

INDIGENOUS RIGHTS ENTWINED  
WITH NATURE CONSERVATION



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ENTWINED WITH NATURE  
CONSERVATION

Ellen DESMET



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## FOREWORD

When and how should State authorities involve communities, groups and individuals, and ensure in an adequate and efficient way their participation in the management of lands and territories that fall within the scope of protective measures of nature conservation, which may significantly affect the lives of the people living in these areas?

The main idea behind this book keeps Ellen Desmet busy since she was a master student in Leuven in the early 2000s, where she was involved from the outset – with great enthusiasm – in an interdisciplinary non-profit association, founded on the initiative of fellow law students with a view to supporting the initiatives of the indigenous peoples and local communities in the Upper Putumayo region in Peru.

After some time, Ellen became intimately acquainted with, more in particular, issues and problems touching upon the safeguarding of nature and natural resources and the solutions that had been proposed thus far in existing legal regimes – national and international – and in the literature. As a result of several fieldtrips, she was left with the impression that there is inadequate legal cooperation between international bodies, State institutions and the communities concerned, and a dramatic lack of mutual understanding of the main problems involved when it comes to natural resources and the way to manage/conservate them.

To Ellen, very soon, it became clear that this unresolved issue called for further attention. She thereupon decided to devote her doctoral thesis to the topic. This book emerges out of her efforts. It offers a convincing demonstration of interaction of at least four main topics: nature conservation, indigenous peoples, constitutional (legal) pluralism, and international human rights law. The situation of the Airo Paj serves as an ethnographic illustration of a worldwide increasingly sensitive matter: indigenous peoples and their right to access and use of natural resources.

Ellen Desmet's analysis does not provide a one-size-fits-all model of nature protection based on conventional views on this issue, but it enables her to raise a number of core questions regarding nature conservation and the interrelations

between (indigenous) communities and the State. Three main groups of questions/criticisms emerge from the analysis: specific property issues, the definition of communities as holders of rights, and last but not least, questions regarding community involvement and prior informed consent to safeguarding/restrictive measures. The results of Ellen Desmet's expertise can be used as helpful guidance in the identification, and subsequently the implementation, of what in her view are to be considered the standards of international human rights law.

What distinguishes this book from a more classical exposition in law is the epistemological underpinning: it offers a sketch of the problems of nature conservation *seen from the perspective of the (indigenous) peoples involved*. This is still a new type of analysis in legal doctrine. Experimentation almost takes place throughout the text, and that is true for the strictly legal part of the book, as well as for the case study in the last part: the focus on the actors and, in particular, the agency of the local communities is indeed critical in Ellen Desmet's approach. To her, approaching the matter otherwise – from a State-centered point of view – cannot grasp the full picture. It seems to us that so far this view has remained somewhat underdeveloped in the literature on nature conservation. Ellen Desmet emphasizes the importance of the local level. In her view, the state of mind and behaviour prevailing *within* the communities with respect to property, conservation of nature and natural resources, and more in general management of land, is key to designing an efficient legal framework that balances the rights and needs of local communities with the imperatives of nature conservation.

For the adoption of such a legal framework, there is already a basis in the form of various human rights invocable in the context of nature conservation. It is in fact amazing how many human rights appear to be relevant. Ellen Desmet has made a thorough analysis of the case law of international courts (in particular of the European and Inter-American Courts of Human Rights) and the views of quasi-judicial bodies (in particular the UN treaty bodies and the Inter-American and African Commissions on Human Rights). Her recommendation to entrust a special rapporteur or a working group of the UN Human Rights Council with the task of drafting guidelines on “human rights and natural conservation”, which would build on the existing body of general human rights law, deserves attention.

Since several States already provide in their own (national) regime for either communal property rights and/or liability for misappropriation, it might also be valuable to collect data on the implementation of such regimes. Empirical data of this kind would, as Ellen Desmet suggests, usefully complement her case study on Peru. This would have exceeded the scope of her book, but it could be the

basis for follow-up research. Comparisons between countries may indeed help to find a balanced and efficient combination of legal approaches to the protection, preservation and safeguarding of nature and natural resources, which is compatible with basic rights of indigenous peoples to their lands, territories and resources.

This book should be seen as part of an exciting ongoing project, as part of a larger field of legal studies that will surely become increasingly relevant in coming years.

Marie-Claire Foblets and Paul Lemmens





## GENERAL EDITOR'S PREFACE

It is a pleasure to publish this work by Ellen Desmet in our International Law Series. Ellen is a former law student of mine and she already caught our attention a decade ago with a brilliant seminar work on the fiftieth anniversary of the Geneva Convention relating to the Status of Refugees (published in *Jura Falconis* 2002–2003, pp. 377–427). Many years later I felt honored to be part of her doctoral jury. The richness of Ellen's PhD thesis has been aptly lauded in the foreword by her promotores, Prof. Marie-Claire Foblets and Prof. Paul Lemmens, who I wholeheartedly compliment as well.

As general editor I should stress that Ellen's work fully deserves its place in the International Law Series. It demonstrates how a thorough analysis of a fundamental *problématique* – nature conservation and the position of indigenous peoples and local communities – must go way beyond a classical legal approach: not only does this require a 'multi-level' analysis of the various layers (international, regional, national, local) of legal principles and norms that impact the many problems involved; it also requires leaving one's desk behind and engaging into empirical work, not just a number of interviews with high-placed people, but truly doing field work – in this case, in the Güeppí Reserved Zone in the extreme northeast of Peru. Moreover, it is a tribute to the author's intellectual openness that she has not only approached the problems from a human rights point of view – although that *pièce de résistance* of the book by itself, in considering both UN, Inter-American and European human rights law, is worth a PhD of itself – but also from the viewpoint of world heritage law and international environmental law. The successful mastership of the methodological challenges – all carefully addressed – and the breath-taking scope of Ellen's work make this a truly innovative piece of scholarship which will hopefully inspire many researchers in the years to come.

Prof. Dr. Jan Wouters  
General Editor



# ACKNOWLEDGEMENTS

*Thanks to Daan and Lars  
for inspiring me to look at my research  
through the eyes of twins*

This volume contains the results of an academic research on the rights of indigenous peoples and local communities in relation to nature conservation, carried out at the Law Faculty of the University of Leuven, Belgium. Many people have in one way or another contributed to this study – I am thankful to all of them.

My most sincere thanks go out to my supervisor, Prof. dr. Marie-Claire Foblets, and my co-supervisor, Prof. dr. Paul Lemmens. Their expertise in legal anthropology and human rights respectively provided the ideal environment to conduct this research. They have guided me in a critical but constructive way, laying the foundations for a rich collaboration. They both have inspired me and will continue to do so.

My gratitude also extends to the members of the Examination Board: Prof. dr. Koen De Feyter (University of Antwerp), Prof. dr. André Hoekema (University of Amsterdam), and Prof. dr. Jan Wouters (University of Leuven). I am particularly thankful to Prof. Hoekema, for the stimulating discussions in Europe and Peru. Moreover, a word of thanks in memory of Prof. dr. Dirk Beke (Ghent University), who was involved in the initial conceptualization of this research project.

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Ellen Desmet

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## ABBREVIATIONS\*

ACHPR	African Commission on Human and Peoples' Rights
ACHR	American Convention on Human Rights
ACtHPR	African Court on Human and Peoples' Rights
AIDSESP	Interethnic Association for the Development of the Peruvian Rainforest (Asociación Interétnica de Desarrollo de la Selva Peruana)
ANP	Protected Natural Area (Área Natural Protegida)
APAFA	Association of Heads of Households (Asociación de Padres de Familia)
ASEAN	Association of Southeast Asean Nations
ASEANPI	Secoya Association Angoteros and Piojé (Asociación Secoya Angoteros y Piojé)
BP	Bank Procedure
BPG	Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law
CAAAP	Amazonian Centre of Anthropology and Applied Application (Centro Amazónico de Antropología y Aplicación Práctica)
CAOI	Andean Coordinator of Indigenous Organizations (Coordinadora Andina de Organizaciones Indígenas)
CBD	Convention on Biological Diversity
CCA	Community Conserved Area
CCP	Peasant Confederation of Peru (Confederación Campesina del Perú)
CCPR	Human Rights Committee
CCZ	Zonal Coordination Committee (Comité de Coordinación Zonal)
CDC	Centre of Data for Conservation (Centro de Datos para la Conservación)

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\* If the abbreviation originates from Spanish or another language, the original denomination is enclosed by brackets.

CEACR	Committee of Experts on the Application of Conventions and Recommendations
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEDIA	Centre for the Development of the Indigenous People of the Amazon (Centro para el Desarrollo del Indígena Amazónico)
CEDLA	Centre for Latin American Research and Documentation (Centro de Estudios y Documentación Latinoamericanos)
CEESP	Commission on Environmental, Economic, and Social Policy (IUCN)
CEPLAN	National Centre of Strategic Planning (Centro Nacional de Planeamiento Estratégico)
CERD	Committee on the Elimination of Racial Discrimination
CETA	Centre of Theological Studies of the Amazon (Centro de Estudios Teológicos de la Amazonía)
CIEL	Center for International Environmental Law
CIPA	Centre of Amazonian Research and Promotion (Centro de Investigación y Promoción Amazónica)
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
CMW	Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
CNA	National Agrarian Confederation (Confederación Nacional Agraria)
CNC-CdG	National Coordination Council of the Management Committees of Protected Natural Areas of Peru (Consejo Nacional de Coordinación de los Comités de Gestión de las Áreas Naturales Protegidas del Perú)
COFOPRI	Organism of Formalization of Informal Property (Organismo de Formalización de la Propiedad Informal)
COICA	Coordinator of Indigenous Organizations of the Amazon Basin (Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica)
CONACAMI	National Confederation of Communities of Peru Affected by Mining (Confederación Nacional de Comunidades del Perú Afectadas por la Minería)
CONAM	National Council of the Environment (Consejo Nacional del Ambiente)

CONAP	Confederation of Amazonian Nations of Peru (Confederación de Nacionalidades Amazónicas del Perú)
CONECAP	National Coordinator of the Executors of Contract of the Communal Reserves of the Peruvian Amazon (Coordinadora Nacional de Ejecutores de Contrato de las Reservas Comunales de la Amazonía Peruana)
COP	Conference of the Parties
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
DAR	Law, Environment and Natural Resources (Derecho, Ambiente y Recursos Naturales)
DGFF	General Forestry and Wildlife Office (Dirección General Forestal y de Fauna)
DGPOA	Directorate General on Originary and Afroperuvian Peoples (Dirección General de Pueblos Originarios y Afroperuanos)
DIA	Environmental Impact Declaration (Declaración de Impacto Ambiental)
DRC	Democratic Republic of Congo
ECA	Executor of the Contract of Administration (Ejecutor del Contrato de Administración)
ECHR	European Convention on Human Rights (Convention for the Protection of Human Rights and Fundamental Freedoms)
ECtHR	European Court of Human Rights
EIA	Environmental Impact Study (Evaluación de Impacto Ambiental)
ELC	Environmental Law Centre (IUCN)
ESC	European Social Charter
ESIA	Environmental and Social Impact Assessment
Eur. Comm. HR	European Commission of Human Rights
FARC	Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia)
FECONABPU	Federation of Native Communities of the Lower Putumayo (Federación de Comunidades Nativas del Bajo Putumayo)
FECONAFROPU	Federation of the Frontier Native Communities of the Putumayo (Federación de Comunidades Nativas Fronterizas del Putumayo)
FECONAMPU	Federation of Native Communities of the Middle Putumayo (Federación de Comunidades Nativas del Medio Putumayo)
FECONASAP	Federation of the Secoya Native Communities of the Upper Putumayo (Federación de Comunidades Nativas Secoya del Alto Putumayo)

FEPISEKAP	Federation of Secoya and Kichwa Indigenous Peoples of the Upper Putumayo (Federación de Pueblos Indígenas Secoyas y Kichwas del Alto Putumayo)
FIKAPIR	Indigenous Kichwa Federation of the Alto Putumayo Inti Runa (Federación Indígena Kichwa del Alto Putumayo Inti Runa)
FONANPE	National Fond for Natural Areas Protected by the State (Fondo Nacional para Áreas Naturales Protegidas por el Estado)
GATS	General Agreement on Trade in Services
GEF	Global Environment Facility
GPAN	Participatory Management in Protected Natural Areas (Gestión Participativa en las Áreas Naturales Protegidas)
GTZ	Company for Technical Cooperation (Gesellschaft für Technische Zusammenarbeit)
HRIA	Human Rights Impact Assessment
HUIMEKI	Huitoto Mestizo Kichwa
IACHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
IANP	Intendancy of Protected Natural Areas (Intendencia de Áreas Naturales Protegidas)
IBC	Institute of the Common Good (Instituto del Bien Común)
IBRD	International Bank for Reconstruction and Development
ICCA	Indigenous and Community Conserved Area
ICCPR	International Covenant on Civil and Political Rights
ICDP	Integrated Conservation and Development Project
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICH	Intangible Cultural Heritage
ICJ	International Court of Justice
ICT	Indigenous Conservation Territory
IDA	International Development Association
IIAP	Peruvian Amazon Research Institute (Instituto de Investigaciones de la Amazonía Peruana)
ILC	International Law Commission
ILO	International Labour Organization
INADE	National Institute of Development (Instituto Nacional de Desarrollo)

INDEPA	National Institute for the Development of Andean, Amazonian and Afro-Peruvian Peoples (Instituto Nacional de Desarrollo de Pueblos Andinos, Amazónicos y Afroperuanos)
INEI	National Institute of Statistics and Information Technology (Instituto Nacional de Estadística e Informática)
INFOR	National Forest and Fauna Institute (Instituto Nacional Forestal y de Fauna)
INRENA	National Institute of Natural Resources (Instituto Nacional de Recursos Naturales)
IPCCA	Indigenous Peoples' and Community Conserved Area
IUCN	International Union for Conservation of Nature
MEA	Millennium Ecosystem Assessment
MIMDES	Ministry of Women and Social Development (Ministerio de la Mujer y Desarrollo Social)
MINAM	Ministry of the Environment (Ministerio del Ambiente)
MINEM	Ministry of Energy and Mines (Ministerio de Energía y Minas)
MRE	Ministry of External Relations of Peru (Ministerio de Relaciones Exteriores del Perú)
NGO	Non-Governmental Organization
NSA	Non-State Actor
OAS	Organization of American States
OD	Operational Directive
OECD	Organization for Economic Co-operation and Development
OISPE	Indigenous Secoya Organization of Peru (Organización Indígena Secoya del Perú)
OP	Operational Policy
ORAI	Regional Organization AIDESEP – Iquitos (Organización Regional AIDESEP – Iquitos)
ORAU	Regional Organization AIDESEP – Ucayali (Organización Regional AIDESEP – Ucayali)
ORKIWAN	Organization Kichwaruna Wangurina of the Upper Napo (Organización Kichwaruna Wangurina del Alto Napo)
ORPIO	Regional Organization of the Indigenous Peoples of the East (Organización Regional de Pueblos Indígenas del Oriente)
PA	Protected Area
PAD	Project Appraisal Document
PCIJ	Permanent Court of International Justice
PDDI	Programme of Defense of Indigenous Rights (Programa de Defensa de Derechos Indígenas)

PEDICP	Special Project ‘Comprehensive Development of the Basin of the Putumayo River’ (Proyecto Especial ‘Desarrollo Integral de la Cuenca del Río Putumayo’)
PETT	Special Project for the Titling of Lands and Rural Cadastre (Proyecto Especial de Titulación de Tierras y Catastro Rural)
PIMA	Participation of Native Communities in the Management of Protected Natural Areas in the Peruvian Amazon (Participación de las Comunidades Nativas en el Manejo de las Áreas Naturales Protegidas de la Amazonía Peruana)
PNP	(i) National Police of Peru (Policía Nacional del Perú) (ii) National Parks Peru (Parques Nacionales Perú)
POA	Annual Operative Plan (Plan Operativo Anual)
PPCP	Plan of Comprehensive Development of the Basin of the Putumayo River (Plan de Desarrollo Integral de la Cuenca del Río Putumayo)
RAL	Environmental Network of Loreto (Red Ambiental de Loreto)
RENACAL	National Network of Municipal and Regional Conservation Areas (Red Nacional de Áreas de Conservación Regional y Local)
SEKIME	Secoya Kichwa Mestizo
SERNANP	National Service of Natural Areas Protected by the State (Servicio Nacional de Áreas Naturales Protegidas por el Estado)
SICNA	Information System on Native Communities of the Peruvian Amazon (Sistema de Información sobre Comunidades Nativas de la Amazonía peruana)
SINANPE	National System of Natural Areas Protected by the State (Sistema Nacional de Áreas Naturales Protegidas por el Estado)
SINUC	National System of Conservation Units (Sistema Nacional de Unidades de Conservación)
SNV	Netherlands Development Organization (before: Stichting Nederlandse Vrijwilligers)
SPDA	Peruvian Society of Environmental Law (Sociedad Peruana de Derecho Ambiental)
TEK	Traditional Environmental Knowledge

TFRK	Traditional Forest-Related Knowledge
TILCEPA	Theme on Indigenous and Local Communities, Equity, and Protected Areas (IUCN)
TK	Traditional Knowledge
TNC	Transnational Corporation
UDCD	Universal Declaration on Cultural Diversity
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNALM	National Agrarian University La Molina (Universidad Nacional Agraria La Molina)
UNCED	United Nations Conference on Environment and Development
UNDP	United Nations Development Programme
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
WAMIP	World Alliance on Mobile Indigenous Peoples
WCED	World Commission on Environment and Development
WCPA	World Commission on Protected Areas (IUCN)
WCS	Wildlife Conservation Society
WDPA	World Database on Protected Areas
WEO	World Environmental Organization
WHC	(i) World Heritage Convention (ii) Western Hemisphere Convention
WIPO	World Intellectual Property Organization
WRI	World Resources Institute
WSSD	World Summit on Sustainable Development
WWF	World Wide Fund for Nature (before: World Wildlife Fund)
ZRG	Güepí Reserved Zone (Zona Reservada de Güepí)

## ABBREVIATED TITLES OF ACTS

### ANP Law 1997

Ley de Áreas Naturales Protegidas, Law No. 26834, 30 June 1997

### ANP Regulations 2001

Aprueban el Reglamento de la Ley de Áreas Naturales Protegidas, Supreme Decree No. 38–2001-AG, 22 June 2001

### Biodiversity Law 1997

Ley sobre la conservación y aprovechamiento sostenible de la diversidad biológica, Law No. 26839, 17 June 1997

### Chief Resolution Establishing the Buffer Zone of the ZRG 2001

Establecen provisionalmente la Zona de Amortiguamiento de la Zona Reservada Güeppí, Chief Resolution No. 340–2001-INRENA, 26 December 2001

### Complementary Provisions to the ANP Regulations about Contracts of Administration 2005

Aprueban Disposiciones Complementarias al Reglamento de la Ley de Áreas Naturales Protegidas en materia de Contratos de Administración, Chief Resolution No. 210–2005-INRENA, 31 August 2005

### Directorial Plan 1999

Aprueban el Plan Director de las Áreas Naturales Protegidas, Supreme Decree No. 010–99-AG, 17 April 1999

### Environmental Code 1990

Código del Medio Ambiente y los Recursos Naturales, Legislative Decree No. 613, 8 September 1990

### Forest and Wildlife Law 1975

Gobierno Revolucionario de la Fuerza Armada Promulgó Ley Forestal y de Fauna Silvestre, Decree Law No. 21147, 13 May 1975

### General Law of the Environment 2005

Ley General del Ambiente, Law No. 28611, 13 October 2005

### Law Derogating Legislative Decrees Nos. 1015 and 1073, 2008

Ley que deroga los Decretos Legislativos Núms. 1015 y 1073, y restituye la vigencia de los artículos 10° y 11° de la Ley N° 26505, Ley de Inversión Privada en el desarrollo de las actividades económicas en las tierras del territorio



nacional y de las comunidades campesinas y nativas, Law No. 29261, 28 August 2008

Law Derogating Legislative Decrees Nos. 1090 and 1064, 2009

Ley que Deroga los Decretos Legislativos Núms. 1090 y 1064, Law No. 29382, 19 June 2009

Law Establishing a Protection Regime of the Collective Knowledge of Indigenous Peoples linked to Biological Resources 2002

Ley que Establece el Régimen de Protección de los Conocimientos Colectivos de los Pueblos Indígenas vinculados a los Recursos Biológicos, Law No. 27811, 24 July 2002

Law on Agricultural Promotion and Development 1967

Declarando de interés social y de necesidad nacional la promoción y desarrollo del sector agropecuario del país, Law No. 16726, 15 November 1967

Law on Indigenous Peoples in Isolation and Initial Contact 2006

Ley para la protección de pueblos indígenas u originarios en situación de aislamiento y en situación de contacto inicial, Law No. 28736, 24 April 2006

Law on Native Communities 1974

Ley de Comunidades Nativas y de Promoción Agropecuaria de Regiones de Selva y Ceja de Selva, Decree Law No. 20653, 24 June 1974

Law on the Promotion of Investments in the Mining Sector 1991

Aprueba la Ley de Promoción de Inversiones en el Sector Minero, Legislative Decree No. 708, 6 November 1991

Law Suspending the Application of Legislative Decrees Nos. 1090 and 1064, 2009

Ley que Suspende la Aplicación de los Decretos Legislativos Núms. 1090 y 1064, Law No. 29376, 10 June 2009

Legislative Decree that Approves the Legal Regime for the Use of Agricultural Lands 2008

Decreto Legislativo que aprueba el régimen jurídico para el aprovechamiento de las tierras de uso agrario, Legislative Decree No. 1064, 27 June 2008

Ministry of the Environment Law 2008

Decreto Legislativo que aprueba la Ley de Creación, Organización y Funciones del Ministerio del Ambiente, Legislative Decree No. 1013, 13 May 2008

National Council of the Environment Law 1994

Ley del Consejo Nacional del Ambiente, Law No. 24610, 2 December 1994

New Land Law 1995

Ley de la inversión privada en el desarrollo de las actividades económicas en las tierras de territorio nacional y de las comunidades campesinas y nativas, Law No. 26505, 18 July 1995

New Law on Native Communities 1978

Ley de Comunidades Nativas y de Desarrollo Agrario de las Regiones de Selva y Ceja de Selva, Decree Law No. 22175, 9 May 1978

Organic Law for the Sustainable Use of Natural Resources 1997

Ley Orgánica para el aprovechamiento sostenible de los recursos naturales, Law No. 26821, 25 June 1997

Organic Law of the Ministry of Agriculture 1992

Ley Orgánica del Ministerio de Agricultura, Decree Law No. 25902, 27 November 1992

Private Investment Framework Law 1991

Aprueba la Ley Marco para el crecimiento de la Inversión Privada, Legislative Decree No. 757, 8 November 1991

Proceedings on Infrastructure in Private Properties within ANPs of National Level 2008

Aprueban “Procedimiento para edificación y/o modificación de infraestructura en predios de particulares ubicados al interior de Áreas Naturales Protegidas de carácter nacional,” Chief Resolution No. 101-2008-INRENA, 16 April 2008

Proceedings on the Recognition and Functioning of Management Committees 2006

Aprueban procedimiento que regula el Reconocimiento y Funcionamiento de los Comités de Gestión de las Áreas Naturales Protegidas del SINANPE y de las Áreas de Conservación Regional y la Renovación de sus Comisiones Ejecutivas, Intendancy Resolution No. 051-2006-INRENA-IANP, 30 November 2006

Proceedings on the Recognition of Management Committees 2001

Aprueban procedimiento para el Reconocimiento de Comités de Gestión y Aprobación de sus Reglamentos de Sesiones y Funcionamiento, Directoral Resolution No. 001-2001-INRENA-DGANPFS, 19 March 2001

Regulations of the Law on Indigenous Peoples in Isolation and Initial Contact 2007

Aprueban Reglamento de la Ley para la Protección de Pueblos Indígenas u Originarios en Situación de Aislamiento y en Situación de Contacto Inicial, Supreme Decree No. 008–2007-MIMDES, 4 October 2007

Regulations of the New Law on Native Communities 1979

Aprueban Reglamento de la Ley de Comunidades Nativas y de Desarrollo Agrario de las Regiones de Selva y Ceja de Selva, Supreme Decree No. 003–79-AA, 25 January 1979

Regulations on Citizens' Participation for the Realization of Hydrocarbon Activities 2008

Aprueban Reglamento de Participación Ciudadana para la realización de Actividades de Hidrocarburos, Supreme Decree No. 012–2008-EM, 19 February 2008

Regulations on Conservation Units 1977

Aprueban Reglamento de Unidades de Conservación del Decreto Ley N° 21147, Supreme Decree No. 160–77-AG, 31 March 1977

Special Regime (for the Administration of Communal Reserves) 2005

Aprueban el “Régimen Especial para la Administración de Reservas Comunales,” Intendancy Resolution No. 019–2005-INRENA-IANP, 7 June 2005

Supreme Decree Creating SINANPE 1990

Conforman el Sistema Nacional de Áreas Naturales Protegidas por el Estado, Supreme Decree No. 010–90-AG, 20 March 1990

Supreme Decree Establishing the ZRG 1997

Declaran como Zona Reservada de Güeppí área territorial del Departamento de Loreto, destinada a la conservación de la diversidad biológica, Supreme Decree No. 003–97-AG, 7 April 1997

Supreme Decree on Inscription of ANPs as Patrimony of the Nation 2000

Disponen que el INRENA gestione inscripción de áreas naturales protegidas, como patrimonio de la Nación ante los registros públicos, Supreme Decree No. 001–2000-AG, 10 January 2000



# GLOSSARY

## SPANISH

<i>Achiote</i>	Natural pigment used to make facial and corporal paintings
<i>Aconsejar</i>	Giving advice
<i>Ají</i>	Pepper
<i>Aguaje</i>	A palm tree species ( <i>Mauritia flexuosa</i> )
<i>Arahuana</i>	A fish species ( <i>Osteoglossum bicirrhosum</i> )
<i>Asamblea General</i>	General Assembly
<i>Ayahuasca</i>	Psychoactive vine, mainly used by the shaman ( <i>Banisteriopsis caapi</i> )
<i>Cacique</i>	Chief, leader of an indigenous village
<i>Casabe</i>	Cassava bread
<i>Charapa</i>	A turtle species ( <i>Podocnemis expansa</i> )
<i>Cochas encantadas</i>	Bewitched lakes
<i>Comunidad campesina</i>	Peasant community (legal and administrative unit in the Andes and coast region from 1969 onwards)
<i>Comunidad indígena</i>	Indigenous community (legal and administrative unit in the Andes and coast region until 1969)
<i>Comunidad nativa</i>	Native community (legal and administrative unit in the Amazon region)
<i>Cushma</i>	Traditional cloth of Airo Paj men
<i>Defensoría del Pueblo</i>	Ombudsman's Office
<i>Encabellados</i>	Denomination used by the missionaries to refer to Tucano-speaking groups, because of the men's custom to wear their hair ( <i>cabello</i> ) long
<i>Junta Directiva</i>	Board of Directors
<i>Huangana</i>	White-lipped peccary
<i>Maloca</i>	Traditional multi-family house, used today for meetings and festivities
<i>Masato</i>	Drink based on manioc
<i>Mestizo</i>	People from mixed Spanish-indigenous origin
<i>Minga</i>	Organization form of communal work
<i>Mujer líder</i>	Woman leader
<i>Otorongo</i>	Jaguar

<i>Paiche</i>	A fish species ( <i>Arapaima gigas</i> )
<i>Palo de rosa</i>	Rosy trumpet-tree
<i>Patrón</i>	Person under whose command the indigenous population had to extract natural resources and/or work on the field, often in harsh conditions
<i>Pelacara</i>	People who peel ( <i>pelar</i> ) the skin from the face ( <i>cara</i> )
<i>Pijuayo</i>	A palm tree species ( <i>Bactris gasipaes</i> )
<i>Pizarra</i>	Blackboard
<i>Purma</i>	Fallowed field; may be recently overgrown or older secondary forest
<i>Reducción</i>	Settlement of Christianised indigenous persons
<i>Ribereños</i>	People who came to live on the banks ( <i>riberas</i> ) of the great rivers of the Amazon forest
<i>Sábalo</i>	Name used in Spanish to refer to a number of different fish species
<i>Sachavaca</i>	(South American) tapir
<i>Sajino</i>	Collared peccary
<i>Selvático</i>	From the rainforest
<i>Taricaya</i>	A turtle species ( <i>Podocnemis unifilis</i> )
<i>Teniente gobernador</i>	Local authority representing the central government
<i>Ungurahui</i>	A palm tree species
<i>Vaso de Leche</i>	Literally: glass of milk. Government program that distributes milk and related products to the communities
<i>Venado</i>	Deer
<i>Vocal</i>	Member of the Board of Directors of a community, responsible for reminding the community members about upcoming meetings
<i>Yoco</i>	A liana, the bark of which mixed with water is used as an energetic drink by the Airo Paj ( <i>Paulliana yoco</i> )

## PAI COCUA

<i>A'ò</i>	Cassava bread ( <i>casabe</i> )
<i>Airo Pai</i>	'People of the Forest'. Autodenomination of the Secoya people
<i>A'quë pai</i>	People from outside, Spanish-speaking people, mestizos, white people
<i>Huëquë</i>	Tapir ( <i>sachavaca</i> )
<i>Mañoco Daripë</i>	Puerto Estrella
<i>Muju</i>	Thunder
<i>Nañë</i>	God
<i>Nò'cua cono</i>	Traditional drink made from bananas
<i>Pai Cocua</i>	'Language of the People'. Denomination of the <i>Airo Pai</i> language
<i>Paiña</i>	Tapir ( <i>sachavaca</i> )
<i>Pò'sa</i>	Natural pigment used to make facial and corporal paintings ( <i>achiote</i> )
<i>Së'se</i>	White-lipped peccary ( <i>huangana</i> )
<i>Sieco-Pai</i>	People painted with lines of rainbow colours
<i>Yaje</i>	Psychoactive vine, mainly used by the shaman ( <i>ayahuasca</i> )
<i>Yë'ë yëja</i>	Our territory
<i>Yëja</i>	Territory

## KICHWA

<i>Inti Runa</i>	People of the Sun
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