

COICA – AIDSEP – COPPIP – CONACAMI – COMARU - ARPI

Declaration by Indigenous Peoples in Defense of Life, Territory and the Environment

THE CAMISEA PROJECT IS THREATENING THE FUNDAMENTAL RIGHTS OF INDIGENOUS PEOPLES AND DAMAGING FRAGILE ECOSYSTEMS AND AMAZON BIODIVERSITY

The undersigned indigenous organizations address the national and international public, donor organizations, and ecological and human rights organizations to manifest the following:

Background

In 2000, the Peruvian government granted rights to exploit Block 88 for forty years to an oil consortium composed of Pluspetrol Peru Corporation S.A. (operator), Hunt Oil Company of Peru LLC, SK Corporation and Tecpetrol del Peru S.A.C. Block 88, located on the Camisea River in the Lower Urubamba River Basin of the Amazonian rainforest region of Cuzco, has been inhabited since time immemorial by a wide diversity of indigenous peoples with different levels of contact with national society.

The Camisea Gas mega-project springs from the heart of the Urubamba tropical rainforest, which possesses globally unique biodiversity, and an excellent conservation status and carries out important ecological functions at a regional and global level such as the regulation of the hydro-system. This forest is the home of many indigenous peoples, including those in initial contact and voluntary isolation.

The Block 88 concession was created despite the fact that in the 1980s the company Shell, loggers and evangelical missionaries made forced contact with members of the Yora indigenous people causing the death of approximately 50% of the population from epidemics. This violent trauma suffered by the Yora people almost led them to the verge of physical and socio-cultural extinction. They remained in a very vulnerable situation from which they have yet to recover.

In 1990, at the request of indigenous organizations, the government created the Nahua Kugapakori State Reserve. Among the reasons for its creation was the intimidation of indigenous peoples in the area by people linked to logging companies and migrants with the evident aim of evicting them from their lands “for which reason it is necessary to guarantee the permanency of these human groups in their habitat through the establishment of a land reserve in their favor.”¹

The State Reserve in favor of peoples in voluntary isolation and initial contact is inhabited by diverse peoples living in these conditions such as the Yora and Chitonahua identified as being part of the Pano linguistic group, as well as peoples known as Nanti and diverse Matsigenka subgroups with various linguistic classifications within the Arawak ethno-linguistic grouping. In addition, there are indigenous brothers and sisters in isolation who have not yet been identified in the Upper Serjali and Timpia.

¹ Ministerial Resolution 00046-90/AG/DGAAR, February 12, 1990

We denounce the entrance of the Camisea Project into indigenous territory

The Project was imposed without respecting the rights of indigenous peoples and communities through a deficient consultation process and time period, an unjust “negotiation” process and deficient compensation proposals. All of this is causing the communities to end up in worse conditions as a result of the Project.

The Camisea Project is causing irreversible negative impacts to critical habitats such as the degradation and conversion of primary tropical forests, the extinction of unique biodiversity and damage to important ecological processes.

In this way, considerable induced and indirect impacts are occurring without the implementation of adequate mitigation measures such as control of access, social development and conservation.

Additionally, there are no institutional conditions that ensure a minimal level of respect and consideration for indigenous participation. There is an absence of independent and participative monitoring. Exclusionary and absurd legal norms are being created, such as the tutelage of peoples in isolation by incompetent organizations such as the National Commission of Andean, Amazonian and Afro-Peruvian Peoples, CONAPA, as stated in DS 028-03-AG.

We defend the life, territories and integrity of indigenous peoples in voluntary isolation

Forced contact. Three quarters of Block 88 is located within the Nahua Kugapakori Reserve. Extraction activities are generating forced contact between peoples in isolation and groups of outsiders (loggers, oil company workers, migrants etc.) that have occurred principally during seismic exploration operations, for example on the Serjali and Camisea Rivers and their tributaries.

The consortium, contradicting their stated policy, has supported contact with isolated peoples by its personnel. Moreover, it has provided the use of its helicopters to Dominican missionaries for the same purpose. These facts, which were played down by the companies after criticisms from indigenous organizations, have been confirmed by the important State body *Defensoria del Pueblo*, which has produced a report demonstrating evidence that in the area in which Block 88 covers the territorial reserve (Nahua Kugapakori), encounters have occurred between indigenous groups in isolation and workers from the company Veritas, a subcontractor to Pluspetrol Corporation.

Contamination. We denounce the contamination of rivers and streams due to landslides that have occurred along seismic lines and the gas pipeline right of way. Water sources used by local inhabitants have become unusable, making them move to find new areas to live.

Health. The contamination of air, water and soil and the fragmentation and loss of natural habitat and natural resources threaten access to food and natural medicine needed for subsistence, causing negative impacts on health and nutrition. Equally, the introduction of illness threatens the health of the population raising mortality rates and dependency on non-traditional medicines. Gastrointestinal and respiratory illnesses are the most common causes of sickness and death among Matsigenka and other Amazon populations. The Ministry of Health (July 2003) and private specialists have reported an increase in the frequency of outbreaks of

acute respiratory infections (ARI) in the communities of Montetoni and Malansiari, inside the Reserve, affecting 100% of the population. To date 17 deaths have resulted, principally among children.

According to information provided by members of Segakiato community neighboring the Nahua Kugapakori Reserve, since the consortia initiated a series of gas testing operations in the existing gas reserve within the community, the population has started to suffer from illnesses such as fever, vomiting, dizziness and headaches.

Reduction in aquatic and terrestrial fauna. A drastic fall in aquatic and terrestrial fauna has been observed due to the permanent transit of boats up the Urubamba River and its tributaries located within the Block and due to constant helicopter movement. As a result, fish disperse and wild animals flee this level of noise, making subsistence activities such as fishing and hunting difficult. This obviously impacts negatively on the nutritional well-being of the population. The loss of flora and fauna threatens access to food, medicinal and ceremonial resources. The contamination of aquatic habitats used by humans from industrial wastes and soil erosion threatens people's health.

Affects on the indigenous economy. The majority of the population of Lower Urubamba and nearby the gas pipeline ROW (right of way) live in poverty. It is said that the project will be something positive for the Peruvian economy, but it will not improve the standard of living of the indigenous peoples that since time immemorial have created civilization in this part of the world, rationally using and managing our natural resources.

The Project does not have effective plans to monitor the well-being of impacted populations during the life of the project or plans to respond in case the situation worsens.

Crime, prostitution, sexually transmitted diseases and alcoholism have increased due to the migration of workers and colonizers to already established communities.

Currently there is pressure on natural resources due to clearing for the construction of roads and the increase in deforestation and fragmentation of natural habitat by colonization in the improved access roads. All of this threatens the natural resources of local communities.

Additionally, the presence of the market economy is creating distortions in the subsistence economy resulting in the need to supplement the family income and develop relations with external markets. This changes patterns of consumptions and disrupts the food chain of indigenous populations.

Defense of the territories and biodiversity of the Urubamba forest

The natural forests of the Lower Urubamba and the Vilcabamba Range are globally unique in terms of their biodiversity as they are the habitat of numerous threatened and endemic species and they fulfill ecological functions that maintain the climate and water systems of the whole continent, playing in this way a very important role in the maintenance of global climate changes. Neighboring ecoregions and a large part of the Andean ecoregion (Vilcabamba ecoregion) are already fragmented and have high rates of deforestation. However, these two areas are still in an excellent state of conservation – pristine with little human disturbance. Species that are threatened and vulnerable in other parts of the world are found in relative abundance in the Lower Urubamba. The implementation of the Camisea Project is causing serious and irreversible environmental damage due to erosion, fragmentation and deforestation

of natural habitat (mainly primary forest) and changes to hydro-systems, all resulting in loss of habitat and biodiversity.

International financial institutions with environmental standards such as the World Bank recognize the importance of not contributing to the degradation of critical natural habitat and conserving biodiversity. Their standards prohibit the construction of infrastructure in primary tropical rainforest and in critical natural habitat (e.g. protected areas, habitats with endemic and threatened species). In contrast, the planners and sponsors of the Camisea Project do not prevent such damage.

The opening of primary forest to construct the pipeline, camps, plants, seismic lines, access roads and pipelines between wells and plants have opened access routes into the area, facilitating the movement of people within primary forests, which contributes in the long-term to the fragmentation and deforestation of the forest.

The noise from machinery, helicopters, seismic explosions, generators etc. is resulting in the migration of large wild animals and the reduction in the numbers of smaller wild animals, thus creating ecological changes.

The construction of river ports and pipeline crossings is changing the natural hydro-system of the rivers, threatening their ecology and the stability of basins and riverbeds.

We hold the sponsors of the Camisea Project responsible for all of these damages and their consequences, the risks of accidents that could provoke irreversible changes in the unique ecosystems of the Vilcabamba Reserve and Lower Urubamba. If this situation occurs the affected biodiversity and pristine habitat could never recuperate.

Therefore, we indigenous peoples demand:

1. the paralyzation of the Project and the withdrawal of the contracted companies from Block 88 due to the damage being caused and the affect on the integrity of indigenous peoples in voluntary isolation and initial contact.
2. that the Government adopts an effective institution capable of protecting indigenous peoples and communities because currently no decentralized public body exists to attend effectively and competently to this sector.
3. the status and intangibility of the Nahua Kugapakori Reserve be ensured and strengthened and effectively protected (rather than doing this, law DC 028-03 AG does the opposite by trying to legitimize its own and other interventions).
4. the halting of aggression against indigenous peoples, native communities and poor farming communities and compliance with ILO Convention 169 and other conventions that define universal human rights and establish that individuals have rights to live according to their own culture and maintain their way of life by participating in well-informed decision-making based on consensus without bias; to respect for their own norms; to representation by their own leaders and traditional institutions; and the right to appropriate, control and manage their ancestral communal lands.
5. the consortia in charge of the Camisea Project and the government respect the rights of indigenous peoples in isolation to decide when and how to interact with others.

6. a visit by the UN Special Rapporteur (Rodolfo Stavenhagen) to offer his opinion on whether the conditions exist to implement the project within the Nahua Kugapakori Reserve without violating the rights or irreversibly damaging the lives of its inhabitants; and to make recommendations to this respect.
7. a guarantee of the creation of mechanisms for direct indigenous participation in the independent control, evaluation and monitoring of the project, especially in the area of health, contact and invasions. An advisory committee of well-known independent experts who will evaluate and ensure its fulfillment should support this system.
8. the creation of a Fund, with direct indigenous participation, destined for environmental management of the Amazon rainforest in the area affected by Camisea Project that also provides for the reparation of damages and impacts that have occurred.
9. improvement in the contingency plan for accidents including the participation of Andean and Amazon indigenous communities and local populations. Capacitate and equip local communities to participate in such a plan.
10. sanction for the irreversible damage caused in the Vilcabamba Reserve and the pristine habitats of the Lower Urubamba and prevention and compensation for the loss of habitat and biodiversity and minimization of negative impacts.

We urgently and immediately demand:

- Before the rainy season it is urgent and vital to conduct an independent evaluation of the impact of opening the rights of way and to take preventative and remedial measures. If this is not done, there is a risk that the remaining soils along the right of way will be lost into the rivers.
- Professional expert institutions should review the revegetation and access control plan
- In the Vilcabamba Reserve and the Lower Urubamba region it will be necessary to establish ecosystem health indicators and a base line and monitor and evaluate changes during the life of the project.
- Implementation of closed systems of waste disposal and ensure that zero contamination is achieved forever.
- No using of materials from riverbanks – beaches (sand, stones etc) for construction.
- Implement a program of erosion control.
- Use better technologies for pipeline river crossings and the construction and operation of ports to ensure that hydro-systems and aquatic ecosystems are not altered.
- Use better technologies to monitor, evaluate and control potential accidents.

Lima, August 25, 2003

Sebastián Hají Manchineri, President of the Coordinator of Indigenous Organizations for the Amazon Basin– COICA.

Haroldo Salazar Rossi, Vice-President of the Inter-Ethnic Association for the Development of the Amazon Rainforest – AIDSESEP.

Miguel Palacín Quispe, President of the Permanent Coordinator for Indigenous Peoples in Peru– COPPIP.

Roger Rivas Korinti, Head of the Matsigenka Council for the Urubamba River - COMARU

Luis Riofrío Crisanto, President of the National Coordinator of Peruvian Communities Affected by Mining– CONACAMI.

Guillermo Ñaco Rosas, Coordinator of the Regional Association of Indigenous Peoples of the Central Rainforest of Peru– ARPI-S.C.