



Circular Letter No. 007/2021

Marechal Thaumaturgo, August 12, 2021

Subject: Illegal Road “Nueva Italia – Puerto Breu” (Peru)

To whom it may concern,

The Ashaninka Association of the Amônia River – Apiwtxa hereby informs Brazilian and international society about the threats associated with the illegal reopening of the UC-105 road, between Nueva Italia and Puerto Breu, Peru. Parts of the illegally opened road are located less than 11km from the border with Brazil, near the Indigenous Territory of the Ashaninka of the Amônia River, in the Upper Juruá region, Acre, Brazil.

The road and its uncontrolled migration of settlers is a threat to more than 30 indigenous and traditional communities in Peruvian and Brazilian territory. It is being opened illegally by Peruvian logging companies, endangering the headwaters of important rivers in the region.

The attached report details the history and risks of this road project. The set of documents and files gathered in this document show why we consider this a serious threat to our territories. This illegal road project intends to connect the Ucayali River to the Juruá River, through a forest inhabited by indigenous communities and traditional populations. Its impact will be huge. It will cause problems with uncontrolled migration along the road, illegal logging, drug trafficking and other illegal activities close to our territories and our river headwaters.

We count on your support to fight this serious threat!

Sincerely yours,

Valdete da Silva Pinhanta

President of the Ashaninka Association of the Amônia River – Apiwtxa

The illegal road “Nueva Italia – Puerto Breu”

A THREAT TO THE INDIGENOUS PEOPLES OF THE YURUA, UPPER TAMAYA AND UPPER JURUÁ IN THE AMAZON FOREST

Asociación Ambiental de la Comunidad Ashéninka
Pocharipankoky Pikiyaco Yurúa (AACAPPY)

Asociación de Comunidades Nativas para el Desarrollo Integral
del Yurúa Yono Sharakoiai (ACONADIYSH)

Asociación de Conservación Comunal Yurúa (ACC-Yurúa)

Associação Ashaninka do Rio Amônia – Apiwtxa

Comissão Pró-Índio do Acre – CPI-ACRE

Comunidad Nativa Sawawo (Hito 40)

Comunidad Nativa de Saweto

Organización Regional de AIDSESEP-Ucayali (ORAU)

Organização dos Povos Indígenas do Rio Juruá – OPIRJ

Upper Amazon Conservancy (UAC)

INTRODUCTION

This Dossier presents information related to the illegal opening of a part of the road UC 105 that goes from Nueva Italia to Puerto Breu, in Peru, by logging companies and other interested groups acting illicitly. The dossier also presents a series of official documents, maps, and speeches by the leaders, which show the risk that this undertaking represents for Indigenous Peoples and traditional communities in this region.

In early August 2021, the Sawawo Community Surveillance Committee (Hito 40) confirmed to the Ashaninka Association of the Amônia River – Apiwtxa that the opening front of the UC-105 (Nueva Italia-Puerto Breu) road was already approximately 11.3 km from the border with Brazil, at the headwaters of the Amônia River, also threatening the Brazilian national sovereignty. In early August 2021, the Sawawo Surveillance Committee carried out an expedition on the Amônia river to verify the illegal actions of loggers in the region and identify the size of the impact, the number of machines, which company is responsible and how many workers there are in the area.

Sawawo's Surveillance Committee reported that close to the geographic coordinates “Latitude -9.514506, Longitude -72.975859” there are already two tractors from two logging companies. These are already opening the illegal route of the Nueva Italia – Puerto Breu Road (See Annex, p. 25). The organization Asociación de Comunidade Nativas para el Desarrollo Integral de Yurúa Yono Sharakoiai – ACONADIYSH (2021), published on August 10, 2021, on its Facebook page an open letter pointing out the problems that the Sawawo community is experiencing with the invasion of a logging company in its territory (see p. 18).

Due to these facts, there is an urgent need for action against the opening of this road, which threatens more than 30 indigenous communities in Brazil and Peru, in the regions of Ucayali, Upper Tamaya and Upper Juruá. Benki Piyãko, leader of the Ashaninka People of the Amônia river, reports: “Here in the borderlands, here on the Amônia river, in Upper Juruá, we Indigenous Peoples are being threatened by a road that is coming from Peru to our border in the Juruá valley. The road project runs from Ucayali, crosses the Amônia River until reaching the Juruá River. This road is being built by loggers. This is not a government project. These are company projects, and they have a great impact on state and government decisions. ... some communities are suffering from the impacts that have already occurred, the drugs that invaded their territories, the prostitution that lived within their territory, the fall of leaders who left their territories today because these companies took them or even killed them. This is difficult for us. We're going to fight for the rights of these peoples because we know that it's our right, it's my right, it's their right, it's a nation's right, it's the world's right. We must look at the great wealth we have when we look at the forest, when we look at the world, saying: this forest defends the world, this forest does not only defend Indigenous Peoples. So, the responsibility lies with me and with you, who defends the rights of nature and Indigenous Peoples. We are responsible for what we believe. Let's fight together”.

Sawawo Native Community Surveillance Committee (Hito 40), photos taken in early August 2021.



Figure 1. Sawawo Surveillance Committee team on an expedition to the place where there is a tractor from a logging company on the Amônia River in Peru (Photo: Sawawo Community Surveillance Committee).



Figure 2. Tractor from the logging company to the headwaters of the Amônia river opening the way to the Nueva Italia – Puerto Breu road, August 2021 (Photo: Sawawo Community Surveillance Committee).



Figure 3. Sawawo's Vigilance Committee in front of a tractor from a logging company, August 2021 (Photo: Sawawo Community Surveillance Committee).

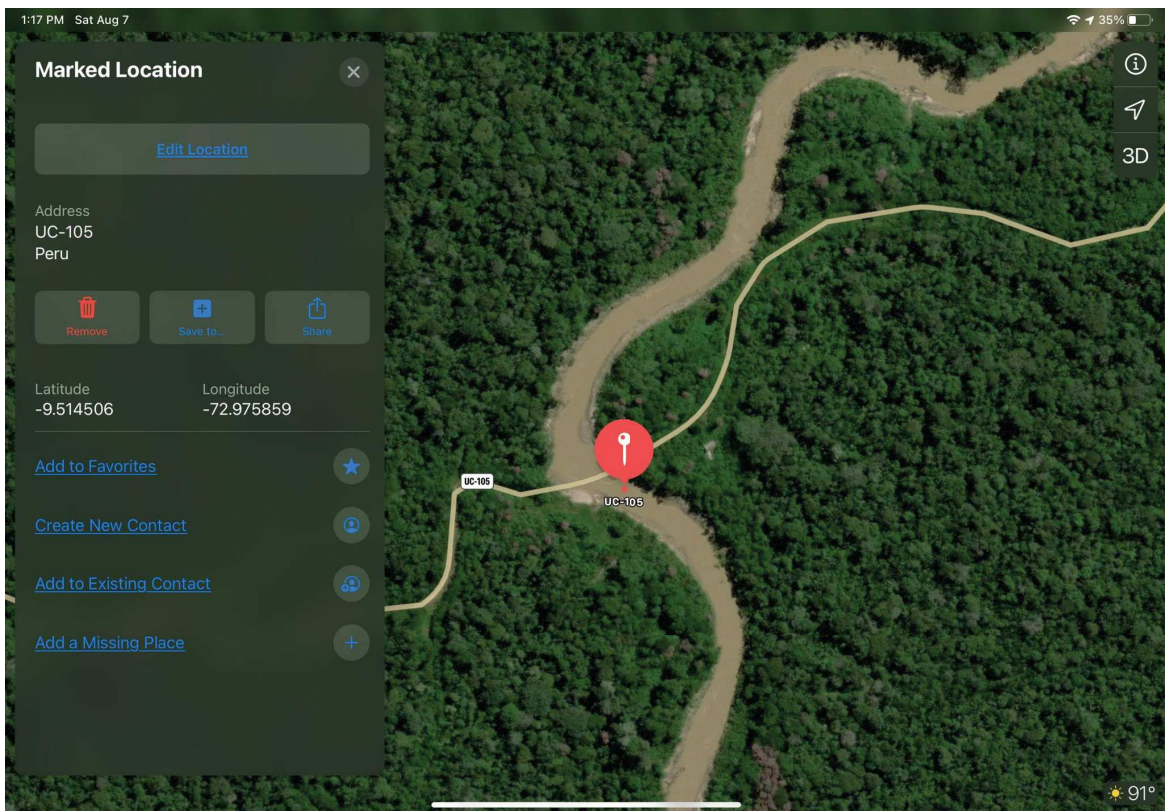


Figure 4. The approximate position of logging tractors in the Amônia river, Peru.

DISREGARDING INDIGENOUS PEOPLES AND THEIR RIGHTS

Along the Brazilian-Peruvian border, road construction continues to be promoted, without respecting the right to Free Prior and Informed Consultation and Consent (CCLPI) established in international law instruments accepted by Brazil and Peru and widely developed by national and international jurisprudence regarding (RCA 2018: 1). Peru is a signatory to the “ILO Convention 169” (see ILO 2014) and the “International Declaration of Indigenous Peoples” (see UNIC-Rio 2009), which demand that the right to Free, Prior and Informed Consultation and Consent be implemented.

The Amazon Cooperation Network (RCA) emphasizes that “it is essential to clarify that any consultation process for administrative and legislative measures that affect the rights of indigenous and traditional peoples, regardless of the concept used to refer to them, must comply with standards, content and scope of the legal institute of the CCLPI law established in instruments of international law accepted by Brazil and widely developed by national and international jurisprudence in this regard” (RCA 2018: 1).

According to the RCA Guidelines for Autonomous Consultation and Consent Protocols (2019), the following aspects that explain the CCLPI right should be highlighted:

- consultation is an obligation of the State
- the consultation must be prior
- the consultation must be free
- the consultation must be informed
- the consultation must be carried out in good faith
- the consultation must have an effect, that is, influence the decision of the State
- the query is not just about answering “yes” or “no”
- the consultation is not just a meeting
- Consultation is aimed at reaching agreements or obtaining the consent of Indigenous Peoples. All agreements must be fulfilled and respected by the parties, that is, the agreements are binding. (RCA 2019, p. 67)

NUEVA ITALIA ROAD PROJECT – PUERTO BREU: A STORY FULL OF IMPACTS

The road entitled “UC-105” started as “OX1”, a 108 km road opened in 1988 by the company “Occidental Petroleum” to link its Nueva Italia port with the wells drilled at Platanal, in the middle of the Tamaya River. “Occidental Petroleum” abandoned the road between 1990 and 1993 (Hazera & Salisbury 2008).

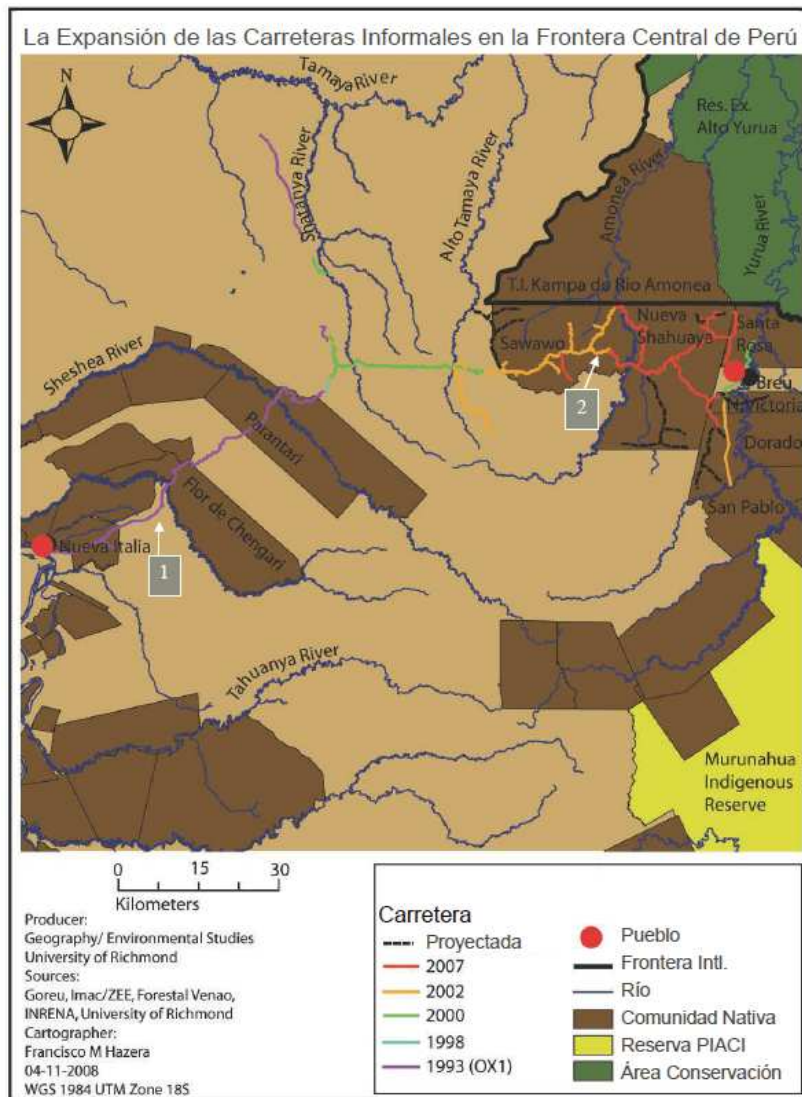


Figure 5. The expansion of an oil exploration road and a network of logging roads threatened the forests and Indigenous Peoples of the Upper Juruá of Peru and Brazil. Source: Hazera & Salisbury (2008).

In 1998, the logging company Forestal Venao and some residents of the newly named Sawawo-Hito 40 Native Community began rehabilitating the OX1 highway to expand it westward to the Yurua River.

Once at the head of the Yurua River, the Peruvian logging company Forestal Venao helped the Nueva Shahuaya Native Community obtain its land title to continue harvesting hardwood in this and other indigenous communities.

Between 1998 and 2007, the 108 km OX1 road expanded to the west as a 268 km network of mostly illegal forest trails and roads (Hazera & Salisbury 2008). Some trails illegally invaded Brazilian territory, that is, the Indigenous Territory of the Ashaninka of the Amonia River. It was when the Ashaninka of the Amônia River fought intensely against the invasions and managed to stop illegal activities in their territory. The Brazilian State only acted after the denunciations and interventions carried out by the Ashaninka, who felt highly threatened by the invasions of their territory by Peruvian loggers (Piyãko et al. 2007). Activities on Brazilian territory not only threatened the lives of the Ashaninka of the Amonia River, their culture, and their habitat but also Brazilian sovereignty.

At the time, between 2000 and 2006, Peruvian indigenous communities did not have the same mobilizing force to intervene with the Peruvian State (Salisbury, López & Alvarado 2011). Many of them were even involved in the Peruvian logging companies' action plans.

Practically semi-abandoned, the road route reappeared in the plans of the Regional Government of Ucayali in 2008 (DRSTCU 2008: 147) and the Ministry of Foreign Affairs-Ministry of Border Development in 2010 (Ampuero 2010) despite representing a great concern for the indigenous population of the Yurua (ACONADIYSH 2004: 54).

In 2021, the road was once again promoted by the National Congress of Peru, the Mayor of the Municipality of Satipo and mayors of cities in Ucayali, despite not following a formal creation process, not respecting the right of indigenous communities to consultation and prior, free, and informed consent and to coincide with several clandestine clues created by drug trafficking.

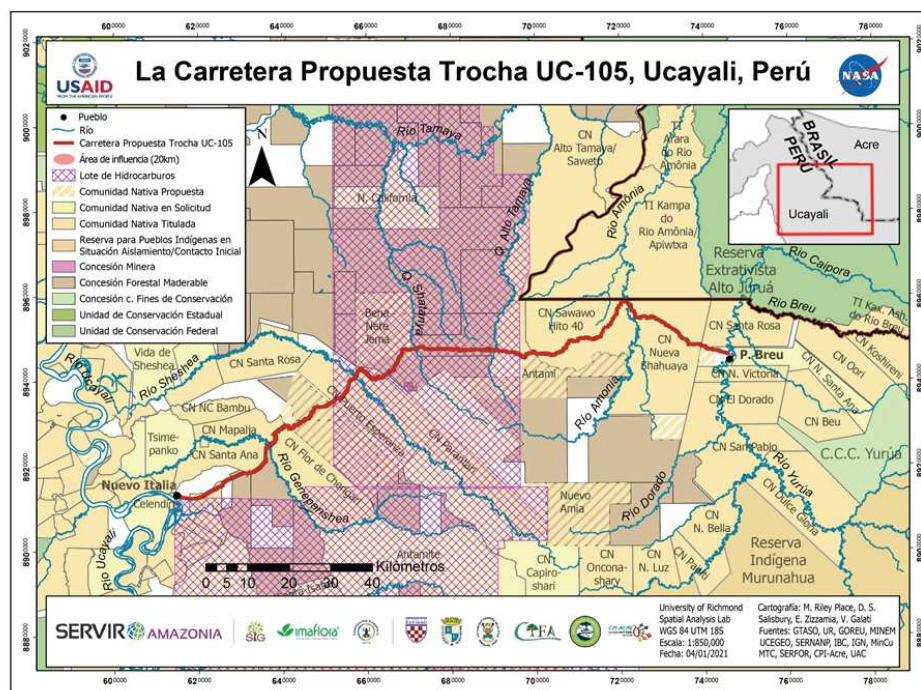


Figure 6. The route between Nueva Italia and Puerto Breu of the UC-105 proposed Road would cross an area with high biological and cultural diversity at the headwaters of the Sheshea, Shatanya, Upper Tamaya, and Upper Juruá-Yurua courses. Source: Salisbury et al. (2021).

On July 12, 2021, the Peruvian Executive Branch, through former president Francisco Rafael Sagasti, analyzed bill nº 6916/2020-CR (Comisión de Transportes y Comunicaciones 2021) which declares the public need and national interest to the Road Interoceánica Vial Centro (Congreso de la República Peru 2021). Using the existing national and departmental roads, the bill proposes the paving of 102 km of the stretch that goes from Bolognesi (capital of the Tahuania district) to Puerto Breu (capital of the Yurúa district), in the Ucayali region, near the border with Brazil, which is currently in the condition of a “unimproved road” (DAR 2021).

According to the Peruvian organization Derecho, Ambiente y Recursos Naturales (DAR), the bill No. 6916/2020-CR raises concerns about the environmental and social damage that the road project may cause, such as increased deforestation, drug trafficking and other illicit economies. Other risks mentioned are the increased incidence of infectious diseases, the impact on the El Sira communal reserve buffer zone and the rights of Indigenous Peoples.

The decision of the Peruvian State Executive on the bill, given by Official Letter No. 430-2021-PR of July 12, states that “the declaration of public need and national interest is considered inconsistent with the National System of Multi-Year Investment Programming, in which each sector or level of government proposes and prioritizes its public investment initiatives based on established criteria and within the scope of national, regional and local strategic planning” (DAR 2021).

The Peruvian Executive also indicates that “the construction of cross-border highways in the Amazonian territory is not the best way to increase bilateral trade and integration with Brazil, and that it could have unwanted consequences, such as increased deforestation and increased illegal activities in the zone of Influence of the new land routes, such as the Peru-Brazil South Interoceanic Highway”, as the indigenous organization *Organización Regional de AIDSESP-Ucayali ORAU*, DAR (2021) and other institutions have already warned.

ENVIRONMENTAL IMPACTS

According to the analysis of the social and environmental impacts of the proposed UC-105 road between Nueva Italia and Puerto Breu, the Amazon jungle is home to more than 25% of terrestrial species, almost 15% of freshwater and 50% of the carbon storage in the world's tropical forests (Salisbury et al. 2021; Plotkin 2020). Figure 7 (see p. 8) shows that the impact zone of an Amazonian Road is wide, reaching at least 20 km on both sides of the road or more (Oliveira et al. 2007; Southworth 2011).

Lovejoy & Nobre (2019) and Walker (2020) emphasize that if we reach 20-25% deforestation, the Amazon jungle can turn into a savanna. The impacts will be large and will influence, for example, the amount and frequency of rain, causing longer periods of drought, higher and variable temperatures. In addition, the amount of freshwater will decrease and there will be changes in biodiversity, in its fauna and flora.

The Peruvian State Executive noted that the project “does not consider the characteristics of the ecosystems present in the area and of the indigenous communities that may be affected”. The Executive also indicates that “it was not considered that in the section of the Bolognesi – Puerto Breu Road the ecosystems present very low human intervention, and that an intervention (such as the construction of a road) would generate a significant advance in the loss of forest areas, alteration of the ecosystems and ecological balance” (Infraestructura y Amazonía 2021).

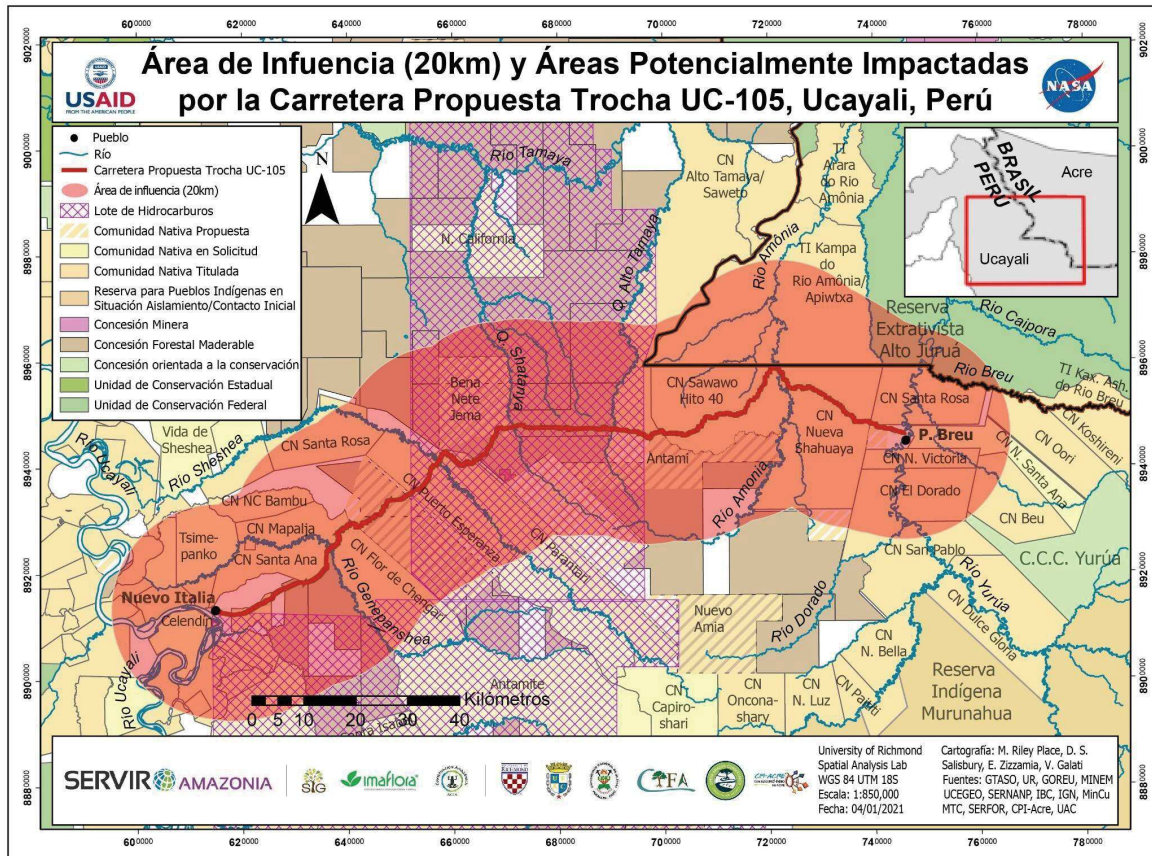


Figure 7. The area of influence of the route “Nueva Italia – Puerto Breu” would impact an area with high biological and cultural diversity at the headwaters of the Sheshea, Shatanya, Upper Tamaya, and Upper Juruá-Yurua courses. Source: Salisbury et al. (2021).

According to estimates by the DAR (2021), since 2017 deforestation has already taken place along this route. 3,701.98 hectares of forest were deforested in a large part of the Bolognesi – Breu stretch, which would be destined for agricultural activities.

ENVIRONMENTAL IMPACT ASSESSMENT REQUIRED

In its letter dated July 12, 2021, the Peruvian State Executive warns that “the execution of any project involving impacts of this type requires an environmental impact assessment, as well as processes of participation and prior consultation with Indigenous Peoples in the area, to determine its environmental and social viability, given what is established in the regulations in force” (Infraestructura y Amazonía 2021; see also Congreso de la República Perú 2021). The position of the Executive Branch of the Peruvian State is also in line with what was placed by the indigenous organization ORAU (Infraestructura y Amazonía 2021).

In addition, the Executive emphasizes that “the assessment of the draft project evidences its overlap with the buffer zone of the El Sira communal reserve, for which the decision must have the technical compatibility report of the National Service of Natural Areas Protected by the State (SERNANP)” (Infraestructura y Amazonía 2021).

Figures 8, 9 and 10. Increased deforestation between June 2016 to September 2020 along the old logging road that could connect Nueva Italia to Puerto Breu, Yurua. The images show a dramatic increase in deforestation since 2019. Source: 2020, Planet Labs Inc. thanks to the Norwegian International Climate and Forest Initiative, compiled by David Weiss, CEES, WFU). Additional information in UAC (2021):



Figure 8. Deforestation in June 2016.



Figure 9. Deforestation in December 2018.



Figure 10. Deforestation in September 2020.

THE IMPACT OF THE ROAD ON RIVERS AND THEIR AFFLUENTS

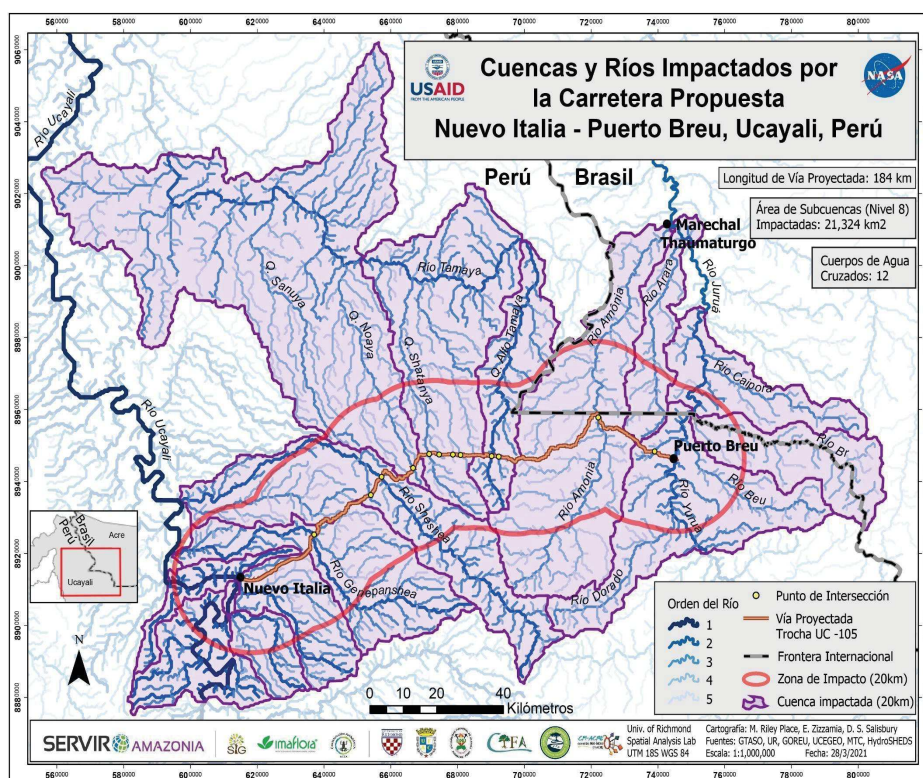


Figure 11. The zone of influence of Stretch UC-105 or Nueva Italia – Puerto Breu Proposed Road would impact many Brazilian, Peruvian, and transboundary hydrographic basins. Source: Salisbury et al. (2021)

According to the map prepared by Salisbury et al. (2021), considering an impact zone of 20 km, the construction of the Nueva Italia – Puerto Breu Road will affect around 21,324 km² of the region's hydrographic basins.

Rivers and streams that will be impacted by the Nueva Italia – Puerto Breu Road

Ucayali River, Genepanshea River, Sheshea River, Shanuya Stream, Noaya Stream, Shatanya Stream, Upper Tamaya Stream, Amônia River, Dorado River, Yurua River, Arara River, Breu River, Huacapishtea River.

The headwaters of the Yurua/Upper Juruá rivers and streams are of high importance for the protection of the fauna and flora existing in the border region between Brazil and Peru, covering several areas with wide biodiversity.

Areas of wide biodiversity in Peruvian territory:	Areas of extensive biodiversity on Brazilian territory:
<ul style="list-style-type: none"> • Alto Purus National Park • Indigenous Communities of the Ucayali in Peru • Concesión de Conservación Yurúa 	<ul style="list-style-type: none"> • Serra do Divisor National Park • Indigenous Territories of the Amônia and Breu Rivers • Extractive Reserve of the Upper Juruá

SOCIAL AND ENVIRONMENTAL IMPACTS

The Peruvian organization DAR (2021) sent a formal communication to the Presidency of the Council of Ministers (as well as to MINCU; MINAM; Comisión de Pueblos, y de Transportes y Comunicaciones del Congreso; y Defensoría del Pueblo), requesting the observation of the bill “PL 6916/ 2020-CR” due to the lack of economic and commercial support and the lack of assessment of the serious risks to Indigenous Peoples and the environment, which could promote the intensification of illicit economies in the region.

Salisbury et al. (2021) warn that the Nueva Italia – Puerto Breu Road project, which originally began with the construction of informal roads for logging, and which extended from an oil exploration highway, could cause significant changes in indigenous communities, opening space for livestock, illegal logging and illicit agriculture, threatening areas of biodiversity and conservation, as well as indigenous cultures and territories in danger of extinction. These impacts are like those exposed in the article “Drug trafficking and an Amazon Park divided in two: Bolsonaro Highway to link Peru to Brazil” (El Universal 2021), which analyzes the opening of the Cruzeiro do Sul – Pucallpa highway.

The analysis of Planet Data satellite images of May 2 and July 21, 2021 (Figure 12, see p. 12) reveals two airstrips adjacent to the UC-105 section of the proposed Nueva Italia – Puerto Breu Road. These two tracks were established in 2018 and 2020 (DAR 2021).

During the 81 days between the acquisition of the two satellite images, 22 new areas of forest within a radius of 5km were deforested using the two airstrips, with a total of 30.4 hectares of deforested area and an average of 1.38 hectares each.

The results indicate a possible geographic relationship between the proposed road, airstrips, and deforestation during the first part of the low-wet season. Salisbury (2021a) emphasizes that it is necessary to pay attention in the coming months of the drought period to know if this deforestation related to the UC-105 road is increasing.

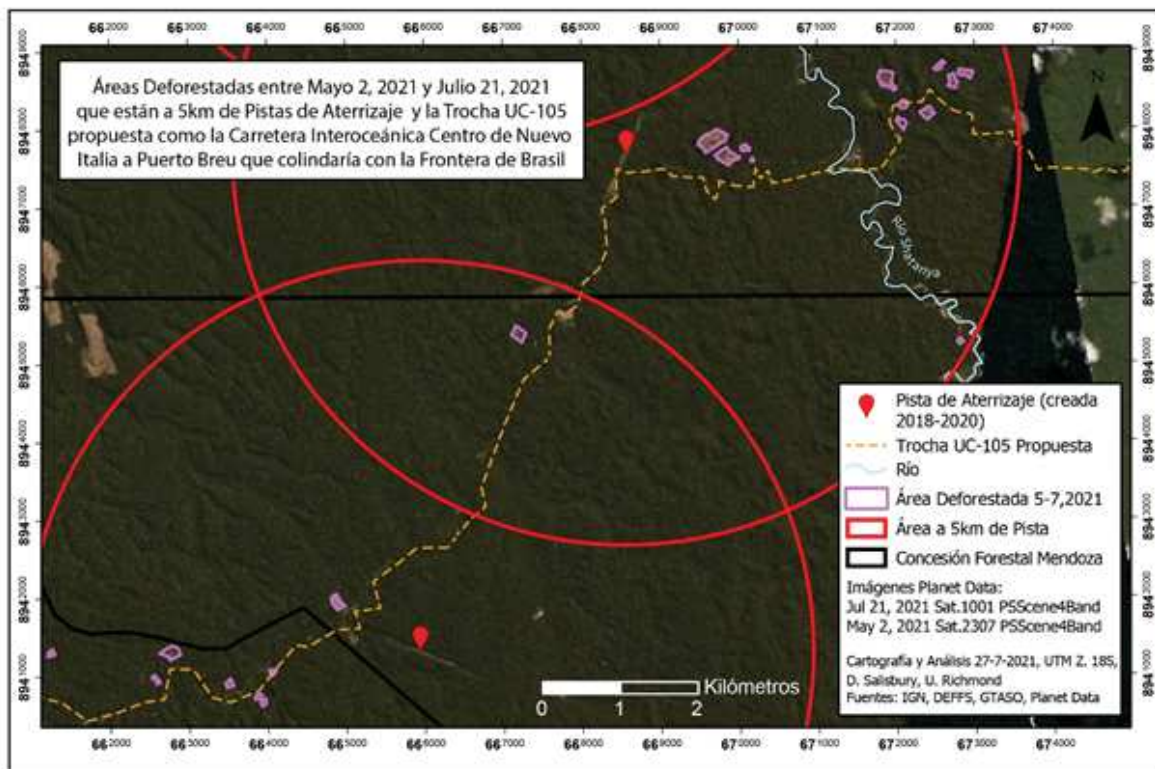


Figure 12. The route that anticipates the proposed road Interoceanica Centro de Nueva Italia to Puerto Breu is related to landing strips and deforested areas between Mayo and Julio, 2021. Source: Salisbury 2021 a; IGN, DEFFS, GTASO, Planet Data.

According to press reports from the Ucayali region, at least 12 ha of coca cultivation have been identified in the surroundings of Nueva Itália, located north of Bolognesi, which is on the stretch route to Puerto Breu. Because of this, the DAR organization emphasizes the need to assess the “risk that this infrastructure may be used by the logistical chains of these illicit activities” (Infraestructura y Amazonía 2021).

In addition to the arguments presented by the Peruvian State Executive on July 12, 2021, there are others identified by the DAR (2021), such as that PL 6916/2020-CR is not considered of “strategic importance” nor of “medium importance” in the Participatory Road Department Plan of the Ucayali Region 2017-2026 (Infraestructura y Amazonía 2021).

Another aggravating factor is that the project does not have public health risk assessments and much fewer preventive measures, which would be necessary. According to Infraestructura y Amazonía (2021), international studies highlight the role of roads in the incidence of tropical diseases, for example, in Via Iquitos – Nauta and the incidence of malaria; or the Interoceanic Sur, with the incidence of malaria and rabies, in turn, caused by deforestation processes and changes in land use induced by these routes.

In conclusion, the interconnection with Brazil promised through the bill, “lacks support given the ongoing change in the Brazilian transport matrix, which calls into question the cross-border commercial potential of the so-called Interoceanic Vial Centro, since not even the South Interoceanic Highway, whose location is the closest to Brazil's agro-industrial production centers, has achieved this goal” (Infraestructura y Amazonía 2021).

Because of all the aforementioned arguments, the Peruvian Congress of the Republic must file Bill No. 6.916/2020-CR, considering the observations of the Peruvian Executive Branch, which coincide and add to the observations of ORAU and the analyzes carried out by the Peruvian organization DAR (2021).

ADMINISTRATIVE UNITS CROSSED BY THE PROPOSED ROAD

Aiming to draw up a graph with the results of administrative units crossed by the road and in its 20 km zone of influence, Place et al. (2021) used GIS analysis. In this chart, the proposed road would cross a route of 107.1 km of titled Peruvian indigenous lands. However, if we count with the 20 km zone of influence of the road, we will have a total of 3,091.1 km² of titled indigenous lands in Peru and 641.6 km² of titled indigenous lands in Brazilian territory. The proposed road stretch not only traverses native communities with land titles and proposed native communities, but also logging concessions and hydrocarbon plots on Peruvian territory. The road's zone of influence also interferes with Brazilian territory, directly impacting the Amônia River Indigenous Land of the Ashaninka People, the Indigenous Land Kaxinawá/Ashaninka of the Breu River and the world's first extractive reserve, the Upper Juruá Extractive Reserve.

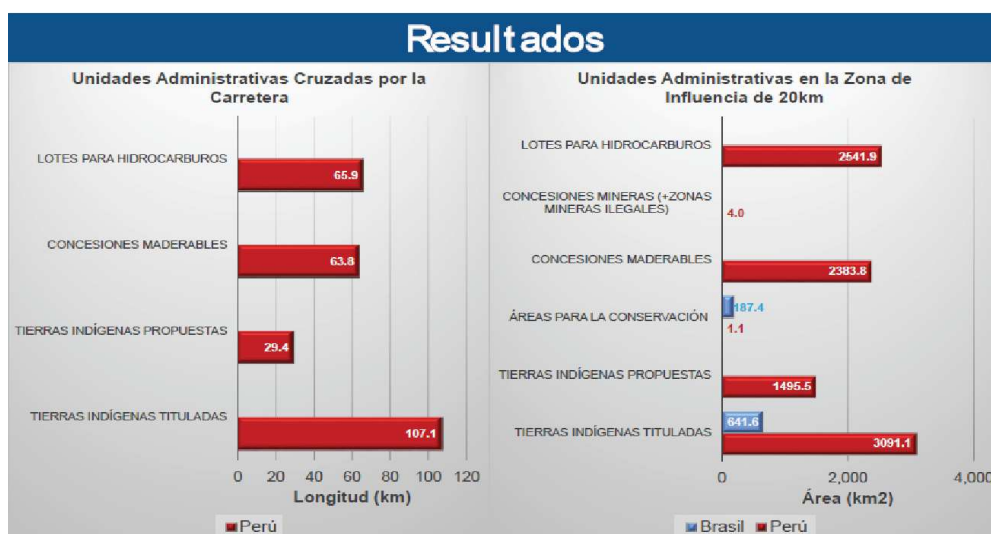


Figure 13. The proposed road would cross a variety of administrative units. Source: Place et al. 2021, poster by Salisbury et al. (2021).

WIDE CULTURAL DIVERSITY

In addition to the great existing biodiversity, the region of Ucayali in Peru and Upper Juruá in Brazil is rich in cultural diversity. In it live the Indigenous Peoples:

- Amahuaca
- Apolima-Arara
- Asháninka
- Ashéninka
- Chitonahua,
- Shipibo-Konibo
- Huni Kuĩ
- Kuntanawa
- Jaminawa/Arara
- Yaminahua
- Yanesha

The indigenous communities and residents of the Upper Juruá extractive reserve of this region acquire a large part of their subsistence, their livelihood, from the forests, rivers, lakes, and streams existing in their territories and adjacent communities. While indigenous and riverine peoples take more than 20% of forests and rivers to survive, Indigenous Peoples in isolation and initial contact depend 100% on ecosystem services from the rainforest and its rivers (Place et al. 2021).

The Juruá / Yurua River and tributaries are of great importance not only to all indigenous and riverside communities but also to newly contacted and isolated indigenous people who live in the Murunahua Indigenous Reserve in Peru, directly at the headwaters of the Yurua River.

ROAD UC 105 – DISREGARD OF THE RIGHT TO CONSULTATION AND PRIOR, FREE AND INFORMED CONSENT OF THE INDIGENOUS COMMUNITIES OF PERU AND BRAZIL

Regarding the Nueva Italia – Puerto Breu Road project, the right to consultation and prior, free, and informed consent is not being respected either by institutions with an interest in road construction or by congressmen and mayors of the Junín and Ucayali regions. Logging companies are involved in and even promoting the construction of the road illegally, without obtaining permission from the Peruvian government and without respecting the right to consultation, as established in instruments of international law, and broadly developed by national and international jurisprudence.

As mentioned before, technical studies on the social and environmental impacts caused by the project in the region were not carried out. According to Salisbury et al., Amazonian highways, as well as many illegal airstrips, tend to be expanded informally, without a legal and official government process, without consultation and free, prior, and informed consent to indigenous populations and reports of socio-environmental impact. According to Salisbury et al. (2021), the expansion of Amazonian roads often follows a progressive cycle, with new and unplanned roads. These are usually created for illegal logging and illicit agricultural expansion, which in turn expands and leads to the formalization of roads.

At this time, a road system is being expanded between the Ucayali River and the remote headwaters of the Yurua River. In August 2020, the officially named “UC-105” road had a route of approximately 180 km in length. However, some maps mention the beginning of the UC 105 road in Bolognesi, near Tahuania on the Ucayali River and the native community of Santa Clara, passing through Tupac Amaru, to Nueva Italia, on to Sheshea Heliport, in the native community of Puerto Esperanza from Sheshea, crossing the Sheshea River and the headwaters of the Amônia River and following the route to the Pitch on the Yurua River, Peru (Ministerio de Transportes y Comunicaciones de Peru 2017).

The section of the planned UC 105 road is travelable from Bolognesi to the Puerto Esperanza Native Community of Sheshea on the Sheshea River. The road is planned from Nueva Italia on the Ucayali River to the city of Puerto Breu on the Yurua River.

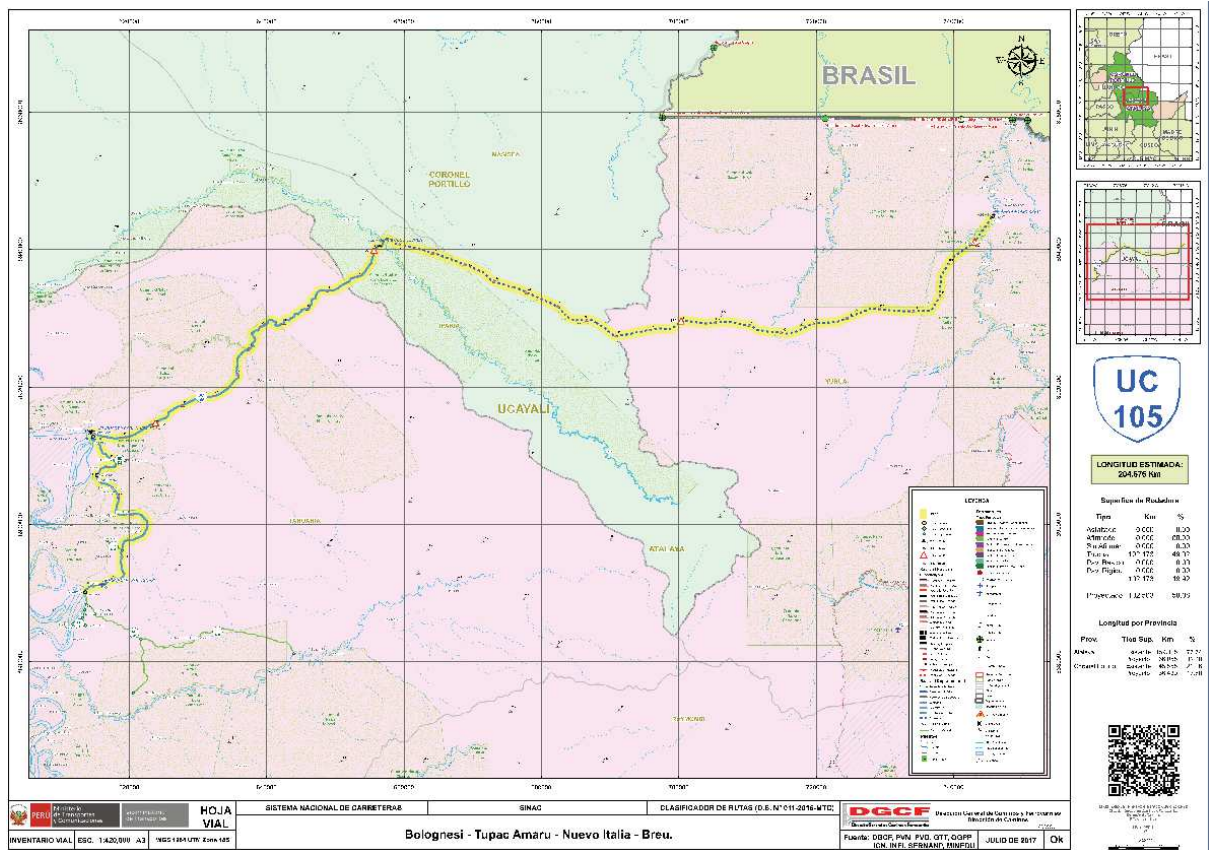


Figure 14. The proposed road route has changed a lot over the years. This map shows a route further away from the Brazilian border, but it still has a great impact on the headwaters of the Brazilian-Peruvian Upper Juruá and Amônia rivers and the respective communities that inhabit there. Source: Ministerio de Transportes y Comunicaciones de Peru (2017).

CONCLUSION OF GEOGRAPHICAL ANALYSIS

According to Place et al. (2021), the proposed road “Section UC-105 Nueva Italia – Puerto Breu” will cross areas of forest, rivers, and sensitive areas of conservation of biodiversity and cultural diversity. The zone of influence of the proposed road will increase deforestation in indigenous territories and conservation areas, threatening sub-basins, rivers and tributaries, and indigenous and riverine communities in both Peru and Brazil. Furthermore, the presence of the road will contribute in an aggravating way to the strengthening of drug trafficking and illegal forest extraction, oil, and minerals.

The expansion of roads and deforestation in forest areas will also contribute to the temperature increase, the period of droughts and the number of floods, threatening the fauna, flora, and the lives of all the people who live in the affected region.

INDIGENOUS PEOPLES AND RIVERSIDE COMMUNITIES AFFECTED
BY THE ROAD NUEVA ITALIA – PUERTO BREU

PERU

Tahuanía District:

Comunidad Nativa Santa Clara: Povo Shipibo-Konibo
Comunidad Nativa Tumbuya. Povo Shipibo-Konibo
Comunidad Nativa San Fernando de Vainilla: Povo Asháninka
Comunidad Nativa Betijay: Povo Shipibo-Konibo
Comunidad Nativa Nueva Roca Fuerte: Povo Ashéninka
Comunidad Nativa Tupac Amaru: Povo Shipibo-Konibo
Comunidad Nativa Nueva Esperanza de Cumaria: Povo Asháninka
Comunidad Nativa Santa Ana: Povo Shipibo-Konibo
Comunidad Nativa Flor de Chengari: Povo Asháninka
Comunidad Nativa Mapalja: Povo Asháninka
Comunidad Nativa Nueva Claridad de Bambu: Povo Asháninka
Comunidad Nativa Puerto Esperanza de Sheshea: Povo Ashéninka

Iparia District:

Comunidad Nativa Nueva Unión Pierola: Povo Ashéninka
Comunidad Nativa Parantari: Povo Ashéninka

Masisea District:

Comunidad Nativa Upper Tamaya/Saweto: Povo Ashaninka

Yurúa District:

Comunidad Nativa Sawawo (Hito 40): Povo Ashéninka
Comunidad Nativa Nueva Shahuaya: Povo Asháninka
Comunidad Nativa Dorado: Povo Yaminahua
Comunidad Nativa Nueva Victoria: Povo Asháninka
Comunidad Nativa Santa Rosa: Povo Amahuaca
Comunidad Nativa San Pablo: Povo Yaminahua
Comunidad Nativa Dulce Gloria: Povo Ashéninka (Fonte: UAC/Apiwtxa)

BRAZIL

Upper Juruá, Acre

Terra Indígena Kampa do Rio Amônia: Povo Ashaninka
Terra Indígena Apolima-Arara do Rio Amônia: Povo Apolima-Arara
Terra Indígena Jaminawa/Arara do rio Bagé: Povo Jaminawa/Arara
Terra Indígena Kaxinawá/Ashaninka do Rio Breu: Povo Huni Kuĩ e Ashaninka
Reserva Extrativista do Upper Juruá: Povo Kuntanawa, extrativistas e ribeirinhos dos rios Breu, Tejo, Juruá e Arara (Fonte: UAC/Apiwtxa).

MOBILIZATION OF INDIGENOUS COMMUNITIES AGAINST THE ROAD NUEVA ITALIA – PUERTO BREU

Since October 2020, indigenous communities in the Ucayali, Upper Tamaya in Peru and Upper Juruá in Brazil have been mobilizing against the construction of the illegal Nueva Italia – Puerto Breu Road.

In Peru, for example, three grassroots indigenous organizations in the Yurúa district of Ucayali signed an inter-institutional agreement on February 26, 2021, to express their concerns and oppose the illegal construction of the UC 105 road: the Association of Native Communities for the Integral Development of the Yurúa Yono Sharakoiai (ACONADIYSH), the Asociación de Conservación Comunal Yurúa (ACC-Yurúa), and the Asociación Ambiental de la Comunidad Ashéninka Pocharipankoky Pikiyaco Yurúa Gloria (AACAPPY) 2021).



Figure 15. Ashéninka, Yaminahua and Amahuaca leaders met in February 2021 to discuss threats to their territories in the Yurúa region. Photo: Upper Amazon Conservancy (UAC).

The objective of this agreement is to consolidate the organizations' position regarding the road project that intends to reach the Yurúa river basin. Indigenous organizations in the Yurúa are opposed to the road because its construction threatens their territories and their way of life. The representatives of the communities warn that the opening of the path with tractors for the construction of the highway has facilitated the invasion of farmers and settlers coming mainly from the central jungle (UAC 2021).

Yurúa grassroots organizations have already held several meetings, such as an assembly in Dulce Gloria on April 29, 2021, bringing together indigenous representatives from Yurúa and Tamaya. Leaders from the Ashaninka community of the Amônia river in Brazil were also invited to participate in the assembly in Dulce Gloria. When arriving in Puerto Breu, representatives of the Ashaninka of the Amonia River were prevented by local police, following orders from the municipal mayor, from continuing their journey to Dulce Gloria. The officers reported that they had no problem with the Apiwtxa leaders continuing their journey to participate in the assembly. However, they had to follow orders from above, after receiving a phone call from their boss ordering not to let the Brazilian Ashaninka leaders through. The police apologized for what happened and explained that, according to superior orders, the Apiwtxa leaders could not continue their journey due to the pandemic, despite having taken all the precautions previously informed to them and possessing the COVID-19 vaccination card to participate of the assembly, following the Peruvian health surveillance protocols in

force. Meanwhile, the mayor is clearly in favor of the Nueva Italia – Puerto Breu Road and spares no effort to take the project forward.

Since then, the indigenous communities of the Yurúa have already held several meetings, continue to organize themselves and are preparing to hold a community congress to curb illegal advances on the highway.

On August 10, 2021, ACONADIYSH (2021) published on its Facebook page an open letter warning that the timber company “Industria Maderera Juan Simón y Negocios Forestales Ostua E.I.R.L.” is threatened the Ashéninka community of Sawawo. The letter further confirms that Sawawo at no time gave consent or authorized any type of activity within its territory. Below is the letter published by ACONADIYSH:



PRONUNCIAMIENTO

La Asociación de Comunidades Nativas para el Desarrollo Integral de Yurúa Yono Shara Koiari – ACONADIYSH, institución que representa y promueve el desarrollo económico, social, político y cultural de los pueblos indígenas de la cuenca de los ríos Breu, Yurúa, Amonia y Huacapishtea, en el distrito de Yurúa, provincia de Atalaya - región Ucayali, ante la amenaza a la vida y al territorio de la Comunidad Nativa Sawawo Hito 40, manifestamos lo siguiente:

La Comunidad Nativa Sawawo Hito 40 está siendo amenazada por la empresa maderera “**Industria Maderera Juan Simón y Negociaciones Forestales Ostua E.I.R.L**”, quienes con personal y maquinaria pesada vienen ocupando y abriéndose camino dentro del territorio comunal.

La comunidad en ningún momento ha consentido y/o autorizado algún tipo de actividad maderera dentro de su territorio, por ello manifestamos nuestra solidaridad con nuestros hermanos de Sawawo, nuestro rechazo contundente y alzamos nuestra voz de protesta ante estos actos que vulneran nuestros derechos fundamentales colectivos, amenazan nuestra vida, nuestros bosques y nuestras fuentes de alimentos.

Hacemos un llamado a las instituciones competentes para estos fines, Gerencia Regional Forestal y de Fauna Silvestre GERFFSU, a la Sede Operativa Forestal y de Fauna Silvestre de Atalaya – SOFFSA, a la Fiscalía Especializada en Medio Ambiente y OSINFOR a tomar las medidas prontas para sancionar categóricamente a quien corresponda por este atentando y evitar situaciones que en adelante podríamos lamentar.

Puerto Breu, 10 de agosto de 2021.

Atentamente.

**Asociación de Comunidades Nativas para el Desarrollo Integral de Yurúa Yono
Shara Koiari - ACONADIYSH**

Source: ACONADIYSH (10.08.2021), URL: <https://www.facebook.com/aconadiyshyurua/>

GREAT CONCERN: PROGRESS IN ILLEGAL ROAD CONSTRUCTION

The organization Upper Amazon Conservancy (UAC) reports that the proposed road continues to advance. It is being built illegally with the support of loggers and allegedly drug traffickers on an old trail that was illegally cleared more than 20 years ago by the logging company Forestal Venao. The company opened the road for the transport of wood from the Yurúa communities to the Ucayali River and later to the city of Pucallpa (UAC 2021).

According to the UAC (2021), approximately 60 kilometers of the total planned route of the road, which is 184 kilometers, have already been opened, which has already caused the deforestation of several forest areas in the region.

Indigenous organizations of the Yurúa fear that the road's advance will continue to attract more people from Junín, Satipo and Valle de los Ríos Apurímac, Ene and Mantaro (also known as VRAEM). According to representatives of indigenous organizations, these people “are interested in entering the Yurúa basin and other remote areas that are territories of native communities and areas with the presence of indigenous people in a situation of isolation” (UAC 2021).

The UAC is supporting the indigenous communities of the Yurúa to organize themselves, carrying out visits to the various communities, offering workshops and clarifying the population about the threats and problems that the road can bring through printed material and audiovisual projections with maps and photos (UAC 2021).

The visits to the indigenous communities of the Yurúa served to gather opinions from the communities about the road. Through these, the organizations observed that “most communities did not have basic information about the road” and even less about “the situation of the invasions, the intensity of deforestation or the progress of the road that is approaching the region”.

The UAC team and representatives of the organizations ACONADIYSH, AACAPPY and ACC-Yurua also discovered during the visits that there is a local consensus in indigenous communities that the road does not suit them, as 161 out of 186 people (86%) are against it. Therefore, indigenous organizations and partners are preparing to organize a congress of communities to consolidate their position against the illegal advance of the highway. The congress will also serve to discuss alternatives to the road and, through its own projects, promote the sustainable development of the region and increase the quality of life (UAC 2021).

On the Brazilian side, the Ashaninka of the Amônia River, as well as the Huni Kuī, Apolima-Arara, Jaminawa-Arara, Ashaninka of the Breu River, the Kuntanawa and riverside dwellers of the Upper Juruá Extractive Reserve are also threatened by the illegal construction of the road. The Ashaninka Association of the Amônia River – Apiwtxa is supporting the work of indigenous organizations and Ucayali partners to strengthen grassroots indigenous mobilization in Peru.

THE CURRENT SITUATION IN THE UCAYALI REGION – HOW LOGGING COMPANIES ACT AT THE MOMENT

Although the Executive Branch of the Peruvian State has analyzed the issue of the central UC 105 road (which includes the Nueva Italia – Puerto Breu route) and has come out against its construction, logging companies and drug trafficking continue to act illegally, entering with tractors in the Yurúa River region for the removal of wood and the opening of new coca fields. There are reports that logging companies met members of communities and associations in the Yurúa district, seeking to bribe them, as it already happened in the past. Some communities are torn between supporting logging companies and opposing road construction. There are reports of community members working with loggers, helping them to continue their projects in the region. Some communities are in the process of titling their lands. Logging companies take advantage of this situation and promise the titling of indigenous lands in exchange for illegal logging, usurping the role of the Peruvian state.

Indigenous organizations of the Ucayali told during meetings that a logging company called Forestal Mendoza already did enter the region of the proposed road. It negotiates with communities along the proposed road, offering and paying them cash in advance for timber removal. In July 2021, meetings took place in Pucallpa with representatives of indigenous communities. The logging company has entered with a bulldozer on the UC 105 road, towards Dorado and San Pablo on the Yurua River.

Even though the executive branch of the Peruvian Executive had already demonstrated against the construction of the road in July 2021, municipal authorities in Ucayali continue to promote the construction of the road, acting illegally. Meanwhile, indigenous communities in the Ucayali are being deceived and involved in bad negotiations with logging companies and local authorities that try to weaken local indigenous organizations.

The strategy used by logging companies

Organization of meetings with representatives of indigenous communities to offer them money in exchange of illegal logging in their communities.

In this process, only a few community representatives participate in illegal negotiations. The rest of the community members remain uninformed about the illegal projects arranged by their members.

Recent illegal actions

- In July and August, 2021, logging companies enter the proposed road section with heavy machinery, opening it illegally and illegally extracting timber (see Annex, p. 25).
- Airstrips and clearings for coca plantations are also being opened in the Ucayali region. Satellite images show that within a radius of 5km from the lanes of the UC-105 section, 20 new plantations were opened in the last 80 days (between May and July 2021).

ROAD IMPACTS		
ENVIRONMENTAL	SOCIAL	HYDROLOGICAL
<ul style="list-style-type: none"> → Increase deforestation → Contribute to temperature increase → Contribute to the drying out of hydrographic basins (rivers, lakes, streams) → Facilitate forest fires → Prevent the passage of wild animals → Cause the death of animals by vehicles → They contaminate plants, animals, rivers, lakes, and streams 	<ul style="list-style-type: none"> → Cause crop loss → Spread diseases → Promote access to illicit markets for services and natural resources → Attract loggers, smugglers, and poachers → Facilitate the entry of farmers of illegal and illicit crops → Facilitate the trafficking of drugs, weapons, animals, and other contraband → Increase land grabbing 	<ul style="list-style-type: none"> → Increase soil erosion → Lower water quality → Increase the temperature of rivers, lakes, and streams → Change the structure and functions of rivers, lakes, and streams → Cause chemical contamination → Cause nutrient runoff <p style="text-align: right;">Source: Place et al. 2021.</p>

LITERATURE

ACONADIYSH (2004). Plan de Vida de los Pueblos Indígenas de Yurua 2004-2009, Yurua, Ucayali, Perú, P. 54.

ACONADIYSH (2021), URL: <https://www.facebook.com/aconadiyshyurua/photos/pcb.204289285000118/204283401667373/?type=3&theater>

Ampuero, Luis B. (2010). Gestión de Desarrollo por el Lado Peruano de la Zona de Integración Fronteriza Perú-Brasil, charla para el Taller Binacional Hacia un Desarrollo Sostenible mediante la Integración Fronteriza Acre-Ucayali, 30 de Noviembre, 2010, Pucallpa, Ucayali, Perú.

Comisión de Transportes y Comunicaciones (2021). Proyecto de Ley 6916/2020-CR. Ley que declara de Necesidad pública y preferente interés nacional la Carretera Interoceánica vial Centro, URL: https://leyes.congreso.gob.pe/Documentos/2016_2021/Dictámenes/Proyectos_de_Ley/06916DC23MAY20210422.pdf

Congreso de la República Peru (2021). Oficio 420–2021 – PR (12.07.2021), URL: https://leyes.congreso.gob.pe/Documentos/2016_2021/Observacion_a_la_Autografa/OBAU06916-20210712.pdf

CPI-ACRE (2021). CARTA ABERTA: A defesa dos direitos dos povos indígenas e das comunidades tradicionais e a conservação das florestas como perspectiva de desenvolvimento na Fronteira Acre – Ucayali (21.07.2021), URL: <https://cpiacre.org.br/carta-aberta-a-defesa-dos-direitos-dos-povos-indigenas-e-das-comunidades-tradicionais-e-a-conservacao-das-florestas-como-perspectiva-de-desenvolvimento-na-fronteira-acre-ucayali/>

DAR (2021). Presidente observa proyecto de ley que impulsa la carretera Interoceánica Centro (15.07.2021), URL: <https://dar.org.pe/presidente-observa-proyecto-de-ley-que-impulsa-la-carretera-interoceanica-centro/>

DRSTCU. (2008). Plan Vial Departamental Participativo de Ucayali 2009-2018, Pucallpa, Ucayali, Perú.

El Universal (2021). O tráfico de drogas e um parque amazônico dividido em dois: Rodovia de Bolsonaro para ligar o Peru ao Brasil, URL: <https://www.eluniversal.com.mx/interactivos/2021/peru-brasil-la-carretera-de-bolsonaro/index-prg.html>

Hazera, F. M. & Salisbury, D. S. (2008). “A Qualitative Analysis of Illegal Logging Road Expansion in the Central Borderlands of Peru.” Poster presented at the Annual Meeting of the Association of American Geographers, 15-19 April, 2008. Boston, MA.

Infraestructura y Amazonía (2021). Presidente observa proyecto de ley que impulsa la carretera Interoceánica Centro (15.07.2021), URL: <https://www.inframazonia.com/presidente-observa-proyecto-de-ley-que-impulsa-la-carretera-interoceanica-centro/>

Lovejoy, T. E., & Nobre, C. (2019). Amazon Tipping point: Last chance for action, *Science Advances*, 5 (12).

Ministerio de Transportes y Comunicaciones de Peru (2017). URL: https://portal.mtc.gob.pe/transportes/caminos/normas_carreteras/Mapas%20RVD/Ucayali/UC-105.pdf

OIT (2014). Convenio Núm. 169 de la OIT sobre Pueblos Indígenas y Tribales, URL: https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_345065.pdf

Oliveira, P. J., Asner, G. P., Knapp, D. E., Almeyda, A., Galván-Gildemeister, R., Keene, S., ... & Smith, R. C. (2007). Land-use allocation protects the Peruvian Amazon. *Science*, 317(5842), 1233-1236.

Piyãko, M.; Chota Valera E.; Coresepa, J.; Kaxinawá J. M.; Kaxinawá J. L.; Sales J. P., Kaxinawá F. E. F.; Kaxinawá J. D., Medeiros, F.; Katukina E. R. da S.; Kaxinawá, A. F.; Kaxinawá N. S.; Azanha, G.; de Paiva V. O. S. (2007). Graves enfrentamientos en la frontera Perú-Brasil: los pueblos indígenas se pronuncian (02.12.2007). Declaração, Rio Branco, URL: <https://apiwtxa.org.br/graves-enfrentamientos-en-la-frontera-peru-brasil-los-pueblos-indigenas-se-pronuncian/>

Place, M. R., Zizzamia, E., Salisbury, D. S., Galati, V., Spera, S. (2021). Análisis de los Impactos Socio-Ambientales de la Carretera Propuesta Trocha UC-105 entre Nueva Italia y Puerto Breu, Ucayali, Perú. Adaptado de un Poster presentado en la Reunión Anual de la Asociación Americana de Geógrafos, Abril 7-11, 2021. Virtual, Seattle, WA, EEUU, URL: https://scholarship.richmond.edu/absat_posters/1/

Plotkin, M. J. (2020). *The Amazon: What Everyone Needs to Know*, Oxford University Press, USA.

RCA (2018). Contribuições da RCA sobre o direito de Consulta e Consentimento Livre Prévio e Informado para estudo temático do Mecanismos de Expertos sobre Direitos dos Povos Indígenas da ONU, URL: https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/FPIC/AmazonCooperationNetwork_SP.pdf

RCA (2019): Protocolos autônomos de consulta e consentimento – Guia de Orientações, URL: <https://rca.org.br/wp-content/uploads/2019/06/2019-Guia-de-Protocolos-RCA-versão-web.pdf>

Salisbury, D. S., Borgo López, J., and J. W. Vela Alvarado (2011). Transboundary political ecology in Amazonia: history, culture, and conflicts of the borderland Asháninka. *Journal of Cultural Geography*. V. 28, no 1: 147-177.

Salisbury DS, Spera SA, Collard E, Frisbie A, Place MR, Reygadas Y, Zizzamia E, Amazon Borderlands Spatial Analysis Team (2021). Atlas de las Carreteras Propuestas en la Zona Transfronteriza Ucayali Perú-Acre, Brasil. Spatial Analysis Lab, University of Richmond: Richmond, VA, URL: https://scholarship.richmond.edu/absat_multimedia/4/

Salisbury D. S. (2021a). Cartografia y Analysis 27.07.2021, University Richmond.

Southworth, J., Marsik, M., Qiu, Y., Perz, S., Cumming, G., Stevens, F., ... & Barnes, G. (2011). Roads as drivers of change: trajectories across the tri-national frontier in MAP, the southwestern Amazon. *Remote Sensing*, 3(5), 1047-1066.

UAC (2021). Illegal Road Threatens the Yurua Region, URL: <https://www.upperamazon.org/yurua-road>

UNIC-Rio (2009). Declaração das Nações Unidas sobre os Direitos dos Povos Indígenas, URL: http://unicrio.org.br/docs/declaracao_direitos_povos_indigenas.pdf

Walker, R. T. (2020). Collision Course: Development pushes Amazonia toward its Tipping Point. *Environment: Science and Policy for Sustainable Development*, 63 (1), 15-25, URL: <https://doi.org/10.1080/00139157.2021.1842711>

ANNEX

FORMAL LETTER OF THE ASSOCIATION "ASSOCIAÇÃO ASHANINKA DO RIO AMÔNIA-APIWTXA" TO THE REGIONAL ORGANIZATION "AIDSESEP UCAYALI" (ORAU)



Ofício nº 006/2021

Marechal Thaumaturgo/AC, 09 de agosto de 2021

A Orau (Organização Regional AIDSESEP Ucayali)

Assunto: Carretera Nueva Italia a Puerto Breu

A Associação Ashaninka do Rio Amônia - Apiwtxa informa que recebeu do Comitê de Vigilância da Comunidade Sawawo Hito-40 o relato que um grupo de invasores com maquinário pesado está invadindo seu território, e estão seguindo em direção a Puerto Breu, reabrindo a estrada UC-105.

O Comitê informou que as empresas Industria Maderera Juan Simon e Negociaciones Forestales Ostua E.I.R.L. aparecem como suspeitas de serem proprietárias dos equipamentos. E que essa invasão já causou uma grande destruição no território de Sawawo, com muita quantidade de lixo, animais mortos, derrubada de árvores e a passagem de motocicletas.

Sawawo informa também que já foi ameaçada diretamente por duas comunidades, Shawaya e Dorado, caso haja algum impedimento das máquinas passarem pelo território, gerando uma ameaça de conflito iminente, com risco de mortes. Os representantes de Shawaya e Dorado estavam presentes no local das máquinas, guiando o caminho e deixaram bem claro que Sawawo não interferisse.

Por fim, pedimos providências urgentes, para resguardar os direitos da comunidade de Sawawo e garantir a segurança e integridade física de seus moradores e suas lideranças. Solicitamos, também urgente, que a Orau informe os órgãos competentes sobre essa grave invasão e ameaça à comunidade de Sawawo e demais do entorno. Sugerimos que seja feita uma fiscalização no local para averiguar a situação e grau de ilegalidade da invasão.

Valdete da Silva Pinhanta

Valdete da Silva Pinhanta
Presidente



Figure 16. Workers of the logging company and community representatives in favor of the road UC 105 (Photo: Sawawo Community Surveillance Committee).



Figure 17. Motorcycle used by loggers' employees to reach the place where the heavy machines are (Photo: Sawawo Community Surveillance Committee).



Figure 17. Motorcycle used by loggers' employees to reach the place where the heavy machines are (Photo: Sawawo Community Surveillance Committee).



Figure 19. Trace of the presence of logging company employees on the Amônia River
(Photo: Sawawo Community Surveillance Committee).



Figure 20. Illegal opening of UC 105 road in progress by loggers and illicit supporters (Photo: Sawawo Community Surveillance Committee).



Figure 21. Member of the Sawawo Native Community Surveillance Committee marking the route during the expedition to ascertain the presence of logging machines on the Amônia river (Photo: Sawawo Community Surveillance Committee).



Figure 22. Members of the Sawawo Native Community Surveillance Committee in front of a logging tractor, on the illegal route on the UC 105 road, approximately 11 km from the border with Brazil (Photo: Sawawo Community Surveillance Committee).

OPEN LETTER FROM INDIGENOUS ORGANIZATIONS AND PARTNERS AGAINST TWO ROAD PROJECTS IN ACRE (BRAZIL)/UCAYALI (PERU)

On July 21, 2021, the organization “*Comissão Pró-Índio do Acre*” (CPI-ACRE) published on the internet an open letter from indigenous organizations and partners taking a stand against the construction of the Cruzeiro do Sul – Pucallpa and Nueva Italia – Puerto Breu roads. Indigenous organizations and partner organizations from Brazil and Peru signed the letter (CPI-ACRE 2021).

OPEN LETTER: Defending the Rights of Indigenous Peoples and traditional communities and forest conservation as a development perspective in the Acre – Ucayali Border

July 21, 2021

For over a decade, civil society in Brazil and Peru, through indigenous, indigenous, and environmental organizations that work in the Brazilian state of Acre and the Peruvian departments of Madre de Dios and Ucayali, have been discussing and disseminating the dynamics and issues of this frontier region of the Amazon. And they also propose and develop, including with local and national governments, strategies to protect territories, both those that preserve the way of life of Indigenous Peoples and traditional communities and areas destined for the conservation of biodiversity.

However, over time, bilateral agreements for undertaking projects between the governments of Brazil and Peru have been discussed and signed without the participation of affected peoples and communities. This is the case of the proposed construction of the road that connects Pucallpa (Ucayali, Peru) to Cruzeiro do Sul (Acre, Brazil).

Because of this initiative, communities living in the forest and indigenous, agro-extractivist, indigenous and socio-environmental organizations, through this letter, alert the governments of both countries to the impacts of these regional integration policies, built on a development model that does not dialogue with the local reality and which opposes the principles of conservation and socio-environmental sustainability.

Large infrastructure and exploitation of natural resources projects, which overlap with protected natural areas and indigenous territories and their surroundings, do not follow commitments assumed in international treaties on the rights of Indigenous Peoples and traditional communities. There is no process of free, prior, and informed consultation with communities and their organizations, as recommended by Convention 169 of the International Labor Organization (ILO) and the United Nations Declaration on the Rights of Indigenous Peoples, including Brazil and Peru are signatories.

The project in the Upper Juruá region, on the Acre-Ucayali border, for the expansion of the road “BR 364” with a view to road integration between Brazil and Peru, affects the *Serra do Divisor National Park* in Brazil, which in addition to harboring high biodiversity, has information about the presence of isolated indigenous groups. It also puts the water security of several municipalities at risk.

The road should cross the *Serra do Divisor National Park*, passing close to the Indigenous Lands of the Nawa, Nukini, Jaminawa and Poyanawa peoples, and the Upper Juruá Extractive Reserve, generating negative impacts. On the Peruvian side, it will affect the San Mateo Native Community, the Isconahua Territorial Reserve, intended to protect Indigenous Peoples in voluntary isolation and recent contact, and the *Serra do Divisor National Park*.

It is necessary to guarantee the rights of Indigenous Peoples and traditional communities and ensure respect for environmental legislation. In Brazil, the law No. 9,985 of July 14, 2000, which institutes the National System of Conservation Units (SNUC), protects national parks that are a full protection Conservation Unit (UC) category and, therefore, not the construction of roads in its territory is allowed and, strictly speaking, there is no legal provision for the implementation of a highway in this category. Due to these facts, added to the absence of an economic and socio-environmental feasibility study to justify the construction of this road, we express our concern and question the understanding that an infrastructure project such as this road is a development strategy.

In addition to the proposed construction of the road that integrates Pucallpa and Cruzeiro do Sul, we are concerned about the projection of two other roads in Ucayali, Peru, which will also affect the border region of Upper Juruá in Acre, Brazil. One such case is the project of the road known as Nueva Italia – Puerto Breu, which intends to reach Puerto Breu, in the Yuruá District, crossing the border with Brazil, exactly in the Sawawo (Hito 40) and Nueva Shawaya communities, bordering the Indigenous Territory of the Ashaninka of the Amônia River on the Brazilian side, of interest only to companies operating in the Peruvian forest concession.

The Breu/Yurua region, in Peru, is inhabited by Ashaninka, Amahuaca, Jaminawa and Chitonahua peoples, distributed in 34 Native Communities. In Brazil, this road will pass close to the Indigenous Territories of the Kaxinawa and Ashaninka of the Breu River, of the Ashaninka and Apolima-Arara of the Amônia River, and the Upper Juruá Extractive Reserve.

The other proposed road is from Santa Rosa de Masisea, in Peru, to the border with Brazil, in the region of the Tamaya River, where the Upper Tamaya Saweto Native Community is located. In Brazil, this road will reach the northern portion of the Indigenous Territory of the Ashaninka of the Amônia River and the southern part of the *Serra do Divisor National Park*.

The different bills and constitutional amendments that were presented by congressmen, in both countries, to make more flexible and violating indigenous and environmental laws, as well as national and international regulations that guarantee the fundamental collective rights of Indigenous Peoples, also in cause great concern.

Regarding protected areas in the State of Acre, bill 6024/2019, authored by Congresswoman Mara Rocha, is under analysis, which makes it possible to extinguish the *Serra do Divisor National Park* and allow the development of any economic activity, substantially reducing the protection of the biodiversity. The referred PL also proposes the reduction of another conservation unit in Acre, the *Chico Mendes Extractive Reserve*.

The lack of transparency and participation of Indigenous Peoples, traditional communities, and society in general in the discussions to define the investment and in the feasibility studies of the projects is also questioned.

Analyzing the plans drawn up by local governments, state agencies and organizations representing the economic sectors, we see an idea of a future with economic growth, in which there will no longer be Indigenous Peoples, extractive communities and forests. We have this impression by analyzing the “Plan Vial Departamental Participativo 2017-2026, Gobierno Regional de Ucayali – Dirección Regional de Transportes y Comunicaciones de Ucayali – Dirección de Caminos”; the “Development Routes” program, prepared by the Acre Development Forum in 2020, of which the Government of Acre is a part; and the study on Transport Micro-axles of the States of Acre, Maranhão, Mato Grosso and Rondônia, prepared by SUDAM in 2017. In none of them are representatives of Indigenous Peoples and traditional communities, nor of socio-environmental civil society participating.

Faced with unfavorable prospects for the development and consolidation of a forestry and agro-extractivist economy, characteristic of Indigenous Peoples and agro-extractivist communities in the Juruá and Ucayali regions, the signatory organizations of this letter, we ask the governments of nations, the governors of states and departments in Brazil and in Peru, bilateral development agencies and agents of large investment funds, who do not finance or authorize such projects without guaranteeing social participation and effective commitment to the sustainability and maintenance of Indigenous Peoples and the integrity of protected areas and of the region's biodiversity.

Signature:

- Articulação dos Povos Indígenas do Brasil – APIB
- Associação Ashaninka do Rio Amônia – Apiwtxa
- Asociación Ambiental de la Comunidad Asheninka- Pocharipankoky Pikiyaco Yurua -AACAPPY
- Associação Agro-Extrativista Poyanawa do Barão e Ipiranga – AAPBI
- Asociación de Comunidades Nativas para el Desarrollo Integral de Yuruá Yono
- Sharakoiari – ACONADIYSH
- Associação Floresta Viva

- Associação Indígena Nukini – AIN
- Associação dos Kaxinawa do Rio Breu – AKARIB
- Associação do Movimento dos Agentes Agroflorestais Indígenas do Acre – AMAAIAC
- Associação Nacional dos Servidores Ambientais – Ascema Nacional
- Associação do Povo Indígena Jaminawa Arara
- Associação do Povo Arara do Rio Amônia
- Asociación Pró Purus
- Associação SOS Amazônia – SOS Amazônia
- Asibama/AC – Associação dos Servidores do Ibama e do ICMBio no Acre
- Centro de Trabalho Indigenista – CTI
- Comissão Pró Índio do Acre – CPI-ACREre
- Comitê Chico Mendes
- Coordenação das Organizações Indígenas da Amazônia Brasileira – COIAB
- Derecho Ambiente y Recursos Naturales DAR
- Iepé – Instituto de Pesquisa e Formação Indígena
- Instituto Yorenka Tasorentsi
- Observatório dos Direitos Humanos dos Povos Indígenas Isolados e de Recente Contato – OPI
- Organización Regional Aidesep Ucayali – ORAU
- Organização dos Povos Indígenas do Rio Envira – OPIRE
- Organização dos Povos Indígenas do Rio Juruá – OPIRJ
- Rede de Cooperação Amazonica – RCA
- Upper Amazon Conservancy/Conservación Alto Amazonas
- União das Mulheres Indígenas da Amazonia Brasileira – UMIAB
- WWF-Brasil

OPINIÃO DE LÍDERES INDÍGENAS SOBRE A ESTRADA ILEGAL NUEVA ITALIA – PUERTO BREU

Francisco Piyãko (Representative of the Ashaninka People of the Amônia River and Coordinator of the regional organization “Organização dos Povos Indígenas do Rio Juruá (OPIRJ)”, Acre, Brazil):

“After the demarcation of our territory and with our history of resistance against invaders, we experienced a new pressure from the Peruvian logging companies, by our neighboring country Peru, which borders our Land. We then denounced a big problem that was taking place in this region: the invasions caused by the logging company Forestal Venao at that time, from the 2000s to 2006. It was a strong invasion. With our struggle, we managed to prohibit a FSC-certificate from the Forestal Venao company, which is given to it by organs controlling and export regulatory bodies. Despite having this certificate, Forestal Venao did not comply with what was established and fulfilled agreements. The community they had contracted with was vulnerable and exploited. The consequences were disastrous for this community. And today, the border community, on the Peruvian side, is also being threatened by this illegal project on the Nueva Italia – Puerto Breu Road. At the time, we discussed the impacts that reached our community. Today it is even clearer that this road does not serve the interests of the local community. This road serves the interests of logging companies, drug trafficking and other economic interests in the region. They are already opening a road and nodding along the road, and this is going to reverberate, seriously impact our border. We are talking here about the source of our Amônia and Juruá Rivers, about a population that has a culture totally different from agribusiness, from logging, in short. We have the obligation to fight so that this doesn't happen. So, our position is against this road, and we want to reaffirm here that this road takes away our tranquility that we have today, which was achieved with great difficulty. And it can take away the tranquility that we have today here in this region. We don't need this wild, destructive development they're offering to this region.”



Figure 23. Francisco Piyãko, Ashaninka leader of Rio Amônia and Coordinator of OPIRJ, Acre, Brazil. Photo: Eliane Fernandes, 2021.

“As the coordinator of OPIRJ, we are realizing that this Juruá region, in addition to the road, represents a construction process without considering the care, without consulting the communities, without prior study. All of this poses a threat to our population. What can generate an enterprise like this? It's the opening to a lot of bad things for a region like this. We are in a region where we need to have a coordinated debate, articulated with various intuitions and local communities to think about what development in this region is necessary. When a road is opened, we know this, it does not benefit local communities. This is more than clear. It provides an opportunity for outside interests to access local wealth. It transforms local communities into labor. It will destroy the way of life of our communities. We did experience it here, witnessed it here. To date, we have not yet been able to see any timber concession project that would benefit, generate sustainability, and protect Indigenous Peoples. None. We experienced this when our territory was invaded by large Brazilian logging companies from our region, we also witnessed the logging company Forestal Venao in our region, which did not bring any benefit to the indigenous communities. And we are witnessing another moment, an attack on our forests and peoples, without dialoguing, without knowing if this is a demand from the communities. So, it's an imposition of outside groups. If we wanted to discuss development for a region, it would be a different path and not this one. We must start gathering all the information from Brazil and Peru. And make it public here. Very little is known about what is happening here in this region. This is a correct move we are making because otherwise, the state will run us over. The interests of logging companies and drug trafficking will put an end to our communities.

We are here proposing, on the part of our community Apiwtxa, and the Organization of the Juruá River OPIRJ, a continuity in these debates so that our rights, our values, are preserved in any undertaking in a region like this. We have no guarantee that this region will be safe and secure if a road is opened here in this border region. There is no protection, there is no sign of who will keep this road open, what are the protocols of the countries, what is the participation of civil society. Everything is being done anyway. We need to demand that this road does not exist without the approval of the local communities. We cannot allow this. And our Ashaninka community as a local community is putting itself and launching this challenge of a confrontation putting itself here on this road from Nueva Italia to Porto Breu. This here is a threat to us directly. We are against it. We've already positioned ourselves. The road does not solve the problem of communities. This doesn't help local communities. This will be a great destruction and a gateway for other illegal acts that may occur here in this region. Perhaps in a few more years, when the communities are more organized, we will be able, on our own initiative, to propose integration via a road like this. But right now, this is a road that doesn't belong to us.”

“We, Ashaninka from the Amônia River, are at risk in this region. If we could, this whole nature would be for eternity, this here wouldn't have to end. With the threats they have from major road projects and everything that's coming in that direction, this is going to end here. And we're going to face it anyway. It's a fight, a challenge for us!”

“We, here at our community Apiwtxa, want to contribute to this sense by helping to debate and talk about our experience and say that development cannot be thought of just from a road, there are other ways to live well and live right here in the forest, this debate has to be done.”

"We are very concerned, because it is passing the limit of our territory, it will enter our homes, maybe if there were more kilometers we would not be so worried, but this is the impact for this entire border region, so we need to talk a lot ."

"We need to understand that it's no longer a question of: 'Oh, let's ask the state to respect us and our rights.' Our right is in the Constitution, and it won't be respected if we don't make it be respected, it will cost a lot, it will cost lives, that's why we must be prepared. We have already discussed this here, we at our community Apiwtxa would rather die in a war and face the problems than let time pass and they take care of it and then we starve, seeing our children without anything to eat.

We could make a big move and a big discussion. If the State won't solve it, we'll solve it, we'll have to go into the forest with our arrows and our bows and face it!"

"Our last resort is to make it very clear that if you don't solve it, we'll do it. We will not allow enemies to take over our home and land, we will have to face it."

Benki Piyäko (Founder of the Center Yorenka Tasorentsi)

"I am Benki Piyäko. I am an Ashaninka leader who has been working for the rights of Indigenous Peoples here in Acre, Brazil and around the world. Today we are fighting for the rights of our Indigenous Peoples, who suffer from the impacts caused by the large multinationals that are now invading indigenous territories in various territories both in Brazil and Peru, as well as in our border areas. Looking at all threats, in all ways, trafficking is not just for drugs. He is in everything that is taken in a destructive way from nature. Here in our border strip, here on the Amônia river, in Upper Juruá, we indigenous people are being threatened by a road that is coming from Peru to our border in the Juruá valley. The road project runs from Ucayali, crosses the Amônia River until reaching Juruá. And this road is being built by loggers. This is not a government project. These are company projects, and they have a great impact on state and government decisions. ... There are communities that are suffering from the impacts that have already occurred, the drugs that invaded their territories, the prostitution that lived within their territory, the fall of leaders who left their territories today, because these companies took them or even killed them. This is difficult for us. We're going to fight for the rights of these peoples because we know that it's our right, it's my right, it's their right, it's a nation's right, it's the world's right. We must look at the great wealth that we have when we look at the forest, when we look at the world, saying: this green defends the world, this green does not only defend Indigenous Peoples. So, the responsibility lies with me and with you, who defends the rights of nature and Indigenous Peoples. We are responsible for what we believe. Let's fight together. We are going to defend the right of everyone, of humanity, we are going to defend the right that we need today to live. It is not a right for Indigenous Peoples alone, it is not a right for the Brazilian nation alone, it is not a right for the Peruvian nation alone. It is a humanitarian right to take care of nature as part of your own life. I call on you to contribute and share and feel directly that this is your responsibility too, from government to government, leaders to leaders. Through technologies, today we can show the world that this problem is a problem that destroys our Amazon and that later the world will pay for these mistakes. And that we are already paying

when we look at this pandemic that today arrives here scaring humanity, creating a great psychological impact, often leaving people without knowing where to go, where to run and we will call you to be with us.”



Figure 24. Benki Piyãko, Ashaninka leader of the Amônia River, Acre, Brazil (Photo: Eliane Fernandes, 2020)

“Our responsibility is in our hands as leaders. We Ashaninka here on the Amônia River, the Apiwtxa organization has been fighting for the protection of the environment. Today we have Sawawo, Saweto, Shawaya, Dulce Glória, Victoria, all these indigenous communities in the border area that are being impacted by this Puerto Breu – Nueva Italia Road project. Even isolated peoples who have not had contact today are also being impacted by these projects. Now we are very concerned because we do not only see the impact that the road has on the forest, which today is taking away animals, wood, all its natural resources. We are also concerned about the interests of big business here in our border strip. We've struggled with this in the past and we'll continue to struggle. Because we know that a river like the one, we have today is a great natural resource and has been feeding thousands of people for millions of years. And with a project like this we could soon have a river like this dead in the future. When such a threat appears on the border strip that directly impacts the lives of our Indigenous Peoples, I feel sad. As a leadership I will continue to fight for the rights of these Indigenous Peoples, like Ashaninka. Let's go together and I want you on our side in this fight.”

Arlindo Ruiz Santos (President of the Organization AACAPPY)

“We want to have a meeting with the communities to talk about the road and say that they think if it is good or if it is bad, we are not going to say directly no, just say things clearly, are we prepared for this? Are you going to receive it well? Will you live well, just like now? Make them all feel. So what I want to propose is to find a strategy, if the Apiwtxa event did not take place, it is for something, because now we want to hold a meeting, because the truth in Dulce Gloria until now the prior consultation on the subject of the road has not arrived What they are doing is that they are trampling us, I am also part of the State but I am not in favor of the highway, we know how our people will suffer, it will not be us but it will be our children, so that is number one. Number two, we must begin to carry out projects with a sustainable approach, we at Dulce Gloria are starting now in our community. I talk a lot with the community members that we must work, because if we want to eat cassava, we must first plant our fields to be able to eat, that is what I always tell my community members.”



Figure 25. President of AACAPPY, commented on the road Nueva Italia to Puerto Breu. Photo: UAC, 2021.

Juan Pérez Tello (former President of the Organization ACCY)

“The road is not a joy as poor as we are, and it is not a joy because our brothers who do not understand what a road means? What is a road for? Many have put in our heads an idea that the road brings benefits, of course it does, but if we are not prepared it is unfortunate sad just to imagine, because those versions have already spoken to us in many congresses and many meetings, there we saw people who said that this situation would happen in Yurúa any moment, because we have here in this corner of the country, I say this corner because we are on the border, many resources. Now as beautiful as we are, so beautiful that we still cultivate our cultures, we have our riches, but if we imagine that the day the road arrives it will be sad for the peoples because it will come devastating without respecting the impacts, social impacts, cultural impacts, personal impacts that it will cause. I believe that I join what my

cousin Arlindo said, that it is time to unite, to be able to think, to be able to open our eyes for our brothers who wait for us, to hold a congress, perhaps workshops in the communities to at least explain what a road means, we do not oppose but we worry because we all do not have that knowledge what one, two, three have, most are blind, excited because they hear that the road is coming, work is coming, money is coming, they are coming a lot movement, but for us who have little it is unfortunate and sad because something serious can happen, if we do not prevent in time a whole chaos is going to happen, now I tell you thinking something, we are not opposed, we are not in favor, thinking neutrally, This connection system will not happen the first time, it has already happened in other parts of Peru, it would be beneficial if we were prepared, but first we are responsible for explaining to our brothers, with the help of the public and private institutions, what is the road? And its impacts, here we are not prepared to receive the road."



Figure 26. President of ACCY, commented on the road to Yurúa. Photo: UAC, 2021.

Fernando Aroni Lozano (Secretary of the Organization ACONADIYSH)

"I know that God is with us and will help us, because we have never destroyed our nature, for us the world still breathes pure air. Here we must unite because we are one family, here there is no other family. It is now time to unite as leaders because we are the only ones responsible if something bad happens in the future, I know that today there is a very large highway project and that worries us a lot. Today we are experiencing a pandemic that It is affecting the large countries, but here the politicians are taking advantage, because behind us they are signing agreements and approving files, I believe that we as leaders are our responsibility, it is our duty to defend the rights of our Indigenous Peoples, our brothers who live around are excited, but they do not know what will happen tomorrow later. I as ACONADIYSH ask our allies to strengthen the native communities to come home and tell the truth with primers in language, in their language, and say what is the road, to be prepared, if I do not have a wall in my house, I will not invite you to come (referring to the arrival of the road). We ask for an urgent meeting

on the road issue in Yurúa, urgent! I know that the road continues to advance, we must all meet to ask the State for a prior consultation, because if we wait a long time, we will realize that the road has reached our house."



Figure 27. Secretary ACONADIYSH, commented on the road to Yurúa.
Photo: UAC, 2021.

"While we do not have a road, we are not being impacted yet, we have to think about that. First, we must prepare ourselves, our young people, our women, to improve their knowledge." – Mr. Alfonso Rengifo, president of ACONADIYSH.

"The State must consult the communities about the projects." – Mr. Feliciano Mañaningo, leader of Dulce Gloria.

"We do not want a road, perhaps in the future, but at the moment we are not prepared." – Mrs. Maria Elena Paredes, leader of Sawawo Hito 40.

"When the road comes, they go to work at night, and we are not going to watch. Police are not going to take care; they are going to pay you and they are going to do whatever they want." – Mr. Ivan Piñango Angulo de Sawawo Hito 40.

"We have already decided, we do not want a road, we want an airport for our organizations to issue a document in Lima. We don't want a road." – Mr. Alfredo Tello Canales Deputy Chief of San Pablo.

"The laws protect us, no matter how much we are Indigenous Peoples, we must be consulted, we must obtain studies, all projects must have their file." – Mr. Arlindo Ruiz Santos, president of AACAPPY. "