

# MANUAL FOR THE DEFENSE OF INDIGENOUS HUMAN RIGHTS DEFENDERS



COORDINADORA DE LAS ORGANIZACIONES  
INDÍGENAS DE LA CUENCA AMAZÓNICA

Within:



PROGRAMA DE

Defensores y  
Defensoras  
INDÍGENAS





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PROGRAMA DE

**Defensores y  
Defensoras**  
INDÍGENAS



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## ACRONYMS AND ABBREVIATIONS

<b>ACHR</b>	American Convention on Human Rights
<b>AIDSESP</b>	Inter-ethnic Association of the Peruvian Forest Development ( <i>Asociación Interétnica de Desarrollo de la Selva Peruana</i> )
<b>APA</b>	Amerindian Peoples Association (Guyana)
<b>BNDES</b>	National Bank for Economic and Social Development ( <i>Banco Nacional de Desenvolvimento Econômico e Social</i> )
<b>CDC</b>	COICA's Board of Directors ( <i>Consejo Directivo de la COICA</i> )
<b>CESCR</b>	Committee on Economic, Social and Cultural Rights (United Nations)
<b>CIDOB</b>	Confederation of Indigenous Peoples of Bolivia ( <i>Confederación de Pueblos Indígenas de Bolivia</i> )
<b>Coiab</b>	Coordinator of the Indigenous Organizations of the Brazilian Amazon ( <i>Coordenação das Organizações Indígenas da Amazônia Brasileira</i> )
<b>COICA</b>	Coordinator of Indigenous Organizations of the Amazon Basin ( <i>Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica</i> )
<b>CONFENIAE</b>	Confederation of the Nationalities of the Ecuadorian Amazon ( <i>Confederación de las Nacionalidades de la Amazonía Ecuatoriana</i> )
<b>DAR</b>	Law, Environment and Natural Resources ( <i>Derecho, Ambiente y Recursos Naturales</i> )
<b>ECLAC</b>	Economic Commission for Latin America and the Caribbean
<b>ESCR</b>	Economic, Social, Cultural, and Environmental Rights
<b>FOAG</b>	Federation of Indigenous Organizations of French Guyana ( <i>Fédération Organisations Autochtones Guyane</i> )
<b>I/A Court HR</b>	Inter-American Court of Human Rights
<b>IACHR</b>	Inter-American Commission on Human Rights
<b>IDB</b>	Inter-American Development Bank
<b>IFI</b>	International Financial Institutions
<b>ILO</b>	International Labour Organization
<b>MOF</b>	Organization and Functions Manual ( <i>Manual de Organización y Funciones</i> )
<b>OAS</b>	Organization of American States
<b>OHCHR</b>	Office of the High Commissioner for Human Rights (United Nations)
<b>OIS</b>	Organisation of Indigenous People in Suriname ( <i>Organisatie Van Inheemsen in Suriname</i> )
<b>Opiac</b>	National Organization of the Indigenous Peoples of the Colombian Amazon ( <i>Organización Nacional de los Pueblos Indígenas de la Amazonía Colombiana</i> )
<b>Orpia</b>	Regional Organization of Indigenous Peoples of the Amazon ( <i>Organización Regional de Pueblos Indígenas del Amazonas</i> )
<b>PDDD</b>	Program for the Defense of Indigenous Defenders ( <i>Programa de Defensa de Defensores y Defensoras Indígenas de la COICA</i> )
<b>SAT COICA</b>	Early Warning System of COICA ( <i>Sistema de Alerta Temprana de la COICA</i> )
<b>UNHCHR</b>	United Nations High Commissioner for Human Rights
<b>UNHRC</b>	United Nations Human Rights Committee
<b>WB</b>	World Bank

# PRESENTATION

The Coordinator of Indigenous Organizations of the Amazon Basin (COICA) is an indigenous organization of international convergence, which brings together national organizations from the 9 Amazonian countries. COICA directs its efforts to the promotion, protection and security of indigenous peoples and territories by defending their ways of life, principles and social, spiritual and cultural values. Part of COICA's mission is to carry out concrete actions to make the fight for territorial and human rights visible, and to protect the lives of Amazonian indigenous defenders.

In June 2018, the General Congress of COICA was held in Macapá-Brazil, where the consolidation of a Program for the Defense of Indigenous Defenders was formally proposed, from COICA itself, with the support of Law, Environment and Natural Resources (DAR). The initial or first-stage strategy was focused on the identification and characterization of human rights defenders, as well as presenting and disseminating cases in regional spaces. This allowed to go beyond the Board of Directors and coordinate with those who were directly affected, or with those who worked on the issue continuously. In this way, leaders from Colombia, Ecuador, Peru, Venezuela and Bolivia promoted, in different spaces, the need for a program within COICA that organizes and has the capacity to effectively address the problem of human rights defenders. With this, it was possible to identify the following strategic priorities for the 2018-2022 period:

- ▣ Institutional, organizational and administrative strengthening
- ▣ Strengthening of influence and international relationships
- ▣ Strengthening of communication and languages
- ▣ Strengthening of Amazonian indigenous women and youth
- ▣ Titling, clearance, demarcation and governance of indigenous territories
- ▣ Monitoring of PSA/REDD+/RIA processes and indigenous participation, MRV-i, indigenous climate alert and indigenous climate monitoring
- ▣ Human Rights and Defense of Territory Defenders -> **Program for the Defense of Indigenous Defenders**

- ▣ Indigenous peoples in voluntary isolation
- ▣ Strengthening of the intercultural health of the Amazonian indigenous peoples
- ▣ Intercultural bilingual education (IBE), scientific academic education, ancestral knowledge and wisdom
- ▣ Amazonian indigenous economy
- ▣ Fund for the Amazon and Indigenous Platform for Full Life

In this sense, COICA and its organizations, members of the nine countries of the Amazon basin, committed to promoting instruments and mechanisms for the defense of indigenous defenders: Coordinator of the Indigenous Organizations of the Brazilian Amazon (Coiab), National Organization of the Indigenous Peoples of the Colombian Amazon (Opiac), Confederation of Indigenous Nationalities of the Ecuadorian Amazon (CONFENIAE), Regional Organization of Indigenous Peoples of Amazonas [Venezuela] (Orpia), Inter-ethnic Association of the Peruvian Forest Development (AIDSESEP), Confederation of Indigenous Peoples of the Bolivian East (CIDOB), Federation of Indigenous Organizations of French Guyana (FOAG), Amerindian Peoples Association in Guyana (APA) and Indigenous Organization of Suriname (OIS).

The program has been enriched with the different processes and spaces for territorial exchanges. It has been marked and has become in some elements to take into account, facing the construction of a roadmap for the defense of indigenous human rights defenders, including those of territory. The first element is the commitment to promote the construction of political and technical agreements that guarantee the institutional sustainability of initiatives such as the **Program for the Defense of Indigenous Defenders** (PDDD). The second element is the consolidation of effective strategies for the protection of indigenous defenders, together with partner organizations.

Currently, the PDDD is made up of a Committee and Technical Team of the PDDD in COICA, as well as focal points, political and technical, from the national grassroots. The *Manual for the defense of indigenous human rights defenders* has been prepared and reviewed in different meetings with the focal points of AIDSESEP, CIDOB, Coiab, CONFENIAE, Opiac and COICA, and contains the guidelines, roles, actions and mechanisms to implement an effective defense from the different organizational levels of the COICA.





# 1. GUIDE FOR FOCUS POINTS OF THE PROGRAM FOR THE DEFENSE OF INDIGENOUS DEFENDERS

## 1.1. Objectives

### a. Overall objective:

The purpose of this guide is to establish actions, procedures, measures and instruments that promote an adequate context for indigenous defenders in the Amazon basin, from the perspective of indigenous peoples and with a gender perspective.

### b. Specific objectives:

1. To provide a conceptual framework on the COICA Program for the Defense of Indigenous Defenders to provide instruments and tools for the documentation of cases of rights violations.
2. To provide guidelines for action and procedures in case of emergency cases against indigenous defenders.
3. To promote the recognition of indigenous defenders, on a preventive basis.

## 1.2. International grassroots

- ▣ United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

- ▣ Convention 169 of the International Labour Organization on indigenous and tribal peoples.
- ▣ Universal Declaration of Human Rights.
- ▣ United Nations Declaration on the Rights of Indigenous Peoples.
- ▣ American Declaration on the Rights of Indigenous Peoples.
- ▣ International Covenant on Economic, Social and Cultural Rights.
- ▣ International Covenant on Civil and Political Rights.
- ▣ American Convention on Human Rights (Pact of San José, Costa Rica).
- ▣ Convention for the elimination of all forms of discrimination against women.
- ▣ Additional Protocol to the «American Convention on Human Rights in the Area of Economic, Social and Cultural Rights», Protocol of San Salvador.
- ▣ United Nations Resolution on women defenders of 2013, «Promotion of the *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: Protection of female human rights defenders and women's rights defenders*».
- ▣ United Nations Guiding Principles on Business and Human Rights.
- ▣ Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters (Escazú Agreement).



## 1.3. About the Program for the Defense of Indigenous Defenders

The objective of the program is to develop mechanisms for the timely and effective care of Amazonian indigenous defenders who are under situations of threat, violence, criminalization and persecution, in a scenario of violation of their rights and their territories. In addition, in the short and medium term, it seeks to provide legal advice and generate information with the aim to promote communication campaigns and political influence at the national and international level.

A program that identifies the exercise of violence and attends in a timely manner to the defense of indigenous human rights defenders. Violence due to a scenario of violation of rights, criminalization and persecution that they face.

This program generates proposals for immediate action, public policy reform, communication campaigns and legal advice.

### a. Specific objectives of the program:

- ▣ Periodically managing information on the cases and the situation faced by defenders in the Amazon basin. Those responsible at the local and regional levels generate reports that help to characterize the new threats.
- ▣ To protect the integrity of indigenous defenders and to promote their legal defense to guarantee their rights in the existing justice systems. Through advice and/or legal assistance from allies, at the national and international levels, in the face of violations of the rights of defenders, even in the context of the COVID-19 pandemic, other threats and pre-existing pressures in indigenous territories.
- ▣ To strengthen COICA and its grassroots organizations to position themselves as a source of necessary consultation information when dealing with these issues. Likewise, to present strategic cases and effectively influence national and international spaces with the aim to guarantee the exercise of economic, social, cultural and environmental rights (ESCER) of the indigenous peoples of the Amazon basin.

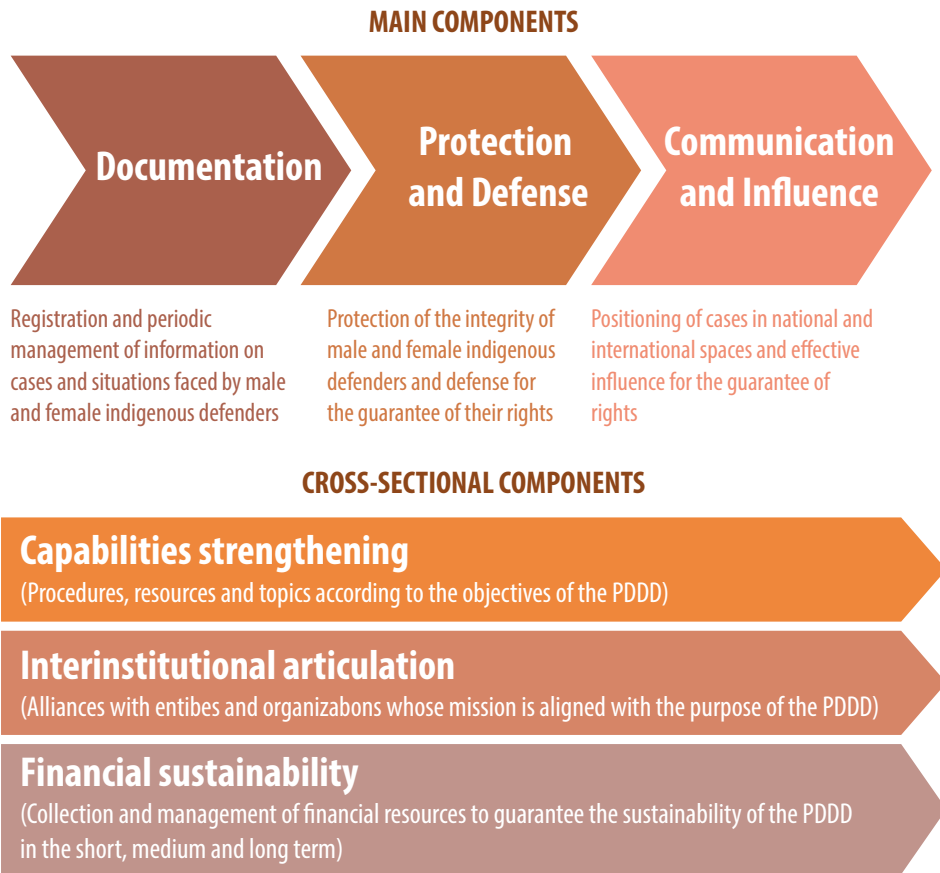
In addition, the PDDD seeks to:

- ▣ Consolidate a mechanism for the prevention and protection of the rights of indigenous Amazonian defenders, grouped, mainly, at the grassroots of COICA. Its main pillar is the collective rights of indigenous peoples.
- ▣ Attend emerging cases, with a preventive approach; to develop early warning tools to anticipate acts of violence, and to strengthen indigenous justice. For this, the development of protocols is required.
- ▣ Respond to the alerts generated, as a national and international events, in instances such as the Inter-American Human Rights System and the United Nations System, in addition to declarations, and to consolidate communication networks with allies at the national, regional and international levels, to influence national justice systems. To use the media and position COICA as a source of necessary information for consultation when dealing with these issues.
- ▣ Have legal support and strengthen capacities to file strategic claims and litigation. Seeking justice in cases of violation of the rights of indigenous defenders.
- ▣ Have a fund to deal with emergency cases, to mobilize threatened leaders and to participate in key instances for the different cases. This fund and the program as such have a Committee that manages resources and actions.
- ▣ Consolidate a database with documentation from the different countries, which is periodically updated on cases and the situation faced by defenders in the Amazon basin. Tools such as the SAT COICA platform (Early Warning System of COICA) can be used.

## **b. Components of the PDDD:**

To achieve its objectives, the PDDD considers three (3) main action components and three (3) cross-sectional and/or support components. These are presented below:

Figure No. 1. Components of the PDDD



Elaborated by: Valeria Urbina.

**Action components:**

- a. **Documentation (file):** Registration and periodic management of information of cases and situations faced by defenders in the Amazon basin.

**Actions:** To identify, register, systematize and follow up cases of threat and/or aggression against indigenous defenders, based on criteria established for the classification of the processed information (type of threat and/or aggression, level of risk, institutional background, measures requested to the program, etc.).

In addition to the registered cases, the file includes support material, such as laws and/or public policy information regarding extractive activities and infrastructure in indigenous territories (judicial rulings on the defense of defenders and indigenous territories; international treaties on collective rights and indigenous peoples, among others relevant).

- b. **Protection and defense:** Protection of the integrity of indigenous defenders and defense for the guarantee of their rights in the existing justice systems. Within the framework of this component, the following actions are considered:

◇ **Reception/Shelter**

**Actions:** To provide mobility facilities and welcome indigenous defenders who are in a situation of displacement from their territory. Depending on the situation of each case, such support may include the transfer to other territories, travel expenses for the subsidy of living costs, the search for psychosocial care, among other actions that allow covering the basic needs of the defenders, as well as to ensure their personal well-being.

◇ **Legal Advice/Litigation**

**Actions:** To provide legal advice, support and legal sponsorship to defenders who seek justice due to the violation of their rights and/or who have been criminally accused due to their defense work.

In order to do this, a “directory of attorneys” will be formulated, made up of lawyers identified by country and specialty so they can be contacted as needed. These attorneys will accompany the cases that are handled by the PDDD.

- c. **Communication and influence:** Positioning at the national and international level to be recognized as a source of information for consultation with credibility in the media, as well as to effectively influence public policy reforms that guarantee the exercise of ESCR by the indigenous peoples of the Amazon basin.

### ◆ Communication

**Actions:** To generate and disseminate, in an articulated manner, strategic information on the matter (notices, press releases, public statements); to establish and maintain public relationships with the media; to train spokespersons who communicate and report effectively in key spaces.

### ◆ Influence

**Actions:** Within the framework of the alerts generated, information produced and attention to cases, to promote the development and fulfillment of concrete measures by key national and international actors that guarantee the integrity and exercise of rights for defenders; to create and/or consolidate networks of allies at the national, regional and international level to influence effectively.

It should be mentioned that information of a sensitive nature will be managed cautiously so as not to aggravate the situation of indigenous defenders or affect their rights.

Likewise, influence actions can be carried out in national (ministries, parliaments, judiciary and justice entities, etc.) and international (Inter-American Human Rights System, United Nations System, among others) systems.

### **Cross-sectional components:**

- a. **Capacity building:** Training for PDDD managers and members (committee members, technical team and focal points) for the development and strengthening of capacities leading to the fulfillment of the program objectives.

**Actions:** According to the identified needs, to train and strengthen capacities around the procedures and resources of the program, as well as the different themes that it addresses. In relation to the latter, the training spaces may be about legal advice, design and application of communication strategies, spokesperson position, pertinent national and international regulations, influence strategies, among other pertinent topics. These these trainings spaces will be delivered by experts from the public, private, academic, civil society sectors, etc.

- b. **Articulation:** Establishment of alliances with entities and organizations of the public sector, civil society and international cooperation whose mission and institutional strategies are aligned with the objectives of the PDDD.

**Actions:** To map, register and keep updated a directory of organizations/potential partner organizations; to promote the signing of inter-institutional agreements and comply with established agreements; to articulate and cooperate in training actions, capacity building, influence, fundraising, among others pertinent to the fulfillment of the objectives of the Program.

- c. **Financing:** Collection and management of financial resources to guarantee the sustainability of the PDDD in the short, medium and long term.

**Actions:** To capture and manage financial resources for the fulfillment of objectives and the sustainability of the program; to develop a financial strategy to meet the needs of human resources and base institutional operations; to manage an 'emergency fund' that allows paying immediate expenses to guarantee the integrity of indigenous defenders.

### c. Indigenous defenders

Indigenous peoples have a special bond with their territories, based on a multidimensional (that articulates economic, political, social, spiritual relationships and meanings), ancestral (sustained in traditional and historical use and significance) and autonomous (projected to self-determination and, with it, to strengthen control of the multidimensional conditions and effects of the territory) relationship. In the current context, with threats to their territories, indigenous peoples resist to defend their territories and their bond.

On the other hand, environmental and land rights are interrelated<sup>1</sup>. Consequently, indigenous defenders are those individuals, associations,

1 Michael Forst, the UN special rapporteur on the situation of human rights defenders, notes that «land and environmental rights are interrelated and are often inseparable. Therefore, the two broad categories of defenders of environmental rights and defenders of land rights are usually defined under the terms “defenders of environmental and land rights”, “defenders of environmental rights” [...]».



communities, peoples or indigenous nationalities that are in permanent resistance and struggle for the guarantee of their human rights, and for the protection and defense of the territory and the environment.

### *Program perspectives*

Due to the particularity of the indigenous defenders of the Amazon, the PDDD proposes that every instrument, tool, plan or action for their defense must consider the following perspectives:

#### ▣ Differential perspective:

- ◆ **Collective approach.** It does not focus only on individuals, but also highlights the collective character of indigenous peoples. It recognizes indigenous organizations, nations, peoples and communities as defenders of human rights, such as the right to territory.
- ◆ **Preventive approach.** It raises the need for early warning mechanisms by strengthening surveillance mechanisms.

#### ▣ Gender perspective:

- ◆ Amazonian indigenous women are at the forefront of the fight to defend their territories and the environment. This exposes them to confrontation with companies and other agents of violence. The program recognizes, in this sense, the existence of a differentiated violation to women. In addition, it considers intragroup differences: the analysis of the roles and conditions of men and women, therefore it raises the need for differentiated mechanisms for the treatment of each case.



## **d. Violence against indigenous defenders**

Violence against indigenous rights defenders can occur under different patterns. For information management, especially for the definition of defense strategies for them, it is necessary to have indicators that allow identifying the types of threat and/or attack. In Amazonian indigenous contexts, there are two types of repercussions: threatening the integrity and life of the person, or against the territory:

### **1. Risks and violations to life and integrity**

- i. Threats
  1. Bullying and harassment (including cyberbullying)
  2. Intimidation
  3. Insinuations or threats of rape
  4. Threats against life or personal or group integrity
- ii. Criminalization (judicial harassment)
- iii. Destruction of property/livelihoods
- iv. Defamation
- v. Arbitrary arrests
- vi. Physical and psychological violence, Individual or in group
- vii. Gender violence: physical, psychological, sexual and economic violence
- viii. Acts of torture or other cruel and inhuman treatment
- ix. Kidnapping
- x. Murders

### **2. Impacts on the territory and related rights**

- i. To the territory or environmental damage (due to contamination/spills).
- ii. To the individual due to contamination, which affects their right to health.
- iii. To the people, nationality, community or other figure of organizational autonomy due to food insecurity, culture and exercise of cultural practices. As well as violations of the rights of consultation, consent and participation.
- iv. To the people, nationality, community or other figure of organizational autonomy (attempted division of the community/

attempted purchase of community members/delegitimization of leaders, among others).

### e. Organization and roles

To guarantee the operation and sustainability of the program, it will be institutionally anchored and recognized in the organizational structure of COICA. In addition, it will be fed by grassroots (national) focal points to give it dynamism and timely intervention throughout the Amazon basin. A proposal for the organization of those responsible is the following:

- ▣ COICA has a **PDDD Committee**, made up of three political actors (leaders of the Board of Directors of COICA - CDC).
- ▣ In a complementary manner, this Committee is supported by a technical advisor from COICA and two partner organizations.
- ▣ Likewise, the program includes a **Technical Team at a regional level** made up of: a technical coordinator linked to the team that works in the Quito office, and three responsible actors for the main components of action (documentation, protection and legal defense and communication and influence).
- ▣ **Each national COICA grassroots** ideally has a National Team made up of **four Focal Points**: a political focal point and three technical focal points. It should be noted, however, that each grassroots will ultimately decide the number of professionals on each team, based on the need and existing resources.



The Regional Technical Team meets once a month, in Quito, to prepare an executive summary and update the influence actions to follow. In addition, this exercise provides information on the status of prosecution processes.

Figure No. 2. Proposal to organize the Program for the Defense of Indigenous Defenders



Elaborated by: Valeria Urbina.

## f. Role of the PDDD Committee (politically responsible)

- ☐ To approve, monitor and assess the Organization and Functions Manual (MOF) and the PDDD Annual Work Plan.
- ☐ To approve and monitor mechanisms and protocols of action, as well as to resolve doubts about their application<sup>2</sup>. These protocols or internal guides could detail the following: criteria for processing requests for support or emergency situations; actions to be followed in cases of threat and/or aggression that endanger the life of the defender, among others.
- ☐ To validate the categorization of risk and urgency of the cases, in order to establish immediate and short, medium and long-term actions, as appropriate. Also, to define the strategic cases to have greater visibility in the actions of the PDDD<sup>3</sup>.

2 "Protocols" are understood as procedures and internal guides for the operation of the PDDD.

3 This point takes into account the categorization criteria in section 1.4. (Development of strategies for the defense of indigenous defenders) of this manual.

- ☐ To monitor and assess the implementation of early warning mechanisms as a preventive measure against acts of violence.
- ☐ To represent the program before donors and partner organizations of the public sector, civil society and international cooperation. To suggest the signing of inter-institutional agreements to the General Coordinator of COICA.
- ☐ Representing the program before international bodies (such as the United Nations Permanent Forum on Indigenous Issues or the Mechanism of Experts on the Rights of Indigenous Peoples). Within this framework, to influence to guarantee the integrity and exercise of rights of defenders, as well as to request missions in indigenous territories with threats to defenders.
- ☐ To follow up on the commitments assumed by international entities regarding the rights of defenders. Report its compliance/non-compliance.
- ☐ Within the framework of the PDDD's work, to approve the annual regional alternative report on the situation of indigenous defenders in the Amazon basin.
- ☐ To coordinate and participate, from a political role, with all the grassroots of COICA and in all actions and activities related to the PDDD.
- ☐ In the case of partner organizations of the PDDD Committee, to provide advice and technical support to the decisions made by the same.

### **g. Role of the Technical Team (technical manager)**

In close coordination with the teams of the national grassroots of COICA, the members of the Technical Team will assume the following roles:

#### ***Technical coordinator***

- ☐ To prepare, implement and update, as necessary, the MOF and the PDDD Annual Work Plan.
- ☐ To develop and implement action protocols and early warning mechanisms.

- ☐ According to the needs of the PDDD and its Annual Work Plan, to implement actions to strengthen capacities, both for members of the program and indigenous defenders.
- ☐ To map, register and update the directory of allied institutions and organizations.
- ☐ To safeguard the inter-institutional agreements signed and monitor compliance with agreements.
- ☐ To carry out fundraising actions and manage the financial resources of the PDDD. To organize and manage ordinary resources and an “emergency fund” that allows to guarantee the integrity of defenders immediately.
- ☐ In coordination with the Technical Team, to prepare an annual regional alternative report about the situation of indigenous defenders in the Amazon basin. The report could include proposals for the adaptation of standards and policies, or recommendations for States, companies and international financial institutions (IFI).
- ☐ To coordinate, on a permanent basis, with the focal points of the nine COICA grassroots in order to carry out actions related to the PDDD.

### ***Responsible for documentation***

- ☐ To compile, categorize, systematize, report, update and monitor cases of threats and/or aggression against indigenous defenders (complaints and incidents)<sup>4</sup>.
- ☐ To prepare and periodically update a database with information on cases faced by defenders in the different countries of the Amazon basin.
- ☐ To prepare, update and safeguard the PDDD file, which contains information on regulations and public policies of interest to the program, as well as the inter-institutional agreements signed.
- ☐ To follow up on the actions carried out in each case by the PDDD or other national and international entities.

.....  
4 The risk categorization and urgency of cases will be carried out in order to establish immediate and short, medium and long term actions, as appropriate.

- ☐ In coordination with the Technical Team and according to the risk and urgency categorization, to prepare immediate and/or quarterly reports that present information on the situation of cases with a quantitative and qualitative approach. This report will represent a source of information to be used by the Program Committee at a political and strategic level.

### ***Responsible for protection and legal defense***

- ☐ To prepare guidelines, protocols and tools to protect and assist indigenous defenders who are in a situation of displacement from their territory or whose lives are at risk.
- ☐ Within the framework of the above, to advise, coordinate and report reception and/or refugee actions.
- ☐ To map, register and keep updated the directory of attorneys, which will contain information regarding their nationality and specialty for a timely intervention.
- ☐ To follow up on representation and legal advice services to be performed by lawyers in the cases stipulated by the PDDD Committee. To report activities and progress achieved by them.

### ***Responsible for communication and influence***

- ☐ In coordination with the grassroots, to prepare, implement and monitor a joint communication plan in order to provide strategic information to key communication media. This communication plan will include materials such as newsletters, press releases, statements, among others.
- ☐ To maintain a registry of key media at the level of the countries of the Amazon basin.
- ☐ To carry out communication actions in PDDD and COICA networks.
- ☐ In coordination with the Technical Team, to develop, implement and monitor an influence plan for the presentation of strategic cases of violation of rights in international bodies and spaces such as IACHR, UN, ECLAC, etc. among other actions.

## h. Role of National Teams (national grassroots of COICA)

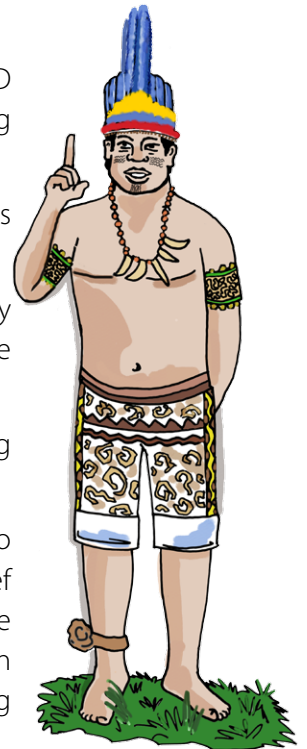
In close coordination with the Technical Team and all the national grassroots of COICA, the focal points have the following role:

### *Political Focal Point*

- ☐ To represent the PDDD politically at the national level and to develop influence and spokesperson actions regarding emblematic cases (representation).
- ☐ To articulate and issue declarations, pronouncements and/or political statements related to cases of violation of the rights of indigenous defenders.
- ☐ To establish national alliances with State actors, civil society and international cooperation to implement joint strategies for the protection and defense of indigenous defenders.
- ☐ To coordinate permanently with representatives of the territorial grassroots for the fulfillment of the objectives of the PDDD.

### *Technical Focal Points*

- ☐ To implement, as necessary, the MOF and the PDDD Annual Work Plan, according to the corresponding national scope.
- ☐ To activate and execute the protocols and tools approved by the PDDD Committee.
- ☐ To promote and implement training and capacity building activities on issues relevant to the program.
- ☐ To support in the identification and/or channeling of financing.
- ☐ In coordination with the political focal point, to prepare and periodically submit (monthly)<sup>5</sup> a brief report that contains the following: analysis of the statistics collected through the case registration mechanism; case care status; monitoring



5 To define periodicity.



compliance with agreements by national entities; recommendations for regulatory adaptation and/or reform of public policies that guarantee the protection of indigenous defenders (if applicable).

**a) Focal point - Documentation:**

- ◇ To compile, systematize, manage and monitor the registry of cases (complaints and incidents) of indigenous defenders at the national level.
- ◇ To manage and provide information to feed the program file, managed by the PDDD Technical Team.

**b) Focal point - Protection and legal defense:**

- ◇ If necessary and in coordination with the political focal point, to activate early warning mechanisms for the timely action of the corresponding entities in the face of threats or attacks on indigenous defenders<sup>6</sup>. If applicable, to coordinate with the PDDD Technical Team for the positioning of strategic cases in the international context<sup>7</sup>.
- ◇ To promote and implement protection and legal defense actions: to coordinate and execute activities with allies in matters of protection, legal representation and legal advice.
- ◇ To accompany and permanently monitor the defenders who are supported by the program.

**c) Focal point - Communication and influence:**

- ◇ To develop and implement communication and influence strategies at the national level, differentiated according to the sensitivity of the case and in coordination with partner organizations.
- ◇ To carry out follow-up/surveillance of legislation, public policies, as well as the commitments assumed by national entities regarding the rights of defenders. To report compliance/non-compliance with them.

6 If this is the case, to activate the system at the international level by coordinating with the Committee of the Program for the Defense of Defenders of COICA.

7 Based on the directory of partner organizations and the existing directory of attorneys.

**Table No. 1. Systematization of Roles of the PDDD national team**

	Roles
Political focal point	<ul style="list-style-type: none"> <li>◆ Political representation of the PDDD at the national level.</li> <li>◆ To coordinate for the issuance of declarations, pronouncements and/or political statements.</li> <li>◆ To generate spokesperson actions regarding cases.</li> <li>◆ To establish alliances to implement joint protection and defense strategies.</li> <li>◆ To coordinate permanently with those responsible for the PDDD and other focal points.</li> </ul>
Technical focal points (General)	<ul style="list-style-type: none"> <li>◆ To implement the MOF and the PDDD Annual Work Plan.</li> <li>◆ To activate and execute approved protocols and tools.</li> <li>◆ To promote and implement training activities on topics relevant to the program.</li> <li>◆ To support in the identification and/or channeling of financing.</li> <li>◆ To prepare and periodically submit a report on the registry of cases of rights violations and indigenous defenders.</li> </ul>
Documentation technical focal point	<ul style="list-style-type: none"> <li>◆ To compile, systematize, manage and monitor the case registry.</li> <li>◆ To manage and provide information to feed the program file.</li> </ul>
Technical focal point for legal protection and defense	<ul style="list-style-type: none"> <li>◆ If necessary, to activate early warning mechanisms for the timely action of the corresponding authorities.</li> <li>◆ To coordinate and execute activities in matters of protection, legal representation and legal advice<sup>8</sup>.</li> <li>◆ To coordinate with the directory of attorneys and partner organizations.</li> <li>◆ To accompany and permanently monitor the defenders supported by the PDDD.</li> </ul>
Technical focal point for communication and influence	<ul style="list-style-type: none"> <li>◆ To develop and implement communication strategies (articles, statements, press releases, etc.) at the national level.</li> <li>◆ To define and implement influence strategies, according to the context and the case.</li> <li>◆ To carry out follow-up/surveillance of legislation, public policies, as well as the commitments assumed by national entities regarding the rights of defenders.</li> <li>◆ To report compliance/non-compliance with them.</li> </ul>

Elaborated by: Valeria Urbina.

## 1.4. Development of strategies for the defense of indigenous defenders

Identifying the type of attack or threat, the reasons that motivated it, the identity of the attacker (state, private and other) and the identity of the defender allow the development of strategies for the defense of indigenous defenders. For this, the intersectionality approach is considered, as well as its role in the community or the indigenous people to which it belongs. Considering:

8 Based on the directory of partner organizations and the existing directory of attorneys.

## a. Case information management

Specifically, for information management, COICA has developed three instruments to document cases of violation of the rights of indigenous defenders, in order to keep a dynamic record that allows the design of strategic plans and actions for their attention, and to count with an early warning system.

### ***Case registration mechanism (sheet)***

This file allows the collection of detailed information on each reported case, where the collection of evidence and the means of proof for this are contemplated –photos, complaints with other authorities (if any), witness testimonies, etc.– (see annex I).

### ***Mechanism for the systematization and follow-up of cases (sheet)***

This file is a mechanism to systematize the cases collected, with strategic information to classify each case: by type of defender, violation, impact, gender, ages, territories, project activities or public policies that affect them, among others (see annex II).

### ***Mechanism for the organization of the information (manual)***

The PDDD has a *Manual of evidence* to manage the presentation of cases to the competent authorities<sup>9</sup>.

Likewise, two instruments have been developed to document the cases of violation that, according to the emergency context, have been simplified and adapted to the context of COVID-19, having the following current files:

### ***Emergency sheet of violations of the rights of indigenous peoples in the framework of COVID-19.***

Prepared by COICA, with technical support from DAR. The purpose of this sheet is for the COICA PDDD focal points to collect information on cases of violation of the rights of indigenous defenders in the context of COVID-19.

9 See *Manual of evidence for the Defense of Indigenous Defenders*.

## ***Sheet of emergency requests of indigenous peoples in the framework of COVID-19***

Prepared by COICA, with technical support from DAR. The purpose of this sheet is to identify the actions brought by people or communities that are at risk within the framework of the emergency measures ordered by the Governments of the Amazon basin, in order to monitor and identify new cases for legal influence.

### **b. Criteria for categorizing cases**

Case management for the defense of indigenous defenders requires that they be assessed to define the type of particular action strategy for this. The differential approach of the cases is also recognized internationally by various judgments of the Inter-American Court of Human Rights (I/A Court HR), because in the case of indigenous peoples there is a prevailing need to adopt special measures to ensure respect and guarantee their rights as human rights defenders.

It is important to highlight that the differential approach that must be considered for the defense of indigenous defenders responds to applying substantive equality, where everyone is considered equal before the law, but recognizes the differences and vulnerability of specific groups of people, as is the case of the indigenous population, where this vulnerability is also exacerbated in indigenous women.

The criteria for collecting information, in order to be able to identify a trend in threats and/or attacks against indigenous defenders, as well as the subsequent categorization and management of cases have been developed in dialogue with the political focal points, highlighting the need for the development of indicators and variables to identify risk. These criteria are:

- ▣ The type of attack and/or threat.
- ▣ The causes or reasons.

- ☐ The identity of the attacker (whether it is a state agent or a non-state agent).
- ☐ The identity of the person attacked.

By way of illustration, the criteria for identifying the violated rights have been included. Here are the criteria and examples:

**Table No. 2. Criteria for the identification of trends in threats and violations to indigenous human rights defenders (previous step for categorization)**

Criteria to identify the tendency of attackers against indigenous defenders	Examples
A: Attacker type (state or non-state, private or illegal agents)	♦ Oil company, illegal agent linked to drug trafficking or illegal timber.
B: Cause or reason	♦ Dispossession of the territory, illegal extraction of natural resources.
C: Defender type*	♦ Defender of the right to territory, defender of the right to life.
E: Attack type	♦ Destruction of crops, destruction of homes, direct threats against life.
D: Rights violated	♦ Integrity, health, territory.

Elaborated by: Jackeline Borjas.

\* For this, their role in the community and the intersectionality approach are considered: gender, locality/ community of origin, affiliation to a social organization, among others.

For the prioritization of cases, the violated rights will be taken into account, as these are the ones that allow us to identify and make visible the level of violence/threat that requires urgent action. For this, the following categories will be considered:

Table No. 3. Categories for prioritizing cases

Type of urgency	Level of violence	Rights violated	Examples of cases
Urgency I	High	E.g. Right to life, right to health, right to food security.	Threat of assassination of the indigenous defender. Pollution of rivers by hydrocarbon spills.
Urgency II	Medium	E.g. Right to due process, right to liberty and personal security.	Judicial persecution. Arbitrary detention.
Urgency III	Low	E.g. Right to honor or reputation and right of community to know the truth.	Defamation in the media, stigmatization in social networks using terms such as "terrorist" "anti-development".

Elaborated by: Jackeline Borjas.

Given this, possible actions to be activated from the PDDD have been identified, which are:

- ☐ **Urgency I:** Immediate protection actions (asylum/refuge; psychological assistance); legal advice and support at the national level; influence and communication; strategic litigation; activation of the emergency fund.
- ☐ **Urgency II:** Influence and strategic litigation at the international level.
- ☐ **Urgency III:** Visibility, influence, advice and legal support at the national level, other actions that the political focal point of the national base suggests.

These criteria will allow to categorize the cases to determine the measure of action to be taken and strategic cases can be identified for litigation, influence, the search for alliances, among other actions.

## 1.5. Action strategies / Action protocols

In order to adopt the most appropriate measures to follow up on the needs of indigenous defenders who are in a situation of violation of their rights, some potential action measures are required by virtue of the competencies of those who are part of the PDDD:

### a. From the focal points of national grassroots

#### 1. Preventive actions:

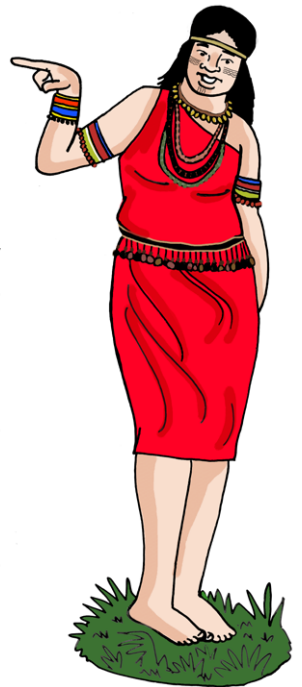
The focal point should know that there are two areas of attention of the cases, so it should be considered:

#### a. Community

1. To establish and strengthen the ties created in the communities where indigenous defenders live.
2. To coordinate with the defenders and other actors (association of parents, artisans, fishermen, churches, groups by activities, etc.) to generate a movement of support in case of defense of their territories.
3. To identify possible allies in local authorities (Government and indigenous people, religious leaders, educators and others) and civil society (allies in legal support).

#### b. Organizational (national and international)

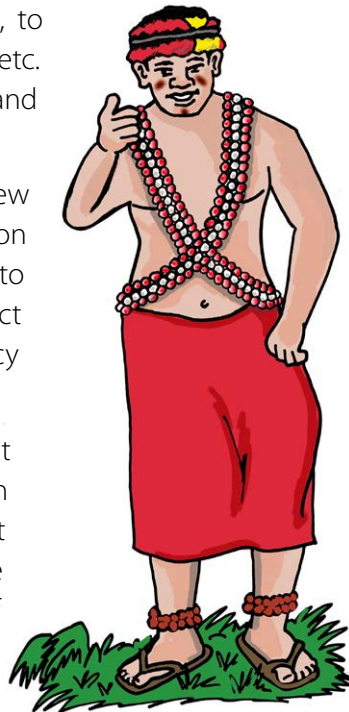
1. To generate and/or strengthen an early warning system in case of violation of the rights of indigenous defenders.
2. To identify possible allies in national and international spaces. To generate communication channels.
3. To coordinate with the women's secretariat, or the one that acts in this space, to promote support initiatives in the case of indigenous women defenders.



## 2. Actions to consider in the registration of cases in their national grassroots:

The information that will be recorded in the case sheet may include incidents in which indigenous defenders felt at risk. To do this, it must be taken into account the following:

- ▣ To record clearly what has happened or is happening and maintain permanent communication with the complaining defenders.
- ▣ To plan the actions to be taken and assign responsibilities for a coordinated response.
- ▣ To carry out national actions, according to the category assigned to the case:
  - ◇ **Immediate.** Activation of a support network to reduce the impact of the emergency and dissuade the aggressors (communal level) or, failing that, immediately inform the higher hierarchical base:  
local grassroots -> national grassroots -> COICA.
  - ◇ **Later.** To file a complaint or request at the national level, to provide psychosocial care, etc. (with government agencies and other key actors).
  - ◇ **Of follow up.** To review comprehensive protection measures and actions to prevent or lower the impact of possible future emergency situations.
- ▣ If assessing a situation of imminent risk, the focal point of protection and legal defense must request the activation of attention of the case before the Technical Team of the PDDD of COICA.





## b. From the PDDD Technical Team

Once the coordination with the national grassroots focal point (ideally with protection and legal defense) is made, in a discretionary manner the PDDD Technical Team will be able to:

- ▣ Have the emergency fund available (to assess the budget sent by the political focal point of the national grassroots).
- ▣ Prioritize and propose cases for legal assistance and international influence.
- ▣ Activate the directory of allies in protection (in case the national allies are not enough).
- ▣ Activate the directory of attorneys in strategic litigation (in case the national allies are not enough).

Additionally, having action protocols allows acting based on objective criteria and reducing the degree of discretion, in order to guarantee equal treatment to indigenous defenders who require its support.

Here is a possible roadmap:

## c. Networks of Allies

Table No. 4. Allied institutions

Institution	Scope	Type of support	Web / contact
Due Process of Law Foundation (DPLF)	International (US headquarters)	DESC strategic litigation	Daniel Cerqueira (dcerqueira@dplf.org)
International Senior Lawyers Project	International (US headquarters)	DESC strategic litigation	Alejandra Cicero (acicero@islp.org)
Interamerican Association for Environmental Defense (AIDA)	International (US and Colombia headquarters)	DESC strategic litigation	Liliana Ávila (lavila@aida-americas.org)
Center for International Environmental Law (CIEL)	International (US headquarters)	DESC strategic litigation	Carla Garcia Zendejas (cgarcia@ciel.org)
Environmental Law Alliance Worldwide (ELAW)	International (US headquarters)	DESC strategic litigation	Mercedes Lu (meche@elaw.org)

Institution	Scope	Type of support	Web / contact
<i>Instituto de Defensa Legal del Ambiente y el Desarrollo Sostenible (IDLADS)</i> (Institute for the Legal Defense of the Environment and Sustainable Development)	Peru	DESC strategic litigation	Lilyan Delgadillo (lilyan.delgadillo@gmail.com)
<i>Dejusticia-Centro de Estudios de Derecho, Justicia y Sociedad</i> (Center of Law, Justice and Society Studies)	Colombia	DESC strategic litigation	César Rodríguez (cerogara@gmail.com)
Conectas Direitos Humanos	Brazil	DESC strategic litigation	Paula Nunez dos Santos (paula.nunes@conectas.org)
<i>Observatorio de Derechos y Justicia (ODJ)</i> (Rights and Justice Observatory)	Ecuador	DESC strategic litigation	Daniela Sanchez Sevilla (dsanchezsevilla@odjec.org)
Wataniba – Grupo de trabajo Socioambiental de la Amazonía	Venezuela	DESC strategic litigation	Luis Jesús Bello (luisjbello.wataniba@gmail.com)
Bank Information Center	Regional	Allies for influence	Carolina Juaneda (cjuaneda@bankinformationcenter.org)
<i>Asamblea Mundial por la Amazonía</i> (Global Assembly for the Amazon)	International	Allies for influence	asambleamazonica@gmail.com
<i>Amnistía Internacional</i> (Amnesty International)	International	Allies for influence	Christopher Alford (christopher.alford@amnesty.org)
Land is life	International (US headquarters)	Allies for influence	José Proaño (jose@landislife.org)
Red Eclesial Panamazónica (Repam)	Regional	Allies for influence	Mauricio Lopez Oropeza (mlopez@caritasecuador.org)
<i>Derecho, Ambiente y Recursos Naturales (DAR)</i> (Law, Environment and Natural resources)	Peru	Allies for influence	Aída Gamboa (agamboa@dar.org.pe)
Servindi	Peru	Allies for influence	Jorge Agurto (jorgeagurto@gmail.com)
<i>Centro de Estudios para el Desarrollo Laboral y Agrario (Cedla)</i> (Center of Studies for Labor and Agrarian Development)	Bolivia	Allies for influence	Silvia Molina (smolina@cedla.org)
Article19	Brazil	Allies for influence	Yumna Ghani (yumna@article19.org)
Transparency International Brazil	Brazil	Allies for influence	Bruno Brandao (bbrandao@transparency.org)
Fundação Grupo ESQUEL	Brazil	Allies for influence	Rubens Born (rubens@esquel.org.br)

Institution	Scope	Type of support	Web / contact
<i>Asociación Ambiente y Sociedad (AAS)</i> (Environment and Society Association)	Colombia	Allies for influence	Vanessa Torres (vanessa.torres@ambienteysociedad.org.co)
<i>Clínica Jurídica Universidad de Medellín</i> (University of Medellín's Legal Clinic)	Colombia	Allies for influence	Erika Castro (ECASTRO@udem.edu.co)
Amazon Watch	Ecuador	Allies for influence	Carlos Mazabanda (carlos@amazonwatch.org)
<i>Fundación Pachamama</i> (Pachamama Foundation)	Ecuador	Allies for influence	Javier Félix (javierfelix84@gmail.com)
<i>Comisión Ecuánica de Derechos Humanos (Cedhu)</i> (Ecumenical Commission on Human Rights)	Ecuador	Allies for influence	Patricia Carrión (patricia.carrión@cedhu.org)
<i>Universidad de Hemisferios</i> (University of Hemispheres)	Ecuador	Allies for influence	Daniel Barragán (danielb@uhemisferios.edu.ec)
Red Thread Women's Organization	Guyana	Allies for influence	Vanda Radzik (vandaradzik@yahoo.com)
Guyana Environment Initiative	Guyana	Allies for influence	Gomin Camacho (gomincomachocandy@gmail.com)
Guyana Human Rights Association	Guyana	Allies for influence	Larry Carryl (amoscarryl@gmail.com)
Projekta	Suriname	Allies for influence	Rayah Bhattacharji (rayahb@yahoo.com)
Tropenbos International Suriname	Suriname	Allies for influence	Lisa Best (l.best@tropenbos.sr)
<i>Centro Mexicano de Derecho Ambiental</i> (Mexican Center for Environmental Law) (Cemda)	Mexico	Allies for influence	Andrea Cerami (acerami@cemda.org.mx)
<i>Cultura Ecológica</i> (Ecological Culture)	Mexico	Allies for influence	Tomás Severino (tseverino@culturaecologica.org.mx)
<i>Educación y Comunicación</i> (Education and Communication)	Mexico	Allies for influence	Olimpia Castillo (olimpia1410@hotmail.com)
Ombudsman Office of Colombia	Colombia	Follow up and exchange	Ethnic groups - Fernando Fierro (fernangomez@defensoria.gov.co)
Ombudsman Office of Ecuador	Ecuador	Follow up and exchange	Delegada Yajaira Curipallo (yaca2410@gmail.com)
Ombudsman Office of Peru	Peru	Follow up and exchange	Indigenous Peoples Program – Nelly Aedo (naedo@defensoria.gob.pe)

Elaborated by: Mayra Dongo and Jackeline Borjas.

## d. Emergency funds

These are funds to consider for their respective management.

**Table No. 5. List of emergency funds for the defense of human rights defenders**

Fund	Amount	Shares	Contact
Protect Defenders	EUR 10,000.00 (EU fund).	<ul style="list-style-type: none"> <li>◆ Physical security.</li> <li>◆ Digital security.</li> <li>◆ Communication.</li> <li>◆ Security training.</li> <li>◆ Safe transportation and transfer.</li> <li>◆ Legal support.</li> <li>◆ Medical support (including psychosocial assistance and rehabilitation).</li> <li>◆ Humanitarian aid (including family support).</li> <li>◆ Urgent relocation.</li> <li>◆ Urgent monitoring, information, visibility, others.</li> </ul>	<p><a href="https://www.protectdefenders.eu/es/proteccion-defensores.html#">https://www.protectdefenders.eu/es/proteccion-defensores.html#</a> Request via secure electronic form.</p> <p>Emergency number: +353 (0) 1 210-0489 (or via a Skype link on the website).</p>
Fund for Global Human Rights	Up to USD 10,000 for human rights defenders.	<ul style="list-style-type: none"> <li>◆ Security support (both prevention measures and emergency responses).</li> <li>◆ An urgent project, medical expenses, psychosocial support, relocation and legal costs.</li> </ul>	E-mail: <a href="mailto:info@globalhumanrights.org">info@globalhumanrights.org</a>
Frontline Defenders	Up to EUR 7,500.	<p>To pay for improvements in the security and protection of human rights defenders and/or their organization. They can use it, for example, to:</p> <ul style="list-style-type: none"> <li>◆ Improve the security of information and communications.</li> <li>◆ Legal assistance fees for defenders under judicial harassment.</li> <li>◆ Medical assistance fees for defenders attacked or suffering from health problems because of their peaceful activities for human rights.</li> <li>◆ Fees to assist the family of an incarcerated defender.</li> </ul>	<p><a href="https://www.frontlinedefenders.org/en/programme/protection-grants">https://www.frontlinedefenders.org/en/programme/protection-grants</a></p> <p>Emergency number: +353 (0) 1 210-0489 (or via a Skype link on the website)</p>
<i>Fondo de Acción Urgente. Urgent Action Fund (rapid response support program for women defenders)</i>	Up to USD 5,000.00 (3 months).	<ul style="list-style-type: none"> <li>◆ To support actions for the protection of female defenders and their organizations, when they are at risk or under threat.</li> </ul>	<p><a href="https://sigueme.fondoaccionurgente.org.co/">https://sigueme.fondoaccionurgente.org.co/</a></p> <p>E-mail: <a href="mailto:support@fondoaccionurgente.org.co">support@fondoaccionurgente.org.co</a> Phone: +57 1 368-6155. Cel: +57 312-562-1321</p>

Fund	Amount	Shares	Contact
Global Greengrants Fund	Less than USD 100,000 per year.	<p>Characteristics:</p> <ul style="list-style-type: none"> <li>◆ Proposals address environmental issues.</li> <li>◆ Problems caused by investments or international institutions.</li> <li>◆ It involves interaction with the financial institution.</li> <li>◆ The applicant group's budget is less than USD 100,000 per year.</li> <li>◆ If it is not a registered group, but a local initiative, it can still be organized.</li> <li>◆ The request is less than USD 5,000 or explains why a higher budget is so important.</li> </ul>	Send to Katelyn Gallagher from the Bank Information Center (kgallagher@bankinformationcenter.org)
Fundo Casa	Annual calls for up to USD 5,000 (not yet launched this year).	<p>For the following purposes:</p> <ul style="list-style-type: none"> <li>◆ To create and strengthen regional strategies that face the main impacts produced by energy projects in South America.</li> <li>◆ It helps strengthen local groups to promote environmental protection and influence against the impacts of energy infrastructure investments.</li> <li>◆ To support groups to raise their voice in the development plans of policies and practices of international financial investment institutions, such as BNDES (National Bank for Economic and Social Development), WB (World Bank), Chinese investments, IDB (Inter-American Development Bank), among others.</li> </ul>	Send mail to: fsa@casa.org.br
Relocation and other grant support from the Asia Pacific Forum on Women, Law and Development (APWLD)	Depending on the call, it can vary from 5,000 to 12,000 dollars approximately.	<p>APWLD is a regional network that promotes women's rights advocacy. They provide grants or financial support to members or members of their network for the following purposes:</p> <ul style="list-style-type: none"> <li>◆ Rapid response research, currently linked to frontline response initiatives on COVID-19 with grassroots women's groups and communities.</li> <li>◆ National monitoring of Sustainable Development Goals from women.</li> <li>◆ Proposals for participatory action research to support the organization of poor rural, indigenous, migrant and urban women.</li> <li>◆ In previous years, grants to implement relocation measures for defenders who are at immediate risk due to their human rights work.</li> </ul>	Send mail to: apwld@apwld.org covid19@apwld.org Website: <a href="http://www.apwld.org">http://www.apwld.org</a>

Fund	Amount	Shares	Contact
United Nations Voluntary Fund for Victims of Torture	Does not specify.	Fund to provide direct humanitarian assistance to victims of torture and their families, including medical, psychological and social support, legal and financial.	For more information on requirements and procedures: <a href="https://www.ohchr.org/en/issues/torture/unvft/pages/index.aspx">https://www.ohchr.org/en/issues/torture/unvft/pages/index.aspx</a> Contact: unvft@ohchr.org.
United Nations Voluntary Trust Fund on Contemporary Forms of Slavery	Does not specify.	<ul style="list-style-type: none"> <li>◆ Humanitarian Fund to provide direct assistance (medical, psychological, legal, educational, social and economic) to victims of rape.</li> <li>◆ The Committee on Economic, Social and Cultural Rights (CESCR) is concerned about the seriousness of their human rights due to contemporary forms of slavery.</li> </ul>	For more information: <a href="https://www.ohchr.org/EN/Issues/Slavery/UNVTFCS/Pages/WhattheFundis.aspx">https://www.ohchr.org/EN/Issues/Slavery/UNVTFCS/Pages/WhattheFundis.aspx</a> <a href="http://www.ohchr.org/EN/AboutUs/Pages/FundsAndGrants.aspx">www.ohchr.org/EN/AboutUs/Pages/FundsAndGrants.aspx</a> Contact: slaveryfund@ohchr.org.
International Service for Human Rights (SHR)	Does not specify.	<ul style="list-style-type: none"> <li>◆ Support for defenders through reports, advocacy (meeting last year for the PDDD).</li> </ul>	lshr.ch

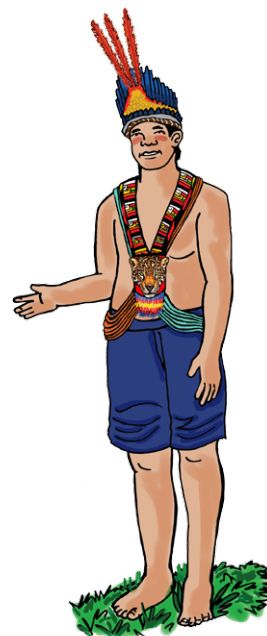
Elaborated by: Mayra Dongo and Jackeline Borjas.

## 2. INFLUENCE PLAN

The PDDD, at the influence level, seeks:

### Communication mechanisms that address the monopoly of the media in relation to the defense of human rights.

- ▣ To generate investigative journalistic reports from organizations allied to human rights defenders, in order to have «fresh» content for mass media.
- ▣ To execute a public relations strategy among the representative organizations of defenders, their allies and the media, which will serve as a starting point to increase their capacity, to obtain massive spaces and position them as a source of necessary information when dealing with these themes. To promote and centralize it from COICA, which has the technical capacity and sufficient networks to serve as a meeting point between grassroots organizations, their demands and the media.
- ▣ To have a specific budget for media intermediaries in emblematic cases, with the aim of internalizing their relationship skills with the media.
- ▣ To establish permanent communication protocols between defenders and their allies, in order to become an information channel between what happens in the territories, the media and international bodies, such as multilateral banking, the Inter-American Human Rights System and the Universal Human Rights System.
- ▣ To launch a campaign, with systematized information, that denounces the failure to comply with the legal and political commitments of the States with indigenous defenders, the unsuccessful of opting for institutional channels, and the unfulfilled promises in relation to the benefits derived from investment projects that affect their territories.
- ▣ To actively participate in the promotion of instruments for the protection of indigenous defenders. To promote the signing and/or ratification of the Escazú Agreement by the nine countries of the Amazon basin.



Likewise, to influence the incorporation of intercultural elements for its implementation.

### Access for legal defense and access to justice.

- ▣ To provide advice on protection management: to facilitate access to state protection mechanisms, the Inter-American System and the United Nations. Likewise, permanently training in self-protection mechanisms.
- ▣ Humanitarian support: support for immediate defense, against a specific threat and lack of protection in the territory.
- ▣ To promote national and international internships: temporary relocation in national or foreign territory. Commitment to spokespersonship and participation in training activities.
- ▣ To develop training or specialization programs, protection strategies for indigenous defenders (University Carlos III of Spain course).
- ▣ To establish a regional observatory that comparatively monitors the weaknesses of the regulations, relative to prior consultation, and is organized to push national and international bodies and to bring it closer to the standards established in the ILO's Convention No.169 and the United Nations Declaration on the rights of indigenous peoples<sup>10</sup>. This observatory should become the driving force behind this agenda for improvements at the level of the Multilateral Banking (strengthening of safeguards) and of the United Nations bodies (ILO, Permanent Forum, UPR, etc.).
- ▣ Campaign to make official the results of the Observatory's reports as an input from the United Nations System<sup>11</sup>, to create safeguards on defenders in international financial institutions, and continue to push the Inter-American System to take more effective measures. All this is with the



10 Brazil, Colombia, Ecuador and Guatemala are in a process of construction or reform of their legislation on prior consultation.

11 The idea has already been accepted by the Permanent Forum and the Mechanism of Experts, it appears in their official statements and it only remains to develop the tool and advocating for its institutionalization.



aim of keeping international spaces alert and under pressure. It should be considered that the problem of human rights defenders arises from the inaction of justice in the country.

- ▣ Litigation strategy that responds to the problems of the region as a whole. Link that allows the national confederations of COICA, to have lawyers, at the national level, who can see local cases and keep tracking<sup>12</sup>.
- ▣ To deliver more structured demands that allow finding patterns in relation to socio-environmental regulations, overlapping of rights, access to justice, prior consultation, lack of adequate protocols to deal with social protest, as well as transparency and access to information that allow this international organizations to make public policy recommendations that respond to the structural causes of the problem.
- ▣ To establish and institutionalize indigenous surveillance mechanisms and territorial monitoring systems to counteract the State's inability to follow up on rights violations in remote locations.
- ▣ To increase the presence of indigenous organizations in international spaces on transparency and participation with a clear agenda of support for human rights defenders.
- ▣ To promote reforms in the policies to criminalize protest and propose changes in the protocols used by the States to face these situations. In many cases, the police units in charge of dealing with social protest are not specialized in this and counterterrorism agents are used without training in civil rights.

### **States comply with their own laws for the protection of human rights.**

- ▣ Development of the permanent campaign based on rigorous research on the number of commitments breached by governments in contexts of social protest; the number of formal procedures carried out by communities, approximately, before making the decision to initiate protests.
- ▣ Alternative regional report about the indigenous rights situation (specifically in the Amazon basin). The report may include proposals for the adaptation of standards and policies.

12 This idea was proposed and agreed by the Permanent Forum on Indigenous Issues of the United Nations, seconded by COICA. The special rapporteur on indigenous rights and the Mechanism of Experts on the Rights of Indigenous Peoples of the United Nations Economic and Social Council.

- ▣ To point out the incoherence of the protest criminalization policies in relation to the State's inability to activate adequate responses through its institutional mechanisms for the resolution of controversies.
- ▣ To request missions from the United Nations and IACHR in territories with threats to indigenous defenders. To participate in the Permanent Forum and Mechanism of Experts on the Rights of Indigenous Peoples.
- ▣ To train young indigenous leaders to defend their rights.
- ▣ To promote the work of human rights defenders through campaigns and actions to strengthen capacities.



## 2.1. Instances for the influence

It is important to have a database that allows and facilitates the execution of immediate actions in the event of violation of the rights of indigenous defenders. In this sense, the PDDD Committee of COICA has systematized the contacts of partner organizations and funds in the event of a regional emergency. Likewise, it is important that the focal points of the national grassroots program facilitate a record of a similar nature for their territories:

**At the national level.** The following actors and instances are identified:

- ▣ In emergencies:
  - ◇ Firefighters
  - ◇ Red Cross
  - ◇ Civil Defense
  - ◇ National Police
- ▣ Authorities to direct petitions:

Table No. 6. Institutions for national advocacy

National Bodies	Advocacy Institutions	What can we do?
Auxiliary organ	National Police	<ul style="list-style-type: none"> <li>◆ Conducting the preliminary proceedings (collection of evidence).</li> <li>◆ Police report.</li> <li>◆ Technical and personal support in the urgent preliminary proceedings, at the request of the Public Ministry.</li> <li>◆ Autonomous organisms Public Ministry.</li> </ul>
Autonomous Organisms	Public Ministry – Attorney General's Office	<ul style="list-style-type: none"> <li>◆ Conducting the preliminary proceedings (collection of evidence).</li> <li>◆ Carry out urgent actions to verify the facts denounced, with technical support and personnel from the National Police.</li> <li>◆ Identify the people involved in the crime (probable perpetrators and victims).</li> <li>◆ Conduct preparatory investigation.</li> <li>◆ Fiscal accusation.</li> </ul>
	Ombudsman Offices National Human Rights Institutes	<ul style="list-style-type: none"> <li>◆ Requests for urgent attention.</li> <li>◆ Activation of prevention and care protocols.</li> </ul>
From the Executive Branch	Ministries or sectors	<ul style="list-style-type: none"> <li>◆ Requests for urgent attention.</li> <li>◆ Activation of protocols (such as early warning protocol, others).</li> </ul>
From the Legislative Branch	Plenary or Congress Commissions Chamber of Deputies Senators Parliamentary Fronts	<ul style="list-style-type: none"> <li>◆ Actions of political control.</li> <li>◆ Request for information.</li> <li>◆ Requests for appearance, public hearing or motion of censure.</li> </ul>
From the Judicial Branch	Judicial Branch Courts Supreme Courts	<ul style="list-style-type: none"> <li>◆ Request for precautionary measures.</li> <li>◆ Judicial proceedings (criminal, constitutional).</li> <li>◆ Oral trials.</li> <li>◆ Control of unfounded fiscal accusations.</li> </ul>
Autonomous bodies linked to the jurisdictional function	Constitutional Court	<ul style="list-style-type: none"> <li>◆ Legal actions such as amparo proceedings or guardianships.</li> </ul>
	National Board of Justice National Council of the Judiciary	<ul style="list-style-type: none"> <li>◆ Requests for the dismissal of Supreme Court judges and supreme prosecutors; and ex officio or at the request of the Supreme Court or the Board of Supreme Prosecutors, respectively, to judges and prosecutors of all instances.</li> </ul>

Elaborated by: Jackeline Borjas.

**In the international level.** The following actors and instances have been identified:

**Table No. 7. Systematization of international influence institutions**

INSTITUTIONS OF INFLUENCE			
Entity	Institution	In charge/contact	Bodies/agencies
IACHR	Rapporteurship on the Rights of Indigenous Peoples	Commissioner Antonia Urrejola Noguera	<b>Agencies:</b> <ul style="list-style-type: none"> <li>◆ The Inter-American Commission on Human Rights (IACHR)</li> <li>◆ The Inter-American Court of Human Rights (I/A Court HR)</li> </ul>
	Special Rapporteurship on Economic, Social, Cultural and Environmental Rights	Soledad García Muñoz	
	Rapporteurship on Human Rights Defenders	Commissioner Francisco José Eguiguren Praeli	
	Rapporteurship on Freedom of Expression	Rapporteur Edison Lanza	
UN	High Commissioner for Human Rights	Michelle Bachelet Jeria	<b>Bodies:</b> <ul style="list-style-type: none"> <li>◆ The Human Rights Council</li> <li>◆ Universal Periodic Exam</li> <li>◆ The Human Rights Commission (replaced by the Human Rights Council)</li> <li>◆ The special procedures of the Commission on Human Rights<sup>13</sup></li> <li>◆ Complaint procedure of the Human Rights Council</li> </ul>
	Human Rights Committee (UNHRC)		
	Committee on Economic, Social and Cultural Rights (CESCR)		
	Permanent Mission to the United Nations in Geneva (to disaggregate contacts by country)	(by country)	
	Economic Commission for Latin America and the Caribbean (ECLAC)	Alicia Bárcena	It is an agency dependent on the United Nations, responsible for promoting the economic and social development of the region. Upon entry into force, the Escazú Agreement will be the governing body for effective implementation through technical assistance, monitoring and follow-up.

Elaborated by: Mayra Dongo.

Each of the international systems will be detailed below.

13 Se cuenta con 44 mandatos temáticos y 12 mandatos de país. Estos contemplan grupos de trabajo, relatores especiales y expertos independientes.

## 2.2. Before the Inter-American System of Human Rights

The Inter-American System for the Protection of Human Rights is made up of two bodies: the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights (I/A Court HR).

**Table No. 8. Actions with the institutions of the Inter-American System for the Protection of Human Rights**

Institution	What is/does?	What can we do?
<p>Inter-American Commission on Human Rights (IACHR), established in 1959</p>	<p>It is a main and autonomous body of the American States, in charge of the promotion and protection of human rights in the American continent.</p>	<p>To request activation of protection mechanisms:</p> <p><b>Letters (art. 41)</b></p> <ul style="list-style-type: none"> <li>◆ The IACHR asks the States of the region for information on events that interest or concern it in the area of human rights. That includes measures taken by States to address them.</li> </ul> <p><b>Petitions and cases system</b></p> <ul style="list-style-type: none"> <li>◆ The IACHR acts with respect to petitions and individual cases where violations of the human rights of any person are alleged. The IACHR processes individual petitions from receipt of the petition to the issuance of the report on the merits of a case and makes recommendations to the States to make reparations to victims of violations of their rights.</li> <li>◆ If the parties do not reach a solution during the proceedings before the Commission and if the non-compliance with the recommendations persists, the Commission may submit the case to the Inter-American Court.</li> </ul> <p><b>Precautionary measures and request for provisional measures</b></p> <ul style="list-style-type: none"> <li>◆ To request precautionary measures, either for defenders, either individually or collectively.</li> <li>◆ The Commission may adopt precautionary measures to prevent risks or irreparable damage to people who are in a serious and urgent situation.</li> <li>◆ As is the case of the provisional measures, granted by the Inter-American Court, the precautionary measures fulfill a «precautionary» function, in the sense of preserving a legal situation against the exercise of jurisdiction by the Commission, and «protecting», in the sense of preserving the exercise of the fundamental human rights devoted to the norms of the Inter-American System, to avoid irreparable harm to people.</li> </ul> <p><b>Thematic and country reports</b></p> <ul style="list-style-type: none"> <li>◆ Preparation of alternative reports (or known as shadow reports) and participation in public hearings.</li> <li>◆ The Commission receives periodic information from human rights defenders through public hearings, working meetings, notices and urgent alerts from civil society, among other ways, which may merit the attention of the Commission through the preparation of thematic or country reports.</li> </ul>

Institution	What is/does?	What can we do?
<p>Inter-American Commission on Human Rights (IACHR), established in 1959</p>	<p>It is a main and autonomous body of the American States, in charge of the promotion and protection of human rights in the American continent.</p>	<p><b><i>In loco observations</i></b></p> <ul style="list-style-type: none"> <li>◆ The IACHR may appoint a Special Commission with the aim of conducting visits to States to document a general or specific human rights situation in the place, with the invitation or consent of the State. The Commission establishes its own work plan and must have the guarantees for the development of all its activities.</li> <li>◆ COICA can request its participation: accompanying the Commission to field visits, provide information, establish contacts for interviews, suggest visiting areas, etc.</li> </ul> <p><b><i>Press releases</i></b></p> <ul style="list-style-type: none"> <li>◆ By e-mail or letter, the rapporteurs can be requested to prepare press releases.</li> <li>◆ This notice will make it possible to make visible, throughout the hemisphere, the existence of serious human rights violations that require immediate attention from the States of the hemisphere.</li> </ul> <p><b><i>Holding of public hearings and work meetings</i></b></p> <ul style="list-style-type: none"> <li>◆ From COICA hearings can be requested, institutionally or together with other partner organizations.</li> <li>◆ The hearings held before the Commission may have the purpose of receiving information of a particular or general nature related to human rights in one or more OAS member states.</li> </ul>
<p>Inter-American Court of Human Rights I/A Court HR, established in 1979</p>	<p>It is the judicial body of the Inter-American Human Rights System.</p>	<p><b><i>Advisory opinion</i></b></p> <ul style="list-style-type: none"> <li>◆ Any member state of the OAS, the Inter-American Commission or any other organism of the Organization may request the interpretation of the American Convention on Human Rights (ACHR), of other human rights treaties of the Inter-American System or of domestic laws.</li> <li>◆ From COICA information can be provided to support a request from the Commission.</li> </ul> <p><b><i>Submission of cases</i></b></p> <ul style="list-style-type: none"> <li>◆ The Inter-American Commission or States that are part of the American Convention may submit cases to the Inter-American Court against States that are also part of the ACHR.</li> <li>◆ The Inter-American Court only decides on whether the State complies with its human rights obligations or not. In its judgments, it establishes comprehensive reparation measures for the victims. It has no jurisdiction to convict individuals or carry out any criminal proceedings.</li> </ul>

Elaborated by: Mayra Dongo.

## 2.3. Before the Universal System of Human Rights

The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the global commitment to the universal ideals of human dignity<sup>14</sup>. The OUNHCHR's headquarters are in Geneva, but it has an office at the United Nations headquarters in New York and other offices in many countries and regions.

### *OUNHCHR mandate*

- ☐ The OUNHCHR has the mandate to promote and protect the enjoyment and full realization, by all people, of all the rights established in the Charter of the United Nations, as well as in international human rights laws and treaties.
- ☐ The United Nations High Commissioner for Human Rights (UNHCHR) guides its work by the mandate granted by the General Assembly, in resolution 48/141, the Charter of the United Nations, the Universal Declaration of Human Rights and subsequent human rights instruments, the Vienna Declaration and the 1993 Program of Action of the Conference on Human Rights and the outcome document of the 2005 World Summit.
- ☐ The mandate includes preventing human rights violations, ensuring respect for all human rights, promoting international cooperation to protect human rights, coordinating related activities throughout the United Nations, and strengthening and accelerating the United Nations System in the field of human rights.
- ☐ In addition to its established responsibilities, the office leads efforts to integrate a human rights approach into all work carried out by United Nations agencies.

In addition to its mandate to promote and protect human rights, the OUNHCHR provides Technical Secretariat services, advising and supporting these mechanisms for the supervision and monitoring of human rights in the United Nations System. These are divided into two categories: bodies based on the Charter of the UN and bodies created under international human rights treaties. The mechanisms are:

14 See: <https://www.ohchr.org/SP/AboutUs/Pages/WhoWeAre.aspx>.

Table No. 9. Actions with the institutions of the Universal Human Rights System

Institution	What is/does?	What can we do?
Human Rights Council (it replaced the Human Rights Commission in 2006)	This intergovernmental body is a global discussion forum that meets in Geneva for at least ten weeks a year. Its main functions include analyzing serious and systematic human rights violations and developing international human rights law. The UNHCHR provides technical secretariat services to the meetings of the Human Rights Council.	<p><b>Permanent forum for indigenous issues</b></p> <ul style="list-style-type: none"> <li>◆ To send notification of cases of violation of rights or make calls for the termination of these.</li> <li>◆ To attend their meetings.</li> <li>◆ To request thematic sessions.</li> </ul>
Universal Periodic Review (UPR, established in 2006)	<p>It is a procedure that involves the review, every four years, of the fulfillment of the human rights obligations and commitments of each of the 192 Member States of the United Nations.</p> <p>The UPR has a cycle in which: (1) the State under review prepares the information; (2) the UNHCHR collects information from the United Nations mechanisms and summarizes information from non-governmental organizations and civil society. (3) Provides recommendations to the assessed State.</p>	<ul style="list-style-type: none"> <li>◆ To send documented information to the United Nations mechanisms so that they can report them (special procedures, treaty bodies and other entities).</li> <li>◆ To prepare a shadow report for the State under review.</li> <li>◆ To participate in the discussions of the UPR Working Group.</li> </ul>
Special procedures (41 rapporteurs and working groups on a topic or on a country)	These are individuals: a rapporteur or independent expert or working group. They are mandated to examine, monitor, advise, and publicly report on human rights situations in specific countries or territories, known as country mandates, or on major human rights issues and violations around the world, called thematic mandates.	<p><b>Special Rapporteur on the Rights of Indigenous Peoples</b></p> <ul style="list-style-type: none"> <li>◆ To send notification of cases of violation of rights or make calls for the termination of these.</li> <li>◆ To request a statement: present the pertinent information.</li> <li>◆ To push governments to invite the Rapporteurship to visit the countries.</li> </ul> <p><b>Mechanism of Experts on the Rights of Indigenous Peoples</b></p> <ul style="list-style-type: none"> <li>◆ To send notification of cases of violation of rights or make calls for the termination of these.</li> <li>◆ To attend their meetings (one session is held per year).</li> </ul>

Elaborated by: Mayra Dongo.



## 2.4. Promotion of instruments and mechanisms for the defense of human rights defenders

### a. United Nations Guiding Principles on Business and Human Rights

The «Guiding Principles on Business and Human Rights» (the Guiding Principles) are an international instrument elaborated by the United Nations with the aim of ensuring that public and private companies respect human rights in their field of action. The Guiding Principles are divided into foundational and operational principles, which are conceptually organized from three essential pillars:

- 1. States must protect human rights** against violations committed, in their territories and/or jurisdiction, by third parties and/or companies.
- 2. Companies must respect human rights**, that is, refrain from committing violations against third parties and take responsibility for the negative consequences generated.
- 3. States shall establish measures of reparation and/or remediation** of the damages caused by business activities towards human rights, which are developed particularly through 28 operational principles. All of them make up the 31 «Guiding Principles on Business and Human Rights».

To ensure the implementation of the Guiding Principles, States must formulate **National Action Plans on Business and Human Rights (NAP)**. There are two spaces in which you can influence:

- ☐ United Nations Working Group on Business and Human Rights.
- ☐ Ministries of Justice of the COICA grassroot countries.

The following are the minimum requirements to guarantee the development of National Action Plans:

**Table No. 10. Minimum conditions for the construction of national action plans on companies and human rights with the involvement of the indigenous population**

Conditions	Requirements
Representativeness	<ul style="list-style-type: none"> <li>◆ Through an Indigenous Roundtable, which allows a space for the articulation of indigenous organizations and the collection of contributions within the framework of the preparation of the National Plan of Action on Business and Human Rights.</li> <li>◆ It must be implemented through a high-level decision-making dialogue, with horizontal and equal participation between the State and indigenous peoples, with national and sub-national members.</li> <li>◆ To identify the budget so that it reaches the territory of grassroots of indigenous organizations.</li> <li>◆ Within the framework of this Table, the consultation, the budget and the times must be discussed. The route: time, human resources, workshops, where, how and what information to collect, and how to arrange at the end.</li> </ul>
Socialization, transparency and access to information	<ul style="list-style-type: none"> <li>◆ A prior and transparent information phase must be carried out that details where the NAP was born, associated with Guiding Principles, and so on. The information must be transferred within the indigenous movement, led by the national grassroots of COICA.</li> <li>◆ National forum and regional forums for the socialization of what has been advanced and how the NAP is to be prepared.</li> <li>◆ To prepare regional plans and calls that involve team work according to the demands of the towns.</li> </ul>
Prior consultation	<ul style="list-style-type: none"> <li>◆ Indigenous participation must occur from the elaboration of the diagnosis. The initial version of the plan's guidelines, referring to indigenous peoples, must be consulted with the peoples to reach consensus. This consultation process will be after the joint preparation of the diagnosis and the baseline.</li> </ul>
Indigenous participation	<ul style="list-style-type: none"> <li>◆ Contributions from traditional, wise indigenous authorities should be included, with the same importance as academic sectors.</li> <li>◆ Participation of the national grassroots of COICA as a national representative organization, as well as indigenous representative organizations at all levels.</li> <li>◆ To have sub-national plans and work with academic spaces and local governments.</li> <li>◆ To make an open call for participation in the process.</li> </ul>
Guarantor team	<ul style="list-style-type: none"> <li>◆ A team of guarantors must be created to strengthen the demands of indigenous organizations.</li> <li>◆ The composition must include two levels: (1) national, such as the Ombudsman's Office, the Office of the Comptroller of the Republic, and others, and (2) international, such as the United Nations, the ILO, and others. Its function is to guarantee the indigenous vision in the PNA.</li> </ul>
Diagnosis and baseline	<ul style="list-style-type: none"> <li>◆ It must contain the indigenous vision.</li> <li>◆ Special route for indigenous peoples.</li> <li>◆ Experts must be validated by indigenous organizations.</li> <li>◆ Effective participation, which includes indigenous wise men, wise women, technicians, techniques and professionals.</li> </ul>
Monitoring	<ul style="list-style-type: none"> <li>◆ Commitment of the State for the construction of a methodological route with resources.</li> <li>◆ Indigenous representation in the National Human Rights Council.</li> <li>◆ Creation of an "urgent action" mechanism to follow up on emblematic proposals and cases.</li> <li>◆ Monitoring by the Indigenous Roundtable, understanding what the scope is. If it does not have scope, to go to a national forum to push the Government.</li> </ul>
Corresponding budget	<ul style="list-style-type: none"> <li>◆ A specific budget is necessary for the actions proposed by indigenous peoples and organizations.</li> </ul>

Elaborated by: Amazonian Indigenous Platform on Business and Human Rights.

## b. Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean

The “Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean” is better known as the Escazú Agreement<sup>15</sup>. Its objective is to guarantee the full and effective implementation of the rights to public participation, access to justice and information on environmental issues. Thus, it contributes to efforts to realize the right to live in a healthy environment and sustainable development. Likewise, it is the first and only international treaty that recognizes and guarantees the protection of environmental defenders by the States.

Currently, it is signed by 24 countries in Latin America and the Caribbean, and has ten ratifications (Antigua and Barbuda, Bolivia, Ecuador, Guyana, Nicaragua, Panama, Saint Vincent and the Grenadines, Saint Kitts and Nevis, Saint Lucia y Uruguay). For it to enter into force, a minimum<sup>16</sup> of eleven ratifications are required. Therefore, it is necessary to promote the signature and ratification from the countries of the Amazon basin. For this reason, COICA contemplates:



15 See: [https://repositorio.cepal.org/bitstream/handle/11362/43595/1/S1800429\\_es.pdf](https://repositorio.cepal.org/bitstream/handle/11362/43595/1/S1800429_es.pdf).

16 Editor's note: Data provided by ECLAC at the time of drawing this manual.

**Table No. 11. Minimum conditions to implement the Escazú Agreement with the involvement of the indigenous population**

Conditions	Requirements
<p>Participation in spaces for dialogue and coordination promoted by the Environment, Justice and Human Rights sectors</p>	<ul style="list-style-type: none"> <li>◆ It is necessary to create a high-level table between indigenous organizations, the State and other actors, in order to design an effective strategy for the signature/ratification and implementation of the Escazú Agreement. Coordination meetings must include adequate communication channels that consider cultural relevance from the call, during the session and follow-up.</li> <li>◆ To participate in the implementation of networks and observatories for the strengthening of environmental justice and the dissemination of actions for it.</li> <li>◆ To participate in the construction of instruments for the protection of environmental defenders, and tools for the prevention of situations of vulnerability.</li> </ul>
<p>Strengthening the knowledge about rights</p>	<ul style="list-style-type: none"> <li>◆ Establish a training spaces calendar on the content of the Escazú Agreement and its implications for the territorial bases. It should not only include the equal participation of leaders, but also of members and leaders of communities, nationalities or other forms of autonomous organization.</li> <li>◆ To establish alliances with other regional spaces to generate exchanges during the planning process for the implementation of the Agreement (ECLAC, OSC, others).</li> </ul>
<p>Recognition of the indigenous defender's vision</p>	<ul style="list-style-type: none"> <li>◆ It is important that the bond of indigenous peoples with their territories is recognized throughout the process. Therefore, from COICA, the recognition of indigenous defenders is promoted, within the framework of the defense of the land, territory and the environment.</li> <li>◆ The recognition of indigenous defenders has a collective character. Without ignoring individuality, the collective nature of indigenous peoples stands out in the permanent defense of the environment, by defending their territories and ways of life.</li> <li>◆ The recognition of the rights of indigenous defenders is of a preventive nature. It is important to recognize situations of potential socio-environmental conflict and threats that could generate violations of the rights of indigenous defenders, such as criminalization, defamation, persecution, direct attacks, and acts of violence. For this reason, the best measure of prevention is the recognition of their individual and collective rights, respecting the self-determination of indigenous peoples in all processes of policy, program, and project development.</li> </ul>
<p>Construction and recognition of initiatives for the defense of indigenous defenders</p>	<ul style="list-style-type: none"> <li>◆ Generate spaces for dialogue and coordination with the Ombudsman's Offices, Ministries of Justice, national human rights institutions, justice operators, international organizations, and other key actors so that they recognize indigenous initiatives in defense of human rights defenders.</li> <li>◆ Receptivity of the reports generated by the Program for the Defense of Indigenous Defenders of COICA.</li> <li>◆ Joint construction of protocols for environmental defenders: it includes the indigenous perspective and considers differentiated measures with cultural and gender relevance.</li> <li>◆ To take concrete measures that include indigenous participation to implement article 9 of the Escazú Agreement: «[...] guaranteeing a safe and conducive environment in which people, groups and organizations that promote and defend human rights in environmental matters can act without threats, restrictions and unsafety».</li> </ul>

Elaborated by: Mayra Dongo and Jackeline Borjas.




**ANNEXES**



## Annex 1. Sheet for collecting DDD cases

The purpose of this sheet is to systematize and condense all the relevant information collected in cases of violation of the rights of indigenous populations. Likewise, it is necessary to specify the evidence or means of proof containing photos, complaints with other authorities (if any), testimonies of witnesses, etc. The guidelines for filing it are the following:

Parts of the sheet for the collection:



<b>CASE CODE:</b> 000-001-001-Gara		<b>COUNTRY:</b> Bolivia	
<b>SUMMARY OF THE VIOLATION OF RIGHTS:</b>		<b>PEOPLE AFFECTED:</b>	
		Total:	
		Male elderly:	Adult male: Young male: Male childrens:
		Female elderly:	Adult women: Young female: Female childrens:
		Communities and nationalities affected:	
		Indigenous peoples in isolation and in initial contact (PIAC), in spanish) affected:	
		Involved organizations:	
<b>Date of the incident:</b>		<b>Vulnerador:</b>	
<b>Place (district, community, etc)</b>		Type of activity:	
		Name of agent of violence:	
<b>Identified defenders:</b>			
Identity:	Nature:	Role:	Facts about violation of rights:
<b>Types of violence:</b>			
Threats			
Criminalization			
Fisica			
Physical			
Social			
Environmental			
<b>CHRONOLOGY OF EVENTS:</b>			
<b>Details:</b>			
<b>Actions made by the indigenous organization (local/national)</b>			
<b>IMPACT ON THE TERRITORY</b>			
<b>Cultural</b>			
<b>Spirituals</b>			
<b>Social</b>			
<b>Territorial (water, soil, subsoil, air, fauna and flora)</b>	<b>Contamination</b>		
	<b>Exploitation</b>		
	<b>Landscape Alteration</b>		
<b>RIGHTS INVOLVED</b>			
<b>Due diligence</b>	Has there been any prior consultation or indigenous participation (is appropriate)?		
	Have the environmental and social impacts of the activity in the area been evaluated?		
<b>Transparency</b>	Has it been possible to access information about the project?		
	Have the authorities presented the information to indigenous organizations?		
Have any remedial measures been taken?			
<b>ORDER / REQUIREMENT:</b>			
Sources:		Made by:	Date:
<b>EMERGENCY CATEGORY:</b>			
<b>NEXT STEPS</b>			

## Part 0. Coding of the sheet:

Each sheet must have a code for tracking. To ensure that there is no duplication in the codes, the following structure has been developed:

**Program - Country of the case – Case No. - Org. that does the monitoring**

To shorten the code, it should be considered the following:

Country Code	
Bol	Bolivia
Bra	Brazil
Col	Colombia
Ecu	Ecuador
Guy	Guyana
GuyF	French Guyana
Per	Peru
Sur	Suriname
Ven	Venezuela

Code Organization following the case	
AIDSESEP	Inter-ethnic Association of the Peruvian Forest Development
APA	Amerindian Peoples Association in Guyana
Cidob	Confederation of Indigenous Peoples of Bolivia
Coiab	Coordinator of the Indigenous Organizations of the Brazilian Amazon
COICA	Coordinator of the Indigenous Organizations of the Amazon Basin
CONFENIAE	Confederation of Indigenous Nationalities of the Ecuadorian Amazon
FOAG	Federation of Indigenous Organizations of French Guyana
OIS	Indigenous Organizations of Suriname
Opiac	National Organization of the Indigenous Peoples of the Colombian Amazon
Orpia	Regional Organization of Indigenous Peoples of the Amazon

For example:

- ▣ For a case that AIDSESEP tracks, the code would be: PDDD-Per-001-AIDSESEP
- ▣ For a Peruvian case that COICA tracks, the code would be: PDDD-Per-001-COICA



## Part A. General information

This section includes a summary that describes the infringement of rights. It is necessary to point out what happened? What were the causes? When did it happen? Where did it happen? Who were the agents of violence? What kind of activity (extractive or infrastructure) affected this population? What rights were affected? Likewise, it is necessary to identify the most exposed indigenous defenders in the defense of their land, territory or environment. The reason for the particular violation and the type of violence that was committed with this person(s) must be specified.

Chart No. 1. Part A of the case collection form

SUMMARY OF THE VIOLATION OF RIGHTS:			
-			
Incident date:			
-			
Place (district, community, etc.):		Violator:	
-		Type of activity:	
		Name of agent of violence:	
Defenders identified:			
Identity	Character	Role	Facts about the violence occurred
-			
-			
-			
-			
Typology of violence	Threat		
	Criminalization		
	Physical		
	Psychological		
	Social		
	Environmental		

## Part B. Information on the affected indigenous population

This section should collect the amount of indigenous population affected. Whenever possible, it is recommended to disaggregate this information by age group, in order to use other national and international legal instruments for these population segments. The age range could be defined as follows:

AFFECTED		
Male seniors	Female seniors	> 64 years
Adult males	Adult females	36-64 years
Young males	Young females	15-29 years
Male children	Female children	0-14 years

Source: ECLAC, 2000. Youth, population and development in Latin America and the Caribbean.

In this part it is also important to indicate which indigenous peoples or nationalities are in this area, as well as to indicate if there are indigenous people in isolation and initial contact (Piaci).

Chart No. 2. Part B of the format

AFFECTED:			
<b>Total:</b>			
<b>Male seniors:</b>	<b>Adult males:</b>	<b>Young males:</b>	<b>Male children:</b>
<b>Female seniors:</b>	<b>Adult females:</b>	<b>Young females:</b>	<b>Female children:</b>
<b>Populations / nationalities affected:</b>			
-			
-			
-			
<b>Piaci affected:</b>			
-			
<b>Organizations involved:</b>			
-			

## Part C. Detailed information on the facts and the effects

In this section, it is important to detail the chronology of the events and specify the most relevant: actions by the agent of violence, how they entered the territory, what actions the indigenous organization of the place took, actions with other partner organizations, etc. Based on the detailed information, they must identify the main effects: how were these rights affected?

Chart N° 3. Part C of the case collection form

CHRONOLOGY OF EVENTS:		
Details:		
-		
Actions made by the indigenous (local) organization:		
-		
AFFECTATIONS TO THE TERRITORY		
Cultural		
Spiritual		
Social		
Territorial (water, soil, subsoil, air, fauna and flora)	Pollution	
	Exploitation	
	Landscape alteration	
RIGHTS INVOLVED		
Due diligence	Has prior consultation or indigenous participation been complied with, as appropriate?	
	Has the environmental and social impacts of the activity in the area been assessed?	
Transparency	Has information about the project been accessed?	
	Have the authorities presented the information to indigenous organizations?	
Has any remedial measure been carried out?		

## Part D. Diagnosis for the resolution of the case

Based on all the information collected, the technical focal point must develop a strategy for dealing with cases and propose measures for this. You must also indicate what sources of information you had to fill out the sheet, put your name and the date when you did it. Once the entire file has been reviewed and the requirements are clear, it will be assessed by the political focal point.

Chart N ° 4. Part D of the case collection form

ORDER / REQUIREMENT:		
-		
Sources:	Prepared by:	Date:

## Part E. Categorization of the case and measures of action

The political focal point should do a careful reading about the case. This information and the requirements suggested by the technical focal point are necessary for the political focal point to determine the categorization of the level of urgency of the case for its action, and define, at its discretion, the next steps for the management of the case in question.

### Urgency categorization

Case urgency	Characteristics	Possible actions
Urgency I	They need immediate measures because the life of the person/ community is in imminent risk, through the PDDD Committee.	Activation of the emergency fund; displacement of the indigenous defender; activation of an emergency influence campaign; strategic litigation; others that the PDDD Committee of COICA determines.
Urgency II	Immediate action is required through COICA.	Visibility, influence, international strategic litigation, others that the PDDD Committee of COICA determines.
Urgency III	Immediate action is required through the national grassroots.	Visibility, influence, national strategic litigation, others that the political focal point of the national grassroots determines.

Chart N ° 5. Part E for categorizing the case

URGENCY CATEGORY
-
NEXT STEPS
-



<b>CASE CODE:</b>	DDD-Bol-001-Coica	<b>COUNTRY:</b>	Bolivia
<b>SUMMARY OF THE VIOLATION OF RIGHTS:</b>			
Total:		<b>PEOPLE AFFECTED:</b>	
Male elderly:	Adult male:	Young male:	Male childrens:
Female elderly:	Adult women:	Young female:	Female childrens:
Communities and nationalities affected:			
-			
-			
-			
Indigenous peoples in isolation and in initial contact (PIACI, in spanish) affected:			
-			
<b>Involved organizations:</b>			
-			
<b>Vulnerador:</b>			
Type of activity:			
Name of agent of violence:			
<b>Identified defenders:</b>			
<b>Identity:</b>	<b>Nature:</b>	<b>Role:</b>	<b>Facts about violation of rights:</b>
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Threats			
Criminalization			
Física			
Physical			
Social			
Environmental			
<b>CHRONOLOGY OF EVENTS:</b>			
<b>Details:</b>			
-			
Actions made by the indigenous organization (local/national)			
-			
<b>IMPACT ON THE TERRITORY</b>			
Cultural			
Spirituals			
Social			
Territorial (water, soil, subsoil, air, fauna and flora)	Contamination		
	Exploitation		
	Landscape Alteration		
<b>RIGHTS INVOLVED</b>			
Due diligence	Has there been any prior consultation or indigenous participation as appropriate?		
	Have the environmental and social impacts of the activity in the area been evaluated?		
Transparency	Has it been possible to access information about the project?		
	Have the authorities presented the information to indigenous organizations?		
Have any remedial measures been taken?			
<b>ORDER / REQUIREMENT:</b>			
-			
<b>Sources:</b>		<b>Made by:</b>	<b>Date:</b>
<b>EMERGENCY CATEGORY:</b>			
-			
<b>NEXT STEPS</b>			
-			



## Annex 2. Monitoring of cases and defenders

### Case monitoring file

This file serves to systematize the most relevant information of the collected cases. In that sense, it has the following parts:

- ▣ **General information:** This section collects general information about the case, considering:
  - ◇ **Case code** of the collection sheet.
  - ◇ **Activity that is affected:** specifying the code of the type of activity that has affected territorial and collective rights (see table No. 1) *[the format allows selection options for the code]*.

**Table No. 1: Activity codes that affect collective and territorial rights**

Threat agent	Type of activities	Code
Extractive	Mining	EM
	Fossil fuels (oil and gas)	EH
	Deforestation (timber or agro-industrial cultivation)	ED
Infrastructure	Roads	IC
	Energy project (hydroelectric)	IPE
	Transmission line (communication)	ILT
	Fossil fuels distribution lines	ILD
Illegal activities	Illegal harvesting (Timber/hunting/fishing)	AIT
	Mining	AIM
	Armed groups	AIGA
	Extraction of wild fauna/flora for commercialization	AITFF
	Drugtrafficking	AIN
State	Public politics	EPP
	Interference in organic structures (formation and/or recognition of parallel organizations)	EIO
	Normative	ENP

Elaborated by: Mayra Dongo.

- ◇ **Agent of violence/affection:** defining the type of agent of violence. *[The format allows selection options: Company, State, Armed group, other illegal activity]*. Likewise, the name of this must be indicated.
- ◇ **Place:** to indicate the location of the affected area: region, district, community, etc.
- ◇ **Activities being carried out:** to indicate the type of activity that is being carried out by the agent of violence.
- ▣ **Affected indigenous population:** Like the case collection sheet, it is recommended to disaggregate this information by age group:
  - ◇ **People impacted.**
  - ◇ **Indigenous nationalities:** name all those in the area.
  - ◇ **Piaci population involved:** indicating if there is a presence or not. *[The format allows selection options: to determine Yes/Not]*.
- ▣ **Effects on the territory:** Information that is synthesized from the case collection sheet. *[The format allows selection options: to precise Yes/No]*.
- ▣ **Violated rights:** Information that is synthesized from the case collection sheet. *[The format allows selection options: Yes/With limitations/Not applicable/No]*.
- ▣ **Level of direct monitoring:** This is to concisely indicate the actions that have been carried out at the different levels.
  - ◇ **Action in the territory:** name of the local Organization and actions they have taken in the case.
  - ◇ **National grassroots:** actions taken by the national base.
  - ◇ **COICA:** actions taken by COICA, if so determined.
- ▣ **Monitoring:** Information about the situation you are currently in:
  - ◇ Next steps.
  - ◇ Person who filled the document.
  - ◇ Date of filling.







## Defenders Monitoring Sheet

- ▣ **General information:** This section collects general information about the case, considering:
  - ◇ **Case code** of the collection sheet.
  - ◇ **Name of the Defender(s):** if it is a person or a group.
  - ◇ **Gender** (M/F).
  - ◇ **Character** [the format allows selection options: collective or individual].
  - ◇ **Activity that affects:** specifying the code of the type of activity that has violated territorial and collective rights (see table No. 1) [the format allows selection options for the code].
  - ◇ **Place:** to indicate the location of the affected area: region, district, community, etc.
  
- ▣ **Violence against the indigenous defender**
  - ◇ **Type of violence:** to indicate the type of violence exerted against the defender. [The format allows selection options: Yes/No].
  - ◇ **Agent of violence/impact:** defining the type of agent of violence. [The format allows selection options: Company, State, Armed group, other illegal activity]. Likewise, the name of this.
  
- ▣ **Monitoring actions of national grassroot**
  - ◇ **Category of urgency:** determined by the political focal point. [The format allows selection options: Urgency I, Urgency II, Urgency III].
  - ◇ **Request for Protection at the national level:** to indicate if said request was made and its status.
  - ◇ **Request for Precautionary Measure (international):** to indicate if said request was prepared and its status.
  - ◇ **Influence:** to indicate if any incident action was ordered or carried out and its status.

- ◇ Others.
  - ◇ Person responsible assigned for monitoring.
  - ◇ Next steps.
- ▣ **Others:** *Information about the situation you are currently in:*
- ◇ Person who filled the document.
  - ◇ Date of filling.





## Annex 3. Emergency sheets

### Emergency sheet of violations of the rights of indigenous peoples in the framework of COVID-19<sup>17</sup>

The purpose of this sheet is for the PDDD focal points of COICA to collect information on cases of violation of the rights of indigenous defenders, in the context of COVID-19.

Emergency sheet of violations of the rights of indigenous peoples in the framework of COVID-19																								
Country	Identification of indigenous defender					Risk/attack identification				Action identification (If yes, complete form 2)		Link to COVID-19			Identification of the attacker	Story of events	Source of information		Confidential information					
	Was it a threat/attack against an individual or a group?	If individual, what is their gender?	What is the community and/or location?	To which indigenous or native people do you belong?	If the attack was individual, what is their role in the community/federation/organization?	What was the threat or attack?	If you chose "other" please indicate here	What rights are at risk or have been violated?	Si escogió "otro" por favor indicar aquí	Was any legal action taken?	Was there a response from the State?	Is there a relationship with a specific response to COVID-19? (Yes or no)	How does this threat or attack relate to COVID-19? (Choose one option)	If you chose "other" please indicate here	Alleged perpetrator (authority, security forces, armed groups, company, unknown, etc.)	Brief account of events (maximum 15 sentences)	Source of information: direct or indirect (public media)	Means of Verification (Please include links)	Name of indigenous advocate and/or contact person (confidential)	Contact information (phone and/or email)	Base/community reporting	Completed by (name of base organization)	Name of PDDD focal point	
Peru	Individual	Male	La Curva	Awajún	Community Leader	Environmental damage (contamination/spills)	N/A	Food Security	N/A	Yes	No	Yes	Active Extraction Activities		Armed groups and company		Indirect				ORPIO	AIDSESEP		

<sup>17</sup> This sheet has been prepared on the basis of the sheet formulated by WRI called: "Impacts on land & the environment HRDs of COVID-19 response / Impacts sur les/les DDH terrestres et environnementaux de la réponse COVID-19 / Impactos em HRDs terrestres e ambientais da resposta COVID-19".







**MANUAL FOR THE DEFENSE OF  
INDIGENOUS HUMAN RIGHTS DEFENDERS**

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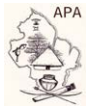




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