

SANTIAGO DECLARATION COICA ACHIEVES HISTORIC MILESTONE IN COP 1 OF THE ESCAZU AGREEMENT WITH APPROVAL OF DECISION I/6 THAT GUARANTEES PARTICIPATION OF INDIGENOUS PEOPLES

On the one-year anniversary of the effective date of the Escazú Agreement and the commemoration of International Mother Earth Day, the First Conference of the Parties to the Escazú Agreement (COP 1) was held in a hybrid format in Santiago, Chile, from April 20 to 22, 2022. The objective of the Conference was to address the: Rules of Procedure of the COP, including the modalities of the Public; Rules for the composition and functioning of the Committee to Support the Implementation and Compliance of the Agreement; and the Financial Arrangements necessary for the implementation of the Agreement.

In this context, and in view of the continuous violation of the lives and rights of our indigenous defenders, the Coordinating Committee of Indigenous Organizations of the Amazon Basin (COICA), through our Program for the Defense of Indigenous Defenders (PDDD), presented at this COP our proposals to guarantee the existence of effective mechanisms for the participation of indigenous peoples in the negotiation processes of the COP and implementation of the Escazú Agreement, and thus ensure mechanisms for the protection and effective defense of Amazonian indigenous defenders.

These proposals were promoted through our in-person delegation, under the leadership of Miguel Guimaraes, vice-president of the Interethnic Association for the Development of the Peruvian Jungle (AIDSESP), and Lola Piyahuaje, vice-president of the Confederation of Indigenous Nationalities of the Ecuadorian Amazon (CONFENIAE); as well as a virtual delegation, under the virtual leadership of COICA's General Coordinator, José Gregorio Díaz Mirabal, and COICA's Policy and Human Rights Coordinator, Michael Mc Garrell, and our bases: The National Organization of Indigenous Peoples of the Colombian Amazon (OPIAC) and the Confederation of Indigenous Peoples of Eastern Bolivia (CIDOB Orgánica).

After an internal analysis, COICA, through its PDDD, communicated to the States of the Amazon Basin, international organizations, donors and international cooperation, financial institutions and multilateral organizations, public opinion and society as a whole, our CONCLUSIONS on this first COP:

1. Despite being in a situation of health crisis due to the COVID-19 pandemic, the context of regressive tendencies has continued against indigenous defenders in the Amazon basin, pointing to institutional weakening under actions such as: monopolization of the competence of the registration of cases by non-independent entities; instrumentalization of criminal figures to criminalize the defense of human rights, including the right to protest, and to carry out judicial and political persecution against indigenous defenders; continuity of a culture of stigmatization against indigenous leaders and authorities who defend the rights of indigenous peoples against business interests or individuals linked to illegality; lack of access to justice and effective judicial protection for leaders and their families; impunity and lack of punishment for those responsible, both materially and intellectually, for the murders, aggressions and threats against indigenous defenders; as well as lack of comprehensive reparation measures for them and their families; and ineffectiveness and



In the framework of:



- lack of functionality of early warning systems or mechanisms for the protection of defenders, such as in Peru and Colombia, to respond to emergency cases.
2. In this context, and despite being the most affected by decisions on the environment, COP 1 had serious limitations for the participation of the indigenous peoples of the Latin American region, and there was even no official participation of the Indigenous Peoples of the host country of the COP (Chile). However, from COICA we made efforts to be present in this strategic space in order to make decisions that guarantee the rights of indigenous peoples, and to generate actions that ensure a safe environment for them in compliance with Article 9 of the Escazú Agreement.
 3. From the Amazonian indigenous peoples, we consider it important that the Escazú Agreement begins to be implemented and that the level of compliance can be monitored by the 12 States Parties, such as Bolivia, Ecuador and Guyana. In this regard, we welcome the approval of the Rules of the COP, including the modalities of the Public, and the Rules for the composition and functioning of the Committee to Support the Implementation and Compliance of the Agreement. COICA contributed to the final approval of articles 7 and 14 referring to the participation of the Public in the Bureau, since the contrary would mean eliminating the heart and spirit of the Agreement itself. And, consequently, we reiterate, together with our base CIDOB Orgánica, our rejection to the illegitimate proposal of the government of Bolivia that only sought to eliminate the participation of the public in the Board of Directors and intended to denaturalize the organic structure of indigenous peoples by having indigenous representatives elected by the States.
 4. Likewise, and as a result of COICA's work, through its PDDD, we achieved a historic milestone at COP 1 of the Escazú Agreement, as the participation of indigenous peoples was recognized with the approval of Draft Decision I/6 on "Human Rights Defenders in Environmental Matters". This group will consider the participation of the public, with special emphasis on indigenous peoples and local communities in the conformation of this group, since we are the indigenous defenders who are in the first line of defense against the continuous and systematic violation of our human rights and criminalization-persecution-judicialization of the defense of them. The implementation of this group is key because an action plan will be developed for the protection of human rights defenders in environmental issues, which will in turn contribute to the maintenance and strengthening of the democratic system.
 5. In addition, we salute Alicia Bárcena, who accepted COICA's invitation and from now on is the godmother (ambassador) of our 80x25 initiative to promote actions to protect 80% of the Amazon by 2025, including the protection of indigenous defenders.
 6. Despite this important achievement, the approval of the draft decision "Mechanisms for the participation of indigenous peoples in the COP processes and implementation of the Escazú Agreement" is still pending, which will be discussed and approved at the next extraordinary COP to be held in Argentina, under the commitment of the members of the COP Board of Directors.

In this framework, COICA and its member organizations in the nine countries of the Amazon Basin, RESOLVE:

- Lead and execute actions from the PDDD to promote the approval of the draft decision "Mechanisms for the participation of indigenous peoples in the COP processes and



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implementation of the Escazú Agreement" at the next extraordinary COP of this agreement.

- Urge the States Parties to the Escazú Agreement to recognize the importance of the existence of mechanisms for the participation of indigenous peoples, and to remain vigilant and follow up, from the PDDD, on the decisions adopted by COP 1 of the Escazú Agreement, such as the participation of indigenous representatives in the formation of the Working Group on Defenders and its preparation of the aforementioned Action Plan.
- Promote from COICA, through its PDDD, that said Action Plan be elaborated with clear goals and indicators to design and implement actions to prevent, address and punish threats and attacks against indigenous defenders, as well as to repair the violated rights in a comprehensive and intercultural manner.
- From the PDDD, we extend our gratitude to Alicia Bárcena, ex-Executive Secretary of the Economic Commission for Latin America and the Caribbean (ECLAC), for her support to the Amazonian indigenous peoples in the defense of the Amazon and the rights of indigenous defenders.
- Promote the ratification of the Escazú Agreement in Colombia, Peru and Brazil so that these countries become State Parties and can implement actions for the protection of indigenous defenders in the Amazon. And the adherence of Venezuela and Suriname.
- Finally, we call on international donors and cooperators, based on the results achieved by COICA, to guarantee direct funding to indigenous peoples, since it is the indigenous defenders who denounce and expose acts of abuse of power, irregularities and human rights violations committed by state, private and illegal agents.

Living Amazon, secure humanity.

May 6, 2022

Sincerely yours,

COICA BOARD OF DIRECTORS - CDC

COICA COORDINATING COUNCIL - CCC