

Committee on the Elimination
of Discrimination against Women
61st session
6 – 24 July 2015



ALTERNATIVE REPORT OF THE WOMEN OF THE INDIGENOUS PEOPLES AND NATIONS OF BOLIVIA



**CONFEDERACIÓN NACIONAL DE
MUJERES INDÍGENAS DE BOLIVIA**



**CONSEJO NACIONAL DE AYLLUS
Y MARKAS DEL QULLASUYU**



**CONFEDERACIÓN NACIONAL DE
PUEBLOS INDÍGENAS DE
BOLIVIA**

**CNAMIB
CONAMAQ
CIDOB**

REPORT OF THE WOMEN OF INDIGENOUS PEOPLES AND NATIONS OF BOLIVIA

2015

"...apartheid, all forms of racism, racial discrimination, colonialism, neo-colonialism, aggression, foreign occupation and domination and interference in the internal affairs of States is essential to the full enjoyment of the rights of men and women..." (Preamble of the Convention on the Elimination of All Forms of Discrimination against Women)

Introduction.

1. "The Plurinational State of Bolivia signed the Convention on the Elimination of All Forms of Discrimination against Women on 30 May 1980 and ratified it on 8 June 1990 (date of deposit) by Act No. 1100 of 15 September 1989. In addition, Bolivia signed the Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 10 December 1999 and ratified it on 27 September 2000 (date of deposit) by Act No. 2103 of 20 June 2000", is the beginning of the introduction of the Fifth and Sixth State Report presented by the Plurinational State of Bolivia on December 17, 2013 for consideration by the Committee on the Elimination of Discrimination against Women (here forward referred to as "Committee")¹.
2. Using the mentioned report and the "List of issues and questions relating to the fifth and sixth reports of the Plurinational State of Bolivia"² presented by the Committee as a framework, the following organizations of indigenous women of Bolivia:
 - a. **National Confederation of Indigenous Women of Bolivia (CNAMIB)**, which consists of women from 34 indigenous nations of the lowlands of Bolivia whose people's identity is rooted in forest, which is the center of their existence and therefore the reason why the forests' preservation is essential for economic and social development of the communities that belong to these nations. The Confederation's mission is the defence of the individual and collective rights of indigenous women in the lowlands of Bolivia through representation before public and private bodies; as an organization of indigenous women, CNAMIB was founded on November 23, 2007.
 - b. **Council of Mama T'allas (Women Leaders) of the National Council of Ayllus and Markas of Qullasuyu (CONAMAQ)**, established at the annual assembly on May 22, 2015, with the mission of defending the individual and collective rights of indigenous women in the Andean region of Bolivia, specifically the Aymara, Quechua and Uru tribes, represented by 16 Suyus (regions).With the support of the Indigenous Confederation of Bolivia (CIDOB), Andean Coordinator of Indigenous Organizations (CAOI), Coordinator of Indigenous Organizations of the Amazon Basin (COICA) and the Continental Council of the Guaraní Nation (CCNAGUA), present the following report for consideration by the Committee of experts for the Elimination of Discrimination against Women (CEDAW) at its 61st session from July 6-14, 2015.

The Indigenous Woman in Bolivia.

3. Bolivia is a country formed by the following regions: Andes, Amazon, East and Chaco, throughout which there are scattered communities of 36 nationalities that make up the Plurinational State. According to the national census of the year 2012, indigenous peoples represent 42% of the population of the country, and in the census of 2001, without the presence of the Plurinational State, the indigenous population consisted of 62% of the country's population. It calls our attention that in the 2012 census the percentage of the indigenous population fell 20%, which is especially of concern for indigenous women due to

¹ CEDAW/c/BOL/5-6

² CEDAW/c/BOL/Q/5-6

the implications in public policy as well as in the State's compliance with the obligations that it has assumed, such as the right to participation and consultation.

4. We, the women of indigenous peoples, have been victims of a policy of permanent colonization since the 16th century. The European invasion of the continent resulted in an unprecedented genocide, causing a decrease in population of 93% between the years of 1520-1620³. During the Republic, the State pursued the assimilation of indigenous peoples through Indianism, a policy which was denounced as ethnocide. For the East, Chaco and Amazon regions, genocide has been permanent, and the Ayoreo nation is a living testimony of how the hunt for "Indians" and the population decline due to religious missions meant a dramatic loss of life after the Chaco War (1932-1936). The war resulted in the dispossession of the indigenous people's territory in the Chaco and the appropriation of their land by *Criollo*⁴ landowners and transnational oil companies.
5. Colonization continues through the plunder of territories and natural resources brought about by mega-projects in mining, oil, gas, dams, and highways⁵, and through Governmental control exercised through the intervention and division of the autonomous indigenous government and authority structures of the groups CIDOB and CONAMAQ, by means of violent takeovers of their headquarters in July, 2012 and December, 2013, respectively⁶.
6. The rights of indigenous women are recognized by Law 3760, passed on November 7, 2007, as well as in the Constitution of 2009. Article 2 of the Political Constitution of the State recognizes the pre-existence of the indigenous peoples, which gives them ancestral dominion over their territories and guarantees their self-determination. Likewise, articles 30 and 403, inspired by the Convention 169 of the International Labour Organization (ILO) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), recognize, among others, the rights of indigenous peoples to:
 - Exist freely.
 - Their own cultural identity, religious beliefs, spirituality, practices and customs, and world view.
 - Self-determination and territoriality.
 - Having their institutions be part of the overall structure of the State.
 - Collective titling of lands and territories.
 - The protection of their sacred sites.
 - Be consulted through appropriate procedures and in particular through their own institutions whenever there are legislative or administrative measures that may affect them. In this context, the right to prior and obligatory consultation by the State, carried out in good faith and systematically, will be respected and guaranteed with regards to the exploitation of non-renewable and renewable resources in the territories that they inhabit.
 - Participation in the benefits of the exploitation of the natural resources in their territories.

³For the Peruvian territory, David Noble Cook establishes that a population of 9,000,000 in 1520 was reduced to 600,000 in 1620. David Noble Cook. *La Catástrofe Demográfica Andina. Perú 1520-1620*. Pontificia Universidad Católica del Perú, Lima, 2010.

⁴ A social class of people of Spanish ancestry born in Latin America.

⁵ Supreme Decree 2366, passed May 20, 2015, where the exploration of gas and oil is authorized in protected areas, which are mostly indigenous territories. 44% of the total areas of the indigenous territories are overlapping with protected areas and RAMSAR sites. (Friends of Nature Foundation, 2014). Examples are the indigenous territories TIPNIS, PILON LAJAS, MADIDI, AGUARAGUE and others.

⁶ Called "Casa de Gobierno" or "House of Government" by CONAMAQ and "Casa Grande" or "Main House" by CIDOB and CNAMIB

- Autonomous management of indigenous territories, and to the use and exclusive exploitation of renewable natural resources in their territory.

Likewise, the Political Constitution of the State incorporates the individual and collective rights of indigenous women in more than 20 articles⁷.

7. In the process of the review of the Plurinational State of Bolivia's implementation of the CEDAW, we, as indigenous women, are being subject to a double exclusion; on the one hand, the Bolivian Government has not socialized their 5th and 6th periodic reports, and on the other hand, in the civil society report, "Report of the coalition of women's rights organizations of civil society to the Committee for the Elimination of discrimination against women (CEDAW)", we have been ignored and they did not take into account the situation of the violation of our rights.

Right of women in rural areas to participate in the elaboration and implementation of development planning at all levels (Art. 14.2.a)

8. The failure of the Plurinational State of Bolivia to fulfill its duty to perform consultations when administrative and legislative measures are likely to affect indigenous peoples, motivated the indigenous organizations CIDOB, CNAMIB and CONAMAQ to carry out the VIII Indigenous March in August of 2011. In the XXIX Gathering of the Chief Magistrates of the Indigenous Territory and National Park Isiboro Sécure (TIPNIS), it was determined that: the highway project Villa Tunari-San Ignacio de Moxos, which would pass through the middle of TIPNIS "does not take into account our existence, territorial rights and the status of being a protected area". Despite the indigenous protest and the invocation to mother earth, which is a central theme of President Evo Morales in the international arena, the President with his ministers and governors proceeded with the inauguration of the project in the town of Eterazma, in the department of Cochabamba, on June 3, 2011⁸.
9. When the people marching were approaching the San Lorenzo bridge in Chaparina, on September 25, 2011, they were brutally suppressed by police and military forces, mistreating women, children and the elderly with excessive and disproportionate use of force⁹, in violation of the Constitution in respect to all of the Articles that correspond to civil and political rights and indigenous peoples' rights, mainly the rights to life, freedom, dignity, and personal integrity, free movement, as well as their rights to free expression and peaceful assembly. A total of 687 marchers were victims of the repression, and 250 were transferred by police and military forces to Rurrenabaque, where they were released under pressure from local residents who did not permit the military to take them away in Air Force aircraft. The rest of the victims escaped into the jungle looking for refuge, and 91 were children who got separated from their parents, unable to communicate with them, and 70 indigenous people were seriously injured according to the forensic reports. The testimonies collected by the officials of the national Ombudsman are eloquent: "- So, you have to respect this Government, you shit, you Indian piece of shit!-, that is what was yelled at me, -We are going to finish with you vermin of the Earth-, he also said to us". (M-44). The police violence, words and threats made were strongly steeped in racism and hate: "- these

⁷ Articles of the Political Constitution of the State that incorporate individual and collective rights of indigenous women: Art. 8, 11, 14, 15, 17, 18, 26, 35, 45, 48, 62, 64, 65, 66, 79, 147, 300, 302, 338, 395 and 402.

⁸ <http://www.abc.gob.bo/Inauguran-obras-en-los-Tramos-I-y>

⁹ www.eldeber.net/represionp7.pdf

indigenous dogs, we are going to kill them!-, this is how they expressed themselves, - Kill these pieces of shit!"¹⁰.

Right of indigenous women to participate in their own organizations and associations (Art. 7.c)

10. The intervention of the Government in the indigenous movement aimed at the division of two organizations CIDOB and CONAMAQ in order to control and subsequently execute mega development projects within their territories and protected areas; creating 'parallel organizations' with representatives appointed by the Government, so that these projects can be supported with their silence. In light of the breach of Law 180, Protection of Indigenous Territory and National Park Isiboro Sécore, the indigenous peoples decided to perform a new march (IX March). Government propaganda accused the indigenous leadership of not being known by the people they represent, and of being part of the opposition, the political right. After the march, the Government sent a deployment of police forces which took over the main headquarters of CIDOB in July of 2012. The leadership committee of the parallel group to CIDOB, led by Melva Hurtado and supported by the Government, consummated a coup, taking over the CIDOB offices and expelling the current, legitimate, organic leadership committee chaired by Adolfo Chávez Beyuma¹¹.
11. **The subjugation of CONAMAQ.** The night of December 10, 2013 a dissident group, dressed in ponchos to impersonate indigenous authorities, stormed the House of Government of CONAMAQ. Despite the protection of CONAMAQ's House, and accompanied by representatives of the Permanent Assembly of Human Rights-Bolivia (affiliated with the International Federation of Human Rights (FIDH)), they were violently attacked in the view of police officers who were on-duty in two police vehicles (radio patrol). By order of the Minister of Government, Carlos Romero Bonifaz, the Bolivian police kept the indigenous authorities of CONAMAQ out of the House since that night, leaving them in the street, and thereafter they set up a vigil outside the House on the street. The vigil was violently suppressed on January 14, 2014 and subsequently the CONAMAQ House was handed over to government officials, disguised as indigenous people.

Constitutional, legislative and institutional framework (Art. 1 and 2 CEDAW)

12. We call the attention of the Committee to inform that the Bolivian State has not developed a policy of dissemination of the Convention at the national level and much less in areas where indigenous women are present. The Bolivian State has, in recent years, incorporated into legislation the rights of women, facing the problem of gender inequality. We recognize that there are major advances in political representation, gender violence, and health. However, there are no specific and culturally appropriate public policies aimed at the attention of indigenous women in Bolivia regarding these issues.
13. In political representation, we have found that the much proclaimed parity and alternation in the Political Constitution of the State and the Electoral Regime Act have major weaknesses in the area of indigenous women, because that representation is relegated to the figure of a male alternate. Likewise, the involvement of indigenous women in politics has shown us that we have large deficiencies in the quality of our participation, expressed for example in the use of

¹⁰ National Ombudsman. *Defense Report of the violation of human rights in the indigenous march*, La Paz November, 2011, p9.

¹¹http://www.cidob-bo.org/index.php?option=com_content&view=article&id=2547:pronunciamiento-de-las-caoi-con-relacion-a-la-violenta-toma-de-las-oficinas-del-conamaq&catid=79:regional

our own languages. We need serious education and training programs adapted culturally to our situation.

14. In terms of gender-based violence, we indigenous women do not have easy and adequate access to protection mechanisms formed in these laws because they are not suited to the reality of indigenous communities (distance, complaint process, empty legal procedures). A similar situation is found in the implementation of health programmes targeting women. For example, the financial incentive, Juana Azurduy, to encourage women's pre- and post-natal care, implies the need for us, indigenous women to travel from our communities to the health centres, which results in an expense that exceeds the amount of the financial incentive itself. This is one of the reasons why indigenous women are not accessing the incentive.
15. The legislative advances that have been made do not have greater significance due to the fact that they do not adapt culturally to the reality of indigenous women, especially when indigenous peoples lack resources for implementation. In general, we can say that public policies aimed at indigenous peoples lack sufficient budget allocation, which leads to large gaps and a strong sense of discrimination towards indigenous peoples as a whole, but in particular with indigenous women in Bolivia, restricting their full enjoyment of these rights.
16. We want to inform the Committee that the new Law 603 on the Family and Family Law Process, which sets 16 as the minimum age for marriage, has not been discussed with us as indigenous women. Our cultural perception about marriage and the family are being excluded from this debate. As an example, in our communities, we consider that the age that is appropriate for a woman to marry is defined culturally, not by an age range.

Access to Justice (Art. 15 CEDAW)

17. We, as indigenous women are concerned about the limited capacity that the Bolivian State has to enact justice in favour of the rights of indigenous women; we believe that this is related to the lack of independence of the judicial system in relation to the national Government. We have two unsolved cases that serve as examples: the violent intervention of the indigenous March to protect TIPNIS in Chaparina and the "mass rape" of 7 women and 2 indigenous girls of the Tacana people in the community El Retorno in the department of Pando.
18. During the 8th Indigenous March for TIPNIS, on September 25, 2011, as we recounted previously, the Government of Evo Morales violently intervened; many women were beaten and separated from their children, and kidnapped in order to be forcefully returned to their territories in order to prevent them from reaching the National Government headquarters. Indigenous and human rights organizations have filed lawsuits to clarify the facts and punish those responsible for such an intervention. Almost four years have passed since the events and so far, no one has been found guilty and the facts of the case have not been clarified. Contrary to what was expected, the judicial investigation has criminalized indigenous women accusing them of being responsible for "kidnapping and attempting murder against the Chancellor", even involving women indigenous leaders who were not present at the march, as is the case of Mrs. Nelly Romero, representative of the Guarani people.
19. In the case of the "mass rape" of the indigenous Tacana women, which occurred in Pando on January 19, 2013, although the women involved made public and judicial complaints, they have not received due process from prosecutors, judges, or police, and the media also did not provide necessary assistance and protection, with the

exception being the Office of the Ombudsman. The process of arresting the culprits has been slow; the Prosecutor's Office in the month of March, 2013 issued summons to the offenders and due to their refusal to report, the arrest warrants were only issued in August, 2013¹². So far no one has been arrested, and it is known that two of the accused are no longer in the country. As indigenous women, we feel helpless and unprotected by the State which leaves cases, like those mentioned above, not prosecuted¹³.

Violence against Women (Art. 5 CEDAW)

20. We ask the Committee to make recommendations to the Bolivian State on the need to work with disaggregated data on domestic violence in indigenous populations. Today this information is lacking. In many cases, the little information that exists on the topic has been addressed by NGOs and not by the State.
21. According to the results of the study carried out by the Coordinator of Women "National Survey on Discrimination and Social Exclusion from the Perception of the Women of Bolivia" from 2014, the main sources of violence for indigenous women are: the home in relation to a family member at 27.3%, and the home in relation to their romantic partner at 35.7%, which means that a total of 63% of indigenous women experience their home as the main focal point of violence. Following the same topic, of the indigenous women who suffer violence, 50% do not seek help anywhere. This is information which is based on samples and that yields alarming information on the situation of indigenous women in Bolivia.
22. We consider that the situation mentioned above reveals that indigenous women have a deep unawareness of their individual and collective rights, and that the Convention has been sparsely made known in Bolivia, particularly in indigenous communities. In addition to the State not allocating the necessary resources to put the laws that are in favour of women's rights into practice in general, this is particularly true for indigenous women.

Trafficking in women and exploitation of prostitution of women (Art. 6 CEDAW)

23. We ask the Committee to recommend to the Bolivian State the need to disaggregate data on trafficking and sexual exploitation of indigenous women, so that the State and Indigenous self-government systems know how many indigenous women are victims of trafficking and prostitution. Many times cases of trafficking and

¹²The testimonies are heartbreaking: "I was caught between several men when I was inside my house. They kicked me, they knocked me down and hit me over the head with a piece of wood, and I passed out. Waking up I was without my clothes and only had a t-shirt covering me. I had pain and was bleeding. They raped me" reported Damaris of 16 years. "When it was over, we rose from the floor and they forced us to walk, to leave our houses because they said that place belonged to them. Every time I remember, I feel awful".

The rapes occurred inside people's homes in some cases and in other cases, "they carried them to the hills, they beat them and took their clothes off and they abused them", narrates Amparo Mendoza, a 26-year-old, while holding in arms to the youngest of her three children. "To remember that moment is painful. The nightmares continue and our children sometimes cannot sleep. We were tortured, humiliated and the women were abused", adds Mendoza. "I was washing my clothes and suddenly we heard shooting, shouts and insults. They took us from our homes and started beating us," says Daniela Navi (20). Sources:

<http://eju.tv/2013/07/indgenas-tacanas-denuncian-violacin-colectiva-justicia-boliviana-no-llega-a-los-agresores/>
<http://www.paginasiete.bo/2013-07-22/Gente/NoticiaPrincipal/171-172Gen00101lun22.aspx>

¹³ An indigenous woman abandons complaint of sexual harassment. "The yurakaré-mojeña Rosalis Soquines decided to abandon the complaint she filed against the ex-departmental assembly member of Santa Cruz, Einar Moya, for supposed sexual and political harassment. The woman said that the ordinary and community justice system could not resolve her case and she didn't trust their word either." Source: http://www.erbol.com.bo/noticia/indigenas/01062015/una_mujer_indigena_abandona_denuncia_por_acoso_sexual

prostitution of indigenous women are approached by the Bolivian State as issues of migration of indigenous women.

Right to participation in political and public life (Art. 7 and 8 CEDAW)

24. We recognize that there are major advances in the subject of the political representation of women. However, we ask the Committee to recommend to the Bolivian State to encourage, in a clear and decisive way, the true involvement of indigenous women in political representation. We have detected that the representation of indigenous women is relegated to the figure of a male alternate. Likewise, the involvement of indigenous women in politics has shown us that we have large deficiencies in the quality of our participation. In the study conducted by the Coordinator of Women, "National Survey on Discrimination and Social Exclusion from the Perception of the Women of Bolivia" (2014), it was mentioned that 80.4% of women do not participate in political parties, which shows that the criterion of parity and alternation of women's participation, rather than contribute to a qualitative participation in politics, actually shows that women are being used to comply with the Electoral Law.
25. We ask the Committee to recommend that the Bolivian State strengthen the political participation of indigenous women in the deliberative areas of the State at all levels, encouraging the use of the languages of Indigenous Nations recognized in the Political Constitution of the State¹⁴, implementing simultaneous translation systems. Certainly, one of the aspects which we highlight as a reason for low quality political participation is concerned with the fact that many indigenous women do not have sufficient command of the Spanish language and cannot fully express their ideas.

Education (Art. 10 and 14.2.d)

26. The plurinational condition of the Bolivian State is not reflected in the educational system, because even though the Law Avelino Siñani-Elizardo Pérez proposes a decolonizing intercultural education, the truth is that the concrete efforts to implement a multinational education are scarce. In reality, bilingual intercultural education programmes have been abandoned and the Indigenous Universities as centers of higher education intended to consolidate an intra- and intercultural training, have become institutions that repeat traditional education systems. We, as indigenous women, would like to point out to the Committee, the need to recover and develop our technologies, arts, and knowledge. We implore the State of Bolivia to carry out the Law Avelino Siñani-Elizardo Pérez¹⁵.

Employment (Art. 11 and 14.2.e)

27. We ask the Committee to recommend to the Bolivian State that it disaggregate data in order to know the employment and wage situation of indigenous women. We are

¹⁴ The Political Constitution of the State, in Article 5.I, states that the official languages of the State are Spanish and all languages of the nations and native indigenous peasant peoples, which are aymara, araña, baure, bésiro, canichana, cavineño, cayubaba, chácobo, chimán, ese ejja, guaraní, guarasu'we, guarayu, itonama, leco, machajuyai-kallawaya, machineri, maropa, mojeño-trinitario, mojeño-ignaciano, moré, mosetén, movima, pacawara, puquina, quechua, sirionó, tacana, tapiete, toromona, uru-chipaya, weenhayek, yaminawa, yuki, yuracaré and zamuco.

¹⁵ The Law Avelino Siñani- Elizardo Pérez of 2010, in its article 3.10 establishes that "...it is scientific, technical, technological and artistic, developing the knowledge and wisdom based on the cosmovision of the native indigenous peasant cultures, intercultural communities and Afro-Bolivian communities, complementing the wisdom and universal knowledge, to contribute to the integral development of society."

concerned about the lack of information on the subject, because many of our sisters are subjected to labor exploitation, unstable jobs and low wages. For example, in the regions where the oil companies operate (the Bolivian Chaco), the Guarani indigenous women can only access jobs as washerwomen in highly precarious working conditions. It also serves to mention that in the mining sector, the working conditions of women are extremely unstable, not only because they have one salary less than men but also because in many cases the figure of mining cooperatives prevents labour laws from being able to be applied.

28. The undersigned indigenous women's organizations ask the Committee to recommend to the Bolivian State that it repeal the Law 548, the Code on Children, for failing to comply with the ILO Conventions 138 and 182. This Law puts the indigenous children population at risk; it legalizes the labour exploitation of children, as well as encourages trafficking.

Health (Art. 12 and 14.2.b)

29. We, the indigenous women, ask the Committee to recommend to the Bolivian State, that the draft law on sexual and reproductive rights be brought into circles of dialogue with indigenous women; sexual and reproductive rights can be widely exercised when these are understood in our cultural contexts.
30. Despite the advances in public health programs, as indigenous women of Bolivia, we cannot access these benefits as was mentioned in paragraph 14. In addition, the financial incentive Juana Azurduy has the condition that women must receive care in public hospitals, which strongly weakens the medical practice of traditional midwives. The approach of intercultural health is an idea that has not been greatly developed by the Bolivian State and requires greater efforts and allocation of resources for its implementation. It is important that there is infrastructure in the health field that ensures indigenous women have access to this service.

Indigenous women and rural areas (Art. 14)

31. Since the first march of Indigenous peoples "for territory and dignity", we have had fundamental achievements relating to our territorial rights reflected in the national legislation, adoption of international conventions, and constitutional changes. In particular, indigenous women have been the main support of all the indigenous marches. However, since 2009, the Government of Evo Morales has been systematically cutting the budget for the legal process of setting property boundaries and land titling and, in his third term, he is preparing to reverse the indigenous territories titles. We present the following as proof:
- a) The Supreme Decree 2366 of May 20, 2015 authorized the exploration of gas and oil in protected areas, which are mostly indigenous territories. Some examples are the TIPNIS, PILÓN LAJAS, MADIDI, AGUARAGÜE and others. 44% of the total area of indigenous territories is also classified as protected areas and RAMSAR¹⁶ sites (Friends of Nature Foundation, 2014).
- b) The Patriotic Agenda until 2025 of the Government under Evo Morales provides for the extension of 13 million hectares in agriculture¹⁷. At the present, there are nearly 3 million hectares of land being used for agriculture, which means that the

¹⁶ The Ramsar Convention, or Convention on Wetlands of International Importance, especially as Waterfowl Habitat, is an international treaty, signed February 2, 1971 near the shores of the Caspian Sea in the Iranian city of Ramsar.

¹⁷ www.comunicación.presidencia.gob.bo/docprensa/pdf20130123-11-36-55.pdf

agricultural frontier should expand 1 million hectares per year. This proposal puts at risk the indigenous territories and the protected areas of Bolivia, the majority of which contain the most important forests. Taking these areas and the proceeding deforestation for agricultural purposes will drastically affect the livelihoods of indigenous peoples. Likewise, we emphasize that the main factor of climate change in Bolivia is deforestation and land use change.¹⁸

- c) The bill "Demand for nullification of the official title and nullity of the TCO (autonomous and communally owned indigenous land) certification of TIPNIS". This project of Supreme Decree is aimed at reversing the collective property of the communal land of origin (TCO) TIPNIS, into fiscal lands, under the argument that the indigenous organization that holds the collective property, which is "Subcentral TIPNIS", does not correspond to the organic structure of the indigenous communities and peoples. In the case that this bill were to become a law, the indigenous territories in Bolivia are not guaranteed nor protected by the State, opening the doors to the reversion of the property and ownership of community lands by indigenous peoples. (Bill, Government of the Department of Beni, 2012)
- d) The Supreme Decree 2195 of November 26, 2014, which redefines the forms of compensation to indigenous peoples in the case of hydrocarbon activities.
- e) Plunder and contamination of communal lands (land, water) by the presence of extractive industries - mining-, and the consequent decrease of agricultural land for the production, are reasons why we, indigenous women, are forced to leave our communities in search of jobs that are often precarious and lack social security. According to the National Agricultural Census in 2013, in the departments of Oruro and Potosí, which are the epicenters of mining in Bolivia, the levels of water contamination in the communities is more than 50% due to the washing of the metals from the mining process¹⁹.

For example, in the case of the river basin of Lake Poopó in the department of Oruro, where the ancestral lands of the peoples Sura and Urus are found, the situation is reflected in the following testimony of Mama T'alla²⁰ Daria Chambi *"the native grasses here used to grow to about 40 to 50 cm in height, but you don't see that anymore; previously there were silverside (fish), but now they are no longer seen, so many chemicals used in the mining pollutes everything {...}" "really, for women this is a disaster, these waters from the lake {...}really, for us women, this is a living death"*²¹.

Recommendations to the Committee of Experts

- 32. That the Committee of Experts of CEDAW ask the Plurinational State of Bolivia, in its mission of eliminating the violation of the rights of indigenous women, to pay attention to and fulfil its obligations assumed at the moment of signing the ILO Convention 169, the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, and the rights recognized in the Constitution of the year 2009.

¹⁸ According to the working paper "Deforestation in Bolivia: a threat greater than climate change", from 2010, the Friedrich Ebert Stiftung Foundation stated that in the case of Bolivia, when we include carbon emissions due to deforestation, the equivalent in carbon emissions is 11 tons per person per year, dramatically approaching the OECD countries' levels, where the average is 13 tons per person per year.

¹⁹ Plurinational State of Bolivia "A brush mark of statistics based on data from the National Agricultural Census 2013", National Institute of Statistics, September 2014.

²⁰ Mama T'alla: an ancestral female authority in the Andean region

²¹ Video "Death in Life, Contamination and the Media, Sura Nation" CEADDESC SRL, 2014.

33. That the Committee of Experts of CEDAW request the Plurinational State of Bolivia to translate the Convention on the Elimination of Discrimination against Women into the languages of indigenous peoples and to circulate it in written and oral forms for the knowledge of indigenous communities to contribute to its application and implementation.
34. That the Plurinational State of Bolivia implement public policies and designate the necessary resources and budgets for the realization and full exercise of the rights of indigenous women.
35. The State should make every effort so that the court cases that affect indigenous women in Bolivia may be resolved justly and not remain in impunity, guaranteeing the independence of the judicial system.
36. We request that the Committee recommend to the Plurinational State of Bolivia, that disaggregated data by indigenous nation within the indigenous population be used when processing national statistics and information, in particular data of indigenous women in the major topics such as: health, education, access to land, violence, trafficking and prostitution, access to employment, and others.
37. We request that the Committee recommend to the Plurinational State of Bolivia, to strengthen the political participation of indigenous women on the same terms as men in the legislative and decision-making spaces of the State without mediation in favor of any political party and encouraging the use of the languages of the native indigenous peoples recognized in the Political Constitution of the State, implementing simultaneous translation systems.
38. We, the undersigned indigenous women's organizations ask the Committee to recommend to the Bolivian State that it repeal the Law 548, the Code on Children, for failing to comply with the ILO Conventions 138 and 182 and for putting the indigenous child population at risk.
39. We ask the Committee to recommend to the Bolivian State, that the draft law on sexual and reproductive rights be brought into circles of dialogue with indigenous women.
40. That the Committee of Experts take into consideration the rights of indigenous peoples, Convention 169 of the ILO, and the United Nations Declaration on the Rights of Indigenous Peoples for their future actions of monitoring; in particular, the duty of States to consult with indigenous peoples in all administrative and legislative actions likely to affect their traditional ways of life, encouraging the full participation of indigenous women in the consultation processes.

Signed by:

**CONFEDERACIÓN NACIONAL DE MUJERES
INDÍGENAS DE BOLIVIA
CNAMIB**

**CONSEJO NACIONAL DE AYLLUS Y MARKAS DEL
QULLASUYU
CONAMAQ**

**CONFEDERACIÓN NACIONAL
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