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Update - Bolivia: New hearing on Rositas Hydroelectric Project case, after two different judges recuse themselves from the case

On Monday 30 April 2018, the new judge assigned to review the Rositas Hydroelectric Project case will hold a hearing to decide the merits of the popular action submitted by the Guaraní indigenous communities of Tatarenda Nuevo and Yumao.

Human rights defender, [Nelson La Madrid](#), is providing legal representation for both communities in their case against Bolivia's Electric National Company (Empresa Nacional de Electricidad de Bolivia ENDE) to stop Rositas Hydroelectric Project. The human rights defender has highlighted that now two judges have recused themselves from the case in the last month, claiming that it is outside their jurisdictions. Nelson La Madrid believes that pressure and intimidation by ENDE's legal team and the Attorney General's Office, led to both judges decision to step down from the case.

On 4 April 2018 in the city of Cochabamba, Judge Óscar Ortiz recused himself and ordered that the action be reviewed by the presiding court in the department of Santa Cruz. The case was sent to the a Court in Camiri (Juzgado Mixto de Camiri) in the department of Santa Cruz. However on 13 April 2018, Judge Ernesto Valverde, who was assigned to the case in Camiri, also recused himself on the grounds of territorial jurisdiction, and ordered the action be reviewed by another judge in Lagunillas municipality, also located in the department of Santa Cruz.

The new judge will hold a hearing on the case on 30 April 2018. Nelson La Madrid fears the new judge will also recuse himself from the case, denying the communities of Tatarenda Nuevo and Yumao the right to justice by further delaying the process and exhausting the resources of the claimants.

On 25 April 2018, the President of Bolivia, Evo Morales, asked the courts in Santa Cruz to resolve the Rositas Project's case, stating that "he cannot understand how some families and communities can be against the dreams of the whole department". He also said that he has not received any proposals to better protect the interest of those who are opposing the hydroelectric project.

The statement of President Morales is in line with Bolivia's Minister of Energy and the president of ENDE. During a joint press conference on 3 April 2018, the Minister of Energy

labelled those involved in the popular action “bad people”, who were only seeking financial compensation for the development in their department. He asked the people of Santa Cruz to defend the hydroelectric project.

Front Line Defenders is concerned with the increasing level of intimidation facing judges hearing this case, which effectively undermines the right of the affected communities to an independent and impartial hearing. Front Line Defenders expresses further concern about the increasing persecution and intimidation of indigenous and environmental rights defenders in Bolivia, including repeated public statements by high level authorities, which place them at risk of physical attacks or further campaigns of intimidation and harassment.