

**TOWARDS A 'LIFE IN HARMONY': SURVIVAL AND RESISTANCE
STRATEGIES OF AMAZONIAN PEOPLES AFFECTED BY THE OIL
INDUSTRY IN ECUADOR AND PERU**

by

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Declaration of Author's rights

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Previously Published Work

A modified version of Chapter 3 has been published by the author in the peer-reviewed journal *Enquire* (Martínez, 2008a). Various parts of Chapters 1, 4, and 5 have been published as an article in the peer-reviewed journal *Sharp* (Martínez, 2008b).

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Abstract

This research seeks to identify the survival mechanisms used by indigenous people, consciously and unconsciously, when faced with the impacts of multinational and national oil companies on their lives and their environment. The Amazonian oil conflict in Ecuador and Peru and the various actors involved in the oil politics of the region represent a challenging environment for the social researcher and also a unique opportunity to create new avenues where western and indigenous knowledge can coexist. Special attention is given to what I call a ‘Building Bridges’ methodology created in collaboration with the indigenous groups as an emancipatory and reflective process for both the researcher and participants. A framework for a Building Bridges methodology is also presented through the four principles of: relationships, reciprocity, participation and emancipation. The analysis focuses on the political space that arises from the interaction of the different actors involved in the oil conflict –which I call the powerful, the survivors and the intermediaries– and the impacts this may have on indigenous peoples’ survival. I look at the strategies used by the oil industry and the State in order to assure the success of their operation in conflict areas and at the strategies of survival of indigenous peoples by using a model which I have called Consciousness of Time and which shows how the survival of a group depends on its level of awareness and the use of its survival mechanisms over time. I argue that in the case of indigenous peoples, long-term strategies are more related to historic processes of adaptation for survival and are based on learning from past struggles and traditional knowledge transmitted through the generations, while short-term strategies respond to new processes of adaptation as a result of the changing model of relationship between the actors involved in the oil conflict.

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List of Abbreviations

AIDSESP: Asociación Interétnica para el Desarrollo de la Selva Peruana (Inter-Ethnic Association for Development of the Peruvian Jungle)

AIEPRA: Asociación de Indígenas Evangélicos del Pastaza (Association of Evangelic Indigenous People of the Pastaza Region)

AJONCE: Asociación de Jóvenes de la Nacionalidad Cofán del Ecuador (Cofán Youth Organisation)

ANT: Actor-Network Theory

APAR: Asociación de Pueblos Amazónicos en Resistencia (Association of Amazonian Peoples in Resistance)

ASODIRA: Asociación de Desarrollo Indígena de la Región Amazónica (Association for the Indigenous Development of the Amazonian Region)

ATCA: Alien Tort Claims Act

Bbl/d: Barrels per day

BSA: British Sociological Association

CAQDAS: Computer Assisted Analysis of Qualitative Data

CIPA: Centro de Investigación y Promoción Amazónica (Research and Public Education Centre of the Amazon)

CNPC: Chinese National Petroleum Corporation

CODENPE: Consejo para el Desarrollo de las Nacionalidades y Pueblos del Ecuador (Development Council for the Nationalities and Peoples of Ecuador)

COICA: Coordinadora de Organizaciones Indígenas de la Cuenca Amazónica (Coordinating Body of Indigenous Organisations of the Amazon Basin)

COICE: Coordinadora de Organizaciones Indígenas de la Costa Ecuatoriana (Coordinating Body of Indigenous Organisations of the Ecuadorian Coast)

CONACAMI: Confederación Nacional de Comunidades de Perú Afectadas por la Minería (National Confederation of Peruvian Communities Affected by the Mining Industry).

CONAIE: Confederación de las Nacionalidades Indígenas del Ecuador (Confederation of Indigenous Nationalities of Ecuador)

CONAP: Confederación de las Nacionalidades Amazónicas de Perú (Confederation of Amazonian Nationalities of Peru)

CONAPA: Comisión Nacional de Pueblos Andinos, Amazónicos y Afroperuanos (National Commission on Andean, Amazonian, and Afro-Peruvian Peoples)

CONFENIAE: Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana (Confederation of Indigenous Nationalities of the Ecuadorian Amazon)

CONIAP: Confederación de las Nacionalidades Indígenas del Perú (Confederation of the Indigenous Nationalities of Peru)

COP: Communication in Progress

COPPIP: Conferencia Permanente de los Pueblos Indígenas del Perú (Permanent Assembly of the Indigenous People of Peru)

CRP: Corporate Responsibility Programme or Community Relations Programme

CSR: Corporate Social Responsibility

CTE: Confederación de Trabajadores Ecuatorianos (Confederation of Ecuadorian Workers)

ECUARUNARI: Ecuador Runacunapac Riccharimui, Kichwa for 'The Awakening of the Ecuadorian Indian'

EIA: Environmental Impact Assessment

FARC: Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)

FECONBU: Federación de Comunidades Nativas del Bajo Ucayali (Federation of Native Communities in the Lower Ucayali)

FEI: Federación Ecuatoriana de Indios (Ecuadorian Indian Federation)

FEINCE: Federación Indígena de la Nacionalidad Cofán del Ecuador (Indigenous Federation of the Cofán Nation in Ecuador)

FEINE: Federación Ecuatoriana de Indígenas Evangélicos (Ecuadorian Federation of Indigenous Evangelical Churches)

FENOCIN: Federación Nacional de Organizaciones Campesinas e Indígenas (National Federation of Peasant, Indigenous and Black Organisations)

FIC: Foreign Investment Contracts

FIP: Frente Indígena del Pastaza (Indigenous Front of Pastaza)

FoEI: Friends of the Earth International

FPIC: Free, Prior and Informed Consent

FTA: Free trade Agreement

GESPETRO: Grupo Especial de Seguridad Petrolera (Special Oil Security Group)

HIPC: Heavily Indebted Poor Countries

IACHR: Inter-American Commission of Human Rights

IADB: Inter-American Development Bank

IBE: Intercultural Bilingual Education

ICC: International Chamber of Commerce

ICSID: International Centre for Settlement of Investment Disputes

IFC: International Finance Corporation

ILO: International Labour Organisation

IMF: International Monetary Fund

INDEPA: Instituto para el Desarrollo de los Pueblos Andinos, Amazónicos, y Afro-Peruanos (Institute for Development of Andean, Amazonian, and Afro-Peruvian Peoples)

IPC: International Petroleum Company

ITT: Ishpingo-Tambococha-Tiputini Oilfield

JAARS: Jungle Aviation and Radio Service

MASA: Movimiento al Socialismo Andino-Amazónico (Amazonian-Andean Socialist Movement)

MIR: Movimiento de Izquierda Revolucionario (Revolutionary Left Movement)

MRTA: Movimiento Revolucionario Tupac Amaru (Tupac Amaru Revolutionary Movement)

NAWE: Nacionalidad Waorani del Ecuador (Waorani Nationality of Ecuador)

NSM: New Social Movements

OCP: Oleoducto de Crudos Pesados de Ecuador (Heavy Crude Oil Pipeline of Ecuador)

OPEC: Organisation of Petroleum Exporting Countries

OPIP: Organización de Pueblos Indígenas de Pastaza (Organisation of the Indigenous Peoples of Pastaza)

REDD: United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries

RM: Resource Mobilisation

SIL: Summer Institute of Linguistics

SOTE: Sistema Oleoducto Trans-Ecuatoriano (Trans-Ecuadorian Oil Pipeline System)

TAYJASARUTA: Tayac yuyutac jataichic Sarayaku runa tandanacui, Kichwa for Organisation of the Sarayaku People for the Revitalisation of the Tayac Culture

TIMs: Territorial Indigenous Movements

TSMs: Traditional Social Movements

UNDP: United Nations Development Programme

UNGC: United Nations Global Compact

UNPFII: United Nations Permanent Forum on Indigenous Issues

USAID: United States Agency for International Development

WBT: Wycliffe Bible Translators

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This research is one more step in my life story, a life that has been intertwined with the lives of indigenous peoples in the Amazon region during the last ten years. The research has been a process of reflection and a conscious decision to join my voice to those of indigenous peoples in order to produce a piece of work that looks at the oil conflict in the Amazon region, how it affects the survival of indigenous peoples, and how their future stands in relation to the Western way of life and model of economic development.¹

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¹ I define the oil conflict as the situation created when the different actors involved in the exploration and exploitation of oil cannot find a satisfactory solution for all of them, which leads to a conflict situation of various degrees.

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The Creation According to John D. Rockefeller

In the beginning I made light with a kerosene lamp, and the darkness, which boasted of candles of tallow or wax, departed. And the morning and the evening were the first day. And on the second day I put myself to the test and allowed the devil to tempt me, offering me friends and lovers and other extravagances. And I said, let the oil come to me. And I founded Standard Oil. And I saw that it was good, and the morning and the evening were the third day.

And on the fourth day I followed the example of God. Like Him, I threatened and cursed whomsoever should deny me obedience; and like Him I applied extortion and punishment. As God has crushed His competitors, so without mercy I ground into dust my rivals in Pittsburgh and Philadelphia. And to those who should repent I promised forgiveness and eternal peace.

And I put an end to the disorder of the Universe. And where there was chaos I made organisation. And on a yet unknown scale I calculated costs, I imposed prices and I conquered markets. And I spread the strength of millions of arms so that neither time nor energy nor material might ever again be wasted. And I banished chance and luck from the history of mankind. And in the space created by me, let there be no place kept for the weak, nor for the inefficient. And the morning and the evening were the fifth day.

And to give a name to my work I inaugurated the word Trust. And I saw that it was good. And I made sure that the world revolved around my watchful eyes, while the morning and the evening were the sixth day. And on the seventh day I performed an act of charity. I took the money, which God had given to me for having continued His perfect work, and I gave 25 centavos to the poor. And then I rested.

Eduardo Galeano²

² Translated from the Spanish original, Memoria del fuego/Las caras y las mascararas.

Research Goals and Outcomes

This thesis seeks to identify the ‘survival mechanisms’ used by indigenous people, consciously and unconsciously, when faced with the impacts of multinational and national oil companies on their lives and their environment (Martínez, 2008b). In doing so, I critically analyse the influence of the different actors involved in the oil conflict and on the indigenous people’s survival process. Among the possible outcomes of the research are:

- (1) to contribute to the understanding of possible ways forward to stop the cultural and biological extinction of indigenous groups affected by the oil industry. This will hopefully contribute to indigenous self-determination and will also help other indigenous groups in their struggle for survival and environmental justice;
- (2) to inform local and international policy development about the impacts of extractive industries on indigenous people;
- (3) to ensure that the voices and views of indigenous groups are heard and inform social policy and practice;
- (4) to contribute to critical social theory by investigating the actors, power structures and mechanisms influencing the process and, in particular, the indigenous people’s conceptions of oppression and struggle and how these inform their actions;
- (5) to contribute to critical ethnography by using decolonising and non-oppressive approaches to research which challenge the researcher-researched divide in order to achieve a more egalitarian and mutually respectful relationship.

The Need for the Research

In the last ten years I had the opportunity to work, both as a development worker and as an activist, with Amazonian indigenous peoples affected by extractive industries. Lack of participation and consultation in extractive projects often emerged as one of their main claims. I found that most of the efforts of local and international organizations focused on the environmental impacts suffered by the communities and on how they resisted corporations and that there was not much discussion about the social implications of an economy based on the extraction of resources from the Amazon region.

It was while I was making a documentary with the Cofán people (see Annex 5) that we started to discuss how the oil industry and other economic and political factors were affecting their long-term cultural survival, and they were keen to engage in a participatory research project in which they could explore this threat and possible solutions.³ Although it was not my intention to do a PhD, I found myself in a privileged position to carry out research grounded in the needs of the communities and hoping to find a methodological approach that would allow us to work together and learn from each other. It was also during my pre-fieldwork visits to oil affected areas that I realised the complexity of the oil conflict, the wide range of actors involved, and the need to include all of them in the research in order to understand the conflict and represent all points of view.

During the last twenty years resource-rich countries such as Ecuador and Peru have witnessed great improvements in the laws concerning the environment, forest management, participation and indigenous issues (Gordillo, 2004; Lanegra, 2005). Oil companies, especially multinational corporations, have embraced the principles

³ The documentary I made with the Cofán people is called *The Shaman's Oil: Resistance and Cosmivision of the Cofán People* and a synopsis of the film is included in Annex 5. It can also be downloaded at <http://video.google.com/videoplay?docid=3545719708879370893&q=shamansoil&total=1&start=0&num=10&so=0&type=search&plindex=0>.

of corporate social responsibility and have become one of the main promoters of these voluntary practices (Wray, 2000; Narváez, 2004; Shamir, 2004). However, it seems little has changed in oil affected communities in which the wealth of the subsoil has not translated into better quality of life and representation in decision-making. The past and current model of development in the Amazonia, based on the extraction of oil, is unsustainable and the destruction of the social network is rampant (Kimerling & FCUNAE, 1993; Varea, 1995; Sawyer, 2004; López, 2007). This research analyses the strategies used by the powerful actors of the oil conflict that perpetuate this model of development and the strategies used by indigenous peoples to survive the impacts of the industry and promote alternative views of development, the aim being to influence policy and to contribute to the survival of indigenous peoples whose cultures and territories are at risk.

Finally, the oil conflict in the Amazon region cannot be understood in isolation. This research illustrates many of the current dilemmas faced by indigenous peoples when confronting the Western way of development and trade and how they resist and engage with it. At a time when deforestation has been identified as one of the main triggers of climate change, governments and corporations are looking at the rainforests not only as a source of strategic resources but as a market in which they can trade environmental services for carbon emissions rights.⁴ This renewed global interest in the rainforest may pose an added threat to indigenous peoples but may also create an opportunity for them to participate as key players in the international community and to advance their agenda of self-determination and participatory and rights-based approaches to forest management. It is in this scenario that the experiences and short- and long-term survival strategies of resilient communities become even more relevant.

⁴ Refer to the glossary for a definition of the term 'environmental services'.

Overview of the Research⁵

Part One comprises the first three chapters of the research and offers a general introduction and a critical overview of the context, looking at the development of the oil industry and indigenous movements in Latin America with a special focus on the two research locations, Ecuador and Peru. It also explores the three case studies selected for this research and the methodological approach. The first section of Chapter 1 looks at the current academic debates related to the issue of survival of indigenous peoples affected by extractive industries, and at the historical, political and economic factors which have favoured the development of the oil industry and have shaped the relationship between the State, the oil industry and indigenous peoples. The second section looks at the theoretical framework used in this research, situating the territorial indigenous movements (TIMs) that have emerged in oil-affected areas within social movement theories. The research follows theories of political ecology and political economy, exploring concepts such as ‘environmental justice’ and ‘ecological debt’, based on principles of redistribution and redress, and their applicability in the case of indigenous peoples affected by the oil industry.

The first section of Chapter 2 starts by giving an account of the history and politics of the oil industry since its creation, highlighting the role played by Latin American countries and the consequences of oil development for its peoples and cultures. It also explores the issue of the border conflict between Ecuador and Peru, an area known for its wealth of non-renewable resources, and how the conflict highlights the links between oil development and the survival of indigenous peoples. In Section II, I show the differences in the representativeness and strength of the indigenous movements in relation to current and historical political developments in both countries, and how these differences may influence the ability of indigenous peoples to face the impacts of the industry.

⁵ The word count of the main text of this thesis is 98,632 words. This excludes bibliography, annexes and footnotes.

Chapter 3 offers a closer look at the research locations. The first section of the chapter gives an overview of the cultural and historical background of the three case studies selected for the research, which are all examples of Amazonian communities that have coexisted with the oil industry for at least three decades. The second section shows how the Amazonian oil conflict and the various actors involved in the oil politics of the region represent a challenging environment for the social researcher and also a unique opportunity to create new avenues where western and indigenous knowledge can coexist. This section focuses on the fieldwork experiences and methodology. I explain the methodological framework, which is based on critical and non-oppressive approaches and which guided the design of the methodology and informed the ethics. I also describe the ‘Building Bridges’ methodology, designed together with the participant indigenous communities, the methods used to collect the data and the analysis strategy.

Part Two comprises Chapters 4 to 7 and is the bulk of the analysis. The analysis focuses on the political space that arises from the interaction of the different actors involved in the oil conflict – which I call the survivors, the powerful, and the intermediaries – and the impacts this may have on indigenous peoples’ survival, with a special focus on the relations between indigenous peoples, the State and the oil industry. Chapter 4 aims not just to expose those responsible for the impacts caused by oil exploitation, but also to understand the strategies used by the oil industry and the State in order to assure the success of their operation in conflict areas. Chapter 5 looks at the survival strategies of indigenous peoples by using a model which I have called Consciousness of Time and which shows how the survival of a group depends on its level of awareness and the use of its survival mechanisms over time. Chapter 6 critically examines the role played by the wide range of intermediary actors in the oil conflict, since they are groups and individuals with specific agendas that may influence indigenous peoples’ conflict-resolution processes and development strategies. Chapter 7 explains a threefold model, which shows different patterns in the relationship between the companies, the State, the indigenous peoples and other actors, and how this interaction takes place at different levels. Based on the visions and expectations of these actors for development of the Amazon region, the chapter

concludes by showing three possible scenarios of development in Amazonia and the implications they may have for the survival of indigenous peoples.

Part Three consists of Chapter 8 and the annexes. Chapter 8 draws together the conclusions of this research based on the information and analysis presented in all the previous chapters. The first section of this chapter highlights how the methodology and methods used have helped to advance knowledge of how to carry out research with indigenous peoples. In the second section I explain the main theoretical and empirical findings in relation to the survival mechanisms of indigenous peoples affected by the oil industry in the Latin American context. I also offer recommendations to the actors involved in the oil conflict with the aim of informing local and international policy-making and conclude the chapter offering directions for future research.

PART ONE: GENERAL INTRODUCTION, HISTORICAL BACKGROUND, AND METHODOLOGICAL APPROACH

Chapter 1: General Introduction

This chapter has two sections. In Section I discuss the issue of survival of indigenous peoples, especially those affected by the development of extractive activities in their territory. I explain how the oil industry has become a vector of ethnocide and genocide for indigenous peoples and at the same time a vector of resistance and survival. In order to place the study in a historical perspective I look at the shift from corporatist to neoliberal States in Latin America and other factors that have favoured the development of the oil industry and have shaped the relationship between the State, the oil industry and indigenous peoples. I also look at the different positions in the literature about the role of the extractive industries in developing countries, their voluntary corporate responsibility programmes versus initiatives based on accountability, and the environmental and social costs of economies based on the extraction of non-renewable natural resources, which highlight the need to look for alternative models of development to the current neoliberal system and corporate-led globalisation. Section II of this chapter looks at the theoretical framework used in this research, which is intended to contribute to the decolonisation of knowledge. The research will follow theories of political ecology and political economy exploring concepts such as ‘environmental justice’ and ‘ecological debt’, based on principles of redistribution and redress, and their applicability in the case of indigenous peoples affected by the oil industry.

Section I: Situating the discussion on the survival of indigenous peoples affected by the oil industry in Ecuador and Peru.⁶

Celebrating survival

This research builds on previous studies such as that carried out by Wray (2000), who did some preliminary research on the roles and strategies of the different stakeholders involved in the oil conflict in the Ecuadorian Amazon. Here I define the oil conflict as the situation created when the different actors involved in the exploration and exploitation of oil cannot find a satisfactory solution for all of them, which leads to a conflict situation of various degrees. More generally, authors such as Hall and Fenelon (2004) and Mander and Tauli-Corpuz (2006) have carried out extensive research on how indigenous peoples resist forces of globalisation in multiple ways, and the levels and types of indigenous survival within hegemonic nation-state systems. Adams (2001, pp. 181-206) also analyses the main survival strategies used by indigenous peoples in Central America, with special emphasis on the historic relations between these societies and the State and the geographical location of indigenous groups. Using an approach based on both psychology and anthropology, Elsass (1992, p.178) argues that one of the key factors for survival is the “the ability of communities to develop a matrix and gain consciousness of its basic assumptions”.

When looking at the relationship and coexistence of indigenous peoples and the extractive industries, and the impacts of the latter on these societies, relatively few authors have included the concept of survival in their analysis, portraying indigenous peoples as survivors and not as victims. This relationship has been described as ‘the neo-colonisation era’ and the resistance and survival of indigenous peoples to this threat is something to celebrate. As the indigenous (Maori) researcher Tuhiwai Smith (2004, p. 77) explains:

⁶ Part of this discussion has been published as an article in the peer-reviewed journal *Sharp* (Martínez, 2008b).

Celebrating survival is a particular sort of approach. While non indigenous research has been intent on documenting the demise and cultural assimilation of indigenous people, celebrating survival accentuates not so much our demise but the degree to which indigenous people and communities have successfully retained cultural and spiritual values and authenticity.

The presence of the oil industry in indigenous territory has triggered an oil conflict, which involves a complex net of actors that I have grouped in three categories: the survivors, the powerful, and the intermediaries, based on the dynamics of their power relations. By analysing these dynamics of power and resistance the research aims to unmask oppression and contribute to indigenous peoples' survival. The process of survival for indigenous peoples in oil-affected regions can be painful and difficult, but this study will focus on the positive aspects of the survival process, and how it may contribute to achieve indigenous peoples' long-term demands, such as their right to self-determination and communal ownership of their territories. Elsass also follows a survival approach in his comparative psychological study of the cultural resilience of ethnic minorities. Comparing the survival processes of indigenous peoples and slaves, he argues (1992, p. 161):⁷

When the Africans in the New World were originally subjugated in master-slave relations, they were separated and sold away from everyone they had known soon after their arrival. The Indians, in contrast, were exposed to the terror of the colonisers as a united people. Thus it was easier for them to base their survival on political and organisational contexts and on historical tradition and shared memory. For the slaves, on the other hand, terror was individualised, and their survival needs are more psychological in nature.

⁷ For more on the survival process of slaves refer to Argenti, 2006; Warnier, 2006.

The term 'survivor' has also been prioritised over the term 'victim' in discussions around the issue of rape (Draper et al, 2007). As Surrat (2008) explains:

In this discussion the term survivor will be used, rather than victim. Although women who experience rape are victims of violence, they are also active parties in the experience of survival. The implications for using the term survivor is to bring awareness to the passivity of the term victim, and replace the helplessness brought about through victimisation with the active role of survivor.

On the other hand some authors (Fattah, 1992; Williams, 1998) claim that we should use the term 'victims' to describe people affected by the action, negligence or omission of human activity, for example contamination caused by oil companies. Williams (1998, p. 3) argues that if we can pin down who are the victims and the cause of victimisation, we will be better able to change the perceptions of policy makers than with more subjective terms such as 'environmental justice', which could lead to difficulties in the identification of victims, who may not define themselves as such. For example, Williams asks (1998, p. 4):

What of the Indian who attributes lead poisoning to *Karma*, not to the illegal smelter next door? [...] What of the individuals among the Mescalero Apaches in New Mexico who will eventually suffer health problems because their leaders encourage the importation of hazardous toxic waste to reap the short-term cash rewards?

The use of the term 'victim' to define indigenous people affected by the oil industry could bring them legal benefits, since victims are entitled to compensation and reparation. It is also a way of humanising the existing environmental law, which

mainly focuses on damage caused to the environment but lacks a justice and human rights approach. Sanctions to corporations are normally imposed under the environmental law of the host country, which often has not developed regulations to implement international law and treaties and does not take into account the social impacts of oil operations, as I shall explain in Chapters 4 and 5. In this research I have worked with indigenous groups and communities affected by the oil industry. Some have decided to resist and others to negotiate, while the majority identify themselves not as victims but as survivors or as people who struggle and resist. They have become agents of change, influencing politics and decision-making that affects them as a group, and challenging the dominant model of development imposed by the white-mestizo society. Indigenous peoples may have different levels of awareness about the impacts of the oil industry and how it affects their survival process, but the concept of victimisation is useful only if the law is on their side.

Academics, development workers and policy makers who follow non-oppressive approaches in their work should be careful of the terms imposed on people, especially those with a history of exclusion. In the same way that the term ‘Indian’ or ‘native’ can be pejorative for some groups, as it reveals a colonial background, the terms ‘victim’ or ‘oppressed’ can be alien and debilitating for politically-organised groups which resist the oil industry, since it portrays them as powerless.⁸ In Chapters 4 to 7 I shall show how some indigenous communities, such as the Huaorani people of the Ecuadorian Amazon, have become reliant on their condition as victims to receive benefits, increasing the culture of paternalism already created by the oil industry and some development organisations and aid agencies.⁹ This dependence could undermine their process of resistance and survival and their future development.

⁸ The term “Indian” was used by Columbus to name the people of the New World because he thought he had reached the (East) Indies. The term “native” was used by British colonisers and has acquired a pejorative connotation of “primitive” in the English language, suggesting ignorance or backwardness. Although these terms are regarded as offensive by some groups that prefer to be referred as indigenous peoples, others have proudly embraced the term “Indian” or “Native American”, giving them different meanings. For an in-depth discussion on the term “indigenous peoples” and the various connotations attached to it refer to Kuper, 2003; Barnard, 2006.

⁹ Huaorani can also be spelt Waorani. I will use the former spelling except when quoting from texts that use the latter.

In this thesis I follow an approach that highlights resistance and survival in opposition to approaches that focus on extinction and assimilation (Jaulin, 1970; Witzig, 1996). Nevertheless, the development of the oil industry in the Amazon area has been and still is one of the factors responsible for the cultural and biological extinction of indigenous peoples, which could also be called vectors of genocide and ethnocide, and which potentially turn into vectors of resistance and survival. The main difference between genocide and ethnocide is that while the former refers to the murder of large numbers of an identifiable group, the latter involves attempts to destroy a group's identity, which may or may not result in the killing of its members. Both share the notion of intentional destruction of a group (Hall & Fenelon, 2004, p.164). Jaulin (1970) argues that while genocide is destruction of the body, ethnocide is destruction of the thought and spirit of a specific group. When looking at indigenous peoples affected by the oil industry these concepts are even more interwoven since the industry often operates in remote territories inhabited by small ethnic groups and could have a great impact on their survival. One of the case studies of this research, the Cofán People, barely reach two thousand people and constitute an example of a group whose survival is threatened by the impacts of the oil industry (FEINCE, 2002).

Genocide has more weight in international law than ethnocide; for example the United Nations' Convention on the Prevention and Punishment of the Crime of Genocide does not include ethnocide in its text. However, the term has gained legitimacy and importance in UNESCO, Council of Europe Activities in the Field of Protection of National Minorities, the Universal Declaration of Human Rights, and the United Nations Declaration on the Rights of Indigenous Peoples, among others. Article 8 of the last-named Declaration, adopted on 13th September 2007, states:¹⁰

¹⁰ The full text of the United Nations Declaration on the Rights of Indigenous Peoples can be seen on the website of the Office of the United Nations High Commissioner for Human Rights, <http://daccessdds.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement>

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights
 - (d) Any form of forced assimilation or integration
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Ethnocide or cultural genocide are terms increasingly used in legal cases of indigenous communities against oil corporations and other extractive industries, since it highlights that the latter commit not only environmental crimes but also cultural crimes. In the *Aguinda case (Cofán nation v. Texaco)*, the plaintiffs' lawyers claimed that while developing its extraction activities in the Ecuadorian Amazon the company 'committed acts rising to the level of cultural genocide and discrimination against indigenous peoples on ethnic and racial grounds' (Abelowitz, 2001, p.151). Witzig (1996, p. 2) also explains how the extractive industries, and colonists attracted by the prospect of jobs, are among the factors that have threatened the survival of the Urarina people in Peru:

Incursions of "foreigners" [...] into Urarina traditional lands are currently from river traders, loggers, colonists, oil exploration teams, and recently,

“drug-voyeur” tourists. All of these groups have brought significant disease pressure on the Urarina that threatens their way of life and survival.

Witzig (1996) suggests that whilst in the past physical extinction of indigenous people by external diseases was more common, this has been replaced in the modern era by cultural loss. The cultural loss that Witzig describes could be considered an ethnocide if it is systematic, intentional and sustained. As shown in Chapters 4 and 5, oil operations in Ecuador and Peru have often been carried out without consultation and using fraudulent environmental impact assessments (EIAs).¹¹ Oil companies and States underestimate the negative social impacts of their operations, knowing that entire groups and cultures may be at risk, especially in areas inhabited by non contacted indigenous groups.¹² Nevertheless economic development is often put before the survival of indigenous peoples. Although one could argue whether genocides are less common in the modern era than formerly, they may have simply shape-shifted into different forms which are not directly classified as genocide, such as what can be called ‘corporate-led genocide’ or genocide assisted by a biased mainstream media. In July 2008 the Permanent Peoples’ Tribunal accused the Colombian State and several extractive companies, including Oxy and Repsol, of contributing to the genocide and ethnocide of indigenous peoples in this country.¹³ One example of corporate-led genocide is the case of Texaco (now Chevron) described above, during its operations in Ecuador from 1964 until 1992. Alberto Acosta (2003), Ecuadorian Minister of Energy and Mines in 2006/2007, has stated:

Texaco bears as much responsibility for the extinction of original peoples such as the Tetete and Sansahuari as it does for the economic, social and

¹¹ Please note that all the abbreviations, and English translation when necessary, can be found in the List of Abbreviations section.

¹² Refer to Annex 1 for a definition of Non-contacted indigenous peoples.

¹³ The Permanent Peoples’ Tribunal is a non-governmental institution formed by international experts of a high moral reputation who have judged crimes of genocide and the actions of transnational corporations and international institutions such as the World Bank and the International Monetary Fund, IMF.

cultural damage to indigenous persons of the Siona, Secoya, Cofán, Quichua and Huaorani peoples, colonists included.

None of the three CEOs and six representatives of national and transnational oil companies interviewed would admit full responsibility for the ethnocide of indigenous peoples, although they agreed that the technology used in the 1970s in Latin America was extremely damaging for the environment and people. They proudly stated that currently the industry is using high technology, which tries to maximise production and minimise the environmental impacts. Although this may be true of some companies, spills and accidents are frequent in private and especially in state-run oilfields in the Amazon region. Most of these oilfields are located in indigenous territories or surrounding them. As Martínez (2006, p. 190) points out:

Ecuador has an oil production rate of 400,000 barrels per day, each year more than 32,000 barrels are spilt into the river systems. This means that every 2-3 years, a spill as big as the “Exxon Valdez” takes place in the Amazon.

According to data provided by the Ministry of Energy and Mines of Ecuador (personal communication, 23rd February 2007), between January 2005 and August 2006 there were 191 registered spills in state-run oilfields, and approximately 30% of them were categorised as deliberately provoked.¹⁴ State and privately owned oil companies claim that peasants and colonists living close to the oil fields provoke many of these spills in order to get financial compensation, but this argument is not very plausible since legally peasants can not claim compensation if the accident is considered as ‘deliberately provoked’. Other voices within and outside the industry, such as oil workers, environmentalists and the commission for the civic control of corruption, think corrupt civil servants and remediation companies are also involved

¹⁴ A detailed list of the spills including location, date, volume and affected area can be found in Annex 3.

in the spills, since the latter are contracted by the state oil company to clean the affected areas (Acción Ecológica, 2006b, p. 8; Ollivo, 2008). Regardless of the motive behind the spills, this shows that the oil industry brings a whole range of environmental, health and social problems that are not tackled simply by using high technology. Some transnational companies have certainly improved their technology in recent years and are also trying to show that there has been a shift of mentality in how the industry operates. For example, in September 2007 Chevron launched its global \$15,000,000 'Human Energy' advertising campaign. Rhonda Zygocky (2007), Chevron vice-president of Policy, Government and Public Affairs, states on the Chevron website: 'We believe that viable answers are out there to meet future demand, but that people must work together to find them'. The campaign also addresses what the company is doing in such areas as climate change, energy efficiency and supply and demand. Through campaigns of this kind, and corporate responsibility programmes, corporations are trying to show their ethical side, inviting the rest of society to work together towards the energy challenges we may face. However, Texaco has built its capital partly at the expense of environmental and cultural destruction during its thirty years of operation in the Ecuadorian Amazon. It is therefore important to highlight how the oil industry has become one of the possible vectors of ethnocide and genocide of indigenous peoples and the seriousness of the social and environmental abuses committed during its operations, which in some cases amount to violation of human rights. On the other hand, the oil industry has also become a non-intentional vector of resistance and survival.

Hall and Fenelon (2004, p. 166) distinguishes between active and passive resistance of indigenous peoples against ethnocide. Passive resistance refers to the fact that indigenous groups, by remaining small in size, living in isolated places and being organised in land-based communities, have managed to resist incorporation into the dominant culture and system. In contrast he gives an array of examples of active resistance, from the participation of indigenous people in the United Nations system to the Miskito resistance against the Nicaraguan State. Nevertheless, one has to be cautious in describing resistance as passive, especially when referring to organised communities. I argue that a community is a dynamic unit, and most of the actions of

its members are aimed at their survival as a group. For example, the mere act of securing the land-base and territory is an act of resistance and one of the main mechanisms of survival as I shall explain in Chapter 5. Among other possible classifications, in the case of the oil conflict I prefer to talk about conscious and unconscious mechanisms of survival, which can be short-term and long-term, although this can surely also be applied to other political scenarios such as displacement of indigenous peoples due to armed conflict.¹⁵

Survival of indigenous peoples has also been linked with the current era of globalisation, especially in relation to corporate-led and economic globalisation and cultural globalisation. Views on the impacts of globalisation often differ, and this is also the case when one analyses its impacts on indigenous populations. On the one hand we have authors such as the anthropologist Lucy Ruiz (currently Sub-secretary for Environmental Protection of the Ecuadorian Ministry of Energy and Mines) who does not oppose the concept of globalisation as such, since it has opened a new world of communication possibilities which is useful for bringing the demands of indigenous peoples to the public eye. However, she opposes a model of globalisation sustained by economic accumulation, commodification of everyday life and natural resources, and concentration of power, where homogeneity prevails over cultural and biological diversity and where the whole world is presented as having similar values and aims, which are supposed to be the right ones for a life in peace and harmony (Ruíz, 2004, p. 182). On the other hand Moisés Naím sees no danger in the homogenisation of culture and believes the impacts of globalisation on indigenous peoples are overall positive.¹⁶ He states (2003):

But the fact remains that globalization has also brought indigenous peoples powerful allies, a louder voice that can be heard internationally, and increased

¹⁵ For example indigenous peoples displaced by the internal armed conflict in Colombia and those displaced during the 1995 Cenepa War between Ecuador and Peru.

¹⁶ Moisés Naím, Venezuela's former minister of industry and trade, is editor and publisher of *Foreign Policy* magazine and chairman of the Group of Fifty, an organisation of the CEOs of Latin America's largest corporations.

political influence at home. More fundamentally, globalization's positive impact on indigenous peoples is also a surprising and welcome rejoinder to its role as a homogenizer of cultures and habits. When members of the Igorot indigenous tribe in northern Philippines and the Brunca tribe from Costa Rica gather in Geneva, their collaboration helps to extend the survival of their respective ways of life—even if they choose to compare notes over a Quarter Pounder in one of that city's many McDonalds.

Hall and Fenelon (2004, pp. 172-173) explain that while in tributary world systems ethnic change was a long-term process that took centuries, in globalising capitalist systems ethnic change is much faster.¹⁷ They proceed by saying that all ethnic change comes with conflict and resistance. As the pressure for ethnic change accelerates, resistance to being incorporated into the dominant culture will be more extreme and obvious. I argue that organised resistance of indigenous peoples is the result of various factors and opportunities, among which pressure for ethnic change is just one. Indigenous cultures are not static and ethnic change is not always imposed on them. Indigenous peoples may therefore use elements of the dominant culture and reinterpret them for their own development and survival. Adding to this argument Aiello (personal communication, 2002) states:

The effects of globalization have been one of, if not the most, influential factors of mobilization among the indigenous peoples in their social movement for reform.

¹⁷ The authors use the term “ethnic change” to refer to the process by which minority ethnic groups change over time, normally due to processes of assimilation, incorporation or adaptation to the dominant group. The term “tributary” refer to pre-modern systems in which one State is subordinated to a more powerful one by paying a tribute such as gold, slaves or another type of perceived wealth.

Aiello argues that while some indigenous groups understand adaptation to globalisation as a necessary step for their cultural survival, others resist total subordination but make some concessions to global ideals and identity, and the more radical indigenous groups criticise any kind of concession to globalisation. However globalisation has different elements – economic and political, cultural, corporate-led, and globalisation of resources, networks and information technology (Castells, 1996; Tomlinson, 1999; Klein, 2000; Monbiot, 2000; Hutton and Giddens, 2001) – and even the more radical indigenous groups use some of these elements for their own struggles. In fact, indigenous groups are also global and may use both local and global strategies for their resistance, contributing to what has been called the “glocalisation of environmental governance” (Bebbington, 2005b, p. 7).¹⁸ For example, one of the indigenous groups selected for this study, the Kichwa people of Sarayaku, is considered by the government and social movements as one of the more dissident indigenous groups in Ecuador against the intervention of the oil industry. However, they have won their battle against the Argentinian oil company CGC by waging what they call an “information war”, using all the new communication technologies such as the internet, radio, websites and digital film-making to build up their peaceful resistance campaign (Geertsen, 2007).

Nevertheless we have to be aware of overestimating the influence of globalisation in the development of the contemporary indigenous movements, as the time frame for globalisation is not well defined and some of these movements are prior to it, such as the Ecuadorian indigenous movement, and some others have not developed as expected as a result of economic and political globalisation, such as the Peruvian indigenous movement (Yashar, 2007, pp. 175-176). Resistance against the oil industry and other extractive operations has in recent years dominated the discourse of indigenous organisations in Peru and Ecuador, which are the selected fieldwork locations of the present research. Corporate-led globalisation and the expansion of the transnational oil industry in Latin America have gone hand in hand, and this

¹⁸ The term “glocal” is attributed to the geographer Eric Swyngedouw, 1997. Here it refers to the fact that indigenous movements use resistance strategies both at the local and global level.

development has become a catalyst or vector of resistance amongst indigenous movements and peoples. In the next section I explore the factors that have contributed to the expansion of the oil industry in the Latin American region, with a focus in Peru and Ecuador.

Neoliberal States in Latin America: A paradise for the extractive industries

As explained above, the oil industry is one of the various vectors of genocide and ethnocide of indigenous peoples. The national and transnational oil industry has been able to act with almost total impunity since the start of its operations in Latin America at the beginning of the last century (Kimerling & FCUNAE; 1993; Varea, 1995; Maldonado, 2001; Sawyer, 2004; Oilwatch, 2005a; López, 2007). In this section I discuss four main inter-related factors that favoured the rampant and unregulated growth of the industry: (1) the dire needs of States for quick-fix and resource based solutions to the economic crises of their countries, (2) the shift in the 1980s from a corporatist to a neoliberal system imported from the USA and other Western countries,¹⁹ (3) the lack of regulations on environmental and indigenous rights issues, and (4) the expansion of the civilisatory mission of the evangelistic group Summer Institute of Linguistics (SIL).²⁰

Latin American countries are not new to single-resource based economies; before oil and mining there were rubber, bananas and cacao. The effect of dependence on one

¹⁹ Refer to Annex 1 for a definition of Corporatism and Neoliberal Regimes.

²⁰ SIL International (current name of the former Summer Institute of Linguistics) started as a small summer training session in the U.S. state of Arkansas in 1934 to train missionaries of what later became Wycliffe Bible Translators in basic linguistic, anthropological and translation principles. The founder was William Cameron Townsend –1896-1982– a former Disciples of Christ missionary to Guatemala. SIL International is a U.S.-based, worldwide non-profit organisation, whose main purpose is to study, develop and document languages, especially those that are lesser-known, in order to expand linguistic knowledge, promote literacy and aid minority language development. SIL provides a database, Ethnologue, of its research into the world's languages. SIL has more than 6,000 members from over 50 countries, http://en.wikipedia.org/wiki/SIL_International#cite_ref-11. At a conference of the Inter-American Indian Institute in Mérida, Yucatán, in November 1980, delegates denounced the Summer Institute of Linguistics for using a scientific name to conceal its religious agenda and capitalist view that was alien to indigenous traditions, Bonner, 1999, p. 20. By the 1980s, SIL was expelled from Brazil, Ecuador, Mexico and Panama, and restricted in Colombia and Peru, Cleary & Steigenga, 2004, p. 36.

resource has been labelled “the Dutch Disease” as described by Naranjo (2006, p. 69):

[...] the term “Dutch Disease” was used by the magazine *The Economist* in 1977, to describe the phenomena of de-industrialisation which had taken place in Holland in earlier years. In the Dutch Disease models, a paradox is analysed in which the positive impact created by the flow of foreign currency caused by sectorial growth, such as petrol for example, can also cause problems of adjustment and radical structural changes in an economy.

These problems of adjustment are created by various factors including the temporary nature of the resource peak; the expectation created which leads to more consumption; political pressure for jobs, infrastructure and lower taxes; and stagnation in the production of other tradable goods such as bananas, cacao and coffee. The Ecuadorian case is illustrative of an economy that suffered two major resource crises: the cacao crisis in the 1920s and the banana crisis in the 1960s. As Acosta (2000, p. 3) points out, in the 1980s Ecuador ‘changed from poverty-stricken banana grower to new-rich producer of oil’:

Thanks to the oil bonanza, the GDP increased between 1972 and 1981 at an average annual rate of 8% with spectacular rates in some years (more than 25.3% in 1973), in particular for the industry, which increased by an average of 10% per year; while the product per person increased from \$260 in 1970 to \$1,668 in 1981.

Although at the beginning of the 1970s the industry was under the control of the State, its remarkable profits in the following years attracted foreign investment. This, together with a favourable international climate for oil investments and the shift from

a corporatist to a neoliberal ideology in the government, aided the entry into the country of transnational oil companies (Perrault, 2001; 2003, p. 66). Neoliberal regimes have also progressed corporate-led globalisation by promoting free trade, privatisation and deregulation.²¹ Oil transnationals operating in Latin America did not have to worry, until recently, about complying with any environmental regulations or national and international laws regarding the individual and collective rights of indigenous people. For example, in Ecuador, the Law for Prevention and Control of Environmental Contamination was passed in 1976 but did not directly address oil operations. Prior to the 1998 Constitution there was no legal reference to environmental issues associated with the oil industry. One year later the Environmental Law was passed, and in 2001 the Environmental Regulations for Hydrocarbon Operations came into effect (Gordillo, 2004, pp. 52-53). In Peru the Code for the Environment and Natural Resources was issued in 1990 as the first set of environmental regulations in the country, and in 1993 the Environmental Regulations for Hydrocarbon Operations appeared, but it was not until 2005 that the General Law for the Environment was promulgated (Lanegra, 2005; Rojas, 2005).

In terms of land rights, progress has also been slow. Although the 1979 Peruvian Constitution recognised indigenous lands as inalienable, unmortgageable and imprescriptible, the current (1993) Constitution, created under the Fujimori regime, allows indigenous land to be bought and sold.²² In Ecuador the indigenous mobilisations in the early 1990s procured land titles for various ethnic groups and communities. The 1998 Constitution (article 84) recognised indigenous lands as inalienable, but in fact recent law requires the communities to take further legal action once the lands have been titled in order to obtain the status of inalienable (Beltrán, 2004). However, as happened in the Pastaza region of Ecuador, the National Institute for Agrarian Development gave many land titles to individuals and organisations, ignoring the communal ownership of land and resources and the

²¹ See page 49 for a discussion on how the shift from Corporatist to Neoliberal regimes also influenced the development of indigenous movements.

²² 'Inalienable' implies that the collective territories of indigenous peoples can not be sold or transferred, 'unmortgageable' means that they are not subject to seizure and imprescriptible implies that they are perpetual in nature.

ancestral territorial rights of indigenous peoples;²³ the challenge now is to reconstitute the indigenous lands as collective territories in order to obtain the territorial unity claimed by the indigenous nationalities (Beltrán, 2004, p. 150).²⁴

In spite of these shortcomings in the development of the law, Latin American indigenous peoples enjoy a better status than (for example) those in African countries, where many are still struggling for recognition as peoples and for access to land (Steyn, 2003; UNPFII, 2006). The importance of collective ownership of territories for the survival of indigenous peoples will be analysed in Chapter 5. If the late appearance of environmental laws eased the uncontrolled development of the industry in indigenous territory, the lack of a regulated frame for consultation with and participation of the affected communities has become one of the main complaints of indigenous peoples and organisations (Melo, 2006, p. 19).

International Labour Organisation (ILO) Convention 169 was ratified in Ecuador in 1998 and in Peru in 1994.²⁵ This Convention stipulates that indigenous peoples have the right to be consulted regarding any legislative or administrative measure that may affect them, oil developments included. However, the text of the Convention is not clear in many respects, allowing signatory States to create their own regulations with their own views of the process of consultation (Schulting, 1997). In the case of resource exploration, the State is the owner of the subsoil.²⁶ This means that indigenous peoples do not have integral ownership of their territory, since they own only what is on the surface. In a talk given by Casafranca (2008) he recalls a question posed by a law professor:

²³ This institution in Ecuador is called INDA (Instituto Nacional de Desarrollo Agrario).

²⁴ In the Ecuadorian State indigenous peoples are divided in nationalities, and the term 'plurinational State' has been adopted in the 2008 Constitution.

²⁵ The International Labour Organisation is the UN specialised agency which seeks the promotion of social justice and internationally recognised human and labour rights, www.ilo.org. Refer to Annex 2 for a discussion on ILO Convention 169. The full text of this convention can be found on the website of the Office of the United Nations High Commissioner for Human Rights, <http://www.unhcr.ch/html/menu3/b/62.htm>

²⁶ The ownership of the subsoil resources by the State is based on the Laws of the Indies, which is a variation of the Castellan Law introduced in Latin America during colonisation. However, Roman Law states: "Qui dominus est soli dominus est coeli et inferorum", which means that the ownership of the land implies the ownership of the surface and the subsoil and the air above; Casafranca, 2008. A translation of the Latin is "He who is lord of the land is lord of the sky and of what lies below the land"

Which is the difference between a person in Texas who finds oil in his property and one in Peru? And the professor responded: the one in Texas is rich and the one in Peru is absolutely poor.

The fight for outright ownership of their lands has also been the most contested issue during the twenty years of gestation of the United Nations Declaration on the Rights of Indigenous Peoples. The declaration signals a great advance since it recognises the right of indigenous peoples to self-determination and free, prior and informed consent (FPIC) but still does not give any veto control to the communities, a matter that is highly contested by governments. Annex 2 gives an overview of the process of elaboration of Convention 169, its advances and limitations, and the right to FPIC. In Chapters 4 and 5 there are various sections that discuss the issue of consultation.

Finally, another important factor for the entry of the oil industry in the Amazon was the previous arrival of the missionaries of the SIL, a matter developed in the case studies described in Chapter 3. Although this fundamentalist evangelical Christian group has been expelled from many Latin American countries and its practices curtailed in others, it is considered by a wide range of scholars, indigenous groups, NGOs and governments to have opened the doors to the extractive industries in the Amazon in the 1960s and 1970s by breaking the social cohesion of the indigenous communities and building airstrips that were later used by the oil company men (Stoll, 1983; Perkins, 2005, pp. 141-143; Yashar, 2005, p. 146). The connection of the SIL with the Rockefeller family and the CIA has also been exposed in the detailed and well-researched work of the journalists Colby and Dennet (1995).

More progress needs to be made in relation to environmental, land and indigenous rights and the development of new norms with the participation and consultation of the people that may be affected by them. There is also a need for the implementation of the current national and international legal framework to be monitored by an independent body, such as the Ombudsman Office. In the next section I explore how the oil industry has managed to avoid the implementation of law and has developed

voluntary initiatives instead.

Avoiding risks: Towards corporate social responsibility

As explained in the previous section for Ecuador and Peru, until the late 1990s the oil industry could operate freely due to the lack of norms and to political and economic protection by national and host governments. What is more striking is how the industry has managed to face the current growing criticism and surveillance of its activities by environmental activists and communities, and tougher environmental and social standards imposed by host and home countries. For example, EIAs and environmental plans are required by host governments as prerequisites before the start of any exploration or exploitation activities. However, the objectivity and independence of the EIAs has been questioned by indigenous communities and their allies, since they are often funded by the industry and carried out without the participation of the affected communities, as it will be explored in Chapters 4 and 5.

As any other high investment industry, the oil industry seeks to maximise profit and minimise risks. Risks can be political or economic or the so-called ‘non-fiscal’ risks triggered by changes in social rights and environmental and health management. Companies have been trying to minimise these risks using various strategies, such as the creation of production-sharing agreements, also called foreign investment contracts, and stabilisation clauses. Traditionally a foreign investment contract could override the law of the host country, and stabilisation was aimed at freezing the existing law in the host country during the life of the contract (sometimes up to thirty years) in order to ensure that the investment would not suffer from unilateral changes in the law passed by the host government (Cameron, 2006, p. 76). Breaching the terms of a contract or a stabilisation clause could be very expensive for the host government, as the oil transnational could take it to an international arbitration tribunal such as the International Centre for Settlement of Investment Disputes, ICSID, (part of the World Bank Group) or the International Chamber of Commerce

(ICC).²⁷ Not surprisingly, these clauses have created controversy as they may prevent governments from protecting human rights and implementing avant-garde environmental law (Pacific Environment, n.d.), which would eventually be counterproductive for the State and the industry since they would promote conflict and violence. Although stabilisation clauses are more common in transition economies such as Ecuador and Peru than in countries with more significant oil reserves such as Nigeria and Saudi Arabia, in many cases they do not guarantee the absence of conflict or the ‘freezing’ of fiscal and non-fiscal policies over the years (Cameron, 2006, p.17). Cameron claims that in order to avoid risks, some large corporations have set the highest international environmental and safety standards, enhancing the reputation of the company and consequently minimising conflict and the impact of future changes in the law (Cameron, 2006, pp. 17, 78).

These environmental and social standards form the basis of corporate social responsibility (CSR) programmes and strategies. Multinationals have managed to use the concept of CSR for their own benefit, setting up ethical principles and non-binding rules which have facilitated their access to communities at the local level and to influential actors in the international arena, which can legitimise these voluntary practices. For example, in most Latin American countries oil corporations implement their CSR strategy through community relations programmes. Oil companies claim that the aim of these programmes is to mitigate the social impacts they may cause in the communities and at the same time to improve their members’ conditions of health and education (Martínez, 2008b). There are no binding international or national standards on how these programmes should be implemented (Varea, 1995; Wray, 2000; Narváez, 2004; Shamir, 2004). A common characteristic of all the programmes analysed in this research is that they have become a tool for the oil

²⁷ According to Corporate Europe observatory – n.d, http://www.corporateeurope.org/icc/icc_intro.html – The International Chamber of Commerce (ICC) is the world’s single largest corporate lobby group. The Paris-based ICC was founded in 1919 and has thousands of member companies in over 130 countries. Although the organisation calls itself the ‘World Business Organisation’, it is clearly dominated by large transnational corporations, which use the influence of the ICC to promote an international political and economic climate favourable to their interests. In recent years, the ICC has increased its political influence by combining formal privileges, such as regular access to G-8 Summits and a special position at the United Nations, with the access of its member companies and corporate leaders to national and global decision-makers — all this backed up by a strong retinue of professional lobbyists, academics, legal experts and high profile corporate leaders.

companies to access indigenous communities, promoting division and dependency on the company. The scope and implications of CSR and community relations programmes will be analysed in Chapters 4, 5 and 7.

However, ethical guidance for companies is not a new development; Nelson Rockefeller had already promoted these ideas in the late 1930s in order to advance the opening of the Amazon to American interests, and the Rockefeller family is still advocating responsible practices of this kind (Clark, 2008). Nelson Rockefeller addressed 300 executives of Standard Oil of New Jersey at its 1937 annual meeting with a speech on social responsibility as quoted in Colby and Dennet (1995, p. 82):

We must recognise the social responsibilities of corporations and the corporation must use its ownership of assets to reflect the best interests of the people. If we don't, they will take away our ownership.

The concept of corporate responsibility was first introduced at the international level during the 1972 United Nations Conference on Human Development, which led to the Stockholm Declaration. Further discussions on corporate responsibility took place at the United Nations Conference on Environment and Development in Rio de Janeiro in 1992, resulting in the adoption of Agenda 21, which set the basis for international provisions on civil liability on oil pollution and nuclear damage as required by previous conventions (Morgera, 2004, p. 217).²⁸ It was only in 2002 that a framework for corporate accountability was proposed by a group of NGOs led by Friends of the Earth International (FoEI) at the World Summit on Sustainable Development in Johannesburg. This framework entails the need to subject corporations to enforceable regulations and not just to good neighbours' or voluntary agreements, as stated in the FoEI position paper at the Summit (FoEI, 2002, p.1):

²⁸ Brussels International Convention on Civil Liability for Oil Pollution Damage (Brussels, 29 November 1969), Articles II and III (1), and Vienna Convention on Civil Liability for Nuclear Damage (Vienna, 21 May 1963), Articles I (1)(k) and II (1).

This paper examines the case for an effective legally binding international framework to deliver corporate accountability (including liability). This binding agreement would need to incorporate legal rights for citizens and communities affected by corporate activities incorporating the direct liability of 'foreign' multinationals; duties on corporations with respect to social and environmental matters; and rules to ensure improved practices wherever corporations operate. The approach recognises the development and inherent limits of voluntary codes such as the OECD Guidelines for Multinational Enterprises which cannot be seen as an alternative to a binding and enforceable framework. FoEI is calling on governments to commit to develop a framework (such as a convention or other mechanism) to secure corporate accountability (including liability) by 2005.

However, since Johannesburg there has been a tendency towards CSR initiatives to the detriment of accountability and liability. For example, in 2006 the European Commission adopted a resolution in which CSR is defined as 'a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis'. This caused outrage among social movements and organisations, which led to disengagement from the CSR alliance set up by the Commission (EurActiv, 2007). The International Criminal Court has also failed to include legal or juridical persons, such as corporations, as accountable for their deeds, the main objection being the 'complementary' issue, which proposes that this court should be a complement to but not a substitute for the national law (Shamir, 2004; Kyriakakis, 2008). Another important initiative has been the United Nations Norms on the Responsibilities of Transnational Corporations and other Business Enterprises with regard to Human Rights, developed by the Sub-Commission on the Promotion and Protection of Human Rights and adopted by the General Assembly in 2003. The ICC lobbied to avoid the adoption of these norms, as they represented a move towards enforcement

instead of voluntary good corporate practice (Sourcewatch, n.d; ICC, 2008a,b).²⁹

There is a whole range of non-enforceable initiatives which have set up guidelines and principles for corporate responsibility, among them the United Nations Global Compact initiative – which will be analysed in Chapter 7 –, the OECD Guidelines for Multinational Enterprises and the International Labour standards and Human Rights.³⁰

Faced with this scenario, networks of NGOs, indigenous organisations, academics and civil society groups in general have also developed new concepts, theories, indicators and language that may contribute to create awareness of the responsibility that not only corporations but States have towards the communities they affect, and of the need to set up international standards of accountability, which include enforceable laws, improved transparency, credible multi-stakeholder initiatives, and the inclusion of human rights and environmental and social provisions in investment agreements as proposed by the European Coalition of Corporate Justice (ECCJ, 2006). Among these concepts are those already discussed – corporate accountability and liability, and corporate-led genocide – and others based on theories of political ecology and ecological economics such as environmental justice and ecological debt, which will be discussed in Section II of this chapter. These theories highlight the unfair share of the earth's resources and distribution of environmental impacts, and the current and historic moral and legal responsibility of rich States and corporations in perpetuating an unsustainable model of development and trade. In the next section I discuss how indigenous peoples may play an important role in the transition towards alternative models of development based on equity, accountability and cultural diversity.

²⁹ Annex 2 includes The Business Case for Corporate Responsibility published by the ICC.

³⁰ Other initiatives are the Good Corporation Standard, Green Globe Programme, Global Reporting Initiative's Sustainability Reporting Guidelines, FTSE4Good Index, Social Accountability International's SA8000 standard and the United Nations Intergovernmental Group of Experts on International Standards of Accounting and Reporting (ISAR).

Towards a post-oil civilisation

Chase-Dunn and Hall (1997, p. 29) explain how reinforced ethnic identity, contemporary nationalisms and non-hierarchical lifestyles are all indicators of the decline of the current hegemonic state-based system mainly represented by the core of Europe and the United States. They continue:

The question here is whether or not it makes sense to try to construct a better world around these decentralization forces, or whether we should instead build a more humane, balanced, and sustainable global system.

The key question here seems to be whether these alternatives forces can contribute to forging a fairer and more egalitarian world in which various models of development can coexist, without necessarily having a global or unique model with a single recipe that will supposedly work for all. Hall and Fenelon (2004, p. 186) contribute to this debate by highlighting the potential contribution of indigenous societies to the shaping of a new world:

If one [...] recognises modern capitalism is an amalgam of older forms and newer forms, then one might expect that whatever the world-system transforms into will be built on the various models that already exist. And here, clearly, indigenous people represent the wider range of alternatives, and continuously adapting forms from/with which to build a more inclusive new world.

They also state that the communal ownership of resources, which characterises indigenous societies, represents the biggest threat to capitalism as it shows an

alternative option to private property rights. Blasser, Feit and MacRae (2004, p. 26) discuss the importance of indigenous life projects versus development projects and how the former proclaim the need for unity in diversity as an alternative to the universal ideas of the latter: ³¹

Indigenous communities do not just resist development, do not just react to state and market; they also sustain 'life projects'. Life projects are embedded in local histories; they encompass visions of the world and the future that are distinct from those embodied by projects promoted by state and markets. Life projects diverge from development in their attention to the uniqueness of people's experiences of place and self and their rejection of visions that claim to be universal. Thus, life projects are premised on densely and uniquely woven 'threads' of landscapes, memories, expectations and desires [Blasser, Feit & MacRae, 2004, p. 23].

As I discuss in Chapter 5, indigenous communities whose ways of life have been affected by the oil industry have often elaborated life projects with the participation of the whole community in order to have a clear picture of what course they want their future development to take, and what should be the direction to follow in order to survive as peoples. One thing to be cautious of when discussing life projects is that although they may have been designed with an indigenous perspective, they have to be carried out in a system that does not recognise the singularities of these projects. Additionally, these life projects are often elaborated in co-ordination with aid agencies, which also have their own development agendas, promoting the idea that the purpose of the life project is the achievement of specific goals and activities, which do not always reflect the time-frame and needs of the communities. This approach creates false expectations in the communities and takes away the real meaning of the life projects. On this topic Kenrick (2007) argues that life projects can threaten the status quo because:

³¹ Refer to Annex 1 for a definition of Life projects.

They highlight the ongoing histories of violent appropriation on which the power of the wealthy is built, and they have the ever-precarious but powerful potential of demonstrating that other more egalitarian forms are perfectly possible.

Although indigenous groups and societies are not necessarily egalitarian, some of these groups have evolved and transformed over the centuries into societies that represent an alternative to the current dominant system based on concentration of power and accumulation. The example of the oil industry as a catalyst of resistance and survival shows how the contemporary indigenous way of life represents a troublesome alternative to the neoliberal model.

In Section I of the introduction I have argued that indigenous peoples in the Amazon region have resisted and survived the impacts of the oil industry since the beginning of the 20th Century, and this is something to celebrate. The industry has also become one of the ‘vectors of ethnocide’ of indigenous peoples and has left social and environmental devastation and destruction in its path, as I shall explore in depth in Chapters 4 and 5. States and transnationals often work hand-in-hand imposing a model of development alien to indigenous people. But such policies and practices do not come without resistance, and indigenous people have woven a complex net of survival mechanisms, which leads us to look beyond the conception of these groups as ‘powerless’ and to consider them as people who struggle. Making some concessions to globalisation, which can also be a threat for their survival, they have managed to make the oil transnationals more accountable and have at the same time made their way of life and model of development more obvious and explicit to the rest of the world. Indigenous life projects may be perceived as a threat to neoliberal interests, but they are also an opportunity to create a new model or models of development based on accountability, ethnic representation, diversity, redistribution, and sustainability. The theories explained in Section II of this chapter are based on these principles.

Section II: Theoretical framework

The theoretical framework of this research is based on principles and theories of political ecology and ecological economics (Scott, 1985; Giddens, 1990; Escobar, 1995; Martínez-Alier, 2002, 2003; Bebbington, 2007). I use these theories to define indigenous peoples' resistance against the oil industry as a territorial social movement, by comparing it with theories of new social movements and resource mobilisation. Next I look at the two concepts of environmental justice and ecological debt. The first of these emerged at the grassroots level of the Black environmental movement in the USA and has been reinterpreted and expanded by political ecologists (Martínez-Alier, 2003; Carruthers, 2008a,b; Wolford, 2008) to analyse environmental conflicts and accidents from a social justice and human rights approach, looking at how these ecological conflicts are distributed. The other concept, of ecological debt, is rooted in ecological economics and goes a step further by claiming redress for past and current unsustainable practices of rich countries and the unfair flow of resources from the South to the North. The recognition of ecological debt by Northern States could have important consequences for indigenous peoples whose resources have been plundered for centuries and whose way of life is constantly threatened by the externalities created by extractive industries.³²

A political ecology of oil-affected communities

Political ecology originated from the need to link political economy with the environment and the social distribution of environmental services. As Bebbington explains (2007, pp. 28-30), since the mid-1980s political ecology has gradually opened the scope of its approach from focusing on economic and social structures to prioritising human agency. This was part of the wider shift to post-structuralism in

³² Refer to Annex 1 for a definition of Externalities and other terms of this section, such as Ecological Debt, Environmental Justice and Environmental Services.

the social sciences influenced by Giddens (1984) in which political ecologists started to analyse the agency of social movements, NGOs and grassroots organisations. As a result, Bryant and Bailey produced *Third World Political Ecology* (1997), Scott (1985, 1990) and Escobar (1995) focused on how localised and social movements' resistance can reshape the dominant view of development, and Peet and Watts wrote *Liberation Ecologies* (1996), which also challenges conventional notions of development and sustainability and shows how environmental struggles and modernisation are understood on a local level.

In this research, as a means of unmasking the causes of oppression and contribute to critical social theory, I extend the analysis of agency to all the actors involved in the oil conflict, including state agencies and corporations.³³ In order to present a holistic view of the oil conflict I also link the political ecology approach, based on environmental justice, to an ecological economics approach in which the economy is not an isolated entity but is embedded in the ecosystem. As Martinez-Alier (2002, p. 21) explains in his *Environmentalism of the Poor*, ecological economics helps to 'internalise' the externalities produced by the oil companies into the price system but also recognises the incommensurability of values. He also argues (2002, p. 19):

The study of environmental conflicts is then not only a collection of entertaining anecdotes, it is closely connected to the systemic, evolving conflicts between economy and environment. The economy [...] is embedded in social institutions, and in the social perception of physical flows and environmental impacts.

During the past three decades the resistance of indigenous peoples against the oil industry and other extractive industries has been on the rise. Examples of this resistance can be found across the continents. Some of the most emblematic cases have been those of the Ogoni people against Shell in Nigeria (Obi, 2000; Rowell,

³³ See also methodological framework in pages 125-128.

Marriot & Stockman, 2005), the Uwa against Occidental Petroleum in Colombia (Chelala, 1998; Bunter, 2002, p.69), the Dene in Canada against the Mackenzie Valley Pipeline (Turner, 2006) and the Lihir in Papua New Guinea against gold mining (Connel & Howitt, 1991; Young, 2007). A few cases of resistance have also set a precedent in international law, for example those of the Sarayaku and Cofán peoples in Ecuador, which are two of the case studies selected for this research that will be described in detail in Chapter 3. These cases could be seen as isolated examples of organised communities resisting the activity of a particular company or state development. They could also be seen as the result of a successful transnational campaign led by indigenous peoples and environmentalists. However, any resistance movement that entails the protection of indigenous territories can rarely be understood in isolation, but more often as part of a diverse and complex movement. Protection of the territory is at the core of any indigenous movement, as it is the basis for their survival as a group; the impacts generated by the oil industry are a direct strike at the core of the movement. Consequently, this threat unleashes a wide variety of actions and strategies to protect the core, which are not only reactive but also purposive.

There are currently two main theoretical positions for the study of social movements in post-industrial and post-modern societies (Meluchi, 1984; Salman, 1990; Canel, 1997, p. 182). These are the European New Social Movements (NSM) approach and the American theory of Resource Mobilisation (RM).³⁴ Here I frame the resistance movement of indigenous peoples against the oil industry as a territorial social movement that uses elements of the two theories mentioned above, and also of poststructuralist political ecology. Table 1 (see page 52) synthesises the differences between these theories. The comparison between NSM and RM is based on the work of Canel (1997). NSM theory criticises Marxist class and economic reductionism, putting the emphasis on culture, ideology and collective action by civil society. Although NSM theory stresses the importance of structural changes in the system

³⁴ Among the theorists that have contributed to NSM theory are Habermas, 1981a; Laclau and Mouffe, 1985 and Offe, 1985. Among proponents of RM we find Oberschall, 1973; McCarthy and Zald, 1977 and Tilly, 1985. For a detailed discussion of both models refer to Canel, 1997, pp. 132-166.

and the political opportunities that may arise from this change, it places social mobilisation in the realm of civil society denying any protagonist role to the State.

RM theory criticises theories of collective behaviour and relative deprivation, putting the emphasis on the availability of resources for the movement to get organised and the political and institutional opportunities for collective action. RM focuses on both civil society and the state level and claims a continuity between contemporary social movements and traditional forms of organisation. As Canel (1997, p. 143) argues, RM tries to explain the 'how' of the movement while NSM helps us to understand the 'why'. However, both theories present social movements as complex agents of change, distancing themselves from traditional social movements (TSM) theories which portray social movements as irrational and unstructured forces reacting to a situation of deprivation and/or economic and class oppression.

Yashar (2007, p. 174) follows RM and the state-centric approach when she argues that many of the contemporary indigenous movements that emerged in the 1980s in the Americas did so because the change from corporatist to neoliberal regimes challenged the peoples' local autonomy and collective property rights. The corporatist civilian and military regimes were characterised by the implementation of social rights that covered the population's basic needs and the promotion of class-based organisations controlled and financed by the State. On the other hand neoliberal regimes were presented as the flagship for civil and political rights, such as freedom of expression, voting rights, or increased political participation of grassroots organisations (Yashar, 1999, p. 79; Yashar, 2007). She states (1999, p. 80):

...in attempting to restructure society into class-based federations that could be controlled from above, corporatist citizenship regimes unwittingly provided autonomous spaces that could shelter rural indigenous communities from state control. And for their part, neoliberal citizenship regimes setting out to shatter corporatism's class-based integration and replace it with a more atomized or

individuated set of state-society relations in fact challenged the indigenous local autonomy that corporatism had unknowingly fostered, failed to secure the individual rights that neoliberalism had promised, and consequently politicized ethnic cleavages throughout the region.

In my view there are various factors that have influenced the emergence of contemporary indigenous movements in Latin America, as I discuss in Chapter 2 with reference to Ecuador and Peru, and the shift to neoliberal regimes is only one of them. Yashar explains the emergence of indigenous movements as the result of structural changes within States, overlooking the role of identity and culture. She bases the success of the movements on the 'political associational space' created by States and claims that the 'means' for organising are provided by trans-community networks. These networks have been created and sought by the indigenous movements alone, but she neglects the role of agency and the ability of the movements to challenge power relations.

Various theorists such as Giddens, Escobar and Sotts have contributed to the poststructuralist shift in political ecology, putting the emphasis on the agency of the actors at the expense of social and economic structures. Scott (1985) focuses on the importance of 'daily-life forms of resistance' and Escobar looks at resistance strategies as part of a social movement. Escobar (1995) also focuses on movements with territorial developments, as they can potentially challenge the dominant vision of development and citizenship. Bebbington (2007) has also explored this argument in his research of peasant movements against mining activities in Ecuador and Peru. It is in this theoretical realm of political ecology that I frame the resistance movements of indigenous peoples against the oil industry. As La Torre (2004, p.136) explains, indigenous peoples claim an ancestral and exclusive right over their territory, which not only represents the physical basis for their subsistence and survival as a group but is also the space in which the indigenous cosmovision can be

fully developed.³⁵ However, as I shall analyse in depth in Chapters 4 and 5 their ‘territory’ is still a scenario of legal and moral contest, and the current boundaries of indigenous territories are the result of historic and contemporary struggles between States, indigenous peoples and other changing actors.

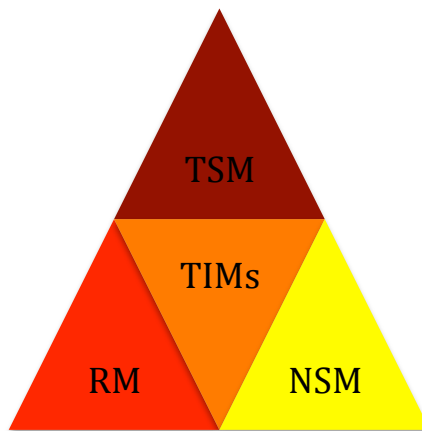
Territorially-based indigenous movements (TIMs) against the oil industry incorporate elements of both NSM and RM theories, and certainly some TIMs also show elements of TSM such as those that follow a class mandate and ally with workers’ movements (See Figure 1 and Table 1, page 52). However, TIMs are based on identity and culture and they organise strategically in order to make the most of the available political opportunities, acting at both state and civil society levels. Likewise, the movements are not just reactive to a situation of oppression; their strategy focuses both on indigenous demands and on creating new avenues for political action and shaping the future towards a different conceptualisation of development and citizenship, for example by advocating the right of indigenous peoples to self-determination (see section on Building Strategic Alliances and Solidarity in Chapter 5). By framing TIMs against the oil industry as organised social movements based on legitimate territorial and cultural claims, I distance myself from views that may present these indigenous movements as ‘invented traditions’ imposed by the hegemonic discourses of transnational partners and the West (Veber, 1998, pp. 4-5). The actions of these movements also challenge established power relations. For example, a small indigenous community, the Sarayaku, has managed to halt the operations of a transnational company and take the Ecuadorian State to an international court. This shift in power relations and the challenges faced by these ‘glocal’ movements will be explored in Chapters 4 and 5 in which I shall also analyse the different strategies used by the actors involved in territorial conflicts caused by oil activities.

³⁵ For Meso-Americans cosmovision is a worldview that integrates the structure of space and rhythms of time into a unified whole, a structured and systemical worldview, see <https://eee.uci.edu/clients/tcthorne/Socec15/glossary.htm>. The cosmovision of indigenous peoples is also related with their belief system, which influences all the aspects of their lives.

Table 1. Social Movements Theories

Traditional Social Movements (TSM)	Resource Mobilization (RM)	New Social Movements (NSM)	Territorial Indigenous Movements (TIMs)
Emphasis on class and economic oppression	Emphasis on access to resources to achieve change (micro-processes)	Emphasis on identity, culture and ideology, structural opportunities for change (macro-processes)	Emphasis on identity, culture and agency
Marxist influence	Criticises collective behaviour and relative deprivation theories	Criticises class and economic reductionism	Claim new models of development and citizenship, challenges power relations
Working class struggle	Instrumental and strategic action at state and civil society levels	Civil society movement (cross-classes), clear distinction between SMs and politics	Framed within poststructuralist political ecology
Reactive and unstructured	Structured and complex movement	Structured and complex movement	Grassroots based and develops trans-community networks
	Continuity from TSM	Discontinuity from TSM	Elements of NSM and RM

Figure 1. Interconnectedness of Social Movements



This figure represents the idea that the four social movements theories described are interconnected, and that the variety of the movements represented by them often cannot be compartmentalised. TIMs in orange is a merge of both RM (red) and NSM (yellow) but it is also connected with the class ideas represented by TSM (dark red). The similar colour pattern between RM and TSM shows continuity in the theories while NSM represents discontinuity from TSM ideas.

Looking for justice and redress: From environmental justice to ecological debt

The term ‘environmental justice’ was developed in the USA in the 1990s by the black environmental movement to create awareness of the fact that big industrial developments and waste facilities tended to be located in deprived areas often inhabited by black and Hispanic communities. The concept of environmental justice is now widely used in Western countries, although in countries such as the UK the concept is more related to social exclusion and poverty issues than to race (Lukas et al, 2004). It could be argued that oil exploitation in Amazonian indigenous territory does not constitute an environmental injustice since Amazonia is naturally rich in oil and since oilfields have to be developed where the oil is found. However, as Maschewsky (2005, p. 2) argues, environmental justice has evolved from being a racial discrimination issue to being concerned with “the social, ethnic, spatial and temporal distribution of environmental impacts”, and he identifies various characteristics of environmental injustices in the USA (2005, p. 6):

- Individuals exposed to severe environmental impacts are also discriminated against in economic, social or political terms.
- Exposure to high environmental impacts correlates with physical and mental health problems.
- The siting of new polluting plants or installations increases existing inequities.
- Environmental clean-up and restoration (of contamination and pollution) varies with the social or ethnic status of the local population, typically being slower and of poorer quality (or non-existent), where deprived groups are concerned.

Some of these characteristics resemble the situation experienced by oil-affected indigenous communities, which should also be considered as environmental injustice. The oil industry in Latin-American countries has primarily affected indigenous peoples for several decades, and the next generation of indigenous peoples will continue to suffer the environmental and social impacts created by this industry (Martínez-Alier, 2003; Roberts & Thanos, 2003). The environmental justice movement in the USA has achieved important policy changes. For example, environmental justice approaches are now integrated in the Environmental Protection Agency's programmes and in the Superfund programme of the Agency for Toxic Substances and Disease Registry (Bullard, 1993; Cole & Foster, 2001).

However, as argued by Carruthers (2008a, p. 5), the environmental justice movement is more diffused in Latin America and does not only focus on issues of race and equity. Although there is no doubt that indigenous peoples have been and still are the subjects of environmental injustices, especially those related to extractive industries, environmental pollution in the cities affects all social classes and is more related to the proliferation of slums caused by unsustainable planning policies and massive migration from poor rural areas than to discrimination against deprived minority groups. In recent decades Latin America has seen the booming of indigenous movements and other civil society movements that demand social and environmental justice at different levels, of which territorial indigenous movements against the oil industry are an example. Struggles for land rights, self-determination, cultural diversity and protection of biodiversity and seeds are not necessarily classified as environmental justice struggles, but there is a growing tendency among academics and activists to use environmental justice theories and analysis to describe these struggles. For example Carruthers (2008b) has looked at the struggle against hazardous industrial waste in the US-Mexico border from an environmental justice perspective, examining the development of national right-to-know laws and cross-border collaboration of environmental justice activists. Wolford (2008) has taken the example of the Brazilian land movement to describe two elements of environmental justice: the struggle for access to resources, referred to in environmental justice theory as 'distributional equity', and the right to be consulted and to participate in

decision-making that deals with distribution of resources, known as ‘procedural equity’. Souza (2008, p.188) argues that environmental racism in Brazil has been perpetuated by post-colonial policies and that there is a growing race-based environmental justice movement in Brazil and other African diasporic countries.

Environmental justice theories challenge dominant views of development by highlighting that the current model is built at the expense of unfair access to the earth’s resources and unfair distribution of human-led environmental impacts. As argued by Martínez-Alier (2002, pp. 13-14) the variety of environmentalism represented by the environmental justice movement has evolved from a minority movement in the USA, focused on racism, to gradual inclusion of the myriad of movements and strategies developed by the majority of the world’s poor. However, in my view there is no need to classify all the socio-environmental struggles in poor countries under the umbrella of environmental justice, since this is a model of environmentalism exported from the North that sometimes may not be possible to implement in the South, and since some Southern movements may not want to be labelled as environmental justice movements. As explained in connection with the ‘survivor’ concept in Section I of this chapter, the terminology used by communities, activists and academics and the theories that arise from them can be powerful for the construction of knowledge and the unmasking of the causes of oppression, provided that they are not imposed on people and movements but informed by them. Environmental justice is therefore a great banner to bring together environmental and social struggles in the North and the South, but the environmental justice movement and theories will only succeed if they are re-interpreted and renovated by the wealth of knowledge shared among all its members.

While principles of environmental justice focus on equity, ecological debt focuses on moral and economic redress.³⁶ The concept of ecological debt was first discussed in the 1990s by a Chilean NGO, the Ecological Policy Institute, (Martínez-Alier, 2002, p. 213), and at a global consultation on ecological debt organised by the Foundation for Research on the Protection of the Environment, FIPMA, which also took part in

³⁶ Ecological Debt is also called Environmental Debt.

drafting an alternative Debt Treaty during the 1992 Earth Summit (Borrero, 1994). Ecological debt has been considered one of the most ground-breaking concepts developed by the environmental movement in recent decades. Martínez-Alier (2002, p. 213) proposes that ecological debt is an economic concept that shows the unfair distribution of resources and the subsequent conflicts this may bring. He writes in relation to ecological debt:

First, [...], the exports of raw materials and other products from relatively poor countries are sold at prices which do not include compensation for local or global externalities. Second, rich countries make a disproportionate use of environmental space or services without payment, and even without recognition of other people's entitlements to such services.

Paredis (2004, p. 137) provides a complete and well-researched definition which also makes reference to the responsibility over time of States which have become 'ecological debtors':

The ecological debt of country A consists of (1) the ecological damage caused over time by country A in other countries or in an area under jurisdiction of another country through its production and consumption patterns, and/or (2) the ecological damage caused over time by country A to ecosystems beyond national jurisdiction through its consumption and production patterns, and/or (3) the exploitation or use of ecosystems and ecosystem goods and services over time by country A at the expense of the equitable rights to these ecosystems and ecosystem goods and services by other countries or individuals.

Ecological debt looks at the debt issue from another perspective, and poses the question: who really owes whom? In this type of debt the creditor becomes the debtor and vice versa. The external debt accumulated by developing countries pales into insignificance in comparison with the ecological debt incurred by Northern countries, especially through the carbon debt.³⁷ Ecological Debt brings together notions of justice, responsibility, colonialism and the need for redress. Although it may appear unlikely that industrialised countries will recognise the ecological debt that they have accumulated since colonial times and which still continues to grow, there are already examples of countries which have tried to counterbalance their ecological damage.

The government of Sweden, for example, was a pioneer when it proposed to calculate the country's environmental debt in the 1990s (Martínez-Alier, 2002, p. 213). More recently the German parliament has presented a motion asking the German government to support the Ecuadorian government initiative of banning exploitation of huge oil reserves in the Ishpingo-Tambococha-Tiputini (ITT) field if compensated by the international community for its effort to save the natural habitat of the Amazon region (Kauder et al, 2008).³⁸ The untapped oil reserves of the ITT field are located in the heart of the Amazon, considered by scientists to be one of the most bio-diverse rainforests in the world and also the home of indigenous people who still live in complete isolation (Finer & Huta, 2005; Oilwatch, 2007, p. 24). If explored and developed, the fields are expected to deliver more than 900 million barrels of oil (Oilwatch, 2007, p. 20). If the German government decides to support this initiative, the German and Ecuadorian governments, and hopefully others, will share the economic burden of not exploiting these massive oil fields, and what is more important they will share responsibility for preserving the world's biodiversity and cultures. This shared responsibility could set an international precedent,

³⁷ Carbon debt is the ecological debt related to CO₂ emissions from fossil fuel combustion. Paredis, 2004, dedicated a full chapter to this type of debt in his report *The Concept of Ecological Debt*.

³⁸ The full motion drafted by the German parliament can be accessed in <http://dip21.bundestag.de/dip21/btd/16/097/1609758.pdf>, Kauder et al, 2008.

highlighting the need of Northern countries to redress the ecological debt they have acquired over time with the Global South.³⁹

The concept of ecological debt has been picked up by indigenous movements and leaders since indigenous peoples are among the main creditors of this debt from colonial times due to the destruction of the *Pachamama*, which is the basis of their subsistence and spiritual beliefs.⁴⁰ For example, in September 2007, Bolivian indigenous president Evo Morales talked about ecological debt when addressing the 62nd session on climate change of the United Nations General Assembly. He stated (Morales, 2007):

I think that it is important to think about some regions, some sectors and some countries repaying what has often been called the ecological debt. If we do not think about how this ecological debt will be paid, how are we going to solve the problems of life and humanity?

The Permanent Peoples' Tribunal, during the People's Summit Linking Alternatives III celebrated in May 2008 in Lima, ruled that the United Nations should recognise the historical and ecological debt that Europe has towards indigenous peoples and should ask States to put in place compensation mechanisms. Among its Resolutions the Tribunal includes (Permanent Peoples' Tribunal, 2008):

To ask the United Nations Council of Human Rights to appoint a Special Adviser who should as soon as possible present a report to the General Assembly containing the proposal of promoting the concept of illegitimate

³⁹ The Global South includes all developing countries, including Heavily Indebted Poor Countries (HIPCs). HIPCs are those developing countries which have high levels of poverty and accumulated debt and qualify for special assistance by the IMF and World Bank.

⁴⁰ Pachamama is a goddess revered by the indigenous people of the Andes. Pachamama is usually translated as "Mother Earth" but a more literal translation would be "Mother Universe" (Aymara and Quechua mama = mother, pacha = world, space-time or the universe), Lira, 1944.

ecological and historic debt, such as the assessment of violations of economic, social and cultural rights against individuals and peoples on the part of governments, financial institutions and multinational corporations, and consequently to set up an International Tribunal to judge economic and environmental crimes, before which the individual or collective victims could appear and be constituted as legitimate litigants.

The references to colonialism and historic responsibility in the ecological debt debate are important, but this is not to say that the debate should be limited to the colonial past of Western countries, which could be wary of assuming the economic burden of this past and its impact on future generations. Although recognition of historical debts is morally and politically important for indigenous peoples, it is also necessary to stop current debts from growing, to expose them to the international community and to demand compensation and accountability.

For example, indigenous peoples and their cultures and livelihoods are put at risk by rich countries which exceed their environmental space, defined by Rocholl (2001) as the total amount of energy, non-renewable resources, agricultural land and forests which each person can use without causing irreversible damage to the Earth. Back in 1974 Ivan Illich had already brought together the issues of energy, justice and cultural diversity, which resonates with current indigenous discourses on ecological debt. He stated ‘A low energy policy allows for a wide choice of lifestyles and cultures’ (Illich, as cited by Simms, 2005, p. 89). In April 2009, the participants in the indigenous peoples’ global summit on climate change in Anchorage, Alaska, agreed by consensus in a declaration that in order to address climate change Western countries should recognise their historical and ecological debt.⁴¹

One of the difficulties faced by social movements that support the concept of ecological debt is that of quantifying it and putting it in economic terms, and

⁴¹ The Anchorage Declaration is included in Annex 2.

therefore of explaining it to politicians. There have been attempts to quantify the carbon debt; Paredis (2004) have analysed various models. Nevertheless, the aim of the campaigners on ecological debt is not to ‘put a price’ on nature and other non-commensurable aspects. Ecological debt is chiefly a historical and political debt and hence it must be dealt with politically (Dillon, 2001). The aim is to gain international recognition of ecological debt and thus to promote a change in the model of development and trade.

Ecological debt could be used as a negotiating tool in discussions about external debt, structural adjustment programmes, millennium development goals, corporate accountability, climate change and overall unequal distribution of the world’s resources. Although there are no direct references to ecological debt in international environmental law, there are some treaties and international principles that try to mitigate the effects of the accumulated and growing ecological debt, such as the adaptation fund under the Kyoto Protocol (Paredis, 2004, p. 111).⁴² Efforts to quantify ecological debt in monetary terms can assist campaigning as long as the ecological debt issue is not reduced to demands for monetary compensation. Financial quantification is useful, however, for providing a means of comparison when using ecological debt as an argument for external debt cancellation. As shown in Table 2 (see p. 61), if the figures of the debt owed to the UK by the heavily indebted poor countries (HIPCs) are placed alongside the carbon debt which the UK owes to the countries of the global South and future generations, it becomes clear that the UK is not a creditor but a debtor.⁴³

⁴² The Adaptation Fund was established to finance concrete adaptation projects and programmes in developing country Parties to the Kyoto Protocol that are particularly vulnerable to the adverse effects of climate change, UNFCCC, 2009,

http://unfccc.int/cooperation_and_support/financial_mechanism/adaptation_fund/items/3659.php.

⁴³ This table has been elaborated by myself as part of an internal report written for FoE Scotland in 2005 called *Ecological Debt: An embarrassing debt for the UK*. The calculations on carbon debt are based on two different mathematical models developed by Paredis —2004— for the period 1950-2000, which have already been used to calculate the carbon debt of other countries. See also recent research by Srinivasan et al—2008— in which they estimate the environmental cost of human activities over 1962-2000 by income group.

Table 2. Comparison of external debt owed to UK by HIPCs with carbon debt owed by the UK to countries of the Global South.

	Debt owed to UK+ (HIPC)	UK's carbon debt++	
		Model 1	Model 2
£Bn	1.3	219	155
% UK's GDP*	0.1	17.9	12.7
£ per capita*	28.5	3652	2586
* Based on a GDP of £ 1, 225, 000 million (source: HM Treasury) and a UK population of 60 million			
+ Debt owed to the UK based on data from Jubilee and World Development Movement			
++ UK's carbon debt calculations are based on the two models described by Paredis (2004)			

As well as being highly questionable, external debt is also responsible for generating further ecological debt in three ways. First, in order to repay external debts, developing countries are forced into a position where they must further exploit natural resources to generate income. Second, developing countries often need to apply for further loans from the international community, either to help finance their existing repayments or to stimulate their internal economies. As a condition for such loans, the World Bank and the IMF have implemented structural adjustment programmes which result in greater pressure to overexploit natural resources through emphasis on exporting primary produce (Moore & Sklar, 1998; Norlen, Cox & Glazebrook, 2002; Hanlon, 2006; Tauli Corpuz, 2006). Third, whilst financial debts

grow with interest, natural resources do not. So while external debts owed to the North continue to accrue interest, the natural resources in the South which are exploited to service these debts continue to be depleted. Perkins (2005, p. 203) exemplifies this, when writing about the economic balance of Ecuador after three decades of an economy based on oil exploitation and loans from international finance institutions:

As a result, in those three decades of an oil-based economy for Ecuador, the official poverty level grew from 50 to 70 percent, under- or unemployment increased from 15 to 70 percent, public debt increased from \$240 million to \$16 billion, and the share of national resources allocated to the poorest citizens declined from 20 to 6 percent. Today, Ecuador must devote nearly 50 percent of its national budget simply to paying off – instead of to helping the millions of citizens who are officially classified as dangerously impoverished.

The extractive industries, and in particular the oil industry, have also been identified as among the most significant contributors to ecological debt. The Oilwatch network describes various principles which show how the oil industry creates ecological debt: from how oil exports prices do not include the costs related to the externalities they produce, to the contribution of the industry to carbon emissions, climate change and the extermination of indigenous cultures (Oilwatch International, 2000). Through concepts such as ecological debt the industry is challenged and its multiple environmental and social impacts are exposed and put in a wider context, and this may be useful for future litigation and legislation in which environmental and human rights go hand in hand.

In Section II of the introduction I have presented the theoretical framework used for this research, which is based on the political ecology theories that emerged as a result

of a shift to post-structuralism in the social science. I situate the TIMs that have emerged in oil-affected areas within social movement theories. TIMs appear as distinctive grassroots movements which, emphasising identity, culture and agency and sharing elements of both RM and NSM theories, have the potential to shape the outcomes of oil conflicts in favour of the communities affected. I have also explored the concepts of environmental justice and ecological debt, their relevance in the context of indigenous peoples affected by the oil industry, and their moral and political weight in claiming compensation for communities and exposing the failures of the current model of development.

Following on some of the issues raised in Chapter 1, such as the development of the oil industry under neoliberal regimes and the resistance of indigenous peoples to the oil industry and corporate-led globalisation, Chapter 2 gives a general overview of the historic, economic and political context of the development of the oil industry and how this one has triggered conflicts which ultimately have an impact in the lives and cultures of indigenous peoples. I also give an account of the rising of the indigenous movements in Ecuador and Peru and their role in shaping the relationship between the industry, the State and indigenous people.

Chapter 2: Oil Industry, Conflict and Indigenous Movements

In order to put the research in context, in Section I of this chapter I start by giving an account of the history and politics of the oil industry since its creation, highlighting the role played by Latin American countries and the consequences of oil development for its people and cultures by alternating oil facts and figures with actions of resistance against the industry among indigenous groups. The development of the oil industry in Ecuador and Peru will be described in detail, although my aim is not to do a comparative study. This section also explores the issue of the border conflict between Ecuador and Peru, an area known for its wealth of non-renewable resources, and how the conflict highlights the links between oil development and the survival of indigenous peoples. In Section II, I analyse the differences in the representativeness and strength of the indigenous movements attending to the current and historical political developments in both countries, and how these differences may influence the ability of indigenous peoples to face the impacts of the industry.

Section I: The development of the oil industry

There is evidence that crude oil was extensively used for illumination in China before the Christian era, and in our own era in Rome, Iran and Greece. Archaeological studies have found that petroleum was known by the pre-Columbian inhabitants of the continent of America. It is believed that the lanterns used in Indian temples contained a mixture of substances including petroleum (Society of Petroleum Engineers, 2006). Five hundred years later, the human hunger for this originally harmless substance has led to vast destruction of the environment and the loss of several indigenous cultures. Unfortunately, since the beginning of the industry, oil development and displacement and cultural loss of local and indigenous populations have taken place simultaneously. It is difficult to find documented accounts of resistance against the oil industry before the 1960s, but the industry

found opposition in native communities from early times. Munif (1987) describes in his fictional *Mudun al-milh* (Cities of Salt) how traditional Bedouin societies were changed by the arrival of the oil industry. His book was banned in Saudi Arabia and his passport was withdrawn.

The economic significance of petroleum started in 1859 with the drilling of the Drake well in Pennsylvania by the so-called Pennsylvania Rock Oil Company. However, the main instigator of the oil industry was John D. Rockefeller through his company Standard Oil. Rockefeller used various strategies to perpetuate his monopoly. He side-stepped the law by covertly creating a series of apparently independent companies related to the industry and he also bought up all competitor companies, using industrial espionage and bribery. Still today, we can recognise similar methods in the oil industry (Falola & Genova, 2005, pp. 25-26). As Douglas (2001) explains, in the 19th century Rockefeller owned the company that had the design patent of all the metal-sealed oil tankers that were transported by rail. Before this time oil was transported in uncovered wooden barrels with great losses for the oilfield owners. Once all the owners of oilfields and refineries were absolutely dependent on this new metal tanker car system, his company, Union Tanker Car, broke all the contracts. The immediate consequence was the bankruptcy of the oilfield developers and refiners. This took many oilmen, who did not know that Rockefeller was also behind Union Tanker Car Company, by surprise. Then through Standard Oil, he bought both the oilfields and the refineries at a ridiculous price, and eventually he also bought the railways.

Towards the end of the 19th century, Rockefeller controlled the oil market. Between 1910 and 1914 there were three big oil companies in the world: the North American Standard Oil and its subsidiaries, the British-Persian Petroleum Company that operated in what is today Iran (British), and Royal Shell (British-Dutch) which operated in what is today Indonesia (previously a Dutch colony) and other South-East Asian countries. In 1911, as a result of US anti-trust legislation, Standard Oil was broken up into a number of its constituent parts. Jersey Standard was the main one of these independent companies (Oilwatch, 2005a, pp. 4-5). Rockefeller's

monopolistic aim was to buy all these companies and so to dominate the world oil business. In 1913 he bought the twelve banks that made up what is now known as the Private Federal Reserve system. This stratagem gave him enough money to buy British Petroleum and Royal Dutch Shell. From 1910 till 1975, the three main companies functioned as an oil cartel with the aim of establishing the international price of crude oil. To do that they needed to gain ownership of all the world's oilfields, including those in colonies, and this is one of the reasons why the United States got involved in the First World War and signed the Treaty of Versailles, which was supposed to end colonial power in most colonies. However, socialist Russia was not interested in giving more power to private companies and did not take part in the treaty. This event halted the main companies from controlling alone the world oil price. To counter the Russian socialists, the 'Big Three' supported numerous anti-communist or fascist movements such as those of Hitler and Mussolini (Douglas, 2001).

As Philip explains (1982, p. 28) the 1910s was a decade of savage capitalism, and the oil industry represented by foreign countries started to play a major role in the domestic economy of countries such as Colombia, Argentina, and Venezuela. It was an excellent period for making profits, since tax rates were low and the Latin American bourgeoisie was not very involved in the industry. This was firstly because they lacked the technical expertise required by the oil industry, and secondly because they preferred to take advantage of land ownership in order to attract foreign companies. Companies could justify their enormous gains on the basis of the risk involved in adapting to rapid technological changes, and above all, for opening up a new international industry. Jersey Standard expanded primarily in Latin America and in 1915 one of the first oil contracts was signed in Barrancabermeja, Colombia. The operations of Standard Oil of New Jersey and Texas Petroleum contributed significantly to the cultural and physical extinction of two indigenous groups, the Yariguís and Aripís (Oilwatch, 2001, p. 17).⁴⁴

⁴⁴ ExxonMobil is today the former Standard of New Jersey and Standard of New York.

The 1930s was a decade of restraint; oil had become abundant and the industry became aware of the economic consequences of oversupply. During this decade Standard Oil led a project to build highways called National City Lines, in conjunction with the Firestone Tire and Rubber Company, Phillips Petroleum Co, Mark Truck, and General Motors (Oilwatch, 2005a, p. 5). Sustainable cities could have been created with public transport prioritised over individual car owners, but for the oil-hungry vehicle industry this was an opportunity not to be missed, and they exported this system to the rest of the world. In a world of surplus, consuming countries were able to establish state control over marketing and set up domestic refineries. After a decade of insecurity, normality returned in 1955 partly because of the 'Pax Americana' and the USA's takeover of the leadership of the so-called 'Free World' (Philip, 1982, p. 61). The next generations of the Rockefeller family shared their predecessor's monopolistic view, and towards the end of World War II, Standard Oil controlled many of Royal Dutch Shell's oilfields in the Pacific region. During the Vietnam War, secret offshore prospecting took place in the South China Sea under the close eye of Nelson and Lawrence Rockefeller. The information gathered during the war proved to be very effective when 15 years later the Vietnamese government decided to allow offshore drilling and asked foreign companies to bid (Douglas, 2001).

After 1945 the attention of the major companies was directed to the East, and Latin American countries were considered as marginal with the exception of Venezuela, which was still central to the world oil industry. However, the 1930s and 1940s brought increased state control over the oil industry in Latin America. Chile, Mexico, Brazil and Uruguay established state oil monopolies while Argentina and Bolivia developed their own state companies but still welcomed foreign investment. This nationalisation did not come without financial problems. For instance, in 1945 the Bolivian State oil company borrowed \$8.5m from the US Export-Import Bank (Philip, 1982, p. 72). During the 1960s the Rockefeller Foundation promoted the Green Revolution in third world countries, creating an agriculture system highly dependent on the oil industry. The Rockefeller Foundation was also involved with the Summer Linguistics Institute, a fundamentalist evangelical organisation partly

funded by oil corporations and the CIA, which has been accused of preparing the ground for the entry of the oil industry into Amazonian communities (Oilwatch, 2005a, p. 6; Perkins, 2005, pp.141-143).

In the years following the formation of OPEC in 1960 a greater role was played by the governments of oil-producing countries. The five founding members were Iran, Iraq, Kuwait, Saudi Arabia and Venezuela, with the latter playing a major role in the formation and early history of OPEC. Nevertheless, independent companies were the main competitors for the big companies and this situation caused conflicts in the international oil market and drove down oil prices (Philip, 1982, p. 83). Between 1955 and 1970 private oil companies were still a central part of Latin American domestic economy, although state enterprise was fast gaining ground. States began to take control of strategic sectors such as refining and exploration, traditionally dominated by private companies. The idea was to break the integral monopoly practised by the companies and to acquire technical expertise for a long-term state-controlled industry (Philip, 1982, p. 93). In the Middle East, well-established oil companies became gradually more independent of Washington and London administration. However, the situation in Latin America was clearly different, as Latin American States had greater control of oil resources, and after the Cuban revolution the US administration had to focus on getting compensation for their nationalised companies and on supporting anti-communist Latin American governments (Philip, 1982, pp. 100-101).

In the 1970s the power over oil shifted from the oil companies to producer governments, and OPEC took control of world oil production and prices. Mexico, Venezuela and Ecuador became the major Latin American exporters (Philip, 1982, p. 114). In the early 1970s organised resistance against the oil industry could already be seen among the Dene indigenous nation in Canada's North West territories. The Dene people wanted to stop the construction of the \$8 billion oil pipeline that would pass through their territory, damaging the fragile Arctic ecosystem (Turner, 2006).

In 1972 the price of crude oil was about \$3.00 per barrel and by the end of 1974 the price had rocketed to over \$12.00. This was because in 1973, as a result of the Yom Kippur War, Arabian exporting nations imposed an embargo on the USA and other Western countries that supported Israel. The Arab embargo clearly showed the shift of oil price control from the US to the OPEC countries. The higher prices of this decade, partly due to the fall of the Bretton Woods System, indirectly promoted exploration and production outside OPEC (W.T.R.G. economics, n.d). After 1983, oil prices were relatively stable, except in late 1990 due to the invasion of Kuwait by Iraq. Thus the 1990 crisis brought expected results: there was no shortage, but the threat of shortage generated precautionary demand for more oil finds, which raised prices, which brought additional speculative demand.

After 1990 foreign investment in the OPEC countries became even more frequent, although not always successfully. For instance, in August 1991, Ecopetrol (Colombia's state company) and Copeco (Petroleum Company of the Andes) signed a contract to allow oil exploration in an area of 185,000 hectares within the U'wa people's territory. In 1992 the North American company Occidental joined the partnership and became the operator. Through the Ombudsman's Office, the U'wa people gave notice of a tutelage action against the violation of their fundamental constitutional right to participation and claimed the nullity of the environmental licence. At this point, the U'wa decided to buy the land where the first well would have been located, and the community peacefully took the land. After various unfavourable decisions by the Colombian court, the U'wa people brought an action against the Colombian State at the Inter-American Commission for Human Rights of the Organisation of American States (Oilwatch, 2005c, p. 4). Later, in 1999, the U'wa people threatened the State with mass suicide if the corporations continued encroaching on their sacred lands.

In 1989 the Maya Biosphere Reserve was created in Guatemala. This Reserve covers part of the second largest rainforest in America, which includes the Maya Forest shared with the south of Mexico and Belize. In 1997 the Guatemalan government invited bids on 300,000 hectares within the National Park Laguna del Tigre, which is

part of the Reserve. Texaco carried out the oil exploration and Basic was the operating company.⁴⁵ The Madre Selva collective took the case to the Central American Tribunal on Water after it was rejected by the national government. In this forum, the oil company and the government were found guilty, but the decisions of this tribunal are not enforceable. Nevertheless, the judgment was detrimental for the company as it was sold for half its previous valuation in the international market. (Oilwatch, 2005c, pp. 5-6)

From 1990 to 1997 oil prices recovered, partly due to the 300,000 barrels per day consumed in the Asian Pacific region, but the heyday came to an end with the economic crisis in Asia, overlooked by OPEC. During the past decade OPEC has struggled to control the oil prices with mixed success. The main variables have been the strength of the American economy, the non-OPEC production dominated by Russia, and major events such as 9/11, the Iraq War and the current economic crisis. In 2005 the spare oil capacity was reduced to 1,000,000 barrels per day (bbl/d) and this is one of the main reasons, together with oil price speculation and the dollar decline, for the high prices that preceded the current recession (W.T.R.G. economics, n.d).

In April 2006, in an unprecedented move, Venezuelan president Hugo Chávez proposed to lock the price of oil to \$50 per barrel. This came as a surprise, taking into account that the price at that time was \$72 per barrel. As Milner (2006) explains, a \$50-a-barrel lock-in would have allowed Venezuela to demand a huge increase in its official oil reserves and its production allowance within OPEC. In this way Venezuela could have become the main oil producer in the world, even above Saudi Arabia. However, the agreement never happened and prices rocketed to a historic maximum of \$146 in June 2008. Chávez has also been one of the main promoters of Latin American energy integration, having had an important role in the creation of Petrosur and the Bank of the South (Jijón, 2006, p. 40).

⁴⁵ Chevron was originally known as Standard Oil of California. In 2001, the former Chevron Corporation merged with Texaco to form ChevronTexaco. Basic Resources International Ltd is an enterprise registered in the Bahamas. In September 2001 the French company Perenco bought Basic, a subsidiary of Andarko Petroleum Corporation. The buy included all the concessions in Guatemala, a 440 km pipeline, a refinery, and all Basic's filling stations.

In this century governments and the public have become more aware of the undesirability of an oil-dependent society and of the need to develop cleaner energy sources. However, breaking oil dependency is not only a declaration of good intentions, it is about breaking the dominance of big oil corporations and their influence on state policy, particularly in the United States. An example of that is the recent bail-out of corporations and Wall Street at the taxpayers' expense. Communities and individuals around the world are acting by taking big corporations to court demanding major accountability and not just a set of voluntary socially-responsible practices. In a historic judgment in November 2005, the Federal High Court of Nigeria ordered companies to stop gas flaring in the Niger Delta. In a case brought against Shell Nigeria, the judge ruled that the damaging and wasteful practice of flaring by all the major companies, including ExxonMobil, ChevronTexaco, TotalFinalElf and Agip, as well as Shell, in joint ventures with the Nigerian National Petroleum Corporation, must stop because it violates the constitutional rights of Nigerian citizens to life and dignity (Shell Accountability Coalition, 2007, p. 14).⁴⁶

Development of the oil industry in Peru

Peru has a long tradition as an oil producer. The operations in the northern coastal region were among the most important oil activities in Latin America during the first half of the 20th century. In 1913 the International Petroleum Company (IPC) – a Jersey subsidiary – established itself in the country using dodgy and cunning strategies and taking over a controversial legal title. The company made great profits

⁴⁶ On June 8, 2009 the parties in *Wiwa v. Shell* agreed to settle human rights claims charging the Royal Dutch/Shell company, its Nigerian subsidiary, Shell Petroleum Development Company (SPDC or Shell Nigeria), and the former head of its Nigerian operation, Brian Anderson, with complicity in the torture, killing, and other abuses of Ogoni leader Ken Saro-Wiwa and other non-violent Nigerian activists in the mid-1990s in the Ogoni region of the Niger Delta. The settlement, whose terms are public, provides a total of \$15.5 million. These funds will compensate the 10 plaintiffs, who include family members of the deceased victims; establish a Trust intended to benefit the Ogoni people; and cover a portion of plaintiffs' legal fees and costs. The settlement is only on behalf of the individual plaintiffs for their individual claims. It does not resolve outstanding issues between Shell and the Ogoni people, and the plaintiffs did not negotiate on behalf of the Ogoni people, EarthRights International, 2009.

for the next three decades, taking advantage of low taxes and offering loans to subsequent governments. However, no new fields were discovered, and the company could not keep up with demand. This, together with political and economical pressure, resulted in the military overthrow of Belaúnde's government in 1968. Velasco's military regime saw in IPC a perfect target to pursue its anti-US policy and build civilian support. IPC was expropriated in 1968, and in the 1970s the largest copper-mining corporation, Cerro de Pasco, was also nationalised. IPC expropriation caused great confrontation between Peru and the USA which imposed economic sanctions on Peru that ended in 1973 with a compromise agreement giving IPC only a fraction of its market value (Philip, 1982, pp. 108, 243-257).

The state oil company Petroperu was created in 1969 and controlled all the exploration, production and downstream activities of the industry from 1968 to 1991. Foreign presence was also welcomed although negotiation with Velasco's military junta was always difficult. General Morales Bermúdez' military regime took a more conservative economic direction, for example enabling the foreign company Belco Petroleum Corporation to maintain its offshore operations until 1985 when it was nationalised by the first García government (Hudson, 1993). The 1970s were the heyday of the Peruvian oil industry, but in the 1980s production began to fall, making it difficult for Petroperu to control prices and at the same time to finance exploration and production. Fujimori's accession to office in 1990 brought a dramatic change in economic policies, his main aim being to reduce inflation. Control of private sector prices was removed and foreign oil companies were invited to explore in the country, which had an immediate response (Hudson, 1993). In August 1993 the Peruvian Congress passed the Hydrocarbon Law, establishing a new legal framework for the country's oil-based activities. Under this law Perupetro was created as a private-law state company based on free market principles with economic, financial and administrative autonomy. As stated on its website Perupetro promotes exploration and exploitation of petroleum in the country and negotiates, signs and supervises contracts and technical evaluation agreements following strategies approved by the Ministry of Energy and Mines (Perupetro, 2008).

According to *Oil and Gas Journal* Peru has proven oil reserves of 380 million barrels and has been a net importer of oil since 1992, with most imports coming from Ecuador and other South American countries. Peru's oil consumption has grown over the past twenty years, reaching 170,000 bbl/d in 2007, while its production in the same year was 113,000 bbl/d of oil including crude oil and natural gas liquids (Energy Information Administration, 2008, p. 2). In 2003 the Peruvian government established a new royalties schedule and introduced tax incentives in an attempt to increase oil production and attract foreign investment. This new schedule spurred a revival of interest in exploration activities in the country. In the same year Repsol-YPF and Burlington Resources created a partnership to launch exploration activities in Blocks 90 and 57, located in the Ucayali basin in the central-east region of the country. The major oil-producing areas in Peru are in the north of the country and the main producers are the Argentinian company Pluspetrol followed by Occidental Petroleum, Petrobras, and Petro-Tech Peruana. In 2004 Occidental announced the discovery of at least 100 million barrels of recoverable reserves in the Amazon basin, and in 2008 Petro-Tech announced a major discovery offshore (Energy Information Administration, 2008, p. 3).

Also in 2008 the second administration of Alan García made changes in the law that have greatly increased the number of oil concessions in the country and have triggered public protest. In September 2008 Peru auctioned off 17 new oil contracts, and opposition parties have accused García of selling the country to foreign interests ("Peru Auctions", 2008). In October the Environment Minister resigned under allegations of oil kickbacks, leading to suspension of four joint exploration and development contracts which had been awarded to Petroperu and the Norwegian company Discover Petroleum ("Peru Annuls", 2008). In a recent article Finer and Huta (2008, p. 2) have used government data to analyse the status of oil developments in the Amazon. They regard the recent boom of oil concessions in Peru as the most worrying case:

...in both Ecuador and Peru blocks now cover more than two-thirds of the Amazon... 64 blocks cover 72% of the Peruvian Amazon (490,000 km²). The

only areas fully protected from oil and gas activities are national parks and national and historic sanctuaries, which cover 12% of the total Peruvian Amazon. However, 20 blocks overlap 11 less strictly protected areas, such as Communal Reserves and Reserved Zones. At least 58 of the 64 blocks overlay lands titled to indigenous peoples. Further, 17 blocks overlap areas that have proposed or created reserves for indigenous groups in voluntary isolation.

Development of the oil industry in Ecuador

The oil industry in Ecuador dates from 1911 with the drilling of a well on the Pacific coast. Since then the industry has expanded towards the east, especially in the Amazon area, which is known as Oriente.⁴⁷ In 1937 Shell was awarded a concession in the Amazon, but in 1950 abandoned the area, as it was not considered commercially profitable (Kimerling, 1993, p. 19). However, the Ecuadorian oil boom started in 1967 when a major discovery of 3,200 million barrels was made in the Oriente by the Texas-Gulf consortium. Ecuador had produced some oil since 1918, but the small significance of the production did not encourage governments to create their own industry or new oil regulations. However, after the discovery a new oil law was passed in 1971 that set up the state company CEPE (Petroecuador from 1989). A military coup in 1971 brought to power a group of officers willing to follow a military oil nationalism already seen in other Latin American countries. Between 1972 and 1976 Ecuador's potential as an oil producer was acknowledged nationally and internationally, and in 1974 the Ecuadorian Oil Minister had become president of OPEC (Philip, 1982, pp. 274-277). In 1972 Texaco finished the construction of the \$150 million Trans-Ecuadorian Pipeline System (SOTE), which linked the oil fields in the Amazon with the refinery of Esmeraldas on the coast, going through the Andes at 13,000 feet (Kimerling, 1993, p. 19). A new military coup took place in January 1976 and a more conservative junta was established. That year, after years of

⁴⁷ Oriente, which means "the east", is the name Ecuadorians use to designate the area that stretches from the eastern slopes of the Andes to the border with Peru. This less developed and remote area contains over 25% of the nation's territory and is commonly called the Amazon region. It is also the main oil exploitation area in the country.

renegotiation of the contract, the Texaco-Gulf consortium broke and Gulf's assets passed to CEPE, which acquired 62.5% of the consortium (Philip, 1982, p. 290).

The oil bonanza allowed Ecuador to participate in the global economy and have access to international loans as never before. From 1971 to 1981 Ecuador's exports grew from \$199m to \$2,568m. The GDP increased from \$1,602m to \$13,946m. The International Monetary Reserve went from \$55m to \$563m. However, the Ecuadorian external debt grew by a factor of more than 22 from \$260.8m at the end of 1971 to \$5989.8m at the end of 1981. In 1971, 15 of each 100 exported dollars were committed to debt service, while ten years later Ecuador committed \$71 per \$100 (Acosta, 2000, p. 2-19). During the 1980s, internal factors together with the international fall in oil prices and the loan crisis put an end to the Ecuadorian oil bonanza, making the external debt unsustainable. This situation provoked changes in the law to adopt neoliberal policies and to attract transnational investment with the aim of increasing oil exports (Sawyer, 2004, p. 11). New oil contracts were signed with Occidental Petroleum, BP, Conoco, ARCO, Exxon, UNOCAL and Tenneco (Kimerling, 1993, p. 21). In November 1992, President Durán Ballén withdrew Ecuador from OPEC to produce in excess of the country's production quota. This made Ecuador the first country to resign from the cartel. By February 1994 Ecuador's foreign debt had reached \$12.9 billion, nearly twice the 1982 figure. Given that it was the highest per capita foreign debt in Latin America, multilateral lending institutions such as the World Bank, IMF, and the Inter-American Development Bank imposed conditions on Ecuador, insisting that it should enact particular structural adjustment legislation and implement neoliberal policies before obtaining further credit (Sawyer, 2004, p. 12). Two laws drafted in conjunction with World Bank advisers (the Modernisation Law and the Hydrocarbon Law) set the legal framework for institutionalising neoliberal policies. The Hydrocarbon Law created contracts more appealing for foreign companies, and allowed the government both to deregulate the domestic price of petrol by calibrating it to the international price of crude and to enable private companies to operate and further expand the Trans-Andean pipeline. Texaco was the main company operating in Ecuador from 1964 until 1992 when its contract with the Ecuadorian State ran out and a subsidiary

of Petroecuador assumed the operations, inheriting all the technology left by Texaco. As Kimerling (2000) explains:

Texaco extracted about 1.5 thousand million barrels of crude from Amazonia in a 28-year period. It drilled 339 wells in an area now extending to 442,965 hectares, deliberately dumping tons of toxic material and maintenance waste and more than 19 thousand million gallons of production water in the environment, with no treatment or monitoring.

The 1990s were characterised by a weakening of the state institutions and of the State's capacity for economic investment, which eventually led to the dollarisation of the economy. In 2000 international crude prices started recovering, but the impact on the Ecuadorian economy was limited as most of the revenues went to debt service. The denationalisation of the oil industry continued with the construction of the private Heavy Crude Pipeline and the lack of investment in Petroecuador (Larrea, 2006, p. 66).⁴⁸ Additionally, although oil exports in Ecuador amount to almost 50% of the total exports, its refining capacity was limited and it had to import refined products. Ecuador rejoined OPEC in 2007. In January 2008 Ecuador had proven oil reserves of 4.5 billion barrels, the third largest in South America. In 2006, Ecuador consumed 152,000 bbl/d of oil and the net exports were 350,000 bbl/d, of which 50% is sent to the USA. Petroecuador's production declined from 56% to 37% between 2001 and 2005; however, the state company's share of output was 51% in 2007 (Energy Information Administration, 2008, p. 3). This was partly due to the takeover of the assets of Occidental Petroleum, as that company had been accused of violating its contract with the State by selling part of its assets to the foreign company Encana (Gilbert, 2006). Other major foreign companies operating in Ecuador are Repsol-YPF, Andes Petroleum, Chinese National Petroleum Corporation (CNPC), Perenco and Agip. Ecuador is likely to increase its oil reserves by developing the Ishpingo-

⁴⁸ The Heavy Crude Pipeline is widely known in Ecuador as OCP, which stands for Oleducto de Crudos Pesados.

Tapococha-Tiputini (ITT) block. However, Correa's government has announced that it would ban exploitation of this huge oil reserves if the international community compensates its effort to save the natural habitat of the Amazon region. Spain and Germany have already shown their interest in the proposal and campaigners have also met with Gordon Brown's environmental advisers to take Britain on board (Harrison, 2008). The Ecuadorian government is also getting tougher with foreign companies. The new Constitution approved in September 2008 gives the government more control over energy resources. In October 2007 Correa imposed a 99 percent windfall tax on oil companies, later reduced to 70 percent. Now the government is looking to increase its share in oil output by switching the current contracts to service contracts, in which foreign companies will be paid for producing the oil instead of sharing the revenue up to a set price (Kueffner, 2008).

The border conflict between Ecuador and Peru

The border region between Ecuador and Peru is a strategic area for natural resources, which has been argued over for the last 150 years by both countries and transnational interests. This area is also the home of indigenous peoples that belong to the Jivaro ethno-linguistic family; within this family the Shuar and Achuar have traditionally lived on both sides of the border constituting, in their own vision, a single and borderless nation.⁴⁹ Such transnational groups can be found elsewhere in Latin America, for example the Cofán people living in the border region between Colombia and Ecuador and the Mapuches in Chile and Argentina. However, transnational groups can also be the result of forced relocation, as the Nicaraguan Miskitos that fled to Honduras during the US-financed Contra war against the Sandinista regime in the 1980s.

⁴⁹ The term Jivaro is considered pejorative as it was used by the Spanish colonists to refer to this linguistic group, and the meaning in Kichwa is "savage". Based on the 2000 census this group includes the Shuar and Achuar (approximately 110,000 in Ecuador and 5,000 in Peru), and Aguaruna and Huambisa (approximately 38,000 and 8,000 respectively, in Peru).

Some authors have described how the war between Ecuador and Peru in 1941 was shaped by the interests of two companies, one of them a subsidiary of Royal Dutch Shell (British), and the other of Standard Oil of New Jersey (American), with interests in Peru and Ecuador respectively (Deler, 1987; Galarza Zabala, 2006, p. 13). The conflict continued as the Cenepa War in 1995, and ended with a definitive peace agreement in 1998 and the Montevideo Declaration. During the war in 1995, the ferocious Shuar warriors in Ecuador were recruited and they formed the Arutam battalion, famous for their courage and resistance (Brysk, 2000, p. 142).⁵⁰ These transnational indigenous groups found themselves in a difficult position in which defending their ethnic enclave from states and foreign interests meant fighting against their own brothers on the other side of the border. Shuar Ecuadorian leaders claimed that they were not fighting against their brothers but against Fujimori, the then President of Peru, and that the war was for defending not the whites but their ancestral territories (Brysk, 2000, pp. 142-143). However, more than 20,000 were affected, and the indigenous communities of the area suffered the most; more than 8000 were displaced and their homelands destroyed.

The border conflict, and the situation of transnational groups such as the Shuar, Achuar, and Cofán, give rise to the debate around ethnic identity, citizenship and territorial rights in resource-rich areas and how these factors ultimately affect the survival of indigenous peoples. In the next section I give an overview of the development of indigenous movements in Ecuador and Peru. The expansion of extractive industries in indigenous land promoted by neoliberal regimes has forced indigenous movements to liaise and negotiate with powerful actors – the State and oil companies – and this has impacted on the agendas of the movements, promoting division in their views, and has at the same time forged solidarity with the wider international community and civil society groups.

⁵⁰ This battalion was named for the shamanistic visions that young male Shuar experience in their ritual to adulthood. If the Arutam is acquired the boy will become a brave and strong warrior. There are different types of Arutam that a male or female can acquire during their lives and can be used for good or for evil, Perkins and Shakaim, 2001, p. 64.

Section II: The emergence and development of the Ecuadorian and Peruvian indigenous movements

The development of the indigenous movement and its political influence has been significantly different in Ecuador and Peru, and this has been another determinant factor in the selection of these two countries for my fieldwork, since these differences may influence the ability of indigenous peoples to face the impacts of the industry. Peru has an estimated indigenous population that ranges between 40% and 50%, the highest proportion in Latin America after Bolivia, while Ecuador's indigenous population is approximately 35%.⁵¹ However, the Ecuadorian indigenous movement is far ahead of the Peruvian in scope and organisation. The Ecuadorian Shuar, with the help of some Salesian missionaries, created in 1964 the first indigenous organisation in Latin America, the so-called Federación de Centros Shuar, (Brysk, 2000, p. 141).⁵² Since then, the Ecuadorian indigenous movement has been one of the banners of the indigenous movement in Latin America, with the creation of its powerful national organisation CONAIE, regional confederations in the Andes, Amazon, and the Coast, and the indigenist political party Pachakutik.⁵³ The Peruvian case is significantly different, as there is no established political party in the Western tradition that represents indigenous interests, and it was not until 1997 that the umbrella organisation COPPIP was created in order to bring together the indigenous people from the Andes, the Amazon and the Coast.

The Peruvian case: From Inca imagery to contemporary indigenous politics

Various scholars have tried to analyse the lack of a strong and representative indigenous movement in Peru, especially in the Andean region, in comparison with

⁵¹ These figures vary depending on the estimates given by the National Institute of Statistics, indigenous organisations or other institutions such as the World Bank.

⁵² Please refer to the List of Abbreviations for a translation of all the abbreviations used in this section.

⁵³ Pachakutik means in Quechua "change, transformation, the return of the good times".

neighbouring countries with a similar history such as Ecuador and Bolivia (Brysk, 2000, p. 269; de la Cadena, 2000; Gelles, 2002; del Alamo, 2005; Madrid, 2005). Some authors such as Montoya describe up to nine reasons to explain what he calls the “the Peruvian tragedy” (Montoya, 2003, pp. 8-9). In order to better understand this complex issue I have identified five recurrent and interrelated themes in the literature that exemplify this debate and include most of the arguments proposed by other scholars. Although other Latin American countries have gone through similar processes, it is worth noting the convergence of all these factors in the Peruvian experience. I argue that although the Peruvian case has been an exception, it is necessary to make a distinction between the Andean and the Amazonian movements. Even more, the movement has gained momentum during the last decade, and one of the key factors has been organised resistance against the extractive industries. This analysis would also contribute to the understanding of why indigenous movements have been more successful in some countries than others.

Indigenous consciousness versus class-consciousness

It has been argued that the Andean movement in Peru is class-based rather than ethnic-based. Andean people identify themselves as peasants, as the term ‘indigenous’ has been ostracised due to the pejorative meaning attached to it by the colonial and postcolonial dominant society. In 1824 Simón Bolívar authorised by decree the selling of indigenous communities’ lands by their leaders, which promoted the creation of large estates and the dissolution of indigenous communities. Likewise, the revolutionary military regime of the left-leaning Juan Velasco Alvarado in the 1970s substituted the term ‘indigenous’ for ‘peasant’ in an attempt to integrate the indigenous communities to the nation state, for example he renamed the ‘Day of the Indian’ (24th of June, the day of the winter equinox) as the ‘Day of the Peasant’ (Brysk, 2000, pp. 269). All these measures contributed to the ‘proletarianisation’ and ‘detrribalisation’ of indigenous people. However, we should be careful when using this dichotomy, as the class and ethnic issues cannot be

considered separately. Isolated Amazonian indigenous groups also engage in class-based relations with the dominant society and with other ethnic groups (Varese, 2006, pp. 231), and Andean peasant groups incorporated into the market society have not lost their 'indigeneity'; it is dormant or subjugated and could be recovered or reinterpreted when the opportunities and means arise.

Ethnic policy

In Peru ethnic policy has not been fully developed. One of the reasons is the lack of initiative by the indigenous intellectuals and bourgeoisie, who are detached from their indigenous background and therefore unable to represent or be the bearers of ethnic politics (del Alamo, 2005). The Indian Council created under the Juan Velasco Alvarado regime in 1974 was also unable to become the cradle of the future leaders (Montoya, 2003, pp. 8). Another factor that adds to this situation is the paternalism exercised by some indigenists and left-leaning intellectuals, for example by the appropriation of symbols of the indigenous culture (del Alamo, 2005; Greene, 2006; p. 328). One example of this was the "neo-Inca imagery" used by the mestizo Alejandro Toledo in 2001 during his presidential campaign and his final shamanic ceremony in Machu Picchu, where he asked the Inca gods for guidance during his mandate. During the ceremony he stated (Periodismo, 2001):⁵⁴

I have wanted ... to send a message to the world, that here in the navel of the world a great millennial culture has been founded, of which I feel proud.

However, his flirtation with the ancient Incas came to an end when the contemporary indigenous organisations from the Andes, the Amazon and the Coast began to claim

⁵⁴ The quote in Spanish reads "He querido... enviar un mensaje al mundo, que aquí, en el ombligo del mundo se realizó una cultura milenaria grande, de la cual me siento orgulloso".

a shift from mere ethnic rhetoric to greater participation in Toledo's administration, and the implementation of politics that would benefit the indigenous population. The creation in 2001 of the state agency CONAPA (National Commission on Andean, Amazonian, and Afro-Peruvian Peoples), headed by Toledo's wife Eliane Karp, was an attempt to address these demands but did not succeed because it followed a top-down approach, lacked indigenous representation, and was accused of various economic scandals (Greene, 2005, p.35). After a long struggle by the indigenous organisations, CONAPA was replaced in 2005 by INDEPA (Development Institute for Andean, Amazonian, and Afro-Peruvian Peoples), which became the first indigenous institution with ministerial representation. Unfortunately, the ministerial rank did not protect the institution from new presidents, and in 2007 the new government of Alan García dissolved the ministerial INDEPA into just a department for indigenous peoples. After more than a year, in April 2008, the Congress granted INDEPA its autonomy. CODENPE (Development Council for the Nationalities and Peoples of Ecuador) is the parallel organisation of INDEPA in Ecuador, created in 1998 as a result of the then new Constitution. Although some of the executive branches and the management of CODENPE are not free of criticism, the institution has not reached the level of discontent of its Peruvian counterpart and is a decentralised and participatory body with influence in cutting across political areas that affect indigenous peoples.

In Peru, the level of discontent and cynicism with politics is very high, and this has also permeated into the Peruvian indigenous movement, which until recently did not even consider it necessary to create a political party in order to influence government policies. However, the struggle of the indigenous movement in Peru for institutional representation and constitutional reforms cannot be underestimated, as it has helped to forge a more cohesive movement between the Andean, Amazonian, and Afro-Peruvian peoples. Also, indigenous politics cannot be understood only in national terms, as regional and local movements are sometimes more legitimate and effective. For example, García and Lucero (2006) describe the involvement of Quechua families and indigenous intellectuals in the development and implementation of

intercultural bilingual education programmes, which are one of the main demands of the indigenous political agenda.

Terrorism and guerrillas

Another issue described by academics is the dramatic effects that terrorism has had on indigenous peoples in Peru. Although guerrilla movements were present in other Latin American countries, such as the Tupak Katari Guerrilla Army in Bolivia, they did not have the anti-indigenous drive of the Marxist-Leninist terrorist group Shining Path, whose crimes against indigenous peoples such as the Andean Quechuas and the Amazonian Asháninkas are considered genocide. The final conclusions of the Truth and Reconciliation Commission published in 2003 describe the period between 1980 and 2000 as the most violent in the history of independent Peru. Repression also came from the State, especially during the regime of Belaúnde, who promoted the 'conquest of Peru by the Peruvians'. During his first term, in 1963, he supported the anti-communist crusade that spread throughout Latin America, led by the CIA and also driven by oil interests with appalling consequences for the Campas indigenous communities of the Eastern Andes (Colby & Dennett, 1995, p. 491). The crimes committed by the military during his second mandate in 1983-4 included a direct strike against the peasant population in which the army again made no distinction between terrorists and peasant and indigenous people. However, even in this difficult situation indigenous people in the central region of Ayacucho participated in 'peasants' patrols' and organised resistance against the Shining Path (Stern, 1998).

The distribution of the Peruvian population

As del Alamo (2005) explains, Lima was the centre of the colonial power and as such, also the place where the apparatus of repression worked at its best to neutralise any sort of resistance. The impact of these policies still remains today, making of

Lima a centralised power immune to many of the difficulties and processes experienced in the rural areas, as happened during the first years of terrorist action by the Shining Path. Lima also received thousands of internal migrants from the rural Andes, but unlike La Paz in Bolivia or Quito in Ecuador it was never an indigenous or peasant city where migrants could find their roots. This fact, together with the vast distances between the Coast and the Andes, and the geographical barriers that separate the wide variety of indigenous groups throughout the country, made it difficult for the movement to organise (del Alamo, 2005, pp. 2-3).

Transnational and national networks

The development of transnational networks is especially relevant when analysing the indigenous movements since the last quarter of the 20th century. These networks include a wide range of organisations including the Church, regional, national, and international environmental organisations, transnational indigenous organisations, conservationist organisations, development NGOs and international agencies, academics, and even celebrities. The armed conflict that took over Peru in the 1980s made the building of these transnational networks very difficult (Yashar, 2007, pp. 17).

However, although the Amazonian indigenous population in Peru accounts for only some 300,000 people divided among 65 different ethnic groups, their political impact cannot be underestimated. Greene (2006) has criticised the way Peruvian and international scholars have constantly ignored the development of the indigenous movement in the Amazon area, contributing to ‘Andeanisation’ of the country, an idealisation of the Inca past (Greene, 2006, pp. 11). The indigenous peoples of the Peruvian Amazon have been the carriers of ‘indigeneity’ for the past decades, but this has not been acknowledged. In fact, the first indigenous organisation in Peru was the Amazonian Congreso Amuesha, created in 1969 with the collaboration of the anthropologist and Peace Corps worker Richard Chase Smith (Greene, 2006, p. 16).

In the early 1970s an Amazonian indigenous movement emerged, based mainly on territorial demands. The movement arose from the local federations of the Asháninka, Shipibo-Konibo and Aguruna-Huambisa ethnic groups, which in 1980 founded the Inter-Ethnic Development Association of the Peruvian Jungle (AIDSESEP). As Greene (2006, p. 15) explains, AIDSESEP, and one of its first and more representative leaders Evaristo Nugkuag, were linked since its origins with the transnational environmental movement. In 1984 COICA (Co-ordinating Body for Indigenous Organisations of the Amazon Basin) was founded in Lima, comprising regional organisations from Ecuador (CONFENIAE), Peru (AIDSESEP), Bolivia, Colombia and Brazil.⁵⁵ The eco-ethnic coalition between environmentalists, conservationists and indigenous groups began in 1990 with the Iquitos Declaration, the outcome of a meeting organised by COICA in that Northern Peruvian city. The evolution of this relationship has not been always smooth, and today some of the biggest conservationist organisations are permanently questioned by indigenous leaders, as those organisations have failed to represent indigenous demands in favour of Western-scientific agendas (Chapin, 2004).

The 1990s also gave birth to a new competing Amazonian organisation, the Confederation of Amazonian Nationalities of Peru (CONAP), which counted on the support of the Research and Public Education Centre of the Amazon (CIPA) and other NGOs. CIPA was created in 1978 by various scholars and advocates of indigenous rights (Greene, 2006, p. 15). CONAP created a division in the Amazonian indigenous movement that still remains today. Rivalries among indigenous leaders are common in indigenous politics and lead to the creation of parallel organisations with similar or totally opposite interests. However, the case of CONAP and AIDSESEP is worth noticing not only because of the competing agendas of their leadership but because of their principles and visions of development. While CONAP adheres to neoliberal extractive policies with direct indigenous participation, AIDSESEP has a clear anti-extractive agenda. CONAP is willing to

⁵⁵ Today COICA also includes Amazonian organisations from Guyana, French Guiana, Surinam and Venezuela. COICA has suffered from corruption during recent years and most of the indigenous movements question its representativeness and are demanding its dissolution.

negotiate and put a price on nature as part of its agenda for the future development and survival of indigenous peoples, but AIDSESEP promotes a moratorium on oil activities in areas inhabited by non-contacted indigenous groups and does not contemplate consortiums with transnational corporations as the only way ahead for the development of indigenous peoples. Nevertheless, both organisations come together and agree on specific issues such as opposition to the Free Trade Agreement with the United States ratified in December 2007. Since then, the Government of Alan García has passed more than thirty laws that would facilitate the expansion of the extractive frontier in the Amazon region and the division of collective property. This has provoked unprecedented strikes and blockades in oil production areas organised by the Amazonian indigenous movement. On 5th June 2009 the government tried to dissolve these blockades using violent repression and caused the death of more than twenty indigenous protesters (Amazonwatch, 2009).

As demonstrated above the Amazonian movement in Peru is alive, organised, and not free of tensions. The development of the movement during the last three decades has set the basis for a wider movement on a national level. As mentioned above, the creation of COPPIP was the first attempt to bring together indigenous peoples from all parts of the country. COPPIP has also gone through difficult times, as at one time there were two COPPIPs, both claiming to be representative. These internal disagreements caused the organisation to split in two, one COPPIP, the other adopting the name CONIAP (Confederation of the Indigenous Nationalities of Peru). COPPIP is supported by AIDSESEP and CONACAMI (The National Confederation of Peruvian Communities Affected by the Mining Industry). CONACAMI mainly represents Andean communities, and its leaders have revived the indigenous identity in this region based on a discourse against extractive industries. CONACAMI influence and representativeness is on the rise; between 13th and 16th May 2008 its founder, Miguel Palacín, organised the Second Peoples' Summit in Lima, together with the global coalition Linking Alternatives as a result of the Fifth Latin American and Caribbean-European Union Summit organised by the Heads of State and Government of these regions. Following the momentum of the Peoples' Summit CONACAMI and six other organisations announced the creation in the near future of

a political party aiming to include various social sectors, such as the coca-growers' movement, and to seek the formation of a plurinational State. The rival national organization CONIAP has already (on May 3rd 2008) founded a new political party, MASA (Amazonian-Andean Socialist Movement), which advocates a confederative State.

The Ecuadorian case: From territorial rights to the creation of a plurinational State

The rise of the indigenous movement in Ecuador has been a struggle for 'visibility'; from the invisibility of indigenous people working in the hacienda to the proletarianisation of indigenous peasants organised in unions, the creation of the first indigenous organisations and political party, and finally the indigenous mobilisations in the 1990s which consolidated the indigenous movements and made them visible and influential on a national scale.⁵⁶

As Porras (2005, pp. 84-91) explains, before 1857 the indigenous population in Ecuador was administered by the State through the payment of the 'tribute'. This measure allowed the government to identify indigenous people in the national census and differentiate them from the white-mestizo population who were exempted from this duty. After 1857 the administration of indigenous people passed to private hands, mainly the haciendas and the Church, and the 'tribute' was eradicated. This also meant that indigenous people disappeared from the laws and regulations promulgated by the State, becoming 'invisible' (Guerrero, as cited by Porras, 2005, p. 86). This situation lasted until the middle of the 20th century, although meanwhile there had been several attempts to 'liberalise the Indian'. For example at the end of

⁵⁶ The hacienda system was a productive structure prevalent in the Andean region of many Latin American countries, based on production for the home market as opposed to the coastal plantation system relying on external demand. The hacienda system was based on complex social, cultural, and ideological relationships influenced by the colonial legacy, Dávalos, 1999. One of its main characteristics was 'el concertaje', defined by Marc Becker as a system of contracted debt, which held Indian labourers (*conciertos*) to a hacienda under threat of prison. 'Conciertos' received access to small plots of land in exchange for their labour, and their children inherited their debts. The Indian labourers were virtually owned by the hacienda owner and would be purchased and sold together with the hacienda. This system was outlawed in 1918, but in essence continued in the 'huasipungo' system, <http://www.yachana.org/indmovs/glossary.php>

the 19th century, the advent of Liberalism eliminated the free services of the Indians to the Church and the hacienda owners, and in 1919 the 'Prison for Debt' was abolished. However these measures were not enough to dissolve the servile working conditions of indigenous peoples and their dependency on the hacienda system established throughout Latin America.

As early as 1920 oil companies started arriving in Ecuador. In that year the State granted a big concession in Amazonia to the Leonard Corporation in return for the company's undertaking to build a road to connect the Amazon with the Andes (Porrás, 2005, p. 90). In 1937 Shell arrived, and in 1964 vast territories in the Oriente were granted to Texaco Gulf, a concession that expanded to cover five million hectares. This concession represented the beginning of an environmental and social catastrophe for the indigenous peoples living in the Amazon, or what has also been called 'the inheritance of Texaco' (Kimerling, 1993; Varea, 1995, pp. 71-88; Oilwatch, 2005b, pp. 119-131). Although the hacienda system was more extensive in the Andean region, the oil companies operating in the Amazon and midlands contracted indigenous people working in the haciendas by paying off their debts. At the same time the State promoted colonisation and the penetration of Catholic and Evangelical missionaries. These three factors were interrelated and all contributed to the 'civilisation of the Indian' in the Amazon region. Colonisation of the Amazon was necessary for various reasons: the constant threat of a Peruvian invasion, the need to expand the agricultural frontier, and national integration. The two agrarian reforms that took place in 1964 and 1973-4 contributed to the elimination of pre-capitalist and abusive working conditions for indigenous peoples but did not achieve a fair redistribution of land (Porrás, 2005, p. 64).

Although localised indigenous protests had been common since the colonial period, indigenous peoples started to influence national politics by forming or joining class-based organisations. For example in 1944 the Ecuadorian Indian Federation was created as part of the Ecuadorian Worker Confederation. Class organisations were the basis of indigenous autonomous organisation during the 1960s. The departure from class ideals was gradual and partly due to the influence of the new indigenous

intellectuals and the promotion of indigenous culture by the Catholic Church (León, as cited by Van Cott, 2005, p. 104). Another important and unintended factor was the special niche created by corporatist regimes for indigenous autonomous organisation, as it was not possible for the State to control all their local federations (Yashar, 1999, p. 3). One of the first indigenous organisations in Latin America was the Shuar Federation of the Ecuadorian Amazon, created in 1964. The federation emerged as a result of the common efforts of various Shuar groups and the support of Salesian missionaries. In the Andean region the first indigenous organisation in Ecuador was ECUARUNARI ('The Awakening of the Ecuadorian Indian'). The Catholic Church supported both organisations, but they would gain independence gradually until their total secularisation.⁵⁷ However, the influence of traditional leftist parties led by mestizos was very significant in the Andean indigenous organisations, and it was not until the mid-1980s that ECUARUNARI decided to become more autonomous with a clear indigenous agenda (Pallares, as cited by Van Cott, 2005, p.106).

Amazonian organisations found it easier to organise around ethnic demands. The remoteness of Amazonian communities, the lower impact of the hacienda system in this region, the bilingual education programmes promoted by missionaries versus the imposition of Spanish in public schools, and their special concept of territory contributed to the 'indianisation' of the movement. The main claim of Amazonian indigenous organisations was for indigenous territory, as the colonisation and extraction of natural resources promoted by both corporatist and neoliberal governments represented a direct threat to their collective subsistence. This constituted a marked difference from the concept of territory practised by Andean communities, where land was a social and economic production unit. It is in this context that in 1980 a regional indigenous federation, CONFENIAE (Confederation of Indigenous Nationalities of the Ecuadorian Amazon), emerged in the Amazon basin. CONFENIAE today agglutinates eight indigenous nationalities in the Ecuadorian Amazon. In 1986 the two regional organisations of the Andes and the

⁵⁷ For more information on the history of Indian organisations in Ecuador refer to Hendricks, 2001; Porras, 2005 and Van Cott, 2005.

Amazon created a national umbrella organisation, CONAIE, which later promoted the creation of an organisation for the coastal region (COICE). Since then, CONAIE has been one of the most prominent indigenous organisations in Latin America.

The mobilisations carried out by CONAIE during the last two decades have set an example of indigenous organising through non-violent actions. Among the most significant mobilisations led by CONAIE and other social sectors was the First National Indigenous Mobilisation for the Land in 1990. Although its main demand was reclaiming territories, the march marked the beginning of a new power relationship between the State and indigenous peoples whose demands could no longer be ignored. It also increased the visibility of the indigenous movement among the majority mestizo population and started the debate about a future plurinational State.⁵⁸ Another landmark was the 1992 Mobilisation: 500 years of Resistance, as a result of the fifth centenary of the discovery of the Americas by Columbus. One of the most relevant marches of that year was the March for Territory and Life, from Amazonia to Quito. As a result, the president Rodrigo Borja extended rights over 1,115,000 hectares to Amazonian indigenous peoples. However, the land title was not collective and the territory was distributed among various indigenous peoples and organisations. As Porras (2005, pp. 263-268) explains, the discourse used during the fifth centenary mobilisations was strategically symbolic, as the Conquista was presented as an act of genocide committed by the European colonists, thereby incurred a historical debt to the indigenous peoples. It also highlighted the continuation of colonial and discriminatory practices by national governments and the dominant white-mestizo society.

In 1997 there was a series of mobilisations, strikes and demonstrations which led to the fall of the president Abdalá Bucaram and the establishment of a Constituent

⁵⁸ The indigenous movement in Ecuador proposes a model of State that includes different nationalities. The nationalities are formed of indigenous peoples which have a common origin, history and language and are governed by their own laws, customs, beliefs and forms of social, political and economic organisation in their territories (CONAIE, <http://www.llacta.org/organiz/coms/com62.htm>). This model proclaims unity in diversity and the right to self-determination within the Ecuadorian State. Ecuador is now a plurinational State as approved in the 2008 Constitution. For more information on this topic refer to Lucas and Cucurella, 2001; Porras, 2005, and Grey and Zamosc, 2006.

Assembly led by the indigenous movement. This was a difficult year for the movement, as Bucaram's administration tried to divide the Andean and Amazonian leaderships, but it also gave birth to a collaborative relationship between the indigenous and some mestizo social movements looking for new spaces of power. In 1996 CONAIE supported the formation of the Movimiento de Unidad Plurinacional Pachakutik-Nuevo País.⁵⁹ It calls itself a 'movement' in order to stress the difference between itself and traditional parties, and it widened the scope of its demands by forming a coalition with other social sectors from rural and urban areas. Pachakutik was mainly created due to pressure from the Amazonian movement, which wanted to take advantage of the political momentum created during the fifth-centenary marches, the decline of the leftist parties, and the changes in electoral law made in 1994 which made it easier for indigenous candidates to be elected. The results for Pachakutik in their first election were a success with 20% and 10% of the vote for the presidency and congress respectively (Van Cott, 2005, pp. 118-121).

The 1998 Constitution was one of the most avant-garde in Latin America at that time and represented significant advances for the indigenous movement, such as the ratification of ILO Convention 169 (subscribed by Ecuador in 1988), the recognition of a pluricultural State and collective rights and the creation of CODENPE. The constitutional project of CONAIE proposed the creation of a plurinational State, but this demand would have to wait until the 2008 Constitution. However, the incursion of CONAIE and the indigenous movement into traditional politics through Pachakutik has been difficult and not free of contradictions. Pachakutik was conceived in terms of leadership and decision-making as a party with marked differences from traditional ones, but in recent years has become a party with the same bureaucratic and organisational structure as traditional parties. CONAIE has always tried to detach itself from Pachakutik in order to maintain its independence and political pressure through mobilisations. In this way the movement could wear two hats, one in Congress through Pachakutik and the other in the streets through CONAIE. Although this alliance has proved successful in achieving some constitutional

⁵⁹ From now onwards I will use Pachakutik to refer to Movimiento de Unidad Plurinacional Pachakutik-Nuevo País (Pachakutik-Nuevo País Plurinational Unity Movement). Nuevo País represented a coalition of social movements and labour leaders, Van Cott, 2005, p. 121.

reforms, it has also caused tensions and distrust within the movement (Van Cott, 2005, pp. 129-129).

CONAIE is the national indigenous organisation with most representation in Ecuador, but there are other minority national organisations, which have traditionally competed with CONAIE. FENOCIN, the Federation of Farmers, Indigenous and Black Organisations, has a class and socialist mandate and is rooted in the agricultural workers' movement. In 1998 FEINE, the Ecuadorian Federation of Indigenous Evangelical Churches, created its own political party called Amauta Jatari. Both FEINE and FENOCIN defend a model of an intercultural State in opposition to the plurinational State backed by CONAIE, as they think this could lead to segregation.⁶⁰ Traditionally these two organisations focused on specific demands and their involvement in politics was limited. However, they have joined forces with CONAIE in critical moments for the indigenous movement, such as the mobilisations against the Free Trade Agreement with the USA in 2006 and the mobilisation in 2001 against the structural adjustment policies imposed by the IMF and the repression carried out under Gustavo Noboa's regime. The 2001 mobilisation was unique because it was led by the grassroots and was the first occasion on which the indigenous movement acted as a united front. It also opened the scope of its demands to other sectors, using the slogan "*Nada solo para los Indios*" ("Nothing only for the Indians") in its negotiations with the executive, which implied that it did not want any agreement that benefited only the Indians (Lucas & Cucurella, 2001, p. 9).

Pachakutik and CONAIE underwent a process of reflection and self-criticism after the mobilisation, as the gap between the Andean and Amazonian leadership was widening and the grassroots felt disconnected from the parent national organisation. This is why they could not agree in selecting a presidential candidate for the 2002

⁶⁰ Data from 1989 indicates that CONAIE represents approximately 75% of the indigenous movement, followed by FEINE (17%) and FENOCIN (12%). Other smaller organisations are FEI, which has a Communist background, and FENACLE which represents the indigenous labour movement (Brysk, 2000, p. 73).

elections, which led eventually to the support of the populist Colonel Lucio Gutiérrez, who had strong support in the Amazon area and had also been involved in the overthrow of the previous president Jamil Mahuad (Van Cott, 2005, pp. 130-131). However, in only a few months Gutiérrez shifted from a populist left orientation to a radical neoliberal agenda, which favoured penetration by foreign companies. The alliance with Gutiérrez almost disarticulated the most influential indigenous movement in Latin America, a calamity from which the Ecuadorian movement is still recovering. Gutiérrez not only used violence as a weapon against the movement and its leaders but also tried to dismantle it by promoting division, bribing leaders and misusing international funds. The crisis almost destroyed CONFENIAE and COICA, leaving CONAIE and Pachakutik in one of the most critical situations since their creation. This division was also exacerbated by the intromission of the oil interests. As one of CONAIE's leaders explains when questioned about the Gutiérrez administration (Julio Aparicio, interview, 15th January 2007):⁶¹

There are some leaders of indigenous organisations who have had relations with Lucio Gutiérrez' government and with the oil enterprises; we do not recognise those leaders as legitimate [...] When the split happened, one group of leaders was in favour of extractive activities and others were against, so there were two fronts,... Gutiérrez's regime took advantage of this situation, giving money without control and allowing the oil industry easy access. At that time the government allowed the formation of indigenous oil enterprises

⁶¹ The names of all the research participants quoted in this thesis have been kept anonymous, the names assigned to them by the author being fictitious and not necessarily indicative of gender. Real names have occasionally been used when quoting public persons who have made the same declaration publicly and have given their consent to be quoted. The original language of all the fieldwork documentation (official statistics, press releases, articles, emails and other secondary data) is Spanish. The majority of the research participants' quotes are in Spanish and a few in the indigenous languages of the three case studies; Kichwa, Cofán and Shipibo. The quotes in indigenous languages have been translated to Spanish by various research participants. The translations from Spanish to English are Martin Allen's or my own.

[...]; it said to the leaders ‘There’s money here; we’ll finance the enterprises and provide you with everything that’s needed’. Since then the people have thought the only option is to form enterprises. That rift, of some in favour of the industry and others against, is not yet healed. Some leaders who were in CONFENIAE at that time ... quarrelled about the money, which weakened CONFENIAE ... so we in CONAIE wanted to unite the movement, to sit down, converse, analyse, criticise and see what temptations we are falling into. As an indigenous movement we intended to sit and discuss, but since 2005 we have not succeeded. But today the Indigenous Nations and Peoples have said we have to sit down and talk, because the Amazonian movement is weak, and we have to be prepared for the Constituent Assembly.

In February 2007 the Amazonian movement managed to appoint a new leadership which opposed extractive activities; Marlon Santi, a very respected Amazonian leader known for his long struggle against oil exploration in the Sarayaku community, was eventually elected as the new president of CONAIE. During the 2006 presidential election Pachakutik’s results plummeted to a historic minimum of less than 3% in the first round. Pachakutik and CONAIE therefore decided to support the campaign of the leftist Rafael Correa in the second round in order to prevent the banana empire owner and richest man in Ecuador, Alvaro Noboa, from gaining power. Correa won the elections after many years of conservative rule and since then his administration has called for a Constituent Assembly which has resulted in the design of a new Constitution. The Assembly has been a great opportunity for the indigenous movement to come together and present its demands. The text was approved in a referendum held in September 2008. Although the indigenous movement considers that many of its demands are not incorporated in this new text, CONAIE decided in consensus to support the referendum with a “critical yes”, as it still considers that the text is progressive and that there are some improvements from the 1998 Constitution. Some of the advances of the new Constitution are the recognition of Ecuador as a plurinational State (following the example of Bolivia), the officialisation of the Shuar and Kichwa

languages, and the pioneer incorporation of the indigenous principle of *Sumak Kawsay* ('good living or life in harmony').⁶² One of the most interesting advances from an environmental point of view is the recognition of 'Nature' as a subject of rights. However, it remains to be seen how some of these philosophical concepts will be socialised and applied within white-mestizo society. There are also some unresolved issues, such as the right of indigenous communities to say 'no' to future developments in their territory. In this regard CONAIE (Servindi, 2008) stated in a press release:

CONAIE, together with its member organisations, will remain vigilant and will reject any proposal relating to minerals, oil or extraction of natural resources which has not been subject to due consultation by the regime.

Since December 2008 CONAIE and other social sectors have been organising mobilisations and lobbying the Congress to stop the new Mining Law, finally approved on the 20th January 2009, which they consider unconstitutional.

In this chapter I have tried to show how the development of the oil industry, especially in the Latin American context, is linked to the colonisation of the Amazon region and has generated a variety of social conflicts that have ultimately affected the survival of indigenous peoples. I describe how Ecuador and Peru engaged in an armed conflict for the possession of an area rich in oil resources situated in indigenous territory on both sides of the border. This conflict has also influenced the conception of survival among indigenous groups and its relation with resource exploitation. Additionally, the development and the impacts of the oil industry have been significantly different in the two countries, as has been the representativeness and power of their respective indigenous movements, and this may influence how

⁶² *Sumak Kawsai*, 'life in harmony' or 'good living', is one of the principles used by the Kichwa people of Ecuador to define their own vision of development and philosophy of life.

indigenous people face the threats to their survival posed by the industry. In the next chapter I zoom on the fieldwork locations, giving a detailed account of the three communities selected as case studies and their relationship with the industry over the years. I also explain the methodological approach followed during the fieldwork, which focuses on building a common ground between the research participants and the researcher that allows them to develop participatory and emancipatory methods based in the knowledge of both.

Chapter 3. Building Bridges with Amazonian Oil-Affected Communities: Participatory and Emancipatory Methodologies.

The Amazonian oil conflict and the various actors involved in the oil politics of the region represent a challenging environment for the social researcher and also a unique opportunity to create new avenues where western and indigenous knowledge can coexist. The first section of this chapter gives an overview of the cultural and historical background of the three case studies selected for the research, which are all examples of Amazonian communities that have coexisted with the oil industry for at least three decades. The second section focuses on the fieldwork experiences and methodology. I explain the methodological framework, which is based on critical and non-oppressive approaches and which guided the design of the methodology and informed the ethics. I also describe the ‘Building Bridges’ methodology, designed together with the indigenous communities, the methods used to collect the data and the analysis strategy.

Section I: Case studies of resistance and survival

The three indigenous groups selected for this study are located in the Amazon region, the Sarayaku People and the Cofán People in Ecuador and the Shipibo-Konibo People in Peru.⁶³ As explained before, the oil industry has historically developed in the Amazon rainforest while the mining industry operated mainly in the Andes and what is called the ‘Eyebrow of the jungle’.⁶⁴ Amazonian groups have a relationship with their territory that differs significantly from Andean groups. Although both groups conceive the *Pachamama* as the central pillar of their subsistence and beliefs, the Andean groups use their territory as production units, they own less territory than the Amazonian, their communities are densely populated, and the market economy

⁶³ The people from the community of Sarayaku belong to the Kichwa nationality or ethnic group. However, I shall refer to them as The Sarayaku as this is the term used among the members of the community and it is also widely used in external circles. The word Sarayaku, when used as a noun without the definite article, refers to the place of that name.

⁶⁴ ‘Eyebrow of the jungle’ is the name used to describe the eastern slope of the Andes, which is characterised by a high level of biodiversity.

and the socio-political life of the white-mestizo society have penetrated their communities to a higher degree. The Amazonian indigenous peoples are often scattered in vast areas of territory that allow them, in some cases, to maintain their traditional subsistence activities and foster their relationship with nature. Their geographical isolation has also limited the impact of assimilation policies and market exchange with white-mestizo society (Grey & Zamosc, 2006, p. 13).

As Van Cott (2005, p. 107) explains, the Andean groups' territorial demands are based on regaining the land they lost to the hacienda owners, while the Amazonian groups have to defend the territory they already inhabit from both the extractive industries and colonists, including landless highland indigenous people who were encouraged to resettle in the Amazon by state redistribution policies. The different concepts of territory and 'indigeness' practised by the highland and lowland groups have also affected their activism, organisations, and transnational relations, as explained before in the case of the indigenous movement in Ecuador and Peru. Coastal organisations and movements are often the weakest, since the indigenous population in this area was severely reduced during the conquest, with exceptions such as the Kuna in Panama or the Miskitos in Nicaragua (Brysk, 2000, p. 58).

The Shipibo-Konibo People

The Shipibo-Konibo people are the result of a fusion of three original indigenous groups: the Shipibo, the Konibo and the Shetebo. These three groups came together for the first time at the end of the eighteenth century to join the rebellion headed by the Shetebo leader Rucanto against Spanish colonisation and the missionaries (Tournon, 2002, pp. 1-63). As Tournon (2002, p. 138) explains, during the 20th century many of these groups disappeared due to invasion of their territories, over-exploitation and extermination, leading to the ethnocide and in some cases, as happened during the rubber boom, genocide of these groups. As some ethnic groups gradually disappeared, the survivors were assimilated into bigger groups resulting in

the ‘ethno-genesis’ of a new group, as has been the case of the Shipibo-Konibo people.

Protestant fundamentalism

It is outside the scope of this study to describe the impact of the Roman Catholic Church in the Colonial period (16th-19th centuries), and the deaths that it caused. Closer to our own time, however, has been the influence of other churches such as the Adventists and Evangelicals. Of particular importance was the presence of the Summer Institute of Linguistics (SIL), the scientific arm of the fundamentalist protestant group Wycliffe Bible Translators (WBT).⁶⁵ Many of the Shipibo-Konibo communities were organised in the 1960s around the schools created by the SIL missionaries. These contributed to the transmission of Shipibo as a written language and the development of bilingual education, but they opposed traditional practices such as drinking *masato* and *ayahuasca*.⁶⁶ Although the SIL became a very effective colonisation agent, the indigenous people recovered many of their traditions once the missionaries had left (Tournon, 2002, p. 126). The SIL gained ground in Latin America by presenting itself as a linguistic organisation interested in the research of indigenous languages and the promotion of bilingual education, becoming very attractive for national governments willing to implement colonisation strategies in the Amazon. Peru was one of the first countries where the SIL started its evangelist mission disguised as scientific research, and from there they expanded to other Latin American countries and other parts of the world. SIL teachings reached more than a third of the whole Amazonian indigenous population in Peru (Stoll, 1983, p. 158).

Besides its missionary work in indigenous communities, the SIL has been accused of having connections with the CIA and being funded by the American Right. The leftist group NACLA showed how the WBT received funds from the Californian

⁶⁵ Refer to footnote 20 in p. 33 and see also p. 37 of this thesis.

⁶⁶ *Masato* is a traditional drink based on fermented yucca plant and *ayahuasca* is a hallucinogenic plant used to provoke visions that help indigenous people to have a better understanding of the world and their daily lives.

Right and was funded by USAID (United States Agency for International Development) for its operations in Peru, Vietnam and Nepal, becoming the biggest missionary agency in the world. The expensive infrastructure used by the missionaries raised suspicion. For example, they established a central base in Yarinacocha (close to Pucallpa, see Map 2 in Annex 4) equipped with aircraft including seaplanes and a net of radio transmitters that connected the SIL base with all the scattered communities in the Peruvian jungle but was totally independent of the national system (d'Ans, as cited by Tournon 2002, p. 124). In a well-researched book, Colby & Dennet (1995) explore the relationships between SIL, CIA and the oil industry. Figure 2 (see p. 101) illustrates the major donors of SIL and WBT including the Jungle Aviation and Radio Service (JAARS). The authors also describe how in 1965 JAARS was used by the CIA and the Peruvian armed forces in their war against MIR (Revolutionary Left Movement) and communist insurgency, as they suspected Che Guevara could be organising a guerrilla campaign in the Peruvian Amazon. The Peruvian army, the CIA, and the Green Berets (United States special forces) used maps made by SIL missionaries but failed to make any distinction between the guerrilla soldiers and the indigenous people, resulting in the killing of hundreds of the latter (Colby and Dennet, 1995, pp. 489-494).

SIL helped the expansion of the oil industry both directly and indirectly. Not only was part of SIL's infrastructure funded by the oil industry, but also its airstrips and planes were used by the industry to penetrate the Amazon. SIL missionaries saw the oil boom as inevitable and introduced indigenous peoples to the goods of the market economy and private property. In 1976 SIL was almost expelled from the country, but it was not until the strengthening of the indigenous movement in the 1980s that it gradually withdrew from its jungle schools, although it still maintains a presence in the country (Stoll, 1983, pp. 149-158).

Figure 2. Main donors to SIL & WBT



Sources: WBT/SIL Records, Foundation Centre reports, and U.S. government records. Adapted from Colby and Dennet 1995, p. 488.

- ➡ Specific contribution to WBT, SIL, or JAARS
- ⇒ Funding relationship, governmental auspices, and departmental sponsorship

Characteristics of the area and the Shipibo-Konibo people of the Ucayali

The estimated population of the Shipibo-Konibo ranges between 20,000 and 40,000 depending on the source. Their communities are mainly located on the bank of the Ucayali River (see Maps 1, 2, 3 in Annex 4), across an area of 700km, and they share this territory with other ethnic groups and populations.⁶⁷ This has historically been a much travelled area, as the Ucayali River is the main channel of communication between the Northern city of Iquitos and the Southern city of Pucallpa. The area also became one of the main coca routes and a guerrilla base in the 1960s. The Shipibo-Konibo have been approached by various guerrilla groups such as the MIR (1960s), MRTA and Shining Path (1980s); however, they have managed to distance themselves from these groups and from the army, being one of the only riverside groups that have managed to survive, and its population is on the rise.

The community of Canaán de Cachiyacu, which is one of the research case studies, is located on the right bank of the lower Ucayali River, close to the town of Contamana (Map 2), capital of the Ucayali province in the Loreto region.⁶⁸ Contamana means in the Shipibo language ‘Hill of Palm Trees’. It has a population of approximately 17,000 inhabitants and 40.5% of the population is rural. The community of Canaán was titled in 1975 and has a territory of 1,155 hectares. It has a population of 630 inhabitants, all of them Shipibo, and recently twenty Spanish-speaking families have settled in the community causing tensions with the Shipibo-Konibo population. The people of Canaán can reach Contamana by canoe or ‘peque-peque’ in approximately 20 minutes.⁶⁹ Shipibo women commute to Contamana to sell their craftwork and sometimes do not return to the community until they have made enough money to pay their return passage. Men also travel to Contamana on a regular basis for

⁶⁷ Maps 1, 2, 3 show the area occupied by oil blocks 118, 119, and 120 encircled within a pink line. I obtained these maps from Perupetro. In Maps 2 and 3 I have marked Contamana with a red circle and Pucallpa with a red rectangle. In Map 1 I have marked with a yellow circle the Maquía oilfield (block 31-B), located close to the community of Canaan.

⁶⁸ From now onwards I refer to Canaan de Cahiyacu as ‘Canaan’.

⁶⁹ A ‘peque-peque’ is a motorised canoe that can carry up to 30 people. The name ‘peque-peque’ imitates the noise of the engine as the canoe navigates.

temporary jobs, acquiring goods, attending events, etc. The city of Pucallpa is 19 hours away by boat or half an hour by air.

The community still maintains some of its traditional subsistence practices, but the proximity to Contamana and the contamination produced by the presence of the oil industry has made the community dependent on external products for its subsistence. The community claims that fish and game have decreased and that certain crops such as yucca, banana and corn dry because of the presence of the industry. This situation has indirectly made them more dependent on the oil industry, as men look for short-term cash rewards in the oilfields in order to get products from the external market. The families have put a great effort in maintaining the Shipibo language, which is the first language and Spanish the second. However, other cultural patterns such as the practice of Shamanism or the use of traditional costume are practised only by some elders. The evangelical church also has a strong presence in the community.

Canaán is a member of the local indigenous federation FECONBU that at the same time is part of the regional organisation ORAU and the national AIDSESEP. In the previous socio-political system, a traditional authority called Kuraca represented the Shipibo-Konibo communities, but since the introduction of the Native Communities Law in 1974 they adopted the national model of representation. Therefore, within a community we can find figures such as president of the community, lieutenant governor, health promoter, municipal agents and others. Nevertheless, the founders of the communities and elders still have a strong influence in the community and traditional institutions such as *tsinqulti* or 'assembly', in which all the decisions are accorded in consensus, are still in place (Tournon, 2002, pp. 166-167).

Relations with the oil industry

The first commercial oil development in Peru took place in Shipibo territory. The discovery of the first reservoir was in 1929, close to the estuary of the river Pachitea, which caused the displacement of the Shipibo people living in the area, but it was not

operational until 1938. In 1945 the Peruvian company El Asiento, which was formed with Peruvian and German capital, was awarded a concession called Maquía close to Contamana (OIT, 1997). This concession covers part of what is today the Shipibo-Konibo community of Canaán but it was not commercially viable until 1958, when Petroperu started to exploit the oilfield. In 1993 the Ireland-registered company Maple Energy Plc was awarded the block 31-B, which is formed by 31 wells operating in the Maquía field and producing approximately 357 bbl/d. The company expects to drill 17 new development wells in 2008/9 (Maple, n.d). Nine of the existing wells are located in the community of Canaán and connected to the Maquía field through tracks and streamlines. In 2007 Perupetro awarded the American company Amerada Hess the concessions of Blocks 118, 119, and 120 (Maps 1, 2, 3), and started a round of consultations with the indigenous communities once the licence contract was signed. The EIA was carried out by the consultancy firm Walsh. Two of these blocks overlap with the buffer zone of the national park Cordillera Azul. These blocks are very close to the community of Canaán and some of its representatives, who have experience of dealing with the oil industry, participated in the rounds of consultation.

In July 2005 a conflict started between the community of Canaán and the Maple company. The community claimed that it was receiving no direct benefits from the one million dollars that the company pays in royalties to Perupetro (IWGIA, 2006, p. 177-178). The community representatives reported that they had made several attempts to start a dialogue with the company and to obtain compensation for the use of their territory, but with little success. In January 2005 a representative of the company and the PR officer had agreed to support the community, but in April the community had not received any kind of support and the company refused to sign an agreement. The community felt that the company was indifferent to its demands, and on July 8th 2005 eighty Shipibo people from Canaán, including elders, women and children, peacefully occupied and stopped the production of the nine wells located in their territory (ORAU, 2005, p .3). A tripartite agreement was reached between the representatives of the State, Maple, and the community, which included a study of the delimitation of Canaán's and Maple's areas, and an independent water analysis

paid for by the company. However, the negotiations did not proceed as the community expected, and they decided to occupy the wells for the second time on July 18th. This time 600 people took part in the occupation, including members of the neighbouring community of Sucre. Finally, on July 25th, a meeting with high representatives of the State, indigenous organisations, and the company took place in Contamana where all the complaints of the community were recorded and specific actions, dates and responsibilities agreed.

The community expressed its view that the presence of Maple in its territory causes major social, economic and environmental impacts. As described in the report of the NGO Earthrights, the community has reported an increase in rare illnesses and deaths during the last four years and associates these with oil contamination. Skin rashes, headaches and abdominal pain affect more than 50% of the population (Weemaels, 2005, p. 11). Although there is no in-depth study regarding the relation between these deaths and the oil activity, similar problems have been reported, studied, and documented in other oil-affected areas (San Sebastián, 2004a,b). The community claims that the river Cachiyacu is contaminated and that the fish taste and smell of hydrocarbons. In the account of her field visit Weemaels reports a strong odour of hydrocarbons and chemicals in areas close to the production wells as well as visible signs of contamination in the river, which I can also confirm. She also reports unsafe well installations that can easily be overloaded during the rainy season (Weemaels, 2005, pp. 7-9).

The activities of the company also affect the food sovereignty of the community directly and indirectly, since for security reasons the families cannot have crop fields close to wells without the permission of the company. Also, fish and game have been severely reduced and this has perpetuated dependency on the market economy and external products. The community also recognises that these problems are not new, as it has been suffering these impacts since the Petroperu period. However, it stresses that the relations with Maple Gas are far worse than with Petroperu, accusing the former of being disrespectful of the community members and some workers of being with Shipibo women. Finally the community claims that they have never been

consulted about any operations or new developments taking place in their territory, a right that is granted under ILO Convention 169. The company, however, denies accusations of disrespectful treatment and claims that its operations have brought a major improvement from the days of Petroperu, it being the only company in the country that re-injects 100% of the production waters (Jaime Aguilar, interview, 26th October 2006).⁷⁰ It has to be said that the company has adopted this practice recently and that in 2004 the state supervision body for investment in energy, OSINERG, reported faults in the management of production waters (ORAU, 2005, p. 11). Maple's general manager stated that a study made by Loreto Regional Health Department showed no signs of environmental or health contamination in Canaán de Cachiyacu and that Canaán's land was valued by the National Appraisal Commission at \$17,907, while the Shipibo communities were demanding \$20 million.

The community of Canaán and its advisers from the NGO Racimos de Ungurahui have demanded an independent environmental and health study, in which the community can participate in the selection of the sample areas and the health of the community members can be assessed and monitored. In August 2006 the community carried out a new direct action after a year of unfruitful negotiations and lack of compensation. Although there are irreconcilable differences in the way the indigenous community and the company and/or the State may value nature, eventually a compensation agreement was reached. According to the last Environmental and Social Review report prepared by the IFC World Bank Group in June 2007, the Maple company has now developed a consultation plan for the community that it wants to extend into an Indigenous Peoples Consultation and Disclosure Plan, which will include a process to achieve free, prior and informed consultation concerning any further developments and will also include a culturally

⁷⁰ Production water, or formation water, is a kind of sedimentary water, the product of 150 million years of natural process and having very high levels of chlorides and heavy metals. It has concentrations of up to 100,000 ppm (milligrammes of solids per litre of water). This excess of salts increases the solubility of other elements, which include the radioactive element radium. Moreover this water reaches a temperature of 80°C. These waters also contain particles of soluble hydrocarbons and the chemicals which are used to separate them from the petroleum and to protect the installations, such as anti-emulsifiers, anti-paraffins, biocides and others, Oilwatch, 2007, p. 24-25.

appropriate grievance mechanism (IFC, 2007). In the meantime the community will remain vigilant.

The Cofán People

The A'i People or Cofán are an indigenous group of approximately 2000 people that live in the border region between Ecuador and Colombia demarcated by San Miguel River. Their ancestral territory is located in the tropical forest near the major rivers that flow from the Andes to the Amazon basin. The Cofán People in Ecuador are organised in ten communities represented by the Federation for the Indigenous Cofán Nation in Ecuador (FEINCE). The communities are situated in the Province of Sucumbíos, in the upper valleys of the rivers Aguarico and Sinangüé and on the border with Colombia (see Map 4).⁷¹ About 1000 Cofán live in Colombia, most of them in eleven communities in the municipalities of San Miguel, Valle del Guamuéz and Orito, in the department of Putumayo (see Map 5).⁷² Some of these communities are located within two nature reserves: Cayambe-Coca and Cuyabeno.

It is believed that the name Cofán was given to them by the Catholic missionaries, meaning 'people who live close to the Cofa River' (Cofa nae'su), (Fundación Jatun Sacha, 2005, p. 10). However, they call themselves A'i meaning 'the people', and their language is the A'ingae.⁷³ The A'i cosmovision describes three gods: Chiga the Creator, and Cosesu Chiga and Coeje Chiga who represent the moon and the sun respectively. It is believed that Chiga created women from the man's rib, a clear reminiscence of Christian influence (FEINCE, 2002). The first missionary to make contact with the Cofán people was the Jesuit Rafael Ferrer in 1599, but he was killed in 1611 by the Cofán people after several attempts to establish a permanent mission

⁷¹ Map 4 has been prepared by Acción Ecológica, 2006a, and shows the marginal oilfield operated by Petroecuador encircled within a pink line. I have marked the community of Dureno with a red circle. The "eye" symbol represents actions of resistance against the oil industry in the area.

⁷² Map 5 shows the area where the Cofán communities are located in Colombia.

⁷³ From now onwards I will use the term A'i and Cofán indiscriminately, as both terms are widely used in the communities with no pejorative meaning attached to either.

in A'i territory. During the 17th and 18th centuries various missions came to the area, the Franciscans establishing themselves in Colombia and the Jesuits in Ecuador, although they encountered many social and geographical difficulties to work in this area and many missions failed. The missionaries introduced clothing, one-family households, monogamy, typical Spanish institutions and authorities, and commercial exchange with the Andes (Fundación Antisana, 2001).

Collection of quinine began in 1874, followed in 1900 by the rubber boom, which accelerated the colonisation of the area and instituted among indigenous communities the 'patron system' based on a work for debt relationship (Fundación Jatun Sacha, 2005, p. 10). Contact with white-mestizo society proved disastrous for the Cofán, as alien diseases such as smallpox, measles and polio decreased their population to a few hundred from an original population estimated at between 15,000 and 50,000. In 1890 the Catalan Capuchins arrived and contributed to the colonisation strategy by opening new roads, founding villages and creating boarding schools, which indigenous boys were obliged to attend. The schools isolated the boys from their traditional culture, instead force-feeding them with the imposed religion. These developments created the perfect ground for the arrival of the oil industry in 1950, and A'i territory became the major oil exploration area of the country (Fundación Antisana, 2001). However, after the Vatican Council of 1962-5 the Catholic Church became more conscious of the peculiarities of religion in Latin America, especially within indigenous cultures, giving birth to a strong liberation theology movement. In the 1990s, liberation theology had evolved into indigenous theology, which values and analyses not only the socio-economic situation of the indigenous communities but the cultural factors and their right to self-determination (Cleary and Steigenga, 2004, pp. 9-11).

As happened with the Shipibo in Peru, the evangelical fundamentalism of the SIL also reached the Cofán area in the mid 1950s. Until then, the Cofán people had maintained a limited contact with the white-mestizo population. As in other countries, the SIL built airstrips later used by the oil companies, created bilingual schools in coordination with the State, and generally promoted colonisation. The SIL

was expelled from Ecuador in 1982 accused of dividing indigenous communities, undermining their culture, and opening the way to the oil companies in the Oriente region (Descola, 1999, p. 46). The Green Berets used SIL bases in Ecuador for its counterinsurgency operations. A missionary couple, the Bormans, lived with the Cofán for thirty years, translated the New Testament into the A'í language and also compiled a Cofán alphabet (Edufuturo, 2006). Today their son Randy Borman still lives there with his Cofán wife running the Sobrevivencia Cofán Foundation, which is partly funded by USAID, as part of a wider conservation and ecotourism programme in the Cuyabeno Animal Reserve. Randy Borman has been chief of the Cofán community of Zábalo and also president of FEINCE. He is still in the leadership of FEINCE managing the territory commission, and his role and influence in the Cofán communities is controversial (Ernesto Flores, interview, 14th January 2007). Some missionaries had little understanding of SIL's wider connections with the oil industry and the American Right. In his historical account of the Cofán people Borman presents his parents and himself as advocates of the Cofán against the oil industry, and describe this missionary period as a "Golden Age" for the Cofán communities (Fundación Sobrevivencia Cofán, 2008).

The Cofán of the Aguarico River

The community of Dureno is located in the province of Sucumbíos, Cantón Lago Agrio, parish council of Dureno, on the road to Tarapoa, Km 23, on the right bank of the Aguarico River (Map 4). The community has a population of approximately 450 and is organised in four centres of population: Bavoroé, Dureno, Pisurie Can'qqe and Totoa Nain'qui. The community has a territory of 9,469.59 hectares and was titled in 1973 (Fundación Jatun Sacha, 2005, p.5). The nearest town is Lago Agrio, 25 km away from Dureno, its name a translation of Sour Lake, the town in Texas where Texaco had its original headquarters. The Cofán of Dureno can easily reach the town by bus, although they first need to cross the Aguarico River by canoe.

The A'í traditional diet, as in many other Amazonian groups, was based on the game and fishing provided by the forest and the river, and the gathering of fruits and plants. They also cultivate yucca and banana among other crops, which constitute the basis of their diet (Fundación Antisana, 2001). However, the Cofán diet is rapidly changing to carbohydrates such as pasta, rice and biscuits. The advance of a totally unregulated oil industry into Cofán territory and the colonisation of the area happened at the same time, leaving the Cofán people with a small and contaminated fraction of their original territory. This has drastically affected their subsistence and food sovereignty. The community reckons that in order to be subsistent again they need a territory of 100,000 hectares and clean rivers (OINCE, 1998, p. 21). The main economic activities of the Cofán communities are the selling of cattle and craftwork. Many of the young people look for temporary jobs in the town or in the nature reserves. Dureno also has an agreement with a company which exploits stone in a small area and which makes monthly payments to the communities. The environmental and social impacts of the oil industry in the Cofán communities and in the Oriente in general are only comparable to the situation in some areas of the Niger Delta. For more than thirty years, first with Texaco and then with the national company Petroecuador, leaks, open flares and toxic production waters have constantly contaminated the forest and the rivers (Kimerling, 1993).

The social impacts have been even greater; the presence of oil workers and military personnel has led to an increase in alcoholism and the prostitution of young Cofán girls. These impacts are even more intense on the Colombian side of the border where militarisation of the area and the US-sponsored 'war on drugs' through Plan Colombia, and the activity of paramilitary and guerrilla forces, have made it difficult for indigenous people to survive (Tenthoff, 2007, p. 1). For example, the guerrilla force FARC (Revolutionary Armed Forces of Colombia) controls an illegal oilwell in Cofán territory, and the Plan Colombia policy of indiscriminate spraying of the defoliant glyphosate over the land has also affected the health of the Cofán people (Riana Rojas, interview, 15th January 2007). In both countries, there is a lack of access to financial resources and health care together with a lack of culturally appropriate post-primary educational opportunities, jobs and training. Despite all

these challenges and injustices, the Cofán people are determined to retain their identity, culture and language and are striving for self-reliance in both Ecuador and Colombia.

Since 2004 a youth organisation called AJONCE has existed in the community of Dureno with the purpose of strengthening the Cofán culture and bringing together the Cofán on both sides of the border so that they can learn from each other. AJONCE coordinates and liaises with the main Cofán organisation, FEINCE, and the national indigenous organisation CONAIE. The Cofán in Ecuador have maintained their traditional language over the years, while the new generation of the Colombian Cofán has almost lost it. The organisational capacity of the Cofán in Ecuador is also more developed than the Colombian one. These differences are partly due to the difficulty of developing organisations in Colombia under the current situation of political violence. However, the Cofán in Colombia have a stronger culture of Shamanism than their Ecuadorian brothers. Shamanism is a central element of the Cofán culture, and AJONCE members are very interested in learning the Shamanic teaching from Colombian Cofán and to recover this part of their culture, which is almost disappearing.

The oil industry in Oriente: The final conquest of the Amazon

During the 1960s the Texaco-Gulf consortium incessantly looked for oil in a concession of more than five million hectares of the Ecuadorian rainforest, although the maximum size of concession allowed by law was only 250,000 hectares (Almeida, 2000). Its success came in 1967 with a major discovery in the area of Lago Agrio. Texaco operated in the Ecuadorian Amazon from 1964 until 1992, during which time the company developed 339 oilwells and produced 1,434,000 million barrels of oil, directly and indirectly affecting an area of approximately 2.5 million hectares. Texaco strictly followed the principles of oil expansion at this time: minimum cost and maximum profits. Twenty thousand million gallons of production

waters and 16.8 thousand gallons of crude oil were spilt in the rivers, 235 thousand cubic feet of gas were burnt in open flares, and six hundred pools of untreated toxic waste were left abandoned. This operational policy allowed Texaco to save three dollars per barrel produced (Yanza, 2004, p. 37). The SOTE pipeline built by Texaco in the 1970s had thirty big registered spills by 1992, which meant a loss of 16.8 million gallons of petroleum, more than the 10.8 million gallons spilt by the Exxon Valdez in the Prince William Channel of Alaska. At that time the company did not have the necessary technology in Ecuador to clean or prevent the spills (Kimerling, 1993, p. 50). The Cofán People have been the indigenous group most affected by the oil industry in Ecuador. The community is surrounded by three rivers, Aguarico, Pisurie and Aguas Blancas, which receive oil waste discharges from several oil fields and stations in the area. The Dureno 1 oilwell was drilled in 1969 and 250,000 barrels of oil were found. This well and a small oil separation station are located only a hundred metres from the Pisurie River, one of the main sources of water of the community of Dureno, and one kilometre away from the school and houses. The Cofán estimate that the seismic operation caused the deforestation of ten hectares and that the drilling activities discharged 800,000 barrels of production waters. The well was refitted twelve times, causing another 3,000 barrels of waste. In 1998 the loss of aquatic species was 83%, and the game loss amounted to 40.85%. The economic investment of Texaco in the Dureno 1 well has been of approximately 16 million dollars with profits of 35 million dollars. The hidden cost of this operation was the waste management, which was never covered (OINCE, 1998, p. 20-30).

The relationship of the Cofán people with Texaco and later with Petroecuador and other foreign and national companies has always been confrontational. In 1987 Texaco built three kilometres of road in Cofán territory with the aim of opening a new well in Dureno. The company did not consult the community about this development and encountered fierce resistance from the community members. After long negotiations the company had to withdraw, and as a preventive measure some Cofán families settled in the conflict area, forming what is today Pisorie Can'qqe, one of Dureno's centres of population (Almeida, 2003, p. 2). There are several documented struggles of the Cofán communities of Dureno, Závalo, and Duvuno

against the seismic and exploration activities of national and foreign oil companies. However, the most emblematic case was the close of the Dureno 1 Well in 1998 (Almeida, 2003, pp. 1-8). The history of this well is tragic for the Cofán. The shaman and founder of the community, Guillermo Quemaná, died in 1964 in unclear circumstances and it is believed by the Cofán that Texaco's oil workers were involved in his death. In 1998 the Dureno 1 well was becoming marginal and needed expensive investment to keep operational. The Cofán people, with the support of environmentalist and other social sectors such as the Catholic Church, decided to occupy and close the production of the well. This decision was taken in the community assembly, which is the main decision-making body. The Cofán tell that the shamans played a very important role in the closing of the well, as the military feared their power (Martínez & Rome, 2006; Ernesto Flores, interview, 14th January 2007). Among the demands expressed by the Cofán as a result of this direct action were the total closure of oil activities in this area, the cleaning and restoration of the affected rivers, the extension of their traditional territories, the acquisition of property rights for all the Cofán communities, and a socio-economic compensation programme (OINCE, 1998, pp. 34-36). In October 2008 the Cofán commemorated the closing of the Dureno 1 well, in the presence of its national authorities. Only recently, after long negotiations and political pressure, has Petroecuador started to restore part of this area. The Cofán are still struggling to expand their territory and get legal property titles, but in 2008 they gained legal title of 30,700 hectares in the area of the river Cofanes (ICAA, 2008).

However, the actions of the Cofán have gone further. In November 1993 a legal action was initiated against Texaco in New York State. The case of Aguinda (Cofán leader) v Texaco is a 'Class Action' demand that includes 30,000 indigenous people and settlers as plaintiffs demanding \$16,300m from the company for damage to the environment and health. Among the indigenous peoples affected by Texaco are the Cofán, Kichwas, Siona, Secoya, and Huaorani. During the next years Texaco tried to negotiate its way out of the trial with the Ecuadorian government, and in 1995 they reached an agreement whereby the company was committed to spend \$15m. The company cleaned up 139 oil pools and made donations to the municipalities and two

indigenous organisations. In return the government of Jamil Mahuad, without taking the Constitution into account, freed the company of any responsibility. This was a time of extreme political instability in Ecuador, which had five different presidents during the nine years that the case was in the United States. In 2002 the case was transferred to the Ecuadorian court of Nueva Loja in Sucumbios after various appeals in New York Federal Court. This case has been called the ‘case of the century’ as it is one of the only examples of a big corporation obliged to be trialled in the host country of its operations (Yanza, 2004, pp. 38-43). The affected indigenous people and settlers are organised as the Amazon Defence Front, and are very confident about the case against Texaco, expecting a judgment by the end of 2009. Recently Chevron, which bought Texaco in 2001, has opened the door to negotiations with the government showing a change of attitude, as until now the company has rejected any responsibilities (EFE, 19 August 2008).

The Kichwas of Pastaza: The Sarayaku or Cenit People

Historical background

The origin of the Kichwa language spoken in the Ecuadorian Amazon is not clear, but before the Catholic missions there was two main linguistic groups in the area, the Achuar-Kichwa and the Záparo-Kichwa. As in the case of the Shipibo-Konibo people, the Kichwa people are the result of an ethno-genesis process that expanded during the missionary period. The missions disseminated the Kichwa language as a tool for conquest or ethnic reductionism. The main groups were classified according to the colonial administration, resulting in the Quijos Kichwa – currently Napo-runas – and the Canelos Kichwa of Pastaza (Fontaine, 2001, p. 2). The Kichwa identify themselves as ‘Runa’, which means ‘human being’. This classification has a colonial legacy as the ‘Runa’ were the baptised indigenous people while the ‘Aucas’, a term used until recently to define the Huaorani people, were the ‘savages’ (Muratorio, 1996, p. 372). The Kichwa people gained experience in liaising with white-mestizo society and were considered by the missionaries as ‘less savage’, which gave them a

certain advantage over other indigenous groups. These factors, together with the destruction of neighbouring groups, favoured assimilation to the Kichwa identity as a preferred option to assimilation to white-mestizo society (Chávez, Rommel & Moreno, 2005, p. 21). Whitten (1987, p. 27) explains that the Sarayaku people and other Kichwa-speaking peoples of the Pastaza province belong to the Canelos Kichwa cultural group, which at the same time is divided in six Runa territories: Puyo-runá, Canelos-runá, Pakayaku-runá, Sarayaku-runá, Montalvo-runá, and Curaray-runá. The Sarayaku people do not use the term Canelos-Kichwa to refer to themselves, although they use this classification to distinguish themselves from the Napo Kichwa of the Northern Amazon and the Andes Kichwa. Sarayaku means ‘people of the corn river’, and they also call themselves Dudzillacta or Cenit People, as the elders believe that Sarayaku is the centre, constituted by the ‘midday people’ that will never fail (Chávez, Rommel & Moreno, 2005, p. 16). This description fits with the contemporary role of Sarayaku people as a reference point of the Canelos-Kichwa culture and as an emblematic example of resistance against extractive industries.

During the 17th and 18th centuries several Jesuit and Dominican missions were founded around Sarayaku territory and the Bobonaza River (see Map 6).⁷⁴ Some of the indigenous people living in these missions went to Sarayaku to wash gold for the Spanish. In this time conflicts between the Kichwa and the Shuar and other groups for women or shamans’ rivalries were still common, but sometimes they also shared their territory and practised inter-marital alliances (Fontaine, 2001, p. 2). The missions introduced a ranking system in the community; the *varayucs* were six married men of the community, and the highest representative was the *kuraka*, followed by the captain, mayor, bailiff, and the *likuatis* who were a sort of warriors or law-enforcers. The missionaries also introduced metal tools, cloth, and long-distance commerce with other areas of the Amazon as far as Iquitos and Ucayali in Peru. The rubber boom at the end of the 19th century was critical for the Amazon population. Many indigenous groups disappeared due to the forced mobilisation and

⁷⁴ Map 6 has been prepared by Acción Ecológica –2006a– and shows the oil block 23 within a pink line. I have marked the community of Sarayaku with a red circle. The “eye” symbol represents actions of resistance against the oil industry in the area.

violence attached to this industry, which obliged indigenous people to capture members of other groups to work in the haciendas; this was the case of the Huaorani and Záparos against the Kichwa. However, it seems that the impacts of the rubber boom were not as severe in Pastaza as in Napo and other regions, and at the beginning of the 20th century the rubber industry began to decay partly due to the Brujos Rebellion (Fontaine, 2001, p. 41).⁷⁵ The 1920s and 1930s also marked the arrival of the oil industry in the Pastaza region, as described later in the case of the Sarayaku people. In the 1960 Evangelical missionaries of SIL arrived at Sarayaku, which provoked a division in the community between Catholic and Evangelical adherents, but in spite of the influence of these religions many Kichwa groups have maintained their cosmovision. The main Kichwa spirits are Amazanga or the spirit of the forest, which gives knowledge to the males, Nunguli or the spirit of the earth, which transmits knowledge to the females, and Tzumi which is the spirit of the water (Chávez, Rommel & Moreno, 2005, p. 28, 51).

Characteristics of the community of Sarayaku

The community of Sarayaku is located in the south centre of the Ecuadorian Amazon in the Province of Pastaza. The community occupies the bank of the Bobonaza River, a tributary of the Pastaza River, which flows into the Marañón River in Perú (Map 6). Puyo, the capital of the Pastaza province, is 65 km away from Sarayaku (Chávez, Rommel & Moreno, 2005, p. 14; Ortiz, 2005, p. 3). The community can be accessed in thirty minutes from the Shell air base using the airstrip built by the evangelical missionaries in the 1960s, or by bus passing through the community of Canelos, and then 35 km by foot or boat to reach Sarayaku. However, the access through Canelos was closed until recently due to the divisions promoted by the oil industry between the two communities, and the only option for the Sarayaku people was a costly air trip.

⁷⁵ The Brujos Rebellion took place in 1909-10, and refers to the kidnapping of the rubber hacienda owners by the Cofán, Secoya, Kichwa and Záparo people working in the haciendas.

The Sarayaku number approximately 2,000 distributed in five centres: Sarayaku Centro, Cali Cali, Sarayaquillo, Shiwacocha and Chontayacu. Each centre is formed by groups of families called *ayllus* which are open to marital alliances within the community. The *ayllus* are divided into *huasis* formed by a couple and its descendants (Chávez, Rommel & Moreno, 2005, p. 32). In 1911 Sarayaku was declared a parish and in 1912 was the canton capital. In 1992, as part of the indigenous protests connected with the fifth centenary of the discovery of America by Columbus, the Sarayaku organised a march of 240 Km from Puyo to Quito, in which elders, men, women and children participated. As a result the government of Rodrigo Borja granted a total of 1,115,000 hectares to Amazonian indigenous peoples, of which the Sarayaku received 135,000 hectares. This mobilisation was a long-term demand of OPIP (Organisation of the Pastaza Indigenous People) founded in 1978, and it was also the first time that indigenous demands were presented as an alternative to the capitalist model of development (Porrás, 2005, p. 238-255). The Sarayaku had a strong influence in the formation of OPIP. During the first congress of OPIP the community opposed the election of the president, which led to the formation of a separate evangelical organisation called AIEPRA, which since then has been in conflict with OPIP and the Sarayaku (Fontaine, 2001, p. 44). OPIP is also a member of the regional organisation CONFENIAE and of the national organisation CONAIE.

Traditionally, Sarayaku families were led by a *Tayac*, who at the same time was a warrior and a *yachak* (wise man or shaman). This is the origin of the *Kuraka* or *Varayuk*, the name used by the Catholic missionaries. Today all the men in Sarayaku will be *Kuraka* at some point in their lives, the only requirement being to be married and to have a *chacra* (cultivable land).⁷⁶ The main responsibilities of the Kuraka are organising activities in the *ayllus*, resolving minor disputes, and attending the meetings of the government council or TAYJASARUTA (Chávez, Rommel & Moreno, 2005, p. 59).⁷⁷ Although the Sarayaku have political functionaries and

⁷⁶ Part of the prestige of the Kuraka relies in his wife's ability to cultivate yucca in the *chacra* in order to prepare the traditional *chicha* drink.

⁷⁷ TAYJASARUTA stands for Tayac yuyutac jataichic Sarayaku runa tandanacui which means "Organisation of the Sarayaku People for the revitalisation of the Tayac Culture", Chávez, Rommel & Moreno, 2005, p. 17.

structures designed by the State, their role and significance are in a process of permanent reinterpretation and adaptation to the Sarayaku culture and vision. The Communal Assembly is the highest decision-making body, which meets sporadically for important matters, such as the conflict of Sarayaku with the oil company CGC. The figure of the *yachak* or shaman is also important to the Sarayaku people because of his spiritual power. He acquires knowledge by communicating with the spirits that inhabit parallel worlds. The people from Sarayaku can gain knowledge in various ways; participating in an *ayahuasca* and *huanduj* ritual, communicating with the spirits through dreams, or learning through the teachings transmitted by the elders of each *ayllu* (Chávez, Rommel & Moreno, 2005, pp. 47-51).⁷⁸

In spite of the missions and of the colonisation strategies that organised the Sarayaku people around community centres, many of their traditional spaces are still maintained. For example, within the Sarayaku territory there are houses, orchards, *purinas*, hunting areas, and sacred places. A *purina* is a part of the territory but also represents the activity of travelling to areas away from the centre in order to harvest, socialise with members of other *ayllus* and also to initiate the children in the culture. The main economic activities in Sarayaku move around the *purina*. Most of the game, fish, and crops are for self-consumption, and yucca and banana form the basic diet. The community has designed a culturally appropriate forest management plan, as the game and fish have significantly decreased in recent years mainly due to illegal deforestation. The Sarayaku also sell palm fibre and their renowned ceramics, and one of the families has developed a community-tourism project (Chávez, Rommel & Moreno, 2005, pp. 34-38).

The Sarayaku have also attracted foreign aid to develop educational, forestry and advocacy projects. This has allowed them to create their own university with a strong intercultural focus, in which students are trained to be teachers. The university counts on a group of international volunteer teachers who stay in Sarayaku for a

⁷⁸ *Ayahuasca* and *huanduj* are hallucinogenic plants used for the acquisition of knowledge. *Huanduj* is only taken by some *Yachaks* or shamans and is used to see the future. These rituals must take place in the presence of a shaman who can protect the initiated, Chávez, Rommel & Moreno, 2005, p. 47. The Sarayaku people also use a relaxing plant called *huayusa* that helps them to interpret their dreams in the early hours of the day.

couple of months each year. The teachers trained in Sarayaku are a source of income for the community, but, as explained by one of the foreign teachers, there is also a debate in the community about the impacts of external funds and the migration of teachers once they finish their degrees (Joan Nevada, informal conversation, 12 March 2007). However, migration is not new to the Sarayaku: men have been migrating to the coast for temporary jobs since the mission period, and many Sarayaku members live in Quito or abroad married to foreigners. However, these persons remain members of Sarayaku insofar as they come back to the community every now and then to take care of their *purinas*. Some members living in the cities are working for NGOs, the government, or international institutions acting as advocates for the Sarayaku, which has been especially important since 1995 when the confrontation between the CGC Company and the Sarayaku started.

Relations with the oil industry and its incompatibility with the 'Sumak Kausay' or 'Life in Harmony'

The presence of the oil industry in the Pastaza province can be traced as far back as 1923 with the explorations carried out by the Leonard Corporation. In 1930 a military detachment was established in Sarayaku and was expanded in the 1940s as a result of the war with Peru in 1941, but eventually the military base was closed due to the escalating tensions between the military, the *varayuks* and the community (Chávez, Rommel & Moreno, 2005, p. 27). From 1937-42 Shell drilled the first wells in the region but were subject to constant attacks from the Huaorani people. Shell started to drill in the Villano sector, in the border region with Sarayaku, and a military detachment was established in Villano to protect Shell workers (Fontaine, 2001, p. 42). After the war Shell started seismic operations in Sarayaku and many men went to work for the company. Also, in 1947 the road to Puyo was finished and this led to a wave of colonisation to this part of the Amazonia, but also the permanent flight of Sarayaku families to the coast. Shell left the area in 1950 and its installations passed to the control of the evangelical missions. In the 1970s the Western company also did seismic prospection in Sarayaku but found no petroleum

(Chávez, Rommel & Moreno, 2005, p. 28). Since then the relationship between the Sarayaku and the oil industry has always been one of resistance.

In 1988 a service contract for Block 10 was signed between CEPE/Petroecuador and ARCO Oriente Inc.-AGIP Petroleum Ecuador Ltd.⁷⁹ The concession to part of Sarayaku territory was granted with no previous consultation and the company started seismic operations in Sarayaku. By this time the Sarayaku leaders were aware of the serious impacts that the oil industry was causing in the Oriente region to the Cofán, Secoya, Siona and Huaorani peoples. As Ortíz (2005, p. 3) explains, a conflict exploded between the Sarayaku and ARCO, and representatives of the company and the government entered Sarayaku to start negotiations. The result of these talks was the Sarayaku Accords, which were later invalidated by the government as it was claimed that they were signed under coercion. The Sarayaku people deny these accusations, explaining that all the representatives of ARCO and the State were treated respectfully and even participated in Sarayaku festive activities. Among the demands that formed the Sarayaku Accords were the acquisition of legal titles and reparation for the ecological and social damage caused by the company, as the seismic lines passed by *purina* routes and sacred territories. The community also accused the government of giving a legal title to the evangelical community of Moretocochoa over a contested territory that the Sarayaku used as hunting area. This move allowed the company to negotiate with Moretocochoa and to finalise the seismic operations in this area. The break in the negotiations led to the 1992 March to Quito named '*Allpamanda, Causai-manda, Jatarishum*' (for life, for the earth, rise up), (Ortíz, 2005, p. 4).

The conflict of ARCO-AGIP with the communities of Block 10 continued during the 1990s and until today. The actions of ARCO-AGIP through its community relations programme were paternalistic and used a tactic of division among the communities of Pastaza to be able to operate. This time was characterised by a division in the indigenous movement of Pastaza that overall weakened the legitimacy of the regional organisation OPIP, and promoted organisations such as ASODIRA or

⁷⁹ See location of Block 10 in Map 6.

AIEPRA that were willing to liaise with the oil company. However, ARCO always encountered opposition and conflict even with 'sympathiser' communities. In 1994 OPIP, ASODIRA, and AIEPRA came together to form FIP (Indigenous Front of Pastaza) but it was dissolved in September 1998 due to disagreements. In February 2000 ARCO abandoned the country and AGIP assumed operations. Since then AGIP has signed various agreements with the communities of Block 10, but the relations are far from smooth, and direct actions due to contamination caused by the company or disagreement in the terms of the contract are common.

In 1995 a concession of 200,000 hectares for Block 23 was granted to the consortium CGC-Chevron, CGC being the operating company. The concession included 65% of Sarayaku territory, which is mainly primary forest. In 1997, the consulting firm Walsh was contracted to carry out the EIA. This is the same firm contracted by Hess for its operations in the Shipibo-Konibo territory. Representatives of Walsh were expelled from the community of Shaimi, which is within Block 23, because they entered their territory without permission pretending to be tourists (Acción Ecológica, 2006c, p. 8; Chico Morales, interview, 10th March 2007). CGC is an Argentinian company that in 2003 was almost on the brink of bankruptcy, and was also accused of favouritism and violation of the law during the Menem presidency. In 2000 the company offered \$60,000 to the Sarayaku in order to get authorisation to carry out seismic operations in their territory, but the Communal Assembly of the community rejected the offer (Acción Ecológica, 2006c, pp. 11-13; Felicidad Chávez, interview, 6th March 2007). Faced with this opposition the company contracted the PR firm Daimi Service S.A, formed by a group of sociologists, anthropologists and community relation experts that would work with the communities of Block 23 to reach an agreement between the parties. Daimi had also worked before for Repsol-YPF, Kerr McGee, Occidental, and Perenco among others. In August 2002 and with the mediation of Daimi, CGC signed a general agreement for seismic prospection and exploration with 26 communities. Sarayaku leaders and environmentalist NGOs denounced the strategies used by Daimi to achieve the agreement, among them promoting division in the communities leading to the creation of new leadership, bribing people with money or goods to get signatures,

and hiring a radio programme in Kichwa to start a de-legitimisation campaign against Sarayaku leaders. CGC also made the help given to the signatory communities conditional on Sarayaku acceptance of the oil industry in its territory. This promoted even more divisions that led to the closing of the river transit through the community of Canelos, restricting Sarayaku access to Puyo and other areas of the country (Ortíz, 2005, p. 9; Luisa Cortés, interview, 12th March 2007).

In 2003 Chevron sold its participation in the consortium to Burlington (USA) and Perenco (France) but there was no change in policy and the local conflict escalated, becoming violent. The government of Lucio Gutiérrez militarised the area around Sarayaku, including the ARUTAM elite force, formed by indigenous ex-soldiers who had fought during the war with Peru in 1995 (Acción Ecológica, 2006c, p. 20). During the next two years Sarayaku leaders and their allies suffered death threats and physical violence on several occasions. The community denounced the close relationship between the company and the military and the pressure exercised by the latter to force them to open their territory to the company. In spite of the fierce resistance of the Sarayaku, CGC made up to six incursions in Sarayaku territory to carry out seismic operations. The company left 1,400 kg of pentolite, an explosive used in seismic operations, within a radius of six kilometres of the community centre (see Map 7).⁸⁰ CGC carried out 467 drillings, each of them involving three kilograms of explosive that was never used as the company had to withdraw due to the opposition of the community (Acción Ecológica, 2006c).

During all this time the resistance strategy of the Sarayaku was carried out on various fronts. The community declared itself in a state of emergency for ninety days, stopping all activities of daily life and travelling to the borders of their territory to halt any further incursions. Sarayaku members and allies outside the community wrote letters and carried out visits to the CGC headquarters in Argentina, and to Chevron Texaco in the United States, demanding the immediate exit of the company from their territory. The Sarayaku documented all the aggressions and also their

⁸⁰ Map 7 has been extracted from a report prepared by Franklin Toala, from the community of Sarayaku, and is based on Military Cartographic Institute data. The green dashed line shows the explosives' route for the seismic operation of oil block 23.

resistance actions, using filming and the Internet to launch a worldwide campaign to support their cause (Acción Ecológica, 2006c, pp. 21-22).

The community also took legal actions and in November 2002 the Ombudsman Office in Ecuador released a public judgement in order to guarantee the free circulation of the Sarayaku people in the region. In May 2003 the Sarayaku presented a petition for 'precautionary measures' at the Inter-American Commission of Human Rights (IACHR) which resolved that the Ecuadorian government should protect the life and personal integrity of the Kichwa people of Sarayaku, open an investigation of all the denounced aggressions, and allow the free circulation of community members. In 2005 the Inter-American Court of Human Rights issued a judgement demanding the removal of all the explosives buried in Sarayaku. In 2006 Rodolfo Stavenhagen, the United Nations Special Rapporteur, visited Sarayaku and recommended the general procurator of the Ecuadorian State to fulfil the dispositions of the Inter-American Court (UN General Assembly, 2006, p. 22).

The support offered by the Ombudsman Office and the IACHR contrasted with the information given by CGC, which shows the polarisation of the conflict. I interviewed a high representative of the CGC in Ecuador (Julio Prieto, 15th February 2007) and he roundly denied any conflict between the community and CGC, alleging that the conflict was between the State and the Sarayaku, since the latter consider themselves a nation within a nation. He also accused some Sarayaku members of being terrorists and of stealing 150kg of explosives from the company, which made necessary the presence of the military to protect the company and its workers from Sarayaku armed attacks. I asked him about the explosive buried in Sarayaku and he answered that the company had never entered Sarayaku territory. This affirmation was easily disproved as I had the maps with the exact location of the explosives. In September 2007 the Ministry of Energy and Mines signed an agreement to remove the pentolite from Sarayaku and to carry out all the dispositions required by the Inter-American Court (personal communication, 4th September 2007). This has meant a big victory for the Sarayaku people who have suffered great stress during this long conflict. In March 2009 CGC put a claim against the Ecuadorian State in the

International Centre for Settlement of Investment Disputes – the World Bank’s arbitration facility – for not providing the necessary conditions for carrying out oil operations in Block 23, which has cost the company losses of 15 million dollars (“Compañía Argentina”, 2009). The cancellation of the contract with CGC could be very costly, and in May 2009 the State authorised the company to resume operations. This decision has been criticised both by the Sarayaku and the company, which still believes it does not have enough guarantees to work in the area (“El Conflicto”, 2009).

The Sarayaku believe in an alternative way of development based on the search for a ‘life in harmony’ (*Sumak Kawsai*), in which the oil industry has no space as it has created too many divisions between the families and compromised their culture. One of its members expressed in an interview (Lorenza Calo, 14th March 2007):

The Sarayaku have been under great psychological pressure for the last six years, we even suspended our annual festival because we were in a state of emergency...we do not just oppose the oil industry, we have an alternative development plan based on Sumak Kawsai (life in harmony) with Nature, and with the people...this is part of our Cosmovision...and we do not fight only for the Sarayaku, but for all indigenous people and the whole of society, that is why we think is important to socialise our struggle and create alliances.

In 2006 the Sarayaku promoted the creation of APAR (Association of Amazonian Peoples in Resistance), which includes its long-term rival organisation ASODIRA and the settler organisation Amazonian Defence Front, in an effort to socialise their experience of resistance and to unite all the organisations resisting the oil industry. The Sarayaku have also been very active in rebuilding the Amazonian indigenous movement in Ecuador that suffered a big blow during the presidency of Lucio Gutiérrez. Marlon Santi, former Sarayaku leader, was elected president of the national indigenous organisation CONAIE in 2007.

Section II: Methodology⁸¹

This section explains the methodological framework of the research and how this informed my fieldwork. Next I describe how I identified, categorised and accessed the different actors involved in the oil conflict, whom I call the survivors, the powerful and the intermediaries.⁸² I explain how I used a ‘bottom-up’ approach to build trust with the indigenous groups and a ‘top-down’ approach to access the powerful. Then I describe the ‘Building Bridges’ methodology, designed together with the indigenous communities in an attempt to bring together the knowledge of the researcher and indigenous knowledge. Finally, I detail the ethical guidelines, the analysis strategy and methods employed in the research giving special attention to the differences between interviewing the powerful and the indigenous people, the use of participatory research methods as an emancipatory and reflective process for the participants and myself.

Towards a common ground: Critical, indigenous and anti-oppressive approaches

This section explains how using anti-oppressive approaches can contribute to the decolonisation of knowledge, and also describes the limitations encountered by the researcher in applying this approach. The basis of the methodological framework in this thesis is critical social theory (Geuss, 1981; Habermas, 1981b; Bourdieu, 2004) which, as Hammersley (1991, p. 99) explains, is influenced by Hegelian and Marxist understandings of theory and practice and is “grounded in an emancipatory interest in the overcoming of social oppression, which is a characteristic of advanced capitalism”. I am also close to recent models of critical ethnography, which stress the need for re-evaluating the relationship with the research participants, how knowledge

⁸¹ A modified version of Section II- Chapter 3 has been published by the author in the peer-reviewed journal *Enquire* (Martínez, 2008a).

⁸² These categories (survivors, powerful and intermediaries) are based on the dynamics of power relations of the actors involved in the oil conflict, the powerful being those with a greater control of these dynamics and the main driving force of oppression. For more on the power dynamics between the powerful, indigenous people and development agencies read Blasser, Feit and McRae, 2004; Makurwira, 2007.

is produced, and who will benefit from this knowledge. As Hammersley argues (1991, pp. 28, 102):

[We need] collaboration between researchers and the oppressed, rather than the former bringing to the latter a theory that will dispel their ideologically generated ignorance and/or confusion. Indeed, the distinction between intellectuals and others is often regarded as one of the alienating features of modern society that is to be overcome [...] the implication in critical ethnography is that it is necessarily political in the sense of serving someone's interest, wittingly or unwittingly; and that only by consciously linking it to the right sort of politics can we ensure that it will serve the right interests.

Following a critical ethnography approach, my research falls in the category of 'research from the margins' as Brown and Strega describe it (2005, p. 7):

Research of the margins is not the research of the marginalised but research by, for, and with them/us. It is research that takes seriously and seeks to trouble the connections between how knowledge is created, what knowledge is produced, and who is entitled to engage in these processes. It seeks to reclaim and incorporate the personal and political context of knowledge construction. It attempts to foster oppositional discourses, ways of talking about research, and research processes that explicitly and implicitly challenge relations of domination and subordination.

In this way research and activism may go hand in hand and one can support the other. Research becomes militant as described by Colectivo Situaciones (2007, p. 74) when asked to define their practice:

We think of our practice as a double movement: to create ways of being militants who escape the political certainties established *a priori* and embrace politics as research (research militancy) and, at the same time, to invent forms of thinking and producing concepts that reject academic procedures, breaking away from the image of an object to be known and putting at the centre the subjective experience (militant research).

During the research I followed critical, indigenous and anti-oppressive approaches (Tuhiwai Smith, 1999; Brown and Strega, 2005; Shukaitis, Graeber & Biddle, 2007), which aim to promote and produce research that is political in essence and committed to decolonising knowledge, respecting and welcoming what have been called ‘other ways of knowing, being and doing’ as indigenous knowledge which has been marginalised by traditional social science (Brown & Strega, 2005, p. 5). It can be difficult for Western researchers to find a balance between the need for research, their own career development, and the way they carry out research. Even critical research, aimed at benefiting the oppressed, has occasionally failed to take in account the knowledge, views and needs of the subjects of study, especially in research done with indigenous people or research focussed on policies and practices that may affect them directly (Nielsen & Larry, 2007, p. 2). Failure to acknowledge the ownership of knowledge by indigenous people, and to create new avenues where western and indigenous approaches to research can meet, perpetuates the status quo of dominant science and results in an ‘academic colonialism’ hidden under the name of critical research (Mihsuah & Wilson, 2004). What follows is an account of how critical, non-oppressive and indigenous approaches informed all the stages of my fieldwork, from how to identify, select and access the participants to the design of the ‘Building Bridges’ methodology in collaboration with the indigenous people and the use of

emancipatory interviews and participatory methods. I also describes the difficulties and contradictions I encountered applying these principles in the process of becoming a non-oppressive researcher.

Access to the field and building trust

My research tries to bring indigenous voices to the forefront of academic debate. Nevertheless, in order to study and better understand the survival mechanisms used by indigenous people to face the impacts of the oil industry, we considered it necessary to include the points of view and strategies used by both the powerful and indigenous people. This decision was taken in agreement with my informants who helped me to design the fieldwork methodology. Additionally, there is also a lack of critical research about the powerful, and the need to ‘study up’ (Nader, 1974; Williams, 1989) has not been fully addressed. This lack of critical research is accentuated by the commodification of research and the difficulties that researchers have encountered in attempting to scrutinise and access States and corporate power (Tombs & Whyte, 2002). There is a whole range of actors involved in the oil conflict. My first step was to select the indigenous groups or survivors, and from there to approach the other actors. The powerful includes the State and foreign oil companies, state institutions, PR companies, the military, and foreign governments. The survivors consist of indigenous people and their local, regional and national organisations. The intermediaries include local, national and international NGOs and aid agencies, the Church, local councils, activists, academics, and some governmental institutions that lead with indigenous issues.

I worked with groups and communities that have used various ways of resisting, negotiating or liaising with the industry, and I decided to access these communities with a bottom-up approach. Due to my previous work in Ecuador and Peru I had contacts with local, regional and national indigenous organisations, but I first contacted the local organisations because these are the ones closest to the

communities, which can allow the researcher to work with the community depending on the decision of the community assembly.⁸³ For some communities it may seem oppressive when the first contact is done through their national bodies, which do not necessarily represent their needs and views. Nevertheless, I always informed the regional and national organisations about the purpose of my research.

I started to build trust with the Cofán People even before I started my PhD. I not only had the opportunity to work with them through my previous work with Friends of the Earth Scotland, but I also helped them to produce a short documentary called ‘The Shaman’s Oil: Resistance and Cosmovision of the Cofán People’ (see Annex 5). Filming also acted as a bridge between my previous relation with them as a development worker and my possible future relation as a researcher, and helped to form the basis of the ‘Building Bridges’ methodology explained later. The community assembly of Dureno agreed to participate in the study and to help me formulate the research. My main informant in the community was a young leader called Ernesto Flores, he opened all the doors for me and got very involved in the research from the beginning, offering to let me stay with his family while I was doing research in his community and recommending me to indigenous leaders from Sarayaku in order to facilitate my access to this community.⁸⁴ I believe the Cofán people felt that this research was a continuation of the work I did while producing the documentary, a next step in understanding the causes of oppression, their situation in the globalised world and what actions needed to be taken. Although we designed a methodology based on participatory methods, the research I undertook was not conceived as an action research project. Nevertheless, one of the actions the community decided to take was to develop a long-term action research project with Cofán and Ecuadorian researchers and myself as an adviser that would allow them to evaluate what is the way forward for their cultural survival.

⁸³ Refer to Appendix 3 for examples of letters sent to the survivors, powerful, and intermediaries.

⁸⁴ For more on access through gatekeepers, and first contact with the fieldwork area, refer to Whyte, 1955; Hammersley and Atkinson, 1995; Campbell et al, 2006.

Building trust with the Sarayaku People was more complex. The struggle and the strong pressure that they have been through during the past six years (2003-2008) with the Argentine company CGC, which carried out seismic tests in their territory without their previous consent, has put them in the public eye of researchers, activists and journalists. Eventually, they formulated a code of conduct for visitors to the community, as the community claims to have been victims of espionage by PR people hired by the oil company and masquerading as journalists. In the light of these events I made contact with NGOs which work with the Sarayaku community, and also with Sarayaku people now living in urban areas. These links helped me to access what I call the Sarayaku ‘circle of confidence’ and to be invited to various events. The film I had made with the Cofán people was always an excellent calling card, and the fact that I was ‘recommended’ by them helped too. In order to gain the trust of the community I had to be there not only as a researcher but also as an advocate-scholar participating in their struggle, and I did not hesitate to play the role of international witness when a violation of human rights was taking place. For example, while I was attending the inauguration of the newly elected Board of CONFENIAE – which have a clear anti-extractive industries mandate – several members of Sarayaku who supported CONFENIAE were beaten and attacked by other indigenous people who opposed the new Board, and I was asked to be present in the conflict and to record the aggressions.

Once I was invited to the community of Sarayaku, the only way to enter was in a two-seater aircraft, using the old landing strip built by the Evangelical Church in the 1970s. I flew with Pablo Arutan, the most respected Shaman in Sarayaku, but even with Pablo close to me I knew I was an outsider approaching a community engaged in resistance, and I had no idea if I was going to be finally accepted. However, my previous experience of living and working in indigenous communities was helpful. I empathised with the women quickly, as I knew about the long process of preparing *chicha* (a traditional drink made by women) and how to make a fire and cook using three tree-trunks, and I could easily sleep on the floor and eat their food. It was evident that I knew how to live there and respected their rules and customs. This does not mean it was easy for me. It is demanding and tiring to live in a culture that

is not one's own for a long period (dé Ihstar, 2005, p. 360), even if one has done this before and even if one has chosen to be in that situation. Nevertheless, the skills I had learned were not enough, and on the first night of my stay in Sarayaku I was taken into a meeting where I was questioned about my research, values and ethical guidelines, and even my political knowledge of Marxism. The people were worried that I could be a sociologist or a journalist working for the oil company. After this meeting I finally felt accepted, and we started to work together. I had no main informant there, but a whole group of people facilitated the process for me and got involved in the research. Among them were significant leaders, elders and young members of the community.

Building trust with the Shipibo-Konibo People was again different and challenging, since I did not have any previous contact with this group. I contacted them through an environmental activist who had worked with them during the previous year. They were immediately interested in the research, and happy to know that their struggle was gaining international relevance. This openness was also because they had not been subjected to the same level of external pressure and media coverage as the Sarayaku people, and were therefore less suspicious of researchers and willing to participate in research that could directly benefit the community and its members. My main informant there was Juan Bolívar, one of the indigenous advisers of FECONBU. Both he and Ernesto Flores of the Cofán Nation said they were happy to be gatekeepers of the research and considered it was their duty towards the community. Both are quite young, but have been leading the resistance in their communities, and I believe my presence there reinforced their role in the community. For me it was empowering to work with them; their commitment towards their people, their knowledge of the oil conflict and their willingness to participate and develop the research inspired me throughout my fieldwork period and afterwards.

Once I had gained access to the indigenous participant groups, I started to contact the local, regional, and national actors involved in the specific oil conflict. I decided to use a top-down approach to access the powerful, because it was usually useless to try

to arrange an interview at the local level if they did not have the approval of headquarters. One of the factors to bear in mind while accessing the powerful in the oil conflict is that they are inter-connected; therefore it is important to have a coherent and similar discourse with all the different people and institutions. My first contact was always by email, and if this failed, by letter, fax or telephone, but in some cases the only possible way to access them was by going directly to their headquarters. The first contact with the institution is very important, and this is normally through the secretary and sometimes the caretaker of the building. I learnt to be assertive with my messages and flexible in the way I described my research depending on the person I talked to and how much information they wanted about the research and myself. If one does not create empathy at this level it is difficult to access someone at executive level. I managed to get an interview with the deputy minister of Energy and Mines in Ecuador thanks to the receptionist at the information office, who got me a slot to talk with the deputy minister's secretary, and after she and I had talked for an hour, not just about my research but about her husband, children and whole family, she was surprised to find out that the oil industry could have an impact on the life and survival of indigenous people. She was moved by this fact, and also because I was travelling alone without my family, so she decided she would get me an interview because I deserved it.

I took some precautionary measures when I tried to access the state representatives and the oil corporations. For example, sometimes I used a different name and email address, and I removed all my profiles from the Internet. I thought this was especially necessary in Ecuador, where one of my participant groups, the Cofán people, live in the border region with Colombia, where the oilfields are quite militarised and surrounded by paramilitary and guerrilla groups. Also, in both countries, one often hears or reads about environmental activists and researchers being threatened, prosecuted, or even murdered (Oilwatch, 2002). I have myself witnessed persecution of activists and peasants by public armed forces and private ones hired by oil companies. I took these precautions to protect my informants and myself.

My introductory letters to the powerful were carefully designed and I never lied about my student status, as I thought this was an inoffensive way of presenting myself. However, I was careful in explaining my views, the purpose and scope of my research, and my relationship with indigenous groups. I used a non-threatening approach and emphasised my genuine interest in having their point of view, as it was vital for the objectivity of the research. In addition, their involvement in the research would give them a better understanding of the roots and dynamics of the oil conflict and possible conflict resolution strategies. Although helping them in this way was not the purpose of my research, one should not confuse honesty with naïveté, or ethics with a closed door; as my experience has shown me it would not have been possible to get credible information from some of the powerful actors without using a certain level of distancing or selective communication with them, as shown by the blackmailing attempt described below. In every case, the anonymity of the researched person was kept, but they did not have any veto control over the research.

The first interview I managed to get with the powerful was with Juan Pietro, one of the high-ranking representatives at Perupetro.⁸⁵ He also invited me to the next round of consultations regarding the new exploration contract signed with the North American company Amerada Hess, some of the exploration blocks were located in the territory of the Shipibo-Konibo People. This was a unique opportunity for me to experience at first hand the dynamics between all the different actors involved in the oil conflict. During the interview Sr. Pietro made various subtle attempts to get me and the research on his side, for example by offering to pay my travel expenses so that I could attend the consultation meetings in return for telling the story from their perspective. It was my first interview with the powerful and my first experience of blackmail hidden under the appearance of ‘giving me access to information’. After that, I just expressed my desire to be intellectually and economically independent at all times during the research, but I knew that from then onwards I would be scrutinised more carefully. During the consultation workshops the industry and indigenous people were present in the same context and space, and it was difficult

⁸⁵ Perupetro is a private, State-run company that promotes the advancement of hydrocarbon exploration and production activities in Peru.

for me to maintain the level of trust with both the powerful and the indigenous people. There were occasions when some of the indigenous people coming to these meetings who did not know me thought I was working for the company. Also, by the end of my fieldwork there, the representative of Perupetro realised that I had given him only partial information about my research when I had first approached him. Luckily, I managed to solve these situations successfully by honestly answering any questions they had and trying to avoid conversations with the industry in front of indigenous people, and vice versa.

One could question why I did not use the same ‘openness’ to access and research the powerful as I did with the indigenous people, for example by giving them the opportunity to participate in the design and development of the research. There are some authors, especially within feminist research, who have highlighted the need to carry out emancipatory research with the powerful (Neal, 1995) and the use of “transformational elite interviews” (Kezar, 2003). These authors also warn us about the difficulties and impossibility of following these approaches in certain settings. Other interpretative researchers have raised their voices against the requirement for informed consent and claim that secrecy and the use of ‘selective communication’ should be understood through cultural contexts, meanings, and practices in which fieldwork relations are constantly reinterpreted (Richard, 1993). The powerful are not exempt from public scrutiny or accountability. If they do not provide information when confronted with critical and independent research, they leave us researchers with few options. I also think that as a researcher who tries to follow critical, indigenous and non-oppressive approaches I should be committed to principles of social justice; in this case the use of ‘selective communication’ with the powerful was justified as a means of achieving it.

Finally, during my fieldwork I also gained access to the intermediaries. The groups in this category were relatively easy to access, with the exception of some NGOs, which were cautious about the amount of information and contacts they would share. There are various reasons for this behaviour: they might have a confidentiality

agreement with the community or ethical guidelines that prevent them from passing information about the communities they work with, or the researcher could jeopardise their relation with the community and access to funding (for example, in the way the organisation is portrayed in the research), or they are simply too busy to spend time with another student. I had to design letters from different perspectives depending on the affiliation of the NGOs and institutions (environmental or conservationist, religious or non-religious, neoliberal or anti-neoliberal).

Overall I was welcomed into most of these organisations, although at times it was difficult to build trust and be accepted, especially with some of the more politically radicalised staff members. Based on my fieldwork relationships and the interviews I carried out with these organisations I believe this rejection has to do with what I call the ‘projection of the colonised’; a defence mechanism by which they could prevent the white European coloniser (in this case, me) from colonising their people, information, and ideas through my research – for example extracting information from indigenous communities and analysing the data from a single-minded white perspective, for the sake of getting a doctoral degree just for my own benefit. Once they realised I shared some of their political ideas, values, and ways of approaching research, the defence mechanisms were taken down gradually, although I still felt left out on several occasions for being Spanish and European. Some authors have also described similar ‘tensions’ or ‘frictions’ within development organisations in Latin America and Europe (Tsing, as cited by Bebbington, 2005, p. 4), their relationship being contradictory when confronting issues such as independence, decision-making, collaboration, solidarity, or rejection.

Being flexible, reflecting critically, and finding my place

Peru was my first country to visit, and two days after my arrival I knew my fieldwork was not going to evolve as planned. From the first day various events occurred which made it difficult at times for me to keep focused on my research. For example, the Shuar people were taking over oilwells in the north of the country and all the media attention seemed to be there. I wanted to be present at these direct

actions and observe the process of resistance, but this region was very remote and isolated, and my access to the area was not guaranteed, as I would have been totally unknown to the indigenous peoples living there. At the same time I got to know that an important and relevant forum on oil and human rights was going to take place in Ecuador and that leaders from all the different indigenous nationalities were expected to attend. I also knew that in the next weeks a series of consultations between the indigenous people, the State and the trans-national corporations was about to start in Peru. Suddenly everything I had been planning for months was on shaky ground, and I wondered about the relevance of my research and the fieldwork area selected. Moreover, I had limited resources and time to try to cover all the relevant events taking place in both countries. At the end I decided to take all these imponderables as positive signs and to incorporate them into the research in the best possible way. For example, I decided to travel to the forum in Ecuador in order to strengthen my contacts there and to get to know the fieldwork area better, as I was planning to start my fieldwork there in three months after finishing the fieldwork in Peru. The contacts I made during the forum were extremely useful for my future work there. I came back just in time for the consultations in Peru, and I decided to cover the conflict in the north of Peru through news and also by holding interviews in Lima, after their return from the conflict area, with some of the actors and witnesses who had been there.

I needed to be flexible throughout the research and to be aware of what was developing in front of me in order to be ready to respond and reshape the fieldwork design, my way of interviewing, my relationships, or even the research topic (Potts & Brown, 2005, p. 272). Almost from the beginning of my fieldwork I had to confront findings that I had not expected, and found disappointing; for example, interviewing indigenous people that I had thought were protagonists of resistance against the oil industry, but were not, and finding chaos and opportunism in the way the resistance is organised and contradictions within the indigenous movement that I had not been aware of or did not expect. It took me a while to accept that and to abandon my narrow-minded views and prejudices about the indigenous movements, realising that all these undesired findings were in fact giving me valuable data.

As the focus of my research was on survival mechanisms and resistance to the oil industry in Latin America, it was reassuring to be for seven months in an environment where suddenly I was researching a hot topic, which everyone wants to know about. It was also a good opportunity to create what is called ‘a community of knowledge’, a wide range of professionals, indigenous groups, activists and academics interested in one’s research. Since my return to Scotland one of my main objectives has been to expand this community of knowledge by attending conferences, engaging with research groups and activist organisations, and developing a new blog. All these contacts helped me to avoid isolation while doing the research and to create a support network. This network was of major importance during the fieldwork period, as it was an intense and exhausting experience, especially because most of my fieldwork took place in male-dominated settings (e.g. oil fields, indigenous political meetings) and my informants were mainly men. Even when I was in the communities, I always had to be cautious of my body language and relationships with my informants, as this could lead to cultural misunderstanding by either men or women. On the other hand, being a white woman helped me at times, especially building trust with indigenous women, or getting access to ministries (also because I was white and came from a university in Europe).

I thought it was important not to abuse this unwanted power. Being female was also an issue while travelling, especially in areas of political violence such as the frontier between Ecuador and Colombia, where the Cofán People live. I experienced that not only was I at risk myself, being a foreign woman travelling alone, but that I might endanger others, such as my informants. However, as explained above, on some occasions one’s presence as an international observer could help to protect other people. Never before had the expression ‘It is hard to be a woman’ been more meaningful to me, and to cope with it was by far the most difficult part of the fieldwork. Psychologically it was hard to maintain two almost contradictory identities with the powerful and the survivors, to focus on one’s relationships with the participant groups and to collect data, while at the same time trying to neutralise

my sexuality to avoid conflict and for security reasons. One of the main coping mechanisms I used to face stressful situations was to rely on the excellent relationships I established with the indigenous groups and with my informants, my support network in Scotland, my personal friends in Ecuador and Peru, and the growing community of knowledge who cared about and supported the research.

Working with the survivors: 'Building Bridges' methodology

The idea of calling the methodology 'Building Bridges' comes from a conversation in the house of Frida Arutan, an elder of the community of Sarayaku. I was staying at the other side of the Bobonaza River, so to go to her place I had to cross the river by a bridge. Once I arrived she offered me *chicha*, and we started talking with the help of another elder who translated the conversation into Spanish. I asked Frida if she knew why I was there, and the purpose of my visit. She said (informal conversation, 1 March 2007):

“...yes, you are here because you want to know about our experiences with the oil companies, and you want to hear the opinion of the women and the elders as well, so if you want to do something that is good for us too, this is the way...you have to cross the bridge and visit me in my house... you look, and listen, and respect...and then we talk...it's good that we come together in this way and that you visit us, this is the way to do it...together” (putting her hands together as in the photo below).

Image 1: ‘Building Bridges’



I understood that the methodology was about ‘building a bridge’ between two different ways of ‘knowing and being’, the perspective of the colonised and the perspective of the white woman researcher living in the colonising society (dé Ishtar, 2005), but trying to do non-oppressive research that could contribute to the ‘decolonisation of knowledge’. There were also many commonalities in our approach and values, so taking in account both perspectives, and after discussing with some of the participants of each indigenous group about what kind of methodology we should use for the research, we decided that the methodology would be guided by the following working and ethical principles: relationships, reciprocity, participation, and emancipation.

‘Relationships’ is understood here as a genuine interest in getting to know the people one is working with, not only one’s main informants and participants but the community as a whole. These relationships are not only developed during the research, but aim to evolve and endure in time, and could become lifetime relationships.

‘Reciprocity’ is based on supporting each other so that we can all gain from the research and relationship. It is not just about me getting the research done, and eventually getting a PhD, but also about constantly asking myself how the community is going to benefit from the research for example via dissemination of the research to academic and non-academic audiences using a variety of formats from documentary to journal articles and reports for international institutions, such as the ILO and the UNPFII. The benefits are through both the outcomes and the process of research (Potts & Brown, 2005, p. 260), with the common goal of emancipation for the researcher and participants.

‘Participation’ is understood in two ways. On the one hand, me participating and engaging in the various cultural and political activities of the communities, and on the other hand the community members becoming collaborators in the research, and not mere objects of research. There are various degrees of participation depending on the will of each community and individual, for example becoming a co-researcher.

‘Emancipation’ again is mutual but is also political. The journey towards becoming an anti-oppressive researcher is emancipatory in itself, and although one may not achieve this condition through the research process it will help us to expose relations of domination and to become more mindful and critical. The emancipatory process of the communities through the research should contribute to their self-determination and the ‘decolonisation of research’. For example, the interview process should be emancipatory and the knowledge built through the research belongs to them.

I tried to follow these principles while working with indigenous groups, but it is not easy to become an anti-oppressive researcher, and the difficulties I encountered were mainly created by my own constraints. Three emerging characteristics of anti-oppressive research have been described (Potts & Brown, 2005, pp. 260-262):

“[first] Anti-oppressive research is social justice and resistance in process and outcome...[second, it] recognises that all knowledge is socially constructed and political...[third, it] is all about power and relationships, breaking the power relations that prevent the participants from getting involved and from having some measure of control over the research process”

So it is not just about empathising with the concept of anti-oppressive research and having good intentions; it is also taking action and being open to other theoretical frameworks and approaches that can help one to get there eventually (Potts & Brown, 2005, p. 260). For example, my original research topic was ‘Coping mechanisms of indigenous people affected by the oil industry’, but ‘Survival mechanisms’ tended to replace ‘Coping mechanisms’, as the concept of ‘coping’ was alien to indigenous people, and was perceived as ‘defeat’, while survival was something to celebrate. Nevertheless, I still had a major influence on the topic, the scope, and the selection of the participant groups and organisations. I decided to carry out this research knowing that I only had time and funding for seven months of fieldwork. This meant that I would not have much time to contact, access, and build trust with the participants, especially if I wanted to include the powerful and the intermediaries in the research. This constraint affected my ability to build relationships, and I relied on my previous experience of living in indigenous communities to immerse myself in the culture and empathise with the people. This problem could have been easily resolved by having access to more funding and investing more time in the communities. It would have been easier to get funding from the petro-chemical industry, but I refused to do this on ethical grounds, as it would have de-legitimised my research and would have affected my credibility within the indigenous communities.

Because of my tight schedule and the intensity of the work, having to research very different people and institutions, it was hard to maintain the level of empathy during seven months. I also faced two problems related to language. First, I tried to avoid

academic terms alien to indigenous cultures. The Western and dominant way of doing research utilises rigid parameters, such as objectives and outcomes, that do not make sense to some indigenous groups, who perceive the construction of knowledge as a process. Second, one has to be aware of the difficulty of constructing knowledge in a language other than one's mother tongue (Kovach, 2005, p. 25). I was definitely aware of this as I am writing this thesis in English and I am Spanish, and I have faced this difficulty myself for many years. Some of the research participants and the gatekeepers translated for me but they were not always available. This meant that I sometimes had to rely on indigenous people's willingness to talk in Spanish, on my limited knowledge of their own languages, and on their body language and symbology.

I share the view that the construction of knowledge is an ongoing process throughout the research, but my main constraint was the process of analysing the data and engaging people in taking part in this process. On the one hand there was the geographical barrier, as I came back to Scotland after the seven months of fieldwork and did not have more funding to go back to the field for the data-analysis phase; on the other hand, although many participants had agreed to take part in analysing the data, I did not know if this would be the case after a few months or if they would have the time. I tried to solve this problem to some extent by creating an online blog where we could keep in touch and they could report their daily struggles.⁸⁶

Multiple methods: Researching the powerful and the survivors

Although the bulk of my data comes from individual interviews I used triangulation in order to contrast and complement my data. When researching the powerful my main data collection methods were participant observation and individual and group interviews. With indigenous communities I used a wider range of traditional and participatory research methods and every method was discussed and/or proposed by the participants and informants. Besides individual interviews and focus group

⁸⁶ The url of the blog is <http://redamazon.wordpress.com/>.

discussions I used a variety of complementary methods including participant observation, fieldwork diaries and notes (Glaser & Strauss, 1967; Geertz, 1984), video recording (Wesley, Duque & Brown, 2005), informal conversations, fieldwork guided walks, local stories and folklore, case studies, local histories (Tacchi, Slater & Hearn, 2003, p. 28; de Ishtar, 2005), secondary data and an online blog (Paquet, 2000; Meyers, 2006; Boast, Bravo & Srinivasan, 2007). In this section I shall focus on some of the practicalities and tips I learnt and the difficulties encountered while using these methods.

I tried to use the interviews as an emancipatory method for self-reflection and if possible to take action. I also carried out interviews with staff representatives of seven different companies, but none of them agreed to be filmed. As explained above, it was difficult to carry out transformational and collaborative interviews with the powerful. Although little research has been done on the powerful, the literature contains accounts of the difficulties encountered by researchers 'studying up', and the techniques they used to access and interview the powerful in different settings. These accounts vary from reflective and empowering approaches to elite interviewing (Dexter, 1970; Spencer, 1982) to authors at the most radical end of the spectrum, such as Routledge (2002, p. 1), who justifies deception as a means of finding a common ground between the researcher and those who resist the powerful.

I found it difficult to follow methodological guidelines when interviewing the powerful as one has to be prepared to improvise and carry out the interview in the most inconvenient conditions. Sometimes I was promised a one-hour interview, which at the end became twenty minutes, meaning that my time to create empathy was reduced and I had to take control of the interview from the beginning. I used semi-structured interviews with the powerful when possible, but sometimes I had to opt for a focused interview as it was very difficult to keep any kind of structure, and at other times it was mainly a monologue, so one has to be aware of the right moment to take the chance to use prompts and ask relevant questions. This situation can worsen if one is not allowed to tape-record or is in a setting (such as an oilfield) where taking notes is complicated. It is therefore important to rest the day before,

and not to do more than two interviews on the same day, as it is very tiring and it will be difficult to keep one's concentration. Because of this challenging environment it is important to train one's skills before going into the field by interviewing powerful people working in various areas. One can also train one's memory and awareness, for example by trying to recall how a building looked the first time one entered, the people working there, their body language, the pictures or posters in the wall, until it becomes a routine.

The person being interviewed will form an opinion of the interviewer in the first minutes, and one must therefore aim to make the intended impression from the start: appropriate dress is important (Smart, 1984). When starting an interview I was very assertive about who I was, what my research was about, why the interview was relevant for me, and why the interviewee's collaboration was important. During the interview I tried to make the interviewee feel in control, not showing my knowledge about the topic and not threatening him/her with my views unless I could find the scope for doing so in order to get specific information. I tried to be critical with my prompts when possible, but this could easily lead to mistrust and poor data, so in order to get a long and easy interview I used words that would show my assumed neutrality and professionalism, nodding to show apparent approval of any statement that he/she considered 'the truth'. I always ended by thanking the interviewee, offering a copy of the recording (if one was made) and a summary report of the research when finished, and asking if it would be possible for him/her to give me some feedback.

The following remarks focus on my work with indigenous people, although some of them could be applied to interviews with other marginalised groups. I started the interviews by reminding them about the purpose of the research, and why their collaboration was valuable. I did not impose a schedule for the interview and we agreed to use focused interviews and open-ended questions. This was the best way to see the world through their eyes, as my way of conceptualising and framing questions differed significantly from theirs. The establishment of rapport was very important, and rapport was built in various stages as the interview progressed

(Spradley, 1979), trying to use the interview as an emancipatory and reflective process and asking them how they felt during the interview. If possible I always try to interview indigenous people in their own language, especially when they did not feel comfortable using their second language, and this was especially the case while interviewing some indigenous women and elders. I had collaborators translating for me but they were not always available and the translation was not always accurate.

It is also important to be aware of concepts and terms used by the interviewer that do not form part of the interviewee's culture, as he or she could give an answer that does not refer to the concept one wants to explore. For example, I encountered problems using the word 'successful' to describe actions or events, so I decided to use 'happy' or 'useful' depending on the context. One gets better with practice, and also in discussing these concepts during informal conversations. So as to avoid cultural misunderstandings I kept my distance and took care of my body language, as the inter-personal distance of the interviewer might be very different from that of the interviewee. This also depends on the interview setting (home, communal area, public space). I concluded the interviews thanking them for their valuable insights and collaboration, and asking them if it would be possible to come back to them if necessary and if they would like to take part in the analysis process.

Focus groups discussions were particularly useful when working with the elders, or with people that worked in a similar setting, for example company men. This method allowed me to observe the interaction between group members, which provided additional valuable insights.

Complementary methods

I used participant observation while staying with indigenous communities and attending social and political events where all the actors involved in the oil conflict were present. This method was particularly useful during consultation meetings between the State, the oil industry and indigenous peoples, as they could be three to four days long, and it was a good opportunity to observe the dynamics between the

actors. I recorded these observations in two fieldwork diaries and three notebooks. I also used a mini-disc recorder and a camcorder at times, but the latter was an intrusive method in this particular setting, and led to mistrust on the part of the powerful and some of the indigenous people that did not know me.

Informal conversations, local stories and folklore were particularly useful when living and talking with the women and elders in the community, as the interview was a stressful and alien method for some of them. I gathered useful data while cooking together, sharing *chicha*, or walking in the forest. Each night under the flickering candle-light I tried to keep a record in my diary of the conversations, stories and songs heard during the day. As explained above, I selected three cases studies for this research. Each indigenous group had a long history of ‘coexistence’ with the oil industry and they could recall and describe key moments and events of the struggle transmitted through the generations. The three case studies allow me to compare three groups affected by the same threat but with cultural and political differences in the way they approach the oil conflict and how it affects their survival.

I also gathered secondary data, which includes some of the reports produced by NGOs, the Ministries of Energy and Mines and the oil companies, letters exchanged between the indigenous organisations, the oil companies, the State and the Ombudsman Office during a situation of conflict, and transcripts of indigenous mythology. Finally, methods based on digital technology –such as blog diaries and video-recording– were also important for data collection and analysis. I tried to keep a blog during my fieldwork, depending on my access to the Internet. Only a few people had access to the blog besides my supervisors, as I did not want the blog to become public for security and ethical reasons. It was also a way of forcing myself to think of an ‘audience’ when writing about my fieldwork experiences and from my field notes and diaries. The blog helped me to make deeper and more general sense of what was happening and to be more reflective. After the fieldwork period, the blog evolved into a tool for keeping in touch and receiving comments and feedback from some of the research participants and the ‘community of knowledge’ I created.

I have also developed a ‘resistance’ section on the blog where indigenous groups can report their struggles and negotiation processes with the extractive industries.

During my interviews and conversations with indigenous people one of the recurrent themes was the lack of information about the implications of becoming involved in the consultation processes regarding oil exploration and exploitation in indigenous territories and the right enshrined in ILO Convention 169 to free, prior and informed consent. I had the successful previous experience of making a short documentary about the Cofán people, and some indigenous people and communities asked me if I could make one on the topic of ‘ free, prior and informed consent and Convention 169’. I was in a privileged position to make the film as I had gained access to the communities and had also been invited to the consultation events by state representatives. Nevertheless, I told the communities that I could not guarantee the completion of the video project because my funding and time were limited, and because I did not have the permission of the companies or the State to film these events. We agreed to use video-recording as a research method, and eventually we managed to gather enough footage to make a documentary which still needs to be edited. I believe ‘documentaries for empowerment’ could be one of the practical outcomes of the research, and in this case it was also a felt need within the communities. Although filming can be a sensitive issue for some communities, I worked with indigenous groups and leaders who had previously used this medium for their own struggles and campaigns. In every case each participant gave previous and informed consent to be filmed. My main concern was to be inclusive and represent all the views, as the young male leaders were the most interested in the documentary and this could lead to under-representation of the views and role of the women and elders.

Analysing a vast amount of data

At the end of my fieldwork I found myself with 110 interviews and 3 focus group discussions, equivalent to approximately 171 hours of audio recording, which could

take up to 870 hours to transcribe. This meant around five months dedicated to transcription. Besides this I also had to get through eight hours of video material, two fieldwork diaries, three notebooks, and secondary data. As Peräkylä (as cited by Silverman, 2005, p. 214) explains:

There is a limit to how much data a single researcher or a research team can transcribe and analyse. But on the other hand, a large database has definitive advantages... a large portion of the data can be kept as a resource that is used only when the analysis has progressed so far that the phenomena under study have been specified. At that later stage, short sections from the data in reserve can be transcribed, and thereby, the full variation of the phenomenon can be observed.

This is the approach I tried to follow, by selecting the most relevant data and coming back to my reserve of data until the information was saturated. For the analysis of the data I used analytic induction and CAQDAS (computer assisted analysis of qualitative data), and specifically the software package QSR N6. I used CAQDAS mainly for coding and retrieval and to map out ideas in diagrams or conceptual frameworks. Although the name CAQDAS implies analysis, I used the software just as a complementary tool for administering the data and not as a theory building method. The analysis was driven by the research objectives and analysis strategy and not by the software. The terminology used when using CAQDAS software, such as coding, retrieving and theory building, is similar to that used in Grounded Theory, which bases the analysis on theoretical inference from the empirical data collected in the field (Glaser, 1992; Lonkila, 1995).⁸⁷ Although my analysis is not based on Grounded Theory, some of the methods used, such as indexing or coding and

⁸⁷ The Grounded Theory Institute states in relation to Grounded Theory: All research is "grounded" in data, but few studies produce a "grounded theory." Grounded Theory is an inductive methodology. Although many call Grounded Theory a qualitative method, it is not. It is a general method. It is the systematic generation of theory from systematic research. It is a set of rigorous research procedures leading to the emergence of conceptual categories. These concepts/categories are related to each other as a theoretical explanation of the action(s) that continually resolves the main concern of the participants in a substantive area. Grounded Theory can be used with either qualitative or quantitative data, <http://www.groundedtheory.com/what-is-gt.aspx>.

comparison of text passages, are common to Grounded Theory but also to discourse analysis and critical ethnography (Kelle, 1997).

My analysis strategy consists of three cycles that feed back to each other and do not follow a linear timeline. In the first cycle I map ideas and pre-conceived theoretical assumptions that arise from my previous knowledge and experience in the field, and the literature review. I do not, therefore, approach the analysis as a blank canvas that can only be painted after the exposure to the empirical data that emerges from the field, but as a sketch that may help me to approach the fieldwork findings systematically. During this first cycle I recorded and systematised ideas and concepts using traditional notebooks, and flipcharts and also software programs such as FreeMind and DevonAgent.⁸⁸

In the second cycle I focus on the knowledge and theories coming from the actors of the “investigated social world” (Kelle, 1997). I transcribed 80% of the interviews and other fieldwork data and used 40% of this data in the program QSR N6. This software for qualitative analysis was useful to group and compare statements from actors of the same category (survivors, powerful, intermediaries) and to identify emerging themes. However, I found that QSR N6 had various limitations and I decided not to use it for the third cycle of the analysis. For example, due to my vast amount of data I found it too time-consuming to introduce all the data in the program, sort it and code it. While interviewing indigenous peoples, the interviews were carried out in a way that reflected the story line created by the interviewee and prompts were used to promote reflection. The interviews were sometimes a follow-up of conversations or they could lead to specific actions. The flow, the timeline and context of the interview and the feelings expressed through it are important for a holistic analysis and I find QSR N6 too restrictive for this purpose. Therefore, once I identified general themes with the assistance of QSR N6 I formed theme clusters in which I could feed in data from various sources – video recording, informal

⁸⁸ FreeMind is a software that assists the researcher to visualise complex ideas in one single map. Using a family tree structure the programme allows one to connect ideas, to prioritise themes and to link them with relevant text, files and online links. DevonAgent is a smart online search engine that organises all one’s Internet search by topics and establishes connections between them.

conversations, field diaries, songs, observation – as needed. I also created a timeline that allowed me to classify processes as short-term and long-term. This method complemented CAQDAS and allows me to be creative and flexible during the analysis.

The strategy described above led to the third cycle of the analysis, which focuses on theory-building and is informed by the theoretical concepts developed in cycle one and the data analysis of cycle two. In cycle three one constantly come back to cycle two to compare data, interpret it, and retrieve more data as needed until a certain level of saturation occurs. The process of building theory also feeds back into cycle one, helping to reinterpret the preconceived theoretical concepts and emerging ideas identified there. During this third cycle of the analysis I found it useful to share some theories in the blog, and asked for feedback from research participants and my wider community of knowledge. On other occasions these discussions took place via Skype. As explained before I would have preferred to revisit the field area but it was not possible due to time and financial constraints. I tried to use these three cycles of analysis as an ongoing process while building my theoretical framework during both the fieldwork and the writing-up period. This required a level of consciousness of the research process that was not always possible to achieve, but overall I managed to engage in an action-reflection process with myself and the research participants that allowed me to redirect and re-evaluate research strategies as needed.

Ethics and confidentiality

The ethical principles of this research draw strongly on the ethical guidelines proposed by the communities, complemented by those of the British Sociological Association (2002) and guidelines suggested by indigenous researchers (Tuhiwai Smith, 1999) and other scholars who have used participatory approaches when working with indigenous people and knowledge (Grenier, 1998; Sillitoe, Bicker & Pottier, 2002; Tacchi, Slater & Hearn, 2003). Additionally the Building Bridges methodology was based on a set of principles which included all the ethical considerations of the researcher and the participants.

Informed consent was given by the three communities selected as case studies and by the research participants and gatekeepers.⁸⁹ Although I was introduced to the communities through a gatekeeper, the communities decided in assembly to participate in the research. Informed consent was therefore gained both from individual participants and from the communities collectively. The communities were informed of the purpose of the research and its evolving nature as the fieldwork progressed. Special consideration was given to the issue of not creating false expectations about the research outcomes, which were therefore negotiated with the communities. The community of Sarayaku had its own code of conduct for researchers and other visitors and this was respected. Informed consent was also gained with the intermediary actors and when possible with the powerful. However, as previously explained and justified in this chapter, with the powerful a certain degree of selective communication was used. Research participants were asked if they might be filmed and recorded, and it was explained that the recording could stop if they felt uncomfortable at any time. They were also offered opportunities to retract from previous declarations and to give feedback on any research material prior to publication. Participants were informed that all the material produced as a result of the research would be published under a “creative commons” or similar licence.

Confidentiality and anonymity were also ethical issues central to this research and were discussed with the research participants as suggested by the British Sociological Association (2002). All the representatives of the oil industry asked me to keep their identities secret. Although permission was granted by most of the intermediary and survivors actors to use their names, I decided for security reasons to use false names for all the research participants. I have occasionally used real names when quoting public persons who have made the same declaration publicly and have given their consent to be quoted. Since some of the actors of the three case studies

⁸⁹ As proposed by the BSA, ‘informed consent’ implies that the participants possess all the necessary information before agreeing to take part in the research. The sociologist has the responsibility of providing all the participants with detailed information about the research in a way that is meaningful to them, including what is the research about, who the researchers are, how the research is financed, why it is being undertaken and how it will be used and disseminated, BSA, 2002.

could be easily identified, some identifiers were masked or altered in order to assure confidentiality and anonymity. For example, I gave a generic title to the occupation of several participants in their organisation or company, and the fictitious name assigned to a participant is no indication of that person's gender.

Finally, special attention was given to the security of the participants and my own. In some of the research areas such as the border between Ecuador and Colombia and the Ecuadorian province of Pastaza, the oil conflict has escalated into violence in the communities. I tried to avoid situations and sharing information that could be potentially harmful for the communities. As a researcher, I also tried to avoid areas highly militarised or where guerrilla groups were active.

In Section I of the present chapter I have described the research locations and the indigenous groups and communities selected as case studies. In order to better answer the question of survival, I decided to work with groups that were in different stages of their struggle against the oil industry in their territory. They have all developed strategies – some common, others different – to liaise with the industry and survive as a group. These survival strategies include active, clandestine, individual and collective forms of resistance. Taking into account the historical and cultural background of each community, the analysis in Chapters 4 to 7 will focus on the recent interactions between these indigenous groups and the rest of the actors involved in the conflict that arises when indigenous societies and state and corporate oil interests meet. In Section II of this chapter I have explained how using anti-oppressive approaches can contribute to the decolonisation of knowledge, and I have also described the limitations encountered by the researcher in applying this approach. I have categorised the actors involved in the oil conflict in three groups: the survivors, the powerful and the intermediaries, based on their power relation dynamics. A variety of methods have been discussed showing the adaptability and flexibility required from the researcher and participants in order to work with a wide range of actors in a politically and culturally sensitive environment, where the ethics of research practices need to be constantly re-evaluated. Issues of access and trust-

building with those groups were discussed and special attention was given to what I call a 'Building Bridges' methodology created in collaboration with the indigenous groups as an emancipatory and reflective process for both the researcher and participants.

In the following chapter I shall go more deeply into the various strategies used in the oil conflict by the powerful and the survivors and the role played by the intermediaries. The clash and collaboration between these actors will reveal old and new factors of oppression and the proactive and reactive movements to counter them. Using the oil conflict in indigenous territory as a starting point, the research will explore the influence that the neoliberal model of resource exploitation has had in the survival of indigenous people and the reshaping of territorial indigenous movements.

PART TWO: ANALYSING THE SURVIVAL MECHANISMS OF INDIGENOUS PEOPLES AFFECTED BY THE OIL INDUSTRY

In the next chapters my main aim is to identify and analyse the survival mechanisms used by indigenous peoples, consciously or unconsciously, in order to face the impacts of multinational and national oil companies on their lives and environment. In doing so, I critically analyse the influence of the different actors involved in the oil conflict and on the indigenous people's survival process. As explained in Chapter 3, I used a variety of methods to ensure that indigenous views were represented and that the participant groups took ownership of the knowledge created. The data was collected in a way that encouraged reflection, analysis and feedback from the research participants. The findings and analysis presented here therefore represent the combined analysis of the researcher and the research participants. In order to bring to life the voices of the participants I would often illustrate the analysis of the data with quotes from the latter and images from the field. In this way indigenous people's conceptions of oppression and struggle, and how these inform their actions, would be represented throughout the analysis contributing to one of the outcomes of the research, which is to ensure that the voices and views of indigenous groups are heard and that they inform social policy and practice. This is an extract from a song composed by Teresa Alma, a Cofán elder who agreed to participate in the research:

A foreign lady has come to our community.
She wants to know about our culture
She wants to know about the contamination.
I can tell you what I feel
I am so glad my voice will reach other people.
I can tell you how I cannot bathe in the river,
when the river runs black
but I am glad my voice will reach other people.
I can tell you I cannot wash my clothes in the river,
when the river runs black

but I am glad you can carry my voice to other people.

In answering the question of survival I shall also analyse the strategies and actions of the actors involved in the oil conflict, which will ultimately affect the survival of indigenous peoples. I have grouped these actors in three categories – the powerful, the survivors, and the intermediaries – based on the dynamics of power relations, the powerful being those with a greater control of these dynamics and being the main driving force of oppression, although these categories are flexible and dynamic.⁹⁰ I define the oil conflict as the situation created when the different actors involved in the development of oil activities clash. This clash may lead to a total opposition to oil activities from local communities, to lack of agreement between the company and the communities they may affect or the ones already affected, or to collaboration between the parties. The conflict may arise at different stages of this relationship, for example in the case of the Sarayaku the conflict between the CGC company, the State and the communities developed prior to the starting of the oil operations in the block, as the community opposed any oil development in its territory. On the other hand, the current conflict between the Cofán and Texaco is taking place in Court following the company's termination of its operations in Ecuador in 1992. The case of the Shipibo is again different, as the conflict revolves around the community relations programme managed by the Maple oil company and the compensation demanded by the community.

There are external and internal factors that will determine the survival of indigenous peoples, and it is on this interaction that the psychology of survival rests (Elsass, 1992, p. 175). Among the external factors that may have an impact on the survival of indigenous peoples are colonisation of indigenous territory by settlers, illnesses brought by foreigners, militarisation of indigenous territories, and extractive development projects. There are also other factors which are internal to the group such as the practice of cultural traditions, group cohesion, and the level of

⁹⁰ Refer to Chapter 3 – Access to the field and building trust, p. 128 – for a description of all the actors included in each category.

consciousness as a group. The study of survival is a complex issue, since survival acts at both conscious and unconscious levels. In this study I shall focus on the survival mechanisms developed by indigenous groups as a response to the oil conflict, although this analysis will inevitably lead to a wider conceptualisation of survival that covers different areas and which includes short- and long-term mechanisms of survival. However, attempting to identify and analyse all the possible survival strategies of indigenous peoples affected by the oil industry and the external and internal factors influencing the survival process would be a herculean task, as there are probably as many survival strategies and factors as indigenous groups. Therefore the main aims of the research are to reveal what are perceived locally, within indigenous communities, to be successful mechanisms for dealing with the possible environmental and social damages prompted by the oil industry and other major developments, and to contribute to the understanding of what is the best way forward to stop the cultural and biological extinction of these groups. This could potentially help other indigenous groups in their struggle for survival and environmental justice.

During the analysis I shall use the term ‘oil companies’ to refer to foreign transnational oil companies unless stated otherwise. Sometimes references will be made to the differences between state and foreign transnational companies regarding a specific issue such as gaining access to the communities, environmental pollution or compensation policies.⁹¹ Although the findings of this research are based on the information gathered in Ecuador and Peru, part of the oil conflict takes place in the global arena, and transnational oil companies use similar procedures and codes of conduct in the various countries in which they operate. I shall therefore indicate when the analysis of a certain model or issue could be made more applicable in general terms.

⁹¹ Please note that transnational oil companies can also be state companies, which operate in various countries, for example CNPC from China. Petroecuador and Petroperu operate only in Ecuador and Peru and the latter is not involved in exploration activities.

The analysis is divided into four chapters. Chapter 4 is called ‘Strategies of the powerful’ and aims not just to expose those responsible of the impacts caused by oil exploitation, but also to understand the strategies used by the oil industry and the State in order to assure the success of their operation in conflict areas. Chapter 5 looks at the strategies of the survivors by using a model which I have called Consciousness of Time and which shows how the survival of a group depends on its level of awareness and the use of its survival mechanisms over time. Chapter 6 critically examines the role played by the intermediaries in the oil conflict, since they are groups and individuals with specific agendas that may influence indigenous peoples’ conflict-resolution processes and development strategies. Finally Chapter 7 explains a threefold model, which shows different patterns in the relationship between the companies, the State, the indigenous peoples and other actors, and how this interaction takes place at different scales. Based on the visions of development of these actors I propose three possible scenarios for the Amazon region. The analysis will therefore focus on the political space that arises from the interaction of the different actors involved in the oil conflict and the impacts this may have on indigenous peoples’ survival.

Chapter 4: The Strategies of The Powerful

In this chapter I shall focus on the strategies used by the powerful in the oil conflict. In this category I include the state and transnational oil companies, PR companies, the military, state institutions and foreign governments. I shall analyse the strategies used by the powerful at the local level in their relationship with indigenous communities, and from there the analysis will expand into national and international actions and discourses and how these may influence the local situation, and vice versa. I have grouped the strategies in five categories based on the data gathered in interviews, participant observation in various events organised by the powerful, and secondary data. I have made some general inferences when the data showed a certain pattern in the actions and strategies of the powerful, but the research is based in the Latin American situation, which may vary greatly from the strategies which are used in other parts of the world and which are also analysed in various sections of this thesis. This chapter also has a section called ‘Understanding of the Other’, in which I shall explain how the various powerful actors perceive each other, as well as their perception of other actors in the oil conflict.

Divide and win: ‘Only the Indian can kill the Indian’

‘Division’ has been by far the most reported strategy used by the powerful in the oil conflict; ninety per cent of the interviewees, including indigenous people and representatives of NGOs, corporations, the Church, and the State, have admitted that national and transnational oil companies, but also the government and the military, have tried to divide the indigenous communities and the indigenous movement with the aim of favouring exploitation of resources. Narváez (2004, p. 82), who has carried out fieldwork in Huaorani territory and on the Maxus company, explains:

Transnational companies' management of indigenous Amazonian development [...] lacks a conceptual and technical basis on that matter, neither is it part of their role, and therefore that management to a great extent disconnects the autonomous, historic socio-political and organisational processes adopted organically by indian peoples and stemming from their inherent cosmovision. That business practice gives rise to internal divisions, co-optation of leaders, and rupture of inter-personal and family relationships. Since in Amazonia kinship remains basic in socio-organisational and political processes, their artificial alteration causes serious conflicts both within and between peoples.

I agree with Narváez when he argues that it is not the role of the companies to manage the development of indigenous peoples, which can create divisions and disarticulate families. However, it has to be stressed that division is not the unintended result of an inappropriate and paternalist development plan, but is often a practice consciously used by the oil companies to get access to the oil areas and to dismantle the resistance. Division can be promoted in various ways; one often used by corporations is bribing the leaders of the communities and the indigenous federations. A representative of the oil company CNPC in Ecuador, working for the public relations department, stated in a interview (César Ruíz, 3rd February 2007):

It is easy to divide the natives, if we find local opposition to our operations we shall eventually get in one way or another.

A representative of Tecpecuador, a transnational company operating in Ecuador, told me in private referring to the strategy of division (José Montesinos, interview, 25th January 2007):⁹²

In our company we have a very clear policy about how to act at the community level, defined in our CSR programme...we will never promote division among the communities...although you can never be 100% sure of anyone and sometimes the company workers living in the oilfield may have adopted this practice...I am aware that some companies use this strategy, especially in the past, but I can assure you this is not our case... sometimes we may promote division among the communities just by our presence in the area.

A representative of the Cofán communities comments that bribery is a common practice, that the oil company's PR people can be persistent, and that unfortunately some leaders have succumbed to these offers (Ernesto Flores, interview, 14th January 2007):

Oil companies are still a main threat for us...every year the subsidiaries change their name... and they look for the president of the community, who is in this position only for a year, the companies seek how to negotiate with the community...they invite the leaders to drink, a good hotel, sometimes even with women...and sometimes the president may accept some offers due to necessity...and then the company men come and say they want to operate in the community...but the president should not allow this, because this cannot be imposed...all the decisions must be taken in the assembly...but we all make mistakes, we are not perfect...and this is still an internal problem we need to solve.

⁹² This is a personal statement and the interviewee is not speaking on behalf of the company.

In recent years indigenous communities have often elected relatively young people as representatives and presidents of the communities. Among the reasons for that is their knowledge of Spanish and familiarity with white-mestizo society, as some of them have studied or worked in the city. These leaders are often teachers in their community, or may have worked for an NGO, and may also have a family to look after. Although many of them are well aware of the threats that affect the life of their communities, they also become easy targets of companies or the military. Some community members and leaders admitted in interviews that they have been offered money by companies to talk with the families and convince them of the benefits that the oil industry could bring to the community. This modus operandi is characteristic of a clientelist relationship between the companies and the communities, where the power of money rules over the law, creating irreparable social impacts in the communities. When a community is divided, some families may form a new community with its own organisation supported by the company, detaching themselves from representative organisations. A company may argue that before starting its operations the communities and local organisations have been consulted and a corporate responsibility programme (CRP) negotiated, but a closer look at these alliances may prove the lack of representativeness of the organisations.⁹³ Sometimes the CRP is negotiated only with those communities that support the oil operation, but not with the rest of the communities affected by the oil concession; this strategy may influence the decision of communities towards establishing an agreement with the company.

The division of communities can have dire consequences for their members. During the conflict between the Sarayaku and the CGC Company, the neighbouring community of Canelos blockaded the access of the Sarayaku through the Bobonaza River. In December 2003, 120 people of Sarayaku travelled to the city of Puyo to participate in a March for Peace and Life to denounce the pressure actions of CGC and the non-compliance of the government of Ecuador with the precautionary measures ordered by the IACHR to protect the Sarayaku. The Sarayaku delegation

⁹³ The corporate responsibility programmes are also called in Ecuador and Peru community relations programmes.

was stopped in Canelos, where they were beaten and insulted; ten of the aggressors were dressed in yellow suits with the CGC initials and were in a drunken state.

Image 2: Jorge Santi was slashed in the head with a machete
(source:www.sarayaku.com)



In February 2004 the president of Sarayaku was assaulted in Quito at gunpoint and his documents were stolen; this happened hours before he was to travel to Washington DC to appear before the IACHR to present the Sarayaku case against the Ecuadorian State in relation to the conflict with the CGC company (Sarayaku, 2004b). A community member from Sarayaku gave me his view about why this conflict between Kichwa communities is taking place (Remo Mendes, 17 January 2007):

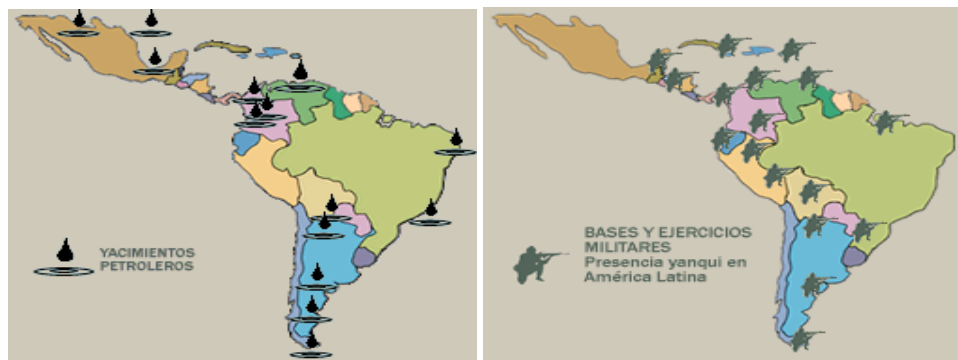
The division is taking place because the oil companies know our weak points perfectly; they hire sociologists and anthropologists to study us...some of them even pretended they were journalists to enter our community and get information... “only an Indian can kill another Indian”, the industry know that, and this is what is being promoted.

This division strategy affects not only communities but the indigenous movement as a whole. The oil industry has been one of the main contributors to the division of the Amazonian indigenous movement. In February 2007 I attended the extraordinary congress of the Amazonian organisation CONFENIAE. The object was to select a new leadership and to reflect on why the Ecuadorian indigenous movement, arguably the strongest indigenous movement in Latin America, was now totally divided. The conclusions were that the division was founded on the differences between those against and those in favour of extractive industries as a path to development for indigenous people, and also on the disastrous influence on the movement of the government of Colonel Lucio Gutiérrez, elected in 2002. In this regard, the participants at the congress were very self-critical and admitted the responsibility of the indigenous leadership in supporting the populist president, who after his initial support to indigenous peoples started a strategy based on division and corruption to dissolve the movement. The 2007 congress of CONFENIAE elected a new leadership that opposes the development of extractive industries, and will work to tackle corruption and to analyse what needs to be done to assure the legitimacy of indigenous organisations.

Militarisation and violence: 'State of emergency' in oil producing areas

The presence of military forces in oil production areas is a common strategy of governments and oil companies all over the world. The United States Southern Command has military bases in strategic areas and troops in all the oil production countries in Latin America. Although the Middle East is the area with most foreign military presence, oil production areas in Latin America also host a wide variety of foreign forces, together with national police and military and paramilitary forces.

Image 3a, 3b: Oilfields and US bases and troops in Latin America (source: <http://va.prensa-latina.cu/militarizacion/articulos/petrol/10.htm>)



In Colombia, for instance, the oil industry is helping to finance the internal war and paramilitary groups. In 1992 the government established the ‘war tax’ by which one dollar per oil barrel produced went to finance the war. In July 2005 Colombian farmers instituted proceedings in the English High Court against the BP Exploration Company (Colombia). They claimed that the construction of an oil pipeline by OCENSA (a consortium led by BP) caused environmental damage to their land and that BP benefited from the protection of the pipeline carried out by paramilitaries, who suppressed opposition to the pipeline and created unrest among the population (Business & HRRC, 2008).⁹⁴ Marriott and Muttitt (2004, pp. 141-144), in their field research on BP’s Baku-Tbilisi-Ceyhan pipeline in Azerbaijan, also stress the increasing militarisation of the region and how the security measures in place to protect the pipeline could directly and indirectly risk the lives of civilians in these war-ravaged regions.

The Cofán people living in the border region of Ecuador and Colombia are severely affected by the presence of military, paramilitary and guerilla forces. While doing my fieldwork in this area I was stopped and searched on several occasions by at least three different types of armed police and soldiers, and I also noticed the presence of

⁹⁴ BP argued that any lawsuit against the company should be in Colombia, and the farmers claimed that their Colombian lawyers were threatened. On 22 July 2006 the parties announced that a settlement had been reached.

guerilla forces. Cofán people told me that on the Colombian side of the border the state company Ecopetrol is about to start operations and that all the Cofán communities now have a military presence in their territory. Tenthoff (2007, pp. 4,8) explores this situation in his recent research, which focuses on the conflict created in the Colombian side of the Cofán territory due to ‘the war on drugs and terror’ and the oil industry:

When paramilitaries from the United Self-Defence Forces of Colombia (Autodefensas Unidas de Colombia, AUC) arrived in Putumayo, according to testimony from some of the paramilitaries themselves, one of their objectives was to facilitate the development of resources by transnational companies [...] Since 2000, the Cofán communities have suffered human rights violations and violations of international humanitarian law by state security forces and illegal armed groups. The many unfounded accusations, detentions, attacks on property, murders, forced disappearances, battles in indigenous reserves, armed strikes and rapes have led to a breakdown of the social fabric.

The military in Latin America often sign contracts with the oil transnationals and the national companies to offer them protection, and in exchange they get funds for military operations. Enström (2008), whose fieldwork research focuses on the operations of the Swedish company Skanska in indigenous territory, explains that in January 2006 the Ecuadorian government created the Special Oil Security Group, GESPETRO, which coordinated the security of various transnational companies. In exchange for protection the companies are obliged by contract to provide food, fuel, infrastructure and information about their community programmes to the military. She states:

The difference between a military area and the private property of an oil company is somewhat ambiguous, since the armed forces often use oil

installations as detention centres for the civilian population.

In January 2008, the Ecuadorean Minister of Defence signed a contract with Petroecuador, in which the state oil company will pay ten million dollars annually for the service of the Joint Command of the Armed Forces. This agreement followed the social unrest that took place in the Amazonian oil-rich provinces of Orellana and Sucumbíos in 2005 during which civil society demanded greater redistribution of oil revenues in oil producing areas. The newspaper La Hora reported (“Defensa Petrolera”, 2007):

In addition, the operational units of the Armed Forces will be obliged to give immediate assistance in cases of emergency such as attack, sabotage, theft or extortion, and to undertake intelligence work and security studies for precautionary measures aimed at safeguarding the normal functioning of the activities of exploration, exploitation, industrialisation, transportation by oil pipeline, areas of influence and multiple pipeline installations, this without waiting for a request from the highest authorities or responsible units [...] Zurita [Executive president of the state company] denied that this meant militarisation of oil installations. “Hydrocarbon installations are now going to be looked after externally by the Armed Forces. That is no reason to say that we are militarising,” he said.

In October 2006 I attended the International Forum on Petroleum, Human Rights and Reparation held in the city of Coca in the province of Orellana. Various groups of peasants and indigenous peoples, organised as human right advocates, protested against what they saw as a free hand for the military to repress any sort of opposition against the oil industry and to abuse human rights, especially when the government declares a state of emergency. The forum heard evidence from activists around the world who are resisting oil operations in militarised areas such as Congo and Iran,

and how they are often accused of sabotage and being terrorists. In November 2003 a long-time environmental activist, Angel Shingre, was murdered in the city of Coca just days after the opening of the trial against the Texaco company. Shingre was one of the witnesses in the case, and before he died he declared that his murderers were connected with the company (Realworld Radio, 2003). In February 2007 I interviewed the activist Sebastián Salcedo, who was arrested by the police in June 2006 and disappeared for three days during a declared state of emergency. Sebastián worked with Angel Shingre and gave this account of his own detention (interview, 7th February 2007):⁹⁵

That morning in my role as an observer of the fulfilment of human rights, I went with other colleagues to visit an indigenous community which had problems with the French transnational Perenco and were about to carry out a direct action in the oil installations... When we arrived the whole area was surrounded by armed soldiers... Although the direct action was peaceful someone said people should be dispersed... They started to shoot the people with rubber bullets... I was taking photographs to document what was happening and then a soldier shot me with several rubber bullets, others threw stones at me... One of them shouted “take him, he has evidence that could compromise us”... I hid my camera in my bag but they arrested me and made me remove my clothes, and finally they found the camera... I was taken to the Perenco installations, from there to the hospital in Orellana, then to a police cell, and then to two different military cells... They never told me why I was arrested or read me my rights... While there a captain told me that I was in a delicate situation and that I was going to be taken to court... When I was moved to the last military cell by helicopter I was afraid, I thought they were going to kill me... I was planning to open the door and jump but I couldn’t... I told myself “you have to endure this as much as you can”... Fortunately, everyone was looking for me and demonstrating, the mayor, the prefect... Finally on the

⁹⁵ Sebastián Salcedo is not the real name of the interviewee. However, his identity could be easily discovered from the information provided in this quote. I decided to include the quote because he gave me informed consent to publish it and because he had made similar public declarations prior to my interview.

third day I could talk with my family and lawyer and I was told that Perenco had accused me of sabotage and terrorism and I was going to be tried in a military court... I was released sixteen days later because the governor of Orellana paid my bail...I never understood how they could put these charges against me...I was just trying to document the environmental problems caused by Perenco and monitor the direct action taken by the community members...nevertheless I am a peasant and an activist and I continue working in the same road where the oil installations are located...As a friend of mine said, I was born to die, and it is better to die standing than kneeling.

These testimonies show that the militarisation of the oil installations is not only a measure to protect the oil companies, but an instrument to repress opposition and criminalise communities, as happened during the state of emergency declared in the main oil provinces of Ecuador. The military also seem to take the role of the government in areas where the oil industry face frontal opposition, as is the case of the community of Sarayaku. In March 2004 the head of the Joint Command of the Armed Forces, together with armed military police and officials, entered the community without previous notice to pressure the community to allow the operations of the CGC Company. As reported on Sarayaku's website and by various witnesses in my interviews, the head of the Joint Command stated (Sarayaku, 2004a):

If there's no unity and no friendship, we military may have to enter by force ... You have the choice, if you want we'll do things the way they are decided in the Central Government, although I'm not partial to that route ... If we don't act together but continue with this hostility, these disagreements, these radical positions, then there's going to be violence ... As head of the Armed Forces I have to obey any decision of the Government.

The president of Sarayaku answered (2004a):

We shall bring this violent action against us to the urgent attention of the national and international judicial authorities, because if they want to protect an oil company that violates our rights, and the Government also does not respect us, then they will all be responsible for the extinction of my people.

Image 4: CGC engineer surrounded by soldiers in Sarayaku (source: www.sarayaku.com)



The militarisation of oil areas and the persecution of leaders have a social cost for indigenous and peasant communities which have to be defending themselves instead of thinking their own future and development. For example, during the conflict with the Government and CGC the community of Sarayaku suspended its annual traditional festivity for four years, and declared its territory in a state of emergency. Jerónimo Cortés, a Sarayaku leader, referred to this issue when I interviewed him (10th March 2007):

During this time there has been harassment, threats to leaders, because we always have to be on the defensive, struggling. Struggling to construct a better goal would be very good, but here we have to be always struggling defensively, and that makes us go backwards because there's this pressure from the transnationals.

The association between oil companies and military, paramilitary, national police and private armed forces is a strategy used by the powerful actors in the oil conflict both to protect their assets and to counter social opposition to the industry. The results are criminalisation of communities by those in power, radicalisation of the resistance, increased distrust among the actors involved in the conflict, and irreparable social impacts in the affected communities.

Good neighbourhood agreements, PR strategy, and the absence of the State: 'A spoke in the wheel of growth'

As explained in the general introduction, during the first years of the oil industry companies did not have to worry about the social impacts of their operations. Indigenous organisations were in their infancy, and most indigenous communities were unaware of the impacts that the industry might bring. Government planning was beginning to show recognition of environmental and indigenous rights, while social control in indigenous communities was guaranteed by the presence of evangelical and Catholic missionaries. This does not mean that indigenous communities peacefully allowed the entry of the industry. Company men, especially those in charge of the seismic phase of the operations, were subject to attacks by various indigenous groups, but overall their paternalist strategy of petty gifts and short-term unskilled jobs for indigenous people kept the resistance at bay. Nowadays the scenario is totally different, since national and international law has been developed to protect the environment and populations affected by the oil industry. Although throughout the thesis I have stressed the shortcomings of these regulations, they have nevertheless considerably changed the pattern of relationship

between the State, companies and communities. In order to operate in a friendly environment, companies in Latin America use community relations programmes (CRPs) as part of their CSR strategy. Parts of these agreements are compulsory for the companies by law, such as the compensation and reparation payments made for the use of the territory and for environmental contingencies. However, companies also see these programmes as ‘good neighbours agreements’ that can be negotiated to minimise conflict, and not as an obligation.

Wray (2000 pp. 56-60), who carried out fieldwork in the Ecuadorian Amazon and examined the complex relations between the State, the companies and indigenous peoples, explains that the agreements reached during negotiation of a CRP vary depending on three factors: the phase of the oil operation, the level of international awareness about the specific project, and the strength of the indigenous organisation. I would add that other factors are the PR strategy used by the company and the State to promote oil activities, the environmental and social record of the company, the size of the company, and whether the company is national or transnational. During the seismic phase of the operations the agreement between the companies and the communities tends to be short-term, since the company cannot assure the discovery of oil reserves, and if the finding is not economically viable it will cease operations in the area. In the exploration phase the agreements are long-term, as this minimises conflict, and companies fund whole projects instead of specific demands. The first contact with the communities normally takes place through the EIA or, since recently, through the consultation process. Some indigenous organisations complain that companies use the EIA to access the communities and start negotiations and the CRPs to secure their permanence in the communities. Companies argue that even if they aim to negotiate through local and regional organisations, the communities demand direct contact with the company.

The community assembly is the institution which ultimately decides to negotiate with a company or not, and this decision cannot be imposed by any local, regional or national organisation. However, what is at stake is transparency and goodwill. If consultation is to take place the State should inform all the representative local

organisations that may be affected by an oil project, and a participatory and transparent decision-making process should be established in which communities decide after all the necessary information has been compiled and understood, and not because of the offers and negotiated agreements made by the companies prior to consultation. The adoption of ILO Convention 169 does not guarantee the right to be consulted, as this depends on the specific regulations that the signatory country has designed to implement the Convention.⁹⁶ I asked Pablo Garrido, a lawyer working for an Ecuadorian NGO and also an assessor of the community of Sarayaku, his opinion about how consultation has been carried out in Ecuador since 1998; he stated (interview, 13th February 2007):⁹⁷

We have a right to consultation guaranteed by international standards and also by the Ecuadorian Constitution of 1998. Article 84 of the Constitution also grants a collective right to consultation. Since 2002 we have had regulations on consultation and participation in the matter of hydrocarbons, but they do not fully recognise the right to be consulted and are very controversial. We have also had regulations on prior consultation on environmental matters since 2006, which are a bit better but are not based on Convention 169, therefore their applicability to indigenous peoples is limited. We have all these regulations, but for the past eight years they have not been applied, even through information workshops... only in 2004 a pre-bidding consultation took place for Blocks 20 and 29, but regrettably an evaluation carried out by various independent observers shows that it was a very entangled process which lacked transparency, forced positive answers and ignored voices against the oil developments. Overall, the expansion of the extractive frontier in Ecuador goes hand in hand with violations of rights, and this cannot go on... this permanent violation of the right to be consulted complicates the socio-environmental scenario of the Amazon region and

⁹⁶ Refer to Annex 2 for a critical review of ILO Convention 169 and the right to free, prior and informed consent in relation to indigenous peoples.

⁹⁷ The original title of the law described in Garrido's quote is *Reglamento de Consulta y Participación en materia de Hidrocarburos* (regulations on consultation and participation in the matter of hydrocarbons).

other areas in which extractive activities are developed...we need to improve not only the consultation process but the recognition of the right of the communities to free, prior and informed consent...until this right is guaranteed the expansion of extractive activities in indigenous territories should be halted. Oil activities should only be carried out in those communities which give their consent and can benefit from the profits made.

This is the case of the Sarayaku, who were never consulted about the development of operations in Block 23. Although consultation did not take place the company put in place an aggressive PR strategy in order to start seismic operations in Sarayaku territory. CGC contracted the PR company Daimi Service to help them sign an agreement with the communities of the oil block. In an interview with David Luján (15th March 2007), a representative at Daimi, he stated:

This case was especially challenging for us, so I decided to invest my own money and told the company [CGC] that if I did not manage to sign agreements with all the communities in the oil block they would not have to pay me. They had tried before with other consultants and they achieved nothing, but we managed to sign a contract with 26 of the 28 communities.

This Daimi representative told me that the practices of his company are based on high levels of transparency, taking into account the perspectives of all the actors and working with the local authorities. This information contrasts with interviews carried out with indigenous leaders from different areas in Ecuador who accused this particular PR company of favouring the interests of the oil companies, blackmailing leaders and working under cover (Javier Maldonado, interview, 15th January 2007; Américo Salazar, interview, 22nd March 2007). In 2001 CGC also bought a daily slot in a local radio programme, in which its representatives stated that the company was about to start operations in the area which would bring benefits for the

communities of the oil block and local jobs. The company has also used the programme to discredit and attack Sarayaku leaders (Geertsen, 2007). These attacks escalated and reached levels of unprofessionalism and lack of ethics, which forced Sarayaku leaders to write a letter to the Ecuadorian Association of Radio and Television in which they stated (Sarayaku, 2003):

We are fully aware that the media should be impartial in reporting news to the people, and that a journalist should observe professional ethics. We understand that Radio MIA journalist Edwin Fernández works as a public relations official of CGC, the Compañía General de Combustibles.

His news reports on that subject are not, therefore, impartial ... We also denounce that the same station broadcasts a programme in the Kichwa language and lastly in Spanish at five o'clock in the morning, at which time the indigenous communities are awake and tuned to the radio in which we leaders and an entire community are threatened and insulted in nauseatingly pejorative terms for an hour every day ... ensuring that the participants in the programme will speak only against the Sarayaku community and its members. This programme has been running for about three months.

The last straw is what happened yesterday, when that same radio station broadcast messages of condolence in which it stated that the top Sarayaku leaders Franco Viteri, José Gualinga and other leaders had died in a tragic accident on the Baños Puyo road, a false report which a broadcasting station should not allow. This kind of attack on the Sarayaku leadership has reached a limit which cannot be tolerated. They are playing with psychology, feelings, and the susceptibility of our families, friends and brothers.

We demand that the authorities in charge of the media of communication take note of the matter and that a code of practice be established which will include journalists' professional ethics.

In September 2006 CGC presented a glossy and sensationalist magazine at the Oil and Power Conference in Quito. The title of the publication is *Memoria y Futuro del Ecuador Profundo* ('Memories and Future of Deepest Ecuador') and the author of the article is the journalist Diego Sherriff, who presents the demands for autonomy and territory of the indigenous movement as "a spoke in the wheel of Ecuador's growth". The publication stresses that the conflict is not between the Sarayaku and CGC, but between the former and the State, which is unable to exercise its sovereignty in the region. Sherriff also describes the Sarayaku leaders as subversives, and the NGOs which support the Sarayaku cause as having fundamentalist positions. The company's version of the conflict can be summarised in the following quote (Sherriff, 2006, p. 38):

The permanent hostility to CGC in Block 23 caused an end to the work, with the loss of 600 direct jobs in addition to a further 1,200 indirect contract jobs, and the suspension of a multi-million [dollar] investment which could have directly benefited Ecuadorian families in Pastaza and not a small group of Sarayaku leaders who look to their own advantage. It should be essential for the Ecuadorian State to clarify these points in order to guarantee the development and progress of the whole country and not the perks and impunity of a group of "families" which, with the support of NGOs and unscrupulous lawyers, act with complete impunity and in total secrecy.

CGC used an aggressive PR strategy in the Pastaza region because it met with strong resistance in the Sarayaku community. The Sarayaku fought back and organised the *Kapari* (meaning 'shout') Campaign to create awareness of the conflict at local, national and international levels; it was supported by organisations and individuals in several countries. The Sarayaku are an exceptional case, in which a single and isolated community has managed to resist what seemed inevitable, the exploitation of oil in its territory. However, the price paid for this resistance has been high, as the

community has lived in a state of alertness and psychological pressure for the past five years, and the damage caused to the social network by the interruption of their cultural traditions, the animosity created with neighbouring communities and the violation of sacred places by CGC will be very difficult to repair. CGC relies very much on its PR strategy to survive. In December 2006 a consulting PR firm hired by CGC, Eikon, won the most prestigious award in Argentina for institutional communication (Chávez, 2006). Eikon's aim was to rebuild the image of CGC, which was recovering from a period of debt restructuring, and to incorporate it in the regional market.

The conflict between the Sarayaku and CGC developed before the operational phase of the oil activity, but this kind of conflict is likely to emerge in many indigenous communities where companies have been exploiting the resource for decades. Many of the oil contracts in the Amazon area were signed thirty years ago, when there was no need for consultation or CRPs. Although the right to be consulted and other environmental regulations are not retroactive, communities that were never compensated for the use of their territory are now starting to claim compensation. This is the case of the Maple company and the Shipibo-Konibo people of Canaán, who, after various direct actions that brought the conflict to the national level, managed to signed a compensation agreement with the company and a long-term CRP. An indigenous leader of the local organisation FECONBU reflects on the struggle of the people of the community of Canaán for compensation and the direct actions – ‘fight actions’ in his words – that they took (Arturo Valiente, interview, 17th October 2006):

Before the fight actions we got only palliatives from the company...then we carried out three fight actions and we waited a long time for the company. People were tired and hurt because the company never fulfilled the agreements...and then waiting again...in one of the dialogue sessions the regional president of the Loreto province made the company notice that its community relations programme was mainly focused on the city of Pucallpa,

but they did not have any programme or support for Canaán...we proposed that the company should pay us five million soles [approximately 1.6 million dollars] for the use of our territory over the years...what we have got is 152,000 soles per year [approximately 49,800 dollars] and a community relations programme, but we still do not see results...the company thought we were asking for too much because they value the territory in a very different way...but this payment is just for the use of our land, no environmental or health impact assessment of our population has been done yet...as a federation we all agreed that we are against oil exploitation in our lands...we have a new company coming, Amerada Hess, they want to exploit oil in all the river basin, but we all agreed to say no...now the problem is...when other communities see that here in Canaán we have got compensation, they may think this is easy to get, they may think oil companies are good for our development, but then what is going to be left for us in the future?

Valiente's commentary stresses the importance of CRPs as a negotiating tool for both sides, but it also shows that they can be a double-edged sword. On the one hand communities that have not received any sort of compensation from the oil companies for decades are right to demand compensation which takes into consideration the value that indigenous peoples attach to their land. This is often a complex matter, since many of the affected areas have an unmeasurable value for the people. However, if a price for compensation is to be set, the calculations cannot be based only on the price per hectare set by the national government. On the other hand, the prospect of compensation and a long-term CRP can lead the community to engage in a development process of which they do not have ownership.

Image 5: “Puppet dancing”



Image 5 comment: This photograph was taken during the annual celebration of the Shipibo community of Canaan, which was financed by the Texan company Maple Gas as part of its CRP. In the photograph, the company men, the indigenous people, and myself dance together in a dance of power relationships where the puppeteer and the puppets can be easily interchanged. From an outsider, coming for the first time to this indigenous community on this celebration day it would have been difficult to imagine that the same community carried out three direct actions in a row just a few months before the photograph was taken. The company distributed t-shirts and cups with the Maple icon, even some indigenous craft had the Maple icon engraved, and the whole celebration run smoothly with company men, the CEO of Maple, the Mayor and other authorities mixed with the community in a cheerful and relaxed atmosphere. A first and rush analysis of the event would have shown indigenous people vindicated to the company gifts. An in depth analysis of the event based on interviews with the different actors and participant observation in the community show that this event represented a victory for indigenous people after their long struggle for compensation, and also an opportunity to warn the company that ‘good neighbours’ relationship would be broken if the agreement reached was not respected. This was made clear when one of the community teachers stood up and read the history of Canaan to all the guests, stressing that the struggle against oil exploitation was one of the most stressful period for the people and that they will be ready to take action again if the company came back of its previous behaviour of avoiding dialogue and responsibility.

For many communities the CRP negotiated with the company, before or after oil exploitation, is the only external support they get, and for them it becomes a matter

of survival and an opportunity for development. Many communities see transnational companies as institutions with endless funds which take out all the resources of the country without leaving real benefits for the people; their demands may therefore range from capacity-building training to the construction of a school or a road. Negotiation between an oil transnational and an indigenous community is an uneven process, in which communities often do not have access to the information and legal advice necessary for fair negotiation. Even in the ideal case that a fair process is established, once the company takes on the role of the State a clientelist relationship is created which is very difficult to break.

The case of the state oil company and medium-size companies varies slightly from this, since they normally do not have the same economic resources to negotiate the CRPs as an oil transnational. The PR strategy of the national oil companies is also less aggressive, although practices such as militarisation of the oilfields and the co-optation of indigenous leaders are common. Nevertheless, indigenous organisations also complain about the strategies used by the national oil companies, as in a recent communiqué published by the national organisation of the Huaorani people in Ecuador (NAWE, personal communication, 12th December 2008):

During the past few months the Petroecuador company, operator of the Cononaco oilfield in the Province of Orellana ... has been preparing development of the three-dimensional seismic project for drilling nine oilwells in this field, without respecting our collective rights.

The boundaries of the Cononaco oilfield, discovered and previously operated by Texaco, overlap our ancestral territory and the Yasuni National Park and adjoin the Tagaeiri-Taromenane Intangible Area.

Petroecuador has not carried out prior consultation with NAWE, the sole and legitimate representative body of the Waorani People, as required by the Constitution of Ecuador, by Convention 169 of the International Labour

Organisation and by the United Nations Declaration on the Rights of Indigenous Peoples.

The company has acted illegally and irresponsibly, negotiating only with the local community and handing out US\$35,000 in order to get permission to enter our territory; the supposed agreement signed by Petroecuador and the community would allow for the three-dimensional seismic project, the drilling of nine oilwells, and production from them.

Companies are aware that they are replacing the State and that they should not be the ones in charge of the development of indigenous communities; however, most of the oil company CEOs and representatives interviewed for this research blame the State for its inability to institutionalise the extraction of resources in the Amazon region, its absence from the negotiation with communities, and the lack of investment in the communities in which oil is extracted. A representative of AGIP, a transnational company operating in the Ecuadorian Amazon told me in an interview (Jaime Zavala, 17th March 2007):⁹⁸

The main problems we have in the communities are due to the absence of the State, this is at the core of all the problems in Ecuador...a company has to operate in an area where the State has not been present before...the first doctors and health programmes and infrastructure came with the company. In the past the presence of the State was even lower than now, which caused problems and a chaotic environment...the oil activity attracted a horde of people to the Amazon, the greatest migration in our history, and there was no form of regulation or consultation...we need more institutionalisation; the solution would be a greater presence of the State, which should be the planner of economic and social development, the one that would establish the norms, the limits, and make them enforceable...this is the legal framework we should

⁹⁸ This is a personal statement and the interviewee is not talking on behalf of the company.

have, as happens in Europe, right?...if a company establishes itself in a local area, the communities cannot impose rights on the company, it is the State that regulates the process...likewise the State should distribute the benefits of the operation and there is no other alternative...the difference between development and underdevelopment depends on the solidity and institutionalisation of the State, and this we do not have in Ecuador. We have palliatives, one of which is 'prior consultation', but the State needs to make it more structured, with the rules of the game clear for all the actors...what we have now in this country is a chaotic scenario in which companies do not have the necessary conditions to invest. If this were the case we would have gigantic investment in Ecuador, as they have in Europe where the rules of the game are clear.

Zavala is right when he points out that the absence of the State contributes to creation of a chaotic environment for corporate investment and community relations. He also pictures the Amazon region as a no-man's-land where institutions do not exist. Although it is true that state health and education programmes do not reach many indigenous communities, this does not mean that there is no state presence in the Amazon region. For more than two decades, especially since the arrival of the oil industry, the Amazon region has gradually developed its administrative structure, and decentralised state institutions are present in every Amazonian province. National representatives of the State may not participate in the negotiations between the companies and the communities, but a multi-stakeholder local or regional board could be created to monitor the transparency and accountability of the oil operations and to decide the best way to distribute the percentage of the oil rent that by law goes to the local and regional governments. Although state institutions in the Amazon region are under-resourced they can still play an important role to institutionalise oil operations in the region.

One should be careful, though, when discussing institutionalisation, as state institutions in Latin America have often been used to assimilate indigenous peoples.

Adams (2001, pp. 187-191) explains that the main strategies used by Latin American States to deal with ethnicities are military force, setting the 'national agenda', state integration and the control of the economy. These strategies normally favour the dominant group, the white-mestizo in this case, and ignore the plurinational question. However, institutionalisation can also be understood as the process by which state institutions and development plans reach all the regions of the country, and in which conflicting interests can be managed through greater participation of the communities and civil society.

Zavala seems to infer that in Europe communities do not impose rights on companies while in Ecuador they do. European countries, with the exception of some Nordic countries, do not have to deal with the issue of collective rights when planning oil activities, as it is the case in Latin America. The safeguard of collective rights and other indigenous rights granted to indigenous peoples in international treaties and national constitutions is not an imposition on the companies by the indigenous people but a legitimate claim. Zavala also implies that in Europe the rules of the game are clear, not as in developing countries. Oil companies in Europe operate with different standards to those of developing countries, in which violations of environmental and human rights are constantly reported. However, I shall argue that the 'rules of the game' are far from clear for all the stakeholders, since companies in Northern countries have a major influence in dictating industrial safety standards and avoiding judicial accountability. Woolfson and Beck (2005, p. 9), who have researched oil operations in developed countries, including the Piper Alpha Disaster which occurred on Occidental's platform off the Scottish coast, explain:

In the oil provinces of advanced capitalist nations, we would not expect to find the "unfortunate excesses" that have accompanied the activities of major companies in less developed parts of the world. Here repression takes more subtle forms. It includes the cooption of the debate on corporate responsibility by the oil multinationals themselves, together with the deflection of questions about safety and trade union rights through a new "shared" agenda that views

environmental issues and “sustainability” as preeminent.

The state and oil companies, as powerful actors in the oil conflict, are both responsible for the ‘chaotic scenario’ described by Zavala. Absence of the State in some oil regions of Southern countries does not justify the methods employed by the oil companies to counter resistance and to negotiate with indigenous communities. Among these methods are divisionism, bribery, co-option, psychological pressure, militarisation and legal threats. There are also recent experiences in which the State has taken the leadership in promoting oil operations and relations with the communities, as I intend to analyse in the next section on the Peruvian case.

Developing a common discourse: The good citizen, ‘children, don’t complain to daddy’

In this section I shall use the Peruvian model of hydrocarbons promotion to illustrate the collaboration between the powerful actors involved in the exploitation of oil and their community relations policy. As explained in Chapter 2, Perupetro is a private-law state company that promotes exploration and exploitation in Peru, and is also responsible for negotiating and signing the oil contracts and introducing the companies to the local communities. For this purpose, Perupetro has designed a strategic plan for coordination with indigenous communities. As stated in one of its information workshops, the main objective of this plan is:

To develop a scheme of work that would contribute to the harmonious development of hydrocarbon-related activities in areas inhabited by indigenous peoples, encouraging investment in exploration and exploitation of the country’s hydrocarbons.

Once the contracts are signed with the companies, Perupetro organises an

information workshop in the communities of the oil blocks followed by three organised by the Directorate of Environment and Energy Affairs before, during and after the EIA, and a final public hearing. This series of workshops constitutes the consultation with indigenous communities. During my fieldwork I attended several information workshops in Shipibo-Konibo territory, invited by Perupetro. Although the consultation is a mere information process I thought the involvement of the State through Perupetro and the Ministry of Energy and Mines was a positive step towards breaking the clientelist relationship between the companies and the communities. A range of different actors are invited to these workshops to make presentations and resolve any doubts that may arise regarding the petroleum contract, among them local and regional authorities, various branches of the Ministry of Energy and Mines, the recently created governmental indigenous organisation INDEPA, and the Ombudsman Office. No representatives of NGOs or civil society groups were invited, and the national leaders of indigenous organisations were invited but did not attend. This could be seen as a lack of responsibility of the national leaders to support the local organisations, but as will be explained later in Chapter 5 the presence of national leaders could also contribute to legitimisation of a consultation process that they do not consider fair.

Perupetro has the role of introducing the company to the indigenous leaders and representatives of indigenous communities, and the company presents its policies, procedures, timetable and CRP. The consulting company in charge of the EIA is also invited to the information workshop although it does not make any presentation. The first thing I noticed when listening to the presentations was that they were far too technical and lengthy, and after an hour it was difficult to maintain concentration, especially since Spanish was not the first language of many of those attending. I found the language used by all the speakers and the way they explained concepts extremely patronising, as if the indigenous representatives were children in a school class. Perupetro insisted that questions and doubts would be answered only after all the presentations were completed, but by then everyone was tired and the participation of the audience was limited. The representative of Perupetro offered to have the whole proceedings translated into Shipibo with the help of one of the

indigenous leaders, but this would have been far too time-consuming and not all the presentations were therefore translated.

During two consecutive days the representatives of communities were overwhelmed with information, not only about the oil industry but about regional government plans and activities, the Hydrocarbon Law and regulations, the structure and role of all the government agencies involved in petroleum exploitation, and the collective rights of indigenous peoples. The issue of consultation was touched upon by the regional government and Ombudsman representatives, but no one openly said that what it was taking place was the actual consultation and that by signing the attendance form the communities would enable Perupetro to prove that they had been consulted. I was surprised that not even the Ombudsman representative or INDEPA explained in more detail the right of indigenous people to participate in the planning of resource exploration activities and the environmental and social risks that the industry may pose to the communities.

There was also a common discourse among all the speakers, except the Ombudsman representative, which stressed the benefits that responsible hydrocarbon exploitation could bring for the country, as Peru's aim was to become an oil exporter. More oil exploitation, they maintained, would translate into more direct benefits for the regions and the communities, and the current existence of high technology could assure that the impacts in the communities would be minimal. I told the Ombudsman official that I did not think his presentation was especially enlightening for the people and the purpose of the meeting, and he answered (Timoteo Santos, personal conversation, 8th November 2006):

I did what I was asked to do...the representative of Perupetro approached us and invited us to make a presentation on collective rights with a focus on human rights, and that is what I did...but I did not like how the whole thing was organised...I am very disappointed, I do not understand why Perupetro behaves as if they are PR people from the company, it is all orchestrated...also

I was asked a question about consultation, and a Perupetro lawyer interrupted me answering that the law did not oblige them to consult but to inform... I wanted to answer back and say that the position of the Ombudsman Office was different and that we do think people have the right to prior and informed consent as stated in Convention 169... from that moment I sat in another place, I did not want to be associated with the company.

In my opinion nobody stopped the Ombudsman official from raising his concerns during his presentation, since in other workshops that I attended the presentation of the Ombudsman Office was more relevant for indigenous peoples, and even printed material about Convention 169 was handed out. However, Perupetro proposed the themes of the presentations to the speakers and there was a common discourse of unity, the responsibility of indigenous people as citizens, and the benefits of oil developments. It was incredible that there was no critical voice, apart from some indigenous people, to speak of the possible impacts of the industry. The following quote from one of Perupetro's representatives during the workshop illustrates this point:

We Peruvians have to be all united, it is our responsibility as citizens ... Let the company act, and when it has done the EIA it will decide where it is going to operate ... We must all wish for the company to find oil – let's hope so! – because it would be good for you and for us, for the company which has come here to invest in our country ... so let's wish all the best to the company [shy laughs in the audience].

After this statement, Perupetro introduced the Amerada Hess company, whose representative made a small presentation focusing on the company's environmental and social responsibility policy. Then he distributed caps among all those present, assisted by the government officials and the staff of the consulting firm that would carry out the EIA (see Image 6 & 7).

Image 6: Hess delivers caps among the workshop participants



Image 7: Hess representative greets people in the audience



I attended various workshops and what I call the “cap moment” was always a strange experience since it seems to have some sort of power over all of us, the atmosphere became less tense and people became silent after this. An indigenous leader close to

me tried the cap on and told me (Pedro Crespo, informal conversation, 9th November 2006):

It is weird isn't it?...they have given us some caps and everything is different now, everything has broken down somehow...these caps are good quality though...I can wear them in my orchard...no one sees me there, so they cannot say I am doing publicity of the company [laughs].

In one of the workshops, the representative of INDEPA was in charge of closing the event. In his final speech he stated (Cristobal Casas, 9th November 2006):

Today there are technological advances which allow hydrocarbon-related operations to be carried out without impacting on the territory, extraction with responsibility... the territories belong ancestrally to the natives, and the benefits should reach all the inhabitants, generating development projects which look to the future, so that when the companies leave, the communities will have well-balanced development ... to create development it is necessary to look for alliances, we cannot achieve development on our own, and what we have done here during these two days is an example of how alliances are formed.

After his uncritical intervention the floor was open to questions and some indigenous people asked what would happen if after the information workshops the communities should decide that they do not want oil developments in their territories. Perupetro's lawyer tried to explain to the participants why they should not object to oil operations (Sandra Riazor, 9th November 2006):

We all form the Nation...but imagine the State is your dad, and you are the sons...the dad knows what is better for his children, and these should not oppose the decisions of the dad, do you understand what I mean?

Immediately after that comment a murmur of indignation filled the room until one of the indigenous leaders of a local federation stood up and said (Robert Bravo, 9th November 2006):

Miss Lawyer, I don't have to remind you that the natural resources belong to the Nation and we all form the Nation, therefore they are also ours. Using your not very fortunate example...in your culture the "dad" may take his own decisions without consulting his family...in our culture the "dad" consults with his children, and the children have the right to tell their dad when he is doing no good.

Indigenous peoples, companies and the State have very different understanding of who owns the land and its natural resources, and on this issue Peruvian Law once again contradicts itself: on one hand Article 66 of the Constitution states that the natural, renewable, and non-renewable resources are patrimony of the Nation and not the State, and on the other hand Article 8 of the Organic Hydrocarbon Law grants the property right to the company Perupetro, which in turn can transfer the resources to a transnational company through a licence contract (Paz y Esperanza, 2006, p. 31). It seems pointless to carry out a consultation when the organiser is not an independent body, and its aim is to convince the participants to approve the oil projects.

Although these information workshops are the main form of relationship with the communities, the strategic plan of Perupetro for community relations also includes capacity-building workshops and an annual placement programme in Lima for young indigenous people living in oil production areas. The programme is organised and funded by Perupetro and the Ministry of Energy and Mines. I spoke with two young

people who had been selected for the placement, and they told me that they are now better informed about the oil industry, its phases, and how the commercialisation of oil can be good for the country, although they did not learn much about the impacts. They also said that some of their colleagues who had already completed the placement had found jobs in the oil sector, but that they themselves were not interested in working with the oil industry as they had a more critical point of view. In order to avoid 'proselytism' on behalf of the oil industry, information workshops, capacity building training and especially placements for young people should be designed by an independent committee in coordination with indigenous organisations. Perupetro admits that its community relations programmes have some shortcomings and that there are pending issues to negotiate with the companies and the regional governments, for example, the need to identify strategic allies such as NGOs, the Church, and civil society groups and get them involved in local and regional development projects. Other issues are to improve the quality of life of the communities located in the oil blocks, and to promote co-responsibility in the management of projects between the State, the companies, and the indigenous peoples.

In this section I have tried to explain how the powerful actors of the oil conflict have developed a common discourse of nationalism, inclusion and citizenship to promote the exploitation of natural resources and to present it as a shared responsibility of all the citizens. The discourse of citizenship and responsibility has a double edge, since on one hand it creates a sense of belonging among indigenous peoples that have been systematically left out of the national development programmes, and on the other hand it is hypocritical and alienating to ask responsibility from citizens who have never been rewarded by the system but have instead suffered the impacts of state extractive policies. Additionally, the concept of citizenship employed by the powerful does not include the issue of indigenous peoples' identity and ownership of their own development. There is no discussion whatsoever about alternative possibilities of development for indigenous people, and exploitation of hydrocarbons is presented as the only way forward for communities and the nation as a whole. The

‘unity’ discourse proposed by the powerful is not unity in diversity, but tries to impose a single model of development, and this contributes to the detachment of indigenous groups from the concept of ‘Nation’ and ‘Citizenship’.

Belaúnde et al (2005, pp. 24-35) carried out field research in the Shipibo-Konibo, Ashaninka and Awajun communities of the Peruvian Amazon in order to explore their concepts of citizenship and the political culture within the groups. The research shows that the concept of Peru as a nation is unfamiliar for a high proportion of those polled, showing a vision of the nation as something remote, and that they see their elected indigenous authorities and the community assembly as their main means of exercising political power. The basis for political citizenship is the community, not participation in development projects for the common good of the nation-state. In the next section I shall explain how the vision of development of the powerful and the way they exercise their power have nothing to do with granting more political power and citizenship rights to indigenous communities.

Exercising power: “The law is on our side”

Controlling and influencing the law is paramount for the powerful actors of petroleum development, and many resources are put into exercising power in this way. The analysis of the strategies described in the previous sections show how the powerful act outside the law in the oil conflict and how they manage to avoid responsibility for their criminal acts. They also work together to implement the national and international regulations that monitor their activities and protect the communities, as in consultation processes and other legal requirements regarding protection of the environment and the right to participation. However, even in these promising circumstances that could benefit all, the powerful still make their own interpretation of the law, impose their views, and create new regulations that could invalidate international treaties. I asked a representative of the Environmental Protection and Communities Department at Perupetro if he thought consultation with indigenous communities should precede the signing of the oil contracts, and he stated

(interview, 18th October 2006):⁹⁹

The natives said we should consult them before signing the contracts, but we cannot do that...when we negotiate a contract we don't know if the contract will be finally signed and we don't know which company will win the bid...so why should we create expectation among the communities?...we go to the communities once the contract is signed. We do not interpret Article 6 of Convention 169 as a right to the power of veto, but as the right to be informed. Also we do not consider that Hydrocarbons Contracts are "legislative or administrative measures" that could affect them directly; this corresponds to the Environmental Impact Assessment (EIA)...that is why we carry out informative workshops before, during, and after the EIA, in which people can resolve any doubts about the project by questioning the various state representatives. The indigenous federations talk about Prior Consultation, rights to ancestral territories, right to monitor the extractive operations...all this is achievable...but they cannot say "no" to oil extraction, as it is one of the economic activities of the country...my obligation it to enable the company to carry out an operation which is as free of conflict as possible.

On the same issue a lawyer working for Perupetro stated (Yolanda Sandoval, interview, 18th October 2006):

We often hear the same discourse in all the information workshops, why did you not consult us before signing the contract?...and they cite Convention 169 in support of that discourse. The problem is that the wording of Article 6 of the Convention is ambiguous, and that is why the ILO has developed a guide for Convention 169. The guide is very clear when it says that there is no right of

⁹⁹ Please refer to Annex 2 for more information and discussion on Articles 6,7, 14 and 15 of the ILO Convention 169.

veto and that Convention 169 should be read taking into account the legislation of the signatory country...in Peru there is no citizen, native or not, who has the right to oppose an economic project of the Peruvian State. We do have citizen participation, but this comes after the decision to develop the activity has been taken. In the case of Petroleum and Mining, it is required to do an EIA, which is carried out by a consulting firm approved by the Ministry of Energy and Mines. Citizens can participate before, during, and after the EIA and also in the final public hearing. The EIA prevents environmental and social contingencies which are likely to happen during the implementation of the project, and establishes a base line of the area before the activity in order to anticipate the necessary contingency and emergency plans.

These comments show how consultation is only an information process for the State, a series of steps it must follow so that the companies can operate legally and with the minimum conflict, but this is not the purpose of Convention 169. At the core of its text is promotion of indigenous peoples' participation in every legislative or administrative measure that may affect them, but this has not been the case for the planning of the Hydrocarbon Law and others which have dispositions regarding prior consultation. Perupetro's lawyer also puts the emphasis on individual citizen rights but seems to forget that indigenous peoples are entitled to collective rights, among them the right to be consulted. Most of the state and company representatives interviewed said that they would be in favour of consultation prior to the oil agreement but rejected veto control on the grounds that the natural resources belong exclusively to the State.

Jorge Albán, Ecuadorean vice-minister of Energy and Mines (interview, 15th March 2007), gives a different twist to the issue of consent by stating:¹⁰⁰

¹⁰⁰ In this case I was given permission to use the real name of the interviewee in his capacity of public person.

There are various problems regarding consultation. The first is that consultation is regulated for environmental issues but not for collective rights...there is also a conceptual problem; I think consultation is a great instrument, but I do not think it is necessary for communities to have veto power...the reason is that it could diminish political authority...the authority has to be serious and the indigenous peoples should have an integral approach to the issue of collective rights...the State is obliged to carry out the consultation and the project in an adequate way, and to safeguard collective rights, and this is the result we should aim for. If the State for any reason considers that collective rights cannot be guaranteed, the project should not progress...that is the way the rights should be managed, but if we grant veto power, this right can be exercised due to particular interest and conditions, and can be easily corrupted...the indigenous movement is very focused on this instrument and this has generated a sort of utilitarianism between the State, the companies, and indigenous people, a scenario of mutual distrust.

The issue of consultation is a contentious one; even the vice-minister of Energy and Mines admits that veto power would not guarantee a fair process as it could be easily corrupted. I shall argue that this will depend of the regulation attached to the right of free, prior and informed consent (FPIC) and the independence and transparency of the process, but leaving such a contentious issue without a clear set of regulations based on collective and international rights will only promote different interpretations which will exacerbate the socio-environmental conflict.¹⁰¹

During the recent Constituent Assembly of Ecuador that took place in July 2008 various innovative rights were included in the constitutional text, such as the rights of Nature; however, the issue of FPIC produced an agitated debate and found strong opposition, as many national and transnational interests were at stake. The same

¹⁰¹ Indigenous peoples claim that there is a great qualitative difference between consent and consultation. The United Nations Declaration on the Rights of Indigenous Peoples, although not a binding instrument, has taken a big step in this regard, as its text makes it clear that consent should be prior to the approval of any project affecting their territories, with special reference to extractive projects (Article 32). For more information on FPIC refer to Annex 2 and the glossary in Annex 1.

happened when Bolivia introduced this right in 2005. In the light of this opposition and the poor progress made in regulating the right to consultation, some indigenous groups have decided to oppose the process altogether. Making reference to this topic a leader of Sarayaku told me in an interview (Lydia Galeano, 10th March 2007):

...consultation is not really happening, what we get are offers...if the industry comes you will have fresh running water, jobs, infrastructure... but a consultation should explain what environmental and social impacts the industry is going to cause, what is going to happen to the communities 25 years later when the industry is gone, what is their future going to be?...we think it is better not to have consultation at all... before any company approaches them the communities should have already decided their plan of development for the future and should sign an agreement of this vision in an assembly, as we did in the 1970s...a community has to take ownership of its future now and must think: what shall we do in the future if a company approaches us? Where do we stand?

A lawyer working for Perupetro explained to me in an interview how the current legislation in Peru favours the development of oil activities even if there is conflict between the communities and the company (Yolanda Sandoval, interview, 18th October 2006):

Take the example of Maple and Canaán. The community and the company could not agree on an amount for compensation, the difference was in millions of dollars... the current legislation establishes that both sides should reach a private agreement without the intervention of the State. If they do not reach an agreement in thirty days the company starts what is called “servitude”, meaning that it can use the community’s territory, and the State establishes a price that it is normally lower than the communities could get through a private

agreement. The legislation therefore favours the development of oil operations, which is why the community of Canaán decided to carry out a direct action before the deadline for “servitude”.

The fact that private agreements between the company and the communities are favoured over direct state participation and monitoring contributes even more to a clientelist relationship and perpetuates dependency on the company as a substitute for the State. The relationship between transnational oil companies and States is one of power control. The balance will tip one way or the other depending on the political affiliation of the government in the host country, the external debt of the country, and the economical conditions imposed through structural adjustment programmes or bilateral free trade agreements (FTAs). As explained in Chapter 1, companies exercise pressure through foreign investment contracts that can override the law of the host country and through stabilisation clauses aimed at freezing the existing law in the host country during the life of the contract.

Whoever takes charge of power, the companies or the State, their actions are likely to affect the territorial sovereignty of indigenous peoples and their right to participation, which is clear in both Peru and Ecuador. Ecuador elected in 2006 a leftist government that is introducing changes in the oil contracts in order to increase state participation and profitability from oil exploitation. The Ecuadorian government is also cautious about expanding the oil frontier to bio-diverse areas and indigenous territories. However, the Ecuadorian model of development is still based on the extraction of non-renewable resources, and the law allows the exploitation of oil even in protected areas. Although the government has ruled out any possibility of a free trade agreement with the USA thanks to the indigenous, peasant, and social mobilisations of 2006, it is now moving a step backwards from ILO Convention 169 approved in 1998, by issuing Decree 1040 which clearly curtails the right of participation of indigenous peoples in any administrative or legislative measure that may affect them. Peru on the other hand has signed a free trade agreement with the United States, which aims to attract foreign investment and open most of the

Amazon to resource exploitation. Early in 2008 the Peruvian president issued Decree 1015, giving the State access to indigenous lands, which are inalienable according to the 1993 Constitution, but in August the decree was revoked due to a national strike.

Another way in which the powerful use the law for their own benefit is through legal battles. I have already described how environmental and human rights activists in Ecuador live under the threat of legal action by the State or oil corporations, being accused of terrorism, breaches of the peace and slanderous allegations. A lawyer that has worked for several transnational oil companies in Peru told me in an interview (Sayo Inoue, 22nd December 2006):

The strategies of all the companies I have been working for is clear in this regard, if peasants or indigenous people file a lawsuit against the company for compensation or anything else, the policy is to appeal, no matter what the amount requested or whether the plaintiff is right...this is a way of discouraging people and avoiding the creation of a precedent for others.

Multinational oil companies are by far the most powerful actors when a court case is called. Oil multinationals have great economic and political power which is difficult to counter by any plaintiff in a court case, or even by States that have been taken to international arbitration tribunals by corporations, such as ICSID (the World Bank arbitration facility) and the ICC. The Ecuadorian president Rafael Correa announced in May 2009 that Ecuador would withdraw from ICSID, since its impartiality is dubious, and that the country will look at forming a regional arbitration facility together with the South American Union (UNASUR). On this matter he stated (Carbrera, 2009):¹⁰²

¹⁰² Ecuador faced over US\$10 billion in claims at the World Bank's arbitration facility. Most of the pending claims stem from a 2006 tax on oil company 'windfall profits', Carbrera, 2009.

withdrawal from ICSID is necessary for the liberation of our countries because this [ICSID] signifies colonialism, slavery with respect to transnationals, with respect to Washington, with respect to the World Bank, and we cannot tolerate this.

One of the strategies often used by oil multinationals in both developed and developing countries is to discourage any legal action by workers, whistleblowers, communities or civil society groups by the threat of award of legal expenses and by delaying the outcome for years through endless appeals and changes of jurisdiction, which result in high costs for the plaintiffs. One example of this is the case against Texaco in Ecuador, which after being in various courts in Ecuador and United States, has now entered its tenth year without a judicial resolution. Woolfson and Beck (2005, pp. 182, 187) illustrate this point in their research on court cases against multinational oil companies:

What is clear, however, is that the award of attorneys' fees, and the cost of legal proceedings had provided Big Oil with far-reaching capabilities to block individuals from access to justice...they are able to influence outcomes in all levels of decision making, be it environmental or tax policies, court rulings or infrastructure planning. Against this power, the feeble strength of any individual worker or campaigner is near meaningless.

In this section I have shown how the powerful often have the law on their side and how the economic power of multinational corporations helps them to avoid accountability. The vagueness of certain laws opens the scope for including the different interpretations of all the actors. In order to better understand the point of views of the powerful I explore in the next section how they perceive the other actors of the oil conflict.

Understanding of the other

In this section I shall give an overview of the understanding and view that the powerful have of other actors in the oil conflict, such as the indigenous communities and organisations and the NGOs. Likewise, I shall present the vision that the companies and the State have of each other. Many of the issues covered in this section have already been discussed in previous sections of this chapter, but here I intend to show the points of view of the powerful. Revealing these ‘visions of the others’ will contribute to a better understanding of where the conflict lies and will make it easier to envisage a possible way forward for conflict resolution strategies and the survival of indigenous peoples in areas affected by the oil industry. This section builds on the preliminary fieldwork research carried out by Wray in the Ecuadorian Amazon (Wray, 2000, pp. 62-67).

The following remarks are based on interviews with CEOs, PR consultants and representatives of seven transnational companies, and officials of the Minister of Energy and Mines in Ecuador and Peru and related agencies, including Perupetro and Petroecuador. In most of the interviews with oil companies I was told that indigenous communities do not have enough information about the benefits of oil development and do not know what they want for their own development, asking the companies for infrastructure projects and gifts instead of sustainable projects. The powerful also understand the opposition that they sometimes encounter in communities, and they base this reaction on the disparity between the rich and the poor and the lack of benefits received from oil revenues in the past. The transnational companies also say that they have made great progress in the past few decades by moving from a clientelist to a CSR approach, based on long-term projects that include the development of health and education programmes in communities that have not received any previous support from the State. The CEO of an Ecuadorian company operating in the Oriente region told me in an interview (Carlos Márquez, 25th January 2007):

The Oriente is a different world, where the backwardness of all the

environment that surrounds it generates a very great disparity in respect of the power that the oil industry has naturally...in the Oriente we are faced with very serious cultural, political, economic and educational problems; not even the core values of living together are respected ... for that reason the companies here have to have a criterion of social responsibility in our activities, because without doubt the action of companies up to now has been oriented to giving, not to development.

But this situation is changing ... we envisage implementing development programmes in the communities, for health, for education ... but it is difficult because the communities are more used to receiving than working for development, and often don't know what they want ... the case of the Huaorani has been extreme, they ask for telephones, cars, corrugated iron roofs, which contribute nothing to their development ... at any rate it's understandable because the Oriente and the communities have huge needs, one would have to give all these people education in secondary schools, universities, to create a workforce for local industry, so that they could enjoy all the wellbeing that this industry generates ... but a time will come when, due to social inequality, more conflicts will arise, which is already happening, and some operations will be very difficult or unviable.

The state oil companies and officials from state institutions have generally shown a better awareness in the interviews of indigenous peoples' demands and cosmovision and the need to respect their culture, which they recognise as asset for the country. They also see transnational oil companies as having too much influence in the formulation of oil policies and in achieving favourable conditions in oil contracts. They portray transnational companies as having a double discourse on environmental and social standards, saying that behind their polished corporate image they use aggressive PR strategies in the communities in which they operate and in many cases maintain a clientelist relationship with them, since they allegedly do not share the genuine interest in community development that these officials claim for the State.

This is illustrated in the following quote from a community relations officer in Petroecuador (Leonardo Redondo, interview, 10th February 2007):

As a state-owned business we are aware that correctives have to be established so that the Amazon region is not destroyed, so that the peoples are maintained, so that this does not become genocide or ethnocide. As a state-owned business we have this concept as state policy, unlike the transnationals and private companies. What they do is take the oil in the shortest possible time, and to create a good impression they now say that they are concerned about the environment, but nothing else...what interests them is to take the maximum from the bowels of the earth, and then they go away. But we are a state company, we are going to stay here, we belong here, we have to defend and establish rules and laws in such a way that this does not become a kind of desert or the indigenous organisations or communities themselves disappear...unfortunately the transnational companies have too much influence in the creation of certain laws and regulations, and besides, private enterprise uses more aggressive tactics...we do not hand out money as private enterprise does... We as a state enterprise don't have such problems with the indigenous population because in a way we live together with them and relate to them, identifying ourselves with the people...it's more difficult with the colonists because they set a price for us to enter, and make rather extortionate demands, and since at times the matter is urgent we then have to fall in with extortion rather than negotiate. With indigenous communities, however, there's talk, there's dialogue, and they have their concept of togetherness, more solidarity than anyone else. They don't look for satisfaction of individual needs but those of the whole community.

State officials have been more self-critical than representatives of the oil companies when interviewed. In Ecuador the State is planning to invest more in the national oil company and to improve its environmental performance, since at present it lacks the

high technology offered by oil transnationals. State officials working for environmental departments stress the need for more independence in the approval of EIAs, which is often a decision taken by the Ministry of Energy and Mines. Raúl Reyes, a government official working for a local branch of the National Directorate of Environmental Protection, told me in an interview (9th February 2007):¹⁰³

The main problem we have here is bureaucracy, which makes our relationship with indigenous communities difficult...the communities may make a complaint regarding an oil spill and it can take more than a year to get a response from the Environmental Protection Agency...also some of the consulting firms make very dubious environmental impact assessments, we have seen some documents in which they could not even spell the names of the communities properly, or they include communities that are not in the oil block...simply because they copy and paste from other documents but have not carried out a real consultation with the communities...we cannot understand how these studies are approved, and sometimes in a very short period of time.

Most state officials interviewed are conscious of the need for more institutionalisation of oil activities and at the same time the need to offer opportunities for alternative development in indigenous communities. The state institutions recognise their limitations in reaching remote communities and the historic underdevelopment of the Amazon region, which has suffered most from unsustainable and damaging oil exploitation and from state-promoted colonisation of oil-producing areas. The Ecuadorian Vice-minister of Energy and Mines told me in an interview (Jorge Albán, 3 March 2007):

The problem is that the social situation in Amazonia is somewhat chaotic, and is especially linked to the oil and mineral sector. The State has not established

¹⁰³ The name of this institution in Spanish is *Dirección Nacional de Protección Ambiental*.

a presence in the Amazonian region. There are many communities traditionally ignored, with many pressing needs, and the State has paid no attention to social matters – health, infrastructure, education, colonisation ... the communities have no faith in the State and prefer a direct relationship with the companies because to some extent they receive things, but in the long term it's a very perverse relationship, because it ends up as a mixture of blackmail and paralysis, with a bit of paternalism, and also of arbitrariness on the part of the companies.

There's a very confused social situation in which going on strike has become the main instrument of pressure, often with very high demands requiring complex fulfilment, in which environmental matters are mixed up with matters of health and end up chaotic and insoluble. This logic needs changing, and under the previous government we made some effort to change it, but there wasn't enough time... in this new government there's strong determination for change, and we now hope to have better results.

However, as explained in this chapter, state officials regard underground resources as belonging to the whole nation and oppose the idea that communities should be able to exercise a veto on their exploration and exploitation. The powerful, both the State and the companies, see indigenous movements as a possible threat to oil interests if they work together to mobilise civil society, but they also admit that these movements are susceptible to division. A state official from the National Directorate of Environmental Protection in Ecuador illustrates this point (Roberto Santos, interview, 28th February 2007):

It's very difficult for an operation to proceed if there is organised resistance. We have sometimes tried it, and the operation has been a disaster ... from here in Quito I think the strikes in Amazonia are a mistake and that they interrupt the oil operations of the State; however, if I put

myself in the place of a member of an indigenous community forgotten by the State, where money is being taken from my territory but I'm given none, and where I see in the news that the only way of getting anything in this country is under pressure, then it's logical to take active measures...the indigenous movement is very strong – they are more united than disunited. The main reason for disunity is the bad political practice they have had, because those who were at the forefront of their party [Pachakutik] were spellbound by power. This went down badly with other leaders who weren't there and this caused division; also there were outside agents who took advantage of that. The previous government of Lucio Gutiérrez encouraged division.

There is also much division on account of income from oil in Amazonia: it's typically human selfishness. They are natives, they are human beings, they are plurinationals, and they have very different thoughts. I think that among the main factors of the division of indigenous peoples are their bad practices, and the desire to organise themselves as a single indigenous movement when there are many who think otherwise. They want to unite with negroes, Afros... and why not with the mestizos too? For once we would be a single country.

The transnational companies claim that the oil conflict is mainly between the communities and the State. In their opinion the main cause of conflict is rooted in an absent State, which does not satisfy the basic needs of indigenous communities, leading the latter to a dependency relationship with the oil companies, which have to assume the role of the State to be able to operate. The companies also perceive the State as unable to deal with situations of radicalised conflict and to guarantee the development of oil operations. They think this is partly due to a lack of conflict resolution strategies prior to the oil contracts that could ensure a peaceful working environment for the oil companies. The companies also complain that they are not informed of the level of social conflict in an area until they start operations, which

can cause the companies to lose heavily. A high representative of the CGC company states (Julio Prieto, interview, 15th February 2007):

The problem here is the State. In these last ten years there have been some officials who have tried to unite the three parties – the companies, the State and the communities – but the State doesn't understand the problem. They see a conflict between the company and the community, but they don't see that the conflict is really between the State and the community. There's need for definition of what the State wishes to do, whether it really exercises sovereignty over that territory, and if it doesn't, to put matters in black and white. If it isn't able to exercise sovereignty then it shouldn't take out international contracts to operate where it can't be done. It's as if in Argentina a bid was taken for exploration in the Malvinas [Falkland] Islands, which they regard as Argentine territory, but if you go there the English are going to throw you out, because it's occupied by the English. There [in Amazonia] something similar happens: on the map it's shown as Ecuadorian territory, but if you're not invited you can't enter.

Finally, the powerful recognise that NGOs, especially those concerned with development, could play an important role in conflict resolution, but they strongly criticise the work of campaigning organisations and advocacy groups, which in their opinion influence indigenous peoples and organisations, polarising the conflict. PR consultants and company representatives tend to assume that these groups use the oil conflict to get funding from overseas foundations and make their living, ignoring other major problems which cause more environmental and social impacts than oil exploitation such as illegal logging or the lack of waste management in the Amazon region. The CEO of a PR company working in Ecuador and Peru, gave me his vision of the NGO sector (3rd March 2007):

Let us take as an example the matter of prior consultation. On the one hand, indigenous peoples are right in saying they haven't been consulted, but also it's a discourse constructed by NGOs. For the people, what interests them is what benefits there are for their community and their children. We play with Western logic, but the communities have a more concrete logic ... this company benefits me, or doesn't; we have a State present or absent ...the subject of NGOs is complex; their connections cannot always be seen, and I often wonder who finances the NGOs ... is it voluntary financing? Do they collect funds? Is it from the Church? Is it from an oil company that gives money in order to sabotage another company's project? There's no innocence here; it's possible that an NGO raises funds to conserve a territory where in the future, when a product is exhausted, it'll be known that there's an oilfield or other resource. So the subject of NGOs is primarily geopolitical, and secondly it's a *modus vivendi* consisting of raising funds in the name of the poor.

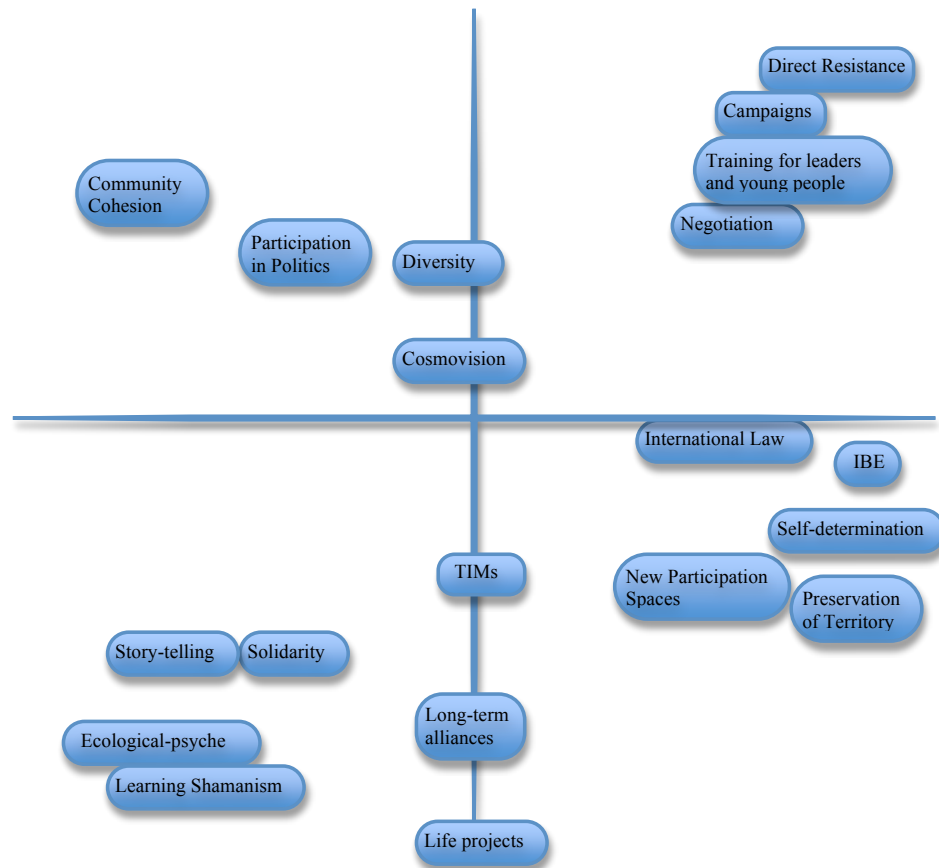
In 2005, more than 400 million dollars arrived in Ecuador, and in the province of Chimborazo alone there were 180 NGOs dedicated to the natives – native children, native mothers, native child workers – and one may well ask, has this investment raised the index of human advancement by a single percentage point? ... The State has to exercise control, to decide which are the key areas in its strategic plan.

The NGOs have a discourse of denunciation: the companies are going to contaminate, are going to displace people from their territory ... I already know how they put the discourse together, and that helps me make my plan of information in the area of work. The NGOs' discourse helps me to see the other side, and I think it's good to talk with them so that investment can progress ... we all have mental barriers, and that of the NGOs is to oppose investment. If they want to criticise us I'm happy with that, but they should do so using scientific data and not just social data. They should be purposeful and should help us to achieve the best activity.

In this chapter I have attempted to analyse the strategies used by the powerful in the oil conflict. In spite of recent efforts to regulate the development of oil operations in indigenous territory, the scenario described is chaotic. In many cases the strategies used by the powerful and the impunity of their actions pose a direct threat to the cultural and physical survival of indigenous peoples. These strategies are based on the imposition of a dominant model of development, which is difficult to apply in multinational societies such those of Ecuador and Peru. The development of the oil industry can impact on the lives and the environment of indigenous peoples in a variety of ways. Although it is important to record these impacts and make them public, this study goes beyond the victimisation of indigenous peoples as mere recipients of these impacts and explores the mechanisms and strategies developed by indigenous peoples for their own survival.

Chapter 5: Survival Mechanisms of Indigenous Peoples Affected by the Oil Industry

Figure 3. The Consciousness of Time



X: Unconscious → Conscious

Y: Short-term ↓ Long-term

Are indigenous peoples going to survive or not, and if they do, until when? Is it not inevitable that they will finally be incorporated or assimilated into the dominant society? These are questions that have troubled politicians, academics, artists, the Church, NGOs and international institutions for decades, and one may wonder why it matters to the dominant societies whether indigenous peoples survive or not. There are many connotations attached to the question of survival of indigenous peoples. Adams, who has researched the survival of indigenous peoples in Central America, suggests that one of the main reasons why indigenous peoples have managed to survive and emerge in the last decades is because they have influenced the psyche of individuals in the dominant society. He states, referring to indigenous peoples (Adams, 2001, p. 191):

They do exist, however, and they repeatedly come into being because they are one of the very few kinds of large human organisations that can exert a strong psychological claim on individuals.

Indigenous peoples represent a counter-culture to our model of development in the West. One of the strongest cultural identifiers of indigenous peoples around the world is collective ownership of their territories, and this may pose a threat to the neoliberal economic interests of Western societies. However, as Elsass (1992, p. 207) explains, a counter-culture is not just survival and resistance against the dominant society, it needs to nurture itself within the group and also through dialogue and solidarity with the dominant society. In order to forge solidarity and alliances among the dominant society the indigenous cultures must retain symbolic and cultural markers that identify them (Adams, 2001, p. 191).

I argue that solidarity with indigenous peoples has emerged through history for various reasons, not always helpful for their survival. It is beyond the scope of this research to analyse all these reasons, but among them are the romanticisation of indigenous peoples as ‘ideal societies’, the need to cope with our own failures and

frustration by transferring our dreams and utopias to these idealised groups, and the 'ethnic revival' and 'collective identity' that characterises some contemporary social groups and their political movements. However, solidarity also grows from more altruistic reasons, such as our sense of justice and reparation for past mistakes, and therefore many social groups in the dominant society support indigenous peoples' struggle for recognition of collective rights and historical debt, and an end to the oppression imposed on them by the powerful groups of dominant societies.

This chapter will focus on the survival mechanisms of indigenous peoples affected by the oil industry, which include strategies of survival that have emerged within the groups and others that are the result of interaction with external actors and agents of change. The oil industry represents a threat to one of the core identifiers of indigenous peoples and culture which is at the same time their main source of subsistence and survival: their territory. The oil conflict in indigenous territory therefore constitutes a fruitful starting point for analysis of these survival strategies, which may sometimes be equally valid for indigenous peoples affected by other threats to their territory and culture. The oil industry, as a possible vector of culturicide and genocide, may have triggered and influenced some of the survival mechanisms of indigenous groups. These mechanisms are part of a wider and complex 'net of survival' influenced by environmental, historic, economic, political and cultural factors.

This research is less concerned with the question of the survival of indigenous peoples in the future than with revealing the vectors and causes of oppression and the mechanisms used by indigenous people to thrive and survive and exert control over their own development and future as peoples. By using case studies of indigenous communities affected by the oil industry the research focuses on the collective survival of indigenous peoples as agents of change, and detaches itself from views of indigenous peoples as mere victims of our ecological crisis, colonisation, wars and other destructive scenarios. This catastrophist world view, although critical of past and recent oppressive practices of the dominant society, may lead us to inaction and

cynicism which grow out of our own frustrations. In my opinion the victimisation of indigenous peoples is the result of an ethnocentric view of the conflict in which indigenous peoples are presented as the subject of oppression, apparently powerless to face the threat of oil exploitation in their land. Indigenous people who have collaborated in this research have stressed that even in difficult situations, in which their lives have been under threat as the conflict with the oil companies and State has escalated, they did not perceive themselves as victims or heroes but as people with a great responsibility towards their community and other peoples which may be facing similar oppression, and they see their experience of survival as collective and not individual. Lorenzo Calo, a Sarayaku community leader, stated in an interview (27th March 2007):

It's very important when you feel yourself free because you help your people to enjoy total freedom, and then I also feel happy when a child enjoys his freedom playing, laughing, fishing, hunting. They are the ones who are going to live in this land, and I'm happy when I keep my people in peace and tranquillity... I'm pleased to say I've struggled for my people, with other brothers and peoples; we share the experience, and that's why I'm here and will never give up the struggle, and will be with my people when they need me.

We shall have to do a lot more talking and thinking to enable this people to survive, to save our territory, to encourage our own development, our own government, to get to know other peoples, brothers who also suffer... When I see them succumb it makes me angry and I feel sorrow; it makes me feel like raising the flag and fighting that power and being beside them, with them; for that reason I've been with other peoples who would ask for my help, and I've spoken out. I haven't been afraid of death, because in our struggle we've been threatened; military intelligence has threatened us with rifles and revolvers and we've experienced horrors... If I were to die in the street from a bullet, a pistol, if I were killed treacherously, I'd die happy in the sight of my

people and that's the challenge I've gained in the struggle. I'm not afraid of the army even, of the government, of economic power, and I go forward with the truth ... this is not only my own experience, all my people have struggled; together we've fought back, and here we are.

In Figure 3, The Consciousness of Time, I have classified the survival mechanisms analysed below on two variables that follow a gradient pattern: time and consciousness. The horizontal axis represents the level of consciousness that the group have about a specific survival mechanism. The vertical axis shows whether the survival strategy is short-term or long-term. 'Consciousness of Time' resonates with the Hegelian conception of individual self-awareness and self-determination in the realm of history but here applied to the collective. The location of each mechanism in Figure 3 represents a qualitative estimate based on the data gathered during the fieldwork, and the pattern may therefore change for different groups. I argue that in the case of indigenous peoples, long-term strategies are more related to historic processes of adaptation for survival and are based on learning from past struggles and traditional knowledge transmitted through the generations, while short-term strategies respond to new processes of adaptation as a result of the changing model of relationship between the powerful, the intermediaries, and the survivors. The interaction among these social actors and the changing environment will also create strategies of survival, which are not fully identifiable. The oil industry poses a direct threat to several of these mechanisms, which are the result of the agency of indigenous people and movements. Therefore, the combination of long- and short-term mechanisms and the level of consciousness of indigenous groups about their survival strategies will have a strong influence on their future.

Direct resistance: ‘There’s no longer a reason to talk’

There is a range of short-term survival mechanisms that indigenous peoples have used in their struggle against the oil industry, some of which could be classified as ‘direct resistance’ since they constitute a direct and immediate challenge to the oppressive power with the aim of forcing dialogue or an immediate solution to the conflict. Among them are demonstrations, general strikes, marches, closure of oilwells, symbolic detentions, and sometimes the use of force when their territory has been invaded without previous consultation. These forms of direct resistance are normally used as a last resort and only when dialogue and other political measures and forms of pressure have failed, and are therefore seen as legitimate actions. On this point a leader from the community of Sarayaku told me in an interview (Jerónimo Cortés, 10th March 2007):

When the Sarayaku decided to take action, it was because we felt under attack, disrespected by CGC, not consulted; we had discussions with CGC, but they wanted to force their way in. We said no, you don’t decide here. When the decision for action is taken there’s no longer a reason to talk, the talking was done earlier ... Many people go on strike to improve their wages, for money ... The Sarayaku declared a state of emergency to defend our territory, the environment and our rights ... and also to bring the matter to the attention of the State and to give an example to the oil companies, showing that they can’t enter in that way saying “tomorrow I’m going to begin operations” ... Action isn’t necessary when the State looks at its people and really gets to know the problems we have, because often we aren’t listened to and the only solution is to take measures to get a reaction from the State. We as indigenous peoples wouldn’t want to be here bothering the government, the State, the country. We aren’t interested in making trouble, but when we feel under attack we are not respected, constitutional rules and human rights are violated, and so we have to react.

In this quote Cortés stresses that the motives that lead indigenous peoples to take direct actions of resistance are not financial, as may be the case for other sectors, but the defence of their territory, which is their main source of survival. He also expresses a certain uneasiness in carrying out these actions, stressing that his people do not want to become a burden for the government. This is understandable, since direct action and other forms of social protest are not necessarily part of indigenous culture. Sometimes indigenous peoples have adopted these actions as a means of pressure against the powerful. They have also created new forms of direct resistance against the oil industry, which are characteristic of indigenous societies. Whether the actions are adopted from other social movements or are their own, indigenous people have managed to add elements of their own culture, helping them to internalise these actions as a survival mechanism.

The occupation of Maple oilwells by the community of Canaán is a good example of a peaceful direct action in which indigenous people used their cultural identifiers and symbols. These symbols appear in many other direct actions that I have witnessed in Ecuador, Peru and other Latin American countries. Image 7 to 13 (see pp. 215-216) show various moments of this action and how the Shipibo people use their space and symbols. In Image 7 we see how the community of Canaán built temporary traditional huts in the area surrounding the oilwells. This served two purposes, both providing the people with shelter during the occupation of the wells and at the same time symbolically defining their territory. The huts remain there although more than two years have passed since the action, since the oil company workers think it could be offensive to the people to remove them. Image 8 shows a rudimentary fence at the entrance of Canaán territory with a sign reading “We shall never retreat from our territory, if there is no solution our struggle will continue”. In Image 9 we see Shipibo women in the front line protecting the entrance of their territory and carrying traditional spears that are no longer used for defensive purposes. The role of women, elders and children is very important during these direct actions, as we see in Image 10 in which an elder is sitting close to one of the oilwells as a way of protest. Image 11 shows the peaceful stand of the young boy protecting the border of his territory and carrying a message on his torso that reads “I want to live healthy and strong”.

Women are considered the main bearers of the culture and their position in the front line together with the children and the elders is also a strategy to show the peaceful intention of the action and respect for their culture. During the action, there is also time for collective activities such as cooking, as shown in Image 12, and once more women have a big responsibility to keep people fed and with energy during the days that the direct action may last. Finally, Image 13 illustrates the signing of the agreement between the Maple company, the State and the community of Canaán, which took place outside Shipibo territory after the direct action.

Figure 7-13: Direct action of the community of Canaán de Cachiyaku¹⁰⁴



¹⁰⁴ These photographs were taken by Ximena Warnaars in July 2005.



Similar cultural patterns could be found during the direct action of the Cofán people of Dureno that led to the definitive closure of the Dureno 1 well on October 12th 1998. However, an important feature of the Cofán direct resistance was the presence of shamans in the action, since shamanism is still one of the main cultural identifiers. The Cofán people of Dureno are very proud of that day, which has become an important landmark in their history. The story of the closure of the well was transmitted to the next generation, as told by one young Cofán (Ernesto Flores, interview, 16th January 2007):

Closing the well has already given strength to almost all the Cofán people, because there were always problems with that oilwell. Some communities wanted to negotiate, the young people especially, because the company offered them job opportunities, but the elders always said no. When the military arrived during the closure of the oilwell, the role of the elders and shamans was very important, because the military were afraid of them... they say that some goats got entangled in loose electric cables, and started jumping ... the soldiers thought it was the shamans' powers (laughter) ... for that reason we young people are more aware; we can't turn back and destroy all the efforts of our elders and shamans.

Direct actions have generally given people a great sense of achievement, the feeling that a whole community can oppose a greater power and come out victorious. However, people who have participated in these actions say that it is a stressful situation, normally lasting for days and altering the life of the whole community. If the results are not satisfactory, and the community has to carry out more direct actions, the stress, the lack of food and resources, and frustration eventually take their toll.

Although direct actions carried out by indigenous peoples are generally peaceful, in some cases the situation has become confrontational, as when some Sarayaku women confiscated the weapons of soldiers that were patrolling in their territory and returned them publicly in the presence of the media. This action took place after some young members of Sarayaku who were protecting their territory were held and tortured by militaries protecting the CGC company. On other occasions communities have held oil workers in their territory to force dialogue with companies or to exchange for indigenous people detained by the armed forces acting on behalf of the companies.

Finally, and as explained in the 'Indigenous Movement' section of Chapter 2, indigenous peoples in recent decades have come together organising marches from the Amazon and the Andes to the capitals, targeting the cities as spaces of contestation and power in order to pressurise national governments and gain

visibility among the dominant white-mestizo society that controls the urban areas. An example of this was the historic March of 1992 to Quito, in which the indigenous peoples of the Pastaza Region acquired the legal title to two million hectares, leaving them in a better position to defend their territories from future developments. During the marches the access routes to the cities are often blocked, causing shortages of primary products and showing the rest of the country how much it depends on rural production areas, which are mainly inhabited by indigenous peoples. These marches are also an opportunity to build networks among indigenous peoples of different regions and also with the wider society, as they cover long distances on foot from their communities of origin, and a whole solidarity mechanism is therefore put in place to support the participants with food, security and media coverage.

The outcome of these marches can have political repercussions for the government in place. For example in 2008, the more than 30 new laws passed by the Peruvian government to implement the FTA with USA provoked an indefinite national strike of more than 3000 peasants and indigenous people of the Amazon, which forced the government to repeal two of the most controversial decrees (Alianza Social Continental, 2008). In an unprecedented move in Peru the Amazonian indigenous people organised as the *Plataforma de Lucha de los Pueblos Indígenas Amazónicos* (Amazonian Indigenous Peoples' Platform of Struggle) in order to counteract the neoliberal policies promoted by García's government. Since April 2009 the Platform has promoted mobilisations demanding the repeal of decrees and laws that attempt to deny indigenous rights and to threaten the integrity of their collective territories (Servindi, 2009).¹⁰⁵ On 5th June the government instructed police special forces (DINOES) to dissolve a peaceful blockade in the Northern city of Bagua. Unfortunately violence escalated leaving a confirmed death toll of at least 62 people, 40 protesters and 22 police, and many more injured at the time of writing. Eye-witnesses have reported that police threw the corpses of indigenous people in plastic bags into the Marañón River, which could increase the death toll to hundreds (Amazonwatch, 2009).

¹⁰⁵ The demands of the Amazonian Indigenous Peoples' Platform of Struggle and a statement from the Global Action Network on Indigenous Peoples & Extractive Industries in relation to the Bagua Killings can be found in Annex 2.

Although these measures may be short-term, they are the result of a long-term process of adaptation to the presence of the oil industry and other threats brought with the establishment of neoliberal regimes, and of the new organisational possibilities that emerged with the rise of civil rights. Indigenous people are conscious that these mechanisms are important for their survival. During direct actions or when interviewed about them they often expressed views about the survival of communities and future generations, and their continuity as peoples, such as: ‘This is the only way we can survive’, ‘I will be happy to die for my people in the fight, so that future generations can have a territory’, ‘Without territory we are nothing, we are not indigenous, and we shall continue fighting for our communities’.

Building strategic alliances and solidarity: ‘Our intention is to prod other peoples awake’

Amazonian indigenous communities affected by the oil industry have responded to this threat in a variety of ways. Communities are normally left alone to either negotiate with the industry or resist it, and in both cases they have sought support from other actors and networks, building up a dispersed but strategic movement. As explained previously in the ‘Theoretical Framework’ section of Chapter 1, strategic alliances have been important in the formation of Territorial Indigenous Movements (TIMs), which are ‘glocal’ and rely on alliances formed at different levels. In the first place indigenous communities may look for support from neighbouring communities and their local federations at grassroots level, as in the case of the community of Canaán while occupying the Maple company’s oilwells. One of the community teachers stated (Luis Pastor, interview, 26th November 2006):

During the occupation we had the support of the community of Sucre, which was important for us...even the colonists in the city of Contamana gave us moral support because they thought our demands were fair...now we have the experience, and if other brothers need us in their fight we will go there to share our experience.

The people of Canaán showed solidarity with other Shipibo communities while consultation for oil blocks 118 and 119 took place in November 2006, although the community was not included in the blocks (see Map 1 & 2 in Annex 4). Leaders and community members attended the consultation and also helped to organise a pre-consultation meeting to discuss beforehand with the representatives of other communities the issues to be treated in the consultation. I attended this meeting, which took place the evening before the consultation event, at the office of the local federation, FECONBU. During the meeting, representatives of Canaán showed videos of their own struggle with the Maple company and other resistance experiences, such as the Sarayaku and the Cofán cases, and initiated a discussion with those attending and resolved doubts. A young Shipibo leader had attended a summer school in Ecuador organised by the Ecuadorian NGO, CDES, and Earth Rights in the United States, which focused on the promotion of human and environmental rights, and there he had the opportunity to share his experience first-hand with other indigenous peoples in Ecuador. He said about this training experience (Mario Moreno, interview, 8th November 2006):

I have been working for my community since I was very young. I worked with my local federation, FECONBU, and learnt about the importance of preserving our territory. I then had the opportunity to travel to Ecuador and attend a training programme in which I learnt more about the benefits and the threats of the oil industry, and the experiences of other indigenous peoples with various companies in Ecuador and Peru...when I came back I was more empowered, I had more information about the impacts of the oil industry, and I could share this within my community and with others...people in the community did not understand why people were dying of strange illnesses, or why our skin and hair were oily after bathing in the river...it was not easy in the beginning as people had too little information, there was division in our views, but at the end all Canaán came together and we fought together.

On other occasions, indigenous peoples have joined together regionally to resist against extractive industries. This is the case of APAR, coordinated by Amaya Calo, a member of Sarayaku. She told me in a conversation, what was the purpose of the alliance (24th March 2007):

The alliance was created because of the weakness of CONFENIAE, and the division of the Amazonian indigenous movement that took place during the government of Lucio Gutiérrez. The alliance is therefore a way to get together all the indigenous peoples interested in carrying out concrete actions against transnational companies...but we are inclusive, for example at the moment we have representatives of organisations that have negotiated with the oil industry, but they want to have more information about their rights and how to monitor contamination...the Amazon Defence Front, which is a mestizo organisation, is also part of the alliance since it is carrying out an important fight in the court case against Texaco...at the moment I coordinate the alliance as a representative of Sarayaku, but this position will change in future years; we are still weak and we have almost no funding, but we try to make time to meet in forums or other spaces where we converge. In the short life of APAR we have already achieved things, for example when the new CONFENIAE was formed after the division, we managed to organise a meeting between the ministers and our newly elected president.

Significant here are the relevance of the Sarayaku community in the resistance movement and the solidarity that has emerged from various indigenous groups affected by extractive industries. Environmental NGOs sometimes focus on supporting those indigenous groups which resist the oil industry, but APAR seems to include every group that needs support. It is also interesting that a mestizo organisation is part of the alliance, as it is seldom that indigenous and mestizo groups

come together. However, not every indigenous group approves this initiative, as some think the alliance should be formed only by communities which are resisting the industry and fighting for an alternative way of development. Others do not agree with the inclusion of the Amazon Defence Front, as they think indigenous peoples are the groups mainly affected by Texaco, and they see the mestizo fight as less legitimate. I believe APAR shows how the resistance movement against the extractive industries is becoming more strategic and is looking for new alliances. APAR is a recent initiative, partly funded by NGOs but originating from the efforts of various indigenous groups in Ecuadorean South Amazonia, mainly Shuar, Achuar and Kichwa, which have been joining forces against the oil industry for decades, and that is why the alliance has been widely accepted in a relatively short period of time. Resistance against the oil industry is not universal among indigenous peoples of Ecuador and Peru, although in recent years scattered sources of resistance in the Amazon region have become more strategically organised, giving rise to an indigenous movement whose main aim is the defence of their territory from unsustainable extractive developments.

Advocacy NGOs have had an important role in providing funding and creating spaces so that these groups can come together in forums such as the Peoples' Summit, the Peoples' Tribunal, the United Nations Permanent Forum on Indigenous Issues (UNPFII) and other national and international meetings in which the issues of territory and extractive industries are always a priority. In March 2009 the International Conference on Indigenous Peoples and Extractive Industries took place in Manila, and one of the outcomes was the creation of a global action network for indigenous peoples to respond to violation of their rights, particularly by the extractive industry (Intercontinental Cry, 2009). NGOs have also been crucial in the transnationalisation of campaigns against a specific company, as in the cases of Sarayaku against CGC and the Shipibo people of Canaán against Maple. NGOs also join forces with indigenous peoples or try to bring them on board to legitimise a campaign that is part of the NGO agenda, such as the Chevron Tóxico campaign of

The support network of the indigenous movement against the oil industry is not restricted to NGOs but also includes a wide group of activists, academics, Church representatives and individuals willing to put their time and expertise to the cause and bringing with them their own networks. However, one should be careful when attributing the rise of the movement to these non-indigenous actors, or what Adams (2001, p. 197) calls “third party derivative power” referring to the support that non-dominant societies and groups need in order to exert power or influence over the dominant sectors. Indigenous peoples have been very active in seeking these networks and selecting who should be their allies. It is therefore important to stress the agency of indigenous people in the transnationalisation of the movement against the oil industry, as it is difficult to determine where the power lies. The relationship between these actors is not free of tensions, since the different agendas can collide, and conflicts have also emerged around representation and the voice of indigenous people in the movement. However, the alliance between advocacy groups and indigenous peoples has had successful results and is moving towards greater recognition of the importance of the grassroots in shaping the movement.

TIMs against extractive industries have the potential to become very powerful for four main reasons. First, they focus on addressing a long-term and principal demand of indigenous communities, which is to secure collective ownership and protection of their territories. Second, most territorial struggles against the oil industry take place at local level, but with the involvement and support of the movements’ regional and national organisations, so bringing the grassroots organisations closer to the sometimes detached leadership and making it more accountable. Third, in recent years indigenous movements have been successful in linking their demands to those of wider civil society; moreover the anti-extractive campaign can exert political leverage in other issues such as neoliberal adjustment programmes, sovereignty and climate change, showing the need for an alternative conception of development and

¹⁰⁶ For more on these campaigns visit: <http://www.chevrontoxico.org/>, <http://www.sosyasuni.org/en/>

citizenship. Fourth, the anti-extractive agenda has also contributed to enhancement of the relationship between indigenous movements and transnational networks which support these demands, helping to scale up the impact of the movement and alter power relations. As Bebbington (2007, p. 33) argues, processes and conflicts for the production of the territory may appear as local in physical terms but are also global in analytical and political-economic terms.

Strategic alliances can be short-term, built for a specific campaign or action, or long-term as part of a wider network of support of TIMs against extractive industries.

These movements and alliances are the result of the progressive adaptation of indigenous peoples to the presence of the oil industry and the need not only to resist it but to create a culturally informed development strategy. Short-term campaigns are normally a more conscious strategy of indigenous peoples affected by the industry. However, in the case of long-term strategic alliances, only those indigenous groups which have been active in seeking and building these alliances have internalised this strategy as a conscious mechanism for their future survival. This is shown in the words of a Sarayaku leader in a personal interview (Elena Arroyo, 5th March 2007):

Sarayaku is a focal point, but our intention is to prod other peoples awake, because there are many peoples in the same position as ourselves ... We want to form alliances at local, national and international levels and to make city-dwellers and the world in general aware of what is happening to our peoples. Our strategy has to be regional, looking at the Amazon river-system in perspective; Amazonia does not belong only to the present but to the future of our peoples. But the companies see Amazonia only as it is now, as a present-day resource ... In ten years we shall be living in a different economic, climatic, sociological, perhaps cultural environment, because the great hegemonies of economic power come like huge monsters, changing the whole system that existed in the past. We are a starting-point of reclamation of rights and respect for Mother Earth, but we want to extend our work throughout the region in order to be able to survive as peoples.

Using international law and creating new spaces of participation: ‘There is no article which authorises repression of a people for claiming its rights’

As previously analysed in Chapter 4, States and transnational oil companies have often managed to have the law on their side. Indigenous peoples have found it difficult to access justice in their national States and have many times brought their cases to international authorities and foreign courts, with mixed success. An example of this is the use that indigenous peoples and their lawyers have made of the Alien Tort Claims Act (ATCA). This US legislation has been used in the past to hold accountable violators of human rights living in or travelling to the USA, as it allows the cases against them to be heard in US Courts. Cases against both Robert Mugabe and Slobodan Milosevic have been initiated in this way. More recently this law has been an instrument for indigenous peoples to demand accountability of US companies that have committed environmental and human rights abuses abroad. Three emblematic cases are Chevron in Nigeria, Texaco in Ecuador, and Unocal in Burma (Olsen, 2002, p. 1). Most of these cases result in a settlement or are transferred to another country, but they have at least forced companies to compensate the communities, and this Statute has become one of the few international laws that are binding. ATCA has been attacked by the recent Bush Administration and the corporate lobby since it is seen as going against US interests, is often misinterpreted, and may put off companies from investment in foreign countries (Stein, 2008).

In Latin America indigenous peoples have also successfully used the Inter-American System of Human Rights and its instruments such as the Inter-American Commission and the Inter-American Court of Human Rights, which latter has facultative jurisdiction.¹⁰⁷ These international instruments are used for demands against the national States, and the verdicts of the Court take the shape of binding resolutions. During the process the Court can dictate precautionary measures with the

¹⁰⁷ Hereinafter I refer to the Inter-American Court of Human Rights as the ‘the Inter-American Court’ or ‘the Court’ and to the Inter-American Commission of Human Rights as ‘the Inter-American Commission’ or ‘the Commission’.

aim of safeguarding the integrity of the victims or plaintiffs of the violation of fundamental rights (Quiroga, 2006, p. 398). In the case of the Sarayaku against the Ecuadorian State, the Commission dictated precautionary measures in favour of the community in 2003, and in the following year the Court conceded provisional measures due to the failure of the State to apply the precautionary measures (Melo, 2004, p. 49). A Sarayaku leader speaks about the importance of using international law (Pablo Galeano, 7th March 2007):

Our strategy must also include getting to know the laws well, becoming legal experts, and, if our recourse to proceedings in the national justice system is exhausted, to go to organisations such as the Inter-American System of Human Rights and tell them that the arbitrary presence of transnationals which plant explosives in our territory is a threat to the human rights of indigenous peoples. We have to denounce this in the Commission, in the Court, as a means of claiming, of letting the world know that we no longer live in a time when one man has to exploit another ... I have asked the government and the military to name any article [of law] which guarantees that the army can repress a people because it is demanding to be consulted, because it doesn't want the oil companies to come in; to name an article which authorises repression of a people for claiming its rights ... They always remain silent.

Nevertheless, getting a resolution from an international tribunal, such as the Inter-American Court, does not necessarily guarantee the application of the norm in the national context. This is the case of the community of the Awas Tingni in Nicaragua, which took to the Commission its claim against the Nicaraguan State for violation of their collective property rights. In August 2001 the Court delivered the first international resolution with binding character, which protects the rights of

indigenous peoples over their territory. However the execution of this judgement has been slowed down by an apathetic and inoperative State (Berraondo, 2004, p. 67).¹⁰⁸

Indigenous peoples have also used the United Nations system to raise their demands, for example through the Committee on Economic, Social, and Cultural Rights and the Committee on Elimination of Racial Discrimination. Other instruments already mentioned have been the ILO Convention 169 and the UNPFII. In the 1950s the ILO was the first international institution to deal with indigenous issues, but arguably the UNPFII has been the most successful achievement of indigenous peoples and organisations in recent history. The forum was created in July 2000 after years of discussions between the States and indigenous organisations, the main issue of disagreement being the demand of indigenous peoples for self-determination, which was perceived by States as a threat to their sovereignty and territorial integrity. The forum is far from being the ideal instrument for indigenous peoples' participation in the UN system, as it cannot create norms and does not have decision-making power. However, it is the first UN body created and formed by the people whom it is supposed to benefit, State and indigenous members are equally represented, and it is open to grassroots indigenous NGOs (Lindroth, 2006, p. 244). In the past few years the forum has focused on issues related to territory, land, resources and indigenous stewardship, and has served as a platform to bring indigenous demands into the global arena and to denounce violations of human rights before States. On 13th September 2007, after almost ten years of negotiations, the General Assembly adopted the Declaration on the Rights of Indigenous Peoples, the rights granted including those of self-determination and free, prior and informed consent. Indigenous peoples have also actively participated in the creation of their own international institutions, such as the Indigenous Parliament of America formed by representatives from North, South and Central America who come together to discuss laws that could benefit indigenous peoples. Other instruments used by indigenous peoples to denounce the violation of their collective rights by

¹⁰⁸ For more information on indigenous resistance against extractive industries, and emblematic legal cases, check Melo, 2004; Mander and Tauli-Corpuz, 2006, pp. 152-177.

corporations and the States are the Peoples' Summit and the Permanent Peoples' Tribunal.

The breakthrough of the indigenous movement into the international arena looking for compensation, redress and greater participation in the decision-making and laws that may affect them has been a long-term and conscious process of indigenous peoples' survival. Recognition of their collective rights and self-determination is vital for their survival, and these have been the main demands of the movement since the origin of the UNPFII and other international institutions that lead in indigenous issues. It is true that the indigenous grassroots may have a different level of awareness to that of their leadership regarding the importance of these international instruments for their survival as peoples, and sometimes they question the legitimacy of the organisations and leaders that represent them in these international forums. This constant monitoring from the grassroots, as well as their participation in these forums, is vital for keeping this strategy effective.

Image 14. Fidel Aguinda, a young leader from the Cofan Nation, at the 2007 UNPFII



Negotiation: 'The revolutionary struggle is the struggle of alternatives'

The case studies selected for this research are based on groups that in various ways have resisted the entry of the oil industry into their territory. However, as explained in previous sections, resistance and struggle are not the only options used by

indigenous groups affected by the industry. Some groups may decide to negotiate with the national and transnational oil companies or even to create their own oil companies as a way of development and as a mechanism of survival.

In Peru there are two Amazonian organisations, AIDSESEP, which is the majority one, and CONAP. Although both organisations may agree on important issues such as resistance to the Free Trade Agreement with the United States, the main difference between them is that CONAP is, and AIDSESEP is not, willing to negotiate with the extractive industries as a way forward for the development of indigenous communities.

While attending a three-day congress of CONAP in December 2006 I was surprised that a whole day was dedicated to presentations from Perupetro and four major companies. One of these was Pluspetrol, which was in the middle of a highly publicised conflict with Shuar communities in the north of the country because of its failure to re-inject the formation water produced in its operations, causing severe health problems to the affected communities to the point of jeopardising their survival as communities (“Nativos Achuar”, 2006). While there, I had the opportunity to interview one of the main leaders of CONAP. I asked him about the apparent division between CONAP and AIDSESEP regarding the different ways in which they liaise with the industry, and he responded (Guillermo Puente, 15th December 2006):

There’s no division between us. There are some things we disagree about, and in others we work together. What we can’t do is idealise indigenous people by saying we have always lived in harmony without quarrelling. The difference between AIDSESEP and CONAP is in the minds of non-indigenous people.

... Those who worship God do so in a thousand ways, so why don’t the Catholics agree among themselves? We Indians aren’t babies, to be told how to behave; ... mankind always has idealism, and that’s good, but it has to be seen from the indigenous point of view. Idealising us leads to frustration; no

society is perfect ...It's not that we love the oil companies. It's true that the native often looks to the oil companies for money, and that the companies look to us for our resources, so we think it's important to negotiate well, asking not only for money but for projects in which our culture would be respected ... As long as the State offers indigenous people no alternative, the negotiations are going to continue. We don't want these negotiations to be individual, but properly organised ... The revolutionary struggle is a struggle of alternatives ... I don't know where to find companies willing to undertake a project and share the risk with the natives ... The old anthropologists used to say "the Indian is finished" but we have resisted. We are a strong culture that knows how to gain life.

Puente is right to point out that there is also a tendency among environmental activists and some academics to polarise the views of indigenous groups, classifying them as those that negotiate with the industry and those that resist it. This 'with or against me' classification can be misleading, as it overlooks the complexity of oil politics and relations. Negotiation and dialogue with the oil industry and other actors is also part of indigenous culture, implying neither a desire to adapt to the global identity nor ignorance of the impacts and risks for their own survival. In other cases lack of information, extreme poverty and corruption leave them with few options. However, the perception of division is not just in the eyes of environmentalists and academics: the wider indigenous movement, represented by AIDSESEP in Peru, is critical of CONAP's political agenda and support of extractive industries. It claims that CONAP is fully funded by the oil industry and perceive it as an obstacle to the model of development which AIDSESEP itself is trying to promote for indigenous peoples. These differences in the leadership are less obvious at community level, although it is common to find river basins in Peru in which communities are divided according to their affiliation to either CONAP or AIDSESEP. In Ecuador there is no parallel organisation to CONAP, but the evangelistic organisation FEINE is also more open to a dialogue with extractive industries than CONAIE, the main indigenous organisation. The influence of the oil industry in the disarticulation of

the Amazonian indigenous movement has been already described in Chapter 4.

Puente also explains that negotiations will go on due to the lack of alternatives offered by the State; however, when asked about possible alternatives, he mainly speaks about extractive projects with greater indigenous participation. This is an option as valid as any other and has worked for indigenous groups in the USA and Canada who live in reservations, but has had no success yet in Latin America. There have been a few cases of indigenous-owned oil companies, but the promoters have been individuals and not indigenous groups. In Ecuador, there is an oil company called Sachapetrol owned by indigenous people, which has not been able to start operations yet and has been widely criticised by the indigenous movement for its corruption.

Finally, some communities see the process of negotiation as resistance in itself. Communities may perceive that there is no alternative to the oil industry, and some of them even regret having allowed the oil company into their territory in the first place. Nonetheless, taking ownership of the negotiation and achieving fair conditions is not an easy process, especially when accidents such as oil spills occur and the community needs to get compensation from the company or the State, or when the company is not complying with its community relations programme. These everyday struggles of communities living with the oil industry cannot be ignored, as it is in this process that communities become more aware of their own strategies for survival. In both Ecuador and Peru the principal indigenous organisations and their non-indigenous allies have adopted a clear position against the extractive industries in indigenous territory or have demanded a moratorium on all oil activities until better conditions for indigenous peoples can be guaranteed, but there are other indigenous organisations and voices that see in dialogue and negotiation with the industry the only means of assuring their development, and struggle to achieve a fair negotiation in which respect for indigenous culture is the main priority. The debate around the oil industry is polarised in these two countries, as unfortunately the industry has arrived together with militarisation, violence and corruption but without the presence of the State. Indigenous peoples may differ in their understanding of how oil-rich

territories should be managed and what are the possible alternatives to oil exploitation; however, they converge on vital issues such as the need to preserve their territory, culture and sovereignty. It is on constant dialogue and shared views that their future hangs.

Territory, self-determination and cosmovision: ‘The Earth is our Mother’

The preservation of territory, the practice of indigenous cosmovision and culture and the right to self-determination constitute the main mechanisms for the physical and cultural survival of all indigenous peoples. In oil-affected communities these mechanisms are especially important, as the industry poses a direct threat to them. In the cosmovision of Amazonian peoples the territory is perceived from a holistic point of view: it is not only the natural space that satisfies their subsistence needs, but a living space in which the underground, the terrestrial, and the aerial world are connected and in balance. This holistic territory is called *Pachamama* or Mother Earth and is where indigenous people are introduced to their spiritual world, and parts of this territory are therefore considered sacred. The indigenous cosmovision also represents a belief system which influences all the aspects of their lives from how children are raised to the way the forest is managed.¹⁰⁹

Images 15 A, B, and C: Representations of the Pachamama



¹⁰⁹ I have presented here a general view of how indigenous peoples perceive their territory through their cosmovision. Although there are some common beliefs among Amazonian indigenous peoples, their spirituality and cosmovision are practised in a variety of ways.

The illustrations above show various representations of the indigenous cosmovision. The photographs were taken from pictures exhibited in the offices of AIDSESEP and CONAIE. The meaning of the words on the middle picture is “We have the right to our own culture”.

Through their cosmovision, indigenous peoples make sense of their lives and destiny. An example of this is the following excerpt in which Ernesto Flores, from the Cofán nation, describes how the oil industry undermines not just their environment but their connection with the natural world (interview, 14th January 2007):

Coan Coan is an underground being. He has a house, as we do. He is not a god, not a monster, only a being...when the shaman needs advice, he always seeks it from *Coan Coan*, the same when he needs to ask for a favour to the community, such as more game or fishing. *Coan Coan* belongs to the Cofán People, is a part of their life...As any other being, *Coan Coan* needs to rest, sleep...when he sleeps he becomes a rock and his blood turns into oil. The oil companies kill *Coan Coan*. When they do the drilling in order to extract black gold, *Coan Coan* is torn into shreds...Cofán people cannot allow them to destroy part of their life, they cannot let *Coan Coan* be killed, that is the reason why some of the Cofán communities are against the oil industry in their territories.

Although *Coan Coan* has been part of the Cofán mythology for centuries it is not until recent decades that the story of the *Coan Coan* has been linked with the oil industry, as people needed to make sense of why their whole culture and environment was deteriorating, the game and fishing disappearing and the shamans losing their powers. The contamination produced by the industry has modified the

soil and shamans complain about the difficulty of finding sacred plants. In other cases sacred territories have been violated as a result of seismic operations or the opening of trails. Indigenous peoples' cosmovision is vital for their survival. The main bearers and transmitters of this belief system are the elders and the shamans, and women are believed to have a special relation with *Pachamama* or Mother Earth. A Sarayaku leader explains his vision of the territory and why it should not be negotiable (Luis Galeano, interview, 7th March 2007):

There's a direct relation between the territory and Mother Earth, *Pachamama* ... the woman is the essence which gives life, who gives birth to another living being. The woman produces, just as the earth gives life to space. A mother buries the umbilical cord of her first-born in the ground where he was born, so that the child is not going to leave, is going to stay here, without going out of the circle, out of the territory. We consider the territory an essential part of life. In the territory we produce, we hunt, we fish, we live together, we die. My mother used to tell me that when Mother Earth is angry she gives bad products, when she isn't angry she gives good products; when she heard that a people had already negotiated with a transnational she would say you cannot sell or negotiate a mother: the mother should be respected. "You walk on the earth," she would say, "and you die on the earth – After this life you'll be living here – how are you going to destroy this space where you're going to live afterwards?" Thus my mum had a good unifying concept: the earth is our mother, and it is women who give life.

This perception of the territory as Mother Earth is a common belief of indigenous peoples in Latin America and other continents. As Elsass (1992) explains, this concept is part of the "ecological psyche" of indigenous peoples. He argues that the survival of the individual depends on the balance between the individual as part a larger group and the individual's self-awareness and capability of not being absorbed by the group. He applies this principle to indigenous peoples in relation to the larger

society by stating (Elsass, 1992, p. 180):

Survival for them [Indians] is a new kind of consciousness, in which separation anxiety gets substituted by a universal symbiosis with the earth, history, and offspring, an ecological psyche in which personal identity enters into relationships in ecological as well as historical contexts. Unlike our way of erecting boundaries in relation to our surroundings, the large group, and nature, the Indians see themselves as part of a much larger context. They consider the self to be a false delimitation, only a verification of an all-embracing and coherent process.

Leaders of communities that struggle against the oil industry frequently refer to the sacred nature of *Pachamama* and to the failure of white-mestizo society and the oil companies to understand and respect this concept of territory. It is common among environmentalist and other support groups to refer to indigenous peoples as ‘Guardians of the Forest’. Although the label of ‘Guardians’ is not an indigenous concept, some indigenous groups have embraced it, believing that their wisdom has helped to preserve the forest for centuries, both for themselves and for the rest of humanity. Indigenous peoples do not see themselves as ecological warriors or representatives of environmental purity. Their special relationship with nature and their wisdom about the forest is undeniable, but they are also willing to improve the management of the forest by combining their own knowledge with Western knowledge. This applies especially to territories that have been reduced in area due to oil concessions, those suffering added stress caused by a growing population, and those designated as nature reserves.

However, indigenous peoples’ beliefs about the territory, their connection with Mother Earth, and their role as carers of the *Pachamama*, exercise a strong psychological pressure on Western societies. These beliefs portray indigenous peoples not only as different from the dominant society but also as groups whose

survival is necessary as they are the ‘carers of the earth’ and a constant reminder that alternative societal and economical models are possible. The dominant society is presented with the choice of oppressing and assimilating these minority groups and so becoming the only society to survive, or allowing scope to a new model of development in which all kinds of society can coexist and nurture one another.

Indigenous peoples are aware that, to be able to survive in a world system dominated by the white-mestizo world-view and that system’s powerful institutions, they must both forge solidarity with the wider society and define their boundaries without excluding themselves from that society. An example of this is their long-term demand for self-determination, which gains relevance in the case of communities threatened by the oil industry, as in order to present an alternative to the industry indigenous peoples need not only to secure their territory but to exercise greater control over its management and development. Roy (2001, p. 28), who has researched the right to self-determination and its applicability in the Canadian context, states that self-determination is not only a territorial demand, but a right that grants peoples various degrees of local autonomy and self-government and at the same time participation in national government. Self-determination does not imply that indigenous peoples want to secede from national States and become independent, as argued by States and United Nations institutions which seek to preserve state sovereignty and territorial integrity.

In the Ecuadorian State indigenous peoples are divided in nationalities, and the term ‘plurinational State’ has been adopted in the 2008 Constitution. Ecuadorian indigenous peoples have never claimed that they are not Ecuadorian and neither have they manifested any desire to become independent. On the contrary, they demand full participation in state policy-making and decision-taking, but, at the same time, greater local autonomy and self-government. Indigenous peoples claim that self-determination is a fundamental right that is part of the decolonisation process put in place by United Nations and other international bodies, stressing that its application would be beneficial to society as a whole and would minimise conflict. This point is made by an indigenous activist who is also the chair of the UNPFII (Tauli-Corpuz,

2006, p. 21):

Recognition of these rights [to self-determination and free, prior and informed consent] by governments and the broader society is crucial if we are to save whatever is left of the planet's cultural and biological diversity [...] There are still indigenous peoples in many parts of the world who are in danger of extinction. This would mean the loss of the diverse knowledge and culture that they embody [...] Indigenous peoples have shown, time and again, the viability and sustainability of their economic and socio-cultural, political, and indigenous knowledge systems. Whatever is lost is a loss for the entire world, not for indigenous peoples alone.

Ironically, those communities whose survival has been threatened by the oil industry have also become more conscious of their own survival process and the need to find alternatives. Many of the communities that have resisted the entry of the oil industry, and even many that have decided to negotiate, have designed long-term life projects that will help them to look for initiatives and programmes that may help them to achieve development without loss of their identity.¹¹⁰ These life projects do not follow market parameters; they reflect an alternative vision of development based on indigenous knowledge and cosmovision in permanent touch with the broader society. In order for these projects to be successful, indigenous peoples' concept of territory must be respected and their self-determination granted.

Education, training and political participation: 'We have to investigate our own culture'

Of all the different survival mechanisms analysed so far, education has been the most prevalent response among indigenous participants in the three case studies of the present research. Although education seems to be vital for the survival of all

¹¹⁰ Refer to the Annex 1 for a definition of Life Project.

indigenous peoples, in those communities that have had to deal with the oil industry and whose way of life has been affected by it, the realisation that education is a long-term survival mechanism is now internalised in the community and has become a priority. In order to better respond to external threats such as the oil industry, indigenous people have identified various forms of education and training required but have also stressed the need for an intercultural model of education which would depart from previous assimilatory policies and would focus instead on identity and diversity. Education of indigenous peoples is a political question, a right in itself linked to the right to self-determination. In Latin America national programmes on Intercultural Bilingual Education (IBE) were started a few decades ago with high expectations from indigenous organisations that sought the decolonisation of indigenous peoples' education. Aiello (personal communication, 2002) who has researched indigenous identity in the Ecuadorian Amazon, states:

Bilingual education has been important for the progress of the indigenous movement, allowing indigenous peoples to integrate into the national system in an effort to increase their rights and status within the State while preserving their own culture and history.

It is beyond the scope of this research to get into the details of IBE and what it has meant politically for indigenous peoples. However, the main failure of these programmes in Ecuador and Peru has been the control that these States and international institutions have exerted over them, leading to the imposition of the dominant culture and language in indigenous and rural areas, to the detriment of cultural diversity. In 2006 the World Bank published a report in which it stresses the need to standardise the IBE programme in Peru but to include diversity (Banco Mundial, 2006, p. 125):

The reason is that progress in IBE could be affected by an important paradox

which is still not sufficiently discussed in Peru: the need to standardise and unify the less dominant languages for teaching purposes, and the creation of standard pedagogical practices oriented towards pupils of communities whose mother-tongue is not Spanish. How to create standards which would incorporate diversity, and not only hispano-indigenous diversity, but also the diversity of variants of a single group of indigenous languages, is a paradox – or an apparent paradox – resolution of which would be useful to help the advance of IBE.

This study from the World Bank presents standardisation as necessary to improve the accountability mechanisms of the regional education bodies and to monitor the quality of education. However, in a country as multicultural and multilingual as Peru, in which different varieties of Quechua may differ as much as French and Spanish, standardisation may prove difficult. Instead the World Bank and the national governments could invest resources in decentralisation and in assuring the participation of indigenous peoples in the design of IBE programmes. Although some degree of unity in diversity is needed in order to have an IBE programme that is viable, indigenous peoples should have a voice in deciding how to achieve this goal and also in the creation of indicators that include cultural diversity. This takes us to the link between education, territory, and self-determination. In my interviews with state representatives at local and regional levels, they recognised the importance of IBE, but most agreed that the indigenous movement would benefit from centralisation of their educational offices, which would make it easier for the State and external aid agencies to canalise their resources and support. This point is explained by a high representative of the regional government of Pastaza in Ecuador (Romeo Cruz, interview, 24th February 2007):

The State must satisfy the minimum needs of peoples, such as education. Their knowledge is maintained by their perseverance in passing it down the generations. But we don't want to leave them on a shelf in order to be able to

say that we have aboriginal peoples; we should feel proud of that, but should also give them the minimum conditions necessary for them to live in dignity, and should re-evaluate their cultural identity. It's the time to invest, with or without oil exploitation, giving them drinkable water, education, health, without co-ordinating it from elsewhere but rescuing the knowledge from its own culture ...What would have to be taken out of the plan is so many National Directorates for each indigenous nationality; the only thing that does is dissolve resources, pulverise them. A single matrix should be created, so that there would be a single policy at indigenous level, not each separately with a bureaucratic set-up.

Indigenous peoples in Ecuador and Peru, through their national directorate for IBE and regional offices, are working together towards reaching an agreement for a national plan of IBE that includes cultural diversity. However, they insist on keeping the system as decentralised as possible, as this will allow greater participation of all the indigenous groups in Peru and nationalities in Ecuador. The latter has a vision of using IBE as a means to build a plurinational State. Therefore, in addition to the regional IBE offices the country also has national directorates that represent the different nationalities. Indigenous peoples do not divide their territory by provinces or districts. As explained earlier, there are groups such as the Cofán and Shuar, which live in two countries; it therefore makes sense for them that their educational system should take this territorial distribution into account, since many of the indigenous languages are spoken in several provinces and districts. Keeping the diversity of these groups and protecting their cultural patterns and language from homogenisation is a long-term survival strategy and a form of exercising their right to self-determination.

Some oil-affected communities have decided to take more responsibility for their own education instead of waiting for reforms to materialise. Changes in the school curriculum introduced by the community include the participation of the elders to teach indigenous cosmovision, increasing the time the children spend in nature or in

collective communitarian activities, and rescuing the use of the traditional costume instead of expensive state uniforms. These decisions are taken in the general assembly of the community. Perrault, who has carried out fieldwork in the indigenous community of Mondayaku in the Ecuadorian Amazon, explains the importance of the curricular changes introduced by the community (Perrault, 2003, pp. 77-78):

Today the school, Mondayacu Educational Programme *Causaimanta Yachana* (in Quichua, “place of living education”), PEMCY, promotes the study of community development and organisation, Quichua language and culture, traditional agriculture, and medicinal plants (PEMCY, 1998). PEMCY is one of eight intercultural bilingual high schools in Napo province, administered by the National Directorate of Intercultural Bilingual Education (DINEIB). [...] Gradually, then, the primary function and symbolic significance of intercultural bilingual education has shifted from the provision of educational access to the valorisation of Quichua culture and language.

In other cases, such as in Sarayaku, the community has received external support to create their own programme for IBE teachers, counting on the help of foreign volunteer teachers who rotate every three months. The training provided in Sarayaku complies with the dispositions of the regional and national IBE programmes, but the community proposes the most relevant topics for the curriculum and has selected a programme coordinator. This point is explained by an indigenous community teacher (Teresa Arroyo, interview, 5th March 2007):

Education is vital for our survival, not an imposed education but an alternative education. We call it an Internal System of Education, and it's already being applied in some Sarayaku schools. So as not to disappear culturally, first must come our knowledge (Forest People's Knowledge, in

our language *Sacha Runa Yachai*). Our knowledge is the main point of our culture and must be documented and systematised minutely, not only orally on the grounds that we belong to an oral culture. Secondly, the study modules necessary for a culture to remain in existence don't have to be what has existed up to now ... for example, intercultural bilingual education is simply a copy of the western system, changing it to Kichwa, Shiwiar or Achuar ... Each people has to construct its modules of study in accordance with its cosmovision and its educational structure... Matters of mathematics and so on are universal and necessary also.

One of the topics covered in the curriculum of Sarayaku is globalisation and the age of information technology. This has become an important subject for the community as they are aware that part of their success against CGC is due to the use of media such as the Internet, radio and filming. Eriberto Gualinga, who won an award for the film 'Sacha Runa Yachai' and is also the communications leader in Sarayaku, explains (interview, 4th March 2007):¹¹¹

We want to know and learn about the outside world but not to forget our own. That is what we do by means of video; we have to exchange information so that young people are encouraged in the struggle, to give direction to Sarayaku ideology through teachers, colleges and new technology ... We assemble photographs, information, newspaper cuttings; the struggle is also on paper, and this is a strong weapon for remembering what has happened and what could happen. We are one of the few communities which achieve this because we make sure that all the information, photographs and videos get back to the community. Previously the organisations came and the information never reached Sarayaku ... ; now we have contacts in the mainstream media, in the press, in television, in the international press. This has been important for us

¹¹¹ Eriberto Gualinga is the real name of the interviewee.

not to feel alone in the struggle.

The above two quotes emphasise the importance given to the recording and documenting of information and not only to the indigenous oral tradition. The use of information technology seems essential for indigenous peoples which want to keep in touch with the wider society and to foster a transnational indigenous movement of solidarity and mutual support. However, as stressed by Gualinga, it is equally important to gain ownership of this process of learning and to assure that the knowledge stays in the community. Oil-affected communities have often looked to NGOs and other institutions for training and support, and have also attracted the attention of academics, journalists and the Church. Although communities appreciate the support given by individuals and organisations, they also complain that their leaders spend too much time outside the community travelling and attending training events, and sometimes the community does not benefit from this support. The head of the Cofán, Secoya, and Siona IBE directorate goes even further, suggesting that it is time for indigenous people to become researchers of their own culture, using all the possible technologies (Jaime Guzmán, interview, 6th February 2007):

We, as the Intercultural Bilingual Federation, are at least trying to rescue the language. The objective of the bilingual education specialists is that our language should be strengthened. That is the only way in which our structures can remain for at least 100 years. If the language dies out, the culture ends, and we would not be Cofán but Ecuadorian. Many of our elders are a living library: they have knowledge of medicine and of much else that is not documented; it is necessary that the educators themselves should become investigators, and it is not wrong to say that we are investigating our own culture. We have lost a little of our culture because knowledge is passed orally, from father and mother to child. Now, with so much influence from outside organisations, other forms are being imposed on us. Now it is

necessary to write, to record ... this can be done by the educators, the young people, and it will help to preserve our culture.

Guzmán states that without language there is no culture, and as Adams explains (2001, p. 191) this is because the loss of the language not only implies the loss of a strong cultural identifier but the loss of a whole cognitive framework. Guzmán also demands a more active role for indigenous people as researchers. Indigenous research and other participatory approaches such as action research and research from the margins have gained relevance among indigenous and non-indigenous academics who work in indigenous issues.

Indigenous people are also aware that education is not limited to the formal sector or the IBE programmes. There are other educational routes, which are crucial if they want to influence policies and have representation at various levels of the decision-making process. One of these is the role of the community as cradle for the formation of leaders who may later work for the local and regional federations. Traditionally leaders have worked on a voluntary basis for their communities, and their election was a duty and an honour that could only be avoided with strong justification. Today, leaders from local federations may be paid if the organisation receives funds from NGOs or other institutions. Community members sometimes see leaders as more interested in the salaries offered for these positions than in representing their people. Although envy and mistrust will always exist, leaders and members of communities struggling against the oil industry have worked tirelessly as advocates of indigenous peoples' rights, and some have risked their lives. The oil conflict has brought the leadership of the movement closer to the grassroots and has also served as a springboard to regional and national level for those leaders who have been involved in local struggles. The conflict with the oil industry has also created the need to train the youth in rights and advocacy issues, as they will be the future leaders and responsible for organising resistance and developing strategies for survival. In this regard the training in advocacy and indigenous and territorial rights has gone hand in hand with the revalorisation of traditional culture and the creation of spaces in which the elders and the youth can converge. A leader of the Cofán community of Dureno

explains this point (Ernesto Segundo, interview, 11th February 2007):

Latterly the whole Cofán people has been worried because the last shamans are now dying, and then what's going to happen? The problem has been lack of confidence, because preparing to be a shaman takes a long time and is difficult. The shamans don't think the young people are interested, and at the same time the young people believe that the shamans don't want to teach them. Also, since the oil companies' arrival the sacred plants have been more difficult to find, and the young people go off to the towns and no longer have time for these teachings ... here an association of young people, AJONCE, has been formed with a double aim, on the one hand that they should know their rights and the threats that the oil industry holds over us, and on the other, to rescue our cosmovision.

During the past five years the Cofán youth association has been very active and has participated in local and regional events. The community of Dureno has been approached on several occasions by national and foreign oil companies, and the youth association has had an important role in maintaining the position of the community against oil operations in their territory. This association has received a small funding from Friends of the Earth, but has now managed to become sustainable through a traditional fish-farm project and a programme of national and foreign volunteers. Recently AJONCE members built a house of *yajé* (a sacred plant of shamanism) at the top of a hill. Their idea is to use this house as a centre for learning shamanism and other traditional teachings, but the location of the house in the top of this hill is strategic, as stated by one of the young members (Carlos Flores, interview, 14th January 2007):

We decided to build the *yajé* house on the hill because it's a secluded and pleasant place, good for learning shamanism ... but also we were worried by

several bids to carry out mining on that hill ... now, with the *yajé* house there, that area can't be used for mining.

The youth of the three case studies of this research have become organised in various ways. In the Shipibo community of Canaán, young community members nominated by the regional federation are attending a school for leaders, although here the emphasis is more political than spiritual. In Sarayaku the young people are involved in a filming project but are also interested in creating an organisation similar to the Cofán AJONCE in which the elders and the young people can work together. Young people of both communities have organised exchange meetings to share their experience of struggle against the oil industry and the revitalisation of their traditions. When interviewed, young people say that intercultural exchanges are their favourite activity of all those organised by the youth association. During intercultural exchanges indigenous peoples not only strengthen their links and build solidarity with other groups that face the same threats, but also become more conscious of the weaknesses and strengths of their own culture. For example, the Colombian Cofán people are losing the Cofán language but shamanic practice is still part of their culture, while the opposite is true of the Ecuadorians. As a result of the exchanges between the young Cofán people of Ecuador and Colombia they realise that they should share their knowledge in order to strengthen the Cofán culture, and future exchange and learning-sharing events are now programmed.

Some of these indigenous young leaders will eventually become professionals, and many of them are co-opted by international institutions, NGOs and state institutions working on indigenous issues, such as CODENPE in Ecuador and INDEPA in Peru. Others will work as lawyers, teachers, politicians, and leaders for the regional and national indigenous organisations. These professionals, especially indigenous politicians and national leaders, also have great influence in mobilising the indigenous movement against the extractive industries. As commented before in Chapter 2, the Peruvian indigenous movement does not yet have a political party, and although in Ecuador Pachakutik has been established as a political party since

1995, its political power is at present limited. Indigenous peoples in Ecuador and Peru still conceive participation in politics as creating a movement rather than a Western-style political party, and many leaders express doubts about the participation of indigenous peoples in political parties as a way of achieving their demands. The party system in both countries is fragmented and political vision can be parochial; for example, local indigenous parties are put together to win in a constituency without having any other link with regional or national indigenous parties. At times indigenous people come into politics because there is a quota system that obliges parties to have a minimum number of indigenous candidates in their lists, which is the case in Peru. Regardless of the effectiveness of these parties, it is clear that indigenous leaders who have been trained in the communities and local and regional federations and who eventually become politicians or national leaders have been largely responsible for making the oil conflicts visible at national level and have lobbied in parliament and elsewhere for such important issues as the moratorium on oil activities in indigenous territory.

Indigenous people I have interviewed identify IBE and informal education as one of the main means of assuring their cultural survival and see it as a long-term process. Although all indigenous communities could share this perception, those affected by the external threat of oil exploitation have become very aware of the need to train and educate the new generations to avoid similar threats in the future, as explained by a Cofán woman (Marta Flores, interview, 12th February 2007):

The western system doesn't respect the ways we think and live, especially through education. That's the biggest threat to indigenous peoples because it's a silent weapon, much more dangerous even than the oil industry because it colonises the hearts and minds of young people, of children, devaluing, and bit by bit it has the effect that the people, the system of [indigenous] peoples, the ancestral structure, becomes lost. That's the big threat.

In order to understand the value of indigenous peoples' territory and identity, education must be intercultural and bilingual, since language is one of the main indigenous identifiers and a symbol of a thriving culture. The diversity of indigenous languages is also a powerful tool to persuade the State to design educational programmes that take into account cultural diversity. Finally, indigenous people are also conscious of the role of IBE as a political tool. Perrault (2003, p. 78) also stresses the role of the community and its efforts to pursue IBE as central to the building of the indigenous movement:

Of crucial importance here is the fact that indigenous communities, since their legalisation under agrarian reform legislation, have functioned as semi-autonomous spaces for social and cultural reproduction. As such, they serve as important bases for regional and national indigenous political movements, such as Pachakutik, as well as organisations such as CONAIE. Thus, the centrality of intercultural–bilingual education to daily life in many indigenous communities during the 1980s and 1990s may be seen as both reflective and centrally constitutive of the growing indigenous rights movement at the regional and national scales.

Understanding the other

As done for the 'Strategies of the powerful', this section gives an overview of the survivors' vision of the various actors involved in the oil conflict, including themselves. I shall touch on some of the issues already analysed in this chapter, adding more insight into the survivors' perception of themselves and what they believe to be their main challenges. By portraying the survivors' views of the other actors the research will help to improve our understanding of the conflict, the ways in which it oppresses indigenous peoples, and the most effective strategies for survival.

Indigenous peoples that have lived with the impacts of the oil industry for decades have become aware of and reflective about their strengths and weaknesses as a culture and as a movement, and have demonstrated great ability for self-criticism. The oil industry and state interests have created much division within the indigenous movement, which has often blamed its leaders for this situation, replacing those believed to be corrupt with others of apparently higher moral quality. The State allows direct negotiation between companies and single communities, bypassing local and indigenous political structures, which has also created division because communities often lack the necessary information to negotiate with a company. However, indigenous peoples are conscious that their basic unit of cohesion, the community, has been attacked and that there is a need for the leaders to come back to the grassroots and listen to them, to share ideas with the community and also to learn from it. Indigenous peoples admit that their involvement in politics has not been successful and that they need to return to the indigenous concept of leader and develop a political strategy which is based on indigenous principles and values and is not merely a copy of Western political ideas and traditional parties. These issues are exemplified in the following excerpts from interviews:

Transnationals are now enabled to converse with the community if it is legally recognised. Formerly the decision was a collective one of all the associations, because we had a global territory. They have taken this position from us, approaching each people to offer many things. When I was president of my association they wanted to convince me: they offered me economic resources, a hundred thousand dollars, a house in Quito, a woman, journeys to the United States, but I refused. If the leader is not well prepared in his community it is easy to fall into those traps, but those of us who are convinced that we have to defend our way of life and to leave a legacy for future generations have to struggle greatly. They wanted to limit our unity; for that reason Amazonia is weak, and now we are seeking how to return to unity (Javier Maldonado, CONAIE leader, 15th January 2007).

The problem we have is that the leaders have become politicians. At first, when the indigenous organisation was formed, all those with leadership responsibilities worked for their communities and for the benefit of all the nationalities. Now that job has become political, because now the leaders are in public positions. Work for the community is left aside, and the idea has arrived that they work for their personal benefit (Jaime Guzmán, Cofán teacher, 6th February 2007).

Leaders have to return to their bases and come for spiritual cleansing here in their own community, because here we are doing the real construction, management, administration and control. When I speak of administration I mean territorial administration, establishing our own government which would have absolute powers here, not that the national government authorities would have power [...] Our leaders have to come and be assessed in community assemblies; the assessors are the wise elders, those of the bases, not assessors who live in Puyo or Quito and don't know the dimension, the vision of the future. They don't know the political project of the bases (Frida Naciente, Sarayaku elder, 22 February 2007).

Another challenge for indigenous peoples is to unify the movement while maintaining their diversity. Throughout the analysis the issue of diversity has stood out in almost every topic discussed: language, cosmovision, political thought and modes of resistance and negotiation. However, small nationalities and indigenous groups complain that they do not feel totally included in the decision-making process of indigenous peoples, since the big nationalities dominate the debate and the political power. For them there is still a gap between the debate about plurinationalism and the practice. The Cofán and Secoya, two small nationalities that have had a significant role in the movement against the oil industry, brought up this issue in the last CONFENIAE congress in February 2007, as stated by a Secoya leader (Aristóteles Rioazul, interview, 10th February 2007):

It's difficult to think that CONAIE and CONFENIAE could unite in the near

future, since we see that there are some nationalities such as the Shuar and Kichwa which, because they are quite numerous, tend to impose their decisions. In this organisational process that we want to set in motion, all should be equal. We shouldn't speak of numbers of inhabitants but of cultures, and they should all be on the same level and in the same category. If we were to return to that way of thinking we would be able to strengthen these organisations. But as it is now, the present political leaders would have to die so that a new generation would return to think in a different way and to think of an appropriate system of organisation looking to the future.

Indigenous peoples are aware that they are far from achieving the unity in diversity needed to resist the threat from the extractive industries, but ironically this threat has also brought indigenous peoples closer, creating a growing movement based on territorial demands and self-determination. There is much to be done in terms of revalorisation of the indigenous culture and identity, but protection of the territory is seen as the main step and the only strategy that will allow them to revive their culture; since for indigenous peoples territory and culture are a continuum. These ideas are explored in the following quote from a leader of CONAIE (Javier Maldonado, interview, 15th January 2007):

We are peoples with diverse cultures, but we agree on the principles of defence of Mother Earth, cultural identity, and vindication of our status as indigenous peoples ... Many in Peru say they are peasants ... I discussed this with them and told them "You are not peasants, you have your own language, you are Quechua". We have to identify ourselves and from now on we work to achieve what we want. Our cosmovision and our shamans are very important to us; we draw life from this spiritual power. We don't worship God in a chapel but believe that the subsoil, the soil and the cosmos are three powers which are always with us, and with this power always with us we are decisive and are struggling.

CONAIE has been one of the fundamental pillars for all Latin American indigenous movements. We have participated in other spaces, we have shared other peoples' struggle against neoliberal policies and against transnationals. This led us to construct a network; from this idea COICA was created in the Amazon basin, but later it broke up. But we are recovering [...] We have to see how to construct this net, to see what experiences of the struggle give us strength, to persuade other peoples to organise and resist [...] All indigenous peoples are different, but we have to walk the same path, and that is what we are trying to do in our struggle against the oil industry.

Indigenous peoples see the powerful as incapable of understanding their concept of territory, a cultural clash that their leaders and politicians are trying to overcome by sharing their ideas and values. Indigenous peoples recognise that there has been progress in international law and national constitutions in relation to their collective and environmental rights; however, national regulations are weak, and indigenous peoples feel that the State is unable to guarantee their integrity and survival. In oil-affected communities there is a lack of trust in state institutions and oil companies, based on their experience of environmental and cultural impacts without any prospect of development. The communities think the companies employ a strategy of division to gain access to their territories with state connivance. In the words of a Cofán woman (Julia Flores, interview, 11th February 2007):

The oil companies have brought poverty. We never said before that we were poor because we had everything – the forest was our “market”, fishing, hunting, bathing in a clean river, drinking from a stream. The oil companies have also given rise to many organisations according to the interests of each family, causing internal conflicts between family members interested in getting the few resources that the companies offer. Bit by bit the indigenous movement has become divided, the family broken up. This has the objective of being able to enter the communities with ease; this is their strategy, and the

State isn't concerned about it.

The new era of high technology promoted by the powerful is perceived with reservations both by communities that oppose the industry and by those open to dialogue, since the increasing concession of indigenous land to oil companies has not been accompanied by a development policy for indigenous peoples. In their view the State is consciously promoting paternalism by not being involved in the oil negotiations and consultations and by relying on the companies to provide the resources and services that should come from the State. During the negotiation between the AGIP company and the Kichwa organisation ASODIRA, an indigenous leader told me in an interview (Raúl Solano, 21st February 2007):

The worst crisis of the State is when it gives powers to a company. I have had the opportunity of speaking to several oil company managers, and have told them “You are not the State of Ecuador. The infrastructure has to be put in place by a local provincial government; the Ministry of Education has to see to education; or perhaps you're the saviours of the world?” The giving of powers to the company is in order to create paternalism between the company and the native.

The issue of paternalism has also been raised when referring to the relationship between communities and the intermediaries, especially NGOs. Indigenous peoples draw a clear line between environmentalist and conservationist NGOs, and claim that the latter are also a threat as they often manage territories which belong to indigenous peoples and which could in the future be used for carbon trading or for offering environmental services without their consent.¹¹² This concern is stressed in

¹¹² Here I use ‘conservationist’ to refer to environmental organisations focused on conservation and management of natural reserves, for example Conservation International, the Nature Conservancy, and WWF. ‘Environmentalist’ refers to organisations which campaign on both environmental and human right issues, for example, Friends of the Earth, Amazon Watch and the Rainforest Foundation. Sometimes the work of these two

the following excerpt from an interview with a CONAIE leader (Pedro Kimbae, 3rd February, 2007):

What we want is not to be deprived of the right to administer, manage and conserve our territory. The conservationist NGOs say that we are contaminating the environment and causing it to deteriorate, that we are the destroyers, that they want us to leave the conservation areas. How can they possibly say that we are destroying these lands if we've lived in them for hundreds of years? If the conservationist NGOs administer our territory, where would we go? Do they want more beggars on the streets? We also want conservation of our territory and the species, but they are taking away our right to a decent life.

National and international environmentalist organisations, unlike those concerned with conservation, have a supportive and collaborative relationship with indigenous peoples. This is especially true of campaigning NGOs and those specialising in environmental and collective rights. Indigenous peoples and leaders admit that foreign aid organisations have become more cautious with their funds, as these have been mismanaged by indigenous organisations, leading to failed projects and programmes. However, indigenous peoples claim that many of these failures are due to lack of flexibility of the donor and the lack of participation of their organisations and communities in the design of NGO projects, which leads to lack of ownership of the projects. In the next chapter I shall expand on the role of other intermediary actors in the oil conflict.

types of organisations can overlap and they may work together in some countries on issues such as climate change.

In Chapter 5 I have analysed the main survival strategies of indigenous peoples affected by the oil industry by listening to their voices. Although the oil frontier is expanding in the Amazon area of Ecuador and Peru, and the Amazonian indigenous movement is beset by internal problems, it is reassuring to confirm the existence of a scattered but increasingly strategic and territorial indigenous movement which aims to safeguard the survival of oil-affected communities and to propose an alternative form of development based on bio-cultural diversity.

As illustrated in Figure 3 there is a wide variety of strategies for survival already in place, and although there is little agreement among indigenous peoples about the way forward to face the threat represented by the oil industry, various solutions and strategies will emerge as communities gain more consciousness of their own survival process. There are therefore strategies such as the cohesion of the community, learning shamanism, solidarity-building, and the self-representation of indigenous peoples as carers of Mother Earth, which have not been fully internalised as a conscious process of survival but which still have a strong influence on the outcome. Other strategies have been consciously designed as a result of communities' direct involvement in the oil conflict and their relationship with other actors; for example direct actions, strategic alliances, advocacy training and negotiation strategies. There are also long-term strategies, such as the struggle for self-determination, territorial integrity and IBE, which are a priority for the indigenous movement. These strategies have gained even more relevance within territorial indigenous movements against the oil industry, since the aggressive cultural and environmental impacts generated by the industry for the last thirty years have directly threatened these long-term survival mechanisms and have also threatened the cultural survival of some indigenous peoples. The survival of these groups will ultimately depend on their capacity for adaptation to endogenous and exogenous factors by developing survival strategies that reflect the diversity of indigenous peoples and their role in the world-system.

Chapter 6: The Role of The Intermediaries

In this chapter I analyse the role played by the intermediaries in the oil conflict. I include in this category local, national, and international NGOs (such as environmental, conservationist, human rights, and indigenous rights organisations), international development institutions, the Catholic Church, the Ombudsman Office, indigenous governmental institutions, environmental and human rights activists, and academics. Unlike the previous two chapters, this chapter does not have a section on ‘Understanding the Other’ due to the variety of actors included in the ‘intermediary’ category. However, throughout the chapter I try to portray the vision that the different intermediary actors have of each other. The roles of intermediary actors are diverse: they may act as supporters of Territorial Indigenous Movements (TIMs), mediators in the oil conflict, funders of development projects in oil-affected communities or researchers of the oil conflict. These intermediary actors have played an essential role in creating the solidarity network of TIMs and also in mediating in the oil conflict. Routledge, following Featherstone, argues that ‘Solidarities are part of the ongoing constitution of networks’ (Featherstone, as cited by Routledge 2008, p. 201).

The role of intermediaries who act as mediators might be stipulated by the State or by an international institution; this is the case of the Ombudsman Office, NGOs, academic institutions and even indigenous parliamentarians who have mediated in the oil conflict. The intermediaries who are part of the TIMs network do so based on solidarity and commitment with the indigenous cause but also based on their own interest in pursuing an anti-extractive agenda. The various interests and actions of the intermediaries have therefore promoted tensions, power imbalances and misinterpretations, which are also common to networks.

The concept of intermediaries has also been used in a different way in Actor-Network Theory (ANT), which shows how networks are created and stabilised by the convergence of different actions but ascribes no intentionality to the actors, and so does not explain why networks emerge (Routledge, 2008, p. 201). This theory

uses the concept of Intermediaries to describe entities (human or non-human) which make no difference since they merely pass on the action. Here I detach myself from this representation of Intermediaries, by acknowledging their agency and intentionality and their pivotal role in the oil conflict and the network of TIMs.

Oil-affected indigenous peoples network with a range of organisations. There is a difference, though, between Ecuador and Peru, since Ecuadorian civil society is more organised than that of Peru, partly due to the political violence in that country throughout the 1980s and 1990s. Recently there has been some coordination in Peru between NGOs, civil society groups, and indigenous organisations around the issue of consultation and also around the Camisea Natural Gas Project. Indigenous peoples coordinate or seek the support of these intermediaries for different purposes, and the participation of the latter in TIMs may be short-term, long-term or intermittent. For example, international environmental NGOs such as Amazon Watch, Rainforest Information Network, Oilwatch and their local counterparts are most likely to support indigenous peoples by organising a campaign against a particular oil company and providing information to the communities about the impacts of the industry and their collective rights. Other NGOs such as Oxfam, Friends of the Earth and the Danish development organisation Ibis support the movement in such areas as governance and education; Oxfam has been active in evaluating how the ILO Convention 169 principle of prior and informed consent has been implemented in oil-affected communities in Ecuador, Bolivia and Peru. Intermediary actors such as political ecologists and the NGOs Acción Ecológica and Friends of the Earth have also helped to promote the concepts of ecological debt and environmental justice which may assist in unmasking oppression by corporations and States and in recompensing indigenous peoples for past and current environmental and social injustices.

Through this collaboration indigenous peoples and the intermediaries nurture each other and solidarity links are created. Indigenous peoples gain technical and moral support, while NGOs gain the grassroots support of an important actor for their wider agenda against the expansion of extractive industries. However, NGOs and

indigenous organisations have admitted in interviews that although they may have a common agenda they still need to work on issues such representation, capacity-building and ownership within the movement, and that collaboration between them is still a learning process. It seems that there is a new tendency among indigenous organisations to become more selective of the number and quality of the advocacy and development projects that they decide to move forward, prioritising the real needs of the community or organisation, its ability to manage funds and its participation in all stages of the project. This is the case of the community of Sarayaku, which in recent years has received support from various organisations partly due to its struggle against the CGC company and its involvement in creating a movement against the oil industry. This point is illustrated by a former president of the Sarayaku community (Carlos Galeano, interview, 7th March 2007):

When I went as President to sign the first agreement, which was that of the University for teachers from Sarayaku, and the aeroplane that was going to take them, I first started to think what impact it was going to have on us, but before that we had rejected six projects which were already in progress, because they were projects under their [NGOs'] view, using the "logical framework design" which we don't use ... later we drew up a balance to see our expectations, to set a limit which we can't exceed without becoming dependent, and to see what economic capacity the Sarayaku can manage in agreement with the inhabitants and with the life-plan that the people have worked out, not only the leaders but the young people, the children, to see what they would want in the future ... we now have our own format.

If a financial institution comes to Sarayaku, we now have some rules ... to many NGOs it doesn't seem good. Many of them ask how, if they are giving us the resources, are we going to impose our format? Some NGOs don't accept the initiative that comes from the base. The NGOs would like to be in control, but we aren't organisations to be controlled... There's a certain limit to the NGOs we've signed with; the NGO's hand goes in so far, and the Sarayaku hand so far,

and if that doesn't lead to agreement the document is simply not signed, and some NGOs have in fact accepted our format. If you look at Latin America, the formats of NGOs and institutions which cooperate with indigenous peoples are imposed strictly, and we won't have that, so if they are imposed it's goodbye ... we have a life-plan which is for fifty years; it took a year of meetings and assemblies to put it together ... a people which doesn't have its future planned can't go on.

Environmental NGOs and cooperation agencies that support TIMs also have different understandings of what should be their role and influence in the movement, as stated by the director of one of the cooperation agencies in Ecuador that have supported indigenous peoples affected by the oil industry (Roberto Campos, interview, 5th February 2007):

We've recently had a small disagreement with an NGO about the organisation of a workshop. They asked us to take part in announcing it and we refused, because in any case it should be CONAIE. It's not our job to strengthen international environmental networks, but rather to strengthen the capacity of the nationalities themselves, to create opportunities for them to meet together and discuss, and to help them do so. This NGO did not like the apparently passive role we took. According to them we were in cahoots with the oil companies because we weren't promoting and stimulating. But that's not our job, and here I see a concrete example of the boundary between us and the indigenous organisations. However disastrously they carry on, we can't impose ourselves, going beyond what they perceive, and perhaps that's what has helped us to understand a relationship as with the Huaorani. They've had a relationship with the oil companies for years, and we've worked with them for ten. What we've achieved is at least to consolidate a position of more dignity in relation to the oil companies, the tourists,

missions or cooperation agencies. This is what I see as the crucial point. In that recent crisis of the split of CONFENIAE there were many attempts by the development agencies to re-activate it. Certainly it has to be put back together; its absence is dreadful, but one can't go ahead and try to reorganise. There was even a workshop in Puyo which I attended, where they were dealing with territorial and oil matters and already setting up a coordinating committee of peoples in resistance. Just then one of the Achuar leaders said, "But that should be discussed between the indigenous organisations. That's a matter that should belong to CONFENIAE. Why are we discussing it here with the development agencies?" So that's where one perceives the limit.

I argue that national and international NGOs and development agencies often act as the voice of the indigenous movement in wider society, raising up the movement's demands and building solidarity with the indigenous struggle. However, their role should move towards becoming just one more link in the chain that constitutes TIMs, in which actors speak for themselves. At the same time, if indigenous peoples want to keep the doors of solidarity open, they need to find a balance in their relation and dialogue with allies who want to be part of the political process and not mere funders. There are also cases in which organisations with shared objectives, such as the opposition to oil extraction in the rainforest, may differ greatly in how this aim should be achieved, an example of which is the discrepancy between conservationists and indigenous and environmentalist organisations, as mentioned in the last section of Chapter 5. Conservationist organisations have been criticised for being more concerned with the conservation of the forest and its species than with the wellbeing of the indigenous peoples living in it, sometimes causing the displacement of entire populations that are not allowed to live within the limit of the nature reserve managed by a particular conservationist NGO. At times, indigenous peoples may be allowed to use the nature reserve for their subsistence needs but they lose their rights over the territory, as the nature reserves belong to the State. This has been seen as a threat, as some countries, including Ecuador, allow oil extraction in nature reserves. Indigenous peoples therefore perceive that their territory is shrinking because of the

concessions granted by the State to oil, mining and logging companies and also privately managed nature reserves. However, in recent years conservationist NGOs have become more aware of the need to protect both the forest and its inhabitants, respecting the rights of indigenous peoples and promoting proposals for joint management with indigenous organisations. The local coordinator of a Peruvian conservationist agency working in Shipibo territory reflects on the main difficulties that they have encountered with indigenous peoples (Willy Gómez, interview, 25th October 2006):

Within the buffer zone of the reserve we have had a consultation with the people. We have made a five-year master plan, as requested by the government, to see what community activities are compatible with the reserve, although in fact we don't have the capacity and funding to carry out the plan. In the consultation the communities asked us for an increase in their communal area, and this has caused conflict because we have waited two years for the government document. The communities think we are going to hand them the title deeds to the property, but there are legal procedures to be observed, especially in forests of permanent production, and it could be that the State is not disposed to release the area.

The reserve can't be conceded to oil companies without a supreme decree to exclude a part of the reserve ... that's a fear that exists in the communities, because in the neighbourhood of the reserve there are two oil lots, the larger near the area where an indigenous people lives in voluntary isolation. This is a permanent production forest which is conceded for timber and is also superimposed on an oil block in which an environmental impact assesment is being done. This situation causes conflict because the indigenous peoples are surrounded by the reserve, the oil companies ... that is why the communities have asked for extension of their territory towards the reserve.

The communities have rights, but so does the State. If the State needs to generate resources and enter into the territory, the communities have to participate in the decisions and in the benefits. Many expectations are now being raised on account of the oil companies, which could cause the communities to leave environmental matters aside. Another conflict arises when members of the population want to go into the reserve, since entry is allowed only to people who go to hunt, fish or gather for their own consumption ... but what we understand by 'own consumption' is sometimes different to what an indigenous person understands, since anyone hunting or fishing usually does so not just for himself but for the community.

In spite of some of these NGOs' efforts to help indigenous peoples gain legal titles to their territories and to increase their participation in decision-making, conservationist NGOs are still criticised for the role they have played in oil-affected areas. For example, UNESCO biosphere reserves allow extractive activities within the reserves as long as there is a balance between conservation and development, and some conservationist NGOs have been involved in designing environmental monitoring plans for oil companies. Although conservationists recognise the impacts of the oil industry, it has supported conservation programmes in nature reserves through its mitigation fund for negative impacts. Communities that resist the oil industry see the alliance between conservationists and the oil industry as counterproductive for their struggle (Oilwatch & WRM 2004, p. 20). In the quote below, the chief executive of one of the main conservationist NGOs in Ecuador tells about the recent difficulties that have arisen in their relationship with indigenous peoples (Boris Irzau, interview, 10th January 2007):

Traditionally, we conservation organisations and the indigenous peoples have worked together, but recently we in the environmental sector haven't had the courage to take political positions with regard to the mining and oil industries, because although we are convinced about conservation, resources

are needed to carry it out and the development model needs to be questioned ... But even so, it seems to me counter-strategic that the indigenous movement should break with us ... Some environmentalist organisations which work with indigenous peoples have advised them to break with the conservationists, and that's dangerous because this causes the self-exclusion of the indigenous movement.

The whole business of managing protected areas and biological corridors is diabolical; we need a public debate on environmental services. For example, reforestation of agricultural land puts food security at risk; we need to have dialogue on that and to reach consensus. It's even been suggested that the country's protected area status be rejected in favour of collective rights, since in some of these areas that overlap with indigenous territory, the State has authorised oil extraction ... There it has to be seen whether the population must go, or make their own area apart from the one managed by the State, but what can't be done is to deny the concept of protected areas, because it's one of the few opportunities for countering expansion of the extraction areas.

What happens is that there are political alliances between the environmentalists and the indigenous movement: "I support you against environmental services and you support me in defence of my territory in protected areas"... I agree that if the protected area exceeds 30% of indigenous territory another category has to be created, mixed management applied, legal title granted to the communities ... although now they're allowed to use the forest for their subsistence. The inhabitants of native forest should charge for ecological debt, for environmental services ... to commercialise is one thing, to go to a community and sell sacred elements, but the world is diverse; it's necessary to respect the way the indigenous peoples want to manage their territory, but the rest of the country is different: I'm of mixed race and don't have a problem about my land being commercialised.

The last two quotes show that conservationist NGOs clash with both indigenous and environmentalist organisations. It is worth noticing that environmentalist organisations are regarded as radical not only by the State and the oil companies but also by the conservationists. Conservationist and environmentalist organisations have the common goal of protecting territories from oil exploration, but differ in how to achieve it, their main point of disagreement being the treatment of nature as a commodity in order to protect the forest. It is out of the scope of this research to discuss recent market solutions to climate change, such as the sale of environmental services, the REDD initiative promoted by the United Nations, and the increasing number of biological corridors proposed by institutions such as WWF, Conservation International and the World Bank.¹¹³

Although some of these initiatives are well intended, they all open the way to the privatisation of commons and to carbon-offsetting mechanisms for those polluters that can pay for these environmental services but do not necessarily have to reduce their rate of emissions. These schemes may also add to pressure on indigenous lands that have not secured a legal title as territories become more profitable for the States. In severely oil-affected communities, such as the Huaorani in Ecuador, the social fragmentation, paternalism and dependence brought by the industry have also contributed to the arrival in the area of environmental service companies. In 2005 the Eco-genesis company signed an agreement with the Huaorani organisation ONHAE by which it gained usufruct rights over 640,000 hectares for thirty years.¹¹⁴

So far I have analysed how intermediary actors can influence the agenda and the strategy of oil-affected communities in various ways: supporting TIMs and the sustainable development of communities, co-opting the indigenous discourse to leverage their own agenda, and colliding with the interest of TIMs over how to manage the natural resources. However, intermediary actors may also serve as mediators in the oil conflict or as monitors of the CSR strategy of oil companies as I

¹¹³ Biological corridors are created with the aim of protecting the integrity of interconnected natural areas between countries. REDD is the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries.

¹¹⁴ Eco-genesis has the right to grant all or part of the usufruct rights to third parties, within and outside Ecuador.

shall explore in the next chapter. Academics and international institutions, the Ombudsman Office and the Catholic Church have also had an important role as mediators in the oil conflict in recent years. The Ombudsman Office is an autonomous constitutional entity that has managed to maintain its independence from the State. Its mission and mandate is to protect constitutional and fundamental rights, and it gives priority to the defence of indigenous rights. The role of the Ombudsman Office was critical in the conflict between the Shipibo community of Canaán and the Maple company. During the occupation of the wells and the negotiations with the company, the Ombudsman representative not only promoted dialogue between the State, the oil company and the community, but also monitored the proceedings to ensure that the community could achieve a fair deal. The Ombudsman Office exercises a triple role; firstly it offers ongoing support to communities affected by the industry, providing them with the necessary information about their rights and being vigilant of any violations of rights that may occur during the oil conflict; secondly it offers training, within a very limited budget, to indigenous federations with the aim of empowering the indigenous movement in its relationship with the industry; and thirdly it denounces violations of rights before national and international tribunals.

The Church has had an important role as an intermediary in oil production areas. In the beginning of the oil industry in the Amazon region, the Evangelistic organisation SIL, the military and the Catholic Church were the only institutions in the area, and the Church therefore played a prominent role in opposing the abuses committed by the State and the military at that time. As described by a priest who has been working for thirty years in the Ecuadorian Amazon (Fr. Roberto del Valle, interview, 4th February 2007).

At that time the army ruled in Ecuador, they were the guardians of the oil, they made themselves rich on oil, colonists arrived in Amazonia in army aeroplanes, and the army still behaves in a similar way today. The army allied itself with SIL; SIL's missionary married couples didn't give a fig for

Ecuador; they only cared about themselves, God, and the indigenous people they were with... The missionaries were ingenuous, ignorant of political matters ... they wanted to win souls and allied themselves with those who made it easy for them: the army. The heads of SIL had a clear relationship with the American imperium, but that was not the case for the converts, they kept them apart from any social or political analysis. They carried out a conversion operation like that of the 17th-century Jesuits, but on behalf of the American imperium and the Ecuadorian State.

When I arrived here, indigenous life had some wonderful qualities compared with ours, and although I don't romanticise the native like Rousseau, the river Aguarico was a paradise and it was dreadful to see how they [the indigenous people] were cleared away, they were sold for nothing, their rights were ignored. The cynicism of society, the evangelicals' role as converters – I've never suffered so much as I did on seeing that there was nothing to be done ... we tried to give support from the communities, we thought the best defence for them was to get organised from the base, but it's lamentable that the indigenous peoples of the Amazon have little capacity for assimilation... The oil industry didn't only facilitate the invasion, it destroyed the environment. The oilmen of the 1980s were callous, they would rape young girls ... that isn't told, and all those who rape were Ecuadorians. The racism was dreadful... The one thing that's well organised in Amazonia is chaos, because in chaos the weakest people die without needing to be killed.

In the past the Church has served as a mediator to negotiate agreements between indigenous communities and the oil companies, and this has been highly criticised by various NGOs and indigenous organisations. However, it claims that in times of violence and lack of State representation there was no other way to proceed, even though it was fully aware of the damaging impacts of the industry. Its role was that of promoting fair negotiations involving not only the community and the oil company, but indigenous organisations and the State. Today the role of the Church

has changed, as there are several NGOs and institutions that support indigenous communities and mediate in the oil conflict. However, the Church continues to have a strong influence on state officials and society and often uses this power to raise the demands of indigenous peoples. There is friction between the Church and advocacy NGOs involved in the oil conflict, as the Church used to be the only intermediary actor and now they all work with the same population. The Church is especially critical of the flood of NGOs that has arrived in Amazonia and the threat it may pose to indigenous peoples (Fr. Jeremías del Hierro, interview, 4th February 2007):

All of us who work with indigenous peoples should have a meeting, and they [the indigenous peoples] should decide who is to work with them... Only one organisation should work with a community of 300 people, we are killing them with the mere offer of projects ... but for the NGOs this is a business, like the oil industry.

Other relevant intermediary actors are independent activists, academics and state-run indigenous institutions. National and international academics may serve as mediators, advisers and human rights monitors, often being both activists and researchers. Academics in Ecuador and Peru live with a social reality that it is difficult to ignore, which has led to research that is engaged in activism and to a greater collaboration between researchers, NGOs and civil society. On the other hand, some international academics may find it easier to make the divide between activism and research, and to carry out academic research just for the sake of it without any social commitment. Activists and engaged academics can also become prominent as designers of campaigns against the oil industry and the strategies of a network. Routledge (2008, p. 215), who has researched the role of activist-researchers in social movements in Asia, argues that they exercise a strong influence as the 'imagineers' of these networks and that there is a need to devolve powers to the grassroots. Finally, state-run indigenous institutions also play an important role as intermediaries. In Ecuador CODENPE is more consolidated than INDEPA in Peru

and is also more respected at grassroots level. CODENPE seeks to ensure that organisations requesting legal status are created in transparent circumstances, although this task has proved to be challenging at times since organisations are sometimes created only for the purpose of signing agreements with oil companies. These indigenous institutions have the potential to become legitimate mediators in the oil conflict, but first they need to achieve greater autonomy and decision-making power.

In Chapter 6 I have tried to show the variety of intermediary actors and their roles and how they may influence the outcome of the oil conflict. These actors are not mere observers; each has its own agenda, and, more importantly, they each have a vision of what should be the best way forward for indigenous peoples' development. However, their influence in the survival of oil-affected indigenous peoples is difficult to predict. The powerful have also imposed a model of relationship among the actors of the oil conflict. In the next Chapter I shall analyse how this model of relationship has evolved since the beginning of the oil industry in Latin America and how the oil industry influences this model at different scales. Based on the changing relationship among the actors of the oil conflict three possible scenarios of development for the Amazon region are also presented.

Chapter 7: Relationship Model and Visions of Development

Figure 4: Relationship Model



In this chapter I present a Relationship Model based on the analysis of the strategies used by the powerful, the survivors and the intermediaries as explored in Chapters 4, 5 and 6. This model describes three patterns in the relationship between these actors, namely clientelism, collaboration, and legitimation. As summarised in Figure 4 clientelism tends to occur at local level and is characterised by dependence of the indigenous communities on the oil company, especially through CRPs. After signing the contract with the oil company, the State detaches itself from the negotiations and relations with the communities, delegating this role to the oil company. This pattern also gives rise to new local indigenous organisations promoted by the companies and its PR staff.

Collaboration can take place at regional, national and international levels, tries to involve the State in the negotiations, and creates an intermediary organisation to liaise with the communities and represent both interests. Investment in the community is mainly focused on long-term development projects and there is a wider net of actors that monitor the process. Finally, during legitimisation, corporations take over the CSR concept and create organisations and a network of actors at international level who will contribute to legitimise their voluntary good practices while avoiding accountability, as I shall show by giving various examples of International Agency-Corporation partnerships. This has also been described as the “de-radicalisation of CSR” (Shamir, 2004). Based on the visions and expectations of all the actors of the oil conflict the last section of this chapter proposes three possible scenarios of development for the Amazon region and the implications they may have for the development of the oil industry, the Amazonian cultures and environment, and national and international policy making.

Clientelism: ‘The goose with the golden eggs’

This clientelist model of relationship started in the 1960s when there was an absence of environmental regulations and when the indigenous organisations were emerging. Information available to the communities about the possible damaging impacts of the oil industry was limited, while oil development was presented as a great opportunity for short-term cash rewards and progress for the communities and the country as a whole. The links between the environmental movement and indigenous peoples were not yet established, and the main foreign contact in the communities was the evangelical or Catholic missionary. The paternalistic relationships created by the evangelical missionaries of the SIL in indigenous communities helped to pave the way for setting up the same model of relation with the oil companies. As Aristóteles Rioazul, a Secoya leader from a community neighbouring the Cofán territory, explains (interview, 10th February 2007):

The Catholic missionaries have changed totally in the way they relate to us...now they are interested in preserving our culture, they are trying to give us back all that they took from us during the colonisation period. However, the impacts of the SIL have been terrible...in the beginning we thought they were good, they started programmes on health, education, and small scale agriculture...but what I did not like is that they imposed the translation of the Bible...they started to remove our culture, they wanted to civilise us. I think this term should not exist, no one needs to be civilised as we all have our own culture...the proper term for what SIL did is “acculturation”. The SIL came to conquer our language, to eliminate our culture and to impose the Bible. Later we also got to know that they aided the oil companies to enter our territories. The company men of Texaco arrived in my community and they first went to talk with the SIL missionary, we did not know what it was about, and after some days helicopters and machinery arrived in our territory without our permission. They set up a field station in our community. I was only four and I still remember the noise made by the helicopters. All the men in my family worked for the company. The SIL taught us to be conformists, and this facilitated the entry of the industry...which has had terrible consequences for our people. The SIL missionary used to say “here on earth you will go through difficulties but in heaven you will find wealth” [laughs].

At this time the companies offered symbolic gifts to the indigenous peoples but did not pay any compensation to the communities. Ramón Guzmán, a teacher from the Cofán community of Dureno, recalls (interview, 8th February 2007):

We were never informed about the construction of the Dureno 1 oilwell in our territory, and all we were offered by the company workers were three plates of rice and four spoons.

As previously analysed in Chapter 4, oil companies today would not be able to carry out their operations without addressing some of the communities' needs. For more than thirty years the companies have been substituting for the absent State, and this has created a culture of dependence fed by the company, which is difficult to reverse. As part of their CSR strategy companies claim to be more conscious of the environment in which they operate and of their obligations towards the communities. José Montesinos, chief executive of a company operating in Cofán territory, reflects on this change of relationship and the difficulties of operating in a deprived area inhabited by settlers and indigenous communities (interview, 25th January 2007):

The oil industry operates in a totally different way today than 35 years ago. Environmental costs and CRPs are now included in the cost of our operations, and this is very expensive to maintain but it is part of our responsibility. It is like the goose with the golden eggs; we need to have a healthy goose if we want the eggs...the Oriente is a very complex area to operate in due to the disparity between the poverty of the population and its wealth in natural resources, ...our philosophy is completely against acting as a substitute for the State, but unfortunately this is what we have become due to the absence of the State...we believe in "helping those who help themselves" and this is what we try to achieve with our CRP, although it is difficult because some communities are ready to receive but not to fight for their own development or to work...we have a budget that we manage with difficulty but we have built schools, we are the only place in the area with an ambulance and a doctor, and children and community members can come to our base to be treated...we are also working in the education of children but it is very difficult to work with so many ethnic groups...we are trying to promote the idea of having a single educational centre where we can put indigenous peoples of different ethnic groups and settlers together, and we would provide the transport, but the communities resist this option...maybe your research can help us to sort out this problem.

From these words we perceive that oil companies have changed their discourse and have developed a set of voluntary principles to carry out their programmes in the communities. However, the clientelist practice still remains, partly due to the absence of the State, but also due to the companies' lack of cultural sensitivity and of a genuine interest in the long-term development of the community. Montesinos' proposal to create a single educational centre for settlers and indigenous peoples makes sense in terms of saving money and time for the company that could be invested differently in the communities, but does not take into account the cultural background of the area. One of the main demands of indigenous peoples is their right to have their own educational system and bilingual education, but mixed schools are not in their agenda. Furthermore, settlers have historically invaded the land of indigenous peoples attracted by the job prospects and economic benefits offered by the oil companies and encouraged by the colonisation policies promoted by the State in the 1970s and 1980s. Relations and solidarity between settlers and indigenous peoples have improved in some of the oil production areas, as both are affected by the industry; however, indigenous peoples are clear about their differences, and by no means should an oil company decide alone what is the best educational model to follow for the local population.

In clientelism the relationship between the company and the communities is tense. Company workers have often been accused of being disrespectful towards community members, indigenous co-workers and especially indigenous women. Oil production areas such as the Cofán territory also present growing levels of violence, trafficking and prostitution compared with other regions of the country (Bustamante & Jarrín, 2005, p. 29; Tenthoff, 2007; Shell Accountability Coalition, 2007, p. 23). Although many companies have put increased emphasis on the cultural training of their workers, communities often complain about the lack of cultural sensitivity and respect. Mario Moreno, one of my informants in the Shipibo community of Canaán, states (interview, 30th October, 2006):

I have been the interlocutor between my community and the company for a while but they did not treat me with respect...some Shipibo young ladies suffered sexual harassment by Maple workers...now since we stopped the production of the well things have changed...they know who I am and they are more open to dialogue.

The remit of the CRPs varies in scope and costs. I gained access to various CRP agreements and they cover from basic infrastructure for the community, transport for emergency cases, and medicines, to paying the salaries of the indigenous representatives, cultural activities, cars or mobile phones. The paternalist relationship takes place not only when the company is operating in indigenous territory, but also during the currently obligatory consultation process with the communities, in which CRP agreements become a negotiating tool for both sides before the company starts its operations as analysed in the ‘Good Neighbourhood Agreements’ section of Chapter 4. The oil companies claim to have spent millions in developing their CRP, but representatives of state agencies as well as oil interests indicated in personal communications and interviews that States are often required to cover most of the costs depending on the contract signed with the company. Finally, also characteristic of clientelism is the emergence of new indigenous organisations created by the company and/or willing to negotiate with it, as in the case of ASODIRA in the Pastaza region of Ecuador, as described in Chapter 3 in the case of the Sarayaku. These new organisations often compete with historic and more representative indigenous organisations, such as OPIP in Pastaza, leading to weakening of the indigenous movement and delegitimation of the organisations.

Collaboration: ‘Corporate citizenship or business as usual’

The collaboration phase looks for a dialogue between the different actors involved in the development of oil activities, in which collaborative alliances are often established with the help of an intermediary organisation. These alliances are built around a local conflict, but the negotiation process can be multi-level, also taking

place at regional, national and international level. One example of collaboration is what it has been called “strategic bridging”, as described by García and Vredenburg (2003) in his case study of the oil company Pacalta and the indigenous and settlers’ communities living close to the Cuyabeno reserve in Ecuador, which is part of Cofán, Siona, and Secoya territory. The oil company created an intermediary foundation to liaise with the communities and develop a holistic programme of support. The foundation gradually gained economic independence from the company, thereby increasing the trust of the community. However, the alliance broke when Pacalta was bought by the Alberta Energy Company, which decided to take greater control of the foundation. Relations between Alberta Energy, which became Encana in 2002, and the communities have deteriorated seriously. In March 2002 the municipality of Cuyabeno declared the company as non grata on the basis of the repressive acts carried out by military forces working in the company installations (Acción Ecológica, 2006a, p. 77).

García (2003, p. 42) explains how a successful bridging strategy will depend on the level of independence of the intermediary organisation and the ability of the company to act proactively by avoiding the conflict and engaging instead in meaningful collaboration. Strategic bridging contributes to the building of ‘corporate citizenship’, a term which is increasingly used to refer to the responsibilities that a company has towards the communities in which it operates. In this type of collaboration the company uses less clientelist and paternalist approaches and is more interested in generating long-term development projects in the community in order to promote a conflict-free environment that allows the operation to run smoothly.

Another example of collaboration can take place once the oil operations and the conflict have started. This is the case of the conflict that took place between the oil consortium ARCO-AGIP, the regional indigenous organisation OPIP, and the association of Sarayaku, as previously described in Chapter 3. The conflict was unleashed as a result of the severe impacts caused during seismic exploration activities, which eventually led to the creation of a mediation team in January 1992,

formed by the Centre of Environmental Research Design of Berkeley University and funded by Oxfam. In 1994 a meeting was held in the headquarters of the company in Texas, with representatives of the Ecuadorian State, indigenous organisations, and an observer from Oxfam. However, the dialogue broke up several times due to permanent disagreements on how the EIA should be interpreted and between the communities willing to negotiate with the company and those opposing it. In September 2001 the Inter-Institutional Platform for the Building of Socio-Environmental Consensus was launched, funded by the German Cooperation Agency, GTZ, and formed by 18 NGOs and a range of State, national, and international organisations (Fontaine, 2001, p. 20). The platform carried out various workshops with the aim of evaluating the negotiations between the State, the communities and the oil company.

This example of collaboration shows an increased participation of state agencies in the negotiations and conflict resolution process, which was almost absent in the clientelist approach. However, the negotiations failed because clientelist practices were still very much present, as the company signed specific and short-term community relation agreements with various communities, which promoted a division in the indigenous movement of Pastaza that still remains today. In spite of the sometimes-good intentions of the alliances, the development of oil activities in indigenous territory proves to be a contentious process and a destabilising force for the indigenous communities.

Legitimization: The end of the 'Banana Republic'

In recent decades corporations have experienced increasing pressure from the communities they affect and from the networks of wider civil society. Their clientelist approach towards the local communities in which they operate and their power to shape the economic and social policies of their home and host governments have triggered anti-corporate initiatives worldwide. This has provoked a response from the corporations, which have taken their corporate responsibility strategies to global level in order to counter this resistance.

Indigenous territorial movements have the potential to be very powerful when demanding accountability from oil companies, as described in the three cases studies of this research. In some cases this pressure from civil society has led to the expulsion of corporations from the country, as with Occidental and almost with Repsol YPF in Ecuador. In August 2005 the Bi-provincial Assembly of Orellana and Sucumbíos provinces organised an indefinite strike demanding the expulsion of Occidental and Encana from the country and greater participation of the State in foreign oil contracts.

Image 16: Strike and Protest in Sucumbíos



The strike paralysed the whole economy of the country, but most importantly brought to light the massive gains the oil companies were making in the Oriente at the expense of the two poorest regions in the country.¹¹⁵ In that year, of the 541,000 bbl/d produced by the country only 37% belonged to the state company Petroecuador and the remaining 63% to foreign companies. From this amount the State received only a third, since the price of crude in foreign contracts was fixed at \$18 per barrel. Additionally, companies such as Repsol YPF, City Orients, Encana Ecuador S.A.

¹¹⁵ The incidence of poverty due to non-satisfied basic needs is 81.7% in Orellana and 82.7% in Sucumbíos, the poorest provinces in the country (Integrated System of social indicators in Ecuador, based on the 2001 Census).

and Lumbaquí Oil evaded payment of income tax between 2000 and 2004 by surprisingly not registering profits (“Cuidado con la Renegociación”, 2005). Rita Huertas, a representative of the municipality of Sucumbíos, explains why the population decided to take this direct action (interview, 18th February 2007):

The population has organised direct actions because it has waited too long. For years the rural population has suffered the impacts of oil contamination and has seen no compensation. Now people have more information, and they know that the major sources of this region’s wealth are oil and tourism...they know now that most of the oil money goes into private hands and does not stay in the country... there is a whole civic movement arising in the country and Latin America, people are organised and they know what they have to do to achieve their demands...general strikes are the last resort, but this has proved to work here and 80% of the population is against new oil developments...we have to support the people who have elected us, we are proposing a new plan to manage oil exploration in the country in which some of the profits revert to the local population.

On the same note, the current president of Ecuador, Rafael Correa, recently made the following declaration regarding the possible expulsion of the Hispano-Argentine company Repsol-YPF because of a disagreement about renegotiating its contract with the State (Telecinco, 2008):

The transnational companies must understand that the ‘banana republic’ has come to an end. They are not going to set the conditions, the country is going to set them ... we shall grant that oilfield [managed by Repsol-YPF] straight away to any such company that desires to invest in our country.

These comments show how companies are now more closely scrutinised; they have to deal not only with national governments, such as Correa's, which is trying to reverse the previous neoliberal trend that took Ecuador to the verge of bankruptcy, but also with an increasingly informed and organised local population. In an era of scarcity of new oilfields the competition is fierce, and only the companies which can better adapt to government conditions and at the same time minimise the oil conflict will be able to operate. In order to tackle the pressure exercised by civil society and to be more attractive to national governments, oil companies have joined the global trend towards corporate citizenship. Through their support of international initiatives of corporate responsibility they gain the legitimisation needed to carry out their operations while minimising social, political and environmental risks. The International Chamber of Commerce explains on its website the business case for corporate responsibility (ICC, 2008a):

Responsible business conduct may help companies advance their management systems, improve their public image, place companies in a more favorable legal and political environment, and ultimately give them a strategic advantage over competitors in the long-term.

As explained in Chapter 1 the ICC and transnational corporations have lobbied to maintain CSR initiatives as a voluntary practice, arguing that corporations need to be flexible to be able to operate in different countries, and that keeping these initiatives voluntary will stimulate companies to achieve environmental and social standards even greater than those required by the host country. One of the most popular initiatives of the last years, but at the same time controversial, has been the United Nations Global Compact (UNGC). The UNGC was first proposed in January 1999 by the United Nations' Secretary General Kofi Annan in an address to the World Economic Forum, and it became operational in July 2000. In his speech to the forum he said (UN News, 1999):

I propose that you, the business leaders gathered in Davos, and we, the United Nations, initiate a global compact of shared values and principles, which will give a human face to the global market...I call on you... to embrace, support and enact a set of core values in the areas of human rights, labour standards, and environmental practices...there is enormous pressure from various interest groups to load the trade regime and investment agreements with restrictions aimed at preserving standards in the three areas I have just mentioned. These are legitimate concerns. But restrictions on trade and investment are not the right means to use when tackling them. Instead, we should find a way to achieve our proclaimed standards by other means. And that is precisely what the compact I am proposing to you is meant to do.

Annan recognises in his address that there are groups which demand greater accountability from corporations through norms and restrictions. However, instead he encourages business leaders to embrace a voluntary set of principles as the way forward to maintain an open global market. Originally the UNGC promoted a set of nine principles in the areas mentioned above, and recently a tenth principle was added relating to the fight against corruption, including bribery and extortion.¹¹⁶ This last principle is particularly relevant, as bribery and extortion are still common practices of corporations operating in developing countries, as explained in detail in Chapter 4.

The UNGC aims to become the main frame of reference for any corporate responsibility initiative, and that is why it makes joint efforts with NGOs such as the Global Reporting Initiative and the International Organisation for Standardisation. Other alliances include the World Business Council for Sustainable Development, the International Finance Corporation and the ICC (UNGC, 2007, p. 54). Many of these alliances raise questions about the independence of the UNGC. As Shamir explains (2004, p. 12) there is a growing number of corporate-funded and corporate-orientated NGOs, which he calls Market NGOs, that play a main role in the design of

¹¹⁶ The principles of UNGC and an explanation of its reporting mechanism are detailed in Annex 2.

CSR initiatives. The Global Reporting Initiative is funded by Ford, General Motors, Nike and Royal Dutch/Shell. Another NGO, Social Accountability International, has established a standard for workplace conditions and is funded by the McArthur, Ford and Rockefeller Foundations and the Open Society Institute of George Soros. The association between Market NGOs and businesses has also reached the humanitarian field. An example of this is the non-profit Business Humanitarian Forum, which focuses on supporting countries in transition, especially after a disaster has occurred. Among its board members the forum has executives from Merck, Shell, Nestlé, Pfizer and Unocal (Shamir, 2004, p. 17).

There are a number of organisations, such as Amnesty International, the Corporate Responsibility Coalition, CorporateWatch and Oxfam, which have criticised the UNGC and other initiatives labelling them as ‘bluwashing’ and which propose legally binding initiatives instead. There is also potential damage to the credibility of the United Nations Organisation, not only because it lends its image to corporations that are not obliged to fulfil the principles, but also because those corporations have too much influence on how the social indicators are measured. Additionally, some UN agencies such as the United Nations Development Programme (UNDP) are heavily funded by corporations, which may have an impact on their transparency and independence. In the box below I list three partnerships between oil and gas companies and UN agencies, as described in the 2003 report of the Secretary General to the General Assembly (UN General Assembly, 2005, p. 12):

Partnerships between UN agencies and Oil and Gas Companies

Empowering local communities. A partnership involving UNDP, the British Petroleum company and the Government of Indonesia, the Diversified Growth Strategy covers the regions of Kepala Burung and Raja Ampat in the Papuan Province, which will be directly affected by two mega-projects, Tangguh Liquefied Natural Gas (LNG) and Gag Island Nickel (a mining project). It aims to strengthen the local government and population to manage the changes stemming from the large-scale projects and to enable the local communities to absorb their impact in environmentally sound and socially beneficial ways.

In China, UNDP recently conducted a social impact assessment in preparation of the construction of the West-East Pipeline to ensure that social and community concerns were taken into consideration and local communities along the pipeline route derive maximum benefit from the project. UNDP collaborated with Shell, the Government, PetroChina, several universities, development institutions and local authorities.

Supporting small business. In Angola, UNDP has an agreement with Chevron- Texaco to promote sustainable economic and social growth by supporting small business development. The Angola Enterprise Programme, which was established to facilitate the partnership, will promote vocational training, small business incubation, access to credit and job creation for micro and small businesses throughout Angola.

There are some International Agency-Corporation partnerships and specific activities that may be beneficial for the local population, as seems to be the case of the ProNatura International-Statoil partnership in the Niger Delta, which has been presented as a role model for grassroots-based CSR (Frynas, 2005, p. 594). However, we need to look at the bigger picture and analyse the impact that developments, especially big ones, will have on local communities and on the national political context. The UN-Corporation partnerships listed above are therefore at least controversial, as they help to legitimise big developments in indigenous land and the relocation of population.

In the Tangguh LNG project the partnership claims to be working to ensure that the local communities can absorb the impacts in a beneficial way, although it is the communities, exercising their right to free, prior and informed consent, that should be deciding whether the project will be beneficial for them or not. In August 2008 the Soway, Wayuri and Simuna peoples, owners of the land where the project is located, stated (Mines and Communities, 2005):

We request a review of the status of this land...so far, the presence of the Tangguh project has only caused conflict between communities, and the social disadvantages have outweighed any advantages. We ask that all project activities on our customary lands be stopped as from the date of this statement until the problems have been fully addressed.

BP has been very careful of its corporate image, bringing the UNDP on board, in order to avoid the charges for violation of Human Rights that the company faces in Colombia. However, communities and campaigners have criticised the project from the beginning on the basis of lack of transparency and inadequate progress on human rights commitments. There are also various environmental concerns, such as the impacts caused by failure to capture the CO₂ produced in the installations. The historical context must be also taken in account: West Papua was annexed by Indonesia in 1969 through a controversial consultation process, and since then the political situation has been volatile and characterised by military repression. Many indigenous Papuans opposed the annexation and see BP as a collaborator of the Indonesian regime to exploit Papuan natural resources (Scoop, 2008). In spite of the opposition and the unstable political climate, operations commenced in 2008 and the partnership with UNDP and other development agencies such as USAID and the International Finance Corporation continue.

The West-East pipeline project is an \$18 billion project developed by a consortium led by Shell that links the occupied territory of East Turkestan with Shanghai with a pipeline of 4000 km. The Tibetans and the Uighur peoples living in East Turkestan have suffered persecution and human right abuses for the past half-century. Exiled Uighur have criticised Shell involvement in the project, as it will help to consolidate China's presence in the area and her control of the natural resources of Tibet's Tsaidam Basin. The partnership between UNDP, Shell and PetroChina is again controversial due to the difficulties of carrying out an independent social impact assessment in a political context in which freedom of expression is curtailed (Free Tibet, 2002). Nevertheless the pipeline started its operation in 2004 with plans to

expand it to Kazakhstan and Turkmenistan in Central Asia (Cook, 2008).

Lastly, the UNDP-Texaco partnership to develop the Angola Enterprise Programme has surely benefited various small and medium enterprises, but once more we should consider the whole national political context. Frynas explains how Chevron Texaco staff admitted in private that the launch of the \$50 million partnership among Chevron-Texaco, UNDP and USAID was timed to coincide with the negotiations of an important oil block, which concession was extended for twenty more years. Once the negotiations ended the company paid \$80 million into a social fund (Frynas 2005, p. 584). Oil revenues account for more than 80% of the country's income, and the organisation Global Witness estimates that between 1997 and 2001 \$1.7 bn a year disappeared from Angola's oil funds and believes that secret bonuses were given by Western companies to the State oil company. Global Witness is also wary of voluntary approaches to transparency, as explained in their comments on the EU Green Paper on promoting a European framework for CSR:

Global Witness suggests that current evidence points to the fact that voluntary approaches to transparency over payments to national government have proved problematic as if companies do publish information, they are often threatened with having their concessions terminated and being re-awarded to less scrupulous competitors. As transparency is a central component of CSR, so it is important to recognise that the Green Paper's emphasis purely on voluntary approaches in the CSR debate is inadequate... thus, the Green Paper process should recognise the necessity of a parallel regulatory approach to address the issue of transparency and minimum standards of disclosure amongst European multinational companies for all their countries of operation.

Additionally, Chevron-Texaco is still waiting for a court decision in Ecuador over charges of cultural genocide and ethnic discrimination caused to the Cofán people and other indigenous groups through the environmental damages produced by its operations in that country over thirty years. The association of the UN with

companies that are accused of human rights abuses and cultural genocide is unsettling and ethically questionable, as it contributes to improvement of the image of the corporations and their legitimisation as global players. The UN Global Compact, through UNDP and other UN agencies, believes it is making a positive difference in the host countries and at the same time setting global standards for the operations of corporations in developing countries. However, there are few efforts in these partnerships to promote initiatives that will diversify the energy sources in the host country, thus helping to unlock dependency on oil for both national revenues and development strategies. During legitimisation host countries often become mere recipients of funds, without necessarily achieving more transparency but detaching themselves from local community relations and development, which are once again left to the companies and international development agencies.

The Relationship Model presented in this chapter shows that although paternalist and clientelist practices were the common rule in the early years of the development of the oil industry in Latin America, they are still present today in a more subtle way under the CRPs and other CSR strategies that help corporations to legitimise their activities. The advancement of environmental, indigenous and human rights regulations, together with globalisation and the emergence of transnational indigenous movements, has also brought the relationship between the actors to various levels of collaboration in which the power balance is constantly redefined. The final section of the analysis looks at the different visions of development and expectations that these actors have of the Amazon region.

Visions of development: From 'No Time' to the 'Culture of Life'

According to the sacred Mayan calendar, humanity is living at present in a time called 'No Tiempo' or 'No Time'. In 'No Time' there is more negativity and risk against life than in favour of it. We see this culture in all corners of the world: poverty, hunger, cancer, accidents, war, suicides, personal crises, loneliness, no common language among lobbyists to make a strong voice for humanity and solidarity. Amidst this global polycrisis, however, a message of hope emerges around 2012 when, according to the Mayan calendar, humanity will enter a new era with new visions of life: the life of the planet, linked to the cosmos and not only to us humans. An era of humanity and solidarity, an era of love as meant by our ancestors, in harmony with our Mother Earth. This new era will be a Culture of Life (Menchú, 2007, p. xii).

During my fieldwork I asked all the participants to tell me how they imagine Amazonia and its people in twenty years' time or further ahead. Some of them told me how they wanted it to be and others how they thought it would be. As a final remark to the analysis I should like in this section to portray these visions of development, some of which are quoted below and which range from 'No Time' to 'Culture of Life' hopes and predictions, as Rigoberta Menchú reflects. Based on the information gathered from all the responses, I have represented in Table 2 (see p.288) three possible scenarios of development and what changes they may bring to the expansion of the extractive industries, indigenous peoples' territorial and cultural demands, environmental management and conservation of the Amazon region, and national and international policy-making.

Selected responses

I should like to see that in twenty years the peoples would be allowed to live in accordance with their rhythm and with fundamental questions of survival, health and education guaranteed. I should like to see an Ecuador which has grown with all the riches of existing cultural diversity, which would have constructed a whole institutional framework representing everyone, which would incorporate the knowledge and visions of everyone, and which would have huge potential as regards the variety of natural resources and forms of participation. It would be wonderful to have a congress of all the nationalities and peoples (Rita Salazar, Representative of Fundación Pueblo Indio, Ecuadorian development NGO, interview, 6th January 2007).

We shall be reflecting on what Amazonia signified before the oil industry. If the State does not establish a policy of defending Amazonia, within twenty years we shall have only certain groups and very small areas to represent what Amazonia was, because Amazonia can't be reproduced in a day. Ecosystems which are destroyed in a week or a month will not emerge again, except after hundreds of thousands of years. If there's no historic global compromise, in twenty or thirty years' time from now there will be no rain, there won't be the normal seasons for soil and life to reproduce, and bit by bit we shall be losing the quality of the relationship between man and nature (Leonardo Redondo, Community Relations Programme Officer with Petroecuador, interview, 10th February 2007).

I should like to see complete recuperation of degraded areas, not only cleaning but natural recuperation of the forest. A well-managed technological oil operation, a strong social structure with better-quality local government, the State present and active, with activities complementary to the oil industry, such as tourism. Good management of water and resources. Traditional management of the forest must be maintained and consolidated, but it will become increasingly difficult because of increasing population; its use for timber production is perverse, and the solutions for non-timber resources are still confused. I believe there has to be good knowledge of Amazonia, of the forest; there has to be investment in research and knowledge (José Belén, high representative of the Ecuadorian Ministry of Energy and Mines, interview, 10th March 2007).

If the situation continues as it has been up to now, the companies will go when the oil is finished, and people will continue under the paternalistic model but without the body that delivers it. My vision or dream would be that those living in the area of the projects should have first-class attention, that they should be among the peoples with the highest levels of development (Roberto Santos, high representative at the National Directorate for Environmental Protection in Ecuador, interview, 9th February 2007).

I'm optimistic. An Amazonia where there will be indigenous nationalities with a historic plan, with territory, in partnership with mixed-race and white sectors of society, and building a multicultural country. That doesn't of course mean that they are going to be in the deep-freeze. The nationalities, like all humanity, are subject to changes over time, but they will be able to maintain a cultural matrix, identity, self-determination which I hope will be stronger than they have now in order to be able to contribute to a diverse country (Diana Navarro, lawyer with Racimos de Ungurahui, Peruvian advocacy NGO, interview, 15th December 2006).

The worst thing about those countries is political instability, which is going to make oil activity difficult in future. In the future, as now, it will be possible to work in any area no matter how sensitive: the industry has the capacity to work absolutely cleanly, as is being shown in Ecuador and across the world (Julio Prieto, officer of CGC company, interview, 10th January 2007).

I should like to see a whole territory with a constitutional law, with a planned re-ordering of territory for its use and management. I don't want to see it with roads. I should like to see our wisdom become study material for all children. I should like to see that indigenous peoples are not subordinated to the dominant system, that we are not always making demands but that all our rights are obtained and applied, that indigenous peoples act ethically and don't betray their mother, the earth, and that they live in the space they have defended, which is going to serve their children and their children's children and so on, from one generation to another (Eloisa Galeano, Kichwa leader, interview 26th February 2007).

Table 2: Scenarios of Development

	Scenario 1: Teetering on the Edge	Scenario 2: Transition societies	Scenario 3: Post oil civilisation
Extractive industries	<ul style="list-style-type: none"> - Use of high technology - Community Relations Programmes and paternalism still in place - Increased conflict potential and militarisation of extractive areas - Increased demand for non-renewable resources 	<ul style="list-style-type: none"> - Less conflict in oil regions - Shift from clientelism to collaboration, mediation and arbitration - Reduction in oil concessions and increased investment in renewable energy 	<ul style="list-style-type: none"> - Extractive industries fund recuperation of natural areas monitored by indigenous peoples and local government
Indigenous Peoples	<ul style="list-style-type: none"> - Increased benefits from oil revenues - Limited investment in self-government and traditional forest management - Gradual loss of culture and sovereignty - Increased resistance against extractive industries 	<ul style="list-style-type: none"> - Increased participation in decision-making - Towards intercultural bilingual education and revalorization of culture - Titled territories - Indigenous movement strengthened 	<ul style="list-style-type: none"> - Self-determination and integral ownership of territories guaranteed - Increased participation in local, national, and international policy-making - Improved intercultural bilingual education, revalorization of culture and identity - Consolidated transnational & territorial indigenous movement - Towards survival of indigenous peoples and culture
Environment	<ul style="list-style-type: none"> - Increased population pressure, contamination and deforestation - Extractive industries and environmental services companies dominate the Amazon region 	<ul style="list-style-type: none"> - Increased co-management of the forest with indigenous peoples - Towards recuperation of natural areas - Control of migration into Amazonia 	<ul style="list-style-type: none"> - Gradual recuperation of biodiversity - Increased equilibrium between forest people, management of territories, and development strategies - Reduced climate threats
Policy-making	<ul style="list-style-type: none"> - Increased share from oil revenues - Lack of development strategy for the Amazon region and indigenous peoples - Lack of implementation of international treaties that protect indigenous peoples - Free trade agreements and incentives for extractive industries and commercialization of nature 	<ul style="list-style-type: none"> - Increased State participation at the local level - Increased implementation of environmental and international law - Gradual shift to alternative energies - Moratorium on extractive industries in culturally and environmentally sensitive areas 	<ul style="list-style-type: none"> - Towards a plurinational State - Payment of ecological debt by Western governments - Collective rights implemented - Intercultural development plan for Amazonia - Binding international treaties implemented - Climate adaptation plans in place - Shift to alternative energies in the region

‘Scenario 1: Teetering on the Edge’ seems to be the current tendency of development in oil production regions, in which Amazonia and its peoples dwindle in the face of unsustainable economic growth and dominant visions of development. This scenario is highly unstable for all the actors of the oil conflict and is characterised by increased resistance and violence in oil production areas. Although indigenous peoples may achieve some of their financial demands the lack of a culturally informed development in the region will lead to the gradual loss of indigenous cultures and the irreversible loss of biodiversity, and so of the capacity of Amazonia to serve as a global climate buffer. ‘Scenario 2: Transition Societies’ indicates the development situation towards which most of the actors would like to shift gradually, revalorising the diversity of the Amazonian cultures as the best agents for forest management and promoters of fairer and more sustainable forms of development. ‘Scenario 3: Post-oil Civilisation’ appears as an ideal but not unattainable type, in which indigenous peoples live in plurinational States that respect their right to self-determination, and there is a common responsibility among States, indigenous communities and the international community to create a development plan for Amazonia based on alternative clean energies, accountability and community-centred economies.

Although there is a shared belief among the actors of the oil conflict that Scenario 1 is the wrong way forward for the development of the Amazon region and its peoples, the political will in Ecuador and Peru has proved to be weaker and there is no indication of change in the near future. Both countries consider Amazonia as the main source of wealth, and corporate and economic interests are prioritised over the wellbeing of Amazonian people and the biodiversity of the region. The conclusions and recommendations proposed in Chapter 8 aim to work towards achieving Scenarios 2 and 3 and therefore to the survival of indigenous peoples affected by the oil industry and the Sumak Kawsai (life in harmony) they pursue.¹¹⁷

¹¹⁷ Refer to the glossary for a definition of Sumak Kawsai.

PART THREE: GENERAL CONCLUSION OF THE THESIS AND ANNEXES

Chapter 8: Conclusions

In this chapter I draw together the conclusions of this research based on the information and analysis presented in all previous chapters, and I also offer recommendations to the actors of the oil conflict. Firstly, I highlight how the methodology and methods used have helped to advance knowledge of how to carry out research with indigenous peoples, especially those affected by extractive industries and other development forces, looking at the limits of my own methods and suggesting what should be the methodological approach to work in this area. Secondly, I explain the main theoretical and empirical findings in relation to the survival mechanisms of oil-affected indigenous peoples in Latin American context. These findings draw from the different themes that have emerged in the analysis and are grouped under headings reflecting the current academic debates described in Chapter 1. In the Recommendations section I offer suggestions to the powerful, survivors and intermediaries with the aim of improving the cultural, political and economic conditions for the survival of communities living in oil-affected areas. I conclude the chapter proposing new directions and themes for future research.

Conclusions on methodology: Towards increased participation and ownership

Critical, non-oppressive and indigenous approaches

Critical, non-oppressive and indigenous approaches to research have informed all the stages of my research, from how to identify, select and access the participants to the use of emancipatory and participatory methods, and overall to the design of the Building Bridges methodology. Non-oppressive research implies not only participatory and emancipatory approaches to the participants, but also a commitment to unmask the causes of oppression. This is why I decided, in

agreement with my informants, to include in the research the points of view and the strategies used not only by those I have called the survivors, but also by the powerful and the intermediaries. This methodological framework builds on previous academic work that promotes the use of critical, non-oppressive and indigenous approaches to research (Tuhiwai Smith, 1999; Brown & Strega, 2005; Shukaitis, Graeber & Biddle, 2007). I believe the triple approach followed in the research and the decision to involve all the actors of the oil conflict has shown that even in politically challenging areas it is possible to carry out research committed to the decolonisation of knowledge and to access and investigate actors, such as the powerful, who are often left out of sociological research dealing with indigenous peoples and extractive industries. This approach has also opened the scope for more critical and comprehensive research, informed not only by the role and strategies of all the actors in the conflict but by their direct participation in the research.

'Building Bridges' Methodology

This methodology was created in coordination and consultation with indigenous peoples and is based on four principles of mutual respect: relationships, reciprocity, participation and emancipation. Although there are other examples in the literature of the use of similar principles in work with indigenous communities (dé Ishtar, 2005), this methodology seeks the emancipation of both the researcher and the research participants by their each having an important role in unmasking the causes of oppression. In this way a bridge is created between the knowledge of the participants and that of the researcher, the researcher/researched divide then evolving from an active-passive role to a scenario in which these roles are constantly reinterpreted in order to achieve a more egalitarian and mutually respectful relationship. The result is a win-win situation for both and for the construction of knowledge, which is no longer limited and controlled by traditional Western approaches to research. The Building Bridges concept is a metaphor that stresses the need for the researcher to overcome ideological barriers and to open the scope of research for “other ways of knowing”, especially in working with indigenous peoples whose knowledge has historically been marginalised.

Methods

The methods applied in this research had the main aims of increasing indigenous people's participation in all its stages, and of exploring methods and modes of knowledge production that may lead to a greater ownership of the research by indigenous peoples, such as gathering data using traditional story-telling, songs and local histories (Freire, 1970; Tacchi, Slater & Hearn, 2003, p. 28). As Thomas (2005, p. 238) explains, these methods are important for the survival of indigenous peoples since they help in collecting their stories of struggle and resistance. Information technology has been useful for this, allowing the production of two documentaries, one in the pre-fieldwork stage with the Cofán people, and the other, with all the participant groups and still in progress, on the right to free, prior and informed consent. The production of these films was one of the common research goals agreed with the communities, since this would increase the participation of their members and the product would remain in the community as a useful tool for their struggles. Additionally I created a blog, which has served to promote participation and to 'revisit the field' and keep up to date with developments in the research area, since I was not able to return there during the analysis phase. I also intend to disseminate the findings of this research in various formats and languages, with the aim of reaching a wide audience and influencing decision-making processes which may affect the survival of indigenous peoples elsewhere in the world.¹¹⁸

Limitations

I should like to stress that becoming a non-oppressive researcher is difficult and can take over the researcher's whole life. I encountered many constraints doing non-oppressive research; for example, limitations of time and funding affected my ability to build relationships and to engage the participants in all the stages of the research. It was also challenging to maintain the level of empathy during seven months of

¹¹⁸ For example I have been asked by various indigenous groups and networks to prepare an executive report of the thesis for the next UNPFII in 2010.

intense fieldwork, which required working with a variety of actors and cultures. On this point I encourage funding institutions and universities to be conscious of the difficulties posed by this approach to research, to work together towards opening possibilities for researchers to use participatory methods and engage in genuine relationships with the research participants, and to promote research which is committed to the decolonisation of knowledge and offers practical benefits to the participant communities.

Conclusions on the analysis: Towards the survival of indigenous peoples affected by the oil industry

Vectors of ethnocide and culturicide

Scholars have looked at how the relationship between some of the actors of the oil conflict has evolved over the years. For example, Wray (2000, p. 136) argues that the past and current models of relationship privilege the State and the oil companies, and proposes a new model of relationship based on meaningful consultation with indigenous peoples, mediation, and clear codes of conduct. Shamir (2005) explains how in recent years oil companies have co-opted the design and implementation of CSR in order to portray a socially and environmentally more acceptable model of relationship with the affected communities. In Chapter 7 I argue that currently there is a model of relationship between the powerful, survivors and intermediaries which follows three main patterns: clientelism, collaboration and legitimisation. Although in the past decade the relationship has shifted towards collaboration and legitimisation, clientelism is still widely practised. These patterns occur simultaneously at different scales, and they have all failed to assure the cultural survival of indigenous peoples living in oil-producing areas. The reason for this has been the imposition of these patterns or modes of relationships from the top, with a clear agenda of developing oil operations with the least possible conflict. There is no interest in promoting the right to the free, prior and informed consent of indigenous peoples, as required by international law, and no interest in the long-term sustainable development of indigenous communities. Even when collaboration and consultation

have taken place the process has been unsatisfactory, being skewed to favour the interests of the State and the oil company. The legitimisation pattern, which has been applied in recent years, poses an additional risk since it portrays extractive industries as ‘engines for the development of communities’ which abide by a voluntary set of practices aimed at improving the living and environmental conditions of the areas in which they operate. Once more, this pattern undermines the sovereignty of the State and legitimises a model of development funded and implemented by international agencies and the industry, obviating its wider impacts on the environment and the affected communities.

I have also argued that the oil industry, together with the State, the evangelistic mission of the SIL, and the adjustment policies imposed by foreign governments and international financing institutions are largely responsible for promoting a model of development and militarisation in Amazonia that imposes severe economic, political and cultural pressures on indigenous societies. The sustained policies of assimilation and colonisation developed by Ecuador and Peru were aided by the opening of Amazonia and indigenous territories to the oil industry, which consciously supported these policies and for more than three decades caused direct and indirect impacts on the cultural and biological survival of indigenous peoples, driving some of them to the brink of extinction. The development model adopted by the State and the oil companies has been systematic and intentional, and these actors were conscious of the implication this model could have for the survival of indigenous peoples and therefore became ‘vectors of ethnocide and culturicide’.

Developing survival strategies

In this research I have joined in the efforts of indigenous researchers and other scholars to present indigenous peoples as survivors, not victims, of the effects of economic development policies (Hall & Fenelon, 2004; Tuhiwai Smith, 2004; Thomas, 2005; Mander & Tauli-Corpuz, 2006). Indigenous peoples are survivors, and have over time developed strategies of resistance and survival that have helped them to overcome several threats. The oil industry poses a major threat to the

integrity of indigenous people's territory, which is the basis for their subsistence and cultural reproduction. Severely affected communities are therefore increasingly aware of their process of survival and of the internal and external factors that may influence it. Indigenous peoples have not only developed strategies to face the impacts of the industry on their lives, but have also become more conscious of the need to break the strings that sustain the economic and political model in which the industry operates.

In Chapter 5 I have proposed a model to analyse the survival strategies of oil-affected communities called 'Consciousness of Time'. This model resonates with the theories of reflexivity proposed by Foucault (1966), Giddens (1990) and Beck (1994) and with the Hegelian concept of individual self-awareness and self-determination in the realm of history as a pathway to freedom, but here applied to the collective (Hegel, 1977). The model shows how indigenous peoples have become more reflective and reflexive of their survival process in history and how at the same time they are influencing this process as agents of change, using survival strategies. Long-term strategies of survival, such as the preservation of territory and cosmovision, are more embedded in the group history of struggle and resistance and have gained relevance and strength since the arrival of the oil industry, which opened the way to negotiate with indigenous territory. Short-term strategies, such as direct actions and campaigns, are the result of new and conscious processes of adaptation to the presence of the oil industry.

Elsass (1992, p. 178) argue that in order to survive, indigenous peoples need to gain consciousness of their 'matrix'. The matrix constitutes the core of community life and maintains its structure, as for example the practice of shamanism, the participatory building of traditional houses, and their language and story-telling. Groups struggling against the oil industry are becoming more conscious of the structures and practices they need to maintain and protect, and of the strategies they need to develop in order to survive as peoples. Ultimately their survival will depend on the level of consciousness of their survival process and their ability to develop long- and short-term survival strategies according to the socio-political context and

their relationship with the other actors of the oil conflict.

Towards a different model of development: Neoliberal States, territorial indigenous movements, globalisation and culture

The neoliberal model of development pushed by rich nations and adopted by many southern governments is based on deregulation of markets, transnationalisation of capital, and commercialisation of natural resources by State and transnational corporations. The indigenous model, which relies on communal ownership of resources, may appear as the antithesis of the neoliberal model practised by the dominant society and therefore as unlikely to survive. However, the incipient decline of the ideas that support the neoliberal model and wider society's realisation of its failure have brought the indigenous movement and other social movements together to propose alternative ways of development in which the indigenous approach to development is no longer a utopia but a proof and reminder that other models of development are possible.

Various arguments have been put forward to explain the rise of the indigenous movement in recent decades (Brysk, 2000; Perrault, 2001, 2003; Yashar 2007). Among these are the shift from corporatist to neoliberal regimes, the importance of transnational networks and network globalisation in strengthening the indigenous movement, and the political space created by States and institutions. I argue that although these conditions may be necessary for the development of indigenous movements, they fail to highlight the importance of agency and culture for the success of these movements. Escobar (1995) has argued that territorially-based movements have a great potential to promote alternative ways of development and citizenship. This is the case of Territorial Indigenous Movements (TIMs) that oppose the oil industry, since they are culturally informed movements that have emerged at community level, their territorial demands focus on both self-determination and participation in national policy-making, and they have managed to appeal and connect to other social movements nationally and internationally. In this regard I

situate TIMs in the realm of political ecology theories, although they also incorporate elements of new social movements and theories of resource mobilisation. TIMs are becoming more strategic and reflexive, and behind their initial discourse of territorial sovereignty there is a struggle for survival and balance of power relations. These movements not only react against the oppressive force but also propose new ways of development based on culture and identity.

Globalisation has been said to have a great impact on indigenous peoples. Economic globalisation has increased the power of transnational corporations and the demand for resources found in indigenous territory. Cultural globalisation may also promote the homogenisation of cultures and the export of cultural symbols, which will be given new meanings and representations in the dominant culture in order to exercise its power over them. The globalisation of resources and networks has aided the creation of transnational solidarity networks, which can support and strengthen indigenous movements as engaged partners but can also create their own moralistic and top-down representation of indigenous peoples and indigenous movements. However, as argued by Tomlinson (1999, p. 22), “globalization matters for culture and culture matters for globalization”, and indigenous movements have also managed to influence globalisation through culturally informed actions which have local and global implications. For example, one aspect of globalisation is the globalisation of norms (Yashar, 2007, p. 167), and indigenous movements have developed a global awareness, which allows them to lobby for international law that is both specific for indigenous peoples and has global repercussions for governments, corporations and international institutions. Kenrick (2009, pp. 47-48) explains how the recognition of indigenous rights is often portrayed as a concession of the dominant power to the marginalised, but in fact results from a long-term collective struggle of indigenous peoples to counteract oppression and to increase the accountability of the powerful. Indigenous peoples resisting the oil industry have improved their awareness of the global processes that perpetuate their situation of oppression, and in order to counter it they have forged solidarity with other social movements. This solidarity is the result of the ability of indigenous peoples to preserve their distinctiveness and identity and at the same time to appeal to other

cultures and wider society by constructing meanings that have a global symbolism, for example their role as carers of the Earth.

Discourses of liberation versus discourses of oppression

The discourses and conceptualisations around oil conflicts are polarised and ambiguous, and this can be disempowering and damaging for indigenous peoples, rendering their struggles invalid. The discourse of the powerful dominates the media and is constantly replicated in the social, political, and economic spheres and embedded in the minds of the dominant society. It is therefore essential to listen to the discourses of liberation of indigenous peoples and other actors in the oil conflict in order to understand how they construct meanings, which contribute to changes in perspectives and power relations.

Those who have for decades resisted and survived the impacts generated by the oil industry see themselves as survivors and not as victims. The term 'survivors' implies that they have been subject to oppression and have suffered great hardship but have managed to struggle, resist and propose alternatives through their own movements and alliances. These groups should be supported because they are entitled to reparation and compensation and not as recipients of charity and government favour. Indigenous peoples do not need special rights but the implementation of their collective rights guaranteed by international law. The right to free, prior and informed consent is not a matter of merely being informed but of having the power to say yes or no to any development with all the information in their hands. The oil industry has not only caused externalities in indigenous territories, but has done so through blackmail, violence, division and environmental degradation, thus becoming a vector of ethnocide of indigenous peoples.

The oil conflicts in Amazonia have caused environmental injustices, which sometimes amounted to violations of human and environmental rights that cannot be solved by mere conflict-resolution strategies and good neighbourhood agreements but by improved and innovative regulations to make governments and transnational

corporations accountable. Most of the oil revenues from oil exploitation in the Amazon region go to service the debts to rich countries and international finance institutions; however, the debt question turns on its head when we look at the environmental degradation and pollution caused through projects financed by these governments and institutions, which have become ecological debtors. Discourses of liberation and oppression shape the construction of knowledge and the design of policies, which have real impacts on people on the ground. As a scholar one should ensure that all these voices and perspectives are considered in order to unmask the causes of oppression and to contribute to the emancipation of the research participants.

What follows is a set of recommendations to the powerful, survivors and intermediaries, which aim to contribute to the biological and cultural survival of oil-affected indigenous peoples. As Elsass (1992, p. 206) explains, “the struggle for Indian survival is often an unstructured process”. I add that it is also complex and multifaceted, and reflects the diversity of indigenous groups and movements. Indigenous peoples which oppose the oil industry may have found a common enemy towards which resistance is focused and organised, but this resistance is part of the wider survival process that is difficult to predict due to the variety of survival strategies and contexts. It is perhaps in this variety of strategies towards a set of common goals that their capacity for resilience and survival lies. The following recommendations are based on research carried out in oil conflict areas in the Latin American context, and are not intended as a common recipe for indigenous peoples around the world but as one more step in the survival ladder.

Recommendations to the powerful

These recommendations are aimed at national and foreign governments, the military, and national and transnational oil and PR companies. I have grouped them in three categories, stressing first the need for a radical change in the model of relationship between the State, the oil companies and the communities; second the shift from voluntary agreements to law implementation as a crucial measure for the survival of indigenous peoples in oil-affected areas, and third the gradual shift of paradigm from an oil-based economy to another in which alternative models of development can coexist based on the self-determination of indigenous peoples.

State/Oil Companies/Communities Relationship

The current model of relationship and its variants, explained in Chapters 4 to 7, promotes conflict and has had devastating impacts on oil-affected communities. There have been attempts to regulate the relations between the State, the companies and the communities such as the strategic plan for coordination with indigenous communities design by Perupetro, but this plan has been imposed from the top and has therefore failed to represent the views and interests of the communities. There is a need for a new model of relationship designed jointly by the State and indigenous communities and organisations, with the support of relevant intermediary actors. This model should serve as the basis for any future development in indigenous territory and for forest governance in general.

There is a lack of presence of the State in oil-producing regions, which is often limited to introducing the oil companies to the communities and organising pre-exploration consultation events implemented by third parties. After this first phase the communities are left alone to negotiate with the oil companies. This has led to exacerbation of the oil conflict, increased dependency on the companies (which have become a substitute for the State), and the development of unlawful practices including extortion and physical and psychological violence to community members.

The presence of the State must be guaranteed at all stages of the oil activities by delegating power to decentralised state institutions and establishing cooperative round-tables to discuss extractive policies and projects in the region, and alternatives to them. These round-tables should be constituted by democratically-elected representatives of state departments, civil society organisations and a monitoring body such as the Ombudsman Office. Round-tables could also set an agenda for conflict resolution strategies, ensuring that all the parties in the conflict are represented and keeping the balance of power relations. In order to assure their legitimacy and transparency, the financing of round-tables should come from various sources, and a separate budget for their operation should be included in regional budgets.

Knowledge transfer in the development of oil operations is often unidirectional, the State and the companies informing the communities about the benefits and possible impacts of oil exploitation. The knowledge and experience of indigenous communities that have dealt with the oil industry for decades is not taken into account. Therefore, based on existing research and community experience, the State should design in collaboration with indigenous peoples a code of conduct and knowledge-sharing events for oil companies operating in sensitive areas, detailing all the possible environmental and cultural impacts that their operations could cause and how to minimise them. Training programmes should be part of a wider policy for extractive industries and other developments in indigenous territory, and observance of the code of conduct should be reviewed regularly and monitored by an independent third party.

The arrival of the oil industry in the Amazon region was aided by the military, and since then they and the industry have had a close relationship. The army has benefited financially from oil operations, and has in return provided military intelligence about the communities and protection for the oil installations. The presence of the military and other private and public security forces paid by the oil companies has led to abuses of power, and has increased distress and conflict in oil affected communities. Too often States declare states of emergency to deal with oil

conflicts in Amazonia, perpetuating the presence and power of military forces in the area. There should be a gradual demilitarisation of the Amazon region at the same time as other measures are put in place to increase local governance. State military forces and resources should be put to a better use, investing more in protecting the rainforest and its communities from illegal logging and violent guerrillas and paramilitary groups, and less in the surveillance of civil society and communities.

Implementation of Law

The State should organise a comprehensive review of all the law relating to extractive industries and forest management in order to identify weaknesses and social and environmental injustices. The review should pay special attention to international law and treaties dealing with indigenous peoples and requiring implementation through national regulations. Civil society and indigenous peoples should be involved in lawmaking with the aim of improving governance, tackling corruption, and when necessary stimulating legislative and policy reform to strengthen environmental and social standards and protection of indigenous peoples' collective rights.

Ecuador and Peru now have regulations dealing with the important issue of previous consultation for hydrocarbon activities. These should be extended to other extractive industries and any other administrative and legislative development that may affect indigenous peoples, as stated in ILO Convention 169. However, the constitutional texts and the regulations regarding previous consultation are ambiguous and need further clarification from the States and the ILO before being updated. These regulations should also include the right to free, prior and informed consent as stated in the United Nations Declaration on the Rights of Indigenous Peoples. Consultation should also be extended to all the phases of the projects and programmes: before contracts with companies are signed, before, during, and after the environmental impact assessment, and also during implementation of the project.

Most of the consultation processes are dominated by the powerful and are therefore biased. At present, consultation focuses on giving information about the benefits of

the oil industry instead of promoting genuine participation of indigenous peoples who could make decisions and express their views after receiving the necessary information and advice in their own language and using their own decision-making processes. There is a need for clarifying and delimiting the function and scope of consultation, as too often it has become a bargaining process between the communities, the State and the oil companies. Consultation should be implemented through decentralised institutions, and indigenous peoples and communities should have a voice in deciding who should carry out the consultation as well as in selecting an independent third party to monitor the process. The consultation should not be financed only by the interested parties, since this could jeopardise the independence and transparency of the process.

State institutions should closely monitor those oil operations already in the exploration and exploitation phases. In order to foster transparency, judicial and administrative authorities should be strengthened, and the State should support independent citizen and watchdog associations, which have proved effective in reporting accidents and bad practices and demanding accountability.

Foreign transnational and national oil corporations use different environmental and social standards depending on whether they operate in their own countries or in poorer host countries. Their home countries should strengthen the law to avoid this double standard policy and to hold corporations and lending agencies accountable. There is a need to shift from voluntary corporate social responsibility to legally binding corporate accountability.

Countries and international institutions, such as the United Nations Organisation, should start working towards an international regulatory framework to deal with the actions, operations and power of corporations in home and host countries. Corporate crimes involve not only impacts to the environment but also violation of human rights, and currently there is a legal gap to judge crimes of this type. There are some examples, especially in the USA through the Tort Claims Act and the National Environmental Policy Act, by which corporations and financial institutions have been held accountable for their actions in other countries and even for their

contribution to climate change. These examples could serve as precedents and as the basis for an international regulatory framework on corporate and State crimes.

Towards a post-oil civilisation and self-determination of indigenous people

The current model of development in the Amazon region, based only on the unsustainable exploitation of oil and other non-renewable resources, has increased poverty and environmental destruction in the region and has failed to satisfy local needs and to create a diversified economy that could open new development opportunities for all the region's social groups. This model, and in particular the expansion of the oil industry in the Amazon region, is not compatible with the long-term cultural and physical survival of indigenous peoples. It is therefore necessary to pave the way towards a post-oil civilisation and to create a strategic and integral development plan for the Amazon region that would include the views and proposals of indigenous peoples and other social groups in the region.

Special attention needs to be given to the right to self-determination of indigenous peoples by creating opportunities for self-governance and management of their territories. Every indigenous group has its own distinctive conceptualisation of its territory and its relationship with that territory, differing considerably from the attitudes of other social groups to the land on which they live. Any development plan involving the territory of indigenous peoples must take this into account in order to ensure that people's survival.

In order to favour the transition to a post-oil model of development, sites of high cultural, social, and environmental value should be protected and a moratorium imposed on oil exploitation in indigenous territory. Although there are already development initiatives funded through oil revenues, oil-affected communities rarely benefit from these funds. State and regional governments should guarantee that a percentage of the oil revenues is invested in the communities from whose territory oil is extracted. Existing oil operations should develop an exit plan, which would include reparation of the affected areas and creation of a fund to assist the transition of oil-dependent and oil-affected communities to a culturally appropriate model of

development.

The growing destruction of Amazonia and its peoples is a shared responsibility of national States, corporations, financial institutions and foreign governments that can no longer be avoided. On this note, initiatives such as establishing a repayment schedule for the ecological debt incurred by rich countries are a step towards transition to alternative models of development. Some northern governments have expressed interest in making payments to southern governments for keeping the oil underground and investing the funds in social programmes, restoration of the environment, and renewable energy. This should not be confused with carbon credit schemes, by which rich countries are allowed to increase their emissions of greenhouse gases in exchange for supporting clean development mechanisms in other countries.

The current world economic crisis has shown the need for a shift in the current model of development based on the economic growth of a few at the expense of the great majority of the world's population, and on the unsustainable extraction of fossil fuels. States and international institutions should support new and creative alternatives drawing on principles of ecological economics and the revalorisation of community-centred economies and endogenous development.

Recommendations to the survivors

These recommendations are aimed at indigenous peoples and organisations and the wider network of communities. They are based on both my own analysis and the experience of communities that have been affected by the oil industry and have engaged in an action-reflexion process through this research and other activities. The recommendations to the survivors are grouped in three themes: the vital role played by the community in the survival of indigenous peoples, the strengthening of the indigenous movement, and the strategies of survival developed by indigenous peoples.

The relevance of the community

One of the worst social impacts of the oil industry has been destabilisation of the family unit through division, affecting the integrity of the community. In the current political context of Amazonia, when an oil conflict emerges the struggle takes place in the first instance between the community and the oil company. The result of this conflict has a great impact on the indigenous culture and movement as a whole, since at present communities are the guardians of indigenous territory and the cradle for cultural reproduction and formation of leaders. It is therefore essential to protect the unity of the community and inter-family relationships until a fairer model of relationship between the actors of the oil conflict is established. Communities should develop an internal code of conduct for their leaders and members to deal with the corruption promoted by the oil industry and other outside pressures.

Communities affected by the oil industry and other development pressures will strengthen their survival process by reflecting on what are the main cultural structures and practices that keep them together and by identifying the possible mechanisms to maintain and adapt them according to the socio-political context. There are various steps communities can follow in order to achieve a better level of awareness of their survival process, for example designing a community life-project which will give direction to the community, participating in joint events with other indigenous groups facing similar challenges, and participating in an action research project in order to explore and strengthen cultural identity by building cycles of action and reflection.

Communities play an important role in organising resistance strategies against the oil industry grounded in indigenous people's cultural beliefs and actions. This resistance with identity has proved a potent means of counteracting the message and opposition of the powerful. An organised community with a culturally informed strategy and the support of its parent organisations and allies can stop the operations of a company and hold the company and the State accountable for the impacts created. The

sustained strength and resistance of some communities empowers and increase the self-esteem of indigenous people and fuels the indigenous movement. These stories of resistance should be recorded and collected as part of the collective memory of the community.

Some communities have decided to negotiate with the oil industry due to the pressure of external actors, such as PR companies, or because they believe the industry, under strict environmental and social standards, could bring the development never accomplished by the State. Communities may also choose to negotiate with the industry as a survival strategy. Whatever the reason for negotiation, communities should not take decisions in isolation that could affect other communities and the indigenous movement as a whole. Although the community assembly is the highest authority for decision-making at community level, communities are encouraged to take informed decisions with the support of other communities and indigenous organisations that have previous experience in dealing with extractive industries. As suggested before, development plans and projects should be discussed in participatory round-tables.

Communities also play an important role monitoring the indigenous movement and its leaders and making them accountable. The community is the place where the leaders should look for spiritual and political advice and consensus building.

Indigenous movements and organisations: Coming back to the grassroots

The indigenous movement is formed of peoples with a great variety of cultures and languages. Preservation of this diversity is vital for the survival of the movement since it would ensure that indigenous peoples, including those in a minority, are culturally and politically active and resist the homogenising forces imposed by the dominant society. Minority indigenous groups are often under-represented in the wider indigenous movement. In order to achieve visibility and recognition it is important that all indigenous peoples are represented through their organisations and

institutions. This is especially relevant for territorial and self-determination struggles in which indigenous peoples need to stress that their territory cannot be delimited by artificial borders and divided into oil blocks and logging concessions, since it has been inherited through ancestral and cultural rights.

In recent years TIMs against the oil industry and other extractive industries have emerged and are becoming increasingly strategic. These movements have a great potential to achieve indigenous demands for various reasons: they are grassroots based, they revalorise the importance of an alternative development based on culture and identity, and they have managed to build solidarity with other national and international civil society groups through inclusion and dialogue. TIMs could therefore offer a new direction to the wider indigenous movement in the Amazon region, which has been damaged by the oil industry and the neoliberal policies promoted by States.

The Amazonian indigenous movement is in need of further reflection and constructive criticism. Recent events have left a previously strong regional movement weakened and divided. Indigenous groups and organisations have different points of view and not all of them oppose the oil industry. However, it is important to distinguish between divisions which are due to ideological differences and those created by leaders pressured and corrupted by outside influences. The indigenous movement and organisations need to develop codes of conduct to tackle corruption and to prevent new threats that might destabilise the movement. These codes should be followed by community members, leaders, technical advisers and local, regional and national organisations. A corrupt leader is often replaced by another leader, but this does not solve the problem and is not a long-term solution. Indigenous organisations should promote advocacy programmes in communities based on the experiences of other oil-affected communities. It is also necessary to raise awareness and build skills among the new generation of leaders by supporting the creation of youth organisations, leadership schools and knowledge-sharing events.

Indigenous peoples have come far in resisting the oil industry at community level, in lobbying national States, foreign governments and international institutions, and also in bringing Court actions against corporations and States. The indigenous movement and its allies should create internal and external spaces for reflection and debate about the social, cultural, economic, political, and environmental impacts of the oil industry, taking into account the diversity of contexts and indigenous peoples. Those actions are becoming more strategic, but in order to have a greater impact they need to be systematised through evaluation and research. In this way those experiences and that research could be used as a frame of reference for EIAs and for new national and international regulations relating to extractive industries and indigenous peoples.

Indigenous organisations and leaders need to enhance their skills and knowledge in order to present their demands in different governmental and judicial entities, and to manage situations of conflict, negotiation and dialogue with the powerful and intermediaries. They also need to find the mechanisms to build a permanent community of knowledge and professional support.

Many of the TIMs against the oil industry have become transnational movements. This is partly due to the solidarity built with social movements in Northern countries which also have an anti-extractive agenda and which support indigenous peoples and more sustainable ways of development. These alliances will work as long as the different members are willing to listen and learn from each other and do not co-opt other members' discourses or become dependent on other members for achieving their goals.

Survival strategies of indigenous peoples in oil affected areas

Indigenous peoples affected by the oil industry have developed various survival strategies. Indigenous groups are more conscious of some strategies than of others, but overall oil-affected peoples have become more aware of the need to protect four main pillars of survival: territory, indigenous cosmovision, their own educational system, and their right to self-determination. Although indigenous groups may agree

on the importance of preserving these pillars, they may use different strategies and actions to achieve this depending on their culture and the socio-political context. It is therefore necessary to record and share these strategies so that indigenous peoples around the world can find inspiration and support for their own struggles and survival.

Those groups better informed about the impacts of the oil industry, and on why and how it is imposed on them as a model of development, have become more conscious of their own process of survival. These groups have internalised and adopted survival strategies at community level by incorporating them in their life plans and projects, at organization level by prioritising these strategies as goals, and at the political and ideological level by creating discourses that highlight the importance of their survival process for them and for the whole of humanity.

Oil-affected indigenous peoples have become the focus of attention of various intermediary actors that want to support their struggles and future development. However, in those communities and groups undergoing a process of resistance the emphasis is often put on advocacy projects and political activism, while development strategies become secondary and designed by development agencies and organisations. Although resistance can be stressful and debilitating, indigenous peoples should take ownership of their development process and carefully analyse the variety of development proposals they receive. There have been successful partnerships between indigenous peoples and intermediary actors that have used the principles of endogenous development, based on the knowledge, assets and capacities of the communities rather than on their needs and deficiencies. Endogenous development recognises the strengths and weaknesses of indigenous knowledge and fosters intra- and inter-cultural learning while detaching itself from models of development that prioritise outside knowledge.

Recommendations to the intermediaries

These recommendations are aimed at a wide range of actors including local, national and international NGOs, international development agencies, the Catholic Church, the Ombudsman Office, indigenous governmental institutions, environmental and human rights activists, and academics. The intermediaries' influence on the oil conflict and the development of oil-affected communities depends on the alliances they establish and their ideological positions. It is therefore necessary to define their role in the oil conflict and how they could better support communities.

Intermediary actors play an important role as advisers and supporters of indigenous peoples and mediators in the oil conflict, and have taken a leading part in the transnationalisation of TIMs. However, these actors sometimes find it difficult to define their position in the indigenous struggle. The goals of the intermediaries should be subordinated to those of indigenous organisations and should not be imposed by external donors. They can usefully contribute to the empowerment and strengthening of indigenous organisations and to analysis of the oil conflict. Their constructive criticism of indigenous movements is also valuable, but they should avoid increasing the dependence of indigenous organisations on outside experts, using moralistic approaches, and attempting to co-opt indigenous discourses to favour their own agenda.

Some of the intermediaries share such goals of indigenous peoples as preservation of the rainforest, sustainable development of communities and a moratorium on oil activities, but they use a variety of means and alliances to achieve these ends. The intermediaries should be aware of the local dynamics and the wider implications of their actions. For example, fostering dialogue between the powerful and regional state institutions may be beneficial for indigenous communities in a specific socio-political context, but could be detrimental in others. Accepting funds from the oil industry to carry out development projects could contribute towards the cost of a community's basic needs but could also legitimise the presence of the industry in the

region and debilitate the struggle of indigenous organisations. The actions and ideas of the intermediaries should be discussed first with the communities and organisations, which should take the lead in proposing initiatives.

The support of the intermediaries should also be available for communities that have decided to negotiate with the industry and may need to gain negotiation and conflict-resolution skills. Mutual learning between the intermediaries and the survivors is necessary in order to present and articulate their demands in various situations, such as Court hearings, governmental consultations, indigenous meetings, international campaigns or dealings with the United Nations Organisation.

The intermediaries support indigenous people affected by the oil industry in four main areas: advocacy, development, conservationism and spirituality and culture. Intermediary organisations do not necessarily coordinate with each other, which sometimes leads to duplication of activities, paternalism and conflict. They can also be over-protective of their niche within indigenous communities, making it difficult for others to access the indigenous groups they work with. The intermediaries should develop a holistic view of the conflict and its actors in order to better support indigenous communities and to encourage them to take the lead in coordinating the work of the intermediaries.

National and international intermediary actors play a central role as lobbyists in their respective home countries, monitoring the operations of oil companies at home and abroad and mobilising public opinion. Intermediary actors such as international development agencies have at times contributed to the implementation of their own governments' political and economic agendas in oil-rich indigenous territories by promoting dialogue with the oil industry. For this reason the intermediaries should coordinate with each other and put in place transparency mechanisms by which their aims and funding sources are clearly stated.

The intermediaries should continue to balance power relations in the oil conflict by not only supporting the survivors but also promoting discourses of liberation.

Initiatives such as the environmental justice and ecological debt movements demand redress, justice and accountability, and have done much to shift perspectives on the power of corporations and their impacts on people and the environment, opening the scope for new regulations and alternatives of development.

Directions for future research

In the case of conflicts driven by resource exploitation there is a need for future studies on the powerful, where not only are their bad practices exposed, but also new avenues are sought to engage them in participatory research, which could prove to make them aware of obligations of accountability towards the indigenous communities affected by their activities. Future policy-orientated research should explore new ways to make these powerful actors more accountable by bridging the gap between law-making and law implementation and by strengthening national and international monitoring systems.

Lack of participation and ownership of knowledge and lack of benefits for the subjects of research are some of the most widely criticised aspects of traditional Western research of indigenous people. However, in order to address these faults, more non-oppressive research is needed in which different “ways of knowing” can coexist and in which new methodologies can arise from this relationship. Increased participation will also contribute to the decolonisation of knowledge and to avoidance of misrepresentations of indigenous peoples’ aims and struggles. Future research in communities should be used to the advantage of the participants, especially when research is carried out with groups that have been historically marginalised or continue to be marginalised. If possible, we should also extend this premise to our fieldwork, during which practical and recognised benefits for the communities can be achieved. This can be done in many different ways; for example by designing a methodology in collaboration with the research participants and disseminating the research using formats that can be used directly by the communities (story-telling, documentaries, summary reports and leaflets, ‘theatre of the oppressed’ and so on).

Finally, there is a need for future research to systematise the impacts caused by extractive industries and the resistance and survival strategies of communities in various contexts but also to design and promote national and international policies and to look for economic alternatives which would allow indigenous societies and their vision of development to flourish. There is wide scope for comparative research in the field of community development and community-centred economies, and of the role of the community as a collective entity and agent of development and political change.

Towards a 'Life in Harmony'

The survival of indigenous peoples in oil-affected areas is difficult to predict. The political decisions of the dominant society and power structures seem to block the self-development of these groups by imposing a model of development in the Amazon region which is not compatible with the survival of their cultures and the search for the Sumak Kausai or life in harmony. However using their traditional knowledge, building solidarity with the wider civil society, and inserting themselves in key structures of the dominant society, indigenous peoples have managed to forge grassroots movements whose main aim is the preservation of the territory as the core principle for their survival; and this is especially noticeable in oil production regions. Although there is no single recipe for the survival of indigenous peoples affected by extractive industries, and their situations vary from one continent to another, the growing consciousness of their survival process and their power and moral position in relation to the dominant society and the powerful of the oil conflict may play in their favour.

“Oil went on coming from the ground as an inexhaustible torrent of wealth, lulling consciences and postponing all problems to an indefinite future.”

Isabel Allende (*Eva Luna*, excerpt translated from the Spanish original)

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Annexes

Annex 1: Glossary

Carbon Debt: The over-use, by an individual or State, of the carbon dioxide absorption capacity of the world's oceans, vegetation and soil. Carbon debt is the ecological debt related to CO₂ emissions from fossil fuel combustion.

Community Relations Programmes: Social programmes implemented by the oil companies in the communities in which they operate as part of their corporate social responsibility strategy. The remit of the CRPs varies in scope and costs, covering everything from basic infrastructure for the community, health and education facilities, to paying the salaries of the indigenous representatives, cultural activities, cars or mobile phones.

Corporate-led Globalisation: Model of globalisation led by a corporate-state alliance, which forges the creation of global markets for investment and finance by promoting a neo-liberal economic agenda. It calls not only for free trade and elimination of capital controls, but also for economic restructuring, deregulation and privatisation of state-owned industries.¹¹⁹

Corporate Social Responsibility (CSR): For the International Chamber of Commerce, CSR is the commitment by companies to manage their activities in a responsible way. More broadly, CSR includes the efforts by business to contribute to the society in which it operates. A growing number of companies approach corporate responsibility as a comprehensive set of values and principles, which are integrated into business operations through management policies and practices as well as decision-making processes. Companies endorsing CSR typically have formally written principles, strive to act as good citizens, and emphasise a constant dialogue

¹¹⁹ Refer to Arnold, 2003,
<http://www.mngt.waikato.ac.nz/ejrot/cmsconference/2003/abstracts/criticalaccounting/Arnold.pdf>

with their stakeholders, including employees, suppliers and communities.¹²⁰

Corporatism: Corporatism is a system of economic, political, and social organisation in which corporate groups or interest groups, such as business, ethnic, farmers, labour, military, or patronage groups, are joined together under a common governing jurisdiction to try to achieve societal harmony and promote coordinated development. Corporatism is based on the sociological concept of functionalism.¹²¹

Cosmovision: For Meso-Americans cosmovision is a worldview that integrates the structure of space and rhythms of time into a unified whole, a structured and systemical worldview. In the cosmovision of Amazonian peoples the territory is perceived from a holistic point of view: it is not only the natural space that satisfies their subsistence needs, but a living space in which the underground, the terrestrial, and the aerial world are connected and in balance. This holistic territory is called *Pachamama* or Mother Earth and is where indigenous people are introduced to their spiritual world, and parts of this territory are therefore considered sacred. The indigenous cosmovision also represents a belief system which influences all the aspects of their lives from how children are raised to the way the forest is managed.

Ecological Debt: The ecological debt of country A consists of (1) the ecological damage caused over time by country A in other countries or in an area under jurisdiction of another country through its production and consumption patterns, and/or (2) the ecological damage caused over time by country A to ecosystems beyond national jurisdiction through its consumption and production patterns, and/or (3) the exploitation or use of ecosystems and ecosystem goods and services over time by country A at the expense of the equitable rights to these ecosystems and ecosystem goods and services by other countries or individuals (Paredis, 2004, p.137).

¹²⁰ Refer to <http://www.iccwbo.org/corporate-responsibility/id14104/index.html>

¹²¹ Refer to <http://en.wikipedia.org/wiki/Corporatism>

Environmental Impact Assessment (EIA): EIA is the term applied to the systematic examination, normally prior to the beginning of any activity, of the likely impacts of development proposals on the environment.

Environmental Justice: This term was developed in the USA in the 1990s by the black environmental movement to create awareness of the fact that big industrial developments and waste facilities tended to be located in deprived areas often inhabited by black and Hispanic communities. The concept of environmental justice is now widely used in Western countries, although in countries such as the UK the concept is more related to social exclusion and poverty issues than to race.

Environmental Services: This term represents the capacity of ecosystems to produce products useful for humans, such as oxygen production, carbon capture and storage and the protection of water and soil systems and biodiversity. The commercialisation of environmental services is currently used as a carbon offsetting mechanism.

Environmental Space: This term represents how much resource use is actually available for every person in the world. In practice, environmental space is the total amount of energy, non-renewable resources, agricultural land and forests which each person can use without causing irreversible damage to the Earth.¹²²

Externalities: Externalities arise when certain actions of producers or consumers have unintended external (indirect) effects on other producers or/and consumers. Externalities may be positive or negative. Positive externality arises when an action by an individual or a group confers benefits to others. Negative externalities arise when an action by an individual or group produces harmful effects on others. Pollution is a negative externality: when a factory discharges its untreated effluents into a river, the river is polluted and consumers of the river water bear costs in the form of health costs or/and water purification costs. In an activity generating positive externality, social benefit is higher than private benefit and in an activity generating

¹²² Refer to Rocholl, 2001.

negative externality, social cost is higher than private cost. Thus, in the presence of externalities, social benefits (costs) and private benefits (costs) differ.¹²³

Free, Prior and Informed Consent: “Free, prior and informed consent recognizes indigenous peoples’ inherent and prior rights to their lands and resources and respects their legitimate authority to require that third parties enter into an equal and respectful relationship with them, based on the principle of informed consent”.¹²⁴ The underlying principles of free, prior and informed consent can be summarised as follows: (i) information about and consultation on any proposed initiative and its likely impacts; (ii) meaningful participation of indigenous peoples; and (iii) representative institutions.

International Labour Organisation Convention 169: Adopted in 1989 by the General Conference of the International Labour Organisation and in force since 1991, it concerns indigenous and tribal peoples in independent countries. At the core of Convention 169 are consultation and participation of indigenous peoples at all levels of the decision-making process that concerns them. Nineteen countries have ratified Convention 169, thirteen of them Latin American.

Life Projects: Life projects, as opposed to development projects designed by an NGO and other external institutions, are created under the lead of indigenous communities supported at times by an external organization. Life projects allow the communities to define the direction they want to take in life, on the basis of their awareness and knowledge of their own place in the world. As Blasser, Feit and McRae (2004) explain, a central feature of some life projects is to cut across the imposition of universalist criteria. This feature contrasts sharply with the focus of development on applying general rules (ideas of indigenesness, for example).

¹²³ Refer to <http://coe.mse.ac.in/dp/envt-ext-sankar.pdf>

¹²⁴ Commission on Human Rights, Sub-Commission on the Promotion and Protection of Human Rights, Working Group on Indigenous Populations, Twenty-second session, 13 -19 July, 2004, p.5.

regardless of the specificity of a particular place.¹²⁵

Neoliberal Regime: The neoliberal regimes described in this research are those based on deregulation of markets, transnationalisation of capital, and commercialisation of natural resources by state and transnational corporations.

New Social Movements (NSM): NSM is a theory of social movements that criticises Marxist class and economic reductionism, putting the emphasis on culture, ideology and collective action by civil society. Although NSM theory stresses the importance of structural changes in the system and the political opportunities that may arise from this change, it places social mobilisation in the realm of civil society, denying any protagonist role to the State.

Non-Contacted Indigenous Peoples: Non-contacted are those Amazonian indigenous groups which have not had a regular relationship with national society. They have also been called ‘peoples in voluntary or forced isolation’, ‘nomadic peoples’ and ‘hidden peoples’, among other terms.¹²⁶

Oil Conflict: In this research I define the oil conflict as the situation created when the different actors involved in the exploration and exploitation of oil cannot find a satisfactory solution for all of them, which leads to a conflict situation of various degrees.

Oriente: This term means “the east”, and is the name Ecuadorians use to designate the area that stretches from the eastern slopes of the Andes to the border with Peru. This less developed and remote area contains over 25% of the nation’s territory and is commonly called the Amazon region. It is also the main oil exploitation area in the country.

¹²⁵ Indigenous communities may produce a document in which the main vision and general objectives of their life project are stated. Reinterpretations or changes in the life project are normally introduced in the Community Assembly.

¹²⁶ Cabodevilla & Berraondo, 2005, p. 15.

Resource Mobilisation (RM): RM is a theory of social movements that criticises theories of collective behaviour and relative deprivation, putting the emphasis on the availability of resources for the movement to get organised and on the political and institutional opportunities for collective action. RM focuses on both civil society and the state level and claims a continuity between contemporary social movements and traditional forms of organisation.

Sumak-Kawsai: This is a principle of the Kichwa people of Ecuador, which means 'life in harmony' or 'good living', and defines the vision of development and philosophy of life of this culture. This principle has been incorporated in the 2008 constitutional text of the Republic of Ecuador.

Self-determination: This is a right that grants peoples various degrees of local autonomy and self-government and at the same time participation in national government.

Survivors-Powerful-Intermediaries: These categories are based on the dynamics of power relations of the actors involved in the oil conflict, the powerful being those who have greater control of these dynamics and are the main driving force of oppression. The survivors consist of indigenous people and their local, regional and national organisations. The powerful includes the state and foreign oil companies, state institutions, PR companies, the military, and foreign governments. The intermediaries include local, national and international NGOs and aid agencies, the Church, local councils, activists, academics, and some governmental institutions that lead with indigenous issues.

Territorial Indigenous Movements (TIMs): In this research I describe TIMs as distinctive grassroots movements which, emphasising identity, culture and agency and sharing elements of both RM and NSM theories, have the potential to shape the outcomes of oil conflicts in favour of the communities affected.

Annex 2: Research documents

- Overview of ILO Convention 169 and the Right to Free, Prior and Informed Consent
- The Anchorage Declaration: Indigenous Peoples' Summit on Climate Change
- Demands of the Amazonian Indigenous Peoples' Platform of Struggle
- Statement of Solidarity from the Global Action Network on Indigenous Peoples & Extractive Industries
- Overview and Principles of the United Nations Global Compact Initiative
- International Chamber of Commerce: The Business Case for Corporate Responsibility

Overview of ILO Convention 169 and the Right to Free, Prior and Informed Consent

Consultation is a fundamental principle of Convention 169, which concerns indigenous and tribal peoples in independent countries. Adopted in 1989 by the General Conference of the ILO and in force since 1991, it is the only legally binding international instrument on the rights of indigenous and tribal peoples. The results of the consultation process promoted by the convention are not, however, binding for the signatory States. Its predecessor was the 1957 Convention 107, which promoted the assimilation of indigenous peoples into national States. Convention 107 remains in force in eighteen countries but is no longer open to ratification. Convention 169 was an attempt to abolish the integrationist approach and to recognise the right of indigenous people to survive as such. At the core of Convention 169 is consultation and participation of indigenous peoples at all levels of the decision-making process that concerns them (ILO, 2008). Nineteen countries have ratified Convention 169, thirteen of them Latin American.

In spite of the advance from Convention 107, many indigenous peoples claim that Convention 169 still promotes assimilationist policies and leaves too much scope for different interpretations. During the design of the Convention, governments fought hard to avoid including issues that might affect their national integrity, such as self-determination of indigenous peoples and the ownership of the resources of the subsoil.¹²⁷ For their part, indigenous peoples sought the introduction of concepts such as consent or control, but these were replaced by participation and consultation, which implied that the initiative would be taken by the governments (Schulting, 1997). Although Convention 169 is far from becoming an instrument that represents the views of indigenous peoples, and although new revisions need to be made, it has also become an important international frame of reference for indigenous peoples'

¹²⁷ From now onwards when the term Convention is used it will refer to the ILO Convention 169.

rights. For the purpose of this research the most relevant articles are 6 and 7 on the issue of consultation and 14 and 15 on land rights, which read as follows (ILO, 2008):

Article 6

1. In applying the provisions of this Convention, governments shall:

(a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;

(b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;

(c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.

2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

Article 7

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation,

implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

2. [omitted]

3. Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.

4. Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

Article 14

1. The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.

2. Governments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession.

3. [omitted]

Article 15

1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of

these peoples to participate in the use, management and conservation of these resources.

2. In cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures through which they shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources pertaining to their lands. The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damages which they may sustain as a result of such activities.

The vagueness of some articles of the Convention, which at times contradict each other, opens the scope for different interpretations. For example, Article 14 grants ownership rights over traditional land to indigenous peoples but Article 15 refers to cases where the State will retain ownership over the resources pertaining to the land. This means that the ownership granted in Article 14 is not integral, as the subsurface resources are owned by the State. Article 15 also grants rights to indigenous people to participate in the management, use and conservation of the land, which raises the question of who owns the land if indigenous people have to be granted rights over land that in their view they already possess through their ancestral rights. Indigenous peoples claim they should have integral ownership of the land, including the subsoil resources, but they have encountered strong opposition from States to this demand. The ownership of the subsoil resources by the State is based on the Laws of the Indies, which is a variation of the Castellan Law introduced in Latin America during colonisation. However, Roman Law states: “Qui dominus est soli dominus est coeli et inferorum”, which means that the ownership of the land implies the ownership of the surface and the subsoil and the air above (Casafranca, 2008). A translation of the Latin is “He who is lord of the land is lord of the sky and of what lies below the land”.

Indigenous peoples normally used the term ‘free, prior and informed consent’ (FPIC) when referring to consultation regarding development projects in their territory, as it has been recognised as customary law by the Inter-American Court of Human Rights since 1984. Although FPIC appears in various parts of Convention 169, it is not specified in Articles 6 and 7, opening space for speculation about when and how consultation should be carried out. Likewise, Article 6 states that the aim of consultation is to achieve agreement or consent and that it should be carried out in good faith. However, this ignores the possibility that the outcome of the consultation could be opposition to a programme or project. The Convention does not grant indigenous peoples the right of veto, and although it specifies that no measures should be taken against the wishes of indigenous and tribal peoples, this does not guarantee that if they do not agree no development will take place. Once more the Convention is not clear on this issue leaving too much room for States’ own interpretation. Article 6 also promotes the consultation of indigenous people regarding any legislative or administrative measures that may affect them, but it is not clear whether they should be consulted about specific extractive projects which have already been approved but were not subject to consultation. This has led to a situation in which consultation takes place when concessions have already been granted to the oil companies.

The United Nations Declaration on the Rights of Indigenous Peoples, although not a binding instrument, has taken a big step in this regard, as its text makes it clear that consent should be prior to the approval of any project affecting their territories, with special reference to extractive projects (Article 32). Bolivia’s new hydrocarbons law, approved in 2005, also grants the right of FPIC to indigenous peoples. The World Bank has for years avoided inclusion of FPIC in its extractive industries policy. However, in 2004 and after an independent Extractive Industries Review, the Bank decided to include the term ‘consultation’ in its policy, although the original recommendation made by the review’s stakeholders was to include the term ‘consent’. The response of the World Bank Group management in reference to the right to FPIC was (WBG, 2004, p.v):

The Bank Group will only support extractive industry projects that have the broad support of affected communities. This does not mean a veto power for individuals or any group, but means that the Bank Group will require a process of free, prior, and informed consultation with affected communities that leads to the affected community's broad support for the project. The IBRD/IDA's Indigenous Peoples policy is being revised to reflect this principle, and will be discussed by the Board of Executive Directors in the second half of 2004.

Indigenous peoples claim that there is a great qualitative difference between consent and consultation, and that the refusal of the Bank to adopt the former will only lead to division among communities and misinterpretation by governments. Interpretation also depends on the norms and regulations developed by each country in order to implement the dispositions of the Convention. The right to be consulted promoted through the Convention was conceived as an instrument to ensure the participation of indigenous peoples in the decision-making process, giving them an opportunity to influence the outcome. However, States and corporations tend to understand the process as an opportunity to convince communities of the benefits of oil developments through a series of information workshops in order to minimise conflict and legitimise their activities. The ILO is aware of implementation challenges and misinterpretations of the Convention. It has therefore developed a reporting mechanism by which States should inform on the progress made in adapting the national law to the requirements of the Convention and on their practical impacts. Convention 169 is also an instrument of International Law promoted by the ILO, and those whose rights have been violated by non-fulfilment of the Convention's dispositions can make claims through the ILO system. The limitation is that only professional organisations are allowed to use this mechanism. However, indigenous peoples have found solidarity in workers' organisations, which have presented claims on behalf of indigenous peoples.

Ecuador ratified Convention 169 in 1998 and Peru in 1994. Both countries have legislation referring to indigenous and non-indigenous peoples' right to participation and consultation, and have also developed legislation influenced by Convention 169. Civil society and indigenous organisations in both countries have criticised their respective governments for contradiction in the law and lack of transparency in the way consultation has been carried out. Peru has produced legislation linked to Prior Consultation as proposed by Convention 169, but the process of consultation is far from institutionalised. Good examples of recent legislation are the Guide for Community Relations issued by the Ministry of Energy and Mines in 2001, and regulations for consultation and civil participation in the process of approving environmental studies in the energy and mining sector which were approved by ministerial resolution in 2002. However, in 2006 the government approved regulations for environmental protection in oil-related activities which obviate the right to consultation, reduce participation by civil society to a mere process of information, and render ineffective any other regulations of the same or lower hierarchy (Paz y Esperanza, 2006, p. 34).¹²⁸ For example, article 23 of these regulations establishes that the consultation should be carried out during the implementation phase of the extractive project and not before.

In the case of Ecuador, the government ratified Convention 169 in 1998 but has only recently started to consult indigenous peoples affected by extractive plans, and the consultation has taken place prior to the oil agreement with a transnational company. This has been the case of Blocks 20 and 29 in the Napo and Pastaza regions. The consultation was carried out by a team of the Salesian Polytechnic University and reached 90% of the affected population, 80% of which agreed with oil exploitation in their territories. However, following the consultation, social groups in the area became organised as a Territorial Defence Front and required CONAIE – the national indigenous organisation – to initiate legal action on their behalf in order to render the consultation null.

¹²⁸ The original titles of these regulations are *Guía de relaciones comunitarias* (Guide for community relations), *Reglamento de consulta y participación ciudadana en el procedimiento de aprobación de los estudios ambientales en el sector Energía y Minas* (Regulations for consultation and civil participation in the process of approving environmental studies in the energy and mining sector), and *Reglamento para la protección ambiental en las actividades de hidrocarburos* (regulations for environmental protection in oil-related activities).

The Anchorage Declaration

24 April 2009

From 20-24 April, 2009, Indigenous representatives from the Arctic, North America, Asia, Pacific, Latin America, Africa, Caribbean and Russia met in Anchorage, Alaska for the Indigenous Peoples' Global Summit on Climate Change. We thank the Ahtna and the Dena'ina Athabascan Peoples in whose lands we gathered.

We express our solidarity as Indigenous Peoples living in areas that are the most vulnerable to the impacts and root causes of climate change. We reaffirm the unbreakable and sacred connection between land, air, water, oceans, forests, sea ice, plants, animals and our human communities as the material and spiritual basis for our existence.

We are deeply alarmed by the accelerating climate devastation brought about by unsustainable development. We are experiencing profound and disproportionate adverse impacts on our cultures, human and environmental health, human rights, well-being, traditional livelihoods, food systems and food sovereignty, local infrastructure, economic viability, and our very survival as Indigenous Peoples.

Mother Earth is no longer in a period of climate change, but in climate crisis. We therefore insist on an immediate end to the destruction and desecration of the elements of life.

Through our knowledge, spirituality, sciences, practices, experiences and relationships with our traditional lands, territories, waters, air, forests, oceans, sea ice, other natural resources and all life, Indigenous Peoples have a vital role in defending and healing Mother Earth. The future of Indigenous Peoples lies in the wisdom of our elders, the restoration of the sacred position of women, the youth of today and in the generations of tomorrow.

We uphold that the inherent and fundamental human rights and status of Indigenous Peoples, affirmed in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), must be fully recognized and respected in all decision-making processes and activities related to climate change. This includes our rights to our lands, territories, environment and natural resources as contained in Articles 25–30 of the UNDRIP. When specific programs and projects affect our lands, territories, environment and natural resources, the right of Self Determination of Indigenous Peoples must be recognized and respected, emphasizing our right to Free, Prior and Informed Consent, including the right to say “no”. The United Nations Framework Convention on Climate Change (UNFCCC) agreements and principles must reflect the spirit and the minimum standards contained in UNDRIP.

Calls for Action

1. In order to achieve the fundamental objective of the United Nations Framework Convention on Climate Change (UNFCCC), we call upon the fifteenth meeting of the Conference of the Parties to the UNFCCC to support a binding emissions reduction target for developed countries (Annex 1) of at least 45% below 1990 levels by 2020 and at least 95% by 2050. In recognizing the root causes of climate change, participants call upon States to work towards decreasing dependency on fossil fuels. We further call for a just transition to decentralized renewable energy economies, sources and systems owned and controlled by our local communities to achieve energy security and sovereignty.

In addition, the Summit participants agreed to present two options for action: some supported option A and some option B. These are as follows:

A. We call for the phase out of fossil fuel development and a moratorium on new fossil fuel developments on or near Indigenous lands and territories.

B. We call for a process that works towards the eventual phase out of fossil fuels,

without infringing on the right to development of Indigenous nations.

2. We call upon the Parties to the UNFCCC to recognize the importance of our Traditional Knowledge and practices shared by Indigenous Peoples in developing strategies to address climate change. To address climate change we also call on the UNFCCC to recognize the historical and ecological debt of the Annex 1 countries in contributing to greenhouse gas emissions. We call on these countries to pay this historical debt.

3. We call on the Intergovernmental Panel on Climate Change (IPCC), the Millennium Ecosystem Assessment, and other relevant institutions to support Indigenous Peoples in carrying out Indigenous Peoples' climate change assessments.

4. We call upon the UNFCCC's decision-making bodies to establish formal structures and mechanisms for and with the full and effective participation of Indigenous Peoples. Specifically we recommend that the UNFCCC:

- a. Organize regular Technical Briefings by Indigenous Peoples on Traditional Knowledge and climate change;
- b. Recognize and engage the International Indigenous Peoples' Forum on Climate Change and its regional focal points in an advisory role;
- c. Immediately establish an Indigenous focal point in the secretariat of the UNFCCC;
- d. Appoint Indigenous Peoples' representatives in UNFCCC funding mechanisms in consultation with Indigenous Peoples;
- e. Take the necessary measures to ensure the full and effective participation of Indigenous and local communities in formulating, implementing, and monitoring activities, mitigation, and adaptation relating to impacts of climate change.

5. All initiatives under Reducing Emissions from Deforestation and Degradation (REDD) must secure the recognition and implementation of the human rights of Indigenous Peoples, including security of land tenure, ownership, recognition of land title according to traditional ways, uses and customary laws and the multiple benefits

of forests for climate, ecosystems, and Peoples before taking any action.

6. We challenge States to abandon false solutions to climate change that negatively impact Indigenous Peoples' rights, lands, air, oceans, forests, territories and waters. These include nuclear energy, large-scale dams, geo-engineering techniques, "clean coal", agro-fuels, plantations, and market based mechanisms such as carbon trading, the Clean Development Mechanism, and forest offsets. The human rights of Indigenous Peoples to protect our forests and forest livelihoods must be recognized, respected and ensured.

7. We call for adequate and direct funding in developed and developing States and for a fund to be created to enable Indigenous Peoples' full and effective participation in all climate processes, including adaptation, mitigation, monitoring and transfer of appropriate technologies in order to foster our empowerment, capacity-building, and education. We strongly urge relevant United Nations bodies to facilitate and fund the participation, education, and capacity building of Indigenous youth and women to ensure engagement in all international and national processes related to climate change.

8. We call on financial institutions to provide risk insurance for Indigenous Peoples to allow them to recover from extreme weather events.

9. We call upon all United Nations agencies to address climate change impacts in their strategies and action plans, in particular their impacts on Indigenous Peoples, including the World Health Organization (WHO), United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Permanent Forum on Indigenous Issues (UNPFII). In particular, we call upon all the United Nations Food and Agriculture Organization (FAO) and other relevant United Nations bodies to establish an Indigenous Peoples' working group to address the impacts of climate change on food security and food sovereignty for Indigenous Peoples.

10. We call on United Nations Environment Programme (UNEP) to conduct a fast

track assessment of short-term drivers of climate change, specifically black carbon, with a view to initiating negotiation of an international agreement to reduce emission of black carbon.

11. We call on States to recognize, respect and implement the fundamental human rights of Indigenous Peoples, including the collective rights to traditional ownership, use, access, occupancy and title to traditional lands, air, forests, waters, oceans, sea ice and sacred sites as well as to ensure that the rights affirmed in Treaties are upheld and recognized in land use planning and climate change mitigation strategies. In particular, States must ensure that Indigenous Peoples have the right to mobility and are not forcibly removed or settled away from their traditional lands and territories, and that the rights of Peoples in voluntary isolation are upheld. In the case of climate change migrants, appropriate programs and measures must address their rights, status, conditions, and vulnerabilities.

12. We call upon States to return and restore lands, territories, waters, forests, oceans, sea ice and sacred sites that have been taken from Indigenous Peoples, limiting our access to our traditional ways of living, thereby causing us to misuse and expose our lands to activities and conditions that contribute to climate change.

13. In order to provide the resources necessary for our collective survival in response to the climate crisis, we declare our communities, waters, air, forests, oceans, sea ice, traditional lands and territories to be “*Food Sovereignty Areas*,” defined and directed by Indigenous Peoples according to customary laws, free from extractive industries, deforestation and chemical-based industrial food production systems (i.e. contaminants, agro-fuels, genetically modified organisms).

14. We encourage our communities to exchange information while ensuring the protection and recognition of and respect for the intellectual property rights of Indigenous Peoples at the local, national and international levels pertaining to our Traditional Knowledge, innovations, and practices. These include knowledge and use of land, water and sea ice, traditional agriculture, forest management, ancestral seeds,

pastoralism, food plants, animals and medicines and are essential in developing climate change adaptation and mitigation strategies, restoring our food sovereignty and food independence, and strengthening our Indigenous families and nations.

We offer to share with humanity our Traditional Knowledge, innovations, and practices relevant to climate change, provided our fundamental rights as intergenerational guardians of this knowledge are fully recognized and respected. We reiterate the urgent need for collective action.

Agreed by consensus of the participants in the Indigenous Peoples' Global Summit on Climate Change, Anchorage Alaska, April 24th 2009

Demands of the Amazonian Indigenous Peoples' Platform of Struggle (April 2009)

1. Repeal of all the legislative decrees and laws which threaten the rights of indigenous peoples, such as Law 29317, which modifies Legislative Decree 1090 and is constituted as: The New Law of Forests and Woodland Fauna; Law 29338, the Law of Water Resources, and Legislative Decrees 1089, 1064 and 1020.
2. Reform of the Political Constitution of the State to restore indigenous territory rights (inalienable, unmortgageable and imprescriptible,) and to include in the Constitution the United Nations Declaration on the Rights of Indigenous Peoples and Convention 169 of the International Labour Organisation.
3. Recognition and immediate entitlement of native communities. Recognition of collective ownership of territory. Re-establishment of the legal capacities of regional PETT offices.¹²⁹ Entitlement of native communities whose territories lie within Protected Nature Areas. Extension of the boundaries of the Ichigkat Muja National Park over Awajun ancestral territories, excluded only for the benefit of mining and hydrocarbon companies in the Cenepa.
4. Recognition as Territorial Reserves of the territories of indigenous peoples in voluntary isolation, or on first contact. Approval of AIDSESP's proposals for those territories.
5. Suspension of all territorial concessions in indigenous lands to companies or individuals for the exploration or exploitation of hydrocarbons or minerals, tourism, timber production or any other activity.
6. Immediate compliance with the demands of the regional organisations of AIDSESP (FENAMAD, ORPIO, CORPI -SL, ORPIAN, COMARU, ARPI SC y ORAU). Immediate solution of the problems being created by gold-mining in the Cenepa and Madre de Dios.

¹²⁹ PETT: Proyecto Especial Titulación de Tierras y Catastro Rural (Special Project for Land Entitlement and Rural Land Registration).

7. Repeal of the rules which authorise Free Trade Agreements with the United States, the European Union and Chile, as these agreements threaten indigenous territorial rights and the intellectual property of our collective knowledge, and endanger our Amazonian biodiversity.

8. Implementation of a reform of the State to establish INDEPA as a Decentralised Public Organisation with ministerial rank, and including creation of a Sub-ministry of Intercultural Health and a Ministry of Intercultural Education, thereby creating genuine intercultural universities.

9. Establishment of a Table of National Dialogue to deal with indigenous peoples' problems, with equal representation between the State and the indigenous organisations of Peru.

Long live the struggle of the Indigenous Peoples of Amazonia!

Always standing, with the strength of our natural and ancestral spirits!

Indigenous territories... they are not for sale, they are defended!

The Peruvian Amazon and its resources belong to all Peruvian citizens! They are not for sale, they are defended!

Statement of Solidarity from the Global Action Network on Indigenous Peoples & Extractive Industries

Halt State Violence in Peru and Respect Indigenous Peoples Rights

We strongly condemn the violent dispersal by the military on June 5, 2009, against the peaceful blockade by indigenous peoples in Bagua, Peru. Indigenous peoples have been fired upon and killed while asserting their legitimate and internationally recognized rights.

We fully endorse the call of the Chairperson of the UN Permanent Forum on Indigenous Issues, Victoria Tauli-Corpuz to the Peruvian government urging that they:

- Immediately cease all violence against indigenous communities and organizations;
- Ensure immediate and urgent medical attention to the wounded and assist the families of the victims; AND
- Abide by its national and international obligations regarding the protection of all human rights, including the rights of indigenous peoples and human rights defenders, especially their right to life and security.

We fully support the indigenous peoples of the Amazon in Peru in their protest and their right to protest against Legislative decrees 994 and 1090. These government policies not only undermine indigenous peoples rights but also pave the way for the unacceptable privatization of ancestral lands of indigenous peoples in the Amazon for easy access by the extractive industry such as mining and oil, logging and plantations.

Peru ratified ILO Convention No. 169 on Indigenous and Tribal Peoples and was the Chair of the UN Working Group on the Draft Declaration, the body which elaborated and negotiated the UN Declaration on the Rights of Indigenous Peoples until it was

adopted by the UN Human Rights Council in 2006. It voted yes for the adoption of the UN Declaration of Indigenous Peoples Rights by the UN General Assembly in 2007. It therefore has the obligation to respect the rights of indigenous peoples contained in these and other international human rights instruments. We believe there can be no justification for the Government of Peru to order the military to attack and violently disperse the indigenous peoples of the Peruvian Amazon who have been protesting since April 2009 against governmental policies which they believe undermine their rights, already won in the international arena.

We support the right of indigenous peoples to have their free, prior and informed consent obtained when any development project is brought to their lands and when legislation is made which directly affects them, which is one of the basic rights embedded in the UN Declaration. Legislative decrees 994 and 1090 were passed without this prior consultation. Through the collective actions of indigenous peoples in Peru, they were able to convince the constitutional committee of Congress to rule that these were unconstitutional.

The indigenous peoples in the Peruvian Amazon have the right to their lands, territories and resources and the right to self-determination. Therefore they should be the ones who will decide how their lands, territories and resources should be used. They have the right to freely pursue their own economic, social and cultural development and thus are the ones who should determine what kind of development is appropriate for them. Clearly, they have decided that the Free Trade Agreement between the Peruvian government and the United States to exploit the Amazon for oil, gas and minerals and to open up these territories for logging and monocrop plantations is not appropriate for them or their territories.

We therefore call for the immediate cessation of any and all further attacks by the military against the indigenous peoples, the withdrawal of the military and call for good faith dialogue between the indigenous peoples and the government within the framework of upholding indigenous peoples rights. We also call on the Peruvian government to take immediate steps to restore some confidence by establishing a credible and independent investigation of the June 5, 2009 incident and by providing appropriate medical care for those injured and indemnification for the victims.

Overview and Principles of the United Nations Global Compact Initiative

The Ten Principles

The UN Global Compact's ten principles in the areas of human rights, labour, the environment and anti-corruption enjoy universal consensus and are derived from:

- The Universal Declaration of Human Rights
- The International Labour Organization's Declaration on Fundamental Principles and Rights at Work
- The Rio Declaration on Environment and Development
- The United Nations Convention Against Corruption

The Global Compact asks companies to embrace, support and enact, within their sphere of influence, a set of core values in the areas of human rights, labour standards, the environment, and anti-corruption:

Human Rights

Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and

Principle 2: make sure that they are not complicit in human rights abuses.

Labour Standards

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

Principle 4: the elimination of all forms of forced and compulsory labour;

Principle 5: the effective abolition of child labour; and

Principle 6: the elimination of discrimination in respect of employment and occupation.

Environment

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: undertake initiatives to promote greater environmental responsibility;
and

Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

The two main objectives of the UN Global Compact (UNGC) initiative are to mainstream these ten principles in business activities and to promote actions in support of broader UN goals, including the Millennium Development Goals. The UNGC seeks to influence business but is also formed by a network of civil society, government, and labour organisations. The initiative now involves 5,600 organisations, of which 4,300 are businesses spread in 120 countries around the world (UNGC, 2008). The UNGC has designed a reporting mechanism for business called Communication in Progress (COP), which is a communication to stakeholders on the progress the company has made in implementing the ten principles in its business activities and, where appropriate, what the company has done to support UN goals through partnerships.

The UNGC classifies participants as active, non-communicating and inactive depending on how often they submit the COP. During the first years of the initiative the number of non-communicating or inactive business reached 50% or more. However, as corporations and small and medium enterprises got more information about reporting and the benefits of engaging with the UNGC, the number of COP submissions reached 69% by 2007. Since the beginning of the initiative 600 companies have been made inactive for repeatedly failing to communicate on progress, although this does not necessarily mean that they are not fulfilling the ten principles. One of the main challenges of CSR initiatives is reporting or what is called “social auditing”, as social performance is difficult to measure.

International Chamber of Commerce: The Business Case for Corporate Responsibility

It cannot be assumed that companies that adopt a responsible business conduct are automatically going to achieve economic success. However, as a necessary part of good management, corporate responsibility (CR) can contribute greatly to the profitability of a business. Namely, responsible business conduct may help companies advance their management systems, improve their public image, place companies in a more favourable legal and political environment, and ultimately give them a strategic advantage over competitors in the long-term. Moreover, favourable market forces, the increased demand of customers, and the capacity to anticipate government legislation, all provide further incentives. If a company is able to take advantage of these new possibilities, it could improve its long-term profitability as well as obtain a greater share of world markets. To provide some examples, here are some benefits of adopting CR principles according to a survey of several companies that developed and implemented their own business principles:

Legal and political benefits:

- Sets a positive example by encouraging emulation and the spread of best business practice.
- Helps anticipate new external pressures from regulatory bodies.
- Improves relations with regulatory bodies and is helpful in relation to decisions on operating licences.
- Reduces exposure to litigation or criminal and civil sanctions.
- Contributes to development of economically efficient solutions, sometimes more so than those arrived at through regulation.

Benefits relating to relations with customers, suppliers and the public:

- Helps build customer attraction, satisfaction and loyalty, at a time when customers are increasingly exercising their right to choose.
- Reduces risks of negative publicity, boycotts and tarnished public image.

- Improves product image, brand name and reputation.

Organizational benefits:

- Increases morale, transparency, and trust among company personnel.
- Helps diffuse new technologies and best-management practices.
- Induces a better supervision of supply-chain management.

Economic and financial benefits:

- Reduces operating costs through systematic management of resources.
- Reduces cost of doing business and attracts new companies through rigorous business integrity policies.
- Increases productivity through a motivated workforce.
- Attracts a new range of investors.
- Offers opportunity for inclusion in socially-responsible investment indices.

Annex 3: Fieldwork documents

Fieldwork interviews: Here I present two examples of interviews carried out during the fieldwork with English translations. The first is a standard framework for interviews with CEOs of oil companies. I used structured interviews with the powerful when possible since I was not given much time for the interview, but sometimes I had to opt for a focused interview as it was very difficult to keep any kind of structure and I had to adapt it depending on the context and the time given. The second is an example of an interview I could carry out with an indigenous leader (usually male) or representative of an indigenous organisation. At the community level I always carried out focused interviews with open-ended questions. Interviews with representatives of the intermediary group were similar to the one used with indigenous organisations, and varied greatly depending on the profile and scope of the work of the organisation.

Fieldwork Letters: I include in this annex four letters with English translations used to access the research participants and research locations. Research participants have been given false names. The first letter is addressed to the Ministry of Energy and Mines in Peru, the second is a letter written by the local indigenous organisation, FECONBU, addressed to the local Headquarters of the Maple Gas Company in Pucallpa, the third is a standard letter produced to be shown at military check points, and the fourth is a letter addressed to the main Andean indigenous organisation in Ecuador, ECUARUNARI.

List of Oil Spills in Ecuadorian state-owned oil fields (January 2005- August 2006):

According to data provided by the Ministry of Energy and Mines of Ecuador (personal communication, 23rd February 2007), between January 2005 and August 2006 there were 191 registered spills in state-run oilfields, and approximately 30% of them were categorised as deliberately provoked.

Entrevista compañías

Interviews with companies

Temas: Movimiento Indígena, relación compañía-movimiento indígena-comunidad, importancia proceso de consulta, entendimiento de la sociedad de la ideosincracia indígena, políticas de compensación, papel de las ONGs, responsabilidad social-empresarial.

Subjects: the indigenous movement, relations between the company, the indigenous movement and the community, importance of the consultation process, Society's understanding of indigenous idiosyncrasy, compensation policies, the role of NGOs, social-entrepreneurial responsibility.

Tengo aquí mi lista de preguntas y le quería empezar preguntando:

I have here my list of questions and I should like to begin by asking:

1. ¿Por qué quería trabajar para esta compañía? ¿cómo empezó a trabajar con ellos? *Why did you want to work for this company? How did you start working with them?*
2. ¿Le ha sido difícil llegar a una posición tan alta o tan bien considerada dentro de la compañía?
Was it difficult for you to reach such a high or respected position within the company?
3. ¿Cuál es el aspecto más positivo de trabajar para esta compañía?
What's the most positive aspect of working for this company?
4. ¿Cuáles son los mayores retos?
What are the biggest challenges?

Apunte: ¿Puede dar un ejemplo de estos retos: por ejemplo relaciones con la comunidad?

Prompt: Can you give an example of those challenges: for example, relations with the community?

5. ¿Cuál es la política de la compañía con respecto a la relación con las comunidades vecinas a las instalaciones petrolíferas?

What is the company's policy with regard to relations with communities close to oil installations?

6. (pregunta para compañías estatales) En algunos lugares, ustedes han formado un consorcio/acuerdo con compañías multinacionales, ¿mantienen algún tipo de diálogo en referencia a las relaciones comunitarias?

(question for state companies) In some places you have formed a consortium or agreement with multinational companies. Do you have any kind of dialogue [with them] on relations with communities?

7. ¿Cuáles son las principales quejas de la comunidad, hacia la compañía, si es que hay alguna?

What (if any) are the community's main complaints against the company?

8. ¿Financian ustedes/la compañía proyectos o actividades en las comunidades?

Does the company finance any projects or activities in the communities?

9. ¿Tienen algún tipo de política de compensación en el caso de vertidos?

Does it have any kind of compensation policy in case of spills?

10. ¿Cómo describiría su relación con el movimiento indígena?

How would you describe its relationship with the indigenous movement?

Apunte: ¿Cree que están bien organizados?

Prompt: Do you think they are well organised?

11. ¿Cuáles son las principales dificultades en esta relación?

What are the main difficulties in this relationship?

Apunte: ¿Tienen en cuenta alguna consideración especial cuando operan en territorio indígena? ¿cómo han reaccionado frente a la resistencia indígena en contra de las actividades petroleras en algunos sitios?

Prompt: Does it [the company] take any special consideration into account when operating in indigenous territory? How has it reacted when faced anywhere with indigenous resistance to oil activities?

12. ¿Puede describir o relatar algún ejemplo específico donde hayan encontrado resistencia o conflictos frente a las operaciones de la compañía?

Can you describe or tell me about any specific occasion when the company's operations have encountered resistance or conflict?

13. ¿Cuál es su punto de vista o el de la compañía en cuanto a la situación con la comunidad de Canaán de Cachiyaku, Cofán, Sarayaku? (según la entrevista)

What is your (or the company's?) view of the situation with the [named] community?

14. ¿Cuál es la situación actual?

What is the present situation?

15. ¿Cómo ha percibido a las comunidades indígenas y no indígenas involucradas en este proceso?

How have you perceived the indigenous and non-indigenous communities involved in this process?

16. ¿En su opinión cuál ha sido el papel que han jugado ONGs, y otras organizaciones locales e internacionales en estos procesos/relaciones?

In your opinion, what role has been played in these processes and relationships by NGOs and other local and international organisations?

Apunte: ¿Usted cree que juegan un papel importante a la hora de promover el diálogo entre las comunidades y la compañía?

Prompt: Do you think they play an important role at the time of promoting dialogue between the communities and the company?

17. ¿Cree que los impactos que produce la industria del petróleo en comunidades indígenas, son mayores que los producidos por otras industrias extractivas?

Do you think the impacts caused by the oil industry in indigenous communities are greater than those caused by other extractive industries?

La última cosa que quería preguntarle:

I'd like to ask you finally:

18. En el caso de comunidades afectadas: ¿usted cree que alguna institución internacional debería hacerse cargo de las políticas de compensación?

In the case of affected communities, do you think any international institution should take charge of compensation policies?

Apunte: ¿Quién debería ser responsable?

Prompt: Who should be responsible?

19. ¿Qué piensas de iniciativas como el Superfund en EEUU, sería posible aplicarlo aquí? ¹³⁰

What do you think about initiatives such as Superfund in the USA – could it be applied here?

Cerrar entrevista: le estoy muy agradecida por toda la información que me ha proporcionado. Voy a preparar un informe de esta entrevista, si quiere le puedo enviar una copia. Sería estupendo tener sus comentarios. Mandar una carta y repetir la oferta.

Close the interview: I'm very grateful to you for all the information you've shared with me. I shall make a report of this interview, and could send you a copy if you wish. It would be great to have your comments. Send a letter repeating the offer.

¹³⁰ Superfund is the name given to the USA environmental program established to address abandoned hazardous waste sites. It allows the Environmental Protection Agency (EPA) to clean up such sites and to compel responsible parties to perform cleanups or reimburse the government for EPA-lead cleanups.

Entrevista con líderes indígenas (principalmente hombres). Miembros de organizaciones indígenas. Entrevistas individuales o en grupo.

Interview with indigenous leaders (mainly men). Members of indigenous organisations. Individual or group interviews.

Temas: Amenazas (especialmente en relación al petróleo), movimiento indígena, mecanismos de sobrevivencia, papel de las mujeres/jóvenes/ancianos, espiritualidad, relaciones compañía-movimiento indígena-comunidad, importancia proceso de consulta, políticas de compensación, papel de las ONGs.

Subjects: threats (especially oil-related), the indigenous movement, survival mechanisms, the roles of women/young people/elders, spirituality, relations between the oil company, the indigenous movement and the community, importance of the consultation process, compensation policies, the role of NGOs.

1. ¿Cuál es su posición en la organización y cómo llegó a ser líder indígena?
What is your position in the organisation, and how did you come to be an indigenous leader?
2. Como líder indígena, ¿cuáles son sus principales preocupaciones?
As an indigenous leader, what are your main concerns?
3. ¿Desde su punto de vista, cuáles son las principales amenazas que sufre la población indígena?
What, in your view, are the main threats to the indigenous population?

Apunte: ¿Ve a la industria petrolera como una amenaza?

Prompt: Do you see the oil industry as a threat?

4. ¿Cree que los impactos que causa la industria petrolera en las comunidades indígenas son mayores que los causados por otras industrias extractivas?
Do you think the impacts caused by the oil industry are greater than those caused by other extractive industries?

5. Desde su punto de vista, ¿qué es lo que ha proporcionado/dejado/traído la industria petrolera a las comunidades?

What, in your view, has the oil industry shared with, left to or taken away from the communities?

6. ¿Cómo hacen para preservar su cultura viviendo bajo esta amenaza?

What are you doing to preserve your culture while you live under this threat?

Apunte: ¿Ayudan de alguna forma su espiritualidad y cosmovisión?

Prompt: Do your spirituality and cosmovision help in any way?

7. En base a su experiencia, ¿cree que las compañías mantienen buenos procesos de consulta con las comunidades?

From your experience, do you think the companies maintain good consultation processes with the communities?

Apunte: si no es así, qué es lo que hace falta mejorar?

Prompt: If not, what needs to be done to improve them?

8. ¿Me puede contar cómo ha sido y es el proceso de consulta en Canaán, Sarayaku o las comunidades Cofán? (dependiendo de la entrevista)

Can you tell me how the consultation process has been, and is now, in [the named] community? (Canaán, Sarayaku or Cofán, as appropriate)

9. ¿Estaría usted a favor de la explotación petrolera en su territorio?

Would you be in favour of oil exploitation in your territory?

10. Su comunidad (o ciertas comunidades) se oponen a la explotación petrolera en su territorio, cómo se organizó la resistencia?

Your community (or some communities) oppose oil exploitation in their territory. How is resistance organised?

11. ¿Cuáles son las principales formas de resistencia indígena en contra de la industria petrolera? (a nivel local, regional y nacional)

What are the main forms of indigenous resistance to the oil industry? (at local, regional and national level)

12. ¿Qué papel juegan las mujeres, jóvenes, y ancianos en la resistencia organizada?

What role do women, young people and elders play in organised resistance?

13. ¿Qué piensa de la estructura organizacional y política del movimiento indígena?

What do you think about the organisational structure of the indigenous movement?

14. ¿Está el movimiento unido en relación a las actividades petroleras?

Is the movement united in relation to extractive industries?

Apunte: Hay algunas comunidades que están negociando con la industria y que incluso han formado organizaciones independientes, ¿qué le parece?

Prompt: There are some communities which are negotiating with the industry, and have even formed independent organisations, what do you think about it?

15. ¿Cuál es el papel que juegan las ONG y otras organizaciones locales e internacionales?

What is the role played by NGOs and other local and international organisations?

Apunte: ¿Piensa que juegan un papel importante en el proceso de diálogo?, ¿Alguna experiencia negativa?

Prompt: Do you think they play an important role in the process of dialogue? Any negative experience?

Y ahora el último asunto sobre el que quería preguntarle:

I'd like to ask you finally:

16. En el caso de comunidades afectadas: ¿Usted cree que alguna institución internacional debería hacerse cargo de las políticas de compensación?

In the case of affected communities, do you think any international institution should take charge of compensation policies?

Apunte: ¿quién debería hacerse responsable?

Prompt: Who should be responsible?

Cerrar entrevista: le estoy muy agradecida por toda la información que me ha proporcionado. Voy a preparar un informe de esta entrevista, si quiere le puedo enviar una copia. Sería estupendo tener sus comentarios y sería bueno tener su colaboración una vez que empiece el análisis de la investigación. Mandar una carta y repetir la oferta.

Close the interview: I'm very grateful to you for all the information you've shared with me. I shall make a report of this interview, and could send you a copy if you wish. It would be great to have your comments and collaboration in the analysis phase of the research. Send a letter repeating the offer.

Informantes especiales: Pedirles opinion y consejo acerca de la entrevista y como formular las preguntas (especial atención a las diferencias en el lenguaje y género).

Special informants: Ask their opinion and advice about the interview and how to frame the questions (with special attention to gender and language differences)

University of Strathclyde
Department of Geography and Sociology
Graham Hills Building
50 Richmond Street
Glasgow G1 1XN

Ministry of Energy and Mines
Environmental Energy Affairs
Av. de las Artes Sur
260 San Borja

For the attention of the Director General of Environmental Energy Affairs

I shall be grateful for your assistance in the study being undertaken by Señorita María Martínez in the Department of Geography and Sociology of the University of Strathclyde in Scotland (United Kingdom).

The study consists of analysing the relationships between indigenous populations and the oil companies (state and private) which operate in their territory, with the final objective of achieving greater understanding and dialogue between the two parties. We hope this study will benefit the industry as much as the indigenous population. Although the study will be general in character, it will also rely on several particular cases in Peru and Ecuador. In Peru we shall concentrate specifically on the Pucallpa and Contamana area, where Maple Gas have a licence agreement with Petroperu in Block 31-B.

In order to complete this study we need to conduct interviews with various sectors of the population (the industry, academics, national and local authorities, NGOs and the indigenous population) with the aim of achieving the fullest and most objective vision possible. The collaboration of the Ministry of Energy and Mines, and your own, will be essential and very valuable, especially your experience of the negotiations between Maple Gas and the Shipibo-Konibo communities in the region of Contamana, and also the recent events in the area of the river Corrientes.

Señorita Martínez will arrive in Lima on 13th October and will be in Peru until approximately 18th December. Between those dates she would be glad to be able to meet with you when convenient.

We shall be very grateful for your support in this study, which we hope you will consider relevant. Please do not hesitate to ask for further information if it should be needed. The best way of contacting Señorita Martínez is by email. Particulars are as follows:–

email: maria martinez-dominguez@strath.ac.uk and line: 0044 141 337 2262
mobile: 0044 7723 916651
mobile (Lima) 92476437

Many thanks in anticipation for your time and help.

Yours sincerely

(signed) D. MILLER (Professor)

Head of Department

Ministerio de Energía y Minas
Asuntos Ambientales Energéticos
Av. De las Artes Sur
260 San Borja

A la atención del Director General de asuntos ambientales energéticos :

A través de la presente carta le hago llegar mis saludos y al mismo tiempo aprovechar la ocasión para pedirle su colaboración en el estudio que la Srta. María Martínez está realizando en el Departamento de Sociología y Geografía de la Universidad de Strathclyde en Escocia (Reino Unido).

El estudio consiste en analizar las relaciones entre poblaciones indígenas y las empresas petroleras (estatales y privadas), que operan en su territorio con el objetivo final de promover un mayor entendimiento y diálogo entre ambas partes. Esperamos que este estudio beneficie tanto a la industria como a la población indígena. Aunque el estudio tendrá un carácter general, contará también con varios casos prácticos en el Perú y Ecuador, en concreto en Perú nos centraremos en la zona de Pucallpa y Contamana donde Maple gas tiene un contrato de licencia con Petroperu en el bloque 31-B

Para poder llevar a cabo este estudio necesitamos realizar entrevistas con varios sectores de la población (industria, académicos, autoridades nacionales y locales, ONGs, y población indígena), con el fin de tener una visión lo más completa y objetiva posible. La colaboración del Ministerio de Energía y Minas y de su persona sería esencial y muy valiosa, especialmente su experiencia acerca de como fueron las negociaciones entre la empresa Maple Gas y las comunidades Shipibo-Konibo en la región de Contamana. *Y también los eventos recientes en el Río Comientes.*

La Srta. Martínez viajará a Lima el 13 de octubre y estará en el Perú hasta el 18 de Diciembre aproximadamente. Dentro de estas fechas ella estaría gustosa de poder reunirse con usted cuando esté disponible.

Estaríamos muy agradecidos de poder contar con su apoyo en este estudio que esperamos consideren relevante. Por favor no dude en pedirnos más información si fuese necesario. La mejor forma de ponerse en contacto con la Srta. Martínez es a través del correo electrónico, sus datos son los siguientes:

Correo electrónico: maria.martinez-dominguez@strath.ac.uk

Teléfono fijo: 0044-141-3372262

Celular: 0044-7723916651

Celular Lima: 92476437

Muchas gracias de antemano por su tiempo y colaboración.

Atentamente



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Professor of Geography: Professor Michael Pacione, MA PhD DSc
Professor of Sociology: Professor David Miller, BSc PhD



INVESTOR IN PEOPLE

Contamana, 7th November 2006

Guillermo Ferreyros y Raúl Solano
General Manager and Operations Manager
Maple Gas Pucallpa
Aguerrizabal 300
Calleja Coronel Portillo
Pucallpa

Dear Señor Ferreyros and Señor Solano

On behalf of the Canaán Indigenous Community of Cachiyaku I write again to inform you that we have a visit from a student, Señorita María Teresa Martínez, of the University of Strathclyde in Scotland (United Kingdom) as an independent investigator.

Her Doctorate study consists of analysing the relations between indigenous peoples and the oil companies (both state and private) which operate in their territories, with the aim of achieving better understanding between the two parties. She hopes that this study will be able to benefit the industry as much as the indigenous population.

To carry out this study Señorita Martínez needs to carry out interviews with various sectors of the population (the industry, academics, local authorities, NGOs and the indigenous population). She has already interviewed Señor ----- of Perupetro, in Lima. Her visit to the oilwells situated in the territory of the Community is simply to see them as part of her sociological-anthropological study, in order to gain a better idea of the situation in Canaán as regards the oil industry.

As I said in my earlier letter I shall be grateful if you will authorise the person in charge of the Maquía base camp to allow Señorita Martínez to have access to the area, accompanied by myself as the designated representative of the Community.

Once again I would assure you of our Community's desire to achieve good relations and mutual understanding.

Yours sincerely

JUAN BOLÍVAR

Contamana, 07 de Noviembre del 2006

Guillermo Ferreyros y Raúl Solano
Gerente General y Gerente de Operaciones
Maple Gas Pucallpa
Aguerrizabal 300
Calleria Coronel Portillo
Pucallpa

Estimado Sres. Ferreyros y Solano

De mi mayor consideración:

Reitero el cordial saludo a nombre de la Comunidad Nativa Canaán Cachiyacu y al mismo tiempo manifestar lo siguiente.

Tenemos una visita de una estudiante, la señorita María Teresa Martínez, de la universidad de Strathclyde, en Escocia (Reino Unido), en calidad de investigadora independiente.

El estudio de doctorado consiste en analizar las relaciones entre poblaciones indígenas y las empresas petroleras (estatales y privadas), que operan en su territorio con el objetivo final de promover un mayor entendimiento y diálogo entre ambas partes. Ella espera que este estudio pueda beneficiar tanto a la industria como a la población indígena.

La Srta. Martínez, para realizar este estudio, necesita realizar entrevistas con varios sectores de la población (industria, académicos, autoridades locales ONGs, y población indígena). Ella se ha entrevistado ya con el Sr. ---- de Perupetro en Lima. La visita a los pozos que se encuentran en el territorio comunal, es puramente de reconocimiento como parte de su estudio sociológico-antropológico, y así poderse hacer una mejor idea de la situación en Canaán en relación a la industria petrolera.

Como ya le dije en mi carta anterior le solicito que usted autorice al encargado del campamento "Base Maquíá" para que la Srta. Martínez pueda acceder a la zona acompañada de mi persona, Juan Bolívar, que he sido designado por la comunidad.

Sin otro particular me suscribo de usted, reiterándole la voluntad de nuestra comunidad en llegar a buenas relaciones y entendimiento mutuo.

Muy atentamente,

JUAN BOLÍVAR

For the attention of the local Army or Police representative:

This is to inform you that Mrs. María Teresa Martínez, passport number AE097512, is studying for a Doctorate in the Department of Sociology and Geography of the University of Strathclyde in Scotland (United Kingdom).

Señorita Martínez is travelling to Lima on 13th October 2006 and will be in Peru until approximately 27th December. From there she will be travelling to Ecuador and will be there until the beginning of May 2007.

This study involves fieldwork in several indigenous communities in Peru (Ucayali and Amazonas regions) and in Ecuador (Pastaza and Sucumbíos regions) and also in towns near to those communities. In order to reach some communities Señorita Martínez will have to travel by river, air and overland. I trust that she can rely on your support to enable her to move freely and safely in order to carry out her study.

Many thanks in anticipation of your help and co-operation.

Yours faithfully

(signed) D. MILLER (Professor)

Head of Department

A la atención del Representante Militar/Policial en la zona:

A través de la presente dejo constancia de que la Srta. María Teresa Martínez Domínguez, con n° de pasaporte (AE097512) está realizando un estudio de doctorado en el Departamento de Sociología y Geografía de la Universidad de Strathclyde en Escocia (Reino Unido).

La Srta. Martínez viajará a Lima el 13 de octubre de 2006 y estará en el Peru hasta el 27 de diciembre aproximadamente, de ahí viajará al Ecuador donde permanecerá hasta primeros de mayo de 2007.

Parte de este estudio consiste en realizar un "trabajo de campo" en varias comunidades indígenas del Perú (región Ucayaly y Amazonas) y el Ecuador (región Pastaza y Sucumbíos), así como en ciudades cercanas a estas comunidades. Para poder acceder a ciertas comunidades la Srta. Martínez necesitará viajar por vía fluvial, aérea y terrestre. Espero contar con su apoyo, para que se pueda movilizar libremente y cuente con la seguridad necesaria para poder realizar su estudio.

Muchas gracias de antemano por su ayuda y colaboración.

Atentamente

(firmado) D. MILLER (Profesor)

Jefe del Departamento

University of Strathclyde
Department of Geography and Sociology
Graham Hills Building
50 Richmond Street
Glasgow G1 1XN

Ecuadorian
Julio Mantovelle 128
Quito, Ecuador

For the attention of Humberto Cholango

Dear Señor Cholango

I shall be grateful for your assistance in the study being undertaken by Señorita Teresa Martínez in the Department of Geography and Sociology of the University of Strathclyde in Scotland (United Kingdom).

The study consists of analysing the relationships between indigenous populations and the oil companies and other extractive industries operating in their territory. Although the study will be general in character, it will also rely on several particular cases in Peru and Ecuador. In Peru we shall concentrate on the Shipibo-Konibo community of Canaán de Cachiyaku, and the other two cases, in Ecuador, will be Kichua community of Sarayaku and the Cofán community of Dureno.

In order to complete this study we need to conduct interviews with various sectors of the population (NGOs, the indigenous population, industry, academics and local authorities) with the aim of achieving the fullest and most objective vision possible.

Señorita Martínez will arrive in Ecuador on 2nd January 2007 and will be in the country until approximately the beginning of May. Between those dates she would be glad to be able to interview some people in your organisation, especially those who have closely followed the process of recovery of indigenous territory and relations with the extractive industries.

We shall be very grateful for your support in this study, which we hope you will consider relevant. Please do not hesitate to ask for further information if it should be needed. The best way of contacting Señorita Martínez is by email. Particulars are as follows:

email: maria martinez-dominguez@strath.ac.uk; aguarunaes@yahoo.es

mobile: 088-306003

Many thanks in anticipation for your time and help.

Yours sincerely

(signed) D. MILLER (Professor)

Head of Department

ECUARUNARI
Julio Mantovelle 128
Quito, Ecuador

A la atención de Humberto Cholango

A través de la presente carta le hago llegar mis saludos y al mismo tiempo aprovechar la ocasión para pedirle su colaboración en el estudio que la Srta. Teresa Martínez está realizando en el Departamento de Sociología y Geografía de la Universidad de Strathclyde en Escocia (Reino Unido).

La investigación consiste en analizar las relaciones entre poblaciones indígenas y las empresas petroleras y otras industrias extractivas que operan en su territorio. Aunque el estudio tendrá un carácter general, contará también con varios casos prácticos en el Perú y Ecuador. En Perú nos centraremos en la comunidad Shipibo-konibo de Canaán de Cachiyaku, y los otros dos casos serán la comunidad Kichwa de Sarayaku y la comunidad Cofán de Dureno del Ecuador.

Para poder llevar a cabo este estudio necesitamos realizar entrevistas con varios sectores de la población (ONGs, población indígena, industria, académicos y autoridades locales), con el fin de tener una visión lo más completa y objetiva posible.

La Srta. Martínez viajará a Ecuador el 2 de Enero de 2007 y estará en Ecuador hasta primeros de mayo aproximadamente. Dentro de estas fechas ella estaría gustosa de concertar una entrevista con su organización, especialmente con personal que haya seguido de cerca el proceso de reivindicación territorial indígena y su relación con las industrias extractivas.

Estaríamos muy agradecidos de poder contar con su apoyo en este estudio que esperamos consideren relevante. Por favor no dude en pedirnos más información si fuese necesario. La mejor forma de ponerse en contacto con la Srta. Martínez es a través del correo electrónico, sus datos son los siguientes:

Correo electrónico: maria.martinez-dominguez@strath.ac.uk, aguarunaes@yahoo.es

Celular: 088-306003

Muchas gracias de antemano por su tiempo y colaboración.

Atentamente

(signed) D. MILLER (Professor)

Head of Department

List of Oil Spills in Ecuadorian state-own oil fields (January 2005- August 2006)



Ministerio de
Energía y Minas
República del Ecuador

DIRECCIÓN NACIONAL DE PROTECCIÓN AMBIENTAL
LISTADO DE DERRAMES CAMPOS DE PETROPRODUCCIÓN Y SOTE
PERIODO ENERO 2005-AGOSTO 2006

No	Fecha/ Derrame	Instalación	Lugar	Causa		Componentes Afectados	VOLUMEN (bbls)		AREA.AFC. (m-2)	
				Descrip.	Atentado		Derr.	Recup.	PP	Otros
1	2-Jan-05	Sacha 42	L. Flujo	rotura de O-ring en la VRF	No	Plataforma	2	1	nd	nd
2	3-Jan-05	Parahuaco 02	Línea de flujo	suspiro robo de la tubería.	Si	Suelos, pantano, riveras del río lagrimas del coneto	nd	nd	nd	nd
3	3-Jan-05	pozo Parahuaco 02	Línea de flujo	robo de tubería	Si	suelo, pantano, rivera río	5	nd	nd	nd
4	4-Jan-05	Cononaco 06	Línea de flujo, a 6Km. Del recinto Andina	Falla técnica, acumulación varios derrames	No	Zona pantanosa, pastisales, fuentes de agua	nd	nd	279699	nd
5	4-Jan-05	Cononaco 06	Línea de flujo, a 6Km. Del recinto Andina	Falla técnica, acumulación varios derrames	No	Zona pantanosa, pastisales, fuentes de agua	5	nd	279699	nd
6	6-Jan-05	Tetete 12	Línea de flujo	Falla en la válvula Block de, en la Y de ingreso al TTT 12	No	Terreno y vivienda del señor Onorato Bake	3	nd	nd	nd
7	7-Jan-05	Secoya-Sacumbios	Línea de transferencia	Corte de tubería	Si	Suelo	nd	nd	nd	nd
8	12-Jan-05	Sacha 32	L. Flujo	manipulación de la válvula de aguja	?	Plataforma	1	0.5	nd	nd
9	14-Jan-05	Sacha 173	L. Flujo	Corrosión externa	No	Derecho de vía	0.5	0.5	200	nd
10	14-Jan-05	Sacha 12	L. Flujo	3 Cortes de la línea de flujo -Atentado	Si	Derecho de vía, Plataforma.	5	4	nd	nd
11	18-Jan-05	Shushufindi 76	L. Flujo				4	nd	nd	nd
12	19-Jan-05	Línea de flujo	Estación Guanta	Ruptura de empaques en la válvula	No	Suelos entre la carretera y la estación	1	nd	nd	nd
13	20-Jan-05	Sacha 42	Pozo	Falla del Oring	No	material pétreo plataforma	2	1	nd	nd
14	20-Jan-05	Sacha 12	Línea de flujo	Atentado (corte tub)	Si	suelo, vegetación menor	5	4	nd	nd
15	20-Jan-05	Sacha 173	Pozo Parroquia ENOKANKI	Corrosión externa	No	DDV oleoducto	0.5	nd	nd	nd
16	20-Jan-05	Sacha 42	Pozo	manipuleo válv. Agua	Si	material pétreo plataforma	1	0.5	nd	nd
17	20-Jan-05	Shushufindi 76	L. Flujo				1	nd	nd	nd
18	21-Jan-05	Estación Tapi	Estación Tapi	rotura empaque válv. Block.	No	pantano y propied. Jiménez y Alvarado	4	nd	nd	nd
19	22-Jan-05	Estación Tapi	Estación	Falla en la válvula Block rotura del empaque	No	plataforma y pantano aladaño	4	nd	nd	nd
20	26-Jan-05	Shushufindi 82	L. Flujo				2	nd	nd	nd
21	28-Jan-05	Shushufindi 76	Línea del pozo				2	nd	nd	nd
22	28-Jan-05	Shushufindi 82	Línea de flujo pozo				0.52	nd	nd	nd
23	30-Jan-05	Sacha 47	L. Flujo	Corte en la línea	Si	Suelos, riachuelo, vegetación	4	3	nd	nd
24	31-Jan-05	Sacha 47	L. Flujo	Corte miento de robo	Si	Plataforma	4	3	nd	nd
25	2-Feb-05	Secoya 17	Línea de flujo	Corte en la línea de flujo.	Si	Derecho de vía, suelos de propietario del terreno adjunto	2	nd	nd	nd
26	2-Feb-05	pozo Secoya 17	Línea de flujo	Atentado (corte tub)	Si	suelo y veget (derecho vía y terreno)	2	nd	nd	nd
27	3-Feb-05	Peña Blanca	Entrada al pozo oceano	Corrosión interna	No	Suelos, laguna, micro fauna y flora acuática	nd	nd	nd	nd
28	5-Feb-05	Sacha 42	VRF	Falla en la VRF	No	Plataforma	2	nd	nd	nd
29	5-Feb-05	Sacha 47	Línea de fluido motriz	corte tubería	Si	parte terreno INIAP	5	nd	nd	nd
30	5-Feb-05	Parahuaco 03 B	Sumidero	Rebozamiento del sumidero	No	Suelos, pasto (propiedad del señor, Julio Castro)	nd	nd	nd	nd
31	11-Feb-05	Tapi 05	Sumidero	Rebozamiento del sumidero	No	Suelos y pantano junto a la plataforma	1	nd	nd	nd
32	12-Feb-05	Sacha 10	a 100 metros el cabezal	robo de tubería	Si	Suelos, pasto	5	nd	nd	nd
33	12-Feb-05	Sacha 75	Plataforma	rotura de O-ring en la VRF	No	Plataforma	3	1	nd	nd
34	12-Feb-05	Sacha 175	Plataforma	rotura de O-ring en la VRF	No	Plataforma, finca de colono	4	nd	nd	nd
35	12-Feb-05	Sacha 162	Línea de flujo	corrosión interna	No	suelo, agua, veget y prop. Sr. Cornejo	50	40	nd	nd
36	14-Feb-05	Shushufindi 51	Entre los pozos 51 y 54				3	nd	nd	nd
37	15-Feb-05	Sacha 39	Cerca del acceso al Sacha 39	Corte	Si	Suelos, vegetación, riachuelo, microfauna	3	2	nd	nd
38	15-Feb-05	estación de Bombeo, área de máquinas	SOTE El Salado	rebozamiento de crudo en el intercambiador por la válvula de succión o válvula check de la descarga	No	suelo, estero y propiedad Sr. Pillajo	15	10	nd	nd
39	16-Feb-05	Shuara 15	Desde cabezal hasta unos 250 metros	Cortes	Si	Plataforma, terrenos de terceras personas	1	nd	26	nd
40	17-Feb-05	Sacha 75	L. Flujo	Corrosión externa	No	Suelos, vegetación	1	nd	nd	nd
41	17-Feb-05	Sacha 135	a 100 mts. De Sacha 07	Corrosión externa e interna	No	Junto a casa de un colono	5	nd	nd	nd
42	18-Feb-05	Sacha 03	Línea de fluido motriz 4 1/2"	Corte tubería	Si	veget, plantac, palmito y prop. privada	20	2	nd	8030
43	19-Feb-05	Secoya 16	Línea de flujo	Corrosión interna	No	Suelos y pantano junto a la plataforma	2	nd	nd	nd
44	20-Feb-05	Sacha 112	Línea de alta presión de 3 1/2"	Corte tubería	Si	terreno y vegetación	800	nd	17880	nd
45	21-Feb-05	Sacha 39	Línea de flujo	Corte tubería	Si	DDV, riveras estero sin nombre, vegetación	3	2	nd	nd
46	21-Feb-05	Sacha 24	Línea de flujo	Corte tubería	Si	suelo, veget, drenaje prop. Sr. Cuesta	2	1	nd	nd
47	24-Feb-05	Investor 06	Línea de agua de formación	Corte de línea	Si	Propiedad Privada	200	nd	nd	nd
48	27-Feb-05	Shushuqui 01	A unos 25 metros de cabezal	Corte en la línea de flujo	Si	Suelos del derecho de vía, arbustos con hojas manchadas. Propiedad Sr. Wani	1	nd	15	300
49	28-Feb-05	Sacha 186	A unos 100 metros del cabezal	Corrosión interna de la línea de flujo	No	Derecho de vía y terreno adjunto	3	nd	nd	nd
50	1-Mar-05	Sacha 143	Línea del sistema power oil	Corte en la línea	Si	Suelos, vegetación	5	nd	nd	nd
51	1-Mar-05	Sacha 143	Línea de Power Oil	Corte de línea	Si	-	5	nd	nd	nd
52	3-Mar-05	Pichinea 08	Línea de flujo	Corrosión interna	No	-	0.47	nd	nd	nd

No	Fecha/ Derrame	Instalación	Lugar	Causa		Componentes Afectados	VOLUMEN (m3)		AREA AFCC. (m2)	
				Descripción	Atendido		Derr.	Recup.	PP	Otros
53	3-Mar-05	Libertador Pichincha 08	Línea de flujo	Corrosión interna	No	derecho de vía y propiedad Sr. Salas	0.47	nd	10	nd
54	5-Mar-05	Sacha 93	Línea de flujo	Corrosión interna	No	Derecho de Vía.	1	0.71	nd	nd
55	5-Mar-05	Pozo Sacha 93	Línea de flujo	Corrosión interna	No	-	1	0.71	nd	nd
56	8-Mar-05	Conomaco 31	Pozo Conomaco 31	Negligencia	No	Propiedad privada. Agua	nd	nd	nd	nd
57	8-Mar-05	Conomaco 31	Pozo Conomaco 31	Negligencia	No	-	5	nd	nd	nd
58	11-Mar-05	Est. Sacha Norte 2	Sumideros	Reboscamiento de sumideros	No	plataforma. finca de colono	2	nd	nd	nd
59	12-Mar-05	Sacha 124	Línea de 6 5/8	robo de tubería	Si	plataforma	4	nd	nd	nd
60	12-Mar-05	Auca Sur 01	Áreas adyacentes a la plataforma del pozo	Derrames de fechas anteriores (Pasivo Ambiental)	No	Pantano, drenaje natural, suelos	nd	nd	nd	nd
61	16-Mar-05	Sacha 17 Línea principal de Sistema power oil	junto al ingreso del pozo a unos 500 metros de la garita central.	Accidente dde tránsito entre una Winche (Cla. Santa Fe) y un camión	No	Cuneta de la vía, vegetación y terreno adyunto	300	280	nd	nd
62	16-Mar-05	Tea de prueba en pozo Guanta 09	plataforma	inundación de la bota de gas del pozo que se encontraba a prueba	No	plataforma, suelos de terreno junto a la plataforma	3	nd	nd	nd
63	20-Mar-05	Libertador - Pozo Secoya 14	Estación Sucumbios	Corrosión interna y externa	No	área estación Sucumbios	0.47	nd	30	nd
64	25-Mar-05	Sacha 93	Línea de flujo	corrosión interna	No	Derecho de vía y terreno adyunto	2	1	nd	nd
65	26-Mar-05	Línea de oleoducto	16° Coman. Conambo	-	-	-	0.47	nd	nd	nd
66	26-Mar-05	Oleoducto secundario sector El Eno	Lago Agrio, Recinto Conambo	Accidente vehicular (Vehículo de la empresa NBP)	No	Suelos, vegetación, estero, riveras río Conambo y moradores Precooperativa Conambo	nd	nd	nd	nd
67	28-Mar-05	Línea de power oil del pozo Sacha 116	a unos 20 metros de cabezal	Atentado por robo supuesto robo de la tubería	Si	plataforma, y finca adjunta a la plataforma. Propietario no permite realizar la limpieza	4	nd	nd	nd
68	3-Apr-05	Línea de transferencia	Derecho de vía	Corrosión interna de la tubería	No	Suelos, propiedad privada- derecho de vía	2	1.5	nd	nd
69	8-Apr-05	Auca 15	Línea de flujo cerca del ingreso de la plataforma	Atentado corte en la línea de flujo	Si	Derecho de vía	0.5	nd	nd	nd
70	11-Apr-05	Línea de flujo de 4 1/2 pozo Sacha 186	Antes de llegar a la plataforma	Corrosión interna de la línea de flujo	No	Suelos Vegetación menor, agua que fluye por ese sitio derrame se produce junto a una casa.	4	3	nd	nd
71	11-Apr-05	Sacha 161	Rotura de la cañería de inyección de Químicos	Por trabajos que estaba realizando una moto niveladora de la Cia. Corecan rompen la línea de 1/4 de químicos	No	suelos de la plataforma	nd	nd	nd	nd
72	12-Apr-05	Auca 09	Línea de flujo a 300 metros del cabezal	Corrosión interna	No	Contaminación de suelos, estero y una poza de agua	nd	nd	nd	nd
73	14-Apr-05	Sansahuri 09	Línea de flujo	Corrosión interna de la tubería en el km 34 (entrada al pozo SSH 02)	No	Contaminación de suelos, vegetación y de un estero	15	10	nd	nd
74	18-Apr-05	Shuara 14	Línea de flujo del pozo Shuara 14.	Atentado	Si	Derecho de Vía y Terreno con maleza.	3	nd	nd	nd
75	18-Apr-05	Tetete - Frontera.	Línea de transferencia	Caliche	No	Propiedad PPR, Terreno, Estero y Pantano	10	nd	nd	nd
76	20-Apr-05	Sucumbios - Lago Agrio.	Línea de transferencia	Atentado	Si	Terreno y estero.	nd	nd	nd	nd
77	29-Apr-05	Cuyabeno 4	-	Corrosión interna	No	Se contaminan fincas, esteros, vegetación y cuerpos de agua. (según informe de PPR)	1	0.75	nd	nd
78	9-May-05	Conga 01	Línea de flujo a unos 200 metros del cabezal.	Corrosión interna de la tubería	No	Derecho de vía y propiedad del señor Patricio Ortega.	4	nd	nd	nd
79	12-May-05	Línea de transf de la est. Sur-Oeste.	Vía palmeras del Ecuador	-	-	-	1	nd	nd	nd
80	12-May-05	Oleoducto secundario Shushufindi Sur Oeste - Sur - Central.	Vía palmeras del Ecuador	-	-	-	nd	nd	nd	nd
81	18-May-05	Auca 37	Localización y acceso	Robo tubería	Si	prop. Sr. Rogelio Montalván	5	nd	nd	175 m2
82	22-May-05	Sacha Sur	Sector la Y de Parker	Falla operativa del vacun	No	Por falla en la válvula de Vacun de NBP, se derrama crudo + agua sobre la vía en el sector de la Y de Parker	1	0.50	nd	nd
83	22-May-05	Estación Sacha Sur	Sumidero	falla operacional	No	suelo en el interior de la estación	2	1.5	nd	nd
84	22-May-05	Cuyabeno	Piscina API, Acceso Cuy-22	Reboscamiento de la piscina por mala operación - negligencia	No	se recupera el crudo con bombas, tambores y material absorbente, para colocar en el sumidero	10	nd	nd	nd
85	23-May-05	Pacayacu 01	Línea de Transferencia	robo de tubería	Si	terreno y DDU	nd	nd	nd	nd
86	25-May-05	Sacha 80	Sacha 80	Corrosión interna de la tubería.	No	contaminación de una área considerable en el sector de ingreso de la al pozo Sacha 80	220	200	nd	nd
87	25-May-05	Sacha Central	Tanque Emperrado	Falla en el sistema de control del nivel automatico de la ACT N°1	No	Áreas de PPR	75	nd	8000	nd
88	1-Jun-05	Auca 22	Línea de flujo	corrosión interna	No	suelo y riachuelo	4	nd	nd	nd
89	1-Jun-05	Auca 38	Línea de flujo	-	-	prop. Sra. Coronel.	nd	nd	nd	2500 m2
90	1-Jun-05	Shuara 11	Pacayacu	Corrosión	No	Terrenos Srs. Sanabria	nd	nd	nd	18698.83
91	3-Jun-05	Guanta - Lago Agrio.	Línea de transferencia -	Desgaste y corrosión interna	No	Se afecta propiedad Sr. Sarango.	2	nd	nd	nd
92	4-Jun-05	Auca 02	Línea de Power Oil	Atentado, corte de la línea de flujo	Si	Se realiza un corte en frío en la línea del sistema power oil la zona afectada es de gran proporción, se contaminan la propiedad de terceros, vía, río, suelo, finca y microfauna.	28	20	nd	nd
93	7-Jun-05	Estación Pichincha	Pacayacu	Corte de tubería	Si	Finca Sr. Luis Carreño y Jesús Guayana	nd	nd	22000	nd

No	Fecha/ Derrame	Instalación	Lugar	Causa		Componentes Afectados	VOLUMEN (mts)		AREA AFC. (m-2)	
				Descrip.	Atendida		Descz.	Recup.	PP	Otras
94	12-Jun-05	Sacha 116	Línea de flujo	Corte de la línea (Robo de la tubería)	Si	Corte se realiza a la altura de estero s/n colocando enterrando unos 200 metros de estero. Se colocan barreras	1	1/2	nd	nd
95	19-Jun-05	Auca 28	Línea de flujo	corrosión interna	No	DDV y propiedad privada	4	nd	60	1000
96	19-Jun-05	OTA	Km 14 + 100	Alertado, corte en la línea de flujo	Si	Se continúa derecho de vía y terrenos adyacentes (aprox 1000 m ²)	90	20	nd	nd
97	20-Jun-05	Auca 38	Línea de flujo del pozo Auca 38 cerca del ingreso al Auca 30	Corrosión interna	No	Contaminación de suelos, el crudo se infiltra contaminando un potrero y río Sur. Se colocan barreras que no son suficientes para contener	4	nd	nd	nd
98	5-Jul-05	Cononaco 08	Pozo Cononaco 08	Corrosión externa	No	Terreno	8	nd	520	nd
99	5-Jul-05	Cononaco 08	Pozo Cononaco 08	Corrosión externa	No	Terreno	8	nd	520	nd
100	27-Jul-05	Shushufindi 15 A	Línea de flujo de 4 1/2"	Corte de tubería	Si	DDV y estero sin nombre	30	28	nd	nd
101	29-Jul-05	Pozo Sacha 82	Línea de flujo de 4 1/2"	Corrosión interna	No	ninguno	10	8	825	825
102	2-Aug-05	pozo Sacha 186	Línea de flujo de 4 1/2"	Corrosión interna	No	Área pantanosa	1	1	10	nd
103	6-Aug-05	Pozo Sacha 161	Línea de flujo	Alojan tuercas	Supuestamente	Suelos, vegetación rastrera, agua en menor magnitud.	3	2	nd	nd
104	8-Aug-05	Pozo Sacha 106	Línea de power oil	Corrosión interna	No	Agua, suelos, flora, fauna terrestre y acuática, río Yanaquincha	300	200	nd	nd
105	8-Aug-05	Atacapi 23	Línea de flujo, Via Lago Agrio-Cuyabeno, Km.28.	Perforación a la línea de flujo	Si	DDV, terreno y estero	50	nd	10	12900
106	16-Aug-05	Pozo Shushufindi-11	Línea de flujo de 4 1/2"	Rotura de manómetro y volante de válvula ORBI	Si	Plataforma del pozo	20	18	180	nd
107	17-Aug-05	Pozo Sacha 161	Locación del pozo	Apertura de la válvula de 2" casing	Si	nd	50	nd	nd	nd
108	17-Aug-05	Pozo Sacha 163	Locación del pozo	Presurización por motivo de cierre del pozo BES (Bombeo Electro Sumergible)	No	nd	5	nd	nd	nd
109	18-Aug-05	Pozo Sacha 189	Cabezal del pozo	Rotura del conector de la válvula de aguja de la inyección de químicos	Si	Plataforma del pozo, área transformador y Such Board	20	nd	2000	900
110	18-Aug-05	Oleoducto Saucumbios-Lago Agrio	1Km. Pasando la Y de Harberth via a Lago Agrio	Corte en la línea del oleoducto con seguetá	Si		30	nd	10	11500
111	26-Aug-05	Pozos Sacha 123 y 52	Líneas de flujo (a 40 y De la plataforma del pozo Sacha 123)	Ultime carga de dinamita probablemente fue colocada sobre un marco H	Si	Ninguno, la explosión no rompió las líneas de flujo, no se produce derrame	nd	nd	nd	nd
112	31-Aug-05	Secoya 21	Línea de flujo	Corrosión interna y externa	No	Terreno, pantano y DDV	10	nd	15	3600
113	31-Aug-05	OTA	Km 24 + 500				5	nd	nd	nd
114	13-Sep-05	Auca 16	Línea de flujo de 6 5/8"	Corrosión interna	No		2	1.8	nd	300 aprox.
115	15-Sep-05	Oleoducto secundario Pichincha-Secoya	a 400 m. Al Sur del Río Granito	Perforación con broca	Si	Terreno, pantano, DDV.	5	nd	nd	750
116	17-Sep-05	Estación Central	Área de contadores Ox	Acooplamiento de toma de muestra de 1/2"	No	Suelo y canal de drenaje	3	nd	10	35
117	19-Sep-05	Secoya 23	Línea de flujo a 20 m de la entrada del pozo reinyectar shuara 18	Corrosión interna y externa de la línea de flujo	No	Terreno, pantano aladoño y DDV	5	nd	50	500
118	24-Sep-05	Pozo Cuy-14	Aladoño al río cuyabeno chico	Corrosión interna línea de flujo	No	Suelo y vegetación	30	25	800	
119	28-Sep-05	Sacha 162	Línea de flujo	Corrosión externa	No		10	nd	nd	8250
120	3-Oct-05	Sacha 89	Línea de alta presión	Corte de la línea	Si	plantaciones de maíz, Cacao, palmito	150	nd	2000	nd
121	4-Oct-05	Lago 30	Línea de fluido motriz	Corte de línea	si	suelo vegetación	0.11	nd	nd	nd
122	10-Oct-05	Sacha 03	Plataforma del pozo	Corte de cañería 3/8"	Si		3	nd	50	0
123	21-Oct-05	Pozo Shushufindi 80	Línea de flujo de 6" 5/8"	Robo de tubería	Si	DDV.	3	2.5	300	nd
124	24-Oct-05	Telete 02 (fuera de servicio)	Línea de flujo de 4" Aprox. Km. 30 via a TETEITE	Corte en la línea con seguetá	Si	DDV	0.23	nd	16	nd
125	28-Oct-05	Sacha Central	Cubetos de tanques empernados	Falla en el sistema de control del nivel	No	Ninguno	320	300	nd	nd
126	31-Oct-05	Sacha 34	Plataforma del pozo	Rebosamiento de sumidero	No		0.09	0.07	nd	nd
127	7-Nov-05	Auca 38	Línea de flujo 4 1/2"	Corrosión interna	No	DDV	1	nd	nd	no
128	26-Nov-05	Auca 22	Línea de flujo, via Auca Cononaco, sector El Cristal, via Tigüino	Corrosión interna	No	Agua suelos, flora y fauna terrestre y acuática, viviendas, cumeta de la vía, laguna, pantano, estero s/n que desemboca en el río Cristalino	40	nd	nd	nd
129	5-Dic-05	Sacha 47	Línea de alta presión	Corte de la línea	Si	Áreas del INIAP	35	2	500	9500
130	11-Dic-05	Parahuacu 3-B	Línea de flujo	Corte y robo de tubería	Si	DDV, zona inundable pantanosa adyacente	0.5	nd	100	nd
131	15-Dic-05	Shuara 10 y Shuara 18	en los pozos	aforamiento de agua de formación	No	plataforma, áreas de propiedad privada, zonas inundables, estero s/n afluyente del río Pacayacu	nd	nd	nd	nd
132	18-Dic-05	Shushuqui 16	Línea de flujo	No hubo la coordinación adecuada para la operación en el pozo	No	Plataforma y áreas aladoñas	nd	nd	100	200
133	19-Dic-05	Estación Sacha Central	Sumidero de la estación	Rebosamiento en el sumidero	No		8	3	6000	4000
134	22-Dic-05	Pozo Shushufindi 59	Línea de flujo 4"	Rotura del sello de empaque de válvula check	No	pantano de 30 m ² , y locación donde se encuentra bomba de transferencia	2	1	120	0
135	23-Dic-05	Auca 27	Línea de flujo	Corrosión interna	No		0.95	0.85	300m	0
136	24-Dic-05	Auca 03	Línea de alta presión	Corrosión interna	Si	Río	nd	nd	24	29976
137	30-Dic-05	Auca 51	Pozo	Negligencia operador	No	nd	2	nd	20	280

No	Fecha/ Derrame	Instalación	Lugar	Causa		Componentes Afectados	VOLUMEN (m3)		AREA AFCT. (m2)	
				Descrip.	Atendido		Derr.	Recup.	PP	Otros
	30-Dec-05	Oleoducto secundario Shushufindi-Lago Agrio	a 1Km de la Est. De bombeo para la inyección de agua	Robo de petróleo	Si	Estero	69	nd	nd	1100
138	31-Dec-05	Sacha 130	Línea de flujo	Corte en la línea	Si		5	0	0	300
140	31-Dec-05	Secoya 15	Línea de flujo	Corrosión	No	DDV, terreno alcedaño	8	7.5	100	500
141	4-Jun-06	Auca 33	Línea de flujo	Corrosión interna de línea enterrada	No	nd	4	nd	50	150
142	15-Jan-06	Parahuacu 04	Línea de fluido motriz	Corte en la línea	Si	DDV, pantano	3	2	300	150
143	26-Jan-06	Estación Sucumbios	Bomba de oleoducto de la Est. Sucumbios	Fatiga de material, repleo de la bomba	No	Plataforma de la estación, terreno	nd	6	2500	5500
144	28-Jan-06	Pozo Aguatico 10	Línea de flujo	Atentado (Corte de tubería)	Si	DDV, propiedad de terceros	4	nd	150	200
145	30-Jan-06	Estación Sacha Central	Sumidero de separadora	Rebosamiento en el sumidero por exceso de lluvias	No		3	2	500 m	0
146	1-Feb-06	Sacha 130	Línea de flujo	Corte en la línea (4" 1/2)	Si		8	6	0	1200
147	1-Feb-06	Auca 26	Línea de flujo	Corrosion interna	No	Propiedad Sra. Maria Hernández, estero, DDV, Pantano otro inmensurables	10	6	nd	1000
148	7-Feb-06	Sacha 59	Línea de flujo, vía de ingreso a Campo MDC Km. 4+700	Una motoniveladora produce un corte en la línea de flujo	No	Saclos, DDV, parte de propiedad privada (vegetación por aspersión de crudo)	nd	nd	nd	nd
149	8-Feb-06	Tetete	Plataforma Pozo Tetete 04	Atentado	Si	Plataforma, DDV y terreno terceros	3	2	300	1200
150	9-Feb-06	Pozo Guanta 10	Línea de flujo	Válvula del Cheec del pozo en mal estado	No	Zona pantanosa	3	2	No	40000m2
151	12-Feb-06	Pozo Shushufindi 20 A	Línea de flujo	Atentado (dos cortes de tubería)	Si	Pantano	4	nd	no	300
152	22-Feb-06	Guanta 15	Pozo	Corrosion de pulmon de succión de la unidad triplex	No	No	7	5	0	200
153	28-Feb-06	Miniestación Auca 17	Tanque	Corrosión del Tanque	No	Area de la miniestación y terrenos alcedaños	30	nd	1500	0
154	8-Mar-06	Lago Agrio 22	Campo Lago Agrio, Plataforma	Rebosamiento del sumidero	No	cunetas perimetral de la vía	4	3	500	no
155	9-Mar-06	Sacha 175	Línea de flujo de 6" 5/8 del Pozo	Acomodamiento empaque de válvula	No		20	18	200	310
156	10-Mar-06	Cononaco 35	Válvula del Cabezal del pozo				10	nd	500	1600
157	13-Mar-06	Pozo Shushufindi 56	Línea de flujo	Rotura de empaque en válvula de bloqueo del tanque bota	No	Agua y suelo	4	3	1800	nd
158	15-Mar-06	Pozo Lago Agrio 13	Plataforma del Pozo	Rebosamiento del sumidero	No	suelo (vegetación) plataforma,	2	1.5	150	no
159	16-Mar-06	Pozo Lago Agrio 32	Plataforma del Pozo	Atentado (corte parcial de la línea de flujo)	Si	estero, bosque secundario, zona de vida Bosque húmedo Tropical, sotobosque	4	1	no	240
160	21-Mar-06	Shushuqui 21	Línea de flujo	corrosión interna	No	plantaciones, potreros, estero, laguna piscina de pece.	nd	nd	nd	nd
161	27-Mar-06	Sacha 07	Línea enterrada pasa por asfalto (por confirmar línea de flujo Sa 07 o 134)	Corrosión en la línea	No	DDV estero sin nombre, afluyente río Quimehiyacu	2	1	300	0
162	30-Mar-06	Cononaco 08	Línea de flujo de 6"	Corrosion interna	No		5	nd	0	1800
163	31-Mar-06	Sacha 27 (CERRADO)	Línea de flujo de 4 1/2" - A la altura del pozo Sacha-19	Corte en la línea (4" 1/2)	Si		0.5	0.4	64	0
164	1-Apr-06	Sacha 148	Cabezal del pozo	Rebosamiento del contrapozo por mal tiempo	No	Areas de la plataforma y un estero denominado Arroyo Negro,	0.5	0.35	600	300
165	9-Apr-06	Auca 29	Línea de flujo de 6"	Corrosion interna	No	Propiedad Srs. Senen, Carpio, Torres, Mena y otros. suelos Con el oficio que presenta el P.R.A. Y la Evaluac. Socio-Amb. se menciona que las comunidades Pindo Rumiayacu, Los Leones, Virgen del Cuzco y Auca Sur son las afectadas	850	560	10	7000 m
166	12-Apr-06	Comunidad Ciudad Blanca	línea del oleoducto secundario Cononaco-Auca	corrosion interna tubería	No		5	0	20	580
167	23-Apr-06	Pozo Shushufindi 54	Línea de flujo	Corrosión interna	No	DDV	3	3	nd	nd
168	23-Apr-06	Pozo Guanta 2	válvula 4" entrada a la succión del pulmón	Rotura del empaque	No	nd	0.1	0.09	30	Si
169	25-Apr-06	Tetete 2	Línea de flujo	atentado	Si	DDV, terreno	2	1	400	1000
170	27-Apr-06	Shushuqui 04	Línea de flujo	atentado	Si	DDV, pantano	2.5	1.5	400	3000
171	28-Apr-06	Cononaco 06	Línea de flujo 6 5/8" del oleoducto Cononaco-Auca	corrosion interna tubería	No		0.5	nd	nd	nd
172	3-May-06	Pozo Guanta 11	Plataforma del Pozo	Robo de crudo	Si	nd	nd	nd	600	3100
173	8-May-06	Pozo Lago Agrio 35	Línea de flujo	Robo de crudo	Si	nd	0.07	0.07	5	nd
174	12-May-06	Shushuqui 20	Línea de flujo campo Shushuqui Entrada al Pozo SHU 03	Corrosion interna	No	DDV, terreno de terceros	0.5	nd	20	70
175	23-May-06	Pozo 14	Línea de flujo Cononaco - Auca	corrosion interna de la tubería	No		2	1.5	30	nd
176	23-May-06	Pozo 14 Cononaco Auca	Línea de flujo Cononaco - Auca	corrosion interna de la tubería.	No		2	1.5	30	nd
177	3-Jun-06	Sacha 63	Línea de fibra de vidrio del pozo	Rotura de la línea(se desconoce quien lo hizo)	Si	DDV, estero sin nombre que atraviesa por una zona inundable-pantanosa (propiedad privada señor Rodriguez)	3	1	0	600
178	11-Jun-06	Lago Agrio-Pacayacu	Km. 2 de la vía LA-Pacayacu	Robo de tubería	Si	nd	0.7	0.35	no	550

No	Fecha/ Derrame	Instalación	Lugar	Causa		Componentes Afectadas	VOLUMEN (M ³)		AREA AFC. (m ²)	
				Descrip.	Atendido		Derr.	Recap.	PP	Otros
179	16-Jun-06	Auca Inyector 05	Pozo	corrosion interna	No	Arca de propiedad de PPR	3	2	1000	nd
180	19-Jun-06	Sacha 93 B	Línea de flujo		No	riversas del río Valladolid	4	1	0	500 m lineales
181	2-Jul-06	Pozo Lago Agrio 27	Pozo	Ruptura de HYDRILL (amortiguador de triples) que alimenta al Pozo Lago 09. Por fuga de material	No	Terreno	4	1	0	600
182	4-Jul-06	Pozo Lago agrio 35	Válvula reguladora de flujo	Válvula reguladora de flujo	Si	Terreno	1	0.9	30m	20m
183	12-Jul-06	Tetete 10	vía a los Tetetes, precoperativa CHONE	atendido	Si	Estero.	nd	nd	nd	nd
184	20-Jul-06	Miniestación Auca 51	Pozo Auca 51	Descuido de ayudante de operaciones (se quedó dormido)	No	Terrenos y cuerpos de agua	80	nd	200	7800
185	10-Aug-06	Estación Lago Agrio Central	Plataforma del sistema de custodia automático de transferencia	Válvula de drenaje del filtro del contador mal cerrada	No	suelo de plataforma	20	17	500	0
186	16-Aug-06	Lago Agrio 32 B	Unión de la universal de la línea de flujo LA 32 B	Falla del empaque de la unión de la universal	No	Terreno	4	3.5	800	0
187	18-Aug-06	Cuyabeno 08	Línea de flujo	Atendido, corte en la línea	Si	suelo, pantano, río lagunas, vegetación	490	100	nd	10000
188	27-Aug-06	Auca 01	Válvula de aguja (fluido matriz)	Daño en la válvula de aguja	No	Terrenos, propiedad privada y no se afectó cuerpos de agua	5	3	40	1900 m
189	7-Sep-06	Pozo Auca 07	Línea de alta presión	Atendido corte en la línea de flujo	Si	terreno, río	80	nd	nd	nd
190	21.07/2006 fecha de MEMO	Yulebra 02 Yulebra 06	Pozo			propiedad Sr. Herman Pino y Miguel Carchi	nd	nd	nd	nd
191	24/05/2005 fecha corresponde a la notificación de denuncia	AGUA DE FORMACIÓN Pozo reinector Shushufindi 45 A	Shushufindi 45 A	Roptura del casing tubing	No	Pantano, suelos, esteros y río La Sur	nd	nd	nd	nd

nd: no determinado

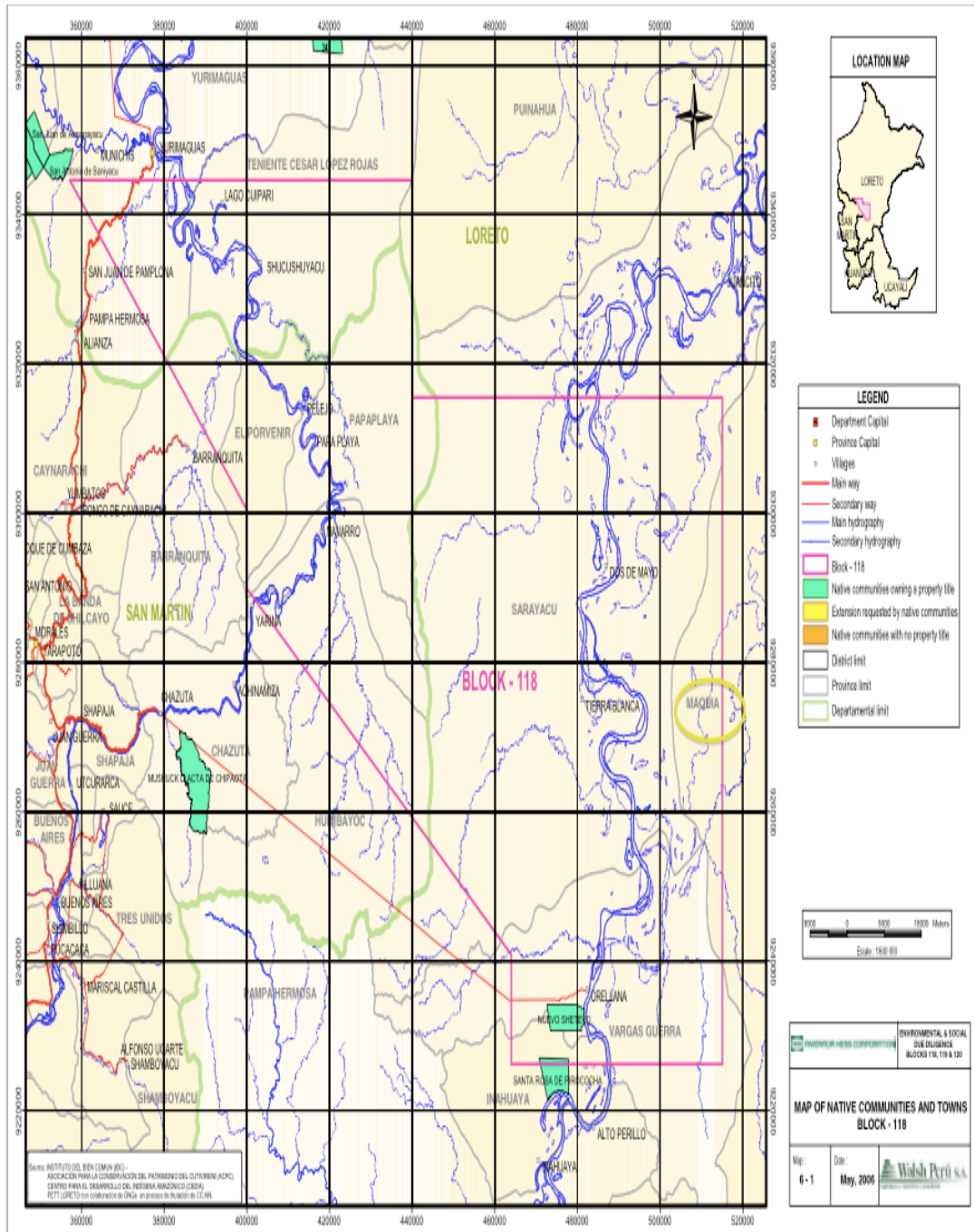
Fuente: Archivos DINAPA

Annex 4: Maps of the research locations

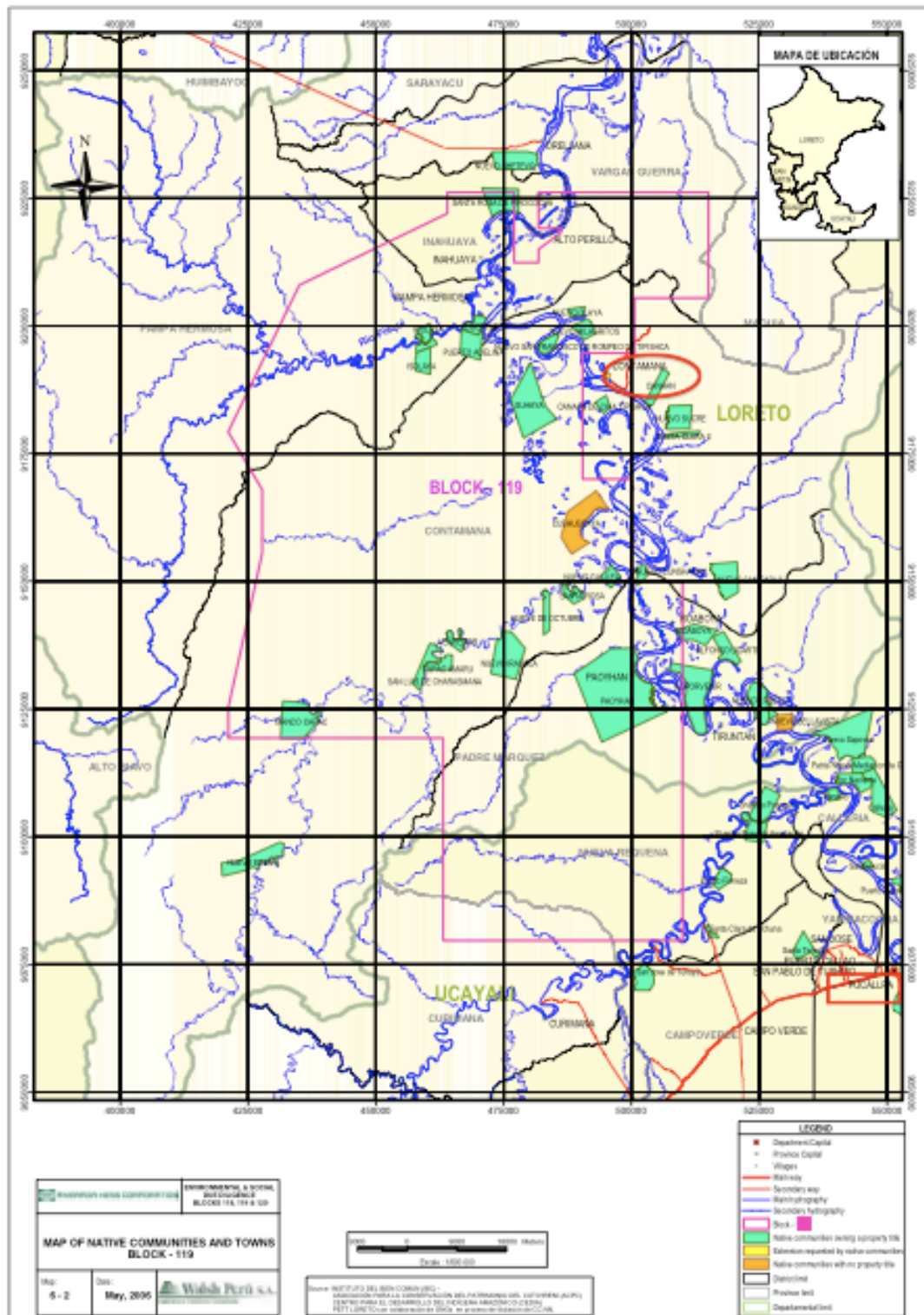
Peru Maps: Maps 1, 2 and 3 show the area occupied by oil blocks 118, 119, and 120 encircled within a pink line. I obtained these maps from Perupetro. The community of Canaán de Cachiyacu is located on the right bank of the lower Ucayali River, close to the town of Contamana (Map 2), capital of the Ucayali province in the Loreto region. In Maps 2 and 3 I have marked Contamana with a red circle and Pucallpa with a red rectangle. In Map 1 I have circled in yellow the Maquía oilfield (block 31-B), located close to the community of Canaán.

Ecuador Maps: Map 4 has been prepared by Acción Ecológica (2006a) and shows the marginal oilfield operated by Petroecuador encircled within a pink line. I have marked the Cofán community of Dureno with a red circle. Map 5 shows the area where the Cofán communities are located in Colombia. Map 6 has been prepared by Acción Ecológica (2006a) and shows the oil block 23 within a pink line. I have marked the community of Sarayaku with a red circle. The “eye” symbol in Maps 4 and 6 represents actions of resistance against the oil industry. Map 7 has been extracted from a report prepared by Franklin Toala, from the community of Sarayaku, and is based on Military Cartographic Institute data. The green dashed line shows the route of the explosives for the seismic operation of oil block 23.

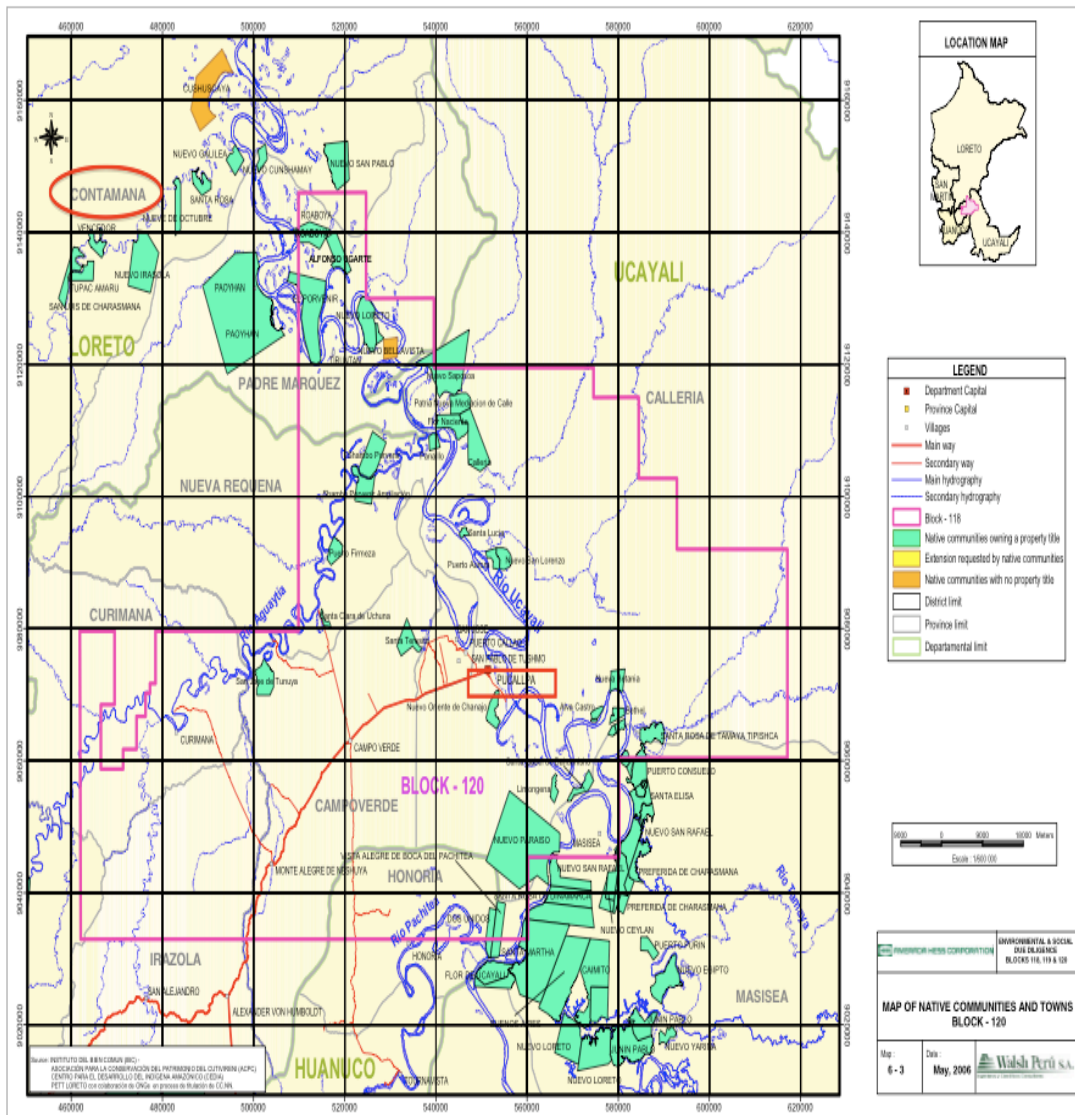
Map 1: Oil block 118, Peru



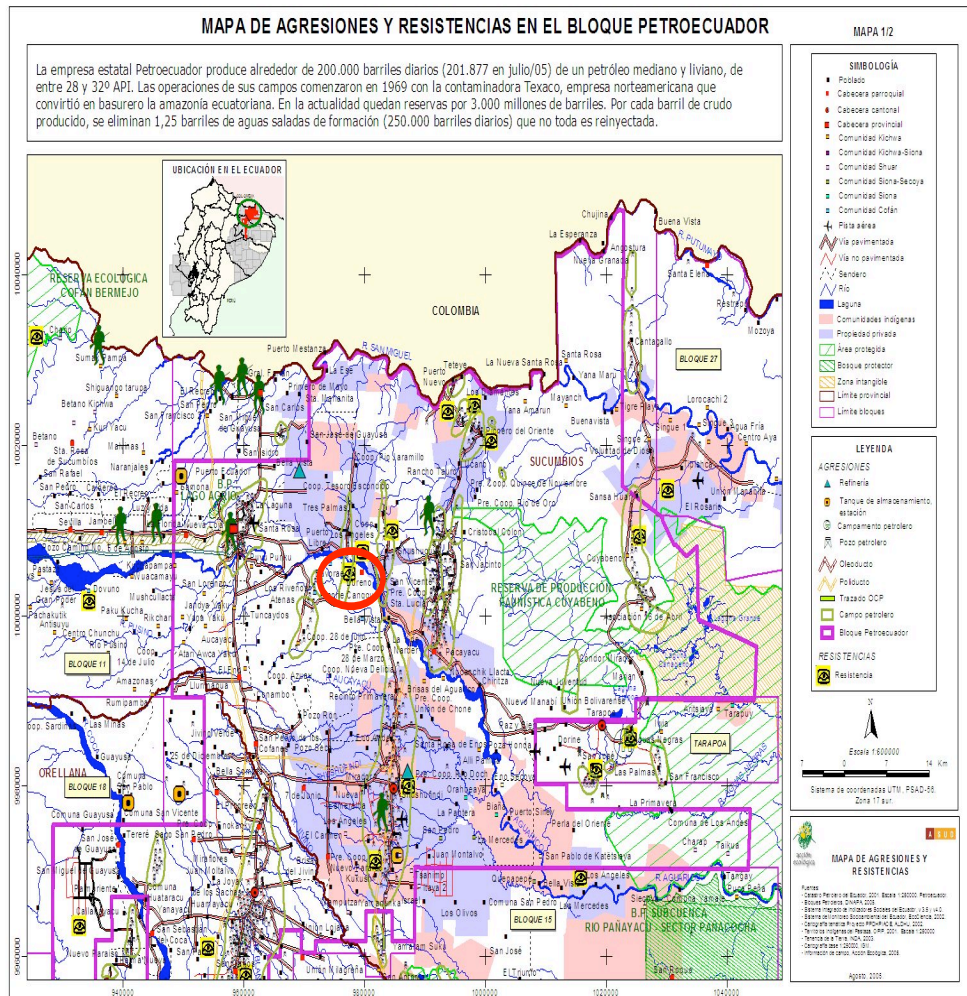
Map 2: Oil block 119, Peru



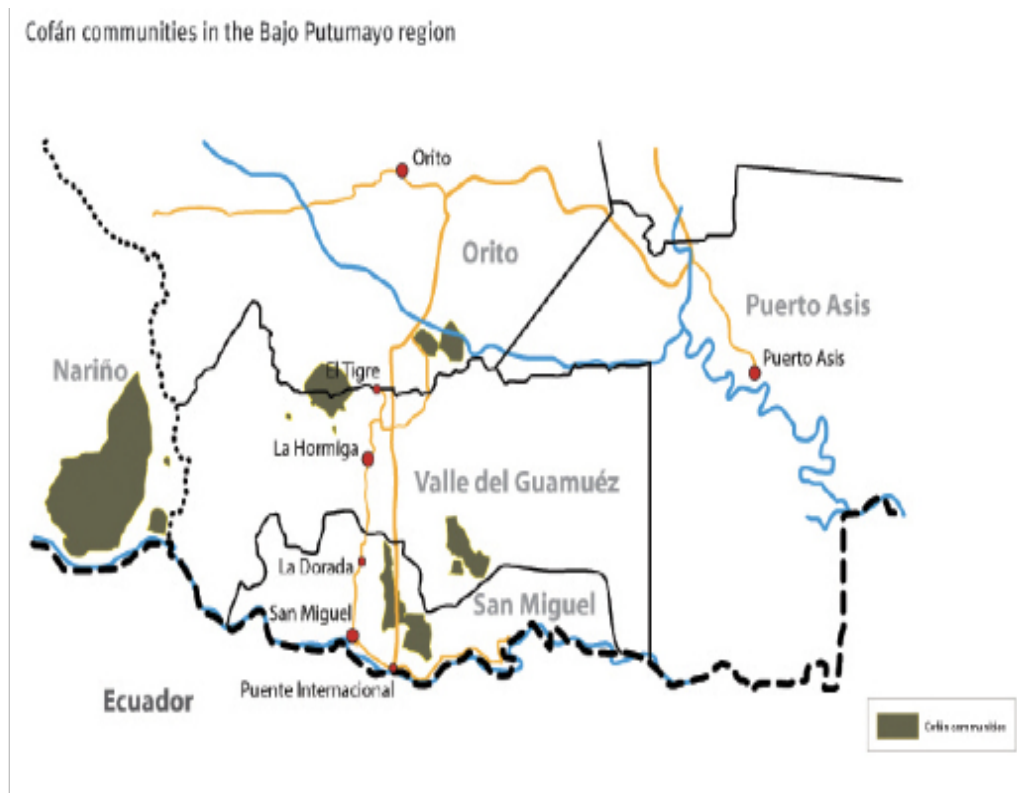
Map 3: Oil block 120, Peru



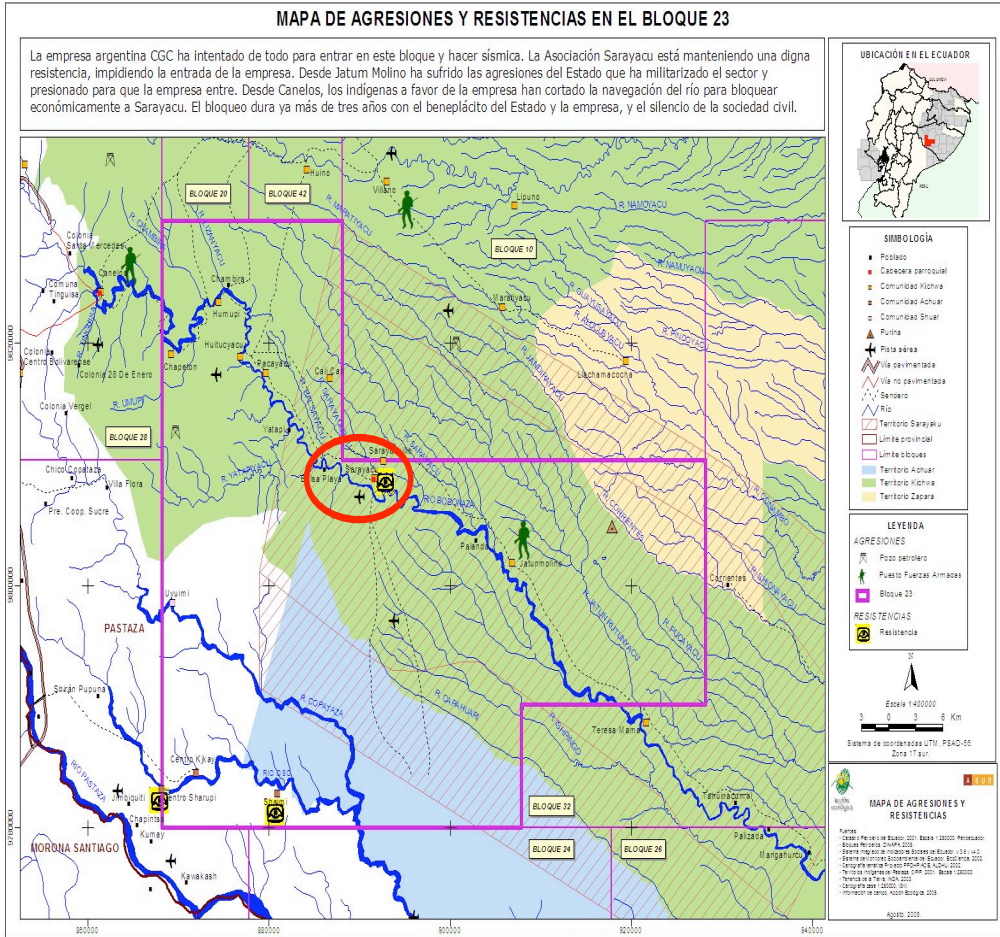
Map 4: Petroecuador marginal oilfield



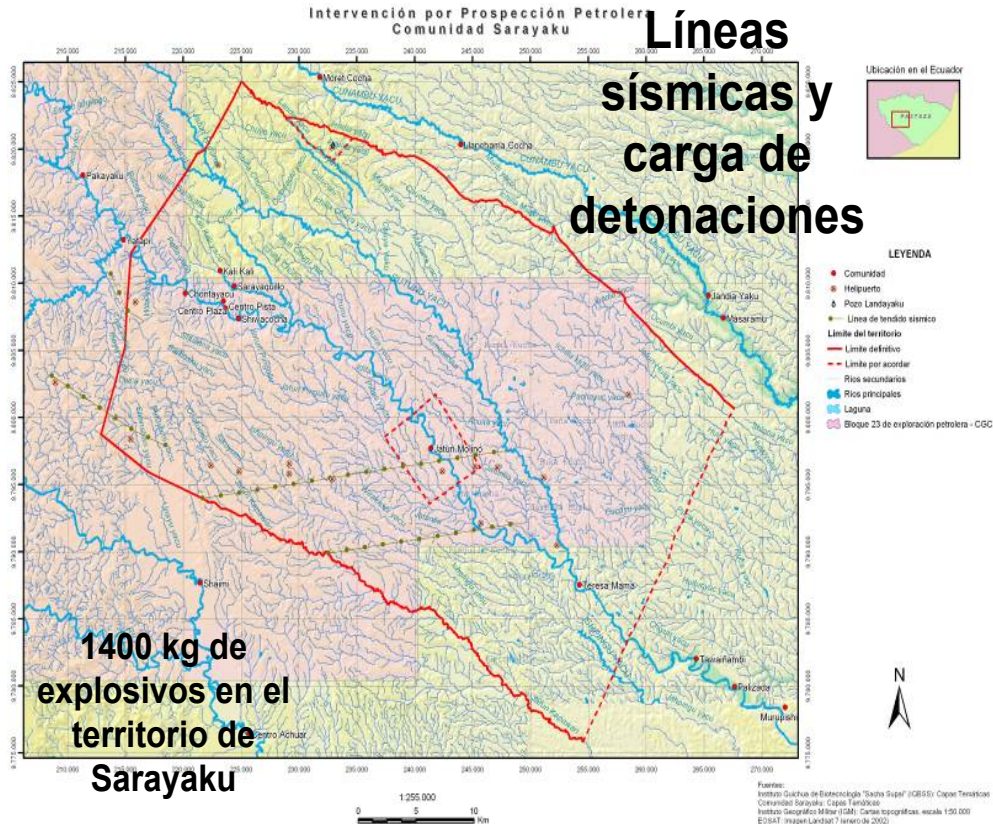
Map 5: Cofán communities in Colombia



Map 6: Oil block 23, Ecuador



Map 7: Seismic operation of oil block 23, Ecuador



Annex 5: Fieldwork documentary and photographs

This documentary and these photographs were presented at the 2008 British Sociological Association Conference Art Competition: “Social Worlds, Natural Worlds”.

Entry Title: The Shaman’s Oil (nuestro petróleo sagrado). ¹³¹

This film is about the struggle of the Cofán people against oil extraction in their territories. The Cofán are indigenous communities in the Ecuadorian Amazon, and due to the pressures of western development, and particularly the actions of the oil transnational Texaco for more than 30 years, communities have been very badly affected. Their traditional way of life is threatened and poverty is on the increase.

This pressure has obliged indigenous people to interact with a whole range of different actors involved in the oil conflict: transnational corporations, state representatives, local and international NGOs, the Church and academics, among others. These social relationships have influenced indigenous peoples’ relation with the natural world and have shaped the different forms of survival and resistance. Their process of survival is a reminder for all of us that there is a different way to relate with the natural world, one in which collective interest prevails over individual profit, sustainable management of the forest over the absurd over-exploitation of non-renewable resources and self-subsistence over consumerism, and in which the communal ownership of resources denies the legitimacy of private property rights.

¹³¹ I am responsible for the direction and production of the film. My colleague Glenda Rome was invited to live in the Cofán communities for a month and did most of the filming and editing work. This film can be copied and reproduced for educational and campaign purposes, and can be downloaded on <http://video.google.com/videoplay?docid=3545719708879370893&q=shamansoil&total=1&start=0&num=10&so=0&type=search&plindex=0>.

The film describes how the spirituality and cosmovision of the Cofán people play a very important role in their struggle against oil exploitation and their survival as people. Despite all the problems brought by the industry the Cofán communities have managed to set up actions to bring their plight to the attention of their national government, closing extraction from the original oil well drilled by Texaco.

The Cofán People is one of the case studies of my PhD thesis. I started to build trust with the Cofán People even before I started my PhD by helping them to produce this short documentary. The whole process of filming was a way for the Cofán people and me to get to know each other, and for me to look at their life and struggle through their eyes; that is why the film does not have a narrator. I believe the film shows new ways for sociologists to gain access and trust by listening to people's demands and by using filming as an emancipatory process for both the participants and the researcher. The film became a very useful tool for the community struggle and also helped me to gain credibility and trust with other indigenous groups as a researcher.

Entry Title: Post oil civilization: In search of a life in harmony. Photograph Series: Please see photographs in the following order: (1) Aircraft, (2) Smoke, (3) Open Flare, (4) Oil Spill, (5) Chicha, (6) The arrival of chickens, (7) Puppet dancing, (8) PR meal, (9) Healthy and Strong, (10) Commemoration

This series of photographs is a follow up of the short documentary 'The Shaman's Oil', which I have also submitted to the present competition. As the film tells the struggle of the Cofán people through their eyes, these photographs show the perspective of the researcher instead. The photographs were taken in different Amazonian indigenous communities, Shipibo-Konibo, Kichwa and Cofán, during my seven months of fieldwork in Ecuador and Peru as part of my doctoral thesis. All these communities have been affected by the oil industry but they are in different stages of their struggle against the oil activity in their territory, and they have chosen distinctive ways of relating with the industry.

In many cases the only way to reach these remote communities was by a small two-seater aircraft, probably fuelled by crude from the Amazon subsoil, and using the landing strips built and used by the American evangelical missionaries in the 70's and later on by the oil companies. As if zooming in the objective of my camera, the next photographs take the viewer into the legacy of oil exploitation in the Amazon rainforest during the last 30 years, which has left open flares, oil spills and destruction in its way. Women are the main transmitters of cultural traditions, such as the laborious preparation of the traditional drink 'chicha', made of 'yuca' plant, which can only be grown and prepared by women as they have the wisdom to connect with Mother Earth. Women have also been severely impacted by the industry, which has contributed to increased prostitution among indigenous women in oil production areas. Each year more than 32,000 barrels are spilt into the river systems. This means that every 2 -3 years, a spill as big as the *Exxon Valdez* takes place in the Amazon. This situation has drastically reduced fish, game, and traditional agriculture and obliged indigenous people to import food from local markets, as the photograph 'the arrival of the chickens' shows. This dependence tends to undermine their food sovereignty, and this, together with fast incorporation into the market economy, lack of jobs and increased poverty, has also affected their social cohesion.

As if all this destruction had never occurred, I witnessed various rounds of consultation processes in which the State and the Oil Industry introduce indigenous communities to a new era of development called 'high-tech oil production', where contamination is reduced to a minimum and social impacts are mitigated by the agreements reached in the Corporate Responsibility Programmes. The photograph 'puppet dancing' was taken during the annual celebration of the Shipibo community of Canaán, which was financed by the Texan company Maple Gas. In the photograph, the company men, the indigenous people, and myself dance together in a dance of power relationships where the puppeteer and the puppets can be easily interchanged. Everything is company branded, from the company caps distributed to all the community members to the indigenous craft, specially produced for the day, with the company maple leaf-logo. In the 'PR meal' picture the beauty queen is

looking in another direction, inviting us to look further as if the picture should not be seen in isolation. In order to survive as a culture, their territory is the most precious thing for an indigenous group. Therefore, the presence and the impacts of the oil industry have triggered resistance, which operates within a network of allies at both local and global level. The younger generation has had an important role in the struggle, becoming aware of the environmental and political relevance of their natural resources from a very early age. This is shown in the peaceful stand of the young boy protecting the border of his territory and carrying a message on his torso that reads 'I want to live healthy and strong'. Finally, young people of the Cofán communities commemorate the closing of an oil well in their territory, which no longer operates.

The photographs show not only the impacts of the oil industry in indigenous territory but how this activity is transforming the traditional relationship of indigenous people with nature and affecting their food sovereignty, political activity, and alliances with local and external actors. At the same time, this conflict between the natural and the social raises moral questions that go beyond the Amazonian border and also challenges our role as sociologists. For example, where is the border between activism and research, and how can we carry out non-oppressive research? What is our historical and current responsibility in the West for the destruction of habitats and traditional cultures in the South? What can we learn of cultures that strive for survival and a different relationship with nature? Is it possible to build a new civilization based on different ways of knowing and being, in which the binary nature-social maintains a harmonic instead of exploitive relationship?

As Rebeca, an elder from the Kichwa community of Sarayaku puts it:

“We do not want oil development in our territory because our territory is sacred. It is the Jawa pacha, Uku pacha, Kay pacha, which represents all our space: the surface, the cosmic space, and the subsoil. We are in a permanent search for the Sumak Kawsai or life in harmony.”

Photograph 1: Aircraft



Photograph 2: Smoke



Photograph 3: Open Flare



Photograph 4: Oil Spill



Photograph 5: Chicha



Photograph 6: The arrival of chickens



Photograph 7: Puppet dancing



Photograph 8: PR meal



Photograph 9: Healthy and Strong



Photograph 10: Commemoration



