



Stories of Collective Protection in Latin America

Stories of **Collective** **Protection in** **Latin America**

ZEROTOLERANCE**INITIATIVE** ●

Stories of Collective Protection in Latin America.

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In memory of Quinto Inuma Alvarado, who, despite being cowardly murdered while defending the rights of his community, will forever remain alive in the indigenous struggle.

Introduction

Between October 4 and 5, 2022, the leadership group of the Zero Tolerance Initiative (ZTI) convened in Quito, Ecuador, along with other members of the coalition. While the ZTI is a global collective spanning Africa, Asia, and Latin America, this specific meeting focused on the latter region to delve into various shared issues.

The Zero Tolerance Initiative (ZTI) is a global coalition spearheaded by indigenous peoples, local community representatives, and supporting NGOs. This collective works together to address the underlying causes of killings and violence against human rights defenders linked to global supply chains (ZTI, n.d.).

The ZTI works to help communities improve their capacity to defend themselves and hold companies and investors accountable. The Initiative also helps them to collaborate meaningfully with States, companies, and investors, to jointly seek verifiable and effective zero tolerance commitments against reprisals faced

by human rights and environmental defenders, and to find ways to implement policies that make the realization of such commitments possible (ZTI, n.d.).

This material is divided into two main aspects, which are as follows: on one hand, there is the theoretical, conceptual, and legal framework regarding the collective protection of human rights carried out by indigenous peoples, Afro-descendant communities, peasants, and rural organizations in Latin America, in the face of global companies and supply chains.

Additionally, the study includes other actors such as armed groups operating outside the law, drug traffickers, and even hired assassins. Furthermore, it presents various accounts of this invaluable collective protection carried out by different communities and organizations, primarily at the grassroots level. It is important to emphasize that the study thoroughly addresses the obligation of states to protect

human rights, particularly those of individuals and populations facing specific vulnerabilities.

The methodological design consists of a descriptive research approach with a qualitative focus, allowing for a deeper exploration of the perspectives and reflections of human rights defenders from the following countries in Latin America: Brazil, Colombia, Ecuador, Paraguay, and Peru. The study is conducted in the light of international human rights law, which serves as the structural framework guiding the

theoretical and legal aspects, and more specifically, the principles, standards, and jurisprudence of both conventional and non-conventional bodies within the United Nations (UN) and the Organization of American States (OAS).

The general objective of this publication is to analyze the collective protection strategies employed by indigenous peoples, Afro-descendants, peasants, and rural communities in Latin America in 2022, in response to violations primarily perpetrated by global companies and supply chains.

Metodology

The methodological design combines documentary and fieldwork. The documentary work is primarily conducted in the initial phase, involving the analysis and contextualization of theoretical, conceptual, and legal documentation, while also contributing original ideas and definitions. In this regard, Arias defines documentary study as “a process based on the search, retrieval, analysis, critique, and interpretation of secondary data, i.e., those obtained and recorded by other researchers from documentary sources” (p. 27, 2012).

Regarding the second component, Arias explains that field research involves “the collection of data directly from the subjects under study or from the reality where events occur (primary data), without manipulating or controlling any variables; that is, the researcher obtains information but does not alter existing conditions” (p. 31, 2012).

In this case, data collection is not only derived from human rights defenders but also from primary sources that have been extensively studied to better understand the connection between global companies and supply chains and the direct impact on these peoples, communities, and organizations.

The data collection technique may vary depending on whether it pertains to the documentary aspect or to field research, which are the two sides of the coin in this investigation. For the documentary aspect, a review document template was used, while for the field research, the presentations of human rights defenders were utilized, following pre-established parameters to achieve methodological coherence.

The level is descriptive as it characterizes different categories involving human rights violations and collective protection. In this regard, Arias points out that

“descriptive research consists of the characterization of a fact, phenomenon, individual, or group, in order to establish its structure or behavior” (p. 24, 2012).

The approach is qualitative, as it delves into the narratives, perspectives, and reflections of human rights defenders from indigenous, Afro-descendant, peasant, and rural communities in the following countries: Brazil, Colombia, Ecuador, Paraguay, and Peru.

In this regard, human rights defenders expressed themselves regarding the following themes: firstly, the description of human rights violations and violations of the rights of nature experienced in their own territories, and secondly, the collective protection strategies they have developed to confront extractive business activities that threaten the possibility of a dignified life.

International Human Rights Law

International human rights law can be fundamentally divided into two groups: the regional protection system and the universal protection system. Both have been developed primarily since the end of World War II, encompassing not only legislation agreed upon by the vast majority of countries worldwide, reflected in declarations, pacts, agreements, conventions, and treaties, but also interpretations and applications made by various specialized bodies of these legislative frameworks.

The regional system refers to the protection system carried out continentally, such as the European System of Human Rights (ESHR), the African System of Human Rights (ASHR), and, obviously, in the case relevant to this research, the Inter-American System of Human Rights (IASHR). The second one is global and refers to the Universal Human Rights Protection System of the United Nations (Universal System).

Regarding this, the IASHR began its development with the American

Declaration of the Rights and Duties of Man in Bogotá (1948) through the Organization of American States (OAS), and from there, the two main protection bodies were created and structured: the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights (IACtHR) (OAS, n.d.).

In this line of thought, the Universal System began with the Universal Declaration of Human Rights (UDHR), also in 1948, three years after the end of World War II and the establishment of the UN in 1945. Currently, the primary body for the global promotion and protection of human rights is the Office of the High Commissioner for Human Rights (OHCHR), based in Geneva (United Nations, n.d.), which connects and structures with all other conventional and non-conventional protection bodies of the UN.

In this context, in 2011, the United Nations Human Rights Council developed and promulgated the

Guiding Principles on Business and Human Rights, which constituted a paradigmatic precedent as it establishes that companies have responsibilities regarding certain obligations towards human rights (United Nations, pg. 1). The novelty of these obligations, regardless of not being a binding instrument, is related to and connected with the definition of human rights that could be established as “those conditions inherent to human nature that, when realized, allow us to access a dignified life, and that must be guaranteed and not violated by the State” (Mendieta, p. 15, 2015). It should be noted that currently, there are human rights defenders and organizations already working and activating in order to achieve a new international instrument, but of coercive nature for companies and supply chains.

As can be seen, not only the State is responsible for human rights violations, but also companies and supply chains. In this sense, it is known that while companies have positively contributed and continue to do so through the provision of services or products to people, it has also been demonstrated that they have affected, and continue to affect,

the rights of individuals, including those of indigenous peoples, Afro-descendants, and peasants, among others, which are related to the environment, land, territory, and natural resources, essential elements for the vital and cultural survival of these communities (United Nations Frequently Asked Questions, p. 5, 2014).

The United Nations Declaration on Human Rights Defenders was adopted by consensus of the General Assembly in 1998. This Declaration was instituted and proclaimed due to the significant number of rights of these individuals being violated, either by states (through action or inaction) or by economic activities linked to companies and global supply chains, among other factors. In this regard, the Inter-American Commission on Human Rights (IACHR) states that these individuals are in a profound situation of danger and insecurity within the scope of the work and activism they carry out. Regarding this, the IACHR establishes that human rights defenders face various forms of persecution, intimidation, and harassment, including:

Assassinations, forced disappearances, assaults, threats, labeling them as enemies or legitimate targets, smear campaigns, legal actions aimed at intimidating them, home invasions, and illegal intelligence activities targeting defenders are mechanisms used to hinder or obstruct their work and constitute a daily reality in the activities of these actors (IACHR, n.d.).

In this line of thought, despite the invaluable and significant contribution of human rights defenders to all democracies, they are constantly attacked in various ways. Through their work and activism, they expose and demonstrate how various actions of the State or economic activities linked to global supply chains affect the interests of powerful politicians or businessmen in terms of resources, money, and influence.

Among these are those related to agribusiness, mechanized monocultures, or extractive companies which, in their purely profit-driven objective, directly

or indirectly affect the rights of indigenous peoples, Afro-descendant communities, peasants, and rural organizations, among others, mainly related to land, territory, natural resources, and from there, other human rights. This is because one of the fundamental characteristics of human rights is their interdependence, meaning they are interconnected. Thus, the violation of one of them directly or indirectly influences another or others. That's why they do not have a hierarchy since they are all equally important (Mendieta, 2015).

More specifically, when human rights defense is exercised by indigenous peoples, Afro-descendant communities, peasants, and rural organizations, aggressions and violations can intensify, leaving these individuals in a situation of special vulnerability. In this regard, the United Nations Special Rapporteur on the situation of human rights defenders explains that states must safeguard, with particular care, human rights defenders who are defending land and the environment, among other issues (2019).

Collective Protection

In the context of conceptualizing and defining the term human rights defender, the Declaration, in establishing their rights in Article 1, describes and defines them as follows: “everyone has the right, individually or in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at both the national and international levels” (UN, 1998).

As can be observed, the action of human rights defenders is both individual and collective. However, while the literature has largely addressed and developed the individual aspect, it has not done the same for the collective element. Nevertheless, conceptually, this is a crucial focus considering that collectivity is an essential characteristic when considering how indigenous peoples, Afro-descendant communities, peasants, and rural organizations defend their rights.

Indeed, their cultural practices and worldviews are centered around

a collective outlook that merges synergies from their way of life. This is evident in Latin America, as well as in other countries on different continents, where these collectives coexist and share the same space, comprised of their ancestral lands and traditional territory. Similarly, the natural resources found within these territories are shared and cared for in the same manner, as they are essential for their physical, material, cultural, and spiritual survival.

Indeed, the IACtHR has established a landmark jurisprudence by interpreting and applying the American Convention on Human Rights (Convention) (OAS, 1969) from a collective legality perspective, particularly in cases involving indigenous communities. To cite one of them, in the ruling on the *Yakye Axa Indigenous Community v. Paraguay* (2005), the highest supranational court upholds the following conviction:

States must consider that indigenous territorial rights encompass a broader and distinct concept that is related to the collective right to survival as an organized people, with control over their habitat as a necessary condition for the reproduction of their culture, for their own development, and for carrying out their life plans (IACtHR, 2005).

Continuing along the same line, the IACHR explains that the collectivity of indigenous peoples is fundamental for the unrestricted exercise of their human rights as individuals or members of a whole. In this regard, the reflection of the aforementioned organization is invaluable when it teaches the following:

Indigenous peoples have collective rights that are essential for the full enjoyment of the individual human rights of their members. In this sense, states recognize the right of indigenous peoples, inter alia, to their collective action, their own cultures, to profess and practice their spiritual beliefs, and to use their languages (IACHR, n.d.).

What was previously stated is legally supported and reinforced by various international human rights instruments, as well as by the interpretation provided by regional and universal human rights protection bodies. Among these documents, at the universal level, are the International Convention on the Elimination of All Forms of Racial Discrimination (UN, 1965), the International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples (ILO, 1989), the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UN, 1990), or the United Nations Declaration on the Rights of Indigenous Peoples (UN, 2007), among others.

At the regional level, as previously observed, special emphasis must be placed on the American Convention on Human Rights, considering that it has been, and continues to be, the focal point for the interpretation and application by the IACtHR of fundamental standards and precedents for the protection and progression concerning the autonomous rights of indigenous and Afro-descendant peoples and

communities. This has primarily been done from a perspective that focuses on collective worldviews.

It is worth noting that for centuries, these peoples and communities have engaged in collective protection actions to preserve their lands, territories, and natural resources against external threats and/or attacks by state agents, companies, and illegal entities such as armed groups outside the law or drug trafficking. Thus, collective protection can take multiple forms, as each approach is deeply rooted

in the needs and dynamics of each people, community, or collective, in response to the threats or attacks they face.

In light of this, the following definition is proposed regarding the collective protection of indigenous peoples, Afro-descendant communities, peasants, and rural organizations: an integral and dynamic set of strategies, measures, and actions rooted in their ancestral customs that are aimed at collectively safeguarding their human rights against external threats or attacks.

Collective Protection Stories

Specific objectives

In order to achieve the general research objective comprehensively and coherently, two specific objectives were outlined and developed in each case. These are as follows: firstly, to identify the violations of human rights and rights to nature experienced by the collectives represented by

individuals, primarily at the hands of companies and supply chains. The second objective is to determine the forms of collective protection utilized by these indigenous peoples, Afro-descendant communities, peasants, and rural organizations, represented by the defenders, also against companies and supply chains, primarily.

Brasil

● Indianara Ramires Machado

Dourados Indigenous Youth Action (AJI)



Photo credit: Yeimy Arauque Contreras

Indianara Ramires is part of the Dourados Indigenous Youth Action (AJI) located in Mato Grosso do Sul. The AJI is headquartered in the Bororó village, within the Dourados Indigenous Reserve, “considered one of the largest populations in the country: there are approximately 18,000 indigenous people in around 3,500 hectares. It is located between the cities of Dourados and Itaporã” (IWGIA, n.d.).

In contextualizing human rights violations against indigenous peoples, Indianara emphasizes the intense territorial conflict experienced in Brazil due to

land takeovers. This means that indigenous people from cities and those living in their territories are returning to find their lands invaded by agribusiness, leaving them unprotected, as in the case of the Dourados Indigenous Reserve. Regarding this, she says they are living by the bus route, “close to the bus route, hungry because there is no space for planting, no healthcare, no water.” Additionally, she expresses that the indigenous people survive in these gaps “awaiting demarcation and expansion of the territories” (2022).

Regarding the consequences of human rights violations against indigenous peoples, Indianara states that there is overcrowding of indigenous peoples in small territories due to the expansion of agribusiness and livestock farming. This situation, Indianara adds, began approximately a century ago, which has also contaminated water sources due to the use of pesticides (2022).

At the same time, Ramires mentions that people are born in devastated territories that do not guarantee the possibility of a dignified life, nor cultural nor material survival. She further states the following: “We are already born in a territory totally devastated, there is no forest,

there is no river, and much less as a structure for the sustainability of the indigenous peoples who live there” (2022).

In the same vein, Indianara adds that there are killings of indigenous people for denouncing agribusiness. Similarly, she points out that the government of Jair Bolsonaro has approved laws that facilitate illegal deforestation, mining extraction, and the use of pesticides and firearms by ranchers (2022).

Finally, Ramires states that one strategic means applied by the Association is indigenous mobilizations against bills processed in the National Congress (2022).

Colombia

● Milbia Andrea Díaz

**Inter-Church Commission
for Justice and Peace
(Justicia y Paz)**



Photo credit: Yeimy Arauque Contreras

Milbia Andrea Díaz is the president of the Inter-Church Justice and Peace Commission (Justice and Peace), a human rights NGO that provides accompaniment to grassroots communities in territories across various departments of Colombia. By way of context, Milbia explains that the national security policy has been implemented by all right-wing governments that Colombia has had, resulting in significant human rights violations, especially in rural areas (2022).

She goes on to say that some of the consequences of this national security policy are the

monopolization and dispossession of lands by large agribusiness, mining, extractive, and dam projects, which in turn cause forced displacements, deaths, disappearances, selective killings, and massacres (2022).

In this context, Milbia states that the Peace Agreement with the Revolutionary Armed Forces of Colombia (FARC) was not fulfilled, and as a result, various violations of the rights of indigenous and rural communities in rural areas continued to occur. Among these violations, Díaz details the following: glyphosate spraying, a national army that continues to enter community

territories abusively, and the lack of respect for Prior, Free, and Informed Consultation (established in the International Labour Organization's Convention 169 on Indigenous and Tribal Peoples in Independent Countries, 1989) (2022).

She also explains that among other forms of human rights violations, there is the monopolization and commercialization of territory by the State and the business sector, which operate under strategies of internal disarticulation of communities, co-optation of ethnic representative figures, and bribery. In this context, she states that there is also land grabbing for the cultivation of illicit crops in collective territories and indigenous reserves.

In the context of land, Milbia, referring to the dispossession of territory for oil palm cultivation and mining extraction, explains that “in the Bajo Atrato, where in ‘97 all the people were removed from the territory for oil palm cultivation, the same in Meta, with mining projects” (2022).

She also asserts that there are losses of hectares of primary forests due

to desertification, deforestation, and land grabbing. In this context, Díaz adds that “in the year 2022, the country lost around 40,600 hectares of forest, and those numbers are very representative in areas like the Amazon, Putumayo, Caquetá, Guaviare” (2022).

Díaz points out that there are issues with resource exploitation companies for energy transition, as well as with mining extraction of drag material for construction. She expresses that this is even more profitable than gold, with the removal and draining of sands for processing drag material to pave roads. This situation, adds the human rights defender, occurs in the southern Cauca, specifically in the Patía region, and has generated, for example, immense damage to all aspects of riverbanks that are taking away the property of communities (2022).

Díaz also explains that displacements are carried out in alliance with the security forces and paramilitaries to favor palm plantations. In relation to these studies, she mentions that the existing amount of copper and other minerals was determined, and this has caused this mining company to

feel empowered to violate rights with total authority.

Milbia adds that front companies are used to evade responsibilities. It is suspected to be the case with Minera Cobre S.A., which is believed to be a front for La Muriel Mining Corp because they have the same titles. She continues to say that, “besides, it is a recent company, they created it around 2015, it had a complaint from a reserve for violating all ethnic rights, it disappeared, changed its name, and the same president” (2022).

Continuing with human rights violations, Milbia adds that territories have not been returned to their owners, the fulfillment of Defense and Security Policies (PDS) was not guaranteed, the assassination of social leaders increased, and many armed structures were articulated.

Regarding the collective protection of human rights, Milbia refers to the construction of humanitarian zones to address displacement as follows: these zones were spaces that people made visible with billboards, cordoned off, and

enclosed, and people would enter there, build their houses, and put up the billboards. Milbia delves into the topic explaining that it is a space for the civilian population in the midst of conflict. Additionally, she notes that “they are spaces where the entry of armed actors is prohibited, promoting the demand for respect for the civilian population as a right” (2022).

She also says that another form of collective protection is to convert farms with palm plantations into environmental protection figures or conservation areas, which are called Biodiversity Zones, Agroecological Farms, and Biodiverse Humanitarian Reserves. In the same vein, another strategy of collective protection, Milbia explains, lies in determining what is above ground as Special Protection Areas, to have a certain degree of legal agency over the territories, since what is below ground belongs to the State (2022).

Next, she adds other strategies of collective human rights protection that allowed stopping the business advance: de facto actions that allowed recovering territories through collective and community

work. This happened, Milbia details, in Chocó and in Urabá Antioqueño, and that currently the process of convictions against the businessmen is ongoing. Milbia refers that this is emblematic because several collective land titles were recovered from palm cultivation. (2022).

Another action, in Milbia's words, was to carry out interethnic consultations, as was the case with the Embera Eyabidá indigenous people and the Afro-Colombian community, who in 2009 conducted an interethnic consultation and managed to prevent the exploitation that the Muriel Mining Corporation intended to carry out on one of their sacred hills.

In the transition towards the Peace proposed by the current government, Díaz explains that communities are first declaring spaces of ecological importance and what remains of forests as sacred protection figures; they call them "Forests of Memories" and "Sacred Places of Memory." In this regard, she adds, these spaces are being self-referenced, declared, and characterized so that these figures are recognized within the framework

of environmental protection mechanisms.

Milbia also says that dialogues are established with those responsible for human rights violations in their territories: illegal armed groups, the security forces, responsible business sectors, and state entities. She adds that "they have sent a series of letters to demand from the armed groups, the president, the international community, everyone, to enable guarantees of dialogue with those responsible."

"In the eyes of the people, this is very important; to know why they were displaced, why they were killed, why they were massacred, and who was behind it and what interests are at play." In this regard, she concludes by saying that they seek clear proposals, guarantees of non-repetition, and humanitarian agreements (2022).

According to Díaz, it is crucial that the agreement for the defense of the territory takes precedence in the scenarios of disputes over environmental and territorial conflicts that exist between indigenous peoples, Afro-descendants, and peasants. This is

a situation that companies exploit to implement their projects, co-opt leaders, and fragment the internal fabric.

Regarding this, Milbia says: “So, areas where previously the struggle was only with one company, now they have a monopoly on the economy” (2022), and she emphasizes that the work and support of institutions and the international community are important, but that dialogues and peaceful internal organization are also fundamental.

Another strategy, as Díaz expresses, is to build Environmental Defense Committees as follows: “They are making nurseries, reforestation work, clean production work, also a bit to show that they are small initiatives but that can generate a very important change for the territories”.

Justicia y Paz, according to Milbia, has proposed a socio-environmental justice proposal in the following terms: “We also talk about territorial restoration in the face of all the damage suffered by the territories due to the violence generated by large-scale economic experiences” (2022), and regarding this, she

concludes by saying that people should have the right to recognize the ecological potential that the territories have (2022).

In relation to the strategies, she states that reflections, dialogues, and training exercises within communities regarding the climate crisis are very important, with the aim of promoting “reforestation of areas, protection, recovery of tree species that are being lost, recognition of those sacred places, and protection of water sources” (2022).

Milbia establishes the following recommendations: the agreement for the defense of the territory should prevail in scenarios of disputes over environmental and territorial conflicts that exist between Indigenous peoples, Afro-descendants, and peasants; the lack of these agreements is exploited by companies to implement their projects, co-opt leaders, and fragment the internal fabric (2022).

In this context, Milbia explains the following: “So, areas where previously there was only a fight with one company, now they have a

complete monopoly on the economy” (2022). She goes on to say that important areas of natural protection, such as the Colombian Pacific, are being neglected because recovery resources are primarily focused on the Amazon.

The strategy must be collective; for the defense of the territory, we must move away from the idea of borders because what is at risk is the land that serves the collective (2022), Díaz emphasizes.

Colombia

● Hernando González

Organizations of Displaced, Ethnic, and Peasant Populations (OPDs Montes de María)



Photo credit: Yeimy Arauque Contreras

The Organizations of Displaced, Ethnic, and Peasant Populations (OPDs Montes de María) is a space for peasant, indigenous, and Afro-descendant communities in Colombia to share and access information. Its mission is to “coordinate peasant, Afro-descendant, and indigenous organizations to work for the defense and dignified permanence in the territory through organizational strategies that allow achieving the proposed objectives” (Forest Peoples Program, n.d.).

Hernando González, a community leader and member of the OPDs,

explains regarding human rights violations that, firstly, there is the privatization of land by external agents to the community who have demarcated areas prohibited for peasant people. Secondly, he describes the absence of food security and peasant production due to land grabbing for palm cultivation in the municipality of María La Baja. In this regard, Hernando expresses the following: “At the moment, there are around 18 or 20 thousand hectares planted with palm in this municipality, practically its entirety, and the issue of food security, let’s say, disappeared there” (2022).

Thirdly, Gonzales explains, regarding palm oil companies, the following: “Not a drop of water moves there without the consent of the palm oil company, meanwhile, the communities have no access to community aqueducts or anything like that” (2022).

Fourthly, he mentions that a company took over a dam from a district in María La Baja, which was built during the agrarian reform. In this context, he explains that this district was formed for peasants, benefiting approximately 20 thousand hectares, and today it is in the hands of a very particular individual, “who supplies water to the peasants, who plants corn, who plants cassava when he wants; because his priority is the palm issue, so that has been one of the centers of struggle that we have had, to defend the territory” (2022).

Fifthly, according to the human rights defender, there are judicial persecutions against leaders and exorbitant sentences, such as that of a leader sentenced to 39 years in prison. Sixthly, there is the creation of false judicial positives, which is a criminalization of peasants: “Due

to that defense, I was judicially accused, a judicial false positive was unfortunately made against me by the palm businesspeople, they labeled us as revolutionaries, guerrillas, kidnappers, for damaging property, because once we took over the gates” (Gonzales, 2022).

Seventhly, there are the exiles of leaders to other parts of Colombia to protect their lives. Eighthly, Hernando refers to fractures within peasant communities caused by discrepancies regarding the business sector. Ninthly, he mentions that, as a result of the community’s opposition to water grabbing by these palm oil companies, armed paramilitary groups called Clan del Golfo or Gaitanist Self-Defense Forces of Colombia have entered the territory. Hernando adds that “the Gaitanist Self-Defense Forces of Colombia have total control in the region, they are in favor of monocultures, they are in favor of the business system in the region.” Tenth and lastly, Gonzales explains that there is the presence of armed groups outside the law, which “is leading to new displacements, to new situations of violence” (2022).

Now, concerning collective strategies for rights protection, Hernando mentions the following: firstly, there is organized peasant resistance within the OPDs, through peaceful mobilizations. In this context, Hernando explains that “they found an OPD organization quite strengthened with which peaceful mobilizations were carried out; through all these forces we have as a community, we said: no, in this community, we do not want palm projects to be implemented.” He adds that, with these mobilizations, the peasant movement has managed to make the State fulfill agreements (2022).

Secondly, there are actions taken collectively by the entire community. Hernando explains that “it turns out that during a strong dry season, they were taking all the water and there was very little left, so we as a community decided to go to the district gate and tell them: close it, because life comes first.”

Thirdly, community care and support for leaders are explained by Gonzales as follows: “Once they found me and the community came and supported me, it was a really great

situation because the strength of the community backed me up at that moment when the armed forces were there, irregularly, and they wanted to impose their conditions on the territory” (2022).

Fourthly, Hernando states that exercising genuine leadership is important to inspire the support of the entire community. He expresses that “when an armed actor wants to cause harm, the community itself says: no, they don’t touch these leaders because these leaders have really been transparent, and they are truly working for the common good and not for personal gain.”

Fifthly, there is the creation of the Community Vanguard, which, in Gonzales’ words, is a strategic organization that operates through branches; individuals of absolute trust and anonymity who assist in the protection of leaders, and serve as human communication networks that fill the technical gaps in the territory regarding communication networks. (2022)

Sixthly, there is the creation of Peasant Reserve Zones as a strategy for land protection. In this regard,

Hernando clarifies the following: “we have achieved the first one, in the municipality of Zambrano, the First Peasant Reserve Zone has already been achieved.” Hernando concludes by saying that it is necessary for indigenous peoples, Afro-Colombians, and peasants to come

to an agreement to stop extractive activities. Therefore, Hernando ends by saying that “that is one of our challenges in Montes de María, how to find that figure to defend the little land that is currently in the hands of peasants, indigenous peoples, and Afro-Colombians.” (2022).

Colombia

● Black Communities Process (PCN) *

* The identity of the person reporting the case is not established for protection reasons. He/she will be referred to as the “participant”.

The Process of Black Communities (PCN) is a black organizational dynamic that brings together more than 140 grassroots organizations, community councils, and individuals who work constantly in the transformation of the political, social, economic, and territorial reality of black communities, Afro-descendants, raizales, and palenqueras, defending their

individual, collective, and ancestral rights. (*Forest Peoples Program, s.f.*).

The participant, a member of the PCN, in detailing the contextualization of human rights violations, focuses on the northern Cauca, the epicenter of the conflict in Colombia and a place where a large part of the work done by the Black Communities Process is

concentrated. He highlights that out of the 37 armed actors present in Colombia, 21 are active in this area (2022).

Regarding the situations in northern Cauca, the participant states that, firstly, people cannot produce food because they live under threat, caught between the cultivation of illicit crops such as marijuana and coca, criminal mining endorsed by armed actors, illegal mining controlled by extracting companies, and the sugarcane agribusiness (2022).

In this context, the participant states, “The entire Upper Zone of Northern Cauca is full of coca and marijuana, entirely. In 70 percent of the Upper Zone of Northern Cauca, it’s forbidden not to cultivate coca. If you don’t cultivate coca, they kill you. So, people plant a little coffee, but they must plant coca, otherwise, they get killed. It should be the other way around” (2022).

The participant continues by stating that, in the Middle Zone, there is criminal mining, illegal mining, and of course, traditional mining, which is what they do. The participant adds

that criminal mining is associated with armed actors, and illegal mining, conducted by multinational companies, is exploiting their non-renewable natural resources. In the Lower Zone, there is the sugar cane industry. The participant further adds that “there are approximately 15 sugar mills, and within the mills is the Industrial Park of Cauca and Valle. That means we don’t produce food, and not producing food also generates internal conflict because we must move to other towns to seek food” (2022).

Regarding collective strategies for the protection of human rights, the participant explains that, as rights holders, in 2016, Black and Indigenous communities created the Ethnic Commission for Peace and Territorial Rights, which has served to generate proposals for change: “In this commission, we participated in the Havana Agreements with the FARC, and now we are interacting with this government, of which we are part, to participate not only in the dialogues but also in the final negotiations for the country” (2022).

Also, the participant focuses on actions such as road blockades:

“Black and Indigenous communities have understood that the Congress where laws are made is not in Bogotá but on the road, on the Pan-American Highway, and when they don’t listen to you, we paralyze the country” (2022). In this context, he emphasizes that it is essential to “demand Prior Consultation for Operation and Maintenance, not for construction, because the construction was done before the current Constitution” (2022).

The participant concludes by giving five recommendations from a study conducted with the Forest Peoples Program on sugarcane supply chains, which “serve as tasks for the Work Plan” to be carried out with the directive of the ZTI. Firstly, the guarantee of territorial rights for Black communities, “because the Political Constitution of Colombia of ‘91 gave us the possibility for Afro and Indigenous peoples to have collective territories.”

Secondly, “the Colombian state and multinational corporations must repair and compensate for the damages caused by the sugarcane supply chain” (2022).

Thirdly, the participant adds that tools need to be built to ensure the non-repetition and non-prolongation of the impacts caused by sugarcane.

Fourthly, the participant explains that the state must guarantee food sovereignty through rural agri-food programs (2022).

Fifthly, the participant says that ensuring the care of vital water sources is essential. Thus, concludes by stating that “the issue of mining, coca, sugarcane, and industrial parks has led to the fact that the Cauca River and all its tributaries have no life; in this part of Colombia, the Cauca River has no life, it is dead, because there is even a hydroelectric plant that allows controlling the rises and falls of its course” (2022).

Colombia

● Héctor Jaime Vinasco

**Cañamomo y Lomaprieta
Indigenous Reserve
Community, Supía River,
Caldas**



Photo credit: Héctor Jaime Vinasco

The Cañamomo and Lomaprieta Indigenous Reserve is in the municipalities of Riosucio and Supía, Caldas. It is considered one of the oldest in Colombia and was created on March 10, 1540. Cañamomo and Lomaprieta is one of the six legally constituted indigenous reserves in the Department of Caldas, with 32 communities (Colonial Cañamomo and Lomaprieta Reserve in Colombia, 1540). Héctor Jaime, a member of this community, when referring to human rights violations, states that the communal territory is located on the slope of the Cauca River, between the municipalities of Riosucio and

Supía, Caldas, and has issues with several mining companies, mainly with Anglo Gold Ashanti, which has structured gold mining projects around the territory (2022).

Currently, Héctor Jaime explains that the Chinese company SayGin is disputing projects with Anglo Gold Ashanti. Beyond the presence of multinational corporations, there are also mining companies and actors engaged in illegal mining in the territory.

On the other hand, he emphasizes the consequences of human

rights violations such as the tragic homicides of leaders.

He recounts the following: “We have precautionary measures issued by the Inter-American Commission on Human Rights due to homicides of our leaders, several governors have been killed, in several massacres, there have been several massacres in our community” (2022).

Finally, regarding collective strategies for the protection of human rights, Héctor Jaime explains that they have undertaken internal legislative initiatives to confront mining activities and protect their human rights against the State.

In this context, he details the following: “We have leveraged the Inter-American System and everything related to our rights within the framework of international law, such as the United Nations Declaration, to legislate internally” (2022).

Based on this, Héctor Jaime explains that they have issued two resolutions, which are as follows: the first one concerns the declaration of the territory as a zone of exclusion for medium and large-scale mining, and the second one relates to the declaration of their own law to interpret the right to Consultation and Consent (2022).

Ecuador

● Nathalia Bonilla

Acción Ecológica Organization



Photo credit: Yeimy Arauque Contreras

Action Ecológica is a non-governmental organization (NGO) based in Ecuador that operates nationally in defense of the rights of indigenous peoples, Afro-descendant communities, and peasants, as well as in defense of the rights of nature. Regarding human rights violations, Nathalia Bonilla, who is part of the NGO, provides a general framework of human rights violations and violations of nature's rights in Ecuador, stating that there is intensive extractivism in the country's three regions: the Amazon, Sierra, and Coast (2022).

As an illustration, Nathalia explains the forms of extractivism experienced in the Ecuadorian Amazon: extractivism due to the expansion of oil companies, especially in indigenous territories, an activity that began in 1970 with companies like Texaco and Shell, which left behind large amounts of environmental liabilities and socio-economic and cultural problems such as deforestation, the construction of a network of oil pipelines, the construction of pools for formation waters that have contaminated the entire territory, poverty, illness, death, and loss of food security.

Bonilla explains that the contaminating forms of extraction have not significantly changed from the seventies to the present day, and furthermore, that the oil activity developed in “territories without prior, free, and informed consultation, or with rigged consultations” (2022).

She also states that extractivism due to the expansion of the oil palm agribusiness has caused significant impacts stemming from deforestation. Regarding extractivism from large-scale mining, Bonilla asserts that there has been displacement and material and cultural destruction of entire populations; acts that are generally carried out with the support of Ecuadorian military forces (2022).

In this regard, she mentions an example and cites the case of displacement that occurred in the Tundayme parish due to Chinese mining companies currently operating in the province of Zamora. In this context, Nathalia explains the following: “These mining companies, to settle in their place, have destroyed entire towns with schools, churches, sports fields, houses, everything,

because the mining concessions granted by the State cover vast expanses.” She adds that, “within these concessions are included populations that have had their ancestral life, and when the mining company arrives, they are forced by police and military to leave so that the mining operation can be installed” (2022).

Nathalia highlights the link between mining fronts and illegal armed groups, whether guerrillas from Colombia or hired killer groups, which typically operate in collusion with the State. In this regard, she explains that “these mining fronts are very violent; the owners of these fronts are usually armed groups in some cases, as is the case in Esmeraldas; they are armed groups that come from Colombia” (2022).

She goes on to say that these are groups of hitmen, very complex and violent mafias, which the population has to face alone. This is so, Bonilla continues, because even though it is an illegal activity that should not be allowed and the State should monitor to prevent it, it has relinquished its duty of surveillance and control “which has allowed these places to

multiply” (Bonilla, 2022). She adds that the contamination caused by large-scale mining extractivism affects neighboring nations, “for example, it occurs in the Amazon regions that are on the border with Peru” (2022).

According to Bonilla, the problem of extractivism by transnational corporations of environmental services such as carbon, water, and oxygen, has been considered as “new forms of appropriation of territories,” critically threatening the scarce places where native forests still remain. She also adds that because of rights violations, dispossession occurs through the creation of “phantom organizations that manage to have the Ministry assign them land, land that is later sold to palm oil companies” (2022).

She also mentions the case of the palm oil company Energy & Palma in the Barranquilla de San Javier Community, province of Esmeraldas. Thus, Nathalia explains that the company sells the oil to Nestlé, which, along with Energy & Palma, has sent negotiators from the Earth Worm foundation; the communities considered that the negotiators from

the foundation tried to deceive the community and persuade them to abandon their territorial claim. She also states that the Australian mining company Hanrine criminalizes defenders of the Buenos Aires community, province of Imbabura (2022).

According to Bonilla, justice does not progress when it comes to complaints filed by communities and that large-scale, open-pit mining is a major problem in Azuay, which is in the southern part of the country, but it has been spreading to the northern sierra of Ecuador. Nathalia concludes by saying regarding this situation that the construction of hydroelectric plants causes the privatization of riverbeds, water basins, where peoples and communities lose control and access to water (2022).

She further details that this type of extractivism is known as the green market, which, in Bonilla’s words, not only does not mitigate climate change but also produces dispossession because “contracts have to be made and these are usually for 20 years or even more, 50 years, 100 years; these are contracts that

communities sign and, basically, what they are renouncing is their use and control of the forest” (2022). Likewise, Nathalia states that in these environmental services contracts, communities also commit to protecting the forest from any other potential invader (2022).

Regarding the Ecuadorian Sierra, Bonilla details the following forms of extractivism: first, there is that caused by large mining companies that have affected food security. Thus, she explains the following: “There are Canadian, Australian mines that have been installed in the territories of peasant populations, which used to live from livestock or agriculture and suddenly are invaded, dispossessed, and contaminated by these large mining companies” (2022). Secondly, Nathalia states that there is “extractivism due to agribusiness monocultures, ‘more or less like broccoli,’ which has caused severe soil erosion” (2022).

Regarding extractivism on the Ecuadorian coast, Nathalia emphasizes the case of the province of Esmeraldas, where deforestation, mining, and the palm oil industry are prevalent; activities that threaten

the existence of the Chocó Forest ecosystem. She explains that “the latest studies indicate that in the next 10 years, it is most likely that the Chocó Forest will disappear because the main threats to the Chocó Forest are: deforestation to extract fine woods; mining, this mining of the mining fronts, and also the palm oil industry” (2022).

Regarding human rights violations against communities, Nathalia asserts that justice does not progress when it comes to complaints filed by them. She also explains that large-scale open-pit mining is a major problem in Azuay, which is in the southern part of the country, and it has been spreading to the northern Sierra of Ecuador (2022).

Regarding collective strategies for the protection of human rights, she recounts, among others: the resistance of Amazonian peoples against oil companies to prevent them from contacting them to avoid participating in false prior, free, and informed consultations and constant monitoring to report pollution and demand reparations (2022).

She adds other forms of protection such as the development of strategic litigation, filing lawsuits and denouncing pollution and human rights violations caused by oil companies. Another resistance strategy, in Bonilla's words, is community organization against mining, thus defending their rivers and preventing mining from advancing. She also mentions peaceful actions like **plantalones* to denounce mining pollution and to prevent mining from advancing or entering their territories (Bonilla, 2022).

Nathalia adds that both communities affected by mining and oil have filed complaints internationally, specifically with the Inter-American Commission on Human Rights. She adds that there are also legal actions to defend themselves in court, "developing a communication strategy to garner the solidarity of Ecuadorian society and also international solidarity" (Bonilla, 2022).

She notes that the resistance strategies have led extractive

companies, and often the State, to deploy strategies of legal action against human rights defenders, accusing them of destruction of property, invasion of private property, sabotage, or terrorism (Bonilla, 2022).

In relation to collective protection strategies, Nathalia from Acción Ecológica mentions the training of human rights defenders to become expert judicial witnesses in nature rights. Regarding this, Bonilla explains that "it's a leap from the human, from the personal, but also, having the voice of an expert witness on a topic in the Courts of Justice is a gain for the country's justice system, it's a gain for the country's nature rights" (2022).

Nathalia adds that there are training sessions aimed at judges and justice operators on nature rights because "more and more our cases are resolved in the Courts, and it's very important for judges and justice operators to have knowledge of nature rights" (2022). Bonilla also explains the importance of

* It is a colloquial Ecuadorian term used to refer to social protests in which the demonstrators "plant themselves" in a specific space.

collaboration with communities that have networks of women defenders, such as the Saramanta Warmikuna Network.

Bonilla also explains that in 2022, “a process of amnesty was achieved; the National Assembly of Ecuador granted amnesty to about 250 nature defenders, and this is a historic, very important event because, on one hand, it recognizes that there is persecution against defenders, and on the other hand, it recognizes their innocence” (2022).

Regarding this, Nathalia concludes by saying that “in response to this, the current president of Ecuador filed a complaint against the amnesties to have them declared unconstitutional.” Finally, she adds that thanks to the support received from the ZTI, the Barranquilla de San Javier Community was able to address the criminalization against its leaders and begin a strategy to reclaim the territory from the hands of the Energy & Palma company (Bonilla, 2022).

Ecuador

● Néstor Caicedo

The Barranquilla de San Javier Commune



Photo credit: Yeimy Arauque Contreras

The Barranquilla Commune is an Afro-Ecuadorian community located in the San Javier parish, Esmeraldas province, San Lorenzo canton.

Néstor Caicedo, a community leader and president of the commune, explains that among the violations of human rights, there are extractive activities that have caused the loss of food security and cultural traditions, leading to significant socio-cultural problems such as crime, drug addiction, and prostitution (2022).

In this regard, Néstor states that companies carry out illegal purchases of territories, which are endorsed by

the State. He explains that while the State promptly grants property titles to these companies, the same does not happen with titles for the natives, which take years to be delivered (Caicedo, 2022).

He also adds that in many of these cases, double property titles are presented. In this context, Caicedo says that the companies have caused serious community divisions among the commoners who, on several occasions, accept bribes and become allies of the companies. He further adds that those who reject these gifts must live under threat (2022).

Regarding attacks against human rights defenders, the leader explains, “There have already been two attacks in neighboring communities, and we suspect it’s the company because those people are community leaders” (2022).

Néstor adds that there is criminalization against human rights defenders and land grabbing. He recounts that, as a result of a three-month protest by the community, the palm oil company Energy & Palma accused those involved of theft, and thus requested the Ecuadorian justice system to grant judicial measures against the community. He also states that disproportionate use of public force was employed, and subsequently, the community was evicted from its ancestral territory (2022). Regarding this, Néstor explains the case in more detail as follows:

“When we realized it, we already had the precautionary measures, and these indicated that we had to leave because supposedly that was the private property of the company. Indeed, we demonstrated to the judge that we were in our own territory, that these were ancestral territories and all the things we had done and why we had done them.

We staged this protest because the company had not paid attention to us for many years, but the judge didn’t see it that way and continued with his measures. They sent us 150 police officers because people from the company said we were terrorists and that we had weapons; the police arrived shooting because they were shooting from here and they were running, they didn’t care that we had children there” (Caicedo, 2022).

Caicedo continues, stating that the demands from the company in question were exorbitant for alleged damages caused to it, which reveals, the leader continues, a profound lack of protection from the ordinary justice system that affects human dignity. In this regard, he explains the following:

“We withdrew, but they were not satisfied with that; they filed a lawsuit for \$320,000. The judge ruled that the amount should be \$151,000. Finally, on appeal, the amount was reduced to \$5,000. We are still dealing with this problem; the hearing has passed, the judge is obliged to do his job, and he says, ‘Yes, you will pay, but not the amount sentenced in the first instance,

but a reasonable, friendly amount (\$5,000).’ I say, a friendly amount should be a dollar for us, but even if the judge sentences us to just a dollar, he is siding with the company, and that is the problem, and we are here, standing firm until the end.”

Néstor continues detailing a persecution, harassment, and violation of the right to work of human rights defenders as follows: “I believe that the company, in one way or another, is already trying to stop me; particularly, I cannot find work in the San Lorenzo Canton [...] Many things are being hindered for me, my family also cannot, those who are related to me, my son cannot work, recently my nephew was fired. Hitmen are quite advanced in San Lorenzo, nowadays they kill for pennies.”

Regarding collective strategies for human rights protection, Caicedo states that they have links with national and international organizations, which have allowed their community to receive assistance and raise awareness of the neglect they suffer due to a state that does not guarantee respect for life.

Néstor adds, regarding the 2019 demonstration, the following:

“We stood up to claim our problem, to tell them this is our territory and we need solutions, they are contaminating us, they killed the fish, we plant and it dies, we have only one production, the plants die immediately, because all the chemicals reach our trees, so that was one of the ways we made ourselves heard; that’s when the company started paying attention.”

Néstor also explains that his community, having only one entrance, has prevented hitmen from entering. He concludes by emphasizing the importance of international organizations aiding in the protection of nature defenders to prevent them from being murdered. In this regard, he concludes as follows:

“I hope that international organizations that always provide support see the need for direct protection of nature defenders because if they don’t protect us, many will be afraid, as is the case in my community; in my community, the vast majority are afraid of being directly killed by the company.”

Ecuador

● María José Andrade Cerda

**Kichwa de Sena
Community, Ecuadorian
Amazon**



Photo credit: Yeimy Arauque Contreras

The organization Land s Life develops a program to protect human rights defenders and young people in the Amazon, which includes the First Indigenous Women’s Guard of Napo. Regarding this Guard, the leader María José Andrade Cerda, expresses that human rights violations come from mining companies, legal or illegal, that violate rights, as well as from hydroelectric and oil companies. In this regard, she expresses that the Ecuadorian state is part of these violations since it granted the territory of her community to a mining company without conducting Prior, Free, and Informed

Consultation. In this sense, María José expresses that:

“At the beginning of 2020, we found out that we were part of a mining concession. The state has never given us anything, not even a road or a health post. The school there has only one teacher for more than 40 children. The large company that has the mining concession is a Canadian company.” (Andrade, 2022).

Andrade states that mining activity has caused divisions in the community. On one hand, there were women who rejected mining, and on the other hand, there were men who

were more inclined to approve it. She adds that there were persecutions and death threats against the female leaders of the communities that were against mining. In this regard, she recounts the following: “they told the main leaders that instead of having a carnival party, they should keep buying coffins because they started to persecute them.” (2022).

María José continues by stating that the state does not fulfill the protection measures for declared natural protected areas as follows: “we are threatened by a hydroelectric company, by an oil company, and by the mining company itself, so a single community can have so many impacts and the state doesn’t care, even though we border a natural area, a nature reserve that should be protected, but the state doesn’t care about any of that because it needs resources.” (Andrade, 2022).

Andrade adds that the State’s neglect facilitates people in communities selling themselves to companies and that “when the State fails to fulfill its obligations to provide basic services, good health, good education, when it doesn’t even provide a little funding for organizations, when we have

nothing to protect us, it’s easy for us to be attacked, for them to achieve this division, so it’s complicity of the State with the companies.”

The leader adds, regarding the emerging market of environmental services, that “in the future, we will not only have to fight at the territorial level but also with these large companies at a level of green capitalism in the market, in stocks, who offers more for our territories.” (Andrade, 2022).

María José, when referring to collective protection strategies, expresses the creation of the Indigenous Women’s Guard in response to the state’s neglect as well as the mining activity. In this regard, she explains that “it is a guard primarily formed by indigenous women from the community who, in view of the advance of mining in our province, decided to come together to confront this threat. We gathered first because previously the state didn’t even provide a road for the community” (Andrade, 2022).

So, María José clarifies that it was important to return to our own ancestral knowledge for the creation

of the Guard, the defense of our bodies, and the territory. In this regard, she states that “we were no longer making spears as we did before, and we had to start making them again to defend ourselves first, so it’s a process” (Andrade, 2022).

She also recounts that they had to remove leaders who were bribed by a mining company, and in doing so, they positioned women in power: “they divided our main leader, and likewise, we managed to remove him so that a woman who was against this mining company could take that position, and the same thing happened in several communities, women began to lead the communities as presidents” (Andrade, 2022).

In this line of thought, she continues to explain that it is essential to protect the territory with strength and courage. Thus, she expresses the following: “We are not afraid to protect our territory because we do much more; the fear of dying has sometimes disappeared from us because the only thing we are doing is taking care of the territory for our children; if our children are going to have the same territory that we were

able to enjoy, that is enough for us,” we say” (Andrade, 2022).

Continuing with another strategy of collective protection, Andrade expresses the creation of a community alarm to protect the female leaders, their families, and the territory. In this context, she states the following:

“With self-management, we managed to have at least one community alarm for these women leaders, but living in that uncertainty, threatened that they will not only kill them but also their families, their children, which women care for and protect the most, is disastrous [...] The mining itself has not yet reached my community, we have these constant threats, yes, but there is no territory where they are already cutting down the tree because we have formed a cord as indigenous guards to prevent these mining companies from entering, as I say, we have these community alarms and if we see that a stranger is trying to enter, we alert ourselves” (Andrade, 2022).

She also expresses the existence of an internal organization to prevent

the entry of mining companies. She says, “And how do you precisely make sure the company doesn’t win? It’s by organizing internally, strengthening your organizational structure, and starting to do more internal work to unite women more.”

María José adds that it is necessary to resort to the community component for the development of defense mechanisms and elements. She says, “Now men also support us, we didn’t make the spears well, now they help us make the spears, because that’s the communal way, that’s how indigenous communities and Afro-

descendant peoples are, we have this communal component.”

Andrade finishes by highlighting the importance of local work, not just on the international stage. She explains, “It’s okay to also speak in international frameworks that protect us as indigenous peoples, but we must also review and go to our territories, to our communities, strengthen ourselves among us because the more united we are, the harder it will be for companies and even the government itself to untie us and allow them to enter our territories” (2022).

Paraguay

● César Centurión

Federation for the Self-Determination of Indigenous Peoples (FAPI)



Photo credit: Yeimy Arauque Contreras

César Centurión, a member of the Federation for the Self-Determination of Indigenous Peoples (FAPI), explains that regarding human rights violations, the state disregards ancestral territory and issues resolutions that deny indigenous peoples' rights over their territories. Regarding the lands of his community, he states, "Within these 78,000 hectares that they call San Rafael Park, we call it 'Tekoha Guasu,' which is our ancestral Community or Territory; we have 28 communities, some with titles, some without, some are in process" (Centurión, 2022).

On the other hand, he mentions that the State and its entities fail to comply with protective resolutions. He states, "The authority does not respect, for example, we had a zero-deforestation resolution in the area, but that is not fulfilled." Additionally, he lists corruption within the police force as one of the factors, noting that the police often release illegal actors who invade ancestral indigenous territories. Centurión asserts that "In Paraguay, the law does not matter, only the money from the business facilitates the illegal timber trade within ancestral territories" (Centurión, 2022).

César adds and explains other human rights violations as follows: “attacks with firearms, illegal captures, and burning of homes and belongings, eviction of towns and communities due to hydroelectric projects, deforestation advancing in the territory, and bringing food security issues” (Centurión, 2022).

Regarding collective human rights protection strategies, he states that firstly, there are community monitoring efforts supporting communities within the Tekoha Guasu* area. Secondly, there are organizational processes with FAPI to reclaim ancestral areas like Tekoha Guasu. Thirdly, César emphasizes the importance of international network support to maintain hope and strength, enabling continued local-level advocacy. Additionally, he underscores the significance of preserving culture as a form of resistance. In this context, he explains, “we continue to strengthen

our culture, our language; through that, we are still in the fight. We always keep our culture, our own rituals, all of that in mind” (Centurión, 2022).

Another strategy mentioned is the development of a Life Plan, which serves as an organizer to set the direction for Federation members, administrative management of documentary aspects, aiming to validate the contents of the territory through territorial mappings that affirm ownership and cultural identity. Similarly, César explains that these territorial mappings serve “to demonstrate to the authorities that here we have such a community, here we have our cemetery, all these things, our belongings.” In conclusion, he emphasizes the importance of awareness and readiness for a constant struggle against a State that fails to fulfill its protection obligations (Centurión, 2022).

* Guaraní indigenous language that refers to a sacred place within their ancestral lands.

Peru

● Quinto Inuma Alvarado

Leader of Santa Rosillo de Yanayacu, base community of FEPIKECHA



Photo credit: Yeimy Arauque Contreras

Quinto Inuma, from the organization FEPIKECHA, explains that violations of human rights include the titling of collective territories and the dispossession of natural areas that should be protected, for example, the Cordillera Escalera Regional Conservation Area, and, in turn, the constant land invasions by illegal loggers, ranchers, and drug traffickers. Quinto further explains that the latter use the territory for coca cultivation and clandestine drug extraction airstrips. He also states that these extractive activities plunder primary forests

and contribute to global warming (Inuma, 2022).

On the other hand, Quinto mentions the death threats against most leaders in the San Martín region as follows: “You really can’t walk freely” [...] “We are recognized human rights defenders, but on paper, we have no assistance. As defenders, we live under threat, we run from one place to another, we have no place where we can be at peace” (Inuma, 2022).

Similarly, Quinto highlights the state’s abandonment and inattention

to the complaints filed by indigenous peoples seeking to protect their territories as follows: “The laws support the illegals more than the legals; we, as indigenous people, are true environmental protectors, but even so, we don’t have that value, we don’t have that result when we make our complaints, everything gets filed away” (Inuma, 2022).

Inuma details that, as forms of collective protection of human rights, the following are included: community control and surveillance mechanisms such as patrols and routine patrols, including nighttime patrols, raising awareness of the issue at the international level because at the national level, complaints are not heard. In this regard, he expresses the following: “I think at the international level we can make more

of a presence with our complaints and thus we will be able to, more and more each day, be strengthened, we seek a dignified life as many deserve” (Inuma, 2022).

Finally, Quinto also emphasizes the following: “I believe we deserve respect, as indigenous people, that our rights are not violated, and we are all equal, whether black or white, we have the same blood and that is something we must emphasize” [...] “Nowadays, in the city, they have everything, but what do we have, defending the Amazon, defending our forests? Only what we have are threats, torture, we have kidnapping, that is our payment” [...] “When they destroy our forests, there go our food, our life, there goes the water that we have ancestrally cared for” (Inuma, 2022).

Peru

● Rolando Escobar Chaves y Graciela Karina Reátegui Mori

Santa Clara de Uchunya
Community, Ucayali
Department



Photo credit: Yeimy Arauque Contreras

Rolando Escobar and Graciela Reátegui, in relation to human rights violations, state that indigenous peoples in Peru are in a critical state of abandonment by the state in matters related to health, education, and housing, as well as in levels of unemployment that have led to young people leaving their communities. In this regard, they express the following: “In summary; our peoples are still affected by colonialism, because we need to raise our voice and protest for our rights” (Escobar & Reátegui, 2022).

In this regard, they point out that state corruption permeates all

departments of Ucayali and that there is a cover-up of drug trafficking and the illicit cultivation of coca. For example, they cite the case of the Native Community Flor de Ucayali as follows: “In November 2019, the Environmental Prosecutor’s Office entered the community to verify the complaints made by the residents and the authorities of this community, confirming that there is indeed presence of illicit crops. However, surprisingly, when the prosecutor returns to his workplace, he opines and concludes that there was no deforestation or illicit cultivation, so this complaint has been archived” (Escobar & Reátegui, 2022).

Regarding the consequences of human rights violations, Rolando and Graciela explain, firstly, the main cause: state corruption, the control of territories by drug traffickers, and communities suffering intimidation and death threats. They go on to say that one of the most affected areas is the Santa Clara de Uchunya Community, which has experienced extensive deforestation due to oil palm cultivation. They detail that “there are 8000 hectares of deforestation.” Furthermore, they mention that in the Ucayali region, there are also extractive mining and agribusiness activities. They also state that the state does not carry out prior, free, and informed consultations with citizens (Escobar & Reátegui, 2022).

Regarding collective strategies for human rights protection, they recount that in 2021, the community,

in alliance with the Federation of Native Communities and the Legal Defense Institute, succeeded in having the Ministry of Justice and Human Rights issue a protection measure for the Flor de Ucayali community, marking the first triumph of FECONAU (Escobar & Reátegui, 2022).

However, Rolando and Graciela clarify that this protection measure has not yet been implemented because there is no implementation plan from the state entities. In this regard, they conclude by explaining the following: “We continue to insist that there be a plan and intervention in this community, at least to set up a police station, but all they can say is that they don’t have a budget, there are many ‘buts,’ but that’s it. Indigenous brothers and sisters continue to be threatened” (Escobar & Reátegui, 2022).

Peru

● Miguel Hary Guimaraes Vásquez

Interethnic Association for the Development of the Peruvian Rainforest (AIDSESP)



Photo credit: Yeimy Arauque Contreras

Miguel Guimaraes reveals, regarding human rights violations in the communities, that there is no legal security for indigenous communities in the country and that the titling of their territories takes decades while extractive companies obtain them easily (Guimaraes, 2022).

Regarding this, Guimaraes states that “the Santa Clara de Uchunya community has been requesting recognition of their ancestral territory for over 20 years, while this company hasn’t even been around for five years. What it has done is, in less than a month, achieved everything it has now, supposedly because the

State has already granted it a title that recognizes it as the owner” (2022).

Thus, he states that “more than 10 thousand hectares of primary forests have been deforested to plant oil palm and agribusiness.” Additionally, Miguel mentions that the Native Federation of the Madre de Dios River and Affluents (FENAMAD) suffers from the issue of illegal mining (Guimaraes, 2022).

Regarding the consequences of human rights violations, Miguel explains that these can be summarized in actions such as

intimidation, threats, and murders by drug trafficking. In this regard, he explains the following: “I had photos of dismembered people on my phone, saying that if I continue to make complaints, the same will happen to me.” Even the regional government of Ucayali denies the existence of Indigenous Peoples in Initial Contact and Voluntary Isolation (PIACI) “because they want to continue granting large forest concessions.” Additionally, he points out that climate cooperation resources do not reach the communities and are lost in government bureaucratic expenses (Guimaraes, 2022).

Regarding collective protection strategies, Miguel highlights the organizational structure of AIDSESEP in national advocacy programs, particularly in protecting the lives and integrity of Indigenous human rights defenders. Among the nine regional organizations, there are four defender programs: FENAMAD; Loreto, where the government denies the existence of PIACI; Ucayali, and ORAU. There is also an Indigenous communication program, and international alliances are formed to address state abandonment. Regarding these alliances, Miguel

says, “thanks to the alliances we have, I can still be here and share the experiences we each live in our regions” (Guimaraes, 2022).

Similarly, Guimaraes adds that the Center for Information and Territorial Planning of AIDSESEP (CIPTA) allows monitoring the situation of Indigenous territories at the national level and strengthening their lines of action. He further explains that through CIPTA, they have created an early warning system that includes protection for human rights defenders, health alerts, forest fires, wildlife trafficking, deforestation, pollution, invasion, as well as murders of environmental defenders. Miguel notes that through this technological system, cases are monitored, and advocacy is conducted with various state institutions, and the use of drones for monitoring and feeding the CIPTA platform is being developed (2022).

Similarly, Miguel mentions that the creation of economic initiatives in communities to ensure food security and the valorization of indigenous knowledge can be highlighted. In this

regard, he states the following: “We are developing organic agriculture despite these challenges, and it has been demonstrated during the pandemic that traditional knowledge in the field of ancestral medicines has helped us a lot in solving problems” (Guimaraes, 2022).

He also explains that land titling is carried out with resources directly managed by AIDSESP. In this regard, Miguel elaborates the following: “At least 200 communities have been titled with small funds that AIDSESP has had the opportunity to manage directly, compared to the state, which has \$80 million for titling but has only titled 7 to 10 communities. I believe that sometimes it’s not about the resources, but the political will established by governments. If there

is no political will, regardless of the government’s resources, it will not prioritize it” (Guimaraes, 2022).

Miguel concludes by stating the following:

“We see our territories, our forests, in an integral way because we have a spiritual relationship with them. It’s not just a forest to be logged or deforested for economic resources; we have a spiritual coexistence, respecting each other in a comprehensive way because ultimately, we continue to live from these spaces, transmitting our knowledge from generation to generation. We also want to ensure our territories so that future generations have the same opportunities we are having” (Guimaraes, 2022).

Conclusion

On the one hand, states, through their respective governments, not only fail to fulfill their role as guarantors of human rights but also violate rights, either through action or omission. However, it is important to note that regarding Colombia, all human rights defenders agree that the country is going through a hopeful moment, considering the change of government represented by President Gustavo Petro, who seeks to build total peace through binding dialogues involving all armed groups, communities, and other social actors.

On the other hand, among the main business-related impacts caused by various agro-industrial, livestock, and extractive activities, deforestation, water pollution, and loss of food sovereignty stand out, along with numerous socio-cultural, environmental, and economic repercussions.

The law enforcement agencies, such as the Police and the Armed Forces, play a significant role in violating human rights and the rights of nature. There

are also armed groups outside the law such as guerrillas, paramilitaries, and hired assassins, as well as oil companies, energy transition companies, drug traffickers, palm oil companies, large-scale legal and illegal mining companies, industrial monoculture companies such as sugar cane, soy, wheat, and corn, industrial parks, loggers and timber traffickers, land traffickers, livestock companies, hydroelectric companies, and “ghost” organizations.

The criminalization of human rights defenders often reveals itself as a strategy operated jointly by the State and companies to limit collective rights protection and achieve land dispossession.

Community leaders and activists who recount their experiences and collective protection strategies express a general concern because it becomes evident that much of Latin America is following the same path as countries like Colombia and Brazil, with high levels of violence and assassinations of human rights defenders.

While it's crucial for communities and organizations to continue protecting themselves jointly, organized, and synergistically against threats and human rights violations they face in their territories from external agents, it's also paramount for states not only to commit but to act in protecting them. Furthermore, it's urgent for these states to control and sanction companies and global supply chains that violate rights.

It's equally important that territorial defense from grassroots continues to receive support and international cooperation. International networks help to raise awareness of and denounce issues that are not heard or addressed at the national level, while local work enables solid organization and internal cohesion that strengthens territorial protection. Therefore, to achieve genuine influence and protection for human rights defenders, it's necessary for the international and local community axes to function cohesively and simultaneously.

Human rights defenders agree on the existence of violence that is structurally perpetrated throughout

the region. Therefore, strategies to address these conflicts must similarly be built and implemented regionally.

From the regional and universal systems of human rights protection, it's important not only to highlight the individual role of human rights and environmental defenders but also to emphasize the collective efforts of defending communities. This gives strength to the worldview and collective protection of human rights by indigenous peoples, Afro-descendant communities, peasants, and rural organizations.

While international human rights law has developed a significant range of legislation, observations, and jurisprudence regarding the protection of human rights defenders, there still exists a profound gap between these standards and mandates and what happens on the ground. However, community struggles demonstrate an unwavering commitment to continue defending their lands and natural resources, which benefits all humanity witnessing the impacts of climate change and global warming.

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