



ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C. 2 0 0 0 6 USA

MEMORANDUM OF COMMITMENT

Hearing on Captive Communities

During the 131st regular session of the Inter-American Commission on Human Rights, a thematic hearing was held on Monday, March 10, 2008, regarding the captive communities of the Guarani People in the Bolivian Chaco. Present at the hearing were: Commissioners Florentín Meléndez, Luz Patricia Mejía, and Felipe González; petitioners Justo Molina Barrancos of the Guarani Captains Council of Chuquisaca, Leonardo Tamburini, Director of CEJIS, and Liliana Tojo and Alejandra Arancedo of CEJIL; Ambassador Reinaldo Cuadros Anaya, representative of Bolivia to the OAS; Gustavo Guzmán, Ambassador of Bolivia in the United States of America; Alejandro Almaraz, Vice Minister of Lands and Luis Rojas of the Bolivian Ministry of Foreign Affairs.

During the aforementioned hearing, the petitioners submitted updated information on the grave violations of the human rights of the captive families and their leaders and advisors, as a result of acts of retaliation by the groups affected by implementation of the process in which the Government of Bolivia is restoring lands to the Guarani People. Those acts pose a threat to the continuity of the process.

The Bolivian Government's representative concurred with the information submitted by the petitioners and gave a report on the actions under way as part of the process of restoring territory to the Guarani people, specifically to ensure that they have sufficient land and can liberate their communities from the slave-like conditions to which they are subjected.

In that context, the petitioners and representatives of the State agreed on the following:

- a. That the Bolivian State will adopt the protective measures needed to safeguard the personal integrity of all the Guarani families still living on the estates and of their leaders and advisors monitoring the implementation of the plan to liberate the Guarani people.
- b. That it is necessary that – in the framework of the recommendations it put forward in the Report entitled "Access to Justice and Social Inclusion" resulting from its visit to Bolivia in November 2006 -- the Inter-American Commission monitor the implementation of this process in Bolivia and that, accordingly, the Rapporteur for Bolivia, Commissioner Luz Patricia Mejía, and the Rapporteur on the Rights of Indigenous Peoples, Commissioner Víctor Abramovich, will visit Bolivia as soon as possible in order to ascertain in the geographical locations affected the facts that are the object of complaint, which threaten the agrarian reform process and the security of the captive families of the Guarani people. In this memorandum, the representative of the State hereby officially extend an invitation to the Inter-American Commission;

- c. That the State will keep the Inter-American Commission regularly informed as to measures adopted and progress made in the process of restoring territories to the Guarani people;
- d. That the State will take steps to ensure that the National Agrarian Tribunal will expeditiously resolve the actions brought before it in connection with the aforementioned process.

The Inter-American Commission on Human Rights welcomes the readiness of the parties to find solutions to the issues described by the petitioners at the hearing. The Commission hopes that said readiness will translate into a strengthening of the land restoration process being conducted on behalf of the indigenous peoples and especially into prevention of human rights violations to the detriment of the captive Guarani communities in connection with enforcement of the Law on Extension of the Agrarian Reform. The IACHR also welcomes the Bolivian State's invitation for it to visit the country and monitor this situation and implementation of the recommendations regarding it contained in the report on "Access to Justice and Social Inclusion: The Road Towards Strengthening Democracy in Bolivia." The Commission hopes to concrete this initiative in the near future.

Washington, D.C., March 11, 2008

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