**AMERINDIAN PEOPLES ASSOCIATION**

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**Press Release: 23 November 2015**

**Indigenous Peoples in Guyana Concerned That VPA Could Lack Solid Protections for Land and Other Rights**

The lands and forests of many indigenous communities in Guyana have been under pressure for a number of years and continue to be so from the activities of large-scale logging and mining concessions awarded by state agencies. In the two reports being released today, indigenous leaders point out that, among other things, the current system for the allocation of concessions is seriously flawed leading to the granting of concessions without community knowledge or agreement thereby jeopardising community resource use and land ownership in some instances. Such a situation is further facilitated by a national legal framework that does not fully respect the internationally protected rights of communities to their customary lands and resources.

The two reportssummarise andpresent the concerns and recommendations of indigenous peoples coming out of a series of community workshops on the Forest Law Enforcement, Governance and Trade Voluntary Partnership Agreement (FLEGT VPA) held in Regions 1 and 2 during 2014 and 2015, and a Legality Seminar for a wider cross section of representatives from government, civil society, indigenous communities and legal experts. These activities form part of a project “Promoting the effective participation of indigenous peoples in the FLEGT Voluntary Partnership Agreement process in Guyana” being coordinated by the Amerindian Peoples Association (APA) and the Forest Peoples Progamme (FPP) of the UK. Funding support came from the European Union (EU) and the UK’s Department for International Development (DFID) and runs for two years from 2014 until 2016.

Guyana is currently in negotiations with the EU regarding commitments made under its Low Carbon Development Strategy (LCDS) which is expected to lead to a VPA with the EU under their FLEGT initiative. These negotiations have been ongoing since 2012 and are meant to ensure that only legally sourced timber is imported to EU markets. It puts great emphasis on improving forest governance in the countries of origin. While some amount of awareness on this initiative have taken place with indigenous communities by the relevant state agencies, inputs into the development of the documents during this period appear to have not captured some of their concerns. Some of these are outlined below and are more fully included in the reports.

The current governance structure and other systems could be improved and strengthened under the VPA to ensure that long-standing land conflicts do not escalate and that communities do not suffer negatively from a system that is meant to improve the conditions of forest stakeholders. Key in this regard is the issue of free, prior and informed consent and legislative protections. President of the Amerindian Peoples Association (APA), Sharon Atkinson, commented: *“The lack of national legal requirements to obtain free, prior and informed consent from communities regarding activities on all of our customary land is slowly strangling us”.*

In her presentation to the Legality seminar, international human rights lawyer Anouska Perram of the Forest Peoples Programme (FPP) emphasised that it is essential to improve the coherence and consistency between three layers of law, customary, national and international, in order to create lasting legal certainty around the VPA process and meaningful protections for indigenous communities.

Community leaders and other representatives who gathered in Georgetown during February 2015 to consolidate and put forward their proposals for the FLEGT VPA reflected this need for greater coherence. They called for the VPA to ensure robust protections for customary land rights and for the application of the core standard of free, prior and informed consent (FPIC) before the issuance of any logging concession and permits over forest areas that they have traditionally used and occupied. They point out thatAmerindian communities must be fully involved in discussions and negotiations and their concerns must be taken seriously and used to guide the process.

Communities believe that the current roadmap is unrealistic and parties should consider an extension so that more stake holder consultations can be done:

*“If we don’t understand, we should not sign” [Resident, Bumbury]*

Only if the final VPA and legality assurance system fully recognise indigenous peoples’ rights as protected in international treaties ratified by Guyana, will the agreement have genuine potential to improve forest governance in the country and deliver positive benefits for all parties involved.

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