

Mandates of the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the rights of indigenous peoples; the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination; and the Special Rapporteur on the human rights to safe drinking water and sanitation

REFERENCE:
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13 October 2021

Dear Mr. Steiner,

We have the honour to address you in our capacities as Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the rights of indigenous peoples; Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination; and Special Rapporteur on the human rights to safe drinking water and sanitation, pursuant to Human Rights Council resolutions 44/15, 43/16, 42/20, 42/9 and 42/5.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received.¹ Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies and international organisations) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to your attention allegations we have received concerning a **partnership signed between the United Nations Development Programme (UNDP) Colombia and a Chilean oil company, GeoPark**, operating in Colombia. The operations of this company in the department of Putumayo, Colombia, which are the subject of the partnership with UNDP, have allegedly had adverse impacts on the human rights of the indigenous population and human rights defenders living in the area. Therefore, **by entering into the Alliance "United for Territorial Reactivation" with GeoPark, UNDP could contribute to**

¹ Further information about the communication procedure is available at: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx>

the negative impacts on human rights. Although UNDP decided to cancel the agreement² with the company following the public opposition of indigenous communities to this alliance³, this case may suggest the lack of systematic implementation of a human rights due diligence process, in line with the UN Guiding Principles on Business and Human Rights, by UNDP in the context of its business relations.

According to the information received:

GeoPark is an oil and gas explorer, operator and consolidator, based in Chile, with assets and growth platforms in Colombia, Peru, Argentina, Brazil, Chile and Ecuador. GeoPark bought Amerisur, and its operations in Colombia in 2020⁴. Amerisur was the subsidiary of the British oil company Amerisur Ressource. At the time of the Amerisur acquisition, GeoPark acquired 13 production, development and exploration blocks in Colombia, including the 12 operated blocks in the Putumayo Basin and the non-operated block CPO-5 in the Llanos Basin, the Amerisur Binational Pipeline, and partnerships with Oxy and ONGC.

Siona indigenous Peoples are native to the Amazon⁵ between the banks of the Putumayo River and its tributaries, with a population of approximately 2,578 people in six reservations covering 19,400 hectares at the border with Ecuador. The reservations Buenavista and Santa Cruz de Piñuña Blanco Resguardo are particularly affected by the operations of three GeoPark's oil blocks - block PUT 9, block PUT 12 and Block Platanillo, whose licenses were granted by the National Hydrocarbons Agency to Amerisur (now GeoPark) in 2012. The lands, corresponding to block PUT 12, allegedly cover the ancestral ethnic territory of the Siona Peoples. In addition, the exploration and operation of the other oil blocks, particularly PUT 9 and Platanillo located in areas adjacent to the reservations, have adverse human rights impacts, due to the environmental impacts –including the contamination of the Putumayo River.

United for Territorial Reactivation" Alliance between UNDP and GeoPark

The alliance between UNDP and GeoPark was signed on January 14, 2021 for an amount of USD 1.70 million and a duration of 3 years.⁶ This partnership sought to support economic and inclusive territorial growth, empowering human capital under decent work schemes, technology provider and generator of innovative solutions, contributing to Sustainable Development Goals 1 and 10 - overcoming poverty and eradicating inequalities. UNDP reportedly only involved the private sector and the Government in the discussion for this

² <https://www.co.undp.org/content/colombia/es/home/presscenter/pressreleases/2021/05/comunicado.html>

³ See <https://amazonwatch.org/assets/files/2021-joint-public-complaint-on-undp-geopark-agreement.pdf>; <https://www.justiciaypazcolombia.com/pueblo-siona-y-la-zrc-la-perla-amazonica-rechazan-alianzas-del-pnud-con-empresa-petrolera-geopark/>

⁴ See [GeoPark announces closing of Amerisur Acquisition : Amerisur Resources PLC; 173310 Project Atherton - Scheme Document Intro.qxp_173310 Project Atherton - Scheme Document Intro \(amerisurresources.com\)](#)

⁵ The Colombian Amazon region includes 8 departments of the country with about 40% of the national territory. The department of Putumayo is one of these departments.

⁶ See https://www.geopark.com/files/news/GEOPARK_Y_PNUD_SELLAN_ALIANZA_UNIDOS_POR_LA_REACTIVACION_TERRITORIAL.pdf; <https://www.youtube.com/watch?v=er2a6IdReME>

alliance, but did not have any engagement with communities that could be negatively affected by such an agreement. No information about this alliance and its content were previously shared with relevant stakeholders or published, neither any social and environmental impact assessment. Nevertheless, this agreement reveals some evident human rights impacts, as described below, that UNDP should have considered before entering into this agreement. In addition, such an agreement may undermine key UN initiatives and commitments in the fight against climate change, enshrined in international conventions, such as the Paris Agreement and the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (the Escazu Agreement); and the UN Secretary General's calls to achieve zero carbon emission targets, as well as the Intergovernmental Panel on Climate Change.⁷ Following the public opposition of indigenous communities to this alliance, UNDP decided to cancel the agreement⁸ with the company on 12 May 2021.

Alleged lack of human rights due diligence by UNDP

While we do not wish to prejudge the accuracy of these allegations, we express our concern about the lack of meaningful human rights due diligence by UNDP Colombia at the time of signing an agreement with GeoPark. The below-mentioned allegations reflect a series of considerations that UNDP should have taken into account, including through social and environmental impact assessment and consultations with affected groups. This alleged lack of due diligence processes in this case could demonstrate the absence of systematic human rights due diligence mechanism when UNDP engages with the private sector. While the achievement of the SDGs is a crucial agenda, UNDP has the responsibility to prevent, mitigate and remedy the negative impacts that its business relationships and agreements with the private sector may cause or contribute to.

As the Working Group states in its stocktaking report on the implementation of the UN Guiding Principles on Business and Human Rights in the first decade⁹, "Despite repeated calls by the Secretary-General for the UN system to lead by example¹⁰, and some initiatives, the UN continues to fail to integrate human rights due diligence into its own activities and business relationships. The consequence is a missed opportunity for the UN system to deliver what it says, stimulate adoption on a wider scale, and contribute to greater overall coherence in global governance frameworks."¹¹

⁷ For example, see <https://www.un.org/sg/es/content/sg/articles/2020-12-11/carbon-neutrality-2050-the-world%E2%80%99s-most-urgent-mission>

⁸ See <https://amazonwatch.org/assets/files/2021-joint-public-complaint-on-undp-geopark-agreement.pdf>; <https://www.justiciaypazcolombia.com/pueblo-siona-y-la-zrc-la-perla-amazonica-rechazan-alianzas-del-pnud-con-empresa-petrolera-geopark/>;

<https://www.co.undp.org/content/colombia/es/home/presscenter/pressreleases/2021/05/comunicado.html>
⁹ See A/HRC/21/21, A/HRC/26/20 and www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Aspiration_A_Call_To_Action_For_Human_Rights_English.pdf;

https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Headline_Statements.pdf

¹⁰ See [UNSDG | UNSDG Common Approach to Prospect Research and Due Diligence for Business Sector Partnerships](#); [UNDG-Guidance-Note-on-Human-Rights-for-RCs-and-UNCTs-final.pdf](#); United Nations Environment Management Group, "Moving towards a common approach to environmental and social standards in UN programming", 8 July 2019, available at https://unemg.org/wp-content/uploads/2019/07/FINAL_Model_Approach_ES-Standards-1.pdf

¹¹ UN Working Group on Business and Human Rights Report to the Human Rights Council - Guiding Principles on Business and Human Rights at 10: taking stock of the first decade, (A/HRC/47/39)

Impacts of GeoPark's operations on human rights

The construction and exploration of the Putumayo blocks have allegedly generated severe negative impacts on the rights of indigenous Siona Peoples and human rights defenders living in or near the oil blocks since 2012. Among other negative consequences, the following stand out:

A. Lack of free, prior and informed consultation and consent

The right to consultation and free, prior and informed consent of the communities affected by the project would not have been respected according to relevant international standards. In 2014, the company Amerisur (now GeoPark) and the Ministry of Interior carried out a consultation process, which did not reach any agreement between the parties. Afterwards, according to the information received, pressure was allegedly exerted on the communities by different actors, including armed actors, so that they would accept the agreements with the company. The company also reportedly used tactics to divide the community within the reservations, including promises of money. In 2015, the company repeated the consultation, but this time without the Ministry of Interior. Based on the information and promises made by the company, and without being provided technical support to understand the impacts that the operations would have on their rights, the communities consented to the company's operations. However, a short time later, when the communities understood the real impacts, they expressed to the company their disagreement with the project. Under international law, consultations with the concerned indigenous peoples, through their representative institutions, prior to the operation and implementation of legislative or administrative measures affecting them, are intended to obtain their free, prior and informed consent. Once they have given their consent, they may withdraw it at any time. Since then, the communities have maintained a clear position of rejection of the oil company's operations.

B. Environmental degradation and impact on the living conditions.

The company's dumping of toxic waste has contaminated the Putumayo River and its tributaries, which the Siona Peoples use for human consumption, domestic purposes, fish farming and agriculture. In addition, the company's construction and operation, including road construction and blasting, have caused different type of environmental damage – air pollution, burning and clearing of forests and have disrupted the wetland system and bodies of water in the area, leading to significant droughts. This has also had an impact on the right to food of the Siona Peoples, given the impacts on their livelihoods. It is also important to note that the operations, including seismic activities, have caused noise and constant dust which severely affect the air quality and cause damages to their housing.

C. Land conflict

The lands of the PUT 12 block, whose use was granted to Amerisur (now GeoPark) in 2012 by the National Hydrocarbons Agency, are part of the ancestral ethnic territory of the Siona Peoples. In 2017, representatives of the

Buenavista resguardo filed a land restitution claim, whose 52,000 hectares of forest cover sites sacred to the Siona Peoples. In its judgment N°00531 of 2018, the First Civil Court of the Specialized Circuit on Lands ordered Amerisur (now GeoPark) to refrain from carrying out actions to implement the PUT 12 project on the already formalized Buenavista Reservation and on the area under expansion, unless it guarantees the informed consent of the community. However, without any consent from the communities, the company has allegedly carried out actions in that area.

D. Intensification of the conflict

The company's operations have allegedly exacerbated the conflict situation in the area. Since 2006, the indigenous peoples of the Buenavista and Santa Cruz de Piñuña Blanco reservations have been subject to threats, harassment and other acts of violence by armed actors seeking to control their territory. Due to the impact of violence on these communities over the country's long armed conflict, the Colombian Constitutional Court recognized in its 2004 order that the Siona Peoples were in an "imminent process of extermination". The Court recognized that this violence has been associated with the control that illegal armed actors seek to have over their territories and natural resources, but also with the presence of extractive, mining and energy projects, including hydrocarbon projects. Based on that order, in 2016 the Siona Buenavista reservation was included in the single registry of victims, "recognizing that the conditions of cultural and physical extermination persist". This situation would have resulted in the homicide of 13 people from the Buenavista Reservation and 8 forced disappearances since 1995. Given the persistent risk to the life and physical integrity of the members of the Buenavista and Santa Cruz de Piñuña Blanco reservations, as well as the restrictions imposed on free mobility in the territory by the legal actors, the Inter-American Commission on Human Rights granted precautionary measures to all members of these communities (MC-395-18).

In this context, alleged links exist between the company and the paramilitaries present in the area, which have been denounced by the Siona Peoples before the Constitutional Court - "economic actors have allied with irregular armed actors to generate, within the indigenous communities, acts of violence that eliminate or displace the indigenous people from their ancestral territories, thus clearing the way for the implementation of these productive projects. This derives, essentially, from the existence of extensive commercial interests in the natural resources of their territories." The latter allegations have been denied by the company.

In addition, the presence of the company has caused an increased militarization of the area. In particular, two special energy and road battalions (9 and 21) and a special operation center for the protection of Oritoa's critical infrastructure were established in the area. According to the information received, these battalions, as well as the other battalions deployed in the country (20 battalions and 9 special operations centers for the protection of critical infrastructure, with more than 68,000 soldiers assigned), are not governed by a specific regulatory framework, but only on the basis of the general rules of organization and operation of the military forces according to the Constitution. This would generate opacity regarding their operations and

the existing agreements between the army and the companies.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information or comments in relation to the above-mentioned allegations.
2. Please provide information on the human rights due diligence policies and processes established by your institution to identify, prevent, mitigate and remedy adverse human rights impacts of its activities, including those related to UNDP's partnerships with businesses globally, in accordance with the UN Guiding Principles on Business on Human Rights.
3. Please provide information on the specific due diligence measures taken by your institution prior to entering into this partnership with the oil company GeoPark, including enhancing due diligence taking into account the conflict settings in which GeoPark operates, in particular land conflicts with indigenous peoples. In particular, please highlight how your institution undertook meaningful consultations with stakeholders, in particular with Siona Peoples, and how it exercised leverage over its partner, GeoPark, to ensure that the latter also undertook a human rights due diligence process and conducted consultations with those stakeholders.
4. Please describe what steps your institution has taken, or plans to take, to prevent such situations from happening again in the future.
5. Please provide information about the remedy measures that your institution has taken, or plans to take to redress the negative human rights impact that your institution caused or contributed to, including the loss of trust between the Siona Peoples and the United Nations.
6. Please describe how UNDP's grievance mechanism, through the social and environmental compliance unit, is aligned with the effectiveness criteria of Guiding Principle 31.
7. Please provide information regarding the measures taken by UNDP to ensure coherence between its projects and actions, including with the private sector, and international commitments on climate change and respect for human rights.

We would appreciate receiving a response within 60 days. After this period, this communication and any response received from UNDP, or any other responses, will be made public via the communications reporting [website](#). They will also

subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence.

We may publicly express our concerns in the near future, as we believe that the information received is sufficiently reliable to indicate that there is an issue that requests immediate attention. In addition, we believe that the public needs to be informed of the potential implications related to the above allegations. The press release will indicate that we have been in contact with you to clarify the relevant issues.

Please be informed that letters on this matter have also been sent to the Governments of Colombia, Chile and to the company GeoPark, related to the aforementioned allegations.

Please accept, Mr. Steiner, the assurances of our highest consideration.

Surya Deva

Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Mary Lawlor

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José Francisco Cali Tzay

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Pedro Arrojo-Agudo

Special Rapporteur on the human rights to safe drinking water and sanitation

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of UNDP to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

- International Covenant on Economic, Social and Cultural Rights (ICESCR);
- International Labor Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples;
- UN Declaration on the Rights of Indigenous Peoples;
- UN Guiding Principles on Business and Human Rights;
- United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

As set forth in the United Nations Guiding Principles on Business and Human Rights, which were unanimously endorsed by the Human Rights Council in its resolution (A/HRC/RES/17/31), the UNGPs are based on the recognition of:

- "a. States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms;
- b. The role of business as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights;
- c. The need for rights and obligations to be matched to appropriate and effective remedies when breached."

The Guiding Principles have been established as the authoritative global standard for business to prevent and address business-related adverse human rights impacts. The responsibility to respect human rights constitutes a global standard of conduct applicable to all businesses, both transnational and otherwise, regardless of size, sector, location, ownership and structure. It exists irrespective of the ability and/or willingness of States to meet their own human rights obligations and does not diminish those obligations. It is a responsibility additional to that of complying with national laws and standards for the protection of human rights.

Principles 11 to 24 and Principles 29 to 31 provide guidance to companies on how to meet their responsibility to respect human rights and to provide remediation where they have caused or contributed to adverse impacts. The commentary to Principle 11 states that "Businesses should not undermine the ability of States to meet their own human rights obligations, or take actions that may undermine the integrity of judicial processes."

The Guiding Principles have identified two main components of the corporate responsibility to respect human rights, which require that "enterprises: a) Avoid causing or contributing to adverse human rights impacts through their own activities and address such impacts when they occur; b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts." (Guiding Principle 13).

To fulfil their responsibility to respect human rights, business enterprises should have policies and procedures appropriate to their size and circumstances, namely:

- (a) A policy commitment to meet their responsibility to respect human rights;
- (b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute."(Guiding Principle 15)

This process of identifying and assessing actual or potential adverse human rights impacts should include meaningful consultation with potentially affected groups and other stakeholders (Guiding Principle 18).

Also, Principle 22 provides that " Where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes. " The establishment of operational-level grievance mechanisms for those potentially affected by business activities can be an effective means of remedy provided that they meet certain requirements listed in Principle 31.

We would like to recall the thematic report of the Working Group on the issue of human rights and transnational corporations and other business enterprises to the General Assembly (ref. A/73/163). In the report, the Working Group noted that "The Guiding Principles make it clear that business enterprises have an independent responsibility to respect human rights and that, in order to do so, they must exercise human rights due diligence. Due diligence refers to the processes that all companies should incorporate to identify, prevent, mitigate and account for how they address potential and actual adverse human rights impacts caused in whole or in part by their activities, or directly linked to their operations, their products or the services provided by their business relationships". Human rights due diligence involves a) Identifying and assessing actual or potential adverse human rights impacts that the enterprise has caused or contributed to through its activities, or that are directly linked to its operations, products or services provided by its business relationships; b) Integrating the results of impact assessments into relevant enterprise functions and processes, and taking appropriate action in accordance with its involvement in the impact; (d) Communicate how adverse impacts are addressed and demonstrate to stakeholders - particularly those affected - that appropriate policies and processes are in place to implement respect for human rights in practice".

In its report on [business, human rights and conflict-affected regions: towards heightened action](#), the UN Working Group on Business and Human Rights emphasizes that the "Principles are articulated around the concept of proportionality: the greater the risk, the more complex (the due diligence processes). Therefore, "because the risk is heightened in conflict-affected areas", the adoption of measures by States and the degree of due diligence by companies should be increased accordingly", calling on companies to apply "enhanced" due diligence taking into account conflicts. "Companies are not neutral actors: their presence is not without impact. Even if business does not take a side in the conflict, the impact of their operations will necessarily influence conflict dynamics." Furthermore, the Working Group recommended that "the United Nations, in particular its peacekeeping, peacebuilding and mediation pillars, should develop a strategy on business, peace and security that embraces the Guiding Principles as a foundational component." It also recommended that companies increase their human rights due diligence when operating in conflict zones to incorporate atrocity and conflict prevention tools to expand existing due diligence frameworks. The United Nations should also apply due diligence when collaborating with the private sector, and as for companies operating in conflict and post conflict settings, the United Nations should apply enhanced due diligence when operating in conflict and post conflict settings.

Furthermore, we would like to refer you to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, which states that everyone has the right to promote and to strive for the protection and realization of human rights and indicates the State's prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms (articles 1 and 2). The Declaration details the State's obligation to ensure that no one is subject to violence, threats, or retaliation as a consequence of carrying out their legitimate work as human rights defenders (article 12).

In addition, we recall the explicit recognition of the human rights to safe drinking water and sanitation by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of ICESCR. In its General Comment No. 15, the Committee on Economic, Social and Cultural Rights (CESCR) clarified that the human right to water means that everyone is entitled to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.

The Committee also affirmed that the human right to water implies "sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses," not only to prevent death from dehydration, but also to reduce the risk of water-related diseases and to meet consumption, cooking, personal and domestic hygiene needs. The Committee also pointed out the obligation of States to ensure the protection of natural water resources

We would like to bring to your attention the thematic report submitted to the Human Rights Council by the Working Group on the Use of Mercenaries in July 2019 (A/HRC/42/42), which covers the relationship between private military and security companies and the extractive industry from a human rights perspective. In that report, the Working Group highlighted the human rights risks particularly in situations of

armed conflict where private security personnel, employed or contracted to support an extractive operation, might carry out military-style operations themselves or with the support of the state. The Working Group reaffirms the human rights and humanitarian law obligations and responsibilities of private military or security companies and their personnel providing services to an extractive company in a context of armed conflict (see paragraphs 28 and 38).

We would also like to draw your attention to the fundamental norms set forth in the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. In particular, we would like to refer to articles 1 and 2 which declare that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has the primary responsibility and duty to protect, promote and fulfil all human rights and fundamental freedoms.

Furthermore, we would like to refer to article 12, paragraphs 2 and 3, of such Declaration, which stipulates that the State shall ensure the protection, by the competent authorities, of everyone, individually and in association with others, against any violence, threats, retaliation, discrimination, denial in law or in fact, pressure or any other arbitrary action as a consequence of the lawful exercise of the rights referred to in this Declaration.

We would also like to draw your attention to the obligations established in Convention 169 of the International Labor Organization (ILO) concerning Indigenous and Tribal Peoples in Independent Countries, in particular articles 6, 7, 14, 17 and 18, which state, among other aspects, the obligation to consult freely and in good faith, to guarantee the effective protection of the rights of indigenous peoples over the lands they traditionally occupy.

We would like to refer to the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly on September 13, 2007. In particular, we would like to refer to article 7. 1 on the right to life, physical and mental integrity, liberty and security of indigenous individuals; article 3 on the right to self-determination and their political status and freely pursue their economic, social and cultural development; article 32 on the obligation to obtain their free and informed consent prior to the approval of any project affecting their territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources; and article 28 on the right to redress by means that may include restitution or, where this is not possible, just and fair compensation for lands that have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.