

FINAL REPORT

SITUATION OF INDIGENOUS DEFENDERS IN UCAYALI

A COLLABORATIVE WORK BETWEEN ORAU, DAR AND PROPURÚS

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SITUATION OF DEFENDERS IN UCAYALI

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EXECUTIVE SUMMARY

Despite the existence of legal instruments and articulation mechanisms, the defenceless situation of indigenous defenders and native communities has not changed and tends to deteriorate. The focus on individual attention to defenders does not consider the situation of the entire population of the community that is affected by illegal activities such as land trafficking, invasions, illegal logging, among others. This limitation, as well as the shortcomings of the state, do not allow for adequate identification and effective and efficient attention to human rights defenders, particularly indigenous defenders.

To characterise the situation of defenders in Ucayali, we identified and analysed the conflicts faced by the indigenous population as a whole and not individually. Two hypotheses were used as a starting point:

- ✓ The first is that the major problems are intimately related to land and forests, and that identifying the threats affecting these resources will allow for a better approximation of the situation of defenders.
- ✓ The second hypothesis is that by spatially locating the threatened resources we could have a broader, more strategic and complete approximation of the problems faced by defenders and, possibly, identify human rights defenders who are still invisible to the system.

The following issues were analysed for this study:

- Roads and other land routes, state and private.
- Areas of coca expansion
- Areas of agricultural expansion
- Other conflict zones

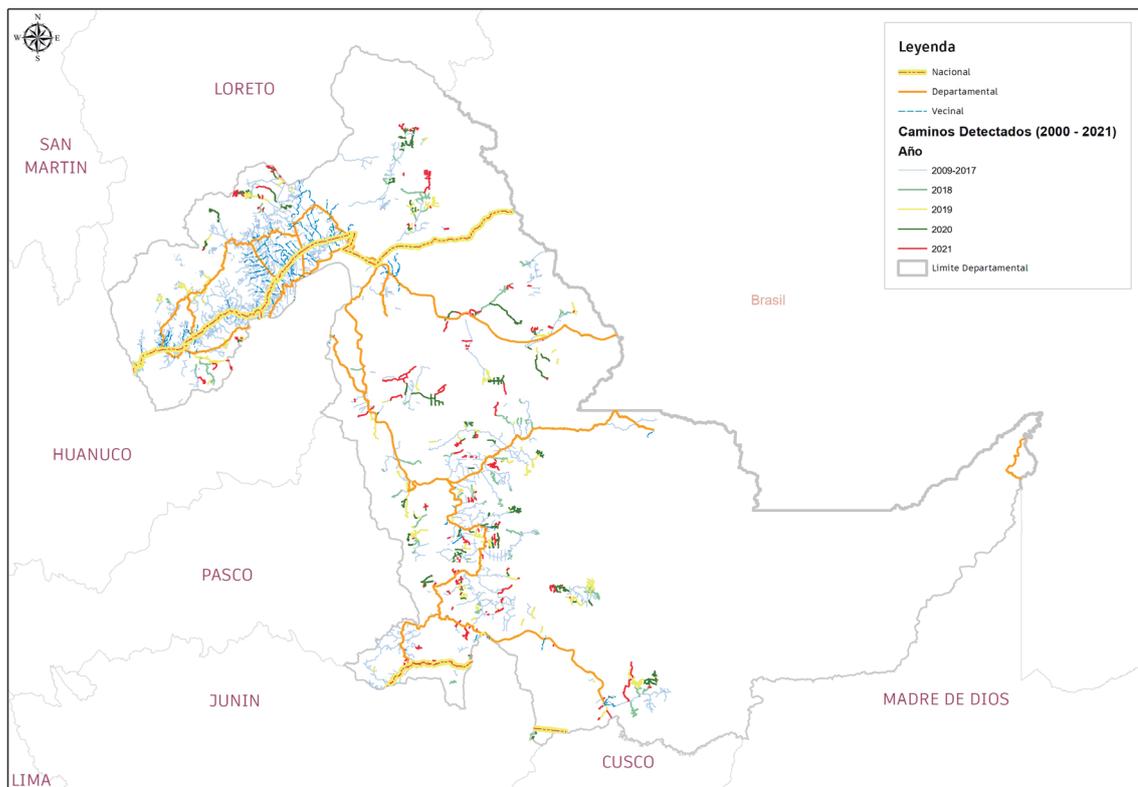
◆ Methodology

The methodology used for the analysis included the compilation of information from official sources, such as Geobosques of the Ministry of Environment, OSINFOR's information platform, Global Forest Watch's forest monitoring system, DEVIDA's Drug Control Information System (SISCOD for its acronym in Spanish) and the review of satellite information from several years, extracted from free servers. At the same time, information was collected from indigenous organisations in the field through interviews with federation leaders. Additionally, written and digital media reports on the incidence of violence or illegal activities in communal territories were reviewed.

◆ Main Findings

Motorised roads

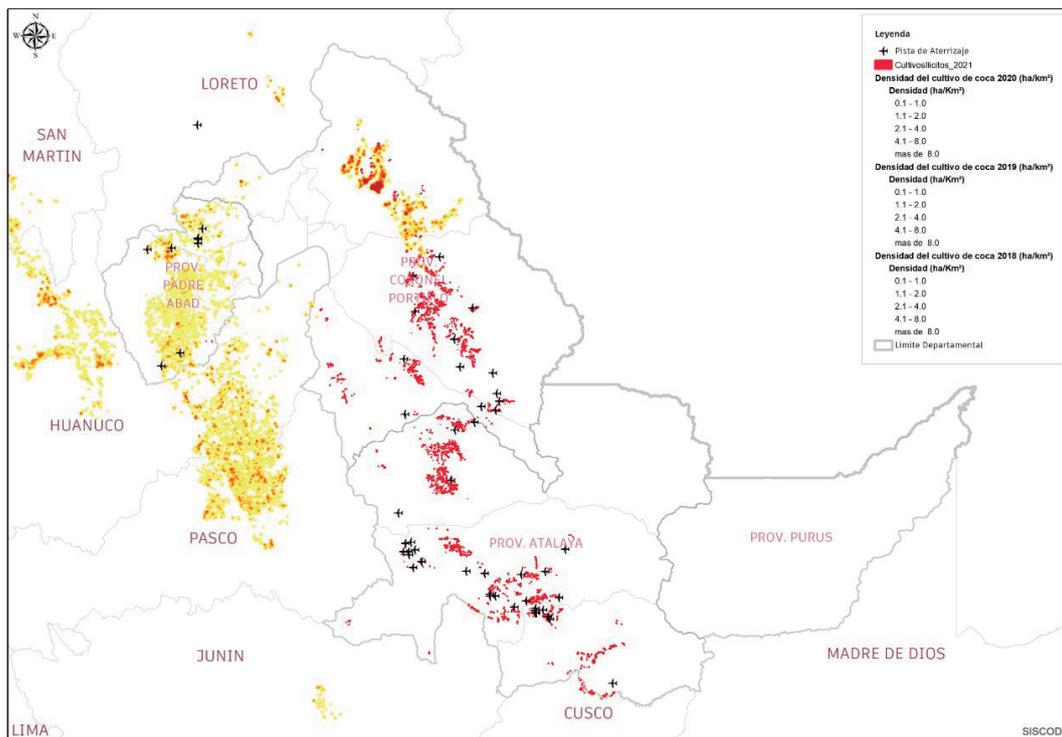
Some of the main findings were that the growth of privately built roads in Ucayali almost equals the construction of roads by the State, at all three levels. The sum of roads built in 20 years reaches 10,000 km. The analysis of the roads reported by GeoBosques contrasted with our analysis shows a discrepancy in the length of roads detected per year. The sum of the differences is approximately 789 km, additional to that reported by GeoBosques, in the period 2018 to 2021.



Departmental road network and identified forest roads, by year of construction.

Expansion of drug trafficking

In relation to drug trafficking, 56 clandestine airstrips have been identified, 7 more than in 2020. The highest concentration of runways is observed in the southern part of the Ucayali region, particularly in Atalaya. It is estimated that 7,432.96 hectares have been lost as a result of drug trafficking, which contrasts with the figure provided by SISCOD, which refers to 3,822 hectares. Based on the data collected, there are at least 80 native communities affected by drug trafficking. This represents almost 30% of the native communities in the region.



Identified runways and estimated areas with coca leaf cultivation.

In total, more than 60 native communities have been detected with territorial problems. It is not ruled out that other communities maintain unreported conflict situations, some of them derived from land rental by individual community members, community leaders engaged in illegal activities, and others that are not being explicitly reported by federation representatives and others interviewed. The sum of land conflicts due to overlapping, drug trafficking and private roads exceeds 100 communities in Ucayali.

Regarding defenders

The 21 indigenous defenders from Ucayali registered in the National Registry of Human Rights Defenders of the Ministry of Justice (updated to April 2021) does not reflect the actual number of people who are carrying out actions in defence of their rights, facing situations of risk of violence.

During the work, those present stated that in each reported case there were community members who openly protested against illegal or unjust acts occurring in their respective localities. These community members sometimes initiated a solitary resistance, which could either arouse greater protest actions, or they could be silenced with threats.

In this sense, assuming that there are at least 113 communities whose lands or forests are at risk and that there is at least one person who opposes or works concretely to reduce or eliminate this threat, the number of indigenous defenders that would need to be incorporated into the National Registry is 92 new members.

The Intersectoral Mechanism does not have a budget for its implementation. The entities in charge state that they do not have the budget and logistics to deal with these cases. Likewise, the mechanism is mainly focused on individuals; however, threats are made against the community as a whole. It is suggested that the attention to these cases should also be designed to be collective.

The protection measures, on the other hand, are not suited to communal contexts. One protection measure considers patrols, however, in practice this cannot be provided to many indigenous communities that are remote and where the forces of law and order do not have greater reach.

Additionally, defenders do not only act to safeguard titled lands. They also do so in defence of lands given to the communities as leasehold rights (*cesión en uso*). In this sense, the State has not provided any type of compensation or reparation for the community members who offer their lives in defence of the patrimony that the State has not wanted to put in the name of the communities.

Trends

The effects of roads on the forest will be increasingly felt by the local population, both because of territorial conflicts and the scarcity of forest resources.

Roads have been identified that go towards the border with Brazil. These road points suggest a scenario of increased border occupation that, without state presence, would result in the medium term in scenarios of increased deforestation and subsequent installation of areas for drug trafficking.

If land trafficking is not directly attacked, territorial conflicts tend to increase. The experience of Padre Abad shows that urbanisation processes and relative state presence do not guarantee the defence of indigenous rights and their territories.



There are new fronts of colonisation very possibly linked to drug trafficking. The examples of violence in Río Tambo (Junín) show that the occupation of land without planning and without state presence unleashes greater violations of indigenous and citizens' rights in general.

The deforestation fronts of Peru and Brazil are quite obviously close in the Abujao River basin and the upper part of the Tamaya River, very close to the Alto Tamaya Saweto native community. Both watersheds have had reports of illegal activities for several years and, according to local sources, both have had Brazilian nationals present for at least 7 years. There has even been mention of the presence of the Comando Vermelho (Red Command) maintaining activity in these watersheds.

In both basins, there are road projects that would formalise existing roads and support the already notorious deforestation activity in the area. The risk of synergy between illegal activities on both sides of the border is very high and justifies the concern of environmental groups and indigenous organisations about both roads.



