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Press Statement of the Chair of the United Nations Permanent Forum on Indigenous Issues on the Situation of Amazonian Indigenous Peoples in Peru

11 June 2009

The Chair of the Permanent Forum on Indigenous Issues expresses her deep concern on the reports received during the Eighth Session of the UNPFII, regarding the current situation in Peru and the events which followed immediately after. According to the information received, a state of siege was decreed by the Peruvian Government on 8 May 2009 in response to the mobilization of indigenous peoples in the Amazon region against extractive industries concessions in the area without the adequate consultations and respect for their free, prior and informed consent. The Chair is deeply concerned, as the state of siege is resulting in the suspension of personal liberties and political freedoms of the indigenous peoples in the Amazon region, the criminalization of indigenous leaders and human rights defenders and the increasing militarization of indigenous territories.

The worsening state of human rights violations which manifested in June 5 with the shooting of innocent civilians, including indigenous peoples leading to more than a forty deaths is further deplored by the Chair. These acts committed by the members of the Police and the Military Forces of the Peru are unacceptable. The Chair sends her deepest condolences to the families of the victims and urges that an independent investigation body be composed to undertake an investigation on this incident and bring to justice the perpetrators.

The Chair wishes to recall that the Peruvian Government is under the obligation to consult and respect indigenous peoples' rights as a Party to ILO Convention 169. Furthermore, Peru led the negotiations on the United Nations Declaration on the Rights of Indigenous Peoples and was one of the countries which actively supported the adoption of the Declaration, which calls for the full respect of indigenous peoples' rights, including the rights related to their traditional lands, territories and resources and to their free, prior and informed consent as contained in Articles 26, 29 and 32, among others. The Chair

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also recalls that and its Eighth Session the Permanent Forum joined international concern regarding violent actions by some states against indigenous peoples for asserting their customary rights to their lands and territories. Moreover, Peru must also honour the rulings and case law from the Inter-American Court of Human Rights about land rights of indigenous peoples and free, prior and informed consent.

The Chair of the UN Permanent Forum on Indigenous Issues calls on the Peruvian Government to:

- Immediately suspend the state of siege against indigenous communities and organizations and lift the state of emergency imposed in the region.
- Avoid any further military action that could increase the conflict,
- Abide by its national and international obligations regarding the protection of all human rights, including the rights of indigenous peoples and human rights defenders.
- Review the US-Peru Free Trade Agreement and repeal the provisions which are violative of the rights of indigenous peoples and which are inconsistent with the UN Declaration on the Rights of Indigenous Peoples and ILO Convention 169.
- Compose an independent investigation body to undertake an investigation on this incident with the goal of identifying the perpetrators and providing redress to the relatives of those who were killed and injured.

Victoria Tauli-Corpuz,

Chair, UN Permanent Forum on Indigenous Issues

11 June 2009, Bonn, Germany

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