

# Bolivia Demands the Recovery of Its Access to the Pacific Ocean

Bolivia's foreign trade dependent on Chile's political will and the functioning of Chile's port. This has been the case since Chile over 138 years ago invaded and annexed Bolivia's coastal area. Now Bolivia requires again access to the sea and raises the case at the UN Court in The Hague.

By [Jorge Edgar Zambrana Jiménez](#)

Global Research, October 18, 2017

Region: [Latin America & Caribbean](#)

Theme: [Law and Justice](#)

*Trucks are in mile-long lined up on Bolivia's border to Chile. Bolivia is a country without access to the sea. The country's access to ship transport depends on cooperation with Chile. It is difficult and expensive. And when Chile's custom house strike, it hits Bolivia's exports.*

Hundreds of lorries stand in a mile-long line on Bolivia's border to Chile. The lorries either ship for merchant vessels from Chilean ports, or they are empty and must pick up goods that have arrived by ship.

The Chilean custom's staff strike, and, since Chilean customs are also involved in the expedition of Bolivia's maritime import and export, the uneven strike strikes hard to Bolivia.

Bolivia has no access to the sea. All the world, with the exception of Chile, is trying to help Bolivia, because it is very negative for the country to be dependent on the Chilean's goodwill and service in order to gain access to the ocean and shipping.

That is why Bolivia decided to file a case before the International Court in The Hague, demanding that Chile negotiate an agreement so that Bolivia has again its own port with sovereign access to the sea.

Bolivia raises the claim to neighboring Chile, because Chile has annexed a Bolivia land area, which is three times the size of Denmark - and until the annexation, Bolivia had a coastline of about 480 kilometers to the Pacific Ocean.

When Bolivia won independence from Spanish colonial rule in 1825, Bolivia's territory included parts of Atacama and, as mentioned, about 480 kilometers of coastline - including the ports of Antofagasta, Cobija, Mejillones and Tocopilla.

In 1833, Bolivia and Chile entered into a treaty confirming these limits, from Loa river at 21°25' as far as Salado river at 25°28', according to the International Uti Possidetis Juris. Afterwards, before the requirements of Chile, the Bolivian governments of **Mariano Melgarejo** and **Tomás Frias** shamefully and guiltily gave as a present to Chile 183 kilometers of coast line in the years 1866 and 1874, and fixed facetiously and without reason the new boundary at parallel 24°.

The Bolivian littoral area was sparsely inhabited and rich in the valuable natural fertilizer "guano" and also the nitrogen mineral "salpeter", which was highly sought after in Europe's

agriculture.

So Chileans immigrated and went out to extract guano and salpeter. Since then, Chilean business interests demanded these deposits on Bolivian soil.

And, by surprise, on February 14, 1879, the Chilean military army treacherously **invades** Bolivia and wins a military victory.

Chile acquires the entire coastline of Bolivia. It is under protest that Bolivia has since maintained a requirement to recover their old established ports to the Pacific, which are today under the sovereignty and military control of the Chilean country.

At times, the two countries have negotiated with each other about the issue, and the transport between Bolivia and Chilean port towns has been governed by agreements for the operation of a railroad, access to road transport and cooperation on customs clearance. All that is very difficult and expensive for Bolivia.

A statement was published by Evo Morales's government when the government raised the case at the UN Court in The Hague.

The decision to raise the case in The Hague is due to the fact that Chile's then conservative president Sebastian Pinera in 2011 and 2012 changed Chile's policy. Earlier Chilean governments had expressed their willingness to dialogue with Bolivia on the issue. But in February 2011, the Pinera government issued a statement:

"There is no legal basis for Bolivia's desire for recovering access to the Pacific through territories belonging now to Chile."

This clear rejection reiterated Chile's **President Pinera** personally at the UN at the General Assembly in September that year.

Chile had a new president in March 2014, when Social Democrat **Michelle Bachelet** became president and head of a center-left government. However, it has not led to a suspension of the Pinera government's position, and the government of Bachelet has sent political experts and lawyers to The Hague where they seek to respond to Bolivia's lawsuit.

For Bolivia, it is not only a matter of national feeling, but it is a matter of economic importance and from necessity.

From the government's statement of the case, it appears that, with the loss of the kilometers of coast, Bolivia lost areas rich in guano, salpeter, silver, copper and lithium – and of course the riches that the ocean beyond a 480 kilometers coast contains.

Bolivia has estimated that Chile has earned 900 billion dollars on copper, extracted from mines in the former Bolivian area.

Today, the raw material lithium is the new "gold". There is a demand for the production of rechargeable batteries, which are included in virtually all new devices from computers and mobile phones to cameras, industrial machines and, not least, electric cars.

## **FIRST COPPER - NOW LITHIUM**

“Today Chile is enjoying another natural resource, namely lithium, found in those areas formerly part of Bolivia, and as there is a strong demand for the international market. Global demand has grown by an average of seven to eight percent per year since 2000, and the price has risen from \$US 1,760 for a ton in 1999 to \$US 6,000 in 2008. ”

A country without access to the sea loses 0.7% annual growth, for this reason alone. - **Jeffrey Sachs**, economist

But in addition to these losses, the Bolivia government writes that the dependence on goodwill and service from another nation, lack of access to self-handling and customs clearance, as well as warehousing taxes with more years to year is a burden on the country's economy.

Bolivia is becoming less attractive to foreign investors due to the lack of own ports and access to the world's oceans.

Economist Jeffrey Sachs is quoted for calculations showing that a country without access to the sea loses 0.7 percent annual growth for this reason alone. Jeffrey Sachs is employed at the Columbia University in New York.

The United Nations Trade and Development Organization (UNCTAD) points out that lack of access to the sea reduces the interest of global investors in investing significantly. Between 2009 and 2011, only 2.25 percent of all foreign investments were placed in countries without access to the sea, UNCTAD said.

The World Bank also concludes that countries with no access to the sea have poorer economic development opportunities than coastal states.

In the 2012 Doing Business report, the World Bank estimated that Bolivia's cost per exported container is 55.7 percent higher than the price paid by Chilean companies for a container. And the price is 60 percent higher than the cost per container in Peru. Chile and Peru are the two countries, located between Bolivia and the Pacific.

There are thus major financial interests associated with this conflict, on both sides.

However, Bolivia does not raise demands for financial compensation for the huge losses suffered by the country with the loss of all kilometers of coast, as well as more fishing in the sea for kilometers stretch of coastline.

## **INSIST ON PEACEFUL SOLUTION**

And Bolivia emphasizes that it has insisted that the conflict should be resolved with peaceful means:



President Evo Morales

- Latin America and the Caribbean have been declared a peace zone, thanks to the attitude of governments that have decided to write the history of the future without any use of power and contempt, emphasized Bolivia's **President Evo Morales** on March 23, 2014 when he spoke to the nation announced that his government has now brought proceedings against Chile at the International Court in The Hague.

"While NATO intervenes in sovereign countries, UNASUR has averted a coup and a series of [violent] conflicts," he added, referring to the South American countries.

Evo Morales and Bolivia's government declare that they see the solution of this conflict as part of the ongoing integration process in Latin America. The resolution of the conflict can pave the way for this integration to take new steps.

And it is possible to resolve conflicts of this kind, as the power conditions in Latin America develop, Evo Morales believes:

"We live in the ages of the peoples and not the empires. At this time, we do not allow decisions from the empires centers to attract our natural resources, and much less we allow the decisions to lead to confrontation between brothers and neighbors. We live in times when our nations have strengthened regional integration plans to promote peaceful coexistence and development as well as confidence in justice as a shared value, it was said by the Bolivian president on March 23 last year.

## **THE ATTITUDE IN CHILE**

There is also popular support in Chile for Bolivia's demands. Just two weeks before his speech to the nation, Evo Morales was in Chile's capital Santiago de Chile to participate in the deployment of Michelle Bachelet as Chile's newly elected president.

In this regard, groups and parties in Chile organized a general assembly for solidarity with Bolivia's demands for access to the sea. Over 20,000 Chileans filled the great Caupolican theater. Evo Morales spoke to the many Chileans gathered in the theater.

But the opinions are divided in Chile.

El Pais wrote in 2012 that the Catholic University of Chile had made a poll and concluded that 40 percent of respondents supported Bolivia's demands.

Conservative Chilean daily newspaper El Mercurio had conducted a poll in 2011, with 62.4 percent of respondents responding to giving Bolivia access to the Sea - without Chile having to renounce sovereignty over coast areas!

It was at the same time that then President Sebastian Pinera of the United Nations rejected any talk of giving Bolivia access to the sea.

### **ALLENDE AND BOLIVIA'S REQUIREMENTS**

It seems that leftist presidents in Chile are more likely to meet Bolivia's demands than conservatives.



Salvador Allende

In 1970, when Socialist **Salvador Allende** won the presidential post, he was clear in his position on this question:

- Now the hour has come to remedy the great injustice ... Chile has hundreds of debt, and we are determined to find a historical solution. Bolivia must return to its sovereignty in the Pacific, said Salvador Allende, according to Historian Jorge Edgar Zambrana Jiménez on the online newspaper America Latina En Movimiento.

“We are not the government of a small oligarchy. We are the people, ” said Allende.

Similarly, in his first presidency from 2006 to 2010, current President Michelle Bachelet has expressed his will to find a solution with Bolivia.

Thus, in 2006, Bachelet and Morales agreed a plan for developing the economic and political conditions of the two countries. Out of the 13 points, “Thema Maritimo” (access to the sea) lists point six in the plan.

Bolivia does not require a return of sovereignty over its entire coastline. No official documents detail such Bolivia's expectations.

In DiarioUChile, parliamentarian **Sergio Aguiló** wrote in September 2012 that Chile, with its vast coastline, can afford to return something to the neighboring country:

- Chile has 3000 kilometers of coast, and I do not understand that 30 or 20 kilometers, with its own and sovereign port, should limit our excessive access to the sea.

## **THE GAME IN THE HAGUE**

But in The Hague, they have not been able to discuss the extent to which Bolivia may have sovereignty.

The Government of Chile has claimed that the International Court of Justice in The Hague has no jurisdiction in the case, that is, the case can not be dealt with at all. Because a number of treaties between Chile and Bolivia have been signed over the years, and according to the Chilean authorities, the court can not interfere in treaty-based agreements between two countries.

The Chilean newspaper El Mercurio has asked 564 Chileans about what they expect in connection with the first hearings in The Hague. 54 percent predict that the court will go against Chile and decide that the case of Bolivia's access to the sea can be treated.

If it is the result, 51 percent say that Chile should refuse to cooperate with the court, while 46 percent believe that the case is going to go on its way.

Just two weeks after the initial meetings in The Hague, a strike took place among the Chilean customs staff to stop large ports of Bolivia's foreign trade. It is clear that the issue of Bolivia's independent access to the sea is of major importance to Bolivia's economy and self-determination, as well as the government's power over the country's relationship with the world.

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