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# Region's Indigenous Leaders Demand to Be Heard

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By Louisa Reynolds

As large-scale oil, mining, and infrastructure projects go ahead and anger swells across the region's indigenous communities, it is hardly surprising that the right to prior consultation was the main issue on the agenda during the 10<sup>th</sup> Indigenous Fund Assembly, which took place in Guatemala City and began on Nov. 26. "In Latin America, indigenous peoples' opinion has been perpetually ignored," said Guatemalan Minister of Culture Carlos Batzín during the opening session.

The Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, commonly known as the Indigenous Fund, was set up during the Second Ibero-American Summit in Madrid in 1992 as a multilateral aid agency for the promotion of indigenous rights and development. Its permanent headquarters are in La Paz, Bolivia.

"We expect that this space for debate and dialog will lead to the creation of inclusive and intercultural policies that respond to the needs of indigenous people in Latin America and the Caribbean," said Batzín.

The legal implications of indigenous plebiscites, pledges made by the region's governments to guarantee indigenous peoples' right to prior consent, and progress made in establishing agreements between governments and indigenous communities, as well as specific case studies of consultation mechanisms used in Guatemala, Peru, Ecuador, and Bolivia, were the main topics discussed.

Luis Évelis Andrade, president of the Indigenous Fund, also warned that the agency faces a financial crisis, as half of the organization's members have failed to pay their fee.

As one delegate after another took the podium, a palpable sense of frustration could be felt, as indigenous leaders highlighted that their countries had ratified international treaties and conventions on indigenous rights but had repeatedly failed to enforce them.

"Consultations are rushed and biased. The whole point of a consultation is that it must be free and transparent, with no hidden agendas. It must not be done purely to meet an obligation,"

said Luis Contento, vice president of the Ecuadorean indigenous organization Confederación Kichwa del Ecuador (ECUARUNARI).

"Consultations are seen as an act of protocol, a mere procedure that is part of the legislative agenda," added Gerardo Jumí Tapies, of the Coordinadora Andina de Organizaciones Indígenas (CAOI). If multinational corporations and the governments that back them do not heed indigenous demands, communities will have to resort to more forceful means of protest, such as road blockades. "It is time we exerted social and political pressure," said Jumí Tapies.

### ***Good Living***

During the assembly, indigenous representatives reflected on the meaning of buen vivir (good living), meaning a way or living in harmony with oneself, with other members of the community, and with nature and one's surroundings, which is the core concept at the heart of the indigenous way of life.

"The indigenous way of life is based on sustainable development not on the relentless exploitation of natural resources. Indigenous people have lived in the forest and by the rivers without killing those resources. Those resources are now running out because of the actions of multinational corporations," said CAOI's Jumí Tapies.

Indigenous representatives also unveiled the results of the System for the Evaluation of the Protection of Rights and the Promotion of Indigenous Peoples' Good Living, which was set up during a previous summit in 2006. That year, the Indigenous Fund met in Antigua, Guatemala, and agreed to draw up a series of indicators that could be used to measure progress in rights and development among the region's indigenous peoples.

Researchers from Mexico's Centro de Investigaciones y Estudios Superiores en Antropología Social (CIESAS) compiled information from Mexico, Ecuador, Bolivia, and Chile to establish to what extent governments have complied with international treaties and conventions on indigenous rights.

Indicators relating to rights were measured together with indicators relating to buen vivir to establish whether legal rights had materialized in concrete improvements in the well-being of indigenous peoples. Six major areas were assessed: diversity, land rights, self-determination, well-being, indigenous development, and participation.

Diversity, for example, was divided into two areas: culture and citizenship, each of which was assessed according to variables relating to rights, such as the state's recognition of multiculturalism, protection of indigenous culture, prohibition of racial and cultural discrimination, and legal recognition of collective rights, and a series of variables relating to buen vivir, such as the official use of indigenous languages, intercultural education, expression of traditional cultural practices, and establishment of collective indigenous entities.

The report noted that Ecuador and Bolivia stand out in the legal recognition of indigenous rights, with the approval of new constitutions that specifically incorporate multiculturalism and buen vivir or sumak kawsay, as it is known among Ecuador's indigenous communities. However, in the four countries studied, legal and constitutional rights had often failed to materialize as concrete improvements in living conditions, meaning that rights continue to exist on paper but not in practice.

"Indigenous people continue to face huge disadvantages compared with the rest of the population. Indigenous communities have the least access to services and are not allowed to exercise basic rights such as the right to prior consultation," says ECUARUNARI'S Contento.