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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 February 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Human Rights in Peru must be prioritized, and violators held accountable

Society for threatened Peoples is gravely concerned by the Government of Peru's inactivity on behalf of the rights of Indigenous Peoples of the Yurua and Alto Tamaya in the Department of Ucayali. Since its election in 2021, the new elected Government of Peru has shown no sign of any serious commitment to prioritising or upholding the rights of the indigenous communities of the Yurua and Alto Tamaya, despite all notifications and reports made by the "Organización Regional AIDESEP Ucayali" (ORAU).

In August and December of 2021, ORAU and partner organizations informed Peruvian and international society about the threats associated with the illegal reopening of the Trocha UC-105 road, between the towns of Nueva Italia and Puerto Breu, in the Department of Ucayali. (1)

The road is being illegally reopened by loggers including the Peruvian logging company "Forestal Mendoza EIRL", drug traffickers, and other illicit interest groups. These illegal activities violate the indigenous rights to Free Prior and Informed Consultation and Consent established in international law legal agreements signed by the Government of Peru and widely developed by national and international jurisprudence.

ILLEGAL ACTIVITIES OF LOGGING COMPANIES AND DRUG TRAFFICKERS IN THE UCAYALI DEPARTMENT

In early August 2021, the Sawawo Hito 40 Community Surveillance Committee denounced to ORAU, and partner organizations, that two tractors from the logging company "Forestal Mendoza EIRL" had opened the Trocha UC-105 road (Nueva Italia-Puerto Breu) to the headwaters of the Amônia River, approximately 11.3 km from the border with Brazil, close to the geographic coordinates "Latitude -9.514506, Longitude -72.975859". Due to the invasions with the tractors, Sawawo's Surveillance Committee carried out an expedition on the Amônia river in August 2021 to verify and document the illegal actions of loggers, including the environmental impacts, number of tractors, identity of the logging company, and number of loggers present. The organization "Asociación de Comunidade Nativas para el Desarrollo Integral de Yurúa Yono Sharakoiai" (ACONADIYSH), the federation representing the Yurua's 16 indigenous communities including Sawawo, published on August 10, 2021, on its Facebook page (2) an open letter clarifying the problems that the Sawawo community is experiencing with the invasion of a logging company in its territory.

The illegal opening of the road by Peruvian logging companies, the organized crime and its various impacts threaten more than 20 indigenous communities of the Yurua and Alto Tamaya rivers. It endangers the indigenous communities, their surrounding forests and rivers and the ecosystem services they rely on to survive. The forest areas of the Department of the Ucayali are inhabited by a diversity of Indigenous Peoples, such as the Amahuaca, Asháninka, Ashéninka, Chitonahua, Shipibo-Konibo, Yaminahua, and Yanasha. Together, the Indigenous Peoples of the Yurua and Alto Tamaya (Ucayali, Peru) protect more than three million hectares, in one of the best preserved and most biodiverse regions of the Amazon Forest. The environmental and cultural impacts of a logging road into the region will cause both cultural and environmental destruction. As the road advances from the Ucayali River, eyewitness reports and satellite imagery analysis show uncontrolled migration, illegal logging, drug trafficking, illegal airstrips, land grabbing and illegal coca plantations that already affect and threaten indigenous territories and their natural resources. (3)

ENDURING THREAT OF GENOCIDE

With the opening of this illegal road, indigenous communities and their representatives become a target for violence, and death threats. To date, the Government of Peru and responsible Institutions have failed to react properly to the denunciations. State forestry inspectors responsible for investigating Sawawo's legal complaint, and to produce reports

about the invasions caused by the logging company into indigenous territories, submitted incomplete reports that support the illicit activities of the logging company. Despite the clear denunciations and evidence of the invasions into indigenous territories of the Yurua and Amonia Rivers, the Judicial Power of the Government of Peru once again favours the invaders, the criminals, instead of protecting the local citizens. Protected by state corruption, the murders and invaders continue with their illicit actions without any punishment. Indigenous leaders and environmental defenders from the Department of Ucayali are being assassinated. Many indigenous leaders continue to be threatened by those who want to appropriate their lands and resources. Despite all complaints, and the awareness of the Government of Peru and law enforcement authorities, nobody is held accountable.

In order to prevent history from repeating itself, those responsible for the atrocities and crimes of genocide committed against the Indigenous Peoples of Peru must be held accountable. Additionally, it is important that the Government of Peru respects the rights of its Indigenous Peoples, as warranted by law by the “ILO Convention 169” and the “International Declaration of Indigenous Peoples”.

Society for Threatened Peoples therefore calls upon the UN Human Rights Council to urge the Government of Peru to:

- Ensure that the competent authorities comply with their obligation to protect borders, the rights of Indigenous Peoples and the environment,
- monitor, act on, and hold accountable the local and regional authorities which are constantly violating the rights of the indigenous population,
- take immediate action for the rights violations suffered by the Sawawo Hito 40 Native Community invaded by loggers and their tractors,
- respect Indigenous rights to health, education, territory, and self-determination,
- ensure that companies and or/ governmental projects respect prior consultation and prior, free, and informed consent, guaranteed by law,
- take necessary measures to stop the advance of illegal projects such as the “Nueva Italia – Sawawo – Puerto Breu Road”,
- immediately close all existing illegal terrestrial access routes along the UC 105 (Nueva Italia – Puerto Breu),
- immediately construct an airport in Puerto Breu, along with a greater presence of the Peruvian State,
- improve public services for the population in Ucayali,
- meet the needs of the Alto Tamaya – Saweto indigenous community,
- ensure that the Peruvian Judicial Power condemn the murders of the leaders of the Saweto community, whose crime has gone unpunished for seven years.

1) Declaración del Congreso Internacional Apiwtxa – Amenazas, Protección Y Desarrollo En La Frontera Amazonica: <https://apiwtxa.org.br/wp-content/uploads/2021/12/DECLARACION-DEL-CONGRESO-INTERNACIONAL-APIWTXA.pdf>

2) ACONADIYSH:

<https://www.facebook.com/aconadiyshyurua/photos/pcb.204289285000118/204283401667373/?type=3&theater>

3) Yupanqui O, Brehaut I, Novoa S, Finer M (2021) Polémica Carretera Cruza Perú (hacia Brasil), Desencadenando Deforestación. MAAP: 146. <https://maaproject.org/2021/carretera-nueva-italia-breu/>. Salisbury DS, Spera SA, Collard E, Frisbie A, Place MR, Reygadas Y, Zizzamia E, Amazon Borderlands Spatial Analysis Team (2021). Atlas de las Carreteras Propuestas en la Zona Transfronteriza Ucayali Perú-Acre, Brasil. Spatial Analysis Lab, University of Richmond: Richmond, VA, URL: https://scholarship.richmond.edu/absat_multimedia/4/