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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL  
FREEDOMS IN ANY PART OF THE WORLD

Written statement\* submitted by International Indian Treaty Council,  
a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[3 February 2003]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The International Indian Treaty Council (IITC) transmits the following urgent information submitted by the Kuna Youth Movement (MJK), the General Congress of Kuna Yala and other representatives of the Indigenous movement in Panama, condemning the brutal assassination of four Kuna Indigenous leaders from the Paya and Pucuru communities in the territory of Takarkunyala, Panama.

IITC's affiliate the Kuna Youth Movement reported that on Saturday, January 18 four Indigenous Kuna traditional cultural leaders were violently tortured and assassinated by the Autonomous Defense Units of Colombia (AUC), a Colombian paramilitary group. They report that on that date fifty armed AUC members tore apart the Paya community, which lies two hours by foot from the Colombian border, surrounded the community, asked for the Indigenous authorities to present themselves, accused them of supporting leftist insurgents in Columbia, and then took them outside the community to torture them and slash their throats. The Kuna Youth Movement confirms that the four traditional leaders, Ernesto Ayala, San Pascual Ayala, Luis Enrique Martinez, and Gilbert Vasquez "now join the list of thousands of martyrs who have offered their lives for the liberation of the Indigenous communities of the world".

The Kuna Youth Movement also reported to the IITC that the paramilitaries looted the communities, stole food and burned houses. The Kuna Youth Movement attribute these acts directly to an escalation of the violence perpetrated by Plan Columbia, which they affirm has not only been responsible for the deaths of Indigenous leaders and community members in Columbia, but has extended into Indigenous communities Panama as well, as the current violence demonstrates.

The General Congress of Kuna Yala, the highest Kuna Authority stated "We denounce these acts and the looting of our communities for which the AUC have claimed responsibility, and we also denounce the objectives behind these acts;

1. To destroy the political, spiritual, cultural and social structure of our communities by leaving them without leaders. The terrorized communities are forced to abandon their land and their possessions, or they sell them at absurdly low prices. They also affect our communities by destroying our social structures. The paramilitaries have been systematically doing this in our sister country to the South. In addition, it has already been reported that previous armed incursions have done this with the lands of displaced residents of Darien. As it is well known, war is a business.
2. Neither is it a secret that there are powerful interests in the international arena which promote the so-called Plan Colombia, an almost exclusively military plan, as a 'solution' to the armed conflict in that country and which has plans to involve Colombia's neighboring countries. In our case, Panama, constant incursions by Colombian armed groups that terrorize border communities, are to reveal the supposed inability of our country to maintain our borders, which would justify foreign military presence here. We would therefore be involved in this Plan which already has invested hundreds of millions of dollars, dozens of artillery planes and helicopters, modern weapons to equip the military brigades, etc.

Also, there have been constant reports about the lack of protection for border communities, in spite of the existence of police who are there for their protection. The border police arrived one day late, after the reporters, to the site of the most recent events. This brings to light the urgent need to develop and implement a coherent national security plan, something which many authorities in the country have already requested due to the permanent threat to the lives, the honor and the goods of the Panamanians in these communities. We accept and support the suggestion made by the Indigenous Affairs Commission of the National Assembly that the National Government create an Ad-Hoc Commission with participation of members of the Indigenous Congresses from the area in order to contribute to finding security mechanisms in this area.”

Members of this Commission, in Panama and around the world Indigenous Peoples continue to suffer from brutal military encroachment into their traditional territories and homelands. Grave and pervasive violations of their human rights is the result.

In Rwanda, the grave human rights situation of the Twa peoples, especially atrocities against women and children, including massive displacement of the population, interment camps with severe overcrowding, malnutrition and vulnerability to disease, has also become a major concern to the International Indian Treaty Council. Once again we see the militarization of Indigenous lands as a major culprit interfering with the Twa way of life, pushing them off their traditional homelands.

The Twa Peoples, sometimes called Pygmies, are among the estimated 250,000 hunter-gatherers who continue to live in Central Africa. Extreme human rights abuses are being committed against them by rebels in the Democratic Republic of Congo (DRC). Evidence of forced cannibalism as well as rape, pillage and killings by military groups have been reported.

In the northeastern part of the DRC, the Twa Peoples have been caught up in the conflict because they live in the remote areas where armed groups operate with impunity. The Twa have been consistently attacked or forced to fight, hunt and track for the rebel groups. They have been exposed to extreme human rights abuses including being forced to eat parts of their own or companions' bodies.

For the past 30 years, agricultural projects, logging and the establishment of Natural Reserves have driven the Twa off their lands. Multinational mining, logging and infrastructure companies are in the process of destroying major parts of the DRC' forests. The destruction of the Twa forest environment will eradicate their way of life. Many of the Twa have been forced into a life as cheap agricultural labor or dancing tourist attractions for the visitors who come to see the animals in the Natural Reserves. None of the Twa peoples has a share in the income from the tourism in the Natural Reserves, their original homelands, which has nevertheless diminished with the escalation of the military activity. Most Twa peoples do not have any access to health care or schools. The Twa have been deprived of the general rights enjoyed by their fellow citizens.

With the latest atrocities their complete extinction has become even closer to reality. IITC recently was informed that nearly a third of the Twa in Rwanda were wiped out

in 1994. In the DRC there is an estimated 155,000 internal refugees, many of whom are from Twa communities.

When states fail to acknowledge Indigenous rights to lands, territories and resources, and Indigenous Peoples protest the incursions and the attacks on their territories and means of subsistence, too often the military is called to enforce government policies that support corporate interests rather than human rights. This is currently also the case in Ecuador, according to reports recently received by the IITC. The Kichwa community of Sarayaku, in the Amazon region of Ecuador, has self-declared its ancestral territory of 135,000 hectares to be in a State of Emergency due to the invasion of the Argentine Oil Company CGC into their lands.

To block CGC, Sarayaku members have reportedly paralyzed all community, economic, and school activities, and have been standing guard along their communal boundaries for over 90 days. Given the aggressive advancement of CGC, the Ombudsman of Pastaza Province officially declared Sarayaku to be under its protection on November 27, 2002. Despite this declaration, CGC has continued seismic activity within Sarayaku's territory; has hired private security units to threaten Sarayaku's community members, and has engaged in a campaign of slander against Sarayaku's leaders. CGC and its hired security units have logged large trees to block the free passage of Sarayaku's community members by river, preventing them from reaching the hunting grounds and agricultural lands vital to their subsistence. CGC has also threatened to mine sites within Sarayaku's territory. Four young men from Sarayaku were recently detained, bound, blindfolded, and beaten before being freed.

Military personnel have entered Sarayaku's territory to protect the interests of CGC. The cumulative effects of these activities and assaults have been described by leaders of Sarayaku as leading to an atmosphere of panic, terror, and psychological violence among Sarayaku's 2,000 inhabitants. Sarayaku has sought peaceful solutions to the intrusion of CGC, yet the blatant failure of Ecuadorian authorities to address the situation is causing health and nutritional problems and has caused a grave imbalance in Sarayaku's social, emotional, ecological, and spiritual well being.

The IITC calls the Special Rapporteur on Indigenous Issues to investigate the conflicts affecting the Kuna in Panama, the Kasha in Ecuador, and the Taw in DRC and to submit his report to this Commission and the Permanent Forum for Indigenous peoples immediately. Further, the IITC calls on the Special Rapporteur on Violence against Women and the Special Rapporteur on Children in Armed Conflict to pay particular attention to the critical situation of Indigenous women and children in armed conflict situations, and to include the situations presented here in their next reports to the Commission.