

# Interethnic Association for the Development of the Peruvian Amazon

(50 Villages, 1800 communities, 109 federations, 9 regions)

Resolution 1 \* 2nd CCA 2015:

## *Declaration of Regulatory Emergency on Oil Palm*

*Gathered* at the **Expanded Coordinating Council (CCA) of AIDSESEP**, the nine regional federations of the Amazon resolve the following after analyzing the terrible destruction of primary forests for oil palm plantations in the Peruvian Amazon (which has a similar impact as other monocultures such as papaya, cacao, and others); the impunity with which this environmental and social cancer advances, protected by disorder and contradicting regulations and complemented by the profound corruption of the State:

- **We demand the settlement of claims**, reports on the impacts, effects, pressures and invasion of oil palm, which indigenous communities are effected by in:
  - \* Loreto: The communities of Valle de Caynarachi and others
  - \* Ucayali: The communities of Shipibo, Cacataibos; the districts of Sarayacu and Nuevo Requena; those 20 to 40 kms from Federico Basadre
  - \* San Martin: The communities of Shawi, Kichwas; the communities of CEPKA-Ethnic Council of the Kichwa People of the Amazon; the communities of FERISHAM-Federation regional Indigenous Shawi; the communities of Chazuta
  - \* Huánuco: The communities of Ashánika of Puerto Inca
  - \* Cusco: Advancing pressures from palm in the lower Urrubamba
  
- *We denounce and reject the dubious, contradictory regulations regarding palm, of which many have spoken, but nobody has done anything about. We refer to the following grave situations:*
- The destruction of primary forests is prohibited, but nonetheless it can be done “legally” if it’s “demonstrated” that the soil has capacity for agricultural use. The trap of the BLUC (Best Land Use Capacity): It’s enough to “prove” that the soil has Best Land Use Capacity for “agriculture”, which authorizes the destruction of the “forest cover”.
  1. The nonexistent “obligation” of the ocular inspection authority to verify the BLUC studies carried out by the companies themselves (therefore acting as both judge and jury) and to verify if above the soil classified as agricultural there exists a complete forest that will be destroyed.

2. This is how 3000 ha of forest was destroyed in Tamshiyacu, first to plant palm and in the end for cacao, right under the nose of the regional government of Loreto. Despite this scandal, they plan to reach the height of destroying a total of 45,000 ha of forest.
  3. The impunity and insolence for destruction increases. It's incredible that in Nueva Requena (Ucayali), tractors destroyed 9,400 ha of primary forest between 2010 and 2014, without any EIA (environmental impact assessment), BLUC, or requests and "in plain sight and sound" of the central and regional state.
  4. It's said that there is greater scientific rigor in the classification of soils, but an ancient and generic centralized classification continues to be imposed, "scientifically legalizing" the destruction of rainforest for palm, ignoring regional studies of greater detail and accuracy that would have prevented this destruction. This is how the advancement of palm on the border between San Martin and Alto Amazonas occurred.
  5. These absurd contradictions can even deceive the UN and international cooperation, saying that "illegal deforestation is decreasing", that these giant palm plantations are deforesting legally, and that there is no problem.
  6. The law prohibits the toxic contamination of bodies of water, but no strict rules exist. Fertilizer, pesticide, and insecticide contamination is permitted on palm plantations, which penetrate the water table and pollute streams where fish lay their eggs, which are then eaten while full of toxins.
  7. The law related to the titling and formalization of agricultural (settled) land has been dubiously maintained for decades as plentiful, confused, and contradictory.
  8. Lack of regulations and state will to study, regulate, and prevent the "distant" impact of properties and indigenous resources. Nobody stops or repairs damage to the life flow and reproduction of the fauna and flora of the Amazon in indigenous territories caused by vast green deserts of oil palm situated kilometers from communities.
- ***We call for the assembly of a broad social alliance***, from youth groups, the area of Lima, environmental and human rights networks and NGOs, to academics, experts, journalists, and artists, to stop this new developing cancer which imposes "green" deserts destroying thousands of forms of life in our Amazon. Today the alarm is palm, but papaya, cacao, etc. also advance. The fundamental ill is **any agribusiness monoculture** promoted by the central and regional government, the "consolidated press" and many corrupt politicians and technocrats.
  - ***We warn of the failure of climate financing in Peru***, if these massive "green deserts" are not stopped in the Amazon. We demand support for the declared "state of emergency on palm" –support from the national and international climate processes, funds, and other initiatives that will be affected and called into question if large oil palm plantations continue to expand. These process and initiatives, among others, include : \* *Zero Net Deforestation Agreement with Norwegian-German support* \* *Projects before the Green Climate*

*Fund \* Forest Investment Program-FIP \* Contribution of Peru (INDC) to reduce forest emissions by 30%  
\* Climate and forest strategy and national fund \* UN-REDD, JICA-REDD projects*

- ***We initiate the national and international campaign for the declaration of emergency and reorganized regulation on oil palm in Peru. We insist that if palm puts the rainforest in danger, then we will put palm in danger. The declaration of emergency proposes and is based on the following:***
  1. MINAM has denounced the contradicting regulations and the corruption in the palm sector, however the state is deaf, given that no one has resolved anything to this respect.
  2. The state has failed to attempt to regulate and control the impacts and abuses of oil palm that advance the destruction of the Amazon.
  3. If impunity for damage and abuse continues, then all transfers of new concessions should be suspended until the existing, contradicting laws that facilitate deforestation by palm are revised and reorganized.
  4. If corruption related to palm continues, then the management bodies responsible for this destruction should be reorganized at the central and regional government level.
  5. Suspend the transfer of large investment palm concessions, given that there is no state guarantee of legal order, supervision, or inspection that will impede this destruction. Between all of them, there are 11 requests in Loreto, Ucayali, and San Martin that amount to 99,356 ha that in little time will increase the deforestation of the entire year by 88%, discrediting the promises of “sustainability” made by Peru at the COP20 and COP21.
  6. Reorganize the trap of the “Best Land Use Classification” (BLUC) so that these studies, which no one believes in, aren’t carried out by private actors (“judge and jury”), but instead are financed and carried out by the state, while combatting its corruption with strong public social control.
- ***We denounce and reject dubious corruption and impunity in oil palm, of which the media only makes a “scandal”, but in the end nothing concrete happens. This includes strategies such as:***
  - The state offering to regularize non-deforested settlement, but allowing palm companies to finance and “advise” settlers to occupy the rainforest and invade indigenous property, knock down the forest, and obtain a title that “legalizes” deforested area for “legal palm”.
  - Delay fulfilling the state’s obligation to title indigenous communities’ land, in order to allow the destruction of the areas collectively requested, through individual allotment. Finance and advise those partitions to obtain parcels, knock down the forest, “legalize it as deforested area” and plant palm to contaminate all of the surrounding area.
  - This is what was done to the Kampupiyapi community or the Shawi of San José in San Martin, with the guarantee and money from Grupo Palma (tied to the Romero family of the Credit Bank of Peru).

- Forms of exploitation such as “modification” (e.g. illegal logging of timber) are prohibited, but “modification for palm” that indebts settlers and farmers is permitted—farmers and settlers who end up selling their parcels to new large palm estates, reproducing abuse and social exploitation.
- ***We call for the resolution of the indigenous people’s territorial demand for 20 million ha***, which include **1,200 communities’** pending requests (including recognition, titling, and expansion of land), complete (*integral*) lands for communities, land and communal reserves, lands overlapping with protected areas, and the correction of clerical titling errors, in order to stop the threat of huge monoculture plantations, such as palm and others (papaya, cacao, etc.). There is an intense dispute for the Amazon: either it’s taken and destroyed by palm and agribusiness, or indigenous people ensure the survival of these 20 million ha which we have occupied ancestrally, because where there are people with rights there will always be forests for everyone.
- ***We summon the people and indigenous communities to resist, denounce, and stop*** the pressure, division, and deception of the oil palm plantations, given that they will only stop when the Amazon has disappeared, as they did in Malaysia and Indonesia.
- ***We initiate an international campaign to present the tragedy of oil palm*** at the next ***COP21-UNFCCC*** global climate summit, and organize documentation of complaints before the United Nations—***UN (Special Rapporteur on Indigenous Peoples and the Committee on the Elimination of Racial Discrimination—CERD)*** and the Organization of American States—***OAS (Inter-American Commission and Court on Human Rights)***.

*Lima, August 25th 2015*

***Director’s Council and Expanded Coordination Council of AIDSESP***