

International Statement of Concern About Death Threats Against Indigenous Leaders of the Community of Santa Clara de Uchunya (Ucayali, Peru)

22 February 2018

We, the undersigned organisations, are writing to express our grave concerns in relation to an intensification in violent threats and intimidation against the indigenous Shipibo community of Santa Clara de Uchunya, in the Ucayali region of the Peruvian Amazon. The current escalation in tension and increasing risks to the security of community leaders, as well as leaders of the indigenous organisation Federation of Native Communities of Ucayali (FECONAU), follows a court injunction^[i] against the palm oil company Plantaciones de Pucallpa SAC (now operating as Ocho Sur P SAC), which is being investigated for land-grabbing and deforesting^[ii] more than 7,000 hectares of the ancestral territory belonging to the community.

On the night of 5 January 2018, two armed and hooded persons arrived at the home of a community elder, whose house lies on the periphery of the village closest to the expanding plantations, where they questioned his daughter-in-law, who was alone at the house, whether she was a community member. When she denied this, they showed her a shotgun, telling her they were looking for the community leaders and any community members, because *"we are ready to kill"*.

Subsequently, on the night of 20 January, several hooded figures made an attempted attack against the same household.^[iii] These incidents come only weeks after land invaders, believed to be associated with the palm oil operations, fired gunshots at a community delegation gathering evidence of the destruction of community forests,^[iv] and several months after one community member, Huber Flores Rodríguez, was forced to seek refuge in Lima following direct death threats he received when working at his farm with his partner and child.^[v] The chief of Santa Clara de Uchunya, Carlos Hoyos Soria, has summed up the dangers facing families in his community as *"death threats, direct gunshots at point-blank range and constant harassment."*^[vi]

Amidst this context of growing violence and aggressive land-trafficking, community members continue to suffer the effects of the dispossession and destruction of their forests and watercourses with severe harmful impacts on their well-being, livelihoods and food security. The vulnerability and dangers are exacerbated by the failure of the competent authorities to legally title the ancestral territory of the community of Santa Clara de Uchunya, and failure to legally sanction land grabbers and armed groups.^[vii]

Given this grave situation and major threats to the human rights and security of members of the community of Santa Clara de Uchunya, we support them in the following demands:

- The Regional Government of Ucayali, in particular the Regional Agrarian Agency (DRAU), should issue a land title which covers the entire ancestral territory of Santa Clara de Uchunya and should annul the 'certificates of possession' which have been illegally issued within the community's territory and desist from issuing these in indigenous communities' ancestral territories;
- The Ministry of the Interior and the National Police Force should intervene to protect leaders and community members, providing adequate security measures to guarantee their safety;
- National and regional authorities, as well as the palm oil company, Ocho Sur P SAC (formerly Plantaciones de Pucallpa SAC), should issue public statements condemning the threats and harassment directed at community members and signal their outright condemnation of any further reprisals which may be aimed at the community for defending their rights and territory;
- The Public Ministry should proceed in its criminal investigation of land-trafficking in Ucayali with greater urgency, to ensure that the actors involved are brought to justice before any more killings take place;
- The Justice Department and the Constitutional Court should accelerate the legal cases brought against the land-traffickers, the palm oil company and the Ministry of Agriculture by the community of Santa Clara de Uchunya, in order to sanction those responsible and make restitution for those rights which have been violated;
- The Ministry of Agriculture should enforce sanctions against the oil palm company, as recommended by the Human Rights Ombudsman,^[viii] and not issue any licenses for them to continue operating with impunity within the community's ancestral territory;
- The competent authorities, including the Ministry of Agriculture, the Forestry and Wildlife Agency, the Regional Government of Ucayali, the Agency for Environmental Assessment and Enforcement, the National Coordinating High Prosecutor, the Prosecutor Specialised in Environmental Matters for Ucayali and the Ministry of the Environment should exercise their functions to implement the recommendations outlined by the Human Rights Ombudsman in 2017,^[ix] to effectively halt illegal deforestation and human rights violations associated with the expansion of agroindustrial plantations in the Peruvian Amazon.

We conclude by repeating the question which the community of Santa Clara de Uchunya expressed during an Extraordinary Assembly held on 26 October 2017:

"Do we have to die before the State decides to resolve our problem?"[x]

[i] <http://www.keneamazon.net/Documents/Press-Release/Nota-de-Prensa-001-2018-KENE/Nota-de-Prensa-001-2018-KENE.pdf>

[ii] Resolución de Dirección General 270-2015-MINAGRI-DVDIAR-DGAAA.

[iii] <http://www.forestpeoples.org/es/node/50204>

[iv] <http://www.forestpeoples.org/es/node/50187>

[v] <https://www.facebook.com/idlpueblosindigenas/videos/1977568299146785/>

[vi] <http://www.forestpeoples.org/es/node/50204>

[vii] <http://www.forestpeoples.org/sites/default/files/documents/ComunicadoSantaClaraOct2017.pdf>

[viii] <http://www.keneamazon.net/Documents/Others/Informe-de-Adjuntia-001-2017-DP-AMASPPI.MA-P.pdf>

[ix] <http://www.keneamazon.net/Documents/Others/Informe-de-Adjuntia-001-2017-DP-AMASPPI.MA-P.pdf>

[x] <http://www.forestpeoples.org/sites/default/files/documents/ComunicadoSantaClaraOct2017.pdf>

Peruvian Organisations

1. AIDSESEP - Asociación Interétnica de Desarrollo de la Selva Peruana
2. Alianza Arkana
3. APRODEH - La Asociación Pro Derechos Humanos
4. CAAAP - Centro Amazónico de Antropología y Aplicación Práctica
5. CAOI - Coordinadora Andina de Organizaciones Indígenas
6. FECONAU - Federación de Comunidades Nativas de Ucayali y Afluentes
7. Fórum Solidaridad Perú
8. IDL - Instituto de Defensa Legal
9. KENÉ - Instituto de Estudios Forestales y Ambientales
10. ORDEPIAA - Organización Regional de Desarrollo de los Pueblos Indígenas de Alto Amazonas
11. Pastoral de la Tierra del Vicariato Apostólico de Yurimaguas
12. Perú Equidad - Centro de Políticas Públicas y Derechos Humanos
13. Proética - Capítulo Peruano de Transparencia internacional
14. Radio Ucamara
15. SER - Asociación Servicios Educativos Rurales
16. SERVINDI
17. SPDE - Sociedad Peruana de Ecodesarrollo
18. TierrActiva Perú

International Organisations

19. Amazon Watch (USA)
20. Both ENDS (Netherlands)
21. EarthRights International (USA)
22. Environmental Investigation Agency (USA)
23. Forest Heroes (USA)
24. Forest Peoples Programme (UK)
25. Friends of the Earth U.S. (USA)
26. Front Line Defenders (Ireland)
27. Global Witness (UK)
28. GMB Trade Union (UK)
29. Latin America Working Group (USA)
30. Lumière Synergie pour le Développement (Senegal)
31. Maryknoll Office for Global Concerns (USA)
32. Organización Wainjirawa (Venezuela)
33. Peru Support Group (UK)
34. Presbyterian Peace Fellowship (USA)
35. Rainforest Action Network (USA)
36. Rainforest Foundation USA (USA)
37. The Oakland Institute (USA)
38. Urgewald (Germany)