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Spotlight interview with Carlos Mamani (Bolivia)

"A new democracy should emerge out of the tensions between the government and indigenous peoples"

Brussels, 25 October 2011 (ITUC OnLine): The plans to build a road that will pass through the Isiboro-Secure National Park and indigenous territory, TIPNIS (Territorio Indígena y Parque Nacional Isiboro-Secure), in Bolivia have brought to light how difficult it is to secure respect for the rights and international standards enshrined in the new Bolivian constitution. For Carlos Mamani, an indigenous activist and professor of anthropology at the University of San Andrés, there are still traces of colonialism in Bolivia that are holding back the recognition of the rights of the majorities.

Could you give a broad explanation of the TIPNIS dispute?

In Bolivia, as in all other countries around the world, securing recognition for indigenous peoples' rights has been a very long process. ILO Convention 169 has been in force for over 20 years, and the United Nations declaration on the rights of indigenous people has been transposed into national law. In February 2009, the new constitution of the Plurinational State of Bolivia recognised the rights guaranteed in Convention 169 along with those enshrined in the United Nations declaration. Bolivia thus committed to respect all the rights held by indigenous peoples, such as the right to self-determination, the right to land, to political autonomy and, of course, the right to consultation.

It is in light of this commitment that indigenous peoples are now calling on the government to respect the provisions of the constitution and the international standards to which it has subscribed. Their demands are linked to the Bolivian authorities' plans to build a highway that will pass through the TIPNIS, a nature reserve between Cochabamba and Beni, and that the communities believe will lead to massive environmental damage.

First of all, the authorities rejected the indigenous peoples' demand regarding their right to consultation. The dispute thus arose out of the fact that certain members of the government refuse to recognise the rights of indigenous peoples.

The government is arguing that the road is in the national interest, as it will cross the whole country. The indigenous peoples, for their part, contend that its construction is driven by economic interests, especially those of the mining companies. Who is right?

The problem, unfortunately, for indigenous peoples, and especially those from the Amazon, is that development relies on their disappearance, on the death of peoples and cultures. It's a fact no one can deny. We have already lived through this negative experience in the Amazon, where rubber extraction proved particularly destructive for the indigenous groups in that region. It is by no means clear how indigenous peoples might benefit from this new road. The fear is that the opening of new roads, known as mega-projects, might be closely linked to the extraction of raw materials, particular mining, oil and forestry resources. They fear that not only their habitat but their way of life and their cultures will suffer the consequences.

It is, in fact, a fundamental issue that marks the relations between indigenous peoples and the countries of the region. How has Bolivia dealt with the recognition of the right to self determination? Indigenous people are demanding that this right be respected. No one is asking for their opinion in this dispute. Indigenous peoples have gone further and are asking for the fulfilment of the rights provided for in the constitution and international standards.

One of the main international instruments is the United Nations Declaration on the Rights of Indigenous Peoples. What can the United Nations Permanent Forum on Indigenous Issues do in this case?

The Permanent Forum has a mandate specifically related to the declaration. Article 42 of the declaration stipulates that the Permanent Forum is among the bodies with a mandate to ensure effective respect for the rights enshrined in the declaration. It is on this basis that the Permanent Forum and all the international institutions should be following what is happening in Bolivia.

Bolivia has recognised all these rights in its constitution. But it is difficult to go from being a colonial-style state to a state that describes itself as being "plurinational" and has to respect the laws and standards concerning indigenous peoples. It is a situation that can give rise to serious tensions and disputes. Indigenous peoples have not said that they don't want the road; they have simply pointed out that they have a right to express their opinion, to say whether they are for or against the road.

As you said, Bolivia has ratified Convention 169. Do you think this case should be brought before the next International Labour Conference?

Yes, I do. The International Labour Conference should look into the dispute underway in Bolivia. The ILO is paying quite close attention to the application of Convention 169 at the moment, and in Bolivia this Convention is clearly being violated. There is, for example, an issue of legal insecurity for companies investing in Bolivia. In my view, it is essential that these issues be addressed at the ILO.

Many analysts think this is the most serious political crisis facing Evo Morales' government, precisely because it involves indigenous peoples, who form his support base. Do you think this dispute could give rise to political instability?

The Bolivian vice president, Álvaro García Linera, declared that Bolivia was experiencing "creative tensions". I would describe what we are experiencing right now more positively. We are experiencing creative tensions, tensions between the government and the indigenous peoples that should pave the way for a new type of democracy to really take root in the country.

Latin American countries have systematically excluded indigenous peoples. In Bolivia, however, the state is opening up. It is a plurinational state that has to learn to respect the standards concerning indigenous peoples. The problems we are experiencing are rooted in the bureaucracy of the former state under which indigenous peoples had no rights. A section of the population still views indigenous peoples from a colonial perspective and see no need and no reason to respect their rights.

This view is being strongly contested, not only by indigenous peoples themselves but also by Bolivia's workers and society at large. We are in the process of building a new type of

democracy. It is no longer about having a democracy solely in the formal sense, but a democracy that implies recognition of the rights of a very large section of society that had never before benefited from these rights.

Is an agreement likely in the precise case of the TIPNIS dispute?

In Bolivia, 64% of the population is indigenous. If you look at the legislation or the history of any Latin American country, you will not find a single state that has paid attention to or respected the rights of indigenous peoples. You will find, above all, a history of constant conflicts and encroachment on the indigenous peoples' territories and lands, to strip them of their resources.

When Bolivia declared itself a "plurinational state" it put the brakes on this situation. What we are doing now is demanding that the state respect the rights laid down in the new constitution. This demand will contribute to strengthening democracy in the country.

Indigenous peoples are trying to reinforce what democracy should be in Bolivia, in a way that will not only benefit the government and its party but the population as a whole. The solidarity shown by the trade union movement in this process, such as the Central Obrera Boliviana (COB), has been crucial. Likewise, other members of civil society, especially those living in Bolivia's towns and cities, have also, over time, demonstrated genuine solidarity with the indigenous peoples.

Interview by Alexandre Praça

-On 9 August, to mark the International Day of the World's Indigenous People, the ITUC published a Union View on "The alliance between the indigenous peoples and trade unions in Latin America". The report denounces the violations of ILO Convention 169 and underlines the importance of joint strategies in the fight for the rights of indigenous communities, and above all the right to consultation. <http://www.ituc-csi.org/the-alliance-between-the.html>

The ITUC has also released two videos on the same theme:

-Guatemala: gold mine plundering sacred resources
<http://www.ituc-csi.org/guatemala-gold-mine-plundering.html?lang=en>

-El Chaco: a rights-free zone for indigenous workers
<http://www.ituc-csi.org/el-chaco-a-rights-free-zone-for.html?lang=en>

The ITUC represents 175 million workers in 308 affiliated national organisations from 151 countries and territories.

Website: <http://www.ituc-csi.org> and <http://www.youtube.com/ITUCCSI>

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