



Photo by Kristell Hergoualc'h

The role of multi-stakeholder forums in subnational jurisdictions

The Roundtable for Indigenous Peoples in Voluntary Isolation and Initial Contact

Loreto, Peru

Key messages


- The active participants of Loreto's Roundtable for Indigenous Peoples in Voluntary Isolation and Initial Contact acknowledge that this initiative, despite its recent creation, has made progress in raising awareness, exchanging information between stakeholders and generating internal instruments to organize activities. However, there is no systematic way to monitor the platform's progresses and results.
- There is a general perception that this multi-stakeholder forum's (MSF) goals should be set to a longer time frame than originally expected. There is also uncertainty regarding its effectiveness in addressing land-rights issues and land-use conflicts in areas where Indigenous reserves have been proposed.
- Several factors challenge the MSF's equity, including its incomplete definition of membership rules for nongovernmental organizations (NGOs) and national-level government agencies, the lack of engagement with Indigenous leaders and local actors, and the underrepresentation of women.

MSF at a glance

Participants	  
Organizers	 
Year started	2018
Funding	
Forum Type	Knowledge sharing
Outcome	Coordination and recommendations

 Government

 NGO

 Indigenous organizations

Summary

The forests of the Peruvian Amazon are among the most biodiverse in the world. However, they face growing deforestation and degradation as a result of natural resource extraction (timber, alluvial gold and hydrocarbons), coupled with other historical processes of colonization and infrastructure investments. For several decades, Indigenous communities in the region have prioritized securing their land rights, but they have often felt marginalized by national processes. A history of corruption, overlapping and often-contradictory land-use regimes granted over the same areas, and competing interests of different stakeholders has in the past led to violent events that enhanced their mistrust toward the government.

The protection of Indigenous peoples who live in voluntary isolation and initial contact (PIACI, after its initials in Spanish) is one of the most complex issues in the Amazon's human rights and environmental agenda. Approximately 185 of such groups have been identified in seven countries in South America, and evidence suggests their isolation developed as survival strategies following instances of violent colonization by outsiders. Present-day isolation is associated with a high vulnerability that is expressed in various ways. These peoples lack immunity to common diseases, and as a result are susceptible to epidemics that can be triggered in forced or induced contacts with outsiders who move within their territories. Their exclusive reliance on the forest for subsistence also makes them especially susceptible to impacts on the ecosystem and forest resources. Recent estimates calculate that just within Indigenous reserves and natural protected areas (NPAs), the territories occupied by PIACI extend over a total area of around 540,000 km² of tropical rainforests, including key biodiversity hotspots.

The acknowledgment of these communities' vulnerability has led to a general consensus on the principle of 'no contact' as the central pillar in related protection policies and frameworks. In Peru, this focus prompted implementation of measures to secure their territories against external intervention, particularly through the creation of distinctly protected Indigenous reserves to protect PIACI, and the establishment of control and monitoring systems, led by the Ministry of Culture (MINCU). The advancements in the protection of these groups in Peru have largely been prompted by demands and initiatives of Indigenous organizations, which have for decades played a monitoring and catalyzing role in these processes. In 2006, law no. 28736 established a cross-sectoral special regime, under the leadership MINCU, to frame all relevant public sector protection policies in favor of PIACI. The regime itself is part of a national policy still in the process of finalization.

Loreto is the largest region in Peru (368,799 km²), and 95.2% of its total surface are tropical rainforests. This region comprises around half of the surface of the Peruvian Amazon, has the greatest share of NPAs in Peru (95,000 km²) as well as a renowned cultural and ethnic diversity. Around 106,000 Indigenous peoples (31.8% of Peru's total) live in 1,361 titled and/or legally recognized communities. In recent years, the Peruvian State has legally recognized the existence of a number of PIACI in remote areas of Loreto. At present, there are requests to create five Indigenous reserves to protect PIACI in Loreto: Kakataibo (also in Ucayali and Huanuco), Yavari-Mirim, Yavari-Tapiche, Sierra del Divisor Occidental Kapanawa and Napo Tigre (Figure 1).

Deciding on the proposed Indigenous reserves in Loreto is long overdue – some requests date back more than fifteen years – and the delay represents a sustained threat for the isolated groups. Despite the decision-making process being ongoing, some of the areas within the proposed Indigenous reserves are already affected by road development projects, hydrocarbon and logging concessions, or they have been included as part of NPAs. How these changes in land use impact the territories of PIACI, and therefore their life patterns and livelihoods, is largely unknown.

With the aim to address these issues, the Regional Government of Loreto (GOREL) in April 2018 set up a multi-stakeholder collaborative roundtable, known as the Loreto Indigenous Peoples in Isolation and Voluntary Contact Roundtable, a multi-stakeholder forum (MSF). **This initiative, originally promoted by civil society drawing on previous experiences in Ucayali and Madre de Dios (two other jurisdictions within the Peruvian Amazon), aims to inform and articulate an inter-institutional response to the delay in the approval of the proposed Indigenous reserves.** The MSF, led by the GOREL's Indigenous Affairs Office, is still in an early stage of development, and its continuity has been affected by the Loreto regional government elections in October 2018. Current membership includes institutions of all government levels as well as two Indigenous organizations and one NGO, the latter supporting the logistics and facilitation of the sessions. The MSF is also open to the participation of other institutions, according to the specific issues addressed at each meeting.

To explore the potential of MSFs in the PIACI context, we examined Loreto's PIACI roundtable. For this research, in-depth interviews were carried out with 18 MSF participants and 9 non-participants, 4 MSF organizers and 4 key context informants from different sectors with knowledge and firsthand experience of land use and land-use changes in Loreto. One of the main approaches of the study's analysis of the MSF was looking at the interplay between the position of government institutions, the conflicts of rights in the proposed reserves and the claims of advocates from civil society. The mandate of government institutions, such as MINCU and several of the GOREL's offices, includes specific decision making on PIACI affairs, while national and regional Indigenous organizations have traditionally played a leading role in the efforts to protect PIACI. This study aims to:

1. identify the processes and outcomes that influence the MSF's effectiveness in achieving sustainable land use
2. examine how the MSF addresses issues of power and inequity in decision making processes.

How effective is this MSF?

The MSF, created in April 2018, is at a too early stage to draw solid conclusions on its effectiveness and potential outcomes. So far, only 42.8% of the participants consider the MSF to have been effective or very effective. Progress has involved the approval of MSF operative instruments – such as its internal regulations, its work plan and actions to promote institutional engagement and increase public offices' awareness of the general issues and rights of PIACI. It is important to note that engaging decision makers in dialogues on PIACI affairs could be considered a significant accomplishment in itself, given that these issues are usually neglected in public agendas. Across

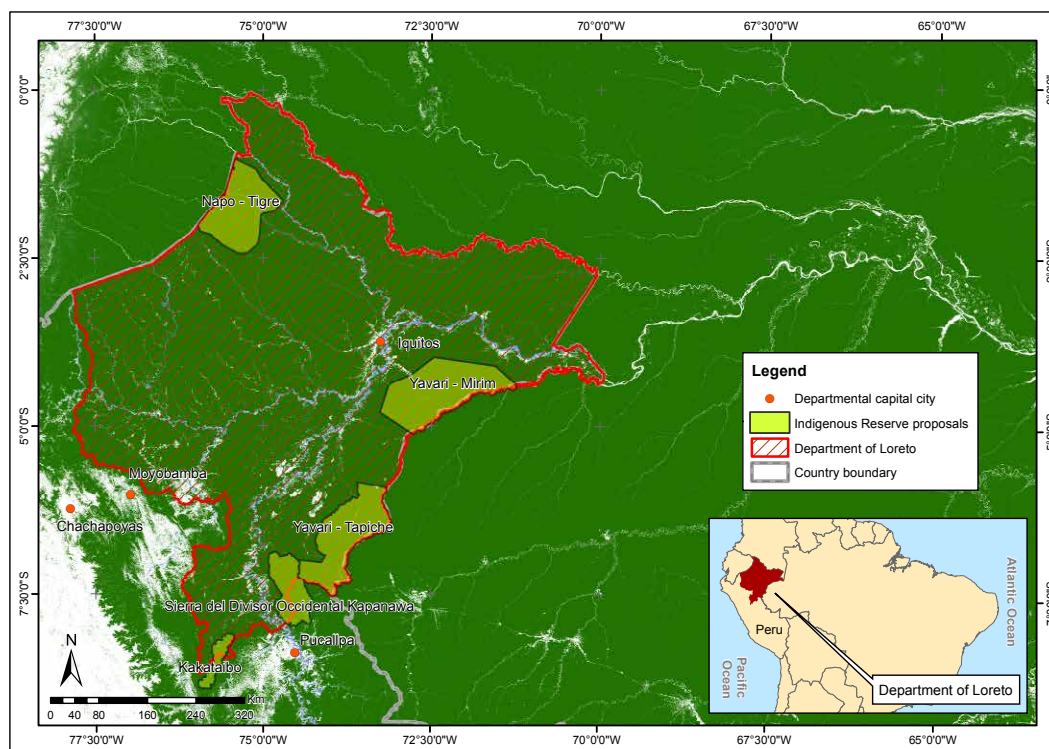


Figure 1. Location of study area in Loreto where five Indigenous reserves for PIACI have been proposed.

the Peruvian Amazon, PIACI advocates find government institutions to be strongly resistant to engaging in the protection of PIACI due to the widespread disbelief or denial in the government of these groups' existence. This also signifies profound implications for development plans and policies.

In general, the activities set out in the MSF work plan are not legally or politically binding. This avoids confrontations between stakeholders and opens an opportunity for collaborative work and cooperation on issues of mutual interest. Although this approach contributes to building up a positive view of the MSF among its participants, regarding its usefulness, capacity for learning about the issues at stake and ability to make certain progress, it also generates a degree of uncertainty regarding its concrete outcomes. Some MSF participants from the regional government, an Indigenous organization and an NGO expressed interest in addressing the key issues at stake around the proposed Indigenous reserves, particularly the existing conflict in those areas between the human rights of PIACI and the overlapping rights of external stakeholders.

Some interviewed officers from Loreto's Indigenous Affairs Office see the MSF as an opportunity to obtain support from national-level entities, mainly MINCU, to find a solution to legally and politically sensitive conflicts. While addressing these conflicts falls within the mandate and responsibility of the Indigenous Affairs Office, it does not have the necessary expertise and funds to resolve them. The officers also considered the MSF a pathway to obtaining technical and political support from other institutions, particularly MINCU, to address the complex situation generated by the overlapping rights granted by different GOREL offices in the proposed Indigenous reserves.

It is important to highlight that the future of the MSF and its work largely depends on the outcome of two ongoing and inter-related processes: the national government procedures

to legally recognize the existence of PIACI in the areas under discussion and designate the proposed Indigenous reserves as well as the legal actions taken by Indigenous organizations against the government's long delays in deciding on the Indigenous reserves and resolving the overlapping land-use rights in these areas.

Was this MSF able to address inequity?

The MSF was perceived to be equitable or very equitable in its outcomes by 42.9% of its interviewed participants. This low perception of equity reflects the participants' awareness of the context of structural asymmetry that characterizes Indigenous issues and politics in the Peruvian Amazon. It also reflects some issues regarding the specific setup and dynamics of the forum. Interviewees noted that the MSF addresses inequity issues related to the PIACI context on several levels. First, it raises awareness about the existence of PIACI in Loreto, increasing their visibility and legitimizing the claims to protect them. Second, it facilitates the dialogue between national and regional sectors of the government and hence contributes to defining and arranging institutional competences and responsibilities in the context of administrative decentralization. Thirdly, it provides Indigenous organizations and other civil society advocates with an opportunity to raise awareness among policy makers and to defend their claims and proposals. In spite of this, the MSF has not dealt with the complex underlying issues that comprise the core of the problem, particularly the clashing interests of advocates arguing to protect the human rights of PIACI on the one hand and the development initiatives promoted by private stakeholders and public offices in PIACI territories on the other. Nevertheless, research reveals other structural asymmetries, including the prominence of national and regional policies that promote economic development and extractivism over



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Effectiveness

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Indigenous rights and the environment, which in turn translates into a significant imbalance between sectors according to their responsibilities. Also, the implementation of the MSF's proposals may be hindered by issues such as the limited involvement of local stakeholders and the representation of different levels of Indigenous leadership. Furthermore, there is a marked gender bias in the MSF sessions and processes associated with the low ratio of women participants. Clear internal membership regulations for participation in the MSF are yet to be defined, such as rules for the integration of NGOs and the roles of key

national level entities, such as the Ministry of Health and the national forestry and protected areas services.

Recommendations

- *Extending stakeholder representation:* Improving the representation of women, local and Indigenous communities and organizations, national-level government offices and NGOs is crucial for increased equity in the MSF and for increased effectiveness of its processes and outcomes.
- *Promoting conflict transformation:* It is necessary to facilitate productive exchanges and dialogues between stakeholders at the MSF sessions and to expand its focus to develop strategies and mechanisms that address the issues and conflicts that unfold at the local level in the areas with Indigenous reserve proposals.
- *Recognition of capacity gaps:* Capacity building should be part of the MSF's processes, especially for those participants and key stakeholders who require further information to participate effectively.
- *Stakeholder commitment:* Appointing motivated delegates who hold decision-making powers may increase the effectiveness of the MSF's process and outcomes.

This publication is part of the **Integrating REDD+ with development goals at the landscape level: The role of multi-stakeholder forums in subnational jurisdictions project.**

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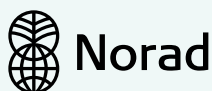
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