
[Bolivia: Guarani People's Assembly denounces REPSOL-YPF for violating its rights](#)

During the present month of November, the Guarani People of Itika Guasu, who inhabit the Province of O'Connor in the Department of Tarija, the location of the Margarita mega gas field, gathered in Assembly. The reason was to denounce before national and international public opinion the REPSOL-YPF company's arbitrary treatment of the Guarani communities that inhabit the TCO (Original Community Territories) Itika Guasu territory, in violation of the economic, social, cultural and environmental rights established in the State Political Constitution, ILO Convention 169 (Law 1257) and the Hydrocarbon Law (3058). The following communiqué was issued by the Assembly:

"The Itika Guasu Assembly of the Guarani People [APG] denounces before national and international public opinion that the REPSOL-YPF company in Bolivia is violating the rights we have as indigenous people. It also denounces the fact that the REPSOL-YPF company, on launching new works in our TCO without prior and informed consultation, is violating Hydrocarbon Law No. 3058 of 17 May 2005 and its articles concerning indigenous peoples' rights.

We wish to make known that REPSOL YPF, showing no respect for the Guarani culture, has entered the territory of Itika Guasu located in the Province of O'Connor, Department of Tarija, causing damages to our environment, destroying our forests, driving away the wild animals that are the source of our subsistence and violating our form of community life. That is to say, REPSOL YPF is killing our culture.

We denounce that the Spanish company REPSOL YPF has entered our TCO Itika Guasu territory to carry out prospecting, exploration and exploitation operations and it has done so systematically violating our right to prior and informed consultation, established in ILO Convention 169, a Law of the Republic since 1991, Law 1257.

Since 1997 REPSOL YPF has been violating our rights because instead of respecting our organizational structure in communal, zonal and regional authority, it promotes the division of our communities using for this purpose its community relations officer, its social relations officer and the manager himself of Communication and Foreign Affairs.

For this purpose REPSOL YPF uses misleading propaganda that seeks to make people believe that the Guarani people are satisfied with the oil company's action, when in fact there is rejection in the TCO of the company continuing to operate in this manner.

In March 2003, after much pressure on our part, REPSOL YPF established an agreement with the Guarani People of Itika Guasu, an agreement that has not been kept by the company, because in spite of the commitment to respect our TCO, the oil company has continued damaging our territory, dividing our communities, thus violating its commitments, not only with the Guarani People but also with the Bolivian State, as established in the environmental impact assessments and in national laws.

Today, although the indigenous monitors of TCO Itika Guasu have prepared a dozen reports

requesting the company to comply with environmental protection, modify its behaviour of arbitrary treatment of our communities, and stop violating national laws and international agreements, the arbitrary treatment of our territory continues and increases, with the company taking advantage of the permissive attitude of the Bolivian State which --although aware of our complaints-- has done nothing to protect the indigenous rights that REPSOL YPF is violating.

A new Hydrocarbon Law (Law 3058) entered into force in our country on 17 May 2005, which clearly establishes in its articles VII and VIII the way in which oil activities should be carried out in indigenous territories.

In spite of this, REPSOL YPF continues to operate against the provisions of the Law in the TCO of Itika Guasu and therefore, it is violating our rights.

For all the above, we bring to the knowledge of national and international public opinion that REPSOL YPF is an oil company which, in the territory of Itika Guasu, has practices that are contrary to those it publicises in the newspapers, radio and television.

It is not true that REPSOL-YPF has brought benefits to the Guarani people, on the contrary, it is destroying our territory and it is doing so openly, violating national laws and international agreements.

For the above, we are appealing for solidarity with the Guarani people to demand that the company changes its actions in our TCO and withdraws from all the mass media the misleading propaganda it publicises that says very little for its commitment with the ethics and transparency established in its company mission and vision.

We demand that REPSOL YPF complies with Bolivian laws and international conventions!
We demand that REPSOL YPF no longer misleads its shareholders with false reports on the Guarani People.

Assembly of the Guarani People of Itika Guasu..
TCO Itika Guasu, 8 November 2005, Tarija, Bolivia.”

Article based on: “Bolivia: la empresa REPSOL YPF viola los derechos indígenas y la Ley de Hidrocarburos”, Biodiversidad en América Latina,
<http://www.biodiversidadla.org/content/view/full/20273>