
Bolivia: logging in indigenous territories

Bolivia holds diverse types of forests but they are quickly disappearing to the benefit of a few logging companies and to the detriment of indigenous peoples. Their territorial rights exist only on paper because in reality the government, by means of its concessions policy, prefers to satisfy the companies' interests (see WRM bulletin 22).

According to the Centre for Legal Studies and Social Research (Centro de Estudios Juridicos e Investigacion Social, CEJIS) the Bolivian government has allocated a vast area of primary rainforest to logging in indigenous peoples' territories without their consent.

This case is in flagrant violation of International Labor Organization (ILO) Convention 169, which was voted into law by the Bolivian government itself. The problem started in July 1997 when the Forest Superintendent granted 85 new forest concessions for a period of forty years, with the option of further extensions. Twenty-seven of these concessions were imposed on indigenous territories, recognized by the National Constitution of 1994. It is to be pointed out that since October 1996, these territories had been -and currently still are- in the process of obtaining their property titles from the National Institute of Agrarian Reform.

The decision of the Superintendent implies the elimination of large stretches of primary forest, which constitute zones of traditional and cultural usage by the indigenous peoples of the region. The concessions cover 500,000 hectares of Guarayo Territory, more than 140,000 hectares of Chiquitano de Monte Verde Territory, more than 15,000 hectares of Yaminahua Machineri Territory, more than 17,000 hectares of Indigenous Multiethnic Territory, and more than 28,000 hectares of Indigenous Territory and Isiboro Secure National Park. In sum, more than 700,000 hectares of legally recognized indigenous lands, that are today being exploited by transnational logging companies.

In September 1997 the Superintendent denied a petition submitted by CEJIS to review the concessions. Then the case was presented to the SIRESE (System of Sector Regulation) which also denied the petition. The last step taken at the national level was the presentation of a claim to the Supreme Court of Justice, which has not yet handed down its decision. In October 1997, a national and international resistance campaign began, uniting institutions and organizations committed to the defence of human and territorial rights of indigenous peoples and the compliance with agreements signed by the national government. A formal protest was put forth before the ILO for violations of Articles 6 and 14 of Convention 169, which was ratified by the Bolivian Government as Law 1257 on July 1991. ILO answered with a document which contains important conclusions and recommendations that boosts the indigenous peoples' struggle, such as a request for information from the Bolivian government regarding the advances reached in practice in relation to the consultations with petitioning villages, its participation in the granting of the concessions, and its collection of an equitable indemnification fund for the damages that could result from the same. It also asks the Government to apply article 15 of Convention 169 to its fullest extent, and to be informed about the progress of restitution in process in the Indigenous Community Lands of Origin.

Source: Glenn Barry, 1/8/99, based on information provided by Global Response, 29/7/99.

