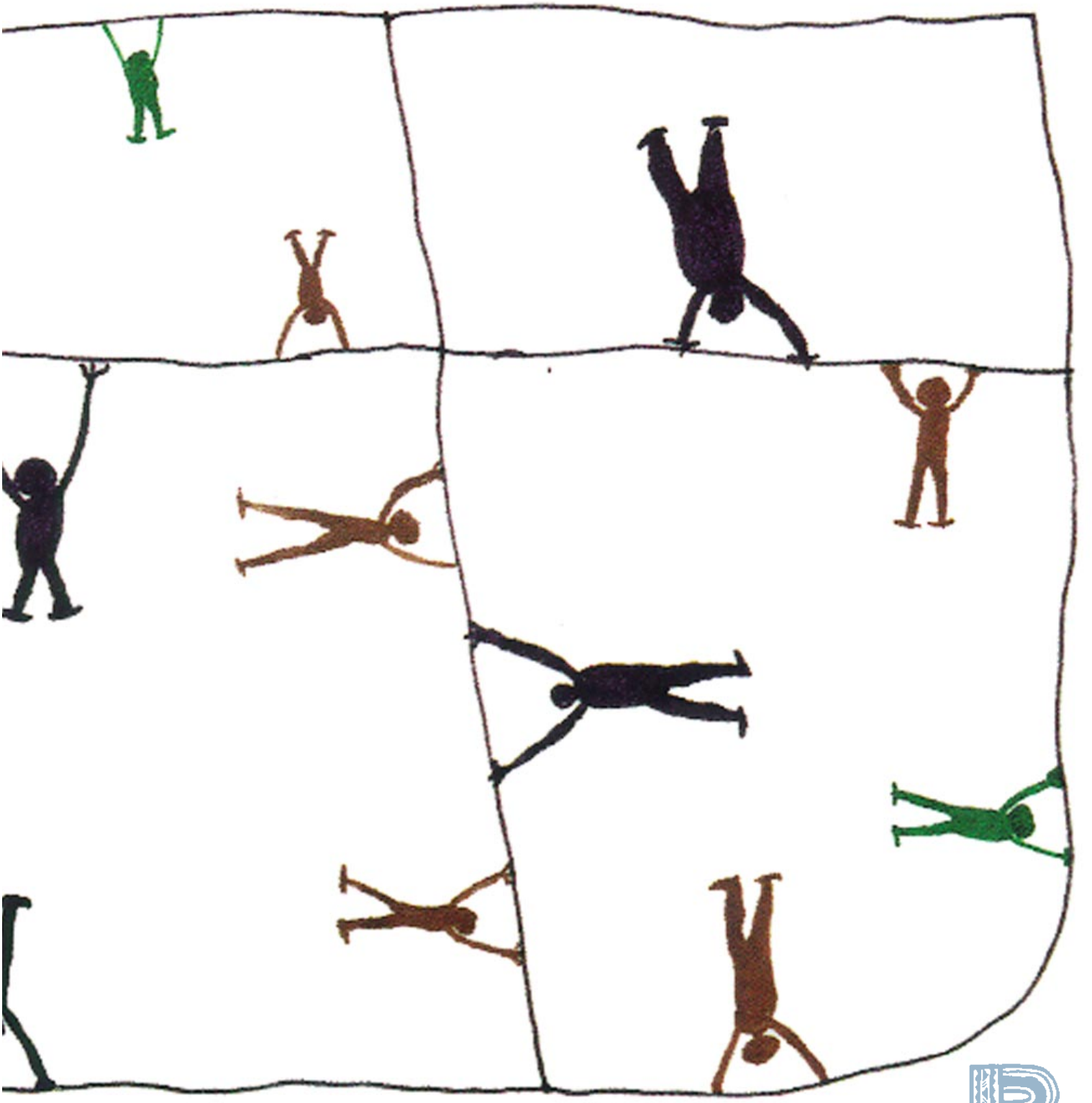

Rainforest Foundation-US 2000 Annual Report

Protecting the rights of forest peoples

The Rainforest Foundation (RF-US) is dedicated to preserving the rights of Indigenous and traditional peoples of the rainforest. It achieves this goal by creating and supporting projects in collaboration with partner organizations and grassroots groups. At the request of these groups, our work in recent years has focused on land tenure issues with an emphasis on legal and policy initiatives.

Our mission is to support Indigenous and traditional populations of the rainforest in their efforts to protect their environment and fulfill their rights by assisting them in:

· Securing and controlling the natural resources necessary for their long term well being and managing these resources in ways that do not harm their environment, violate their culture or compromise their future.

· Developing the means to protect their individual and collective rights and to obtain, shape and control basic services from the state.

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Photo: Ricardo Funari/RF2 - 500 year demonstration participant

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First you find strangers in your home and then realize they have come to destroy it. They force you to watch as they tear up the foundations and burn down the walls. Then they begin to infect you and your children with diseases for which you have no cure, and when you try to stop them they either throw you out of your home or even worse, they kill you. This would be a nightmare for any of us, but for Indigenous peoples it has been a reality for centuries.

Message from the Executive Director

However, thanks to those who have dedicated their lives to protecting the rainforest, things are beginning to change.

Organized, committed, and armed with a wealth of knowledge and experience, Indigenous peoples all over the world are coming together to challenge governments, financial institutions, and multi-national corporations whose laws and policies threaten their very existence. They may speak different languages and have different cultures, but they are united in their effort to save their land, their people and their way of life. Many ask are our efforts paying off – are we winning the fight to save the forest? I believe we will win, but the destruction did not happen overnight, and therefore it cannot be reversed overnight. It will take long-term commitment and support on behalf of all of us to slow down and hopefully put an end to the devastating environmental practices that threaten the forest and its people.

The Rainforest Foundation (RF) has always believed strongly in long-term commitment. For example, in 1993 the Panará Indians of Brazil came to us with a very simple request, they wanted to return to their homeland, which they were forced to leave in 1975 when a road was built across their territory. They call that period the time when everyone died and it almost was, as only 79 members of the community survived the forced relocation. We agreed to support the Panará, knowing that any progress would require years of sustained pressure on the Brazilian government, as well as a substantial monetary commitment. A victory was far from assured, but we were willing to take the risk. In the seven years since the Panará made their original request to RF, they have returned to their land, had the area legally declared a permanent Indigenous territory and sued for and won compensation from the federal government for cultural and moral damages that occurred because of the relocation. The RF's long-term commitment to the Panará protected 1.1 million acres of rainforest and saved an entire culture from possible extinction.

As you will read in the pages that follow, the Rainforest Foundation is dedicated to continuing its support of long-term initiatives, as our focus on Indigenous land rights often involves legal cases against governments, which can take years just to get to court. However, the length of time it takes becomes insignificant when compared to the positive impact such activities can have on indigenous land rights when a precedent setting victory is won. Another example of our long-term commitment in the fight to save the forest is our Indigenous legal scholarship program, which provides funding for Indigenous peoples in Latin America to attend law school. An increase in the number of Indigenous lawyers has the potential to completely change the landscape of the Indigenous land rights movement across the region.

Long-term commitment to Indigenous peoples in their fight to protect their homeland will remain a priority for the Rainforest Foundation as we continue to develop and strengthen our partnerships both with indigenous communities and the local groups that represent them. We hope you will join us in our efforts, as Indigenous peoples fight to save the forest not just for themselves, but for all of us. If they lose, so will we all.

Laurie Parise
Executive Director
Rainforest Foundation-US

Program



Photo: Instituto Socioambiental- Panará Leader

Introduction

The underlying premise of the work of the Rainforest Foundation is to support grassroots initiatives and encourage long-term partnerships with local organizations working directly with communities. The objective of this approach is to fulfill our mission statement by supporting initiatives related to legal reform, territorial rights, and the control of resource exploitation on or near Indigenous territories.

Control over land and natural resources will undoubtedly determine the future of the rainforest. By far our largest percentage of requests for assistance fall into this category and for that reason, the program focus of the RF-US is on land tenure. We believe this kind of support is of the utmost importance to the survival of Indigenous and traditional peoples, as well as the protection of the environment.

The program department is divided into the following areas:

1. Partnership & Projects,which serves as an incubator for new initiatives with organizations in Latin America and provide funding for grassroots projects which focus on land tenure and Indigenous rights issues;

2. Small Grants, which provides small amounts of funding with a quick turn-around for small projects or emergencies;

3. Outreach & Advocacy, which seeks to build a space for the voices and demands of Indigenous and traditional peoples in the international fora.

The activities and projects carried out within each category are designed to complement each other. Most of our program work is a combination of all three areas.

Partnership & Projects

Strong, long-lasting and mutually beneficial relationships with grassroots organizations in Latin America are key to the program strategy of the RF-US. Recognizing the critical importance of domestic groups in countries experiencing rainforest destruction, we actively seek program partners whose strategies and ideas match our own. We strongly believe that partnerships are the most effective way to work in rainforest countries. Our location affords us easy access to resources, technical knowledge and important information. Local organizations in rainforest countries, on the other hand, possess the legitimacy essential to make demands for legal protection from their governments. Partnerships allow us to bring together these attributes.

Although we have ties with many organizations in both the north and south, we define official program partners as organizations with whom we collaborate closely on project implementation, dissemination of information, and other initiatives over a significant period of time. We provide our partners with technical and advocacy support, capacity building assistance, funding, and in some cases legal expertise. In return, they give us a direct link to local communities, information about their country and the credibility necessary to work effectively in the region. Further, they play a major role in the evaluation of the RF-US program strategy.

The RF-US also provides technical assistance to organizations. Members of the RF-US staff regularly visit our partners in the South to provide advice and training on the following topics: project administration, budget issues, fundraising activities, policy negotiation, campaigning etc. In addition the RF-US serves as a major resource center for organizations in the south which often lack access to adequate means of communication and thus encounter difficulty getting out their message and remaining part of the larger Indigenous rights and environmental movements.

The RF-US currently counts among its formal program partners the Instituto Socioambiental (ISA) in Brazil, and the Amerindian Peoples Association (APA) of Guyana. We also have strong relationships with dozens of other groups in Latin America which we refer to as ‘Project Partners’.

Small Grants

The RF-US' small grants program is often the first point of contact between our organization and potential program partners. It serves as a perfect introduction to new issues, as well as a complement to our larger initiatives. This program area is designed to provide small amounts of funding with limited paperwork and a very quick turn-around. We have found that these grants can be enormously useful to grassroots organizations, allowing them to develop small projects. These grants can also be invoked in emergency situations. Many Indigenous groups lack the resources necessary to approach foundations and navigate the larger funding community. By working with the RF-US through the small grants program, not only do they receive funding that might otherwise be impossible to obtain, they gain experience in the administration of projects and establish financial accountability. With these skills, organizations stand a much better chance of receiving future funding and achieving long-term organizational sustainability.

Outreach & Advocacy

The outreach and advocacy activities of the RF-US program strategy are divided into four categories: Helping to spread the message of our partners within the human rights and environmental communities of the United States; building and strengthening of alliances with support organizations; educating the general public about Indigenous rights and the connection to environmental preservation and responding to crises.

The first component of our outreach and advocacy strategy is to spread the message of Indigenous and traditional peoples (as opposed to defining it) in the human rights and environmental community in the US is important for a number of reasons. Our partners should be able express their needs and demands themselves rather than have them filtered through and modified by third parties, thus giving them experience in navigating the international community. This experience is important as many of the multinational companies and banks involved in projects which threaten Indigenous lands have headquarters in the US, as do the international institutions created to monitor environmental and human rights issues. The following two initiatives are examples of this type of support.

- As illustrated in detail later in this report, the U'wa people of Colombia are currently involved in a very intense struggle against Occidental Petroleum, which is seeking to extract oil from their territory. To combat this threat, the U'wa and their supporters have created an organization called the U'wa Defense Project (UDP). RF-US has been a staunch supporter of UDP activities since its founding, and through the murders of American activists afilliated with the group in 1999. The RF-US provided the UDP with donated office space, administrative support, program guidance and funding for two years, ensuring a solid base for work being done on the behalf of the U'wa here in the United States. This unique type of support, it can be argued, is just as important as a monetary grant. RF-US support has undoubtedly been a major factor in the organization's success.

- The Indigenous Colleague Exchange Program is another excellent example of the RF-US' outreach activities. This program enabled an Indigenous representative from Brazil to work at the offices of our colleague, the Amazon Alliance in Washington DC for six months. Last year while there, she had the opportunity to liase with the more than 80 organizations that make up the Alliance on a daily basis in order to educate them further about the issues her community faces and make valuable contacts.

The RF-US has also attempted to magnify the voice of our Indigenous partners by coordinating visits of Indigenous leaders to the US (organizing meetings, providing office space and admin-



Photo: Ricardo Funari/RF2 - 500 year demonstration



Photo: Valdir Cruz · Macuxi Children

istrative assistance, etc.), obtaining space on a New York radio station for interviews with such visitors, and spearheading urgent action campaigns. In addition this year, RF-US partners participated in a two-day long meeting in New York, during which they established a united plan of action for 2001.

The second component of the RF-US outreach and advocacy activities builds upon the first by promoting relationships among Latin American organizations and also with colleagues in the United States. The RF-US recognizes the value of cooperation and collaboration and sees such relationships as an integral part of our mission. Consequently, we are an active participant in the above mentioned Amazon Alliance, an umbrella organization composed of groups working on Indigenous and environmental issues, and the nexus between the two. In addition, we regularly sponsor and attend forums and conferences both in order to open new opportunities for our partners and to remain constantly abreast of new developments. The RF-US advocates on behalf of partner organization unable to attend important meetings to ensure that Indigenous needs and requests are not disregarded. This component of the program strategy also encompasses the work we do to assist our partners in obtaining grants from US Foundations.

The third outreach and advocacy component focuses on educating the general public about Indigenous issues serving as a resource center here in the United States. Rainforest conservation and the protection of Indigenous human rights are topics that are gaining more and more exposure on many levels here in the United States. As one of the only groups working at the convergence of the two issues, the RF-US is able to reach a large audience of students, press, concerned citizens and policy makers. We publish a quarterly newsletter, maintain an informational web site, and serve as a resource for the press, educators and individuals interested in learning more about the issue. Further, members of our staff regularly make presentations in classrooms and at conferences.

Lastly, on several occasions, the RF-US has used its influence when partners and their constituents face an immediate threat to their health, life or security. Once alerted to a problem, the RF-US makes use of an extensive network of press, government and NGO contacts to provide support to affected communities until the threat is averted.

Brazil

Program Partner Organization - Instituto Socioambiental (ISA)

The mission of the Instituto Socioambiental (ISA) is to defend rights relating to the environment, people and cultural heritage. The organization achieves this goal by producing studies and programs that promote socio-environmental sustainability as well as the protection of Brazil's cultural and biological diversity.

Since the creation of our partnership with ISA in 1994, many groundbreaking programs and policy initiatives have been undertaken to protect the country's diverse cultural and environmental landscape which includes more than 1.3 million square miles of rainforest and 310,000 Indigenous people. Our partnership has focused on protecting what gains have been made with regard to Indigenous rights and ensuring that pressure is maintained on the government to fulfill its obligations to Brazil's Indigenous communities.

In 2000, powerful pressure groups representing mining and logging interests sought to overturn valuable gains made in the protection of Indigenous rights and the environment. Consequently, our work with ISA focused on securing gains and ensuring that vital legislation was not overturned or diluted.

ISA's invaluable contribution to the Indigenous and environmental movements in Brazil is demonstrated by the fact that Indigenous groups, other NGOs and the Government itself use their research. Indeed, 2000 was a year that saw ISA strengthening its position as one of the country's lead actors in ensuring the protection of the Brazil's Indigenous and traditional peoples rights and the lands upon which they rely.

Of the 739 areas claimed by Indigenous groups only 231 have been demarcated despite the Brazilian constitutional requirement to ratify all of them by 1993.



Photo: Orlando Brito/ISA · Panará case notes arriving at court

Territorial Control and Legal Action by the Panará Indians

Since initial contact in the early 1970's, the Panará's incredible resolve to survive in the face of great adversity has inspired other Indigenous communities throughout Brazil to secure their basic rights. In 2000, the Panará continued to take steps unprecedented in the history of Brazil.

It is estimated that 80% of the Panará were killed following a period of unregulated contact during the building of the Cuiabá-Santarem BR-163 highway that cut through the heart of their territory. Just 79 survived. The Panará call this tragic period in their history "the time everyone died".

Since 1993 the RF-US has supported the Panará Indians and will remain committed to this community. In the eight years since we began working with them they have established themselves on the lands they were forced to leave in 1973, re-instituted traditions almost lost, asserted their legal rights and effectively come back from the brink of cultural extinction.

It was a remarkable year for a group whose history can be equally described as remarkable. Perhaps the most notable event was their historic courtroom victory in September 2000, when its own judiciary found the Brazilian Government directly responsible for the deaths during the period of initial contact. Represented by ISA lawyers, the Panará successfully defended an earlier decision that held the Government of Brazil accountable for cultural and moral damages. The court ruling based on the government's failure to implement Indian protection laws ordered them to pay reparations to the Panará community.

Compensation of approximately $500,000 will be paid to the surviving 209 Panará Indians. The decision seeks to repair a terrible injustice and marks the first time that the courts have held the government accountable for failing to uphold Indian Protection Laws.

Project initiatives undertaken in 2000:

- Defended the 1997 decision to pay reparations for cultural and moral damages.
- Strengthened the presence of the Panará on their reclaimed lands (1.1 million acres of rainforest).
- Pressured IBAMA, the federal agency responsible for environmental protection, to take responsibility for preventing illegal logging in the area.
- Provided the group with the necessary tools to undertake monitoring activities on their lands to prevent further illegal logging. Once a structure and routine for monitoring is consolidated with the full participation of the Panará, these activities will eventually be transferred to the state.
- Oversaw and facilitated the sale of 600 illegally felled mahogany logs seized by authorities in 1998. The resulting funds will be shared by the Panará and neighboring Kubenkokre Kayapó for sustainable development projects.

In the coming year, the Panará will take a step closer to independence by establishing an Association to administer the funds from both the financial settlement with the government and from the sale of the illegally felled mahogany.

The process of protecting the Panará is far from over. Critical for the long-term future of the community will be their ability to devise sustainable forms of income to ensure their financial autonomy. An initiative currently being investigated is the production of sustainably harvested crops such as peanuts, bananas and honey. In the future a broader survey of resources present on Panará land will be undertaken to find additional resources with economic potential.

Socio Environmental Program



Photo: Per Fronth · Xingu National Park

The RF-US continued to ensure that existing gains in public policy in Brazil were not overturned by powerful economic interest groups by supporting the 'Socio Environmental Program' of ISA. To achieve this, campaigns were mounted and proposed policies monitored to ensure they were in no way detrimental to the environment or Indigenous cultures.

Many of the activities of this program involve the development of groundbreaking initiatives, the revision of existing legislation and the creation of new policy with regard to Indigenous affairs. As ninety percent of Indigenous lands in Brazil already experience some form of external non-sustainable exploitation, this type of work has proven critical for bridging the gap between the law and actual violations of rights related to traditional lands, intellectual property rights and the use of natural resources.

In early Spring, the importance of the program was demonstrated when ISA successfully campaigned against proposed changes to Brazil's forestry code that would have resulted in vast areas of rainforest destruction.

Objectives:

- Continue the work ISA has developed in support of Indigenous peoples as they consolidate their rights to land and the use of their natural resources;
- Provide guidance on socio-environmental issues to social movements and Indigenous communities and their organizations;
- Accompany and take an active role in the process of revising, discussing, and passing laws which deal with socio-environmental issues;
- Participate in meetings dealing with the formulation of public policies relating to forests;
- Contribute to the development of more appropriate socio-environmental public policies, and for the improvement of civil society's capacity to influence government policy.

Activities in 2000:

Through workshops, reports and dissemination of public education materials, regarding the issues below this project had a major impact in 2000. The Program is divided into the following areas; Socio-Environmental Legislation; Monitoring Protected Areas; Forest Policy and Monitoring Government Programs.

Socio-Environmental Legislation

• ISA formulated a new proposal for Indigenous policy within FUNAI, Brazil's Indian Agency. It also proposed and participated actively in transferring the responsibility for Indigenous health care from FUNAI to the National Health Foundation (FNS).

• Indigenous Statute – After six years of deliberation a statute outlining Indigenous rights was finally proposed by the Brazilian Congress. The draft given to leaders during the events surrounding Brazil's 500-year anniversary was rejected. ISA is working closely with Indigenous peoples to ensure better Indigenous participation in the revision process so that their counter proposals are taken into account by the government.

• Genetic Resources – A law regarding access to genetic resources which takes into account the rights of forest peoples proposed by Senator Marina Silva.
The federal government unilaterally discarded the law and proposed a decree which did not take the rights of forest peoples into account. ISA protested this move vigorously, and has filed suit against the government on behalf of the National Confederation of Agricultural Workers (CONTAG) in protest to their flagrant disregard for a law that had been democratically discussed at all levels.

Monitoring Protected Areas

• In 2000, ISA followed decisions made at state and federal levels regarding the formal process of demarcation of indigenous lands, the creation of conservation units, extractive reserves, and other public lands of social and environmental interest. The information gathered from this research was disseminated among partner organizations and the public in order to keep all members of Brazilian society apprised of the above issues.

Forest Policy

• SOS Forest Campaign – In early 2000, ISA launched a campaign against changes to the Forestry Code proposed by the Rancher's lobby in Congress that would have dramatically increased deforestation in the Amazon. The rancher's proposal was rejected, and the campaign had a tremendous impact, securing widespread public support throughout Brazil and internationally.

• ISA coordinated the Forests Working Group, which is composed of major Brazilian NGO's working on the issue. They provided leadership in organizing NGOs around the issue, and articulated their position to the legislative and executive branches. The logging work combines legal action, campaigned and the development of sustainable community-based forest production, such as the "Socio-environmental Management Plan for the Xicrin do Cateté Indigenous Area", the first project of its type in Brazilian history.

Monitoring Government Programs

• ISA facilitated crucial discussions surrounding the Protection of the Brazilian Rainforest (PPG7) and its sub-components. With regard to projects financed by the Brazilian government, ISA is currently focusing on the paving of the BR364 highway in the state of Acre.

• A report entitled "The Environmental Costs of the Advance Brazil Program in the Amazon" was published in conjunction with the Amazon Institute for Environmental Research (IPAM). The report looks at all 'Mega-projects' proposed by the government and analyzes their social and environmental impacts.

Land Reform and the Environment

• ISA participated in forums in which the relationship between these two issues were discussed. In 2000 ISA was one of the organizers of the First Seminar on Land Reform and the Environment, sponsored by the Brazilian Forum of NGOs and Social Movements for the Environment and Development and the Forum for Land Reform and Justice. In addition, ISA has worked on a proposal for partnership with the Movement of Landless Rural Workers (MST).



Photo: João Ripper/RF2 · Aldeia de Sucury



Photo: Valdir Cruz - Macuxi villagers

Brazil

Project Partners – Conselho Indígena de Roraima (CIR) and the Instituto Socioambiental (ISA)

The Indigenous Council of Roraima (CIR) is the most important representative Indigenous organization in the state of Roraima, and is well respected both in Brazil and internationally. CIR has been responsible for many of the victories seen by Indigenous communities throughout the country. However the work of the legal department has never received consistent funding. The RF-US realized the importance of this work particularly as it was being undertaken by an Indigenous lawyer, Joênia de Carvalho, a Wapaxini Indian. Joênia is currently the only female Indigenous lawyer in Brazil. Her work at CIR is focused on protecting the communities of Raposa Serra do Sol (RSS).

Since the beginning of the process of colonization by the Portuguese, the communities living in RSS have suffered a history of conflict. Situated in Northern Brazil, the 6,500 square mile area is the traditional home of 12,000 Indigenous people, made up of Macuxi, Ingariko, Wapixana, Taurepang and Patamona communities. Despite their presence, the region has suffered numerous invasions by groups of cattle ranchers, and gold and diamond miners attempting to appropriate their lands.

Between 1981 and 1999, 186 cases of human rights violations against Indigenous peoples were recorded in Roraima, mainly as the result of conflict over land.

Legal Defense of Raposa Serra do Sol Indigenous Land

In 2000 with support from RF-US. emergency legal work was undertaken on behalf of the communities of (RSS) by CIR and ISA. Success was imperative as the demarcation of RSS has implications on Indigenous land tenure issues which go beyond this specific project. This legal work countered actions, which if successful would have had an impact on all Indigenous land demarcations, threatening vast areas of rainforest and the cultures that have traditionally occupied them in Brazil.

In 1999, following many years of campaigning, the Government formally recognized the territorial rights of the Indigenous communities of RSS. However, economic interest groups with ties to the state government have managed to postpone the official ratification necessary to complete the process by filing a suit against the demarcation. The Government's lack of action on the matter has led to continued conflicts in the region. Against a backdrop of violence and intimidation, disputes over the region escalated in 1999 as lawsuits were filed against the validity of Indigenous claims to the territory. However, in September 2000, CIR and ISA successfully overturned the suit against RSS. The Senate's Social Issues Commission rejected the suit stating " for the Indians, land is more than merely part of their patrimony. It represents an indispensable condition to the life of these peoples, to their physical and cultural existence, and to their future generations".



Photo: João Ripper/RF2 - Aldeia de Sucury



Photo: Terence Freitas - Cloud Forest

Colombia

Project Partner - U'wa Defense Project

Founded in 1997, the U'wa Defense Project (UDP) was created to assist the U'wa of northeastern Colombia when interacting with the outside (Riowa) world that is threatening their existence. In full consultation with the U'wa Traditional Authorities, the UDP provides legal, community development, advocacy and research support to this community.

The U'wa's philosophy is to maintain the balance of the earth. Since 1999, the RF-US has supported the UDP in their work with this peaceful community to defend their lands against oil exploration. Such exploitation is at complete odds with the group's philosophy, which sees the act as a direct violation of their lands and right to life.

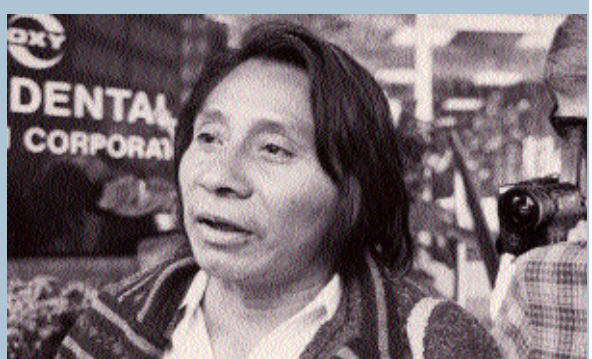

Photo: Terence Freitas - Berito Kuwar

"We are all children of the Earth, help us to defend her."

-Berito Kuwar U'wa, spokesperson Traditional U'wa Authority

Akwa Project 'Knowledge for a Changing World' - Strengthening the U'wa Community's Leadership

Between November 1999 and March 2000 the U'wa mobilized widespread support in Colombia against proposed oil exploration, culminating in non-violent mobilizations throughout the country. Paralleling this effort in Washington DC the U'wa and their support groups lobbied Congress to take a stand against the US oil company Occidental Petroleum. A direct result was that the Colombian court issued a temporary suspension of the oil project construction, based on the argument that the project was likely to violate the U'wa's fundamental human rights, including their right to life.

On September 14, 2000, the U'wa presented the Colombian government with archival evidence of colonial titles dating from 1661, which the U'wa claim uphold their soil and subsoil rights to their ancestral territory. Despite this evidence and international condemnation, a drilling licence was granted for the Gibraltar 1 site, overturning an earlier progressive decision to protect the U'wa's right to life. Despite this set-back, the community continues to fight the decision and will now challenge the government and Occidental Petroleum through two higher legal channels.

In conjunction with the law-suit and in order to strengthen the community's capacity to defend themselves in a changing world, an educational program was established specifically to teach young leaders struggling to protect their traditional lands. Knowledge is essential if the U'wa are to protect their cultural integrity as they are increasingly exposed to the modern world. The Akwa project which was supported by the RF-US was comprised of two initiatives which respond directly to the U'wa's needs. The first will enable young emerging leaders to achieve their educational goals without having to rely on financial incentives offered by Occidental Petroleum. The second will enable present and emerging leaders to adequately address the growing demands and responsibilities inherent to their roles within the community as 'knowledge brokers' between U'wa communities and Riowa (Outsider) interests by increasing their leadership and organizational capacities.

Like many communities globally, the next generation of U'wa will have to develop new skills to deal with the changing regional and global context within which they now find themselves. At a critical juncture in their history, they have identified the securing of the traditional territories; the resistence against externally imposed development strategies, and the development of economic alternatives as key to protecting their culture and their lands.

Program Partner Organization - The Amerindian Peoples Association (APA)

Guyana is one of the most forested nations in the world, with over 62,000 square miles of rainforest. However, having failed to implement constitutional requirements to grant Amerindian land titles much of the country's forests are threatened by mining and logging concessions.

Based in Georgetown, Guyana, the APA, was created by Amerindians for Amerindians. Since 1991 the organization has promoted the social, economic, political and cultural development of Indigenous peoples of Guyana. The group, which represents 75 communities, including eight of the nine Indigenous groups of Guyana, is widely recognized as the country's foremost national Indigenous organization. The RF-US has been partners with the APA since 1995.

As an advocacy organization, the APA engages in activities at a variety of levels to further the rights of Guyana's 60,000 Amerindians. The organization undertakes community level activities such as training workshops, conferences and field visits that focus on increasing the capacity of communities to deal with issues such as mining and logging taking place on their lands. At a national level, the APA monitors policies implemented by government and other agencies to ensure Amerindians are consulted in the formulation of policies that would affect them. At all times the APA seeks to lobby for the inclusion of the policies and legislation that promote and recognize Amerindian rights in Guyana. Regionally, the group has played an important role throughout the Guyana Shield countries of French Guiana and Suriname in training other communities with respect to their rights.

'I am an Amerindian of Guyana fighting to protect my home the rainforests.... We are Guyana's first peoples, a group that has been consistently overlooked with regard to the development of our traditional lands. Historically, we have not been consulted nor have we been respected. 40% of our land is still under attack from mining and logging.

Our partner the Rainforest Foundation and organizations like them have enabled us to be heard in the International fora. Finally, many people have shown they are willing to listen to our issues. I see hope on the horizon for our people as long as we are willing to stand firm together against those who put their own interests before the peoples of the Earth.'

Tony James, Toshao, Aishalton Village,
Vice President of the Amerindian Peoples Association



Photo: Amerindian Peoples Association - Community Workshop

Partnership Program with the Amerindian Peoples Association of Guyana

An important element of our partnership program with the APA is to support their institutional growth and strengthen their ability to serve and support Indigenous communities on the local, regional and national levels. Critical for the program's success is flexibility, which allows the APA to pinpoint areas where the funds given can be best utilized. The APA has identified the following three areas as priorities:

Objectives in 2000:

- Support and strengthen the recognition of Indigenous rights in Guyana;
- Support the institutional growth of the APA so that it may strengthen its position as a representative national and international advocate for the rights and interests of Indigenous peoples in Guyana;
- Support local, regional and international efforts to curtail destructive development projects in Guyana.

The APA has identified the following areas as a priority:

Project Work - The continuation and expansion of the 'self-government project' seeks to support Amerindian communities' efforts to strengthen their own governing institutions (village councils) while helping to devise common responses to external threats and issues of community concern.

Legal Reform - This builds upon existing work undertaken by the APA related to the reform of Guyana's constitution and the Amerindian Act. Importantly it also includes examining legislation that may affect Amerindian rights, such as the Mining and Forest Act.



Photo: Peter Poole · Mapping traditional lands in the Upper Mazaruni

Research and Publication – This focuses on identifying a number of key issues each year and then conducting detailed research, the results of which will then be published. Issues being considered include: bi-lingual education, land rights, traditional medicine and the impact of mining and logging. Each report, once published, will be used to strategically support the APA's programs and advocacy objectives.

Mapping – Support of mapping initiatives used for substantiating territorial rights. Detailed maps are used to document land rights and resource use, in order to present requests for land title to their government.

Meetings – In 2000, our support enabled the APA to unite over 120 leaders from all over Guyana for the APA's General Meeting. The three-day conference, entitled "Through Amerindian Eyes: the Way Forward" allowed Indigenous leaders in Guyana to combine their experience and ideas, and to establish a two-year work plan for the APA.

Amerindian Legal Services Center

The Amerindian Legal Services Center officially opened its doors in April 2000, the first of its kind in Guyana. The Center is a joint initiative of the APA and the RF-US. It was developed in direct response to a request from the Indigenous peoples of Guyana as they had repeatedly stated the need to train community members in order to better defend themselves against logging and mining interests that are destroying their traditional lands. The Center's mission is to train Amerindians in the law and represent them in land rights cases. The ultimate goal is to have the Center staffed only by Amerindians. This year the Center moved closer to this goal by hiring an Amerindian Director. The Center also employs a full time attorney experienced in Amerindian rights, as well as several support staff. The RF-US also established an Indigenous Law School Scholarship program, which will eventually reduce the Center's reliance on non-indigenous legal assistance.

The overarching strategy of the Center has been to concentrate on protecting the rights of Amerindians to their land and natural resources. This is achieved through strategic litigation, general legal services, and the presentation of training workhops which inform communities of their basic rights. Where necessary, communities are represented in legal actions to protect those rights.

Objectives:

- Hire Amerindian to be Director of Center;
- Pressure the government for the full recognition and application of national and international Indigenous rights law, with an emphasis on land rights;
- Promote the participation of Indigenous peoples in drawing up legislation and policies concerning their rights and interests through regular training and a scholarship program;
- Strengthen Indigenous law, particularly as it relates to community management and control of resources and land.
- Represent communities in ongoing land rights cases against the government.



Photo: Ivor Marslow/APA · Protesting for land rights

Activities in 2000:

Legal Advice

The Center provided valuable advice to the Amerindian Peoples Association (APA) on the draft forestry legislation that would have impacted negatively on Amerindian communities.

Following the extension of Kaieteur National Park, which violated Amerindian rights by restricting access to the area, the Center sought an amendment to the Act on the community's behalf. In addition to this, the Center provided Chenapau with advice on dealing with the World Bank in negotiations surrounding the proposed National Protected Areas System Project.

Work also continued on protecting the rights of the people of Kambaru village in the Upper Mazaruni which was affected by mining. Following the submission of a report by the Center and the APA on behalf of the affected communities, the Government has agreed to accept 17 out of 20 recommendations.

Legal work included advising communities on a proposed space-port that would have displaced communities. Due to national and international pressur, the American company BEAL abandoned plans for this facility. Also, ongoing advice was given regarding the rights of Amerindian communities with regard to self-administration at the village level.

Legal Representation

Following the Government's failure to enact legislation to protect the rights of Amerindians in the Kaieteur National Park, the Center has filed an action on behalf of the people of Chenapau, the Patamona Nation and Amerindians in general in Guyana to protect their traditional and constitutional rights.

The Center also continued to pressure the Government with regard to the Upper Mazaruni Land Rights claim (the first of its kind in Guyana's history). If successful, the claim will secure 4,500 square miles of rainforest for the six communities of the Upper Mazaruni. Work was undertaken to establish the historical occupation of the communities and to determine their rights to use the land.

Training Workshops

A series of workshops were undertaken in Kopinang, Paramakatoi, Kako Jawalla and Kambaru, communities that are coming under increasing pressure as the Government opens up the hinterland to mining and logging operations. The training focused on the history of land rights, the importance of Amerindian culture, the general use of law, the role of the Center, mining and other issues pertaining to protected areas. Delivered in English then translated into Patamona, Makusi and Portuguese the training sessions ensured that the Captains (Village leaders) and community members fully understood the issues being presented.

The mission of the Rainforest Foundation is rooted in securing the rights of Indigenous and traditional peoples of the rainforest, and states as an objective the need to make these communities self reliant. This project represents the realization of this goal for the Amerindians of Guyana, by ultimately giving them the tools to defend their land and basic rights themselves.



Photo: Amerindian Peoples Association · Destructive river dredging

Legal Scholarship

In 2000, David James a founding member of the Amerindian Peoples Association, began his education toward a law degree. David is the first recipient of the Rainforest Foundation's Legal scholarship program, and the first Amerindian in the country's history to attend Law school. The completion of his degree will take Amerindians a step closer towards defending their own rights.

The use of law to secure the future of Indigenous rights has inspired David to leave his position in his community of Santa Rosa as a teacher, in order to pursue a career in law to advance the Amerindian cause in Guyana. A much respected community leader, he was elected President of the APA in 1996 and served a second term until April 2000. He was also elected the Land Rights Coordinator for the Co-ordinating Body of Indigenous Organizations of the Amazon Body (COICA), a position he still holds.

Upon completion of his law degree, David will become the Legal Director at the Amerindian Legal Services Center.



Photo: Amerindian Peoples Association · Land rights protest, Georgetown

Guyana Shield

Project Partner – Forest Peoples Programme (FPP)

Suriname, Guyana and French Guiana contain one of the last relatively intact areas of rainforest in the world and one of the highest populations of endemic species. The area is also home to 150,000 Indigenous people and Maroons (descendents of escaped African slaves who fought for and won their freedon in the 18th century), who are at the forefront of efforts to preserve and protect their environment from multi-national mining and logging concessions.

In 2000, the RF-US continued its support of the Three Guyana's Human Rights Program, an initiative of Forest Peoples Programme (FPP),designed to help threatend communities fighting to protect their lands. The FPP itself is a special program established by the World Rainforest Movement in 1990 to chart forest peoples' response to the tropical forest crisis. Its mission is based on securing the rights of those who live in and depend on tropical forests to control their lands.

The Three Guyana's Human Rights Project

The three Guyanas program was established to support a network of organizations working on common threats to the environment and Indigenous communities of Guyana, French Guiana and Suriname through the provision of campaign and capacity building activities.

In collaboration with leading Indigenous rights lawyer Fergus Mackay, the RF-US through its support in 2000, sought to strengthen Indigenous rights and build advocacy initiatives to curb destructive development throughout the three Guyana Shield countries. Workshops focused primarily on land rights and the associated problems caused by mining and logging. In Guyana, for example, just two companies, Migrate and Vanessa, own concessions that cover 20,000 square miles, an area three times larger than all titled Amerindian lands combined. The specific objective of the training sessions was to empower Indigenous peoples to ensure that their rights are taken into account by their respective governments.

In 2000, Rainforest Foundation support focused primarily on Maroon communities of Suriname with the following objectives:

- Slow or freeze the hand-out of logging and mining concessions;
- Promote a reform of natural resource management policy and national forestry and mining institutions;
- Inform and reform the policies of aid and development agencies active in these countries;
- Promote the rights and interests of forest peoples;
- Support and strengthen national and local environmental and indigenous peoples/human rights organizations;
- Mobilize public opinion on the issues nationally, regionally and internationally;
- Develop and implement a proactive strategy, both locally and regionally, to address issues of concern as well as the capacity to effectively respond to specific situations.



Photo: Christine F. Werners-Samsom · Captain Banee signing petition to the IACHR

The project focused primarily on three general areas:

Advocacy – Helping communities present their concerns to the media in Suriname and internationally.

Field Project/Capacity Building – supporting Saramaka mapping project, strengthening Maroon organizations and undertaking community level workshops on land rights.

Technical Support – Assisting with legal issues, including the writing of formal complaints, filing of petitions to the government, and briefing communities on issues.

In 2000, Maroon communities filed the first ever complaint with the Inter-American Commission on Human Rights and the Organization of American States. The complaint was made by the Saramaka Authorities and twelve village leaders against the government of Suriname for their failure to recognize and respect the territorial and cultural rights of the Saramaka Maroons in connection with the issuance of mining and logging concessions on their lands.

Suriname

Project Partner – Association of Village Leaders in Suriname (VIDS)



Photo: Max Ooft - Mapping activity in Bigiston

The Association of Village Leaders in Suriname (VIDS) is an organization of Indigenous community leaders representing almost every Indigenous group in the country. Established in 1992 in the aftermath of the internal armed conflict in Suriname, its goals and objectives are to promote and defend the rights of Indigenous peoples and to support sustainable development in Suriname.

The Rainforest Foundation recognizes the importance of VIDS' work in a country that currently has no environmental laws and no monitoring capacity, leaving traditional lands susceptible to mining and logging. Adding to this, Suriname is the only country in the Western Hemisphere that does not legally recognize Indigenous lands and other basic rights.

Logging and mining concessions together cover large areas of Suriname's land mass and affect some 70 percent of all Indigenous and Maroon communities. It was estimated that in 1999, 20 tons of mercury were released into the environment.



Photo: Max Ooft - Chiefs in Lower Marowijne region attending mapping meeting

Community Based Mapping Project for the Lower Marowijne Region

This was the first project of its kind in Suriname, enabling seven communities to document land rights and traditional resource use in order to present a detailed request for land title to Suriname's Government. Upon completion, the maps will form the basis for legal recognition of the territorial rights of the Indigenous peoples in this area. The proposed case will argue that Indigenous peoples in Suriname have an existing and enforceable aboriginal title to their lands that requires respect under the laws of Suriname and that the court must order issuance of collective land in the name of these villages. If this is unsuccessful, the case will be filed with the Inter-American Commission.

Meetings were held before mapping was undertaken to ensure full understanding of the activities, guarantee support for the team and to invite appropriate guides for the field trips. Coordinates were then mapped for important areas (natural resources, agriculture plots, hunting or fishing fields, sacred sites, historic places) and these were then plotted onto a base map.

It was notable that the mapping training was undertaken by an Amerindian who had participated in similar mapping projects in Guyana. Other communities in Suriname have expressed the desire to map their territories with a view to protecting their rights; the need is clear with the aggressive advancement of mining and logging operations throughout the country.

Suriname



Photo: Christine F. Werners-Samsom - Travelling to training workshop in Botopasi

Project Partner - Stichting Sanomaro Esa

Securing Indigenous Women's Rights

In a country where Indigenous people are considered to be squatters or 'permissive' occupiers of state lands, Indigenous women face even greater obstacles than Indigenous men in obtaining their rights. Recognizing this issue, the RF-US supported the Indigenous Women's NGO Stichting Sanomaro Esa in 2000 to combat the discrimination they face

Founded in 1989, Sanomaro Esa is an Indigenous Women's NGO which advocates on behalf of the rights and well being of Indigenous women and children to ensure they have equal access to land and resources, healthcare, education and promotes respect for indigenous culture and identity.

It is often said that Indigenous women suffer from three kinds of discrimination: race, class and gender. Indeed, it is the norm that Indigenous women have lower socio-economic status than Indigenous men and face greater obstacles in enjoying their rights. Stichting Sanomaro Esa was formed in direct response to the issues facing women in Suriname.

This project recognizes the importance of women in the success of the Indigenous rights movement in Suriname and supported the educational outreach activities of the organization Sanomaro Esa, which in 2000 held 8 workshops to educate women about their rights and promote women's participation in the larger Indigenous rights movement in Suriname.

Objectives:

- Inform Indigenous women about national and international developments and standards pertaining to land and resource rights;
- Ensure that Indigenous women take an active role in supporting the Indigenous rights movement in Suriname and in defining the scope and content of Indigenous self-determination;
- Discuss the rights specific to Indigenous women which were accounted for by the Indigenous rights movement and Indigenous men at the national and community levels;
- Ensure that women's rights, as defined by international law, are discussed and promoted;
- Support and strengthen the Indigenous Women's Network in Suriname;
- Develop and implement collaborative projects focusing on Indigenous women's rights with the Indigenous leadership and national authorities in Suriname.

Activities in 2000:

- Conducted 8 workshops with 24 communities focusing on land and resource rights and Indigenous women's rights;
- Developed and added to Sanomaro Esa's existing workshop and educational materials on land and other rights;
- Hired a part time program administrator to support coordination of the Indigenous Women's Network.

The workshops undertaken by Sanomaro Esa have resulted in concrete action through community level activities and through the combined voice of a network of 33 local Indigenous women's organizations that utilize a radio network provided by the RF-US. With the assistance provided by the RF-US in 2000, Sanomara Esa was able to expand its existing workshop program and produce educational materials concerning land and other rights.



Photo: Valdir Cruz - Yanomami

Belize

Institutional Assistance for the Toledo Maya Cultural Center (TMCC)

To ensure the Toledo Maya Cultural Center (TMCC) remained open, the RF-US provided the Center with an emergency grant to ensure their office did not have to close due to lack of funding. TMCC is an organization that helps the Maya of Belize develop sustainable development initiatives and provides scholarships that allow 50 Mayan Students to attend the Toledo Community College (Secondary school). With our help, the TMCC was able to continue in its negotiations with the Government of Belize to demarcate and give land title to 36 Mayan communities. The building of a highway through their territory, coupled with illegal immigration from Guatemala and the extension of the agricultural frontier all pose a significant threat to the Maya of Toledo.

Brazil

500 Year Anniversary - 500 Years of Indigenous, Black and Popular Resistance

April 22, 2000 marked the 500-year anniversary of the 'discovery' of Brazil. Thousands of Indigenous peoples chose to meet and recall their version of history rather than celebrate, considering the date marks the passing of five centuries of cultural genocide. The Rainforest Foundation provided funding that allowed several Indigenous leaders to attend the gathering in Coroa Vermelha.

It is estimated that since the discovery of Brazil, the original number of Indigenous people has been reduced from approximately 5-6 million to 350,000. Of the 1,400 estimated groups only 210 remain.

Between April 19 and April 22 an historic Indigenous conference was held. After that the conference participants travelled to Porto Seguro, where Pedro Alvares Cabral landed in 1500 in the North Eastern State of Bahia, in an attempt to present President Cardoso with their demands. Indigenous representatives were excluded from the official celebration and those that attempted to pass were met with force.

'We arrived in the Pataxo village of Coroa Vermelha on April 17, 2000. On our way to the village, we fulfilled our commitment to follow the trail of the great invasion of our territories, which has lasted 500 years now, we are more than 3000 representatives of 140 Indigenous peoples from all over Brazil. We have crossed land, rivers, mountains, valleys and plains once inhabited by our ancestors. Filled with emotion, we saw the regions where Indigenous peoples were killed defending land invaded by explorers, adventurers, miners and later on, by roads, farms, and business, craving land, profit and power.

We marched in remembrance of our struggle and pain, to reclaim our history and help build a positive future for all Indigenous peoples...."

"The whites shout out today: ''We discovered the land of Brazil''. This is nothing less than a lie," Our ancestors have known this land forever. The only thing the whites did was to steal the lands from the peoples of the forest and destroy them."

Davi Yanomami, Yanomami Leader

The 500-year 'celebrations' provided Indigenous peoples and the organizations that support them with the opportunity to draw attention to their present plight. Representative groups were able to build on this exposure to pressure the government when considering such legislation as the Statute of the Indian and the Forestry Code to fulfill their constitutional obligations to Brazil's Indigenous people.

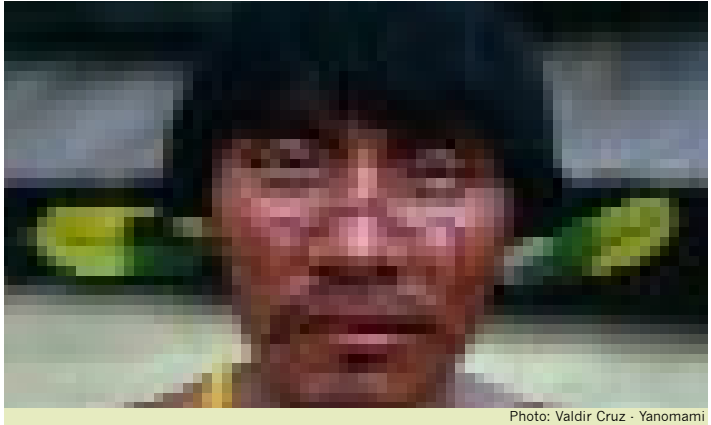

Photo: Valdir Cruz - Yanomami

Documentation of the 500th Anniversary of Brazil

In order to document the historic gathering of Indigenous peoples in Bahia prior to marching to the site where Cabral first landed in Brazil 500 year earlier, the RF-US gave a grant to respected human rights photographers João Roberto Ripper and Ricardo Funari. Their images recorded the gathering, cultural traditions and presentations of the marchers. These images will be used in public education materials.

Accompanying discussions on the Statute for Indigenous Societies and ILO 169

Throughout 2000, The Council for the Articulation of Indigenous Peoples and Organizations of Brazil (CAPOIB) monitored several key government policy initiatives to ensure that those proposed such as the Statute relating to Indigenous rights and their traditional lands, were not diluted or overturned.

The grant provided by the RF-US allowed CAPOIB to bring indigenous leaders to Brasilia as the government reviewed two pieces of important legislation the Statute for Indigenous Societies and ILO 169. Both are critical to the future of Indigenous people in Brazil.

Education Project with the Yanomami

In 2000, the Rainforest Foundation produced the fifth edition of its award winning appointment calendar. The 2001 edition featured drawings that had been collected by world-renowned photographer and founder of the Commisão Pró-Yanomami (CCPY) Claudia Andujar. The drawings represented the Yanomami's visualization of their experiences since contact with 'civilization' and its associated effects on them. A portion of the funds raised from the creation of the calendar will be used to develop an education project in collaboration with CCPY to help the Yanomami protect their culture.

Support for the National Council of Rubber Tappers

This project supported the rubber tapper communities of the Jurua River in the state of Acre. It specifically assisted tappers who had left the forest for the cities, and were seeking to return to their traditional way of life. The project trained community leaders by educating them about their rights, environment, resource mapping and monitoring techniques and public policy initiatives. As the government creates a national park in the region, it is imperative that the tappers are informed of their basic rights to ensure they are not overlooked.

Canada

Research from the Ground

Mineral exploration and development are increasingly taking place on the lands of some of the worlds poorest and most marginalized communities. However, these communities are ill equipped to handle the complex legal, technical, environmental, political and financial burden of protecting their own interests. The Rainforest Foundation enabled Surinamese Indigenous Rights lawyer, Martin Misiedjan to attend a two-day conference undertaken in Ottawa in April to share expertise and learn from the experiences of different communities.

United States

Rainforest Foundation Project Partners Meeting

For the first time in the history of the Rainforest Foundation US, project partners from Brazil, Guyana and Suriname were brought together in New York to meet, develop relationships, share common experiences and learn from one another's expertise. This important meeting also enabled the RF-US to formulate a work plan for the coming year by identifying areas that the partners felt were a priority.

Representatives from the Amerindian Peoples Association, the Forest Peoples Programme, Instituto Socioambiental and the Amerindian Legal Services Center attended the 2-day meeting which also afforded them the opportunity to meet with press representatives to discuss issues which threaten their cultural integrity.

Ensuring Indigenous Participation in Discussions with the World Bank

Concern about the impact of World Bank projects on Indigenous peoples has been widespread for many years. Forced removals of tribal peoples to make way for large dams and mines, the invasion of Indigenous reserves by landless colonists and loggers, the denial of land rights in the extension of large-scale plantations and agricultural schemes, pollution and the desecration of lands by oil exploration have all been widely reported and decried. In response to criticisms and expressions of concern, the World Bank has adopted special policies designed to mitigate these impacts and ensure Indigenous participation in development.

However, partial reviews of the Bank's compliance with these policies, carried out by its own staff, have revealed serious shortfalls in performance. In the 1980s, a Bank review of a small sample of 33 projects affecting Indigenous peoples showed that less than half sought to observe the policy and only two complied with all its key elements. A recent review of projects in Latin America suggests that a third of projects affecting Indigenous peoples are still failing to implement one of the central policy obligations, the preparation of 'Indigenous Peoples Development Plans'.

In 2000, the RF-US provided funding that allowed Indigenous participation in the World Bank's process of reviewing its Indigenous Peoples and Forestry Policy. Such participation is needed to ensure that any future policy not only accommodates indigenous peoples' views, but also takes into account the real difficulties the Bank has had in implementing the policy on the ground.

Indigenous peoples were invited to document their own experiences with World Bank projects in forests and then attend a workshop in Washington DC in May 2000 to present their findings and case studies to World Bank staff. The aim was to contribute to the World Bank's policy revisions and strengthen Indigenous peoples' input to these policy-making processes.

In early 2001, the World Bank is expected to circulate a new draft policy which will hopefully take into account the concerns addressed at these workshops

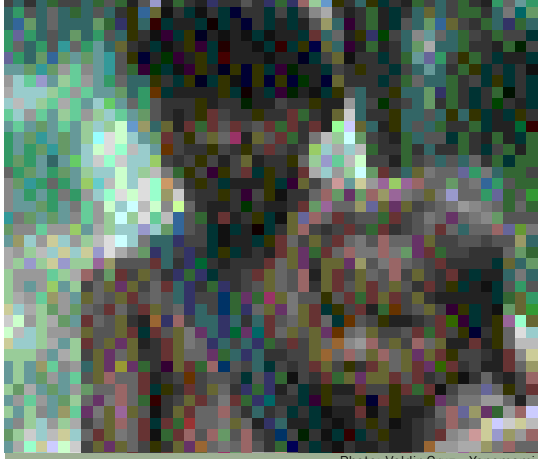

Photo: Valdir Cruz - Yanomami

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We would like to take the opportunity to thank the following Foundations for their support of our work in 2000:

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The Rainforest Foundation would like to extend its special thanks to the volunteers who so generously give their time to advance our cause.

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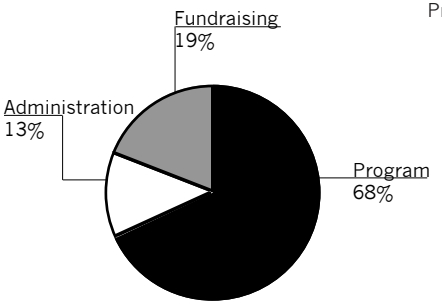
RF-US Budget

Year Ending December 31, 2001



Support, Revenue & Cash	
Cash Year Ending 2000	150,000
Foundations	455,000
U'wa Defense Project	175,000
Individuals & Corporations	300,000
Marketing and Licensing	140,000
Special Events	400,000
Misc.	5,000
Total Support & Revenue	**$1,625,000**
Expenses	
Program Services	
Projects · *Brazil*	
Panara Project	45,300
Socio-Environmental Legislation Program	20,000
Indigenous Legal Initiative Demarcation Raposa/Serra do Sol	61,180
Sub-Total Brazil	126,480
Colombia	
U'wa Defense Project	175,000
Guyana	
Amerindian Peoples Assoc.·Partner Support	40,000
Center for Amerindian Rights Environmental Law	80,000
Amerindian Law School Scholarship	12,000
Two Way Radio Communications Project	41,280
Sub-total Guyana	173,280
Suriname	
Land Rights Legal Training Work·shops	30,000
Regional	
Latin America Indigenous Work·shops on World Bank Policy	74,000
Small Grants	50,000
Sub·total Project Expense	628,760
Campaigning & Advocacy	88,606
Public Education & Communication	124,047
Program Support	141,769
Total Program Services	**$ 983,182**
Supporting Services	
Management & General	193,143
Fundraising	276,437
Total Supporting Services	**$ 469,580**
Total Expenses	**$1,452,762**
Excess of Support, Revenue & Cash over Expenses	**$ 172,238**

Note: The 2000 Audit is in the process of being prepared and will be available in June 2001
Cash year ending 2000 Projected Budget · $115,000 · Actual $150,000.

Rainforest Foundation

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Eleanor Mondale – Television Broadcaster
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Credits

The Rainforest Foundation would like to take this opportunity to thank our project partners. Whatever we achieve is a tribute to them.

We would also like to extend out sincerest thanks to the individuals and corporations that have donated their time and services to the Rainforest Foundation. You enable us to carry out our daily work. Thank you.

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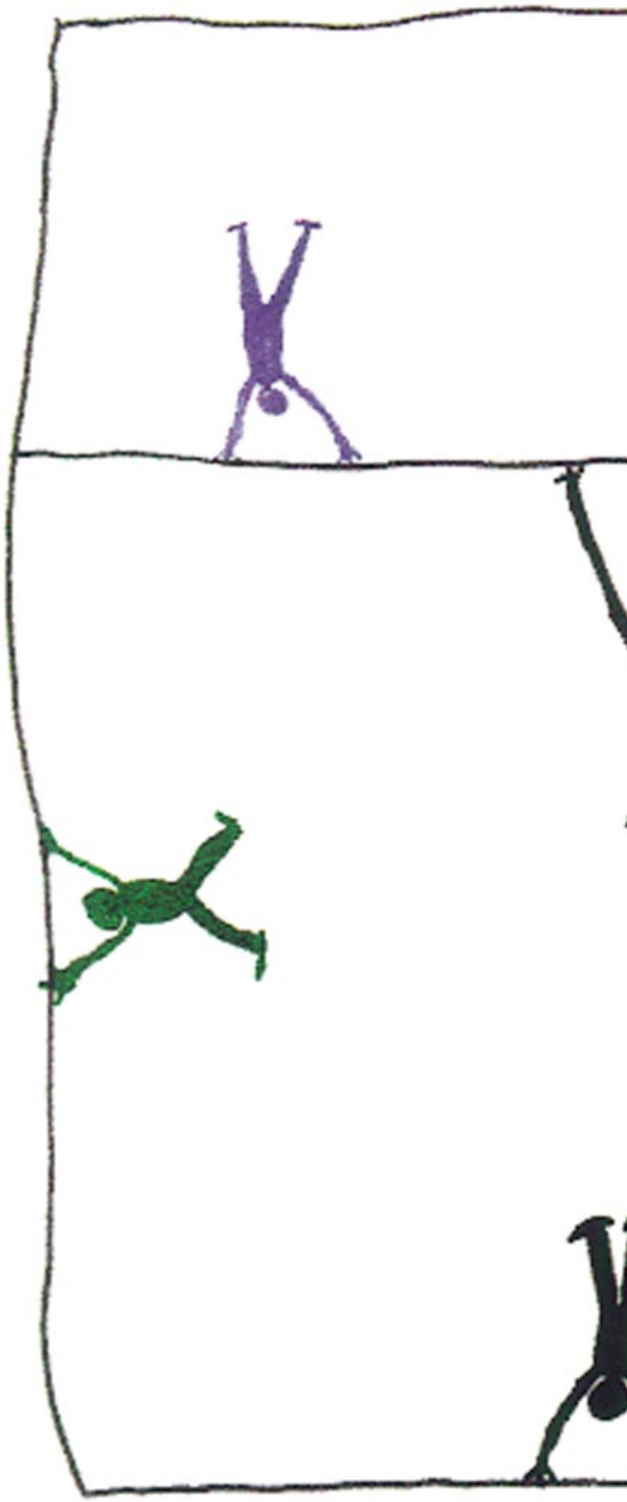
protecting the rights of forest peoples



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