

Peru

Indigenous Peoples and the Manu National Park

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Acronyms and Abbreviations

EUR	euro(s)
FENAMAD	Native Federation of the Madre de Dios River and its Tributaries (Federación Nativa del Río Madre de Dios y Afluentes)
INRENA	National Institute of Natural Resources (Instituto Nacional de Recursos Naturales)
IPIIC	Indigenous Peoples in Isolation and Initial Contact
LANP	Protected Natural Areas Law
PEN	nuevo(s) so(es)
PNA	protected natural area
PRODNA	Environmental Defense Association (Asociación Pro-Defensa de la Naturaleza)
RLANP	Regulations of the Protected Natural Areas Law
SERNANP	National Service of Natural Areas Protected by the State (Servicio Nacional de Áreas Naturales Protegidas por el Estado)
SINANPE	National Network of Natural Areas Protected by the State (Sistema Nacional de Áreas Naturales Protegidas por el Estado)
UNESCO	United Nations Educational, Scientific and Cultural Organization
USD	United States dollar(s)
WWF	World Wildlife Fund (US), World Wide Fund for Nature (elsewhere)

Introduction

The Manu National Park (see Figure 1) is considered to be one of the most biodiverse areas of Peru and the world.¹ It encompasses a wide range of ecosystems, from the cold puna grasslands at more than 4,000 meters above sea level to the lowlands of the Amazonian plain. It hosts at least 230 species of reptiles and amphibians, 159 mammal species, 210 fish species, 1,000 bird species, 650 beetle species, 1,310 butterfly species and more than 500,000 arthropod species.² The park is home to 10 percent of the world's bird species and 5 percent of its mammals; it features at least 50 species of globally endangered animals.³

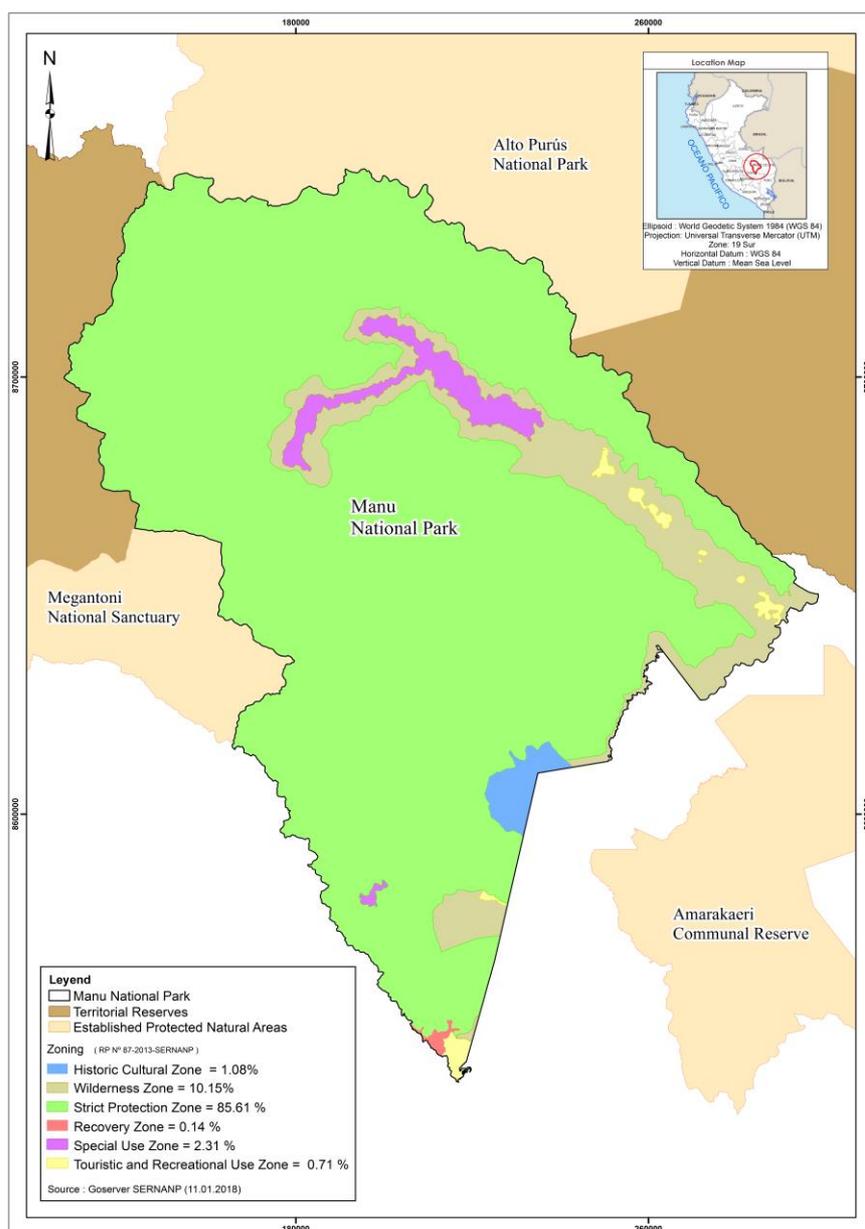


Figure 1. Manu National Park (Source: Geoserver SERNANP)

The Manu National Park is part of the tropical Andes biodiversity hotspot, the world’s most biologically rich and diverse region. The park is considered one of the most important jewels in the crown of Peru’s National Network of Natural Areas Protected by the State (Sistema Nacional de Áreas Naturales Protegidas por el Estado—SINANPE). Its conservation and protection, therefore, is a priority for the National Service of Natural Areas Protected by the State (Servicio Nacional de Áreas Naturales Protegidas por el Estado—SERNANP).

The Manu National Park hosts one of the most renowned research centers in the Amazon: the Cocha Cashu Biological Station. This facility is unique because it is sited in a vast region that has been minimally affected by humans, in this way affording invaluable information on biodiversity and the processes that occur in healthy, intact rainforests.

Crucially, however, Indigenous Peoples in Isolation and Initial Contact (IPIIC) have been witnessed in the areas surrounding the station. This adds another dimension to the Manu National Park and makes it an emblematic case. Indigenous Peoples belonging to the Yora, Mashko-Piro, Matsigenka, Harakmbut, Wachipaeri and Yine ethnic groups are present in the area at different levels of contact and assimilation. Four “stable” settlements of people from the Matsigenka ethnic group are recognized in the park—the Tayakome, Yomibato, Tsirerishi (also known as Maizal) and Sarigmeniki (also known as Cacaotal) communities (see Table 1 for basic information on these).

Table 1: Basic information on “stable” indigenous communities in the Manu National Park

Indigenous community	Tayakome	Yomibato	Tsirerishi (Maizal)	Sarigmeniki (Cacaotal)
No. of families	55	65	20	15
No. of inhabitants	251	331	86	68
Officially recognized?	Yes	Yes	Yes	Yes
Titled?	No	No	No	No

The Manu National Park partially overlaps with the Madre de Dios Territorial Reserve, established to protect IPIIC. It also forms part of the Purús-Manu biological corridor, which encompasses four reserves established to offer protection to IPIIC. In addition to Madre de Dios Territorial Reserve, the Purús-Manu biological corridor comprises the indigenous reserves of Mashco Piro and Murunahua and the Nahua Kugapakori Nanti Territorial Reserve.

The situation of the Manu National Park and the Indigenous Peoples living therein has been the subject of many studies. It is not only one of the most valuable areas within the SINANPE, but it is also a national park (the most restrictive category in the SINANPE), whose management is focused almost exclusively on biodiversity conservation, with activities considerably limited to avoid alteration to ecological processes. Thus, 85.6 percent of the total area is zoned as strict

protection⁴ and 10.15 percent is zoned as wilderness.⁵ This means that more than 95 percent of the Manu National Park is zoned at the maximum level of protection, with strict limitations on human use.

The high level of protection in the Manu National Park causes conflict with the Indigenous Peoples living in the area. Often, the rules established for the park contradict the ways in which these people live, resulting in their actions being limited and their collective rights infringed upon. The harmonious coexistence of protected natural areas (PNAs) and Indigenous Peoples, therefore, represents a major challenge for conservationists and indigenous campaigners. Guidance is required to initiate change within the SINANPE to disrupt the existing paradigm governing the relationship between Indigenous Peoples and PNAs.

A brief history

In 1967, acting on an initiative of the Peruvian explorer Celestino Kalinowski,⁶ the British conservationist Ian Grimwood⁷ made a recommendation to the Peruvian government that it create a national park in the Manu region. The following year, Peruvian Supreme Decree No. 009-68-AG reserved an area of 1.4 million ha for the establishment of the Manu National Park and appointed a commission to set its definitive borders. The commission included representatives of the Forestry and Wildlife Service, the National Office for the Evaluation of Natural Resources, and the Department of Settlement.

The first donation received for the Manu region was PEN 100,000, raised in the United Kingdom at the initiative of the World Wildlife Fund (WWF⁸) after conservation work by the Trust for National and Zonal Parks (Patronato de Parques Nacionales y Zonales), which itself contributed a similar amount. The United States branch of WWF sent a contribution of US\$4,620, and WWF International visited Peru to offer its cooperation. The Frankfurt Zoological Society, through the Environmental Defense Association (*Asociación Pro-Defensa de la Naturaleza—PRODENA*), provided US\$25,000 to purchase equipment. Both the International Union for Conservation of Nature and WWF offered technical and economic assistance for the preparation of a master plan for the area. PRODENA directed the administration, organization, and training of park rangers and managed budgetary allocations in order to achieve appropriate oversight of the area. It also provided a communications network to allow the establishment of stations at Akanaco, Pakitsa, and Bocamanu and the provision of a mobile station in Madre de Dios.⁹

The Peruvian government created the Manu National Park by means of Supreme Decree No. 0644-73-AG on 29 May 1973 (Annex 1 contains this and other relevant decrees) in an area of 1,532,806 ha in the Paucartambo and Manu provinces of the Cusco and Madre de Dios regions, respectively. The aims were to protect a representative sample of biodiversity and landscapes of lowland rainforest and high jungle (*“ceja de selva”*) and Andean land in southeastern Peru and

to contribute to the recognition and protection of cultural diversity and the self-determination of the area's Indigenous Peoples.

The Manu National Park was awarded status as a United Nations Educational, Scientific and Cultural Organization (UNESCO) Biosphere Reserve in 1977. Ten years later, UNESCO declared the park a World Heritage site in order to catalogue, preserve, and provide information on a site of exceptional natural importance for the common heritage of humanity.¹⁰

Peruvian Supreme Decree No.045-2002-AG of 14 July 2002 modified—illegally—the area of the Manu National Park to 1,500,757.48 ha, therefore reducing its size by 32,048.52 ha, and it added an area of 194,841.75 ha. This additional area had previously been categorized as the Manu Reserved Zone, established on June 26, 1980 by means of Supreme Resolution No. 151-80-AA-DGFF. The Supreme Decree of 2002 also added an area of 20,695.99 ha to the Manu National Park comprising public land registered in the name of the National Institute of Natural Resources (*Instituto Nacional de Recursos Naturales—INRENA*). The total area of the Manu National Park thus increased to 1,716,295.22 ha.

The presence of Indigenous Peoples in the Manu National Park has given rise to controversy. The park was established on the basis that it would be inviolable and free of human interference, but its central area is an ancestral territory of the Matsigenka indigenous people and of other indigenous populations. The situation is further complicated by the varying levels of contact and assimilation among the Indigenous Peoples in the area. In addition to the four “stable” settlements, grouped around the ancestral communities of the Tayakome, Yomibato, Tsirerishi and Sarigmeniki (all of Matsigenka ethnicity), there are also the Yora, Mashko-Piro, Matsigenka, Harakmbut, Wachipaeri, and Yine peoples.

Over several decades, successive authorities responsible for administrating the Manu National Park resisted recognizing that the park was far from uninhabited and pristine. Now, however, SERNANP explicitly recognizes that a large part of park is in indigenous territory. All the “stable” communities are now expressly recognized by Peruvian law. The presence of IPIIC—of the Yora, Mashko-Piro, Matsigenka, Harakmbut, Wachipaeri, and Yine peoples—in the Manu National Park is also recognized, although the number of such persons is not specified; the majority of these IPIIC are settled in the headwaters of the rivers of the Manu National Park.

SERNANP's recognition of the Manu National Park as an indigenous territory falls far short of concrete action to safeguard the rights of the Indigenous Peoples within the park. A clear example of this is the Manu National Park Master Plan, which does not consider Indigenous Peoples in its management protocols and schemes, nor does it seek to improve their condition or recognize them as partners in biodiversity conservation. Rather, the Master Plan focuses on what the authorities regard as the main objective for the park: its conservation.

The existing situation of the protected natural area, its peoples and rights

The situation in the Manu National Park can be evaluated either by its conservation status or by the status of the Indigenous Peoples living within the park, whether native communities or IPIIC. With respect to conservation status, a 2017 report¹¹ found that the Manu National Park was 0.62 percent impacted; thus, it can be concluded that there are no major problems with the conservation of the park's biodiversity. Nevertheless, the park is threatened by pressures such as illegal logging and mining activities, the construction of infrastructure (especially roads), and the exploitation of hydrocarbons.¹²

All four "stable" communities of Indigenous Peoples living in the park (i.e. the Tayakome, Yomibato, Tsirerishi and Sarigmeniki) have been officially recognized, but none has titled land. This represents a debt owed by the state and to which the groups lay claim. These communities are continually visited by IPIIC, the majority of whom are established in the headwaters of rivers in the Manu National Park.

In August 2017, Mongabay published a report¹³ claiming that, despite the wealth of the Manu National Park, the people living there were malnourished and highly vulnerable; in some cases, people had died from illnesses as simple as the common cold. Julio Cusurichi, President of the Native Federation of the Madre de Dios River and its Tributaries (*Federación Nativa del Río Madre de Dios y Afluentes – FENAMAD*), said that the situation of the Manu National Park and its Indigenous Peoples was emblematic of the confrontation that exists between nature conservation and the fundamental rights of Indigenous Peoples. According to this indigenous leader, Indigenous Peoples are being condemned to subsistence hunting and fishing and do not have the option of conducting other economic or productive activities that would allow them to live with dignity; moreover, they lack access to multicultural education, comprehensive health care, and basic social rights.

We consider that one of the main reasons that this situation exists for Indigenous Peoples in the Manu National Park relates to the traditional concept that PNAs, especially national parks, are pristine, untouchable areas in which the role played by the people living there is unappreciated. This leads to the adoption of management tools and policies that do not accord with reality and which ultimately lead to conflict between conservation and Indigenous Peoples. This can clearly be seen by reviewing the zoning of the Manu National Park and its many restrictions, in which biodiversity conservation is prioritized over mechanisms and tools to improve the living conditions of Indigenous Peoples. The people living in the park have rights to ancestral territories in which their management and use of resources predates the park's establishment. Given that SERNANP recognizes Manu National Park as an indigenous territory, the park's rezoning through a robust participatory process of free, prior, and informed consultation is crucial. Such a process should identify alternatives that support biodiversity

conservation but also respect the rights of the peoples living in the park, incorporating them into its management as major partners and peers acting on equal footing with other managers.

The legal framework for the governance of the Manu National Park mainly comprises the Protected Natural Areas Law (LANP) and its regulations (RLANP) and other complementary provisions of the RLANP. This framework establishes that one of the main objectives of PNAs is to contribute to the nation's sustainable development (including the sustainable development of Indigenous Peoples living in PNAs). Another objective of PNAs is to conserve the cultural identity associated with those PNAs, including indigenous identities and associated knowledge and practices. The legal framework establishes that the administration of PNAs should recognize, protect, and promote the social, cultural, religious, spiritual, and economic practices and values of native and peasant communities, in accordance with the provisions of International Labour Organization Convention No. 169, providing that these are in harmony with the objectives of the PNAs.

The legal framework also requires that the PNA administration gives priority to guaranteeing the traditional practices and systems of living of ancestral native and peasant communities within PNAs. The right of such peoples to free determination should be respected insofar as such practices are compatible with the objectives of the PNAs. Such communities should participate in, among other things, the establishment and achievement of the objectives for PNAs and the development of master plans. Thus, "compatible" activities might include the use of wild flora and fauna for subsistence purposes¹⁴ within PNAs. Such use does not apply, however, to endangered species or in strict protection zones and wilderness zones. This latter consideration is particularly relevant in the Manu National Park, where more than 95 percent of the area is zoned as strict protection or wilderness. This clearly has a negative impact on the rights of Indigenous Peoples in the park and is a cause of conflict between those peoples and the park's administration.

The legal framework recognizes the acquired rights of Indigenous Peoples, expressly defining the right of property—in other words, the right to title over ancestral lands. In practice, however, the titling of Indigenous Peoples' communities within PNAs has been extremely difficult, as shown by the very small number of communities that have received titles to land after it has been designated as a PNA. This situation arises because of the unfounded fears of PNA administrations, compounded by a lack of clarity on this aspect of the legal framework.

The legal framework makes little reference to IPIIC; it merely establishes respect for the ancestral practices of such peoples and offers the possibility of setting up precautionary measures to protect vulnerable populations, such as through zoning. In the Manu National Park, for example, certain areas in which IPIIC exist have been zoned as strict protection, which, as described above, is the most restrictive zoning category in the SINANPE.

The legal framework does not expressly provide for the drawing up of anthropological plans—which are management documents embodying policies, strategies, standards, procedures, and action plans for addressing the issues and proposals of Indigenous Peoples living in PNAs; nevertheless, many PNAs with significant indigenous presences have drawn up such plans. The Manu National Park has had anthropological plans since before the entry into effect of the LANP and the RLANP, mainly concerning the protection of IPIIC. Anthropological plans have the status of a recommendation only, however; there is almost no obligation for compliance. Anthropological plans are reference documents, the non-application of which will not lead to sanctions; their fulfillment depends mainly on the will of individual PNA administrations. Thus, the legal framework provides measures for the protection and participation of Indigenous Peoples living in PNAs. Although there has been progress on this issue (e.g. in moves to establish a structure in conjunction with the Ministry of Culture, the body responsible for indigenous affairs—see below), the situation of the Indigenous Peoples living in PNAs has either not improved at all or, at best, has improved only slightly. There is an increasingly clear need to implement and develop strategies to improve conditions for Indigenous Peoples as well as to offer them options for their development and the protection of their rights. A recommended next step is to evaluate whether the current PNA system, as well as its categories and zonings, corresponds to the reality of Indigenous Peoples living in PNAs. The historical gap between the paradigms of conservationists and indigenous campaigners has narrowed over time, and the positive feedback loop that exists between conservation and Indigenous Peoples is increasingly known and has now been confirmed. A coming together of outlooks could lead to the identification and drafting of protocols or regulations that ultimately offer mutual benefits.

Financial information related to the protected natural area

SERNANP does not have systematic information on the resources it invests in the management of PNAs, and the majority of non-governmental organizations (NGOs) do not publish data on their investments in PNA projects. Nevertheless, information provided by SERNANP indicates that NGOs and development agencies have directed a total of approximately PEN 9,114,055 (PEN 911,405 per year) to the Manu National Park since 2008.¹⁵ Annexes 2–4 provide more detail on the financial situation of the Manu National Park.

Instruments used to correct the situation

The conflict between conservation—through the PNAs—and Indigenous Peoples is due largely to the historical concept of PNAs, which have been perceived as pristine areas without human inhabitants and which must remain as isolated, untouchable spaces to guarantee their conservation. This—clearly erroneous—attitude has persisted in Peru for a long time. In the last 20 years, however, a change in perception has been observed, manifesting mainly in a more

inclusive discourse by PNA administrations and the introduction of socially oriented management mechanisms. The (few) mechanisms that have been put in place to date indicate a change of approach by SINANPE and offer hope of resolving the conflicts in PNAs.

Most of the instruments in place in the Manu National Park relate to the protection of IPIIC. These emphasize the use of zoning to protect Indigenous Peoples by means of delimiting strict protection zones in those areas in which there is evidence of an IPIIC presence. For many years, the Manu National Park administration has also drawn up specific planning instruments, such as anthropological plans, which set out the policies, strategies, standards, procedures, and action plans on IPIIC¹⁶ and protocols for interactions in the event of contact with IPIIC. A further advance regarding IPIIC came in May 2014 when SERNANP and the Ministry of Culture signed an interinstitutional cooperation agreement with the objective of implementing mechanisms and instruments to combine efforts and available resources to guarantee the lifestyles and habitats of IPIIC in PNAs. Despite these efforts, however, a system of protection for these peoples is yet to be developed.

Little progress has been made on the rights and well-being of the four indigenous communities—Tayakome, Yomibato, Tsirerishi and Sarigmeniki—recognized as stable in the Manu National Park. There has been a rapprochement, however, between the park administration and the organizations to which the four communities belong, especially FENAMAD. SERNANP and FENAMAD recently worked together in the process of recognizing the Tsirerishi and Sarigmeniki communities within the framework of its competence.¹⁷

A change in zoning is needed

The management model that for many years has been deployed in the Manu National Park generally excludes the Indigenous Peoples living in the park, who have been perceived more as management burdens than as partners. The existing model also lacks an intercultural approach and responds to biological rather than social criteria.

The administration of the Manu National Park is moving toward a social model that responds to a more modern vision in which the population—principally the indigenous population—is an integral part of the park and its welfare, and therefore, a fundamental factor in park management. Such a model requires a more participatory approach in which Indigenous Peoples are actively involved in management. The park administration is introducing appropriate conditions to achieve this and to ensure effective participation. The inclusion of an intercultural approach is essential because effective joint management arises from the recognition and accommodation of the diversity that characterizes the various involved parties.

Another essential aspect of an appropriate park management model is effective coordination among the various involved state institutions. Although progress has been made on this front—in the signing of an agreement on IPIIC between SERNANP and the Ministry of Culture—it has been minimal, and there is a need now for concrete action. In essence, the social model seeks a form of management that corresponds with reality in the park and therefore has a greater chance of success and less potential for conflict. An opportunity has presented itself in terms of the process to update the Master Plan, in which a change of zoning has become urgent. The objective is to provide Indigenous Peoples who live in the park with alternatives that will improve their conditions at all levels.

Finally, an analysis is needed to evaluate the incorporation in the legal framework of a zoning approach that recognizes the importance of Indigenous Peoples in conservation, provides them with economic alternatives for development, and promotes their connection with society by ensuring their rights. Traditional conservation schemes should be reviewed and indigenous territories respected.

¹ This is according to evidence from a study by the TEAM Network in the Manu National Park in October 2014 (the data are available at <http://www.teamnetwork.org>). The TEAM [Tropical Ecology Assessment & Monitoring] Network is a partnership between Conservation International, the Smithsonian Institute, and the Wildlife Conservation Society; it monitors, collects, and distributes data on trends in biodiversity, climate, land cover, and ecosystem services in tropical forests in 17 countries in Africa, Asia and Latin America by means of high-resolution satellite images in conjunction with strategically obtained *in situ* measurements.

² See: www.teamnetwork.org/network/sites/cocha-cashu-manu-national-park

³ According to the International Union for Conservation of Nature's Red List of Threatened Species.

⁴ Strict protection zones are areas in which the ecosystems have experienced only slight or no intervention and include locations with unique, rare, or fragile ecosystems or species. These are ecosystems that, to maintain their value, must be unaffected by factors outside natural processes such that they maintain the characteristics and quality of the original environment. Only activities for the management of the area are allowed in these zones, as well as environmental monitoring and, exceptionally, scientific research.

⁵ Wilderness zones have experienced little or no human intervention and are areas in which the characteristic of wilderness predominates. These zones are considered less vulnerable than strict protection zones. In addition to administration and control activities, it is possible to carry out scientific research as well as education and recreational activities in these zones if they do not involve significant numbers of people and allow the natural non-intervention status to be maintained.

⁶ Celestino Kalinowski was a taxidermist and explorer from Cusco, the son of a renowned Polish naturalist. In 1964, amazed at the biodiversity of the Manu region, he encouraged Felipe Benavides Barreda, then President of the Trust for National and Zonal Parks, to establish a reserved zone that would be closed to loggers, hunters, and gold prospectors.

⁷ Ian Grimwood was a British conservationist who the government invited to Peru in order to recommend a pristine area suitable for conservation. The information provided by Celestino Kalinowski on the Manu region captivated Grimwood who, after visiting the area, recommended that the Peruvian government should protect the region in 1967.

⁸ The acronym WWF stands for the World Wildlife Fund in the United States and the World Wide Fund for Nature elsewhere.

⁹ Pérez Ruiz, Wilfredo. 2013. Los pioneros del Manu: 40 años después. 2 June 2013. See: <http://wperezruiz.blogspot.com>

¹⁰ See: <http://whc.unesco.org/en/list/402>

¹¹ Technical Report No. 004-2017-SERNANP-DDE, which analyzed the conservation status of ecosystems within SINANPE.

¹² See: <https://ojo-publico.com/sites/apps/amarakaeri-parte1/>

¹³ Lo Lau, Jack. 2017. Comunidad machiguenga lucha por sobrevivir dentro del Parque Nacional del Manu. Mongabay, 9 August 2017. See: <https://es.mongabay.com/2017/08/comunidad-machiguenga-lucha-sobrevivir-dentro-del-parque-nacional-del-manu>

¹⁴ In 2009, SERNANP issued Presidential Resolution No. 065-2009-SERNANP, which approved guidelines for the management of subsistence activities and minor non-commercial activities. The resolution establishes the possibility of conducting nonprofit commercial activities, seeking a dignified lifestyle for indigenous peoples in accordance with their fundamental rights.

¹⁵ In March 2018, PEN 1 = USD 0.31.

¹⁶ The Manu National Park does not have an approved anthropological plan at present.

¹⁷ See: www.fenamad.com.pe/noticias/la-fenamad-junto-al-sernanp-asumen-compromisos-en-la-senda-del-proceso-de-reconocimiento-como-comunidades-nativas-para-maizal-y-cacaotal/