

# **International Alliance of Indigenous and Tribal Peoples of the Tropical Forests**

**The International Alliance Perspectives on Free Prior and Informed Consent**

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## **International Alliance of Indigenous and Tribal Peoples of the Tropical Forests**

Indigenous Peoples have practised free, prior and informed consent in their communities and with the State and national and international companies in matters concerning land, territory, and the sustainable use of natural resources.

The systems of traditional and collective rights in indigenous societies originated before the establishment of the Nation State in Latin America. As a result, some Indigenous People developed and refined their decision-making practices in accordance with the needs of their communities.



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Even with the presence of laws supporting the concept of participation anchored on indigenous practices, the FPIC process in the Philippines is not guaranteed to bring out the true aspirations of the indigenous peoples for a host of reasons gathered from the experiences of several indigenous communities cited in our study

The community should be given the opportunity to discuss among themselves without the presence or interference of the project proponent/company or government representatives.

The affected community should be consulted even prior to the making of a project feasibility study, and they should be involved in the planning phase including research activities.



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In regards of plans for the development of protected areas, the right to give free, prior and informed consent (FPIC) of indigenous peoples in Tanzania must be adhered to and FPIC must first be given.

This role of the state is increasingly being revealed as new demands for land for biofuel projects and hunting blocks in Tanzania keep on escalating.

Any development can only be successful if Indigenous Peoples living in these areas are recognized as citizens with all citizenship rights in the Constitution and their rights recognized, including customary rights over and use of their territories, with full application of the right to free, prior and informed consent of the peoples affected by any development.



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When the companies confronted with the right of indigenous peoples to the land they traditionally use and occupy and their right to FPIC, the companies dug their heels behind deficient national laws. And on FPIC they claimed to support free, prior and informed consultation and not consent.

➤ Free, Prior and Informed Consent needs to be incorporated into domestic laws to be effective. As cases have shown, companies will hide behind national laws to evade respect and recognition of indigenous rights.

➤ Indigenous peoples should be proactive in identifying (possible) threats to their territories and resources as well as defining for themselves what the elements of an FPIC process are. A mechanism of interaction/consultation should be in place before a project starts.



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## Thank you

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