Abstract

Petroleum companies (Operators) are challenged by the potential presence of Peoples in Voluntary Isolation (PVIs) within remote petroleum concessions. Operators must evaluate the feasibility of conducting seismic exploration within pristine areas where PVIs could exist. One example is the Yasuni National Park in Ecuador, home to indigenous peoples, including a few tribal groups in voluntary isolation. The Park permits multiple uses, including biodiversity conservation, sustainable use of rainforest products, ecotourism, petroleum extraction, and a No-Go-Zone for the protection of PVIs. In a recent case, an Operator’s concession overlapped 50% of a proposed No-Go-Zone detailed in a 1999 government decree. The conflicting uses had not been clearly delineated spatially or with a detailed management plan when the Operator acquired petroleum concessions in 2003. The Operator proactively supported government authorities in delineating the No-Go-Zone and raised awareness of the PVI issue in academic forums, workshops and in the national media, with a full understanding that a portion of their concession would be off limits to exploration. An internal company policy was established to avoid unintended contact with PVIs, even at the cost of restricting exploration activities. As a consequence, these No-Go-Zones were formally declared in an agreement among relevant Ministries in 2008. A mandatory code of conduct was established for areas adjacent to the NoGoZone to minimize exposure to PVIs. Working with the Operator, Walsh Environmental conducted a baseline study of a proposed exploration area adjacent to the NoGoZone. Historical accounts of contacts or sightings of PVIs, high resolution satellite imagery, helicopter over-flights, interviews with Waorani hunters and scouting trips were used to define probable areas of PVI use. Two seismic programs adjacent to NoGoZones were rejected in the impact assessment process because they intersected with the use areas of PVIs. Guidelines entitled “PVIs: Practice Guide for Working in Sensitive Areas” established practices for an unintended encounter with PVIs. The Operator defined a process for evaluating the PVI issue in a transparent manner with government officials and stakeholders. They accepted the operational and economic impact of not proceeding with exploration in portions of the concession to protect the PVIs.
Definition of Peoples in Voluntary Isolation

Peoples in Voluntary Isolation (PVIs) are isolated indigenous groups that have decided to maintain geographical and cultural isolation, limiting their contact to their own kin networks. PVIs are a unique and particularly vulnerable subset of indigenous peoples, who in many cases are under threat from territorial intrusion, disease, ecosystem deterioration, and environmental impact. These groups generally cannot be consulted about a proposed project, since they have little or no contact with people outside their ethnic group. Academics, religious leaders, governments and non-governmental organizations like Survival International (www.survival-international.org), Inicativa Amotocodie Coordinación General (www.iniciativa-amotocodie.org), and CIPIACT - Comité Indígena Internacional para la Protección de los Pueblos en Aislamiento y en Contacto Inicial de la Amazonía, el Gran Chaco y la Región Oriental del Paraguay (www.cipiaci.org) have been important in defining and protecting their rights.

An important meeting for PVIs in South America took place in Brazil in 2005. A diverse group of international institutions proposed principles for treatment of PVIs. Their declaration proposes the right of PVIs to be protected from outside threats to their lifestyle, and not to be subjected to involuntary contact by outside cultures and economic activity. The governments of Bolivia, Brazil, Colombia, Ecuador, Paraguay and Peru are called upon to take actions to develop policies to protect PVIs. Geographic areas (over 50) with probable or known PVIs were identified in the Amazon Basin, Grand Chaco and Oriental region of Paraguay.

Article 3 of ILO\(^2\) Convention 169 states that: “No form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned, including the rights contained in this Convention.” The United Nations has issued several other recommendations about PVIs including the most recent proclamation pertaining to Ecuador in May, 2009:

“The Permanent Forum welcomes the measures taken by various countries' efforts to consider and develop alternative sources of income, reduce considerably the exploitation of natural resources, strengthen the conservation biodiversity and establish measures for indigenous peoples living in voluntary isolation, as a national initiative undertaken by Ecuador, called "Yasuni-ITT Initiative". The Permanent Forum recommends respecting the right of free, prior and informed consent of indigenous peoples concerned”\(^3\)

PVIs that have made contact describe being “caught between fear of capture, disease and ill treatment (which they associate with outsiders), and a desire for metal tools and other manufactured goods (which they know outsiders possess) and social interaction with outsiders.” Some anthropologists conclude that contact with PVI, however well intentioned, has resulted in disastrous consequences including death from the introduction of diseases and loss of culture. Other anthropologists have argued for controlled contact as the only means of minimizing inevitable health impacts from a future contact. Some governments have sought contact at various times. FUNAIN, the indigenous affairs department in Brazil, had a policy up until the late 1990s to contact, pacify and relocate many groups in the Brazilian Amazon. Two anthropologists studying PVIs in the Peruvian Amazon make an important point: “Almost all indigenous peoples living in voluntary isolation today have been contacted at some point and then made or maintained a decision to keep outsiders at a distance; companies, missionaries and others should respect the choice they express in the present”\(^4\).

History of PVIs in the Ecuadorian Amazon

The PVIs living in the upper Amazon Basin in Ecuador and other South American countries may be groups that historically fled threats from slave raids associated with the rubber trade and disease brought by outside contact.

The PVIs that inhabit the Oriente of Ecuador (headwaters of the Amazon) include approximately 300 Taromenani, less than 20 Tagaeri, and a probable but unknown population of Oñamenane and Huiñatare, who may have broken away from previously mentioned groups. There is much speculation on the origins of these groups, but little is know since most isolated contacts with the groups have generally been brief and violent and exclusively initiated by the PVIs. The Tagaeri are a group related to the Waorani (PVIs in the early 1960s), who rejected American missionaries enticements to move Tito a Protectorate and

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1. Declaración de Belem sobre los pueblos indígenas aislados, Iniciativa Amotocodie, Primer Encuentro Internacional sobre Pueblos Indígenas Aislados de la Amazonia y del Gran Chaco, 11 de Noviembre de 2005
2. International Labour Organization of the United Nations
4. Beckerman, Erickson, Yost, Regalado, Jaramillo, Sparks, Iromenga and Long, “Life histories, blood revenge, and reproductive success among the Waorani of Ecuador”, PNAS (vol. 106 no. 20 8134-813), May 19, 2009
continued living in remote rainforest. Nowadays, most Waorani are integrated into Ecuadorian society while maintaining some cultural and traditional practices, and speaking a language that is dialectally different than those spoken by the PVIs.

Anthropological studies showed that historically (prior to contact and integration into Ecuadorian society): “42% of all population losses were caused by Waorani killing other Waorani” and if abductions and fights are included in the total then figure rises to 64%, since most of these individuals eventually died from disease. Yost concludes that “the major reputational effect of high participation in raiding was a reluctance of others to live with the fiercest warriors because of the danger of return raids. Such reluctance was probably related to the Waorani tendency to flee rather than to fight when attacked.”

Historically these PVIs unfortunately have resided in areas that are of interest to migrants and other indigenous groups seeking new lands to temporary farm, ecotourists (high diversity rainforest), loggers seeking high value mahogany and cedar trees, the military (the area is near the Peruvian border) and Operators. Lands occupied by PVIs were deeded by the government to settlers starting in the 1960s to promote agricultural development in remote areas in the Amazon. Concessions for Operators exploration were delineated in the 1970s with little knowledge nor concern for these PVIs. Military bases were established in starting the 1940s due to enduring border dispute with Peru that only ended in 1995. Illegal logging and ethno-tourism began encroaching on these groups starting in the 1980s and 1990s. These pressures on PVIs resulted in fleeing to a smaller area and violent conflict with the outside world. Some of the Waorani tribal groups eventually chose the move to a reserve set up by missionaries, but the current PVIs fled to remaining rainforest wilderness. Initial contacts by outsiders with these PVIs have resulting very high rates of mortality associated with the introduction of new diseases. Conflict in land use is shown in Fig. 1 where petroleum concessions, national parks and other uses are superimposed.

Well-intentioned missionary groups (Summer Institute of Linguistics) had a strategy to evangelize ‘primitive tribes’ and integrate them into mainstream society starting in the 1950s. This strategy was given tacit encouragement from the Ecuadorian government and welcomed by Operators, since many accidental contacts were resulting in deaths by spearing by PVIs. Missionary pilots flew over areas where PVIs were suspected and located remote settlements. Presents of food and tools were lowered in buckets from circling planes to villages to gain favor. A highly publicized attempt at a peaceful contact by landing on a remote river sandbar on the Río Curaray resulted in the spearing and death of five American missionaries on January 8, 1956.

\footnote{Ibid.}

\footnote{Ibid.}
Fig. 1 - Conflict of Uses in Area of PVIs in Ecuador
This event motivated missionaries to work with a few fleeing PVIs to convince remote Waorani tribal groups to move to a Protectorate set up in the 1960s by missionaries to evangelize, educate and provide for basic needs. This depopulation of remote areas was convenient for Operators exploring for oil in these areas. Environmental and indigenous rights organizations have accused Operators of encouraging this migration at that time.

PVIs were never integrated into this Protectorate and chose to flee deeper into the rainforest. These are the PVIs that are present today and are a challenge to Operators. The Chronology of “Contacts” with Peoples in Voluntary Isolation in the Ecuadorian Amazon is presented in Table 1.
### Table 1: Chronology of “Contacts” with Peoples in Voluntary Isolation in the Ecuadorian Amazon

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of Contact</th>
<th>Probable Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>January, 1956</td>
<td>Five American missionaries murdered by Waorani PVIs on the Río Curaray</td>
<td></td>
</tr>
<tr>
<td>October, 1958</td>
<td>Missionaries (Rachel Saint and Elisabeth Elliot) begin peaceful contact with Waorani, settlement (Protectorate) later established.</td>
<td></td>
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<tr>
<td>1968</td>
<td>Waorani clan led by leader Taga separates, forms PVI Tagaeri</td>
<td>Tagaeri</td>
</tr>
<tr>
<td>August, 1969</td>
<td>Polio outbreak in settlement causes Waorani to temporarily flee.</td>
<td></td>
</tr>
<tr>
<td>1972</td>
<td>Last known PVIs join missionary settlement.</td>
<td></td>
</tr>
<tr>
<td>July, 1987</td>
<td>Two Catholic missionaries (Alejandro Labaka and Inés Arango) killed near the Río Tinguino within Oil Block 17</td>
<td>Tagaeri</td>
</tr>
<tr>
<td>January 29, 1999</td>
<td>No-Go-Zone established for PVIs (Tagaeri and Taromenani) but not delineated or implemented.</td>
<td>Tagaeri</td>
</tr>
<tr>
<td>May 26, 2003</td>
<td>Estimated 26 women and children murdered on the Río Tinguino allegedly by Waorani lead by leader Babe. Revenge killing for death of Carlos Omene 11 years previously.</td>
<td>Taromenani, Tagaeri</td>
</tr>
<tr>
<td>July, 2005</td>
<td>WALSH discovers evidence of PVIs in Block 17 during fieldwork for a seismic EISA.</td>
<td></td>
</tr>
<tr>
<td>August, 2005</td>
<td>Logger found dead with over 30 spears.</td>
<td>Taromenani</td>
</tr>
<tr>
<td>April 12, 2006</td>
<td>Two loggers attacked by PVIs near the Río Cononaco in Province of Orellana, one died later.</td>
<td>Taromenani</td>
</tr>
<tr>
<td>April 27, 2006</td>
<td>Approximately 30 PVIs murdered on the border between Orellana and Pastaza Provinces. Evidence suggested that illegal logging interested may have assisted in this killing, but this theory remains unconfirmed.</td>
<td>Taromenani</td>
</tr>
<tr>
<td>May 10, 2006</td>
<td>Inter-American Commission on Human Rights calls on Ecuadorian government to take precautionary actions to protect the Taromenani and Tagaeri (MC-91-06).</td>
<td>Tagaeri, Taromenani</td>
</tr>
<tr>
<td>February 11, 2007</td>
<td>Delimitation of No-Go-Zone and a ban on cedar and mahogany logging issued by the Minister of the Environment</td>
<td></td>
</tr>
<tr>
<td>April 2009</td>
<td>Some PVIs were seen nearby the Armadillo road.</td>
<td>Taromenani</td>
</tr>
<tr>
<td>August 10, 2009</td>
<td>A settlers’ family of 3 in Union 2000 in the Province of Orellana are lanced to death in their house by PVI located near Hormiguero Oil Exploration Pad.</td>
<td>Taromenani</td>
</tr>
<tr>
<td>August, 2009</td>
<td>Government issues order to stop drilling in Hormiguero Oil Exploration Pad.</td>
<td></td>
</tr>
</tbody>
</table>

There have been numerous sighting and violent encounters with PVIs at remote petroleum exploration camps at drilling pads and in seismic programs, which are listed in Table 1. The Ecuadorian government established a No-Go-Zone in 1999, but did not resolve the issue of conflicts in land use, since several petroleum blocks intersected with this area. Two violent events in 2006 stimulated great concern from Operators near the area. On April 12, 2006 two illegal loggers were speared by PVIs. The illegal logging industry is focused on selective harvest of highly valued mahogany and cedar trees in remote areas where PVIs live. Loggers obtain access to remote areas by: bribing police, military, and indigenous leaders. The loggers enter an area by canoe, carrying equipment to fell and cut the trunks into boards, which are then hauled out to riverbanks by mules, transported upstream to roads, loaded onto trucks, mixed with certified wood and sold internationally. Much of this trade is open with boards pilled near the bridges readied for transport. It is very possible that on April 27, 2006 a group of Waorani entered the No-Go-Zone and murdered approximately 30 PVIs as revenge for the murder of one their relatives or as result of the timber illegal harvesting pressure.

Although there were no exploration or production activities in these areas at the time, future exploration plans could bring the activities directly into a conflict with these groups or indirectly cause an inter-ethnic conflict with nearby Waorani communities.

WALSH conducted a baseline environmental and social evaluation for a proposed seismic program in 2005 outside this area. The field team discovered evidence of PVIs: trails, bare footprints, sleeping areas and twisted twigs (tail markings). The field campaign was terminated and a decision was made to conduct an open consultation with interested stakeholders on how to proceed with the EISA process and develop a plan for accidental encounters with PVIs.

The Ecuadorian government as result of several stakeholders initiatives, including the Operators, initiated an open dialogue process in order to develop specific operating guidelines for all those with interests in areas adjacent to the No-Go-Zone...
including those granted operating/extractive rights in oil concessions, ecotourism or land tenure. The product of this collaborative effort was a Code of Business Conduct for all interested parties with the objective of protecting and minimizing the possibility of contacts with PVIs in areas of suspected presence and set forth a series of proclamations to preserve them.

Management Strategies for PVIs

PVIs: Practice Guide for Working in Sensitive Areas

An Operator working closely with the Ecuadorian government and other stakeholders arrived at a definition of PVIs as “People in Voluntary Isolation are those who have not had a significant previous contact with individuals or groups outside their own lineage or direct tribe and have decided to live apart from other groups.”

An accidental encounter is defined as a meeting or sighting of a person or group who has not intentionally initiated contact.

The company must respect the right of peoples to choose their own lifestyles, economy and cultures. The cultural property, artifacts, customs, socio-economic institutions, human rights and dignity of peoples who live in voluntary isolation must be respected. Any impacts to health of these populations must be avoided. Project must be designed and planned to reduce the probability of an accidental encounter with PVIs. No efforts should be made to contact PVIs or in relocation by third parties.

Specific Plan for Managing an Accidental Contact:

In case of an accidental contact:

a) Stop work and leave area immediately in a manner that does put workers or PVIs at risk.
b) Make all reasonable effort to avoid a physical contact with PVIs.
c) During the encounter act in a passive and respectful manner unless self-defense is necessary.
d) After evacuation of the area immediately inform the appropriate government authorities of the encounter.
e) An evaluation must be made of the encounter and probability of reoccurrence.
f) No work may be re-initiated and no persons may be remobilized to the area until the evaluation has been completed.
g) Postponement or cancellation of work must be considered.

In both the cases of an unintentional contact and a contact initiated by a PVI, the government must be consulted on how to proceed.

Conclusions

Oil and gas exploration and potential expansion are increasingly entering into remote areas that have not been developed due to high costs associated with access, social and environmental sensitivities. PVIs are becoming an important issue that must be evaluated at the very early stages of due-diligence of a concession, including considering financial aspects. A baseline ethnographic evaluation and risk assessment of PVIs should be conducted before any activity is initiated in areas of suspected PVI presence. The environmental and social impact assessment process, environmental management plan and operating procedures should consider PVIs in these areas, should the Operators decide to pursue prospects. Due attention should be given to the Operators’ image and social responsibility public commitments.

“By ensuring territorial security, governments can allow isolated peoples time and space to live in peace, and perhaps lose their fear of outsiders which may lead them to reconsider their position regarding contact. The current policies of resource extraction only perpetuate isolated peoples' perception of a violent, destructive outside world, worthy of fear and unworthy of sustained relations.”

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