

International Rights of Nature Tribunal



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International Commission recommends sanctioning the government of the Plurinational State of Bolivia for the TIPNIS case

January 16th, 2019

The commission that visited the Isiboro Sécure Indigenous Territory and National Park (TIPNIS) last August, based on the extensive information gathered during its visit, urges the International Court for the Rights of Nature to sanction the government of the Plurinational State of Bolivia for the repeated violations of the rights established in the "Universal Declaration of the Rights of Mother Earth," issued in Tiquipaya, Cochabamba, Bolivia, in 2010, and other legal bodies that recognize it as a subject of rights.

The commission's 44-page report states that the following Rights of Mother Earth are being affected and will be further affected: the right to life and to exist; right to be respected; right to water as a source of life; right to the regeneration of its biocapacity and continuation of its cycles and vital processes free of human alterations, as well as the right to maintain his identity and integrity as differentiated, self-regulated and interrelated beings.

Likewise, the commission notes that the rights of indigenous peoples and the rights of defenders of nature are violated. Violations that are aggravated by the disrespect of the legal and institutional framework of the Plurinational State of Bolivia.

Likewise, the commission demands from the government of Bolivia:

- The definitive paralysis of the road project by the TIPNIS.
- The repeal of Law 969 of August of the year 2017.
- The adoption of measures to stop the advance of colonization towards the core zone of TIPNIS.
- The territorial consolidation and autonomy of the Multiethnic Indigenous Territory in the Bosque de Chimanes, which would allow the control and integral management with the TIPNIS.
- The cancellation of oil expansion plans.
- The identification and punishment of those responsible for human rights violations in 2011 in Chaparina.

The report supports its conclusions in data, information and testimonies obtained directly during its visit to Bolivia. The commission reports that the delay in presenting its report is due to the fact that the Government of the Plurinational State of Bolivia avoided answering the questionnaire that was sent to it, as agreed in the meeting held with the Minister of Government, Carlos Romero, on August 20, 2018. This fact obliged the commission to collect additional

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information through other research and studies provided by a large number of people and organizations.

The commission formed by Alberto Acosta, Shannon Biggs, Enrique Viale and Hana Begovic visited Bolivia at the request of representatives of the TIPNIS Subcentral, who presented the case at the fourth session of the International Court of Nature Rights held in Bonn, Germany, in November 2017. The International Court of Rights of Mother Earth - formed by judges and recognized ethical authority and commitment to Mother Earth appointed by defenders of Mother Earth from different parts of the world - will consider the aforementioned report and issue until the end of the month March 2019 its ruling on the TIPNIS case. Finally, it should be noted that the aforementioned court is an instance of civil society, with an ethical nature, which aims to investigate and rule on cases of violations of the Rights of Nature, for the breach of responsibilities by international organizations, States, companies or individuals, in application of the provisions of the aforementioned Tiquipaya Declaration.