Ethnocide and discrimination of the Tsimane people: the paradox of the Plurinational State

Some 12 Indigenous communities of the Tsimane people living in the Yucumo region are in danger of extinction due to the invasion of settlers, deforestation and the burning of their homes. In addition to being dispossessed of their traditional lands, the Tsimane are discriminated against and have serious difficulties in accessing justice. Under the complicit gaze of the Plurinational State of Bolivia, violence, threats and fear are commonplace.

By Alcides Vadillo – June 1st 2023

The Tsimane Indigenous people are one of the most numerous in the Bolivian Amazon. They live dispersed across an area that stretches from the foothills of the Andean mountain range, in the highlands of Eva Eva, to the edges of the Moxos pampas of Beni, in a wide strip of forest that reaches as far as Ixiamas.

The Tsimane population lives scattered in a complex system of settlements and territorial occupation that they maintain to this day. They are organized in small communities of six to seven families, which are usually consanguineous, and move constantly between jobs and residences that are far from each other. The influence of the missions, the construction of highways, the arrival of cattle ranchers and loggers and, in recent years, the flood of peasant farmers coming from the Andean region have all been disrupting their occupational system and social mobility.

Due to their cosmovision, these people do not fight for their spaces or resources. In cases of conflict, the families involved prefer to withdraw and look for other places to live, something that is becoming increasingly difficult against a backdrop of growing pressure on the territory.
A walking village

Lovers of their freedom and way of life, the Tsimane fled from the missionary reservations and the “empatronado” system of labour (a very common form of servitude in the Bolivian lowlands). Nevertheless, in the 1960s, the “New Tribes” Church, the successor to the Summer Institute of Linguistics, entered the Tsimane’s territory to evangelise the Indigenous population by means of health and education programmes. Today, this village is divided by roads, administrative boundaries and different levels of State recognition.

The semi-nomadic settlement pattern of the Tsimane is characterized by what is known as sóbaqui, a system of visits made to their wide network of relatives dispersed across the territory. These trips are undertaken to live and work with different groups of relatives for periods of six months to two years. This constant mobility generates a high fluidity in the composition of households and settlements, a characteristic of the Tsimane people that governments refuse to understand.

The livelihood of the Tsimane people is based on a subsistence economy: they rely on hunting, fishing, gathering, and the use of non-timber forest resources (particularly jatata (Geonoma deversa)) and agriculture. Although they are not integrated into the market economy, their consumption of food, tools, clothing and medicines from outside their community has resulted in a relationship of dependence and intermediation with other groups that tend to deceive them, exploit them and dispossess them of their territories.

According to the Tsimane leaders themselves, there are 164 communities settled across different regions of Bolivia. There are 120 communities in the Chimán Indigenous Territory, 14 in the Pilón Lajas Territory, six in the Multiethnic Indigenous Territory (TIM) and eight in the Isiboro Sécure Indigenous Territory and National Park (TIPNIS), all with legal recognition from the State. In addition, there are 12 communities in the Yucumo sector and four in Ixiamas that lack legal recognition and which are being dispossessed of their ancestral territories.
The Tsimane of the Yucumo sector

In the past, Yucumo was a small Tsimane community on the banks of the Yucumaj River (Yucu, a fish that inhabits the waters of this river, and Maj meaning deep) but all this began to change with the arrival of migrants. There are 12 communities in this region that are considered to have had recent contact with national society as a result of the colonisation processes promoted in 1974 under the government of Hugo Banzer.

The Grand Cacique of the Tsimane Sub Council of the Yacuma Sector, Rosendo Merena Nate, looks over his glasses and affirms: “Before the settlers arrived, before the Karayanas arrived and before Bolivia existed, before all of them, the Tsimane already lived here. Now the National Institute of Agrarian Reform (INRA) is coming to dig our cemeteries, to look for the bones of our ancestors, because they say that we are not from here.” This leader is one of the elders who still remembers the first land disputes in the territory.

Rosendo places the first contact with third parties at 34 years ago, at the end of the 1980s, which is why they are considered to be in “recent contact”. Some 60 Indigenous people were living in the community of San Bernardo when the first settlers, Valentin and Hugo Quispe, arrived with the promise of forming a single community and thus establishing projects through which to receive machinery and tools. Quite apart from the clash of cultures, over time this was to result in the systematic loss of their territories and of control over their livelihood resources.

The Quispes thus decided that each individual should have a parcela (plot of land). The cacique still remembers his family’s bewilderment: “Since my grandfather did not understand what a parcela was, they told him they were going to give him 144 metres by 1,200 metres wide. We had no idea what a metre was. In our language we used to ask, ‘What will be the width?’” When they realised that this was such a little piece of land, the fights began. “My grandfather, my father-in-law, my mother-in-law, my uncles, all said: ‘They can’t take our land like this, it is ours,’” recounts Rosendo.
Dispossessed of their own land

Along with the Quispes and the settlers, machines also arrived to open a road. When they started clearing the bush and making a noise, the animals began to disappear. Rosendo explains that the invasion thus threatened the source of meat on which the Tsimane relied: “So the brothers said: ‘If these people keep coming, there will be no more animals to hunt, nothing to eat, nothing for us’”.

This was the start of the conflict in San Bernardo. Although the Indigenous people resisted at first, the police arrived some time later and the Tsimane were unable to speak to them in Spanish to explain their claim. In addition, the settlers managed to convince the police that they were the owners of the land in the wake of the country’s Agrarian Reform. As a result, the police ended up arresting several members of the village.

“We, the Tsimane, had no idea what to do, we had no knowledge of where to go, we didn't know who to complain to or who the authorities were. Even now, we don't know where their offices are, we don't know who should be held accountable, we didn't even know what a police officer was until they came and took some of our brothers prisoner,” laments Rosendo.

Today, San Bernardo is called Unkullamaya and is no longer inhabited by the Tsimane people. With the Agrarian Reform, the settlers established a kind of “mosaic” between Sécure and Rurrenabaque, with the argument that no-one lived on those lands. The State thus gave them those lands with the Tsimane living on them and then removed them, stating that the owners of the land were the settlers.

No land rights

Faced with the arrival of cattle ranchers, loggers and settlers, and the entry of machinery that was demolishing mountains and opening up roads, the Tsimane took refuge in the forest in order to maintain their way of life. And yet no matter where they go, the “others” keep following and dispossessing them of their land. There is no longer any mountain to go to, nor any places left that ambition, private property, capital and the State have not reached. There is no place they can take refuge.
The lands on which their ancestors lived, and on which they currently live, are being subjugated by socio-economic actors supported by the National Agrarian Reform Institute (INRA), which authorizes settlements, and the Bolivian Land and Forestry Authority (ABT), which authorizes land clearing and timber cutting. This mechanism results in the forced displacement of many families and communities.

In 2010, INRA conducted land titling in this region and encountered some of these communities. And yet because of their small size (six to seven families), the level of their agricultural work (subsistence) and the absence of identity documents, INRA failed to take them account of them as communities when defining property rights.

The worst came in 2018 when the State endowed these lands to new settler communities known as intercultural communities. When they arrived, they encountered Tsimane whom they violently evicted: they burned their houses, destroyed their crops, threatened the people, and beat the men and women. The interculturalists sowed fear as a way of evicting these people, under the complicit gaze of the Plurinational State.

Consequently, between 2018 and 2020, the Tsimane demanded that INRA give them plots of land for 24 communities. As they received no response, they made a further request on 9 March 2023 and another on 28 April 2023. INRA has continues to ignore them, however, in violation of the rights of Indigenous Peoples and the agrarian law itself.

**Between discrimination and ethnocide**

The Tsimane people feel discriminated against and have submitted an alternative report on racial discrimination to the Committee on the Elimination of Racial Discrimination (CERD). The document highlights, in particular, discrimination in the recognition of their rights to land and territory and also provides evidence of how this manifests itself in other areas, including justice, which they cannot access on equal terms with other sectors in the region.

As defendants, the Tsimane have no mechanism for obtaining a proper defence since there is no authority (judge, prosecutor or police) who is from the village or who
understands their language. Worse still, there are no interpreters and the Tsimane cannot afford lawyers for their legal defence. As plaintiffs, their submissions have never been followed up or investigated, and they always remain mere complaints. Conversely, those who trample on and abuse these Indigenous communities always go unpunished.

Discrimination can also be seen in the way their own authorities have been ignored. Their communities have been denied recognition of their legal status, and this equates to a denial of their existence as the Tsimane Indigenous people and of the exercise of their economic, social and cultural rights. If the Tsimane communities do not legally exist then, in practice, this means their property rights, participation and development rights can be denied.

**The paradox of the Plurinational State**

When the Tsimane of Yucumo tell of how they are being dispossessed and humiliated, you can see the pain and frustration in their eyes. It is unjust that the State does not listen to them, that their demands for land and territory are not being heard and that they have received no response from INRA. The minimum a citizen deserves is that a public official should respond to their request but the Tsimane “do not have that right”, despite being an Indigenous people with specific rights recognized by the Political Constitution itself and by international law.

The State’s attitude demonstrates the extent of this discrimination: for INRA and for the Bolivian State, the Tsimane simply do not exist, they are not citizens and have neither identity nor property rights. Their requests for legal status for their communities have likewise fallen on deaf ears. For the State, these Indigenous communities do not exist and nor is their existence recognized, neither *de facto* nor *de jure*.

Under the Plurinational State of Bolivia, the existence and legal recognition of Indigenous Peoples is denied. What a paradox!

*Alcides Vadillo is Director of Fundación TIERRA - Regional Oriente and a lawyer specializing in land issues and indigenous rights.*