

General Session Statement. Good afternoon, my name is Yaku Perez, I am Kichwa, and President of the ECUARUNARI and the Andean Coordination of Indigenous Organizations (CAOI).

Every week, 3 environmentalists are murdered for defending the land, water and forests; half of them are indigenous peoples. With 20% of the territories of the world, we guard 80% of the biodiversity of the planet and provide food to the cities. We are the voice of those who contribute their bodies, their territory, their lives. I myself was criminalized, kidnapped, brutally beaten, and suffered an attempted murder by a transnational company. The fact that I am here today to tell my story in my own voice is a miracle, I am not sure it will happen again. Thus, it is imperative that a treaty which contemplates the rights of indigenous peoples, environmentalists, women and workers, must include in an explicit manner the right to consent, precautionary principles, *in dubio pro* human being and nature, preventing heinous crimes, and ensuring that the crimes, the exploitation of human beings and mother nature, the criminalization of social resistance, the pillage, sexism, racism, and colonialism never go unpunished.

Indigenous peoples and the countries of the South are not a threat, we are a promise. No extraction project regardless of their profitability must sacrifice the life of human beings. Human life is priceless, it is worth more than a cathedral. We call upon States to legislate a legal instrument, not with the pocket, but with neurons and heart. Hopefully, the Treaty will become a light and inspiration to globalize hope. Thank you

Comment

1. The Treaty does not cover terms or deadlines within which the judicial administration must respond with their orders, court rulings or judgments. Let us remember that the justice that is not timely ceases to be justice. What if because of waiting too much the victim or alleged victim dies?
2. The Treaty should include the reversal of the burden of proof. In terms of collective rights, particularly indigenous and environmental rights, many laws around the world lay down that the State or the companies promoting a specific project are those who must prove or dispel the actions or omissions of the crime.
3. Similarly, each separate or joint action should include victims at an individual or collective level. Precautionary measures should be drawn up to prevent the consummation of crimes against life or personal integrity, racism, hate, kidnapping, torture and more actions classified as a crime, also stating full reparation in social, cultural and environmental terms.
4. Finally, corporate responsibility should be included in the Treaty. The governing factor are the crimes, the passive subject are the victims, and the active subject are the companies. They have obligations and responsibilities for their actions and omissions. In particular, the Treaty aims at guarding and protecting the weak and the victims, and preventing crime and punishing those responsible.