

Mr. President

We represent our organisations with worldwide membership at the United Nations. We write to express our grave concern at the violence that caused the death of at least 30 indigenous people and police in the Amazon region in these past days. We deplore the use of violence by anyone to resolve differences. We call on all parties to address their differences in an open and transparent manner, to facilitate dialogue, avoid violence, and respect human rights.

We have long admired Peru's leadership in supporting the rights of indigenous peoples and working for the adoption of the Declaration on the Rights of Indigenous Peoples. So we were distressed by the violent response of government forces to the peaceful protests about the legislative decrees on the use of land and natural resources in the Amazonian jungle.

We join the many people and groups, including The Inter-American Commission on Human Rights (IACHR) and Professor James Anaya, UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, in condemning the violence on June 5 in Bagua. We support the call by IACHR and Amnesty International for an immediate and impartial investigation to establish the truth about the crimes committed and to bring to justice all those responsible.

Indigenous organisations began demonstrating in April over the legislative decrees justified by the Peruvian government as part of the United States-Peru Free Trade Agreement. These decrees were passed without consulting indigenous communities. This seems to contradict US-Peru FTA commitments. They also violate ILO Convention 169, ratified by Peru in 1993, which states indigenous communities have the right to be consulted on issues that affect them.

We applaud Congress' action in temporarily suspending decrees 1090 and 1064 on June 10th. This is an important first step. Now dialogue and respect must find a way to do justice to indigenous people's rights and also to the need for a development that is sustainable.

It is important that decrees 1020, 1089, 994, and 995 and Law 29338 (Water Resources), also enacted without prior consultation, be repealed.

More than 70 per cent of the Peruvian Amazon is available for development by oil and gas companies. For decades indigenous peoples have seen extractive industries devastate their home in the rainforest. The need to preserve the remaining forests is highlighted by the warming of the planet and the urgent climate change negotiations that are being undertaken by governments at this time. Extractive industries have a poor record of bringing benefits to local people and preserving the environment in developing countries. This is why indigenous groups demand internationally agreed rights to consultation on the new laws.

We know you have the task of providing economic development in your country. But this development can sacrifice neither the sustainability of the Amazon, a gift to all humanity, nor the human rights of the Indigenous peoples in the Amazon to their lands, territories and culture.

So we call for:

- Repeal of the decrees that were made to satisfy the US-Peru Free Trade Agreement and which violate the human rights and property rights of indigenous peoples.
- The government of Peru to respect the principle of free, prior and informed consent as contained in articles 10, 19 and 26 of the United Nations Declaration on the Rights of Indigenous Peoples.
- Genuine consultation to balance sustainable development in the Amazon and respect for the life, culture and rights of those who have lived in the forest for thousands of years.
- An impartial and independent review of the crimes committed in the recent conflict that resulted in many deaths. Those responsible must be brought to justice.
- The human rights of those indigenous persons who were arrested to be respected. These prisoners must be given access to a lawyer of their choice and to the services of a translator.

Signatories:

Sisters of Mercy at the UN