and fresh shrubs, leaving extensive gap-shaped wounds in the areas, all done in order to produce food in large volume ...All that remains is the memory of the lagoons, home to fish of many colors and sources of fertility for this territory . Today the waters of the nearby river running through the muddy land removed by bulldozers. The typical wildlife of the region, like anaconda (sicurías), lizards and crocodiles and fish like pacú and surubí are disappearing..."</i></p>
48	<p>Draft Supreme Decree promoted by ABT threatens to open the</p>	<p>In April 2017, no less than the president of the Authority of Supervision and Control of Forests (ABT), Rolf Köhler, proposed a draft supreme decree that would allow the settlement of 5,000 families of settlers and farmers in the forest reserves of El Chore and Guarayos, in Santa Cruz. According to this nefarious authority, the supreme decree will</p>

	<p>Guarayos Forest Reserve to colonization and subjugation</p> <p>March-April 2017</p>	<p>"restore deforested forest, but with an integrated vision," although he clarified that this did not mean the Government would grant degrees for other settlements in the reserves. Undoubtedly, this displayed an amazing degree of ambiguity and lack of clarity. According to officials of the Forestry Chamber of Bolivia (CFB), the idea of implementing this decree is a consequence of the "historical irresponsibility" with which governments have managed the forests and that these settlements on land unsuitable for agricultural activities are the product of political and economic pressure on the agricultural sectors.</p> <p>Knowledge of this project generated discontent between the two sides of the Central Guarayo Native Peoples Organization (COPNAG), which came to clash in the town of Ascension and caused injuries. This ill-advised measure by the government also had the effect of causing greater division and confrontation within the regional Indigenous organization. The communities that oppose the decree are those that use traditional sustainable practices of livelihood in these forests, and who saw their rights threatened.</p> <p>This problem generated more tension after it became known that the executive director of the ABT, Rolf Köhler, said nothing would change with confrontation, and that he would seek a social pact with the different actors in the conflict, through the "project of Supreme decree", until an agreement promoting recovery, conservation, and integrated management of the Guarayos and El Chorré reserves could be reached.</p> <p>In the face of Indigenous resistance and the climate of confrontation, the government decided to suspend the "draft supreme decree" which had been promoted by the Authority for Inspection and Social Control of Forests and Land (ABT), aimed at establishing the management and operation of the Guarayos and El Chorré integral forest reserves, considering them to be Integral Forest Reserves.</p>
49	<p>Evaluation by the Ombudsman office states that the Chimanes of the Maniqui River do not enjoy their fundamental rights.</p> <p>13 December 2011</p>	<p>An investigation by the Ombudsman office in 2011, on the status of the human rights of the Chimanes of the Maniqui River (Beni) revealed that indigenous communities do not have access to health and education due to lack of infrastructure. The study verified the structural absence of the State in areas of education, health, personal documents and employment contracts, and the fact that there are no educational sites, and that the few that do exist in some communities lack furniture and adequate teaching materials. The study verified of a large dropout rate among young men and women who needed to work, or in some cases because of sexual harassment. These situations deeply affect and violate the basic human rights of this ethnic group. It is also known that members of this community continue to be discriminated against and exploited at work.</p>
50	<p>White settlers subjugate lands and burn Mosetenes Indigenous homes in the Palos Township</p>	<p>In January 2010, fifteen houses of the Mosetén Indigenous people were burned by settlers (interculturales) in the municipality of Palos Blancos, a situation denounced by the Red ERBOL. The Mosetenes noted that it was not the first time these problems had occurred, and the settlers were now trying to keep the land, after the government of President Evo Morales declared the area to be public or fiscal land. "They want to remove us from the land by burning our homes. It's not the first time they have done this. It all happened after the government declared the land to be fiscal (taxable);</p>

	January 19, 2010	<i>the settlers knew this and it made the problem greater."</i> No injuries were reported, however, a group of Mosetén women are willing to defend their territory, so there are fears that clashes will occur in the place, according to the leaders.
51	Violent eviction of residents of the La Selva community, municipality Nueva Esperanza -Province Federico Román, by the MABET logging company January 18, 2010	In 2010, the President of the Confederation of Indigenous Peoples of Bolivia (CIDOB), Adolfo Chávez, called for the resignation of the director of the National Institute of Agrarian Reform (INRA), department of Pando, Lucio Uraputina, because of the violent eviction of settlers in the La Selva community town of Nueva Esperanza, Federico Román province. Chavez denounced this violent eviction of whole families; from children to pregnant women, carried out by the logging company SA MABET S.A., to the Red Erbol (a media network). Their houses were burned and the INRA did nothing to intervene. <i>"In a ruthless manner, frightened children and pregnant women were intimidated; we were greatly surprised to learning this had been done to ensure the interests of the minority"</i> . Saul Chávez denounced that INRA ordering land concluded in that area, but paradoxically there was a lack of land for indigenous people, who do not want to live in bondage, or with landlords who do not respect our rights. When questioned, director of the INRA in Pando expressed to ignore about the issue and made no further statements about it. MABET, is a company based in La Paz that has four logging concessions in Pando, according to a recent report by the Indigenous Confederation of Indigenous Peoples of the Amazon Region of Pando (CIPOAP), in addition to their ongoing practice of collecting chestnut trees in an illegal manner. The four licenses the company holds threaten the habitat of the Pacahuara indigenous population, an original people who are already in a state of high vulnerability, and, in fact, in the process of disappearing.
52	Brutal eviction by the police, of 130 families from the Guarani Iyambae community near the city of Santa Cruz 21 December 2016	On Tuesday, December 20, 2016, there was the brutal eviction of 130 families from the Iyambae Guarani community, located around the city of Santa Cruz de la Sierra, in which children, pregnant women, elderly and other members of the community were severely beaten by riot police, according to Mburuvicha Guasu, and the Executive Counselor for Bolivia in the Celso Padilla Continental Council of the Guarani Nation (CONAGUA). The Public Ministry gave the order for more than 500 heavily armed troops to act, and his four Guarani brothers were captured and are currently prisoners in the Palmasola jail. One of them is the Head of Land and Territory of the Capitanía Zona Cruz. According to preliminary information, there was no Writ of Apprehension submitted for the detainees (Red ERBOL), despite the fact that the community and authorities of the Guaraní Nation held meetings regarding the case, with the highest authorities of the Public Ministry. Even so, the matter proceeded, apparently without consideration of the eviction, which had violated every kind of agreement. The presidency of the Judicial Court a Resolution issued a resolution stating that it should not issue any arrest warrant against any person, from 6 December 2016 until January 5, 2017: this resolution was also unknown. <u>The prosecutor in the case and the police acted in favor of a Korean foreigner</u> , who had made a large investment in the matter, attempting to usurp the ancestral territory of the Guarani communities located around the city of Santa Cruz de la Sierra. <i>"Such actions threaten the lives and physical integrity of the families of the Guaraní Nation. We are in a state of emergency., There is a persecution against the Guarani authorities and families living in Bolivia, because we are</i>

		<i>demanding that the Rights of Indigenous Peoples referred to constitutionally and internationally be respected," denounced the Mburuvicha Padilla.</i>
53	<p>Government and Administration promote construction of the Rositas dam and six possible other dams over the Rio Grande, without prior consultation. Resistance of the indigenous communities of the Rio Grande.</p> <p>2010 - 2017</p>	<p>The Rositas dam project is an old project, like the El Bala and Cachuela Esperanza. It comes from the decade of the 1970's, but was "rescued" by the current Government and the government of Santa Cruz. Multiple projects were studied by the National Electricity Company between 1970 and 1972, with the consultation of the Harza Engineering Co., as part of the integrated development of hydraulic and hydroelectric projects for the entire basin of the Rio Grande, as far as Abapó. Between 1974 and 1977, the feasibility study for the Multiple Rio Grande Rositas Project was carried out through a contract with Overseas Bechtel, Inc. The mega -project was aimed at generating energy and drinking water, as well as the postulated control of flooding along the Rio Grande. Law 940, of 1987, declared its construction to be a national priority; however, it remained pending.</p> <p>In 2010 the MAS government, included the Rositas dam in its energy plan, without there being any consultation or public information in the region about the measure. According to government plans, the hydroelectric component will have an installed capacity of 400 MW and an annual production of 2060 million kWh. The gross volume of the reservoir has been quantified at 13,300 million cubic meters (m3), and the useable volume at 7300 million m3. The basin area to be used by the project is 59,000 square kilometers and covers part of the territory of the departments of Cochabamba, Chuquisaca, Oruro, Potosi and Santa Cruz. The hydroelectric project would require an investment of 1,000 million dollars and a construction time of 6 to 10 years. As for the planned irrigation, agricultural use of the waters regulated by the reservoir project would irrigate 186,000 hectares (ha), of the 155,000 which are located on the right bank of the Rio Grande by means of gravity, and 31,000 hectares on the left bank using pumping facilities. The possible advent of irrigation and the potential expansion of agriculture was applauded by executives of the Bolivian Institute of Foreign Trade (IBCE).</p> <p>On the occasion of the first International Forum on Water and the Environment, held in Santa Cruz de la Sierra, the current governor and then prefect Rubén Costas emphasized that the dam project Rositas, at a height of 156 meters would irrigate 200,000 hectares, plus producing 400 megawatts of electricity. According to the departmental authority, <i>"Rositas will serve to redirect the waters of the Rio Grande which, due to climate change, cause damage in towns like Pailón, Cuatro Canadas, Minero, and San Julian."</i> What is not mentioned here is the impact of hydraulic backwater flooding over the valleys of the Rio Grande and Masicurí (artificial lake of 500 square kilometers), which would affect more than 40 Indigenous Guarani farming communities. The flooding would directly affect the Iñaño Protected Area, the Masicuri-Rio Grande Forest Reserve and the Integra Management Area of the Valleys of Santa Cruz.</p> <p>With Rositas, the issue of climate change, both in terms of protecting the water supply and decreasing the probable occurrence of disasters, is used as a reason to justify the development of the megaproject. At the same time, there's an effort to show indirect environmental impacts in a positive light, claiming that the water would be used for irrigation in the lowlands of Chaco, which would expand the agricultural frontier for soy production, in particular; but this would increase the threat to the western sector's Kaa Iya Protected Area and the Isoso TCO. In this area there has already</p>

		<p>been resistance to the Rositas hydroelectric project from the settlers. The Assemblyman for the Province of Vallegrande, Alcides Vargas, who sits on the Board of the Committee for the Defense of Land and Territory for the communities involved in the Rositas project, criticized the information process carried out by ENDE. He explained that the Bolivian state officials reached some communities in the Abapó area (province Cordillera), which would benefit from the project and not be affected by the negatives of hydropower. According to Vargas, ENDE promised these communities the right to develop irrigation projects, in order to gain their support and carry the Rositas project forward, marginalizing the Committee's proposal to opt for the immediate construction of the Pesca project, which will create a smaller socio -environmental impact.</p> <p>In 2016, the Ministry of Energy and ENDE signed a Memorandum of Understanding with the Chinese company, Hydrochina Corporation, to accelerate implementation of the project. Vice President Garcia Linera, announced in a forum with businessmen and investors from Santa Cruz, the advance of a final negotiation with the Chinese companies Hydrochina and Sinohydro (part of the corporate giant Powerchina), who had offered funding, credit, and technology for the construction of the Rositas hydroelectric complex. Hydrochina endorsed the feasibility study began the second phase, involving the financing of the work. Chuquisaca and Santa Cruz asked to meet with the authorities. The government was willing to fund part. Sinohydro is a company being questioned in Ecuador (Coca Codo Sinclair dam) for its bad environmental and social performance.</p> <p>All these measures are being undertaken outside of any strategic environmental assessment or consultation, and without providing information to the Indigenous peoples and farming communities in the region to be affected, which again violated the human rights of the people living there.</p> <p>The situation became more serious in June 2017, when the National Enterprise of Electricity of Bolivia (ENDE), let be known that an international consultancy firm had performed initial feasibility studies for six hydroelectric plants in addition to Rositas (Jatum Pampa, Seripona, Cañahuecal, Las Juntas, Ocampo, Pesca, Peña Blanca) to be built in the Rio Grande Basin, in the department of Santa Cruz. Also, there was information about the Rositas hydroelectric power, which was in the final design study phase. This proposed construction would cause a tremendous impact, not only by the water above the dam, given the dam's great magnitude, but also downstream, with the prospect of literally drying up the Rio Grande.</p>
54	Government overwhelms the Tariquia Reserve from 2366 and earlier decree, granting oil exploration blocks. Indigenous and	<p>Tariquia began to be open to oil exploration operations in 2007, when the government awarded the operating contract on the Churumas field to the CHACO company, but these operations were not completed. In 2013, the government granted the Huacareta field in the department of Chuquisaca to the BG company. The field covers an area in the Department of Tarija that affects the northern end of Tariquia. The exploration of this field did not affect the Reserve. Finally, in April 2015, the government, under the terms of Decree 2633, awarded the San Telmo and Astillero fields, in agreements signed with PETROBRAS.</p> <p>As in all cases previously analyzed, the rights of the people in the local communities were violated because the government failed to fulfill the laws written in the national Constitution and consistent with international</p>

	<p>peasant communities in resistance.</p> <p>2007 - 2017</p>	<p>conventions. The government <u>issued-propelled-adopted-applied</u> administrative measures with the PETROBRAS company, without conducting a consultation with Indigenous peoples and civil society in general, as stipulated by international conventions for the protection of Indigenous rights and the Constitution itself. The national Constitution (CPE), in Article 30, paragraph 15, establishes the right of Indigenous peoples to be consulted <u>in every instance of legislative or administrative measures which may affect provide</u>. Convention 169 of the ILO-United Nations and Convention 169 on Indigenous Peoples establishes as a right: To be consulted in good faith, whenever the State <u>puts forward administrative or legislative decisions, as well as development plans</u>. While the Declaration of Indigenous Rights UN 2007, Article 19 on the right to consultation with indigenous peoples, says: States shall consult and cooperate in good faith <u>before adopting and implementing legislative or administrative provisions which affect them</u>. The Inter-American Commission on Human Rights (CIDH), in accordance with norms established by Convention 169 of the ILO and the Declaration on the Rights of Indigenous Peoples, recommended that the consultation procedure be developed <u>"before designing and implementing projects to exploit natural resources in ancestral lands and territories of indigenous peoples."</u></p> <p>In 2016, the oil exploration process and the socio-environmental conflict remained dormant, but in April 2017, community members and Indigenous peoples in the Reserve decided to march towards the city of Tarija, to protest the incursion of YPFB Chaco and Petrobras to conduct exploration for oil. The defense committee of Tariquía anticipated a press conference to respond to the smear campaign and co-optation of leaders and communities, organized by the government and oil companies, who offered work on the projects in exchange for acceptance of the presence of the oil companies. The march, called "Step by Step for Dignity. Tariquía on its feet, never on its knees", arrived in the center of the city of Tarija, with the goal of showing opposition and rejecting all oil exploration and exploitation within the Reserve.</p> <p>Because of the communal resistance, Petrobras could have abandoned the exploration project in San Telmo and Astelleros. While the Mayor of Padcaya, Roger Farfán, was favorable to oil operations, different groups in Tarija expressed opposition to the project because of the impact it might have on one of the main sources of water in the Department, the impact on the life in the community, and the problem of environmental liabilities that could be generated after the completion of the project.</p> <p>Hard to believe: Minister Sanchez said: "</p> <p><i>At the time, the environmental impact assessment to determine the damage had not been made, and later, when the necessary seismic research had been conducted, consultation will be held with community members in the area", to explain fully the technique to be used as remedial measures were planned. It is incredible that a maximum authority in the sector, does not know the basic aspects of the legal provisions stipulating that consultation and impact assessments must be parallel and coordinated, and that it is precisely this consultation that sustains and enriches the impact study.</i></p>
55	The Government subjugates the Iñao	<p>In 2013, the PNANMI Iñao Protected Area was subjugated as a result of an oil contract (for the Azero field) that the government signed with the TOTAL and GP (GAZPROM Russia) companies. The Azero field covers 90% of the Protected</p>

	protected area, granting the Azero field to the GP and TOTAL companies. 2013-2016	Area and, as in all the cases discussed above, there was no prior consultation or public information process with local communities and in the region regarding this administrative decision. The location of the field affects several rural communities, and especially two of the Guarani communities: the Ity and the Aguayrenda.
56a	Government approves the Law 969 approving the road in TIPNIS. August 2017	The Assembly and the government of MAS, despite the strong opposition and rejection by organic and legitimate Indigenous organizations (TIPNIS) and the lowlands, as well as many organizations of civil society in the country, approved and promulgated Law 969 (originally Law 266), ironically named: "Protection and Integral Development of TIPNIS", which removed the character of "intangibility" from the TIPNIS (thus de facto annulling Law 180) and allowed the construction of the repudiated road crossing the Indigenous Territory and Protected Area, which in turn would allow other construction and the installation of other infrastructure and productive processes which go against the legal character of the Protected Area. This caused a radical rejection by social organizations and civil society in the form of resistance, through vigils, marches and a profusion of rejections on social networks. The protests and forms of rejection spread into the international field. The government also used gifts to co-opt indigenous groups in the city of Trinidad, in an attempt to show some social support for the repudiated law. Act 969 is absolutely unconstitutional because it entirely violates Article 30 of the Constitution. The process that led to Law 969 began with a proposal presented by a group of Indigenous people who had been co-opted by the government. This group, unrecognized organically and considered to be traitors by the resistance movement, presented a proposal to the Assembly of the State. By mid-August, the situation had become critical: leaders and communities in resistance announced their intention to defend their territory, which implied the risk of clashes with settlers as well as the co-opted Indigenous groups, and possibly violent police action and military repression by the government.
56b	Indigenous Rights Abuses in the TIPNIS and Trinidad. August 2017	On August 10, 2017, it was reported through various media that settlers in Polygon 7 and Yuracares in CONISUR, were preventing the entrance of the TIPNIS community and its leaders, as well as of assembly members who opposed the construction of the road, who were seeking to verify the startup of buildings in the area of the Ichoa River. Also, leaders of the TIPNIS Subcentral denounced the militarization of the territory: the presence of 200 troops who controlled the rivers and the entrance to the TCO near Gundonovia, as well as the illegal arrest of two leaders (Modesto Yujo and Antonio Huayacuna) by military and members of the anti-narcotics force. Marquesa Teco, President of the Women's TIPNIS, denounced the capture, and subjugation of the office of TIPNIS Subcentral in the city of Trinidad, by people connected to the government of Beni and MAS supporters. The same official reported that she had been arrested by military police in the territory (Concepción del Isiboro).
57	Government signs agreement with the co-opted indigenous	The Chepete and Bala hydroelectric megaprojects continued to be promoted by the government, despite the resistance of Indigenous peoples and organizations of civil society and academic sectors. The Minister of Energy, Rafael Alarcón, announced the early construction of El Bala, without considering the recommendations of the firm

	<p>organization of the Beni River, with the aim of validating the Chepete-Bala megaprojects .</p> <p>August 2017</p>	<p>GEODATA firm (the government's own choice for providing feasibility studies) which concluded that El Bala should be built several years after Chepete. This meant the rejection of a costly study (a similar situation occurred in the study for Cachuela Esperanza and Tecsul). In addition, the government used the co-opted CPILAP (a maximum Indigenous organization department of La Paz, under question for their co-optation which does not represent the Beni) and its leader, Jhonson Jimenez, to sign, by way of ENDE, an agreement to enable the construction of the Chepete mega-dam, increasing the distress of Indigenous communities and organizations along the Beni river. Another co-opted Indigenous organization, the Pilon Lajas CRTM, headed by Germán Nate and several leaders of the territory, also signed a statement in favor of hydropower and energy plans (in exchange for projects). This was considered a betrayal by the Commonwealth of Indigenous communities in the Rio Beni, the main resistance organization in the region.</p>
58	<p>Bolivian government made importing more than 80,000 tons of genetically modified corn from Argentina and the United States.</p> <p>2015-2017</p>	<p>In 2016, under the pretext of drought and low production, the IBCE (Bolivian Institute for Foreign Trade), with permission of the MAS government, imported more than 80 thousand tons of transgenic corn from Argentina and the United States. In 2017, the Scientific Committee on Biotechnology and GMO-Free Platform denounced the presence of transgenic "rr-Roundup Ready", glyphosate- resistant corn, grown illegally in field 20 at the Pinondi Mennonite colony in the Department of Santa Cruz. In previous years, transgenic "betito" corn (resistant to budworm BT) had been smuggled into the Bolivian Chaco. To this disclosure, was attached a video showing samples being gathered in the Chaco. Of the 187 varieties, four were shown by immuno-chromographic tests to be transgenic. Some sources indicate that illegal cultivation of GM corn in national territory may exceed 30,000 hectares.</p> <p>Such acts endanger maize producers in the country, especially Indigenous communities and farmers in the Chaco and Chiquitan valleys. Bolivia has 77 native varieties of corn (one of the highest numbers in Latin America), most of them grown in Indigenous and rural communities. These native species are strongly threatened with extinction if they are contaminated by transgenic corn created in laboratory. The government has violated the rights of Indigenous peoples as regards their food security and the survival of native agricultural biodiversity.</p> <p>The government has violated the Bill of Rights of Mother Earth, Article 7: "... right to the preservation of differentiation and variety of beings that make up Mother Earth, without being genetically altered or artificially modified in structure", and has again violated the national Constitution, namely Article 255, paragraph 8: "... ban on the import, production, and marketing of genetically modified organisms and toxic elements that damage health and the environment..." as well as Article 409 (clearly inherently contradictory) which states: "that the production, import, and marketing of GMOs shall be regulated by law," which did not happen in this case.</p> <p>Meanwhile, the voracious agribusiness corporations of the eastern Bolivia criticized the government for importing GM maize, and not do allowing them to cultivate it, so they asked for governmental approval for unrestricted cultivation and marketing.</p> <p>Corn is a crop that readily crosses (hybridizes) among different varieties. That's may be the reason that some places, like Mexico and Bolivia, have so many different varieties. Because of this characteristic, the risk of uncontrolled</p>

		contamination by contact with transgenic corn is enormous. The genetic diversity of native Bolivian corn Bolivia could be lost forever.
59	Indigenous Toromonas and Chimanes denounce their exclusion from a ceremony headed by Evo Morales in Ixiamas June 2017	More than 300 Indigenous peoples of the Toromona and Chimane Amazon, who had come from their communities to the town of Ixiamas, for the opening of a school, by the President Evo Morales, were excluded from the event. Ana Torres, chief of the Toromona reported that Mayor Ixiamas Adolfo Haensel, had invited over 300 Indigenous people to come to Ixiamas, but when they were preparing to present their traditional dances at the official ceremony led by Evo Morales, the Chief Clerk of the mayor, Trico Fessi Gonzales, threw them out and said the shelter that had been provided, was no longer available and there was no more food. The Cacique replied that, for its people, it was very difficult to survive in a strange place; they lacked money and the children did not have enough food to make the journey back to Ixiamas. The Toromonas had to walk for several days, crossing rivers along the way, because there is no easy access to their communities. Returning without provisions was a serious problem. In this, we see a clear example of abuse and discrimination by officials of the ruling party, which regularly violates the Rights of Indigenous Peoples.
60	Minister of Rural Development and Land, César Cocarico, threatens the existence of an Indigenous people living in voluntary isolation in the north of La Paz, by offering a "project that benefits". October 4, 2017	The Minister of Rural Development and Land, César Cocarico, showed complete ignorance of the Amazonian Indigenous peoples, when he stated in a press release that: "... has information about the existence of an uncontacted people inhabiting the Toroma Reserve in northern Amazonia, in the department of La Paz". For starters, there is no such reserve; and there is no town called " <u>Toroma</u> ". Certainly, he was referring to the group of <u>Toromona</u> who possibly were interfered with by YPFB oil operations in the Amazonian north of La Paz. In truth, it is unknown whether these Indigenous people were uncontacted Toromonas, or possibly Esse Ejas, or some other, unknown, ethnic group. Minister Cocarico's position became even more risky when he publicly stated that ... "As far as (we have information on the uncontacted), we are working toward a project that will benefit them. (?) ...It is very difficult to work with the uncontacted people." The Minister completely ignored the procedures and requirements for investigating the possible presence of an Indigenous people who live in voluntary isolation, as well as the risks, not only cultural, but of health and disease transmission, that contact might pose for such people, since they might lack antibodies even against common colds. These factors threaten the very existence of an Indigenous people living in voluntary isolation. This announcement by Minister Cocarico, besides being the prelude to an eventual violation of the rights of peoples living in voluntary isolation to "give them a project that will benefit them," shows a complete ignorance of Law 450 (PROTECTION ACT FOR HIGHLY VULNERABLE NATIONS AND INDIGENOUS ORIGINAL PEOPLES).
61	THE Central of the Indigenous peoples of Tacana II Rio Madre de Dios (CITRMD) declare a state of emergency in	The Confederation of Indigenous Tacana II Rio Madre de Dios (CITRMD) declared a state of emergency when faced with new attempts at the subjugation of their territories in the province Abel Iturralde in the department of La Paz, in the northern Amazon, by settlers or intercultural people from the west, who identified themselves as members of the Tupac Katari Federation, allied to the Government and supported by the Ministry of Rural Development and Land, under César Cocarico. The Departmental Assemblyperson, for the Tacana people, Celín Quenevo, in contact with ANF, reported

	<p>the face of the attempted subjugation of their territories by settlers.</p> <p>September 20, 2017</p>	<p>that, on September 16, two buses full of settlers from the west came to the town of Chivé, on the border between the Department of Pando and La Paz on the Madre de Dios River, threatening to take the port of Heath, and demanding a land grant of 600 thousand hectares. Assemblyman Celín Quenevo said the Tacana people warned that any confrontation which might occur in the Indigenous communities in the province Abel Iturralde would be the responsibility of the Government, because the INRA had not honored the Tacana II TCO demand for the land, dating back 14 years. Quenevo noted that this new attempt at subjugating the land was partly due to the lack of legal certainty, given that the National Agrarian Reform Institute (INRA) had failed to grant fully the title for these lands to the Community Territory (TCOs) Tacanas II, and that the public information process was incomplete.</p> <p>The ANF reported that, in the final hours and promoted by the government, a meeting was held to promote a massive settlement by people from the west, in the north of La Paz.</p>
62	<p>18 October 2017</p>	<p>Approximately 800 intercultural settlers, affiliated with the United Federation of Peasants Workers of La Paz, subjugated lands of the Tacana Indigenous people in northern La Paz (sector Tarene Chico, near the Tahua community), and proceeded to burn at least six houses, in order to grab some 8,000 hectares of forest land and exploit the almendrillo tree, which is highly prized in the region. This area corresponds to a forest region called exProinsa, a forest concession that was abandoned many years ago, which the municipality of Ixiamas considers a forest reserve and space of traditional Indigenous use. The same intercultural (outside group of settlers) group were already reported on another occasion this year, and it is not authorized by INRA and less of Forest and Land Authority (ABT). Before the Indigenous Council of the Tacana people had been disempowered, they made an appearance at the municipality of Ixiamas where they raised a formal protest with the ABT and INRA, concerning the explicit prohibition of new human settlements by Decree 23022 of 1991. However, Supreme Decree 25675, in 2000, lifted that ban and left open the acquisition of rights to the INRA. The Tacana communities in the besieged region, although not found within the polygons of the Tacna I TCO, consider the area as part of their traditional ancestral space, and violent attacks carried out by settlers are a violation of their fundamental human rights. The Mayor of Ixiamas reacted against the subjugation of the land and supports the position of the Indigenous people.</p>
63	<p>Police shove and evict TIPNIS leaders from Murillo Plaza and brutally assault a journalist</p> <p>October 20, 2017</p>	<p>As before, on at least three occasions, members of the Tactical Police Operations Unit (UTOP) proceeded to evict by "pushing" a protest by leaders and activists of the Indigenous Territory and Isiboro Secure National Park (TIPNIS) who were in the Murillo Plaza in La Paz. Among the leaders of the TIPNIS was the president of the Subcentral Women's TIPNIS, Marqueza Teco, who was carrying a white flag. She approached to the police and told them: "<i>Someday God will punish you, God is mighty, more than you are; God will punish you. He is listening to you and watching you.</i>" The police aggression spread to the press covering the event, and a journalist from Network One (Red Uno), Moisés Cornejo, was brutally attacked and experienced two days of disability.</p> <p>This police and government aggression violates Article 19 of the Universal Declaration of Human Rights: <i>Every individual has the right to freedom of opinion and expression; this right includes freedom not to be disturbed because of his</i></p>

		<p><i>opinions, to be allowed to seek, receive and impart information and ideas through any media and regardless of boundaries. It also violated Article 21 of the national Constitution, referring to Civil Rights, paragraph 5: To freely express and disseminate thoughts or opinions by any means of communication, oral, written or visual, individually or collectively. And the action violated Article 106 of the national Constitution, Paragraphs II and III: II. The State guarantees Bolivians the right to freedom of expression, opinion and information, rectification and reply, and the right to freely express ideas through any media without prior censorship. III: The State guarantees workers and employees of the press, freedom of expression, the right to communication and information.</i></p>
64	<p>Minister denies the possible existence of uncontacted Indigenous in the north Amazon of La Paz</p> <p>November 1st, 2017</p>	<p>The minister of hydrocarbons Luis Sanchez, denied the existence of the uncontacted people in the North Amazon of La Paz, minimizing the existing technical reports of the BGP oil company from September 2016, about an initial contact (something that the former president had already done of YPFB in 2016), and adducing that everything was a misrepresentation of some media. The arrogance and one-dimensional mentality of Minister Sanchez is denounced. It is important to mention that the offices of the United Nations made it clear that the lack of contact with peoples in isolation is not proof of their non-existence and that, in the presence of evidence of their presence, a serious scientific approach is appropriate. To deny de facto the presence of uncontacted peoples is to deny their right to existence, to reduce them to no one, this could be translated as the violation of a human right per se. It is observed that the actions of YPFB and the Bolivian government have again violated the Political Constitution of the State, and Law 450, of Protection of Indigenous Nations and Indigenous Peoples in High Vulnerability Situation. This denial of the presence of the uncontacted people in the region was made, without having made an expert anthropological expertise in this regard. It is noted that none of these authorities complied with the Precautionary Principle, which is part of the Declaration of the Principles of the Earth Summit or Rio 92, of which Bolivia is a signatory. It is not known if the DIGEPIO carried out or instructed the carrying out of a monitoring to evaluate the situation of high vulnerability of this group, according to article 13 of Law 450.</p> <p>At the same time that the hydrocarbons Minister denied the possible presence of uncontacted Indians, he enthusiastically referred to the 4th Forum of Gas Exporting Countries (FPEG), where 100 hydrocarbon exploration areas will be auctioned, including the Madre de Dios Basin, which will supposedly turn Bolivia into the energy center of the world. He also reported that the Madre de Dios Basin has an estimated potential of 32 trillion cubic feet (TCF) of gas (assumption based only on seismic) something similar to the demagogic delirium of the bankrupt Liquimuni. Most of these blocks to be auctioned overlap indigenous territories and protected areas.</p>

65	<p>YPFB, signed three contracts for exploration and exploitation of hydrocarbons in the framework for the areas of Iñiguazu, San Telmo and Astillero (Tariquia), without consultation no information socialization</p> <p>November 21, 2017</p>	<p>Evo Morales reported on Tuesday that YPFB signed three contracts for the exploration and exploitation of hydrocarbons that in 2021, for 1,582 million dollars of investments that will supposedly yield an oil income income of at least 20,000 million dollars. The companies that signed a contract with YPFB are: YPFB Chaco, YPFB Andina, Repsol, SHELL BOLIVIA CORPORATION, PAE & NP Bolivia Limited and Petrobras Bolivia to explore and exploit the Iñiguazu, San Telmo and Astillero (Tariquia) areas. The contracts were signed within the framework of the Fourth Forum of Gas Producing Countries (FPPG). It was indicated that the O'conor province of the department of Tarija (oil operations in Tariquia), with the signing of the contract will have an investment of about 200 million dollars.</p> <p>Once again, it is necessary to conclude that these contracts are administrative measures that were developed without consulting the indigenous peoples, peasants and civil society of the local populations, as stipulated in the International Covenants on the protection of indigenous rights and the Constitution itself. The Political Constitution of the State (CPE) in its Article 30, Section 15, establishes the Right of Indigenous Peoples, to be consulted every time that legislative or administrative measures are contemplated that may affect them. ILO Convention 169 on indigenous peoples establishes as a Right: To be consulted in good faith, whenever the State promotes administrative or legislative decisions, as well as development plans. While the Declaration of Indigenous Rights of the UN of the year 2007, in its Article 19, on the right to consultation of indigenous peoples, says: The States will consult and cooperate in good faith before adopting and applying legislative measures or administrative actions that affect them. The Inter-American Commission on Human Rights (IACHR), in accordance with those established by ILO Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples, recommends that the consultation procedure must be developed "before designing and execute projects of exploitation of natural resources in the lands and ancestral territories of the indigenous peoples</p> <p>In this Gas Forum, the government presented the atlas with the hydrocarbon potential of the country, which was prepared in English. After the granting of some indicators to the representatives of the oil companies, which ironically show Bolivia as an "ecological" country, with low levels of carbon dioxide emission and "a growing renewable energy matrix", the media was requested leave the room to give a more detailed presentation of the hydrocarbon exploration areas. The secrecy and lack of transparency of the government and the oil sector can be noticed again.</p> <p>SHELL together with ENRON and TRANSREDES were directly responsible in 2000 for the spill of the Desaguadero River, demonstrating a terrible environmental performance. In spite of this, in August 2008, the Evo Morales government took a false first step by nationalizing the shares of TRANSREDES in a "friendly" manner, (in fact it bought the shares of the Anglo-Dutch company SHELL referring to TRANSREDES, " via negotiation "). Unfortunately, the pending transaction did not include the outstanding environmental accounts that these companies still have with the country and the region. The entire transport went to the state company YPFB. Incidentally, SHELL-TRANSREDES left, not only receiving payments from the State, but with a debt for the contamination of the spill in the Desaguadero River, a debt that had to be "assumed" by the Bolivian people</p>
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66	<p>Indigenous leaders of the TIPNIS filed a complaint of subjugation of their Territory and violation of their rights before the International Court of Nature's Rights</p> <p>November 8, 2017</p>	<p>The president of the Sub-Center of Indigenous Peoples of the TIPNIS, Fabián Gil and the president of the TIPNIS Women's Organization Marqueza Teco Moyoviri de Maleca, presented on November 8, 2017, before the International Court of Nature's Rights in its fourth session held in Bonn, Germany, the case of the subjugation of the Indigenous Territory and National Park TIPNIS, for the road project that drives the government of Evo Morales for 6 years. They also exposed all the details related to the multiple violations of indigenous rights and the violation of international conventions that protect those rights. As a result of this demand, and in order to gather more evidence, the Court decided to organize the visit of an International Commission of Observers and Investigators to the affected territories to verify the accusations of violations of the rights of Mother Earth and based on the The government response and all the evidence collected will issue a final resolution on the TIPNIS case.</p>
67	<p>The ABT (Forest and Land Authority) and the MMAA (Ministry of Environment and Water) published the Forest Plan for Bolivia. Which due to its extractivist profile puts at risk indigenous peoples in voluntary isolation</p> <p>December 2017</p>	<p>In December 2017, the ABT (Forest and Land Authority) and the MMAA (Ministry of Environment and Water) published the Forest Plan for Bolivia. The Plan has been criticized as absolutely extractivist and oriented to intensify the exploitation of wood and chestnut, as well as the planting of eucalyptus in large areas of eastern Bolivia. The process of replacing natural ecosystems with eucalyptus plantations would affect a large area of the Kaa Iya del Chaco National Park, as well as the zone of influence that is inhabited by groups of uncontacted Ayoreos (Totobie goosode) who move from Paraguay, expelled by the advance of soybean and cattle, being the region to be affected, one of its last redoubts. The forest plan of the ABT-MMAA, would then undermine the Human Rights of an indigenous people in voluntary isolation, and violates Law 450, of Protection of Indigenous Nations and Indigenous Peoples in High Vulnerability Situation. It should be mentioned that, similarly, the projections of the forestry plan to intensify the extraction of chestnut in various areas of northern La Paz, would again put at risk an Amazonian indigenous people in voluntary isolation, of which there are already recent reports of a serious interference by a YPFB oil project.</p>
68	<p>The indigenous leader Ruth Alipaz Cuqui, presented at the Permanent Forum on Indigenous Issues of the United Nations, the complaint about the mega-project of the hydroelectric mega-dam of the Chepete-Bala.</p>	<p>The indigenous leader of the Uchupiamonas Territory and representative of the Commonwealth of Indigenous Communities of the Beni, Quiquibey and Tuichi Rivers, Ruth Alipaz Cuqui, presented in the Permanent Forum of the Indigenous Issues of the United Nations, held in New York City, report on the mega project of the government of Evo Morales to build the hydroelectric mega-dam of El Chepete-El Bala on the Beni river. The intervention of the indigenous leadership received broad support from the various delegations attending the event, which also included Bolivian President Evo Morales. Following this intervention, indigenous leader Ruth Alipaz Cuqui was challenged and discredited by Bolivian government officials attending the event and members of indigenous organizations co-opted by the government. Once back in Bolivia, the indigenous leader Ruth Alipaz was harassed by the government and its operators, based on harassment and administrative harassment from the tax office, a strategy widely used by the government of</p>

	April 18, 2018	<p>Evo Morales towards the people who oppose it. They demonstrate against their extractive policies and the violation of human rights.</p> <p>Ruth Alipaz was disqualified and discredited as to her indigenous identity, was questioned in violation of her rights to have a lawful activity, saying that she is an entrepreneur and therefore can not defend territories and indigenous rights. She also received messages from the Directorate of Social Networks from people close to the government, with insults that qualified her as a liar.</p>
69	<p>Evo Morales, president of Bolivia, accused some Non-Governmental Organizations of dividing the indigenous movement of the country to seek internal confrontation.</p> <p>April 18, 2018</p>	<p>Evo Morales, president of Bolivia, who attended the Permanent Forum on Indigenous Issues of the United Nations, in New York, at a press conference held in New York, accused some Non-Governmental Organizations of dividing the indigenous movement of the country to seek confrontation internal. For their part, leaders of indigenous peoples from territories impacted or threatened by megaprojects and extractive processes promoted by the government of Evo Morales, accused the government of Evo Morales for dividing them by paying with gifts to some of their leaders. Marqueza Teco and Fernando Vargas, top leaders of the TIPNIS, criticized Morales' statements and denounced that there are leaders of his people who joined the MAS in exchange for privileges they received and had to leave their communities. In relation to those exposed by Evo Morales, the reality that has lived and lives in Bolivia is another:</p> <p>The following indigenous organizations were divided by the government of Evo Morales, from prebendalism and cooptation:</p> <ul style="list-style-type: none"> • The Organization of the Mosekene Indigenous People (OPIM) in the wake of the oil exploration in Liquimuni. 2009-2013 • The PILCOL Organization (Leco Larecaja Indigenous People), forming a phantom organization of the CRIL (Leco Indigenous Regional Council) in order to facilitate the exploration in Liquimuni. 2009-2010 • The Central of Indigenous Peoples of the Bolivian East (CIDOB) and in relation to the boycott of the ninth march of the TIPNIS. 2012 The Central of Indigenous Peoples of La Paz (CPILAP), co-opting senior leaders such as José Ortiz and Fredy Limaco, also boycotting the ninth march of the TIPNIS. 2012-2013 • The National Council of Ayllus and Markas del Qullasuyu (CONAMAQ), including the taking of its seat by people related to the government. 2014 • Attempt to divide the Guaraní People's Assembly (APG) using the Council of Guaraní Captains of Chuquisaca (CCCH) and co-opted leaders of the TCO Itika Guazu, in order to achieve social approval to Decree 2366 that opens oil operations in areas protected. 2015 To the organizations and communities of the TIPNIS, co-opting leaders Moxeños and Yuracares, in order to encourage the entry of the road. 2010 - 2018 • To the Tsimane Mosekene Regional Council (CRTM) of the Pilón Lajas, promoting the confrontation between the communities and the communities, in order to promote local acceptance to the mega-dam of El Bala, a change of project promises. 2014 - 2017 • Again to the Organization of the Mosekene Indigenous People (OPIM) for the mega-dam hydroelectric project Chepete. 2017

70	<p>Commission of the International Court of Nature Rights will arrive in Bolivia to visit the TIPNIS and verify the reports of violation of the environment and Mother Earth</p> <p>August 5, 2018</p>	<p>A commission from the International Court of Nature Rights will arrive in Bolivia on August 15 to visit the Isiboro Sécure Indigenous Territory and National Park (TIPNIS) and verify the reports of violations of the environment and Mother Earth. This commission will act within the framework of the complaint made by the indigenous people of the TIPNIS, in November 2017. The case of the TIPNIS was admitted and it will proceed to verify what is happening in the field. Said Court requested the Bolivian Government to "impose a moratorium" on the proposed construction of the highway, bridges for the TIPNIS and the possible hydrocarbon exploration in or near that territory. The Court will request the corresponding reports from the Bolivian State to hear its position on this case guaranteeing its right to defense.</p>
71	<p>Assumed leaders of the TIPNIS, related to the government and the road plans, announced that they will not allow the entry of the Commission of the International Court of Nature Rights. Women leaders of TIPNIS reject the threat.</p> <p>August 13, 2018</p>	<p>Representatives of some TIPNIS communities that are related to the Government (Carlos Fabricano and Domingo Nogales), warned today that they will not allow the entry of the Commission of the International Court of Nature Rights to verify the allegations of violations in this territory. These leaders, followers of the governing party (Movimiento al Socialismo-MAS), stated that the international commission has no authorization and has not coordinated, with the "legitimate and true" leaders, its entry into the indigenous territory and the zone of the polygon 7. Dichos Representatives asked the government authorities to take action, to avoid the coming of the Tribunal. that, paradoxically, was created by impulse and promotion of the government of Evo Morales a few years ago at the Summit of the Peoples in Tiquipaya. In contrast, Marquesa Teco, president of the women's sub-center of TIPNIS and Cecilia Moyoviri, vice-president of the TIPNIS sub-center, reiterated the illegitimacy of these leaders and rejected the threat and intimidation, and affirmed the decision that the commission of said court should enter the TIPNIS, to verify the report made in 2017.</p>
72	<p>The Government of Evo Morales intends to impose the project of the hydroelectric mega-dam of Chepete-El Bala, conditioning the provision of basic services.</p>	<p>The Government of Evo Morales intends to impose the project of the hydroelectric mega-dam of Chepete-El Bala, conditioning the provision of a sanitary post, the construction of a school, the opening of a neighborhood road or the attention of electric light, water among others, to that the natural living of the zone approve or give the approval to the previous studies ordered to the Italian Geodata, on the megarepresa. This is a clear violation of indigenous rights, since the provision of these basic services is an obligation of the State and is not conditioned. Ruth Alipaz Cuqui, indigenous leader of the San José de Uchupiamonas community, says that the government, by conditioning the attention of its basic needs to the hydroelectric project not only blackmails, but also runs over the fundamental rights of indigenous peoples and the State violates its responsibility to protect them.</p>

	December 15, 2018	
73	<p>The commission of the International Court of the Rights of Nature, exhorted the sanction to the government of Evo Morales for a series of violations of the rights of nature and in direct correlation with a series of violations of Indigenous Rights.</p> <p>January 16, 2019</p>	<p>The commission of the International Court of Nature Rights, formed by Enrique Viale (Argentina), Alberto Acosta (Ecuador), Shannon Biggs (USA) and Hana Begović (Sweden) who made an on-site assessment of the situation of the TIPNIS in August Last, he exhorted the Court to sanction the government of President Evo Morales for a series of violations of the rights of nature. This has a direct correlation with a series of violations of Indigenous Rights in the TIPNIS, related to the Political Constitution of the State and the International Agreements and Declarations. The commission identified violations of the right to life and to exist; the right to water as a source of life; the right to the regeneration of Mother Earth, of her biocapacity and continuation of her life cycles and processes free of human alterations; to the rights of indigenous peoples and defenders and of defenders of Nature and peoples; besides the disrespect to the legal and institutional framework of the country.</p>
74	<p>Polygon 7, occupied by colonizing peasants in the southeast of the TIPNIS, implies a direct violation of the Right to the Territory and various indigenous rights.</p> <p>January 20, 2019</p>	<p>Alberto Acosta, member of the Court of Defense of the Rights of Nature, warned that the Polygon 7, occupied by colonizing peasants, constitutes a worrisome threat for the indigenous people and for the conservation of the Isiboro-Sécure Indigenous Territory and National Park (TIPNIS). This has a direct implication with the permanent violation of the Right to the Territory and various indigenous rights related to the traditional use of resources and biodiversity.</p>

E1	<p>Country level</p> <p>Government rejects the results of the oil audit</p> <p>2007 - 2008</p>	<p>The government rejected and disqualified the results of the 2007 oil audit (led by Enrique Mariaca), promoted by the government itself, which showed that several oil companies had violated indigenous rights, protected areas, and caused economic and environmental damage to country. In spite of this, the government approved new contracts, in the process of nationalization, with the oil transnational companies observed by said integral audit. The government ignored the observations to the transnational companies for economic mismanagement, non-compliance and socio-environmental contraventions, failures that had occurred in previous years. Not only were the operating contracts signed and alliances and partnerships established (Chaco and Andina case), but compensation was also made. It was reported that the results of the audit were misrepresented by the hydrocarbons authorities and YPFB. In the opinion of some analysts: "It was an attempt to hide the omission and failure, to face at the time the oil companies, which had a feast in the years of privatization and neoliberalism. This omission meant not only to have overlooked the irregularities committed, but to provide them with remedies that were totally unjustified. "</p>
E2	<p>Country level</p> <p>Government add from 33 to 56 the number of exploration and exploitation areas of hydrocarbons granted to YPFB, affecting protected areas and TCOs</p> <p>(Supreme Decree No. 0676)</p> <p>October 2010</p>	<p>The government of Evo Morales extended from 33 to 56 the number of exploration and exploitation areas of hydrocarbons granted to Public Enterprise of Petroleum of Bolivia (YPFB). The Supreme Decree 0676 approved on 20 of the year 2010, increases to 56 the areas granted, granted and awarded to YPFB in traditional and non-traditional areas for exploration and exploitation of hydrocarbons. Several of them are located inside the Madidi National Park, in the Isiboro Sécure indigenous territory and in the integrated management areas of Aguaragüe and Iñao.</p> <p>The areas reserved for YPFB are Madre de Dios, Beni River, Madidi, Secure Zone 19, Secure Zone 20, Cedar, Almond, Azero, Carohuaicho, Iñau, Sauce Mayu, Itacaray, Huacareta, Tiacia, Aguarague South A, Aguarague Sur B, Aguarague center, Aguarague Norte, Iñiguazu, San Telmo, Coipasa, Corregidores, Buena Vista, Camatindi, Sanandita, Shipyard, Sunchal, Sayurenda, Villamontes, Isipote, Carandaiti, Boyuibe, Yoai, Cupecito, Chispani, Lliquimuni, Chepita, Isarsama, Manco Kapac , San Miguel, Florida, West El Dorado, Arenales, Taputá, Ovai, Algarrobilla, Uchan, Casira, La Ceiba, Capiguazuti, Rio Salado, La Guardia, Iguembe, San Martin, Okinawa, Rodeo, Pilar, El Remate, Nuevo Horizonte and Port Grether. Several indigenous and environmental organizations expressed concern and rejection of a measure in which there was no type of consultation, violating Convention 169 and the Declaration of Indigenous Rights of the UN.</p> <p>The government once again failed to comply with the Political Constitution and International Conventions, since it issued-prompted-adopted-applied, in 2007, a legislative measure (Decree 29191) without carrying out a consultation with indigenous peoples and civil society in general as stipulate the international conventions for the protection of indigenous rights and the Constitution itself. The Political Constitution of the State (CPE) in its Article 30, Section 15, establishes the Right of Indigenous Peoples, to be consulted every time that legislative or administrative measures are contemplated that may affect them. ILO Convention 169 on indigenous peoples establishes as a Right: To be consulted in good faith, whenever the State promotes administrative or legislative decisions, as well as development plans. Whereas the Declaration of Indigenous Rights of the UN of the year 2007, in its article 19 on the right to consultation to indigenous peoples, says: The States will consult and cooperate in good faith before adopting and applying legislative or administrative measures that affect them. The Inter-American Commission on Human Rights (IACHR), in accordance</p>

		with those established by ILO Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples, recommends that the consultation procedure must be developed "before designing and execute projects of exploitation of natural resources in the lands and ancestral territories of the indigenous peoples".
E3	Country level Supreme Decree 2549 once again expands the oil frontier 2015	In October 2015, the extension process of areas reserved for YPFB was reissued, through supreme decree 2549. Based on this legal measure issued without prior consultation with the indigenous peoples to be affected, the oil frontier reaches an area of 29,966. 894 hectares, Which include several oil contracts approved by the neoliberal period. It also includes regions of very high ecological and cultural fragility such as the "Nueva Esperanza" Block in the North of La Paz (Beni-Madre de Dios).
E4	Country level The Government approves the YPFB Exploration Plan 2011-2020, without consultation or dialogue with indigenous organizations 2010	The YPFB Exploration Plan 2011-2020, presented by YPFB Corporation, consists of four chapters, of which Chapter 2 (Socio-Environmental Situation) and 4, referred to the strategies to support exploration management, include aspects that they are particularly concerned about YPFB's expressed intentionality (and the oil sector in general) to smooth and facilitate the process of violating protected areas and subduing indigenous traditional spaces. The YPFB Exploration Plan refers to social problems and the overlapping of oil projects with traditional spaces of Indigenous Nations and Indigenous Peoples, as a cause of frequent delays due to conflicts. YPFB alludes to aspects related to the demands and intransigent positions for compensation and to a "weak and diffuse policy of community relations practiced by oil companies". Special reference is made to the area or sector south of Aguarague, considered as difficult to access and conflicting in environmental and social matters. The opinion of YPFB, is that "with the current regulations" the cases of overlap with protected areas are difficult to free from the cause of force majeure. The objective of the socio-environmental strategy of the Plan "is to raise the causes of force majeure based on social and environmental aspects", in order to ensure the development of exploration projects, and shorten the times of the procedures for processing authorizations environmental The plan proposes a program to streamline environmental authorization processes, which is essentially based on changes in the regulations or legal framework, in order to expedite the issuance of the Environmental License, seeking to eliminate instruments such as the Environmental Record and the respective Categorization . Regarding the feasibility of hydrocarbon activities in socially sensitive areas, implies in the YPFB Plan, the timely approach with stakeholders, which includes the voluntary implementation of strategic social investment projects in the oil operation areas, in reality, action vacuums left by local governments or "municipios", that are used for cooptation; the generation of strategic alliances with environmental authorities, "entities responsible for the security of State assets" (police or other government entities).

		<p>The government failed to comply with the Political Constitution and International Conventions, since it issued-promoted-adopted-applied, in 2007, a legislative measure (Decree 29191) without carrying out a consultation with indigenous peoples and civil society in general as stipulated in the international agreements for the protection of indigenous rights and the Constitution itself. The Political Constitution of the State (CPE) in its Article 30, Section 15, establishes the Right of Indigenous Peoples, to be consulted every time that legislative or administrative measures are contemplated that may affect them. OIT Convention 169 on indigenous peoples establishes as a Right: To be consulted in good faith, whenever the State promotes administrative or legislative decisions, as well as development plans. While the Declaration of Indigenous Rights of the UN of the year 2007, in its article 19, on the right to consultation of indigenous peoples, says: The States will consult and cooperate in good faith before adopting and applying legislative measures or administrative actions that affect them. The Inter-American Commission on Human Rights (IACHR), in accordance with those established by ILO Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples, recommends that the consultation procedure must be developed "before designing and execute projects of exploitation of natural resources in the lands and ancestral territories of indigenous peoples "</p>
E5	<p>Country level</p> <p>The Government begins the process of support to the large agribusiness corporations and the expansion of the agricultural frontier; Agricultural Summit of Santa Cruz "seeding Bolivia"</p> <p>2011 - 2016</p>	<p>The MAS government based on the Productive Revolution Law (No. 144), approved in July 2011, confers a series of privileges on the country's agroindustrial sector, endorsing and supporting in this way, the expectations of expansion of the agricultural frontier that has that sector. At the same time, in its article 19, it instructs the establishment of dispositions for the production, import and commercialization of transgenic products. The Ministry of Government confused public opinion, only disseminating information on Article 15 of the aforementioned Law, which refers to the labeling of transgenic products, and lacking the truth, arguing that the aforementioned Law "would protect the population from transgenics". " The process implied a direct support to the agribusiness of the big corporations of the east, but especially to the capitals of transnationals like MONSANTO, SYNGENTA, BASF, etc., contradicting the basic postulates of the supposed rejection of capitalism.</p> <p>In January 2011, on the occasion of the possession of the new Minister of Productive Development, the highest authority of the MAS government explicitly instructed the expansion of the agricultural frontier in the country.</p> <p>In 2012, government policies showed clear signs of favoring the expansion of agricultural frontiers and benefiting the preponderance of the soy-agroindustrial sector. Proof of this was the announcement that the productive soy complex, would benefit from the resources of the FINPRO (Fund for the Industrial Productive Revolution) derived from Law 144.</p> <p>In 2013, the express commitment to support the agroindustrial sector was formalized in Law 337 (Support for Food Production and Forest Restitution) and its regulations. The fact that from the government the Law was handed over to Julio Roda, President of the Farming Chamber of the East-CAO, had a tremendous symbolic meaning. Despite the mention of "restitution of forests", the rule in its entirety is intended to condone the penalties for illegal clearings, something that ANAPO had desperately sought for several years, and to promote the expansion of the clearings for the alleged production of "foods". The short name that the agroindustrial sector gave to the norm 337 is the "Law of Desmontes"</p>

		<p>(law of deforestation). Not only are the offenders rewarded with the abrogation or legitimization of the offense, and the non-reversion, that is, the recognition of the Economic and Social Function in illegally dismantled land, but they are allowed to produce and re-dismantle, with a restitution that does not exceed 10% of the deforested properties. This, of course, is of little benefit to a small producer who may have dismantled illegally or without authorization, one or two hectares, but in large part to a large producer that dismantled without authorization (either on his farm or on public lands) hundreds or even thousands of hectares. Definitely, it is not the small producer that will benefit the most from this norm, but the medium and large producers, including the agricultural companies and cooperatives.</p>
E6	<p>Country level</p> <p>The Law of Mining and Metallurgy, No. 535, is approved and promulgated</p> <p>May 2014</p>	<p>The Law of Mining and Metallurgy was elaborated with total marginalization of the indigenous peoples and peasants, etc., principally affected by extractive activity (CEDLA N° 26, 2014). Nor did environmental or academic organizations participate.</p> <p>This norm was built with the sole participation of representatives of the mining sector: Ministry of Mining and Metallurgy, COMIBOL, the National Association of Miners, the National Chamber of Mining, the National Federation of Mining Cooperatives, the Federation Trade Union of Mining Workers and the General Administrative Jurisdictional Mining Authority.</p> <p>It also determines that the incentive of the exploitation of detrital alluvial deposits, mainly gold, will be a priority of the policy, avoiding irrational selective exploitation. This priority seems to be encouraged by the peculiarity of this mineral, whose price has a different behavior from the others, because it is a refuge of value in times of economic instability. In this case, we must remember that currently there are no important private companies in the production of gold and that the exploitation is dominated by cooperatives, so the policy would be directed mainly to promote that sector. Aligned to the governmental speech</p> <p>The general orientation of the new law is to give preponderance to mining rights over other rights. As it is determined that the mining activities have a strategic nature, of public utility and of state necessity, and as it is established that it is obligation and state function the promotion of the mining investments the norm establishes that the mining rights have priority over the agricultural property of the earth; moreover, it grants mining rights the power to resort even to expropriation to agricultural owners or others to guarantee mining activity.</p> <p>The Law determines the recognition and respect by the State of the rights acquired in the past through mining concessions by individuals, private companies and cooperatives, through the simple adaptation of these concessions to the new type of mining administrative contracts. This means that it protects the rights on surface areas previously obtained through purchase, easement, expropriation or any other legal form, including the rights acquired in areas that were subsequently granted to indigenous peoples as TCOs or TIOCs.</p> <p>The holders of mining rights have rights over area resources, such as construction materials, wood, firewood, peat, etc. Likewise, they would obtain the right to use existing water or to run through their mining area. In the case of the use of water of public or private domain, the mining actors must reach an agreement with the owners and, failing this, resort to administrative authorization. In other words, mining companies and cooperatives can use the waters in an almost</p>

		unrestricted way. Due to the pre-eminence of the mining right over other rights, the mining actors could "constitute a surface right over agrarian or other property" after payment of compensation or compensation. But, if no agreement can be established on this new right in favor of the mining actor, he may "resort to the procedure of expropriation," which gives the departmental or regional director the power to resolve the request in very short terms. Additionally, in the nature of inclusion of indigenous peoples and peasants in mining activities, the norm would be forcing the indigenous and peasant peoples to assume an organizational form properly capitalist mercantile, abandoning their collective social nature, against what it points out the official discourse of "community socialism" (CEDLA N° 26, 2014).
E7	<p>Country level</p> <p>Government approves Decree 2298 - modification of the DS Regulation consultation in IT 29033</p> <p>March 2015</p>	<p>Decree 2298 (April 18, 2015, amending and complementary to DS 29033), which modifies and violates the spirit of Regulation 29033 that rules the participatory consultation in indigenous territories. The DS 2298 converts the participatory consultation into an administrative document with the intervention of a notary public and pave the oil exploitation on indigenous lands. Subtract importance and prominence to the owners of the territory, since it removes attributions to the indigenous representations in the process, which were given in the original 29033, conferring them to the Ministry of Hydrocarbons which is the competent authority of the process (AC). With the 2298, the OI can no longer define where (places), when (dates), the how (methodology) and how much is invested in the consultation (budget) of the query, attributions that pass to the MHE. Decree 2298 is anti-constitutional, since the Political Constitution of the State is violated, in its Article 352, of the Second Chapter on Natural Resources, which establishes: <i>In the indigenous peoples and nations, the consultation will take place respecting its own rules and procedures.</i></p> <p>Indigenous organizations, environmentalists and networks - social collectives demonstrated against the DS because it not only violates the Constitution, but also the International Conventions (169, Indigenous Rights of the United Nations), violates Indigenous Rights and puts in a situation more vulnerable to the peoples and territories before the extractive processes.</p>
E8	<p>Country level</p> <p>Government approves Decree 2366 that opens oil operations in Protected Areas.</p> <p>2015</p>	<p>On May 20, 2015, the government of Bolivia approved Decree 2366, which in its Article 2 of (Authorized Activities), establishes: The development of exploration hydrocarbon activities in the different zones and categories of protected areas is allowed. The co-opting element is also present, conferring the one percent (1%) of the amount of investment established in the Environmental Assessment Study, as compensation for the "strengthening" of the intervened protected area.</p> <p>It is important to mention that the General Regulation of Protected Areas (DS 24781) in its Article 23, establishes that: ... <i>In the area that includes parks, sanctuaries or monuments, the extractive or consumptive use of its renewable or non-renewable resources is prohibited and infrastructure works, except for scientific research, ecotourism, environmental education and subsistence activities of native peoples, duly qualified and authorized.</i> In this sense the 2366, violates the Regulation of Protected Areas, and not only that, but repeals and abrogates (leaves invalid) Article 23 and others who oppose the 2366. The government once again relaxes the environmental standard in favor of extractivism.</p> <p>The purpose of the Decree is to establish measures for the exploitation of hydrocarbon resources throughout the</p>

		national territory. In its Article 2 of (Authorized activities), it establishes: The development of exploration hydrocarbon activities in the different zones and categories of protected areas is allowed, in compliance with the environmental conditions established by the National Service of Protected Areas-SERNAP and the National Competent Environmental Authority of the Environmental Ministry. This violates the Regulation of Protected Areas, and leaves Article 23 void that establishes that in national parks, the extractive or consumptive use of its renewable or non-renewable resources and infrastructure works is prohibited, except for scientific research, ecotourism, environmental education and subsistence activities of native peoples, duly qualified and authorized. Legitimate indigenous organizations, environmental organizations, academics, networks - social collectives, demonstrated against a legal measure qualified as absolutely anti-ecological and anti-environmental that puts at risk the most precious and delicate values of Mother Earth.
E9	Country level New Ombudsman in favor of government plans and policies and against Indigenous Rights. 2016	The appointment of the new Ombudsman in the person of David Tezanos, constituted a painful setback in terms of the defense of Indigenous Rights, due to the total co-optation of this position by the government. The new Defender was part of the MAS government apparatus and publicly declared his unconditionally supports the government's policies and plans that violate the Rights of Indigenous Peoples. The departure of the former Defender, Rolando Villena, has been interpreted as a tremendous setback that reduced the strength of resistance of the indigenous movement and of Human Rights in general in Bolivia.
E10	Country level Government will auction 100 hydrocarbon fields to attract foreign investment and start exploration tasks November 2017	As already announced a few months ago, the government will carry out an auction of approximately 100 hydrocarbon fields and areas to attract foreign investment and initiate exploration tasks. This information was confirmed by the Minister of Hydrocarbons, Luis Alberto Sánchez, on the second and final day of the X Gas & Energy Fair and Congress held in Santa Cruz by the Bolivian Chamber of Hydrocarbons and Energy (CBHE). In said event it was explained that the government hopes to attract billions of dollars in investment, as an example, the extension of the Caipipendi block contract was cited, from 300 to 600 million dollars. In addition, he mentioned the expansion of the Aquio-Incahuasi field that involves an investment similar to the previous one, while the development of blocks such as Boyuibe, Iñiguazú, and Boicobo imply an investment that exceeds one billion dollars. The specific methodology of the auction was not detailed The prioritization of 80 areas and 13 projects that will enter into production before 2020 was reported and, if these are successful, gas production will have increased, since these projects have a potential of 17.88 trillion feet cubic (TCF). He indicated that none of the prioritized projects are in protected areas. 14 areas are located in the Madre de Dios zone in the Amazonian north, 10 in the altiplano, 42 in the southern sub-Andean sector (Tarija), 30 in the sub-Andean area of the center and the Benian plain, in addition to the foothills, and five in the plain of Santa Cruz

		<p>Something that attracted attention and could be considered a frivolity, is the statement of Minister Sánchez: ... <i>"The environmental license took 390 days, today we are much more agile and it takes 195 days, we have that challenge, we want to reach 90 days (...)</i> In no country in the region have those times, that is one of the disincentives (for oil companies) because there is a slowdown in the socio-environmental issue "... It is observed once again, the little importance and seriousness with which the oil sector and the government handle the socio-environmental issue, seeking at all costs the relaxation of environmental standards and promote extractive operations. Most of these blocks to be auctioned overlap indigenous territories and protected areas. This administrative decision, like many others, has not been subject to consultation or socialization with the indigenous peoples and peasants to be affected. This commercial measure without being subject to the Precautionary Principle opens the doors for a succession of violations of Human Rights throughout the territory of Bolivia.</p> <p>For its part, the Documentation and Information Center Bolivia (CEDIB), reported that to date the area committed to hydrocarbon contracts and the 80 new exploration areas that the Government will put up for auction in the Forum of Gas Exporting Countries expands the border oil company in the country to almost 29 million hectares, with an estimated impact of 1.7 million people. The oil frontier in Bolivia in 2006 was the one inherited from the neoliberal period of 44 contracts, three were returned, representing 2.6 million hectares. In the management of the MAS, four contracts were delivered based on the energy agreement with Venezuela for more than 858,000 hectares and other contracts that were delivered by the MAS through tenders as part of the arrangements to YPF Argentina, Petrobras and Petroandina SAM.</p>
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