"21st Century" Oil Companies with 18th Century Rules?

We Amazonian Indigenous Peoples have lived alongside oil operations for many years. We know what they are all about. 70% of the jungle is already designated for oil concessions, which they first impose on our communities and afterward they "consult us." We know about the ***Environmental Impact Studies (EIS)*** from the hard reality: carried out when oil projects are under way, easily approved, poorly applied and ultimately serving to protect business interests, much more than the rainforest or its children, we indigenous peoples. Although there have been some efforts to improve the situation, they are unfortunately the minority. And a lack of confidence is inevitable after years of frustration with empty words.

In the jungle, we suffer directly from ***seismic testing***: thousands of trails cut out of primary rainforest, 3 meters wide, crossing lakes, orchards, fruit trees, salt licks [important geological formations for bird habitat], and sacred sites. Thousands of explosives going off each day. Hundreds of heliports, destroying up to a hectare of forest. Continual noises that frighten animals and scare off sources of protein for malnourished people. Thousands of workers leaving industrial and human waste over the course of months. Workers leaving sexually transmitted diseases and 'fatherless' children in the communities. Friends of the oil companies say, "but there are laws that control these activities and the jungle can recuperate." If there isn't even proper "oversight" in Lima, how will it happen in the middle of the jungle? Paperwork means nothing, while lack of compliance is now virtually normalized. Recuperation can take years, if it ever happens, and the impact on the jungle continues.

If no investment has ever been stopped because of an EIS, because of a soft approach to EIS review, there is no reason to substitute the requirement for an ***Environmental Impact Declaration (EID)*** which would be even easier to make a farce of. Doing so would violate ***Article 22 of DS 015-2006*** (the current environmental regulations) given that the EID only applies to activities "the execution of which can create negative environmental impacts that aren't significant." We know the impacts of seismic testing are significant, even with current EIS, and this would be even worse under EID. There would also be a violation of Article 55 of the same regulation: "When a project can impact communities… measures necessary to prevent, eliminate, or minimize the impacts will be included within the EIS…requiring the company to divulge amongst the population the extent of the activities to be carried out." Even these minimal requirements could disappear if the EIS were substituted with the EID.

Given the above, we request of the Peruvian Ministry of Energy and Mines (MEM), Ministry of the Environment (MINAM), the National Congress and the National Ombudsman's Office:

1. Comply with Law 29785 for ***prior consultation of the attempt to modify*** DS 015-2006 and the implications for rollback of guarantees for indigenous peoples' rights and socio-environmental rights in the country.
2. ***Maintain the requirement for an EIS for seismic testing*** while reinforcing community environmental monitoring in this phase.
3. Dialogue between MEM, MINAM, the victims of seismic testing – indigenous peoples – and Amazonian environmental entities around said regulations.

We demand more democracy, not less, from technocratic dictatorships made up of people who will never have to live in the jungle.

And don't respond to us with the nonsense that we "oppose development." For more than 40 years we have seen efforts to "develop" us in Pastaza, Corrientes, Marañon, Ucayali, Urubamba, and we're worse off, even though the cement, alcohol, and AIDS of "development" continue to increase. We demand a debate and respectful coordination based on true benefits for Peru, if that's what is really desired.

Forward and not backward on environmental protections around fossil fuel extraction

Steering Committee of AIDESEP, 10 March 2014