

Survival International responds to the FSC's statement on the uncontacted Mashco Piro in Peru

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Despite clear evidence that logging on their land violates the rights of uncontacted Mashco Piro people – and that it could cause a humanitarian catastrophe – the Forest Stewardship Council (FSC) refuses to withdraw its certification of Canales Tahuamanu logging company.

The FSC promised on 17 July to conduct a review sometime in the future – and referred to a previous "assessment" of the logging company's permit. That response is weak and unacceptable. The very purpose of the FSC is to ensure responsible forest management. But this operation could manage the Mashco Piro right out of existence. The FSC must do the right thing – revoke the certification – immediately. Lives are at stake.

For years, Indigenous organizations of the Peruvian Amazon and Survival have asked the FSC to revoke Canales Tahuamanu's certification. The FSC's response to the Mashco Piro crisis fails to address the facts raised over several years – logging could prove fatal to the uncontacted tribe and the destruction of their forest home is a violation of their human rights and international conventions. In this, the FSC falls far short of its declared principle to promote good practices and uphold the rights of Indigenous peoples.

If – as it says in its statement – the FSC's "priority is to ensure that the rights of the Mashco Piro are fully respected and protected" it must immediately withdraw certification of the logging company Canales Tahuamanu, operating on Mashco Piro land as defined by the Peruvian government way back in 2016.

The FSC claims it took "immediate action" when it first became aware of concerns about Canales Tahuamanu operations in Mashco Piro territory. As described, this action appears to have involved simply inquiring whether Canales Tahuamanu has a valid logging permit. This is not action; nor does it remotely provide the essential evidence to categorize logging as "sustainable" – never mind "socially responsible" and "respectful of human rights". Canales Tahuamanu's continued operations risk serious and irreversible damage.

Yet, the FSC says the logging concession is valid and refers to its own protocols to avoid encounters with the uncontacted Mashco Piro. This ignores the fact that the Peruvian government formally acknowledges that the Mashco Piro live within the concession. It is unethical and irresponsible of the FSC to hide behind the Peruvian government's delay in formally creating the extension to the Mashco Piro's legally protected territory. For it is that delay which enables Canales Tahuamanu to continue logging there – endangering the lives of highly vulnerable people.

The FSC and Canales Tahuamanu must uphold the Mashco Piro's land rights according to international law and norms on Indigenous peoples' rights. Nobody should operate on their land without their Free Prior and Informed Consent, which the Mashco Piro cannot give, as they are not in contact with national or neighboring society.

The FSC contends it has only known about the Mashco Piro living in the logging concession since 2022. But it should have been aware of a 2016 special commission (Comision Multisectorial) established by the Peruvian authorities which approved the extension of the Mashco Piro's territory to include part of the logging concession. The commission based its decision on an official study which concluded it was not possible to mitigate the risks posed by logging to the Mashco Piro, and noted the likelihood of contact between the Mashco Piro and loggers. Either the FSC ignored the commission's findings, or its due diligence in establishing certified concessions was severely lacking.

Since July 2020, Indigenous organizations AIDESEP (Asociación Interétnica de Desarrollo de la Selva Peruana) and FENAMAD (Federación Nativa del Río Madre de Dios y Afluentes) have repeatedly written to the FSC warning of the dangers logging poses to the Mashco Piro. AIDESEP met with the FSC in October 2023 to raise its concerns directly. No action was taken following this meeting, nor did the FSC reply to subsequent letters from the Indigenous organizations.

Survival International wrote to the FSC in June 2024 highlighting the irrefutable evidence of the presence of the Mashco Piro within the logging concession, and the huge dangers logging poses to them, and called on it to revoke the certification.

The urgent need to respect the Mashco Piro's land rights was tragically highlighted in 2022 when one Canales Tahuamanu worker died and another was injured in a conflict with Mashco Piro. This incident confirms that the protocols are ineffective and points out the responsibilities involved in implementing sustained large-scale extractive activities in isolated peoples' territories. FSC has been fully aware since – at least – June 2023, of Canales Tahuamanu's attempts to use legal means to silence the voice of the Indigenous organizations defending the rights of the Mashco Piro. The American Bar Association characterized this as a Strategic Lawsuit Against Public Participation (SLAPP).

Several <u>UN Special Rapporteurs</u> have formally addressed the Peruvian State and the FSC to express their concerns about the negative implications that action directed against organizations defending uncontacted tribes can have on the protection of these peoples. The Inter American Commission on Human Rights issued precautionary measures requesting the Peruvian government to protect the Mashco Piro people in 2007.

Yet another study, commissioned by FSC, is not necessary. This will buy time so that Canales Tahuamanu can continue to pillage the timber from their forests – risking Mashco Piro lives.

The evidence is devastating, well known and widely accepted. Uncontacted people die when loggers, miners, oil workers and others invade their territories. So it is extraordinary that the FSC did not immediately revoke its certification of Canales Tahuamanu when it knew the company was operating on Mashco Piro land.

Rather than wash its hands of all responsibility, the FSC must comply with international law – and its own social and environmental standards – and immediately revoke certification of Canales Tahuamanu. Failure to do that puts the future of the Mashco Piro people in danger, could lead to many more deaths, and makes a mockery of the stated purpose of the FSC.

The FSC must update its guidelines and policy to include a cast-iron commitment that it will not certify logging companies which operate in the territories of uncontacted tribes.