

I will continue to follow events regarding the country's indigenous peoples closely. For the record, I include a copy of the progress report and the letter from the Ambassador with my remarks.

STATE DEPARTMENT VIEWS ON DEVELOPMENTS
IN PERU

Protests by Indigenous groups, led by an umbrella NGO (AIDSESEP), began in April against several legislative decrees passed in 2008 they felt would infringe on their rights. While it was not completely clear what portions of the laws were at issue, the indigenous groups main stated concern was that there had been inadequate consultation prior to the passage of the decrees. In mid-May, the Government of Peru initiated a dialogue with AIDSESEP's leaders to discuss indigenous concerns. These early talks were slow going and fell apart when AIDSESEP walked out on the talks.

The government acted to remove roadblocks near the town of Bagua and restore supplies to affected neighboring communities on June 5. Clashes between police and protestors ensued when police attempted to remove the roadblocks; separately police officers—previously taken hostage at a pumping station—were murdered following news reports of the earlier clashes. Official reports, confirmed by the independent the independent Human Rights Ombudsman's office, put the death toll at 33 (including 10 civilians and 23 police).

The situation on the ground has changed since the violence in early June. The government has reached an agreement with indigenous groups June 15; repealed two laws June 18; and established a multi-sectoral dialogue process. The multi-sectoral commission consists of government, civil society, NGOs and indigenous leaders. With four subgroups looking at the June incidents; concerns on legislative decrees and proposals to replace the repealed decrees; definition of a mechanism for prior consultation in accordance with ILO requirements; and the development of a national proposal for Amazonian development. To date, the commission has met at least three times.

The recent government reshuffle should have no effect on the dialogue, as the incoming Prime Minister has publicly declared support for ongoing dialogue processes.

EMBASSY OF PERU,

Washington DC, September 10th, 2009.

Hon. ENI F.H. FALEOMAVAEGA,
House of Representatives,
Washington, DC.

DEAR MR. FALEOMAVAEGA: Attached for your information please find a brief progress report on the work of the National Group of Coordination for the Development of Amazon Communities which was created in the aftermath of the unfortunate events that took place in Bagua, Amazon Region of Peru in early June.

Please feel free to contact me in case you need further clarification.

Sincerely yours,

LUIS M. VALDIVIESO,
Ambassador of Peru.

DIALOGUE PROCESS BETWEEN THE AMAZONIAN
COMMUNITIES AND THE GOVERNMENT OF PERU

By Supreme Resolution 0117-2009-PCM issued on June 10th 2009, the Government of Peru created the "National Group of Coordination for the Development of Amazon Communities" (NGCDAC) with the objective of rising a comprehensive sustainable development plan for indigenous peoples in areas such as education, health, titling and the formalization of land, among others. The Government of Peru aims at presenting to the Congress a proposal of National Development Plan for the Amazon by December 26th.

By Supreme Resolution 0211-2009-PCM issued on August 25th 2009, new members of the NGCDAC were added, which includes:

a. Eight (08) Representatives of the Executive Branch (Ministers or their representatives): Ministries of Environment, Energy and Mines; Women and Social Development; Health; Education; Transport and Communications; Housing, Construction and Sanitation. It is chaired by the Ministry of Agriculture that also will be the Technical Secretariat (originally there were only four ministries).

b. Eleven (11) Representatives of Regional Governments: Presidents of the Regional Government of Loreto, Ucayali, Amazonas, San Martín, Madre de Dios, Cuzco, Huánuco, Pasco, Junín, Ayacucho and Cajamarca (originally there were only four regional governments).

c. Representatives of Amazonian indigenous organizations (AIDSESEP and CONAP).

This NGCDAC is the core of the dialogue process (known also as the Dialogue Roundtable) and it has four (04) Working Groups. So far, the progresses the four working groups are:

(1) Inquiry Commission on the events in Bagua

On September 2, 2009, seven (07) members of the Inquiry Commission on the events in Bagua (Amazonas) on June 5th 2009, were elected. The working group consists of:

a. Representatives of indigenous communities: Pilar Mazzetti Soler (former Minister of the Interior), Mary Carmen Gómez and Jesús Calleja Manacas Valverde.

b. Representatives of the Executive Branch: Ricardo Alvarez Lobo, Susana Pinilla Cisneros (former Minister for Women and Social Development) and Walter Gutierrez Camacho.

c. Regional governments delegate, Manuel Ernesto Bernales Alvarado.

The members of this working group will have a meeting with the Ministry of Agriculture no later than September 5th 2009. The Ministry of Agriculture is the chairman of the NGCDAC. The chairman of the working group will be elected among its members. It is expected that this group provides the results of its investigation by December 26th 2009.

(2) Evaluation of Legislative Decrees

This evaluation is being developed under the coordination of the Ministry of Agriculture. The Law on Forestry and Wildlife, and its Bylaw are considered by the working group as reference documents. This group has organized exhibitions and workshops and evaluated many proposals on forestry regulations submitted by each of the parties involved in the dialogue—central government, regional governments and native communities. They will be discussed and then consulted with the indigenous communities.

To contribute to finding consensus on this issue with representatives of regional governments and indigenous communities, on September 2nd 2009, the Bureau for Forestry and Wildlife Affairs of the Ministry of Agriculture submitted to the NGCDAC a document with technical inputs to improve the forestry legislation.

(3) Consultation Mechanisms (in order to accomplish the ILO Convention 169)

This working group is gathering information on the methods of consultation: the Convention 169 itself and its handbook; the United Nations Declaration on Indigenous Peoples Rights; the draft proposal of law in Congress concerning the right of consultation; the report of the Ombudsman on the Bagua issue, and a case review related to the Saramaka population of Suriname.

Regarding this topic, it has been organized the International Seminar "Right of consultation of Indigenous people, policy frame-

work and implementation experiences", as well as decentralized meetings on this issue. Both the Ombudsman and the Sub Regional Office of the ILO have made presentations on the Convention 169. On September 17th this working group will assemble to set up proposals on the matter.

Since the group has started its works, it is taking into consideration the opinions and points of views expressed by Amazonian communities for the purpose of arriving to a draft bill to be submitted to the NGCDAC.

(4) National Development Plan of the Amazon Region

The agenda includes issues relating to indigenous peoples and the Amazon Region, such as:

Land, natural resources and biodiversity.
Identity, culture and human development.
Organization, autonomy and governance.
Economics, management and sustainable development.

So far, this working group has had several meetings and has organized exhibitions, workshops and proposals about this matter.

Since August 29th 2009, this working group is revising and updating of the "Action Plan for Priority Issues of the Special Multisector Commission for Indigenous Communities".

Until September 2nd 2009, this group has worked on these subjects: land property rights and legal stability; bilingual education; increasing of the coverage of public health, and conditions of peace and security for native communities.

Since the installation of NGCDAC, there have been a total of 37 meetings of the four working groups, which were undertaken in an atmosphere of respectful and transparent dialogue.

Within 120 days, the NGCDAC must submit to the Presidency of the Council of Ministers, the Comprehensive Plan for Sustainable Development of the Amazonian Peoples.

RAISING A QUESTION OF THE
PRIVILEGES OF THE HOUSE

SPEECH OF

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 15, 2009

Mr. MAFFEI. Mr. Speaker, It does not promote civility to have a party line vote and spend an afternoon debating whether Mr. WILSON's apology for what he said during the President's address last week is 'good enough.' Clearly, Mr. WILSON thoroughly embarrassed himself. And while I disagree with Mr. WILSON and I strongly support the President, I think we should be moving on and not piling on. As Voltaire wrote, 'I disapprove of what you say, but I will defend to the death your right to say it.' We all agree Mr. WILSON's behavior was inappropriate, now it is time to get back to work.

HONORING THE DEDICATED
SERVICE OF KIM HARRIS MULLINS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 16, 2009

Mr. GORDON of Tennessee. Madam Speaker, I rise today to honor Kim Harris Mullins for her dedicated service. For more than eighteen years, Kim has committed herself to helping me better serve the residents of Tennessee's Sixth Congressional District.