

THE COLOR RED

*ACTING FOR INDIGENOUS RIGHTS
THEATER TO CHANGE THE WORLD*

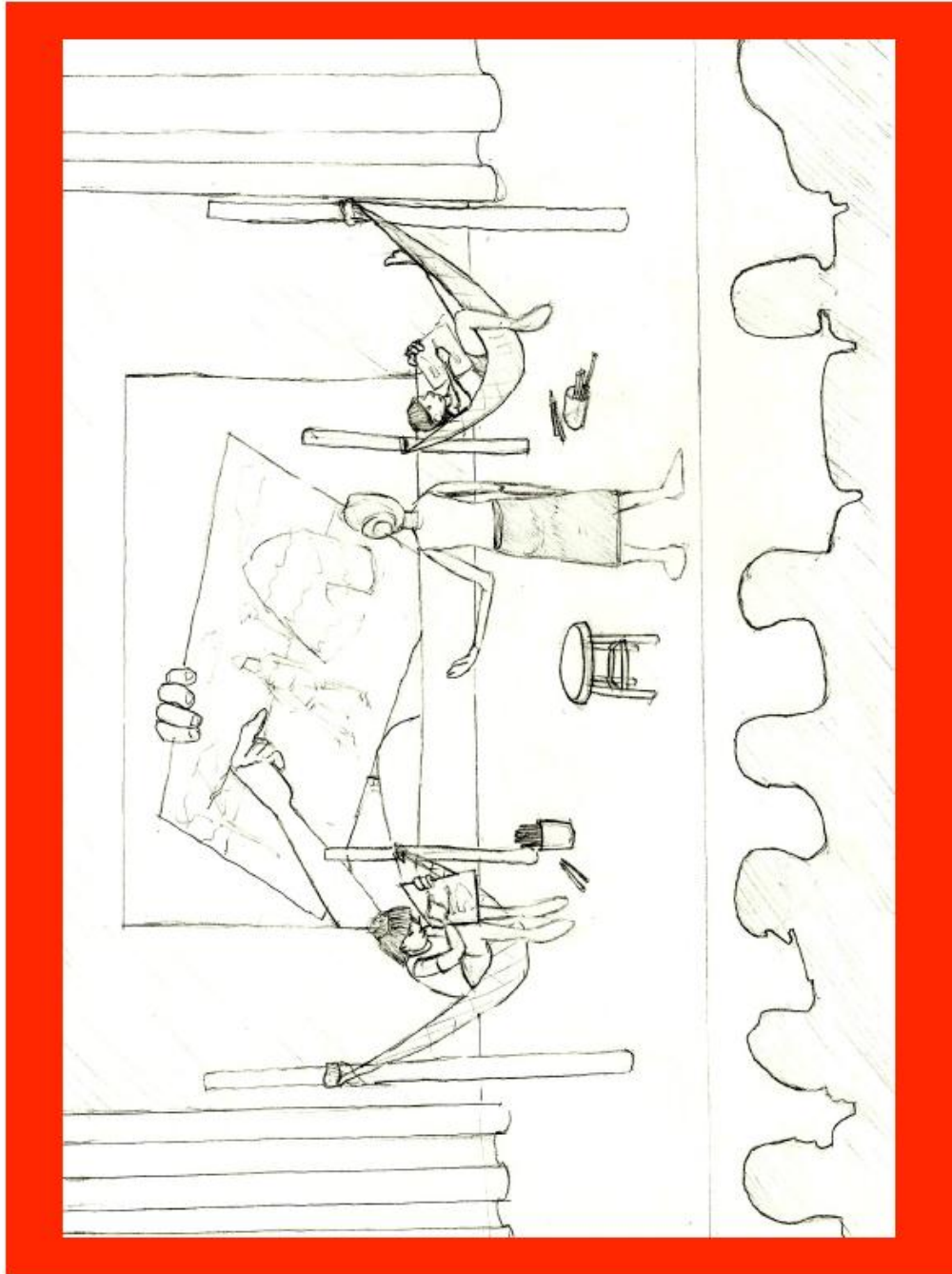
TOPIC BOOK # 7

Chapter 7

By

Mariana Leal Ferreira

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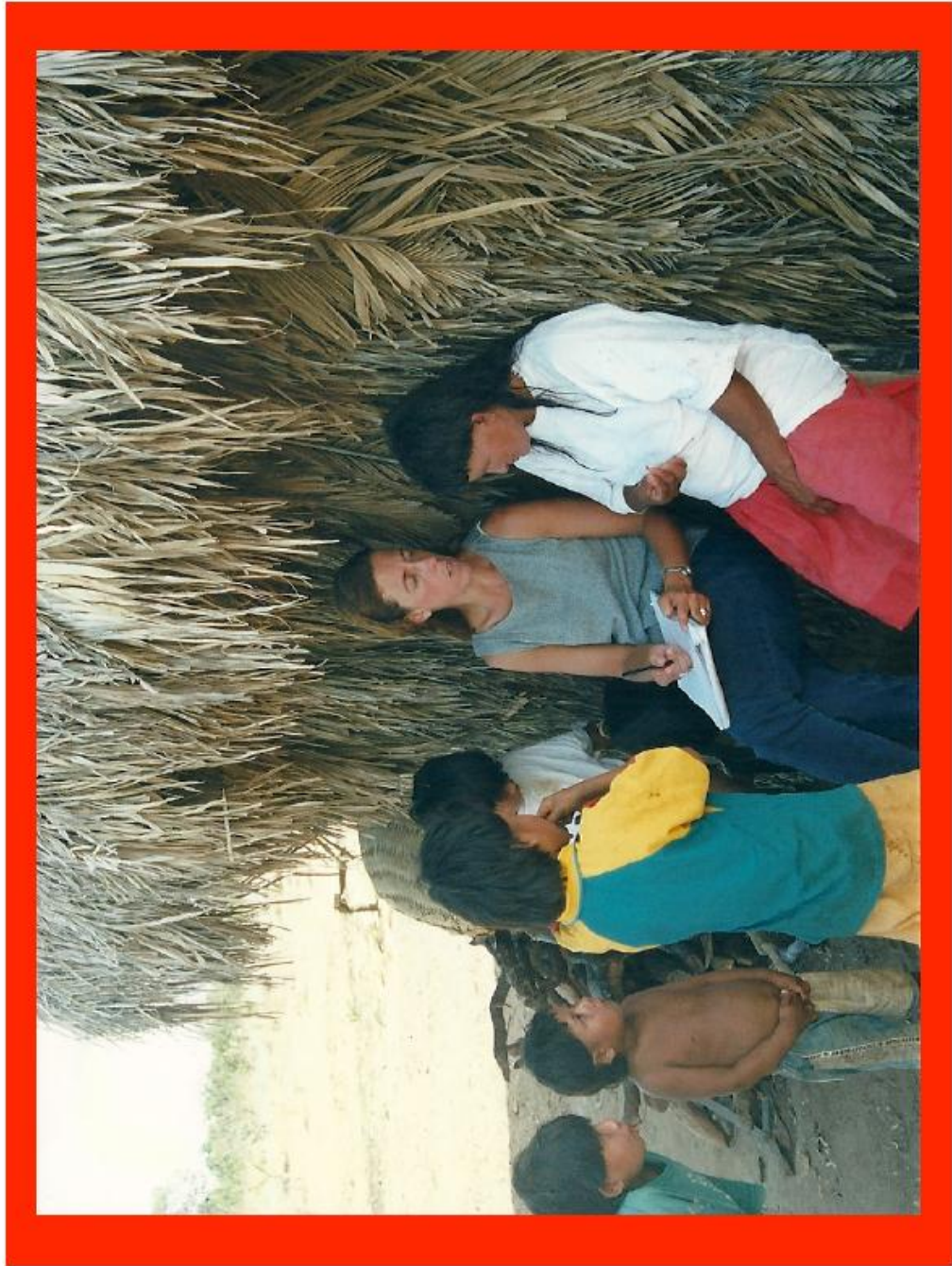
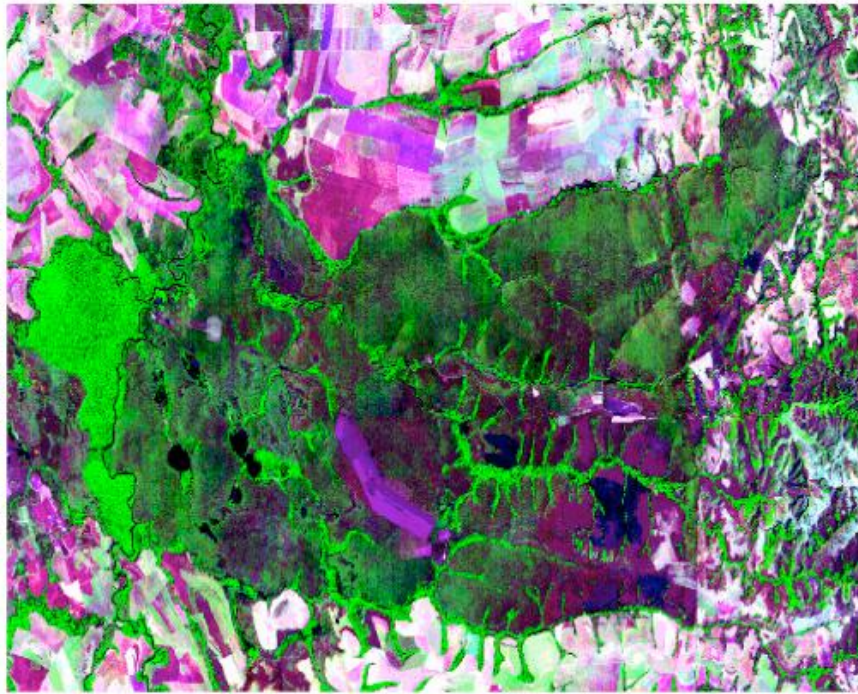




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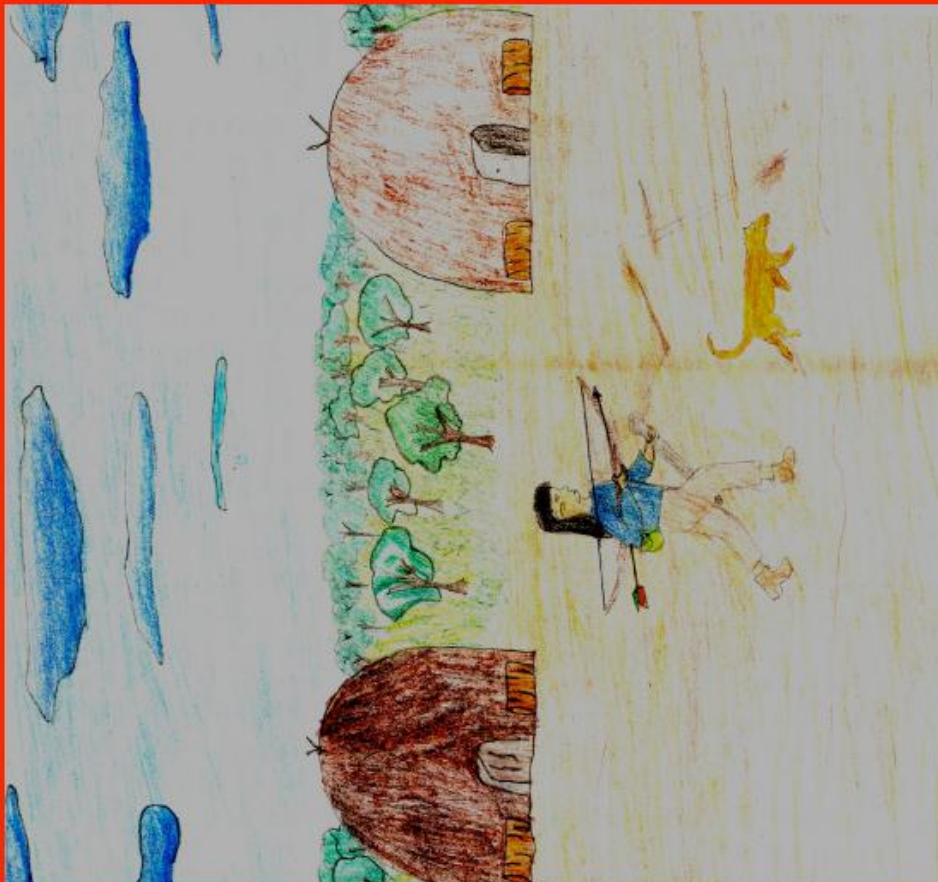
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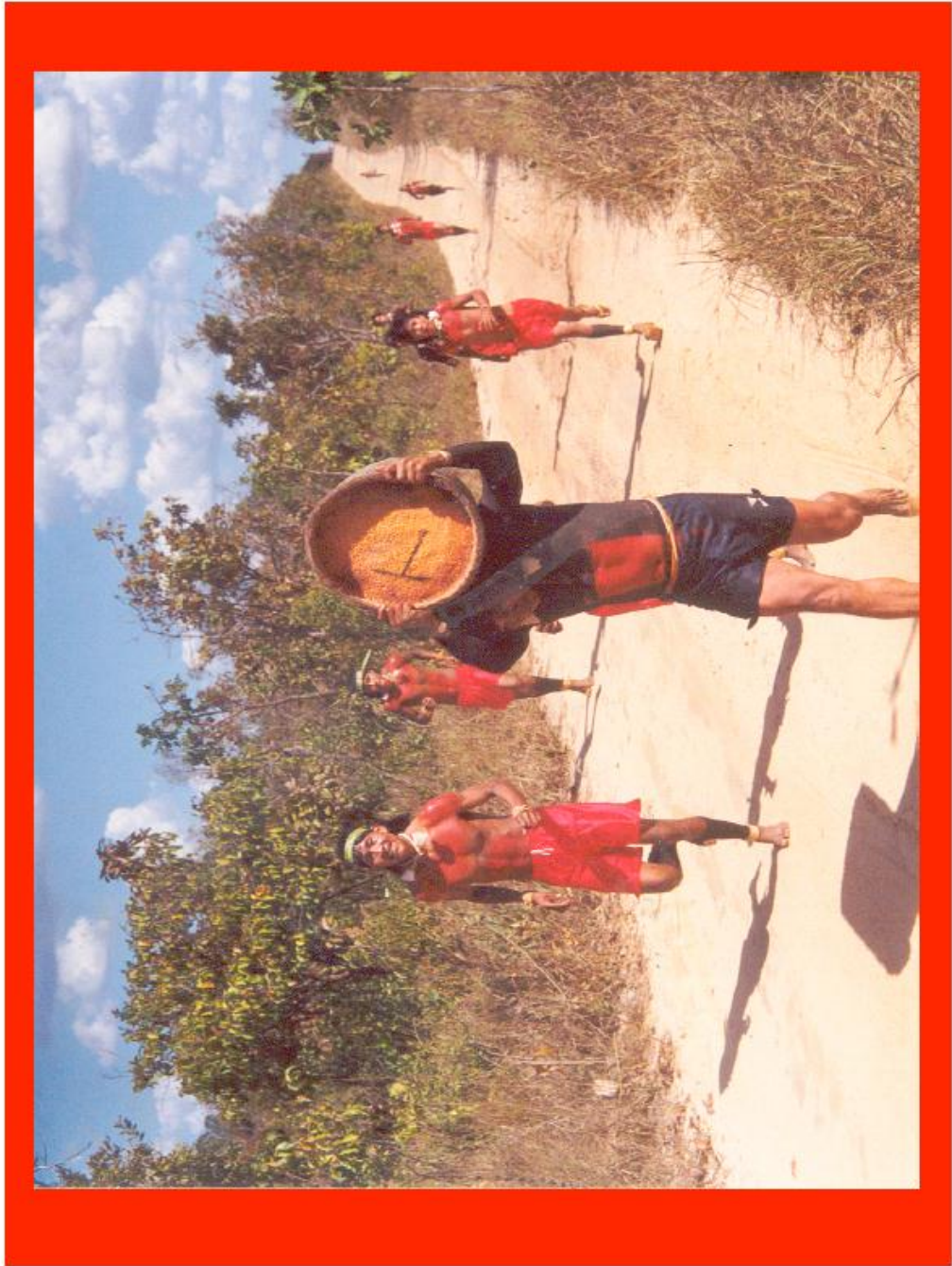






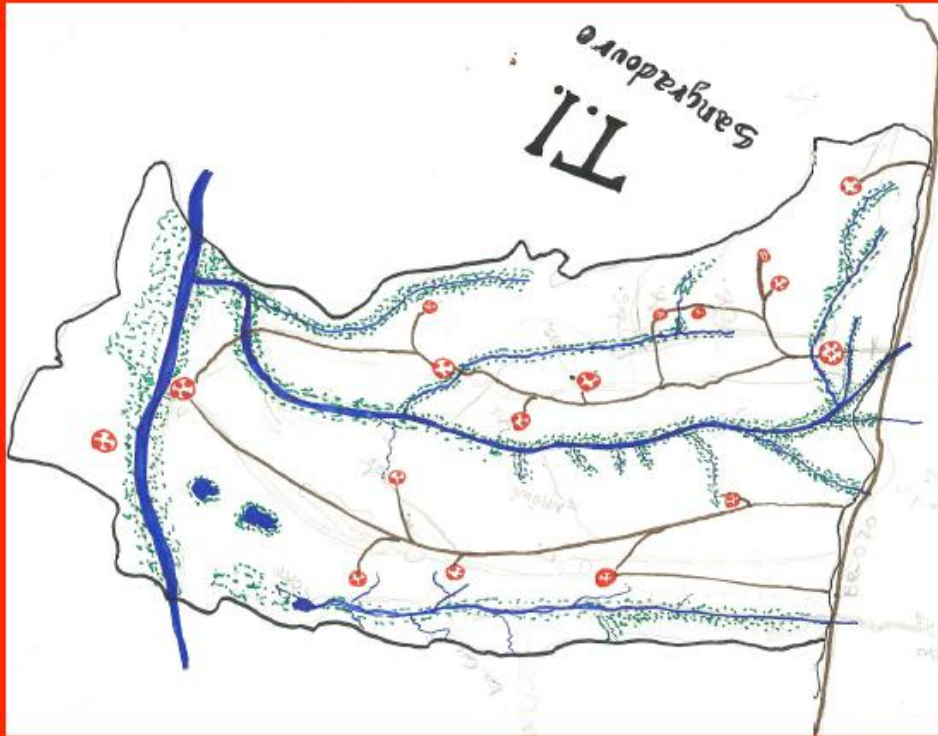


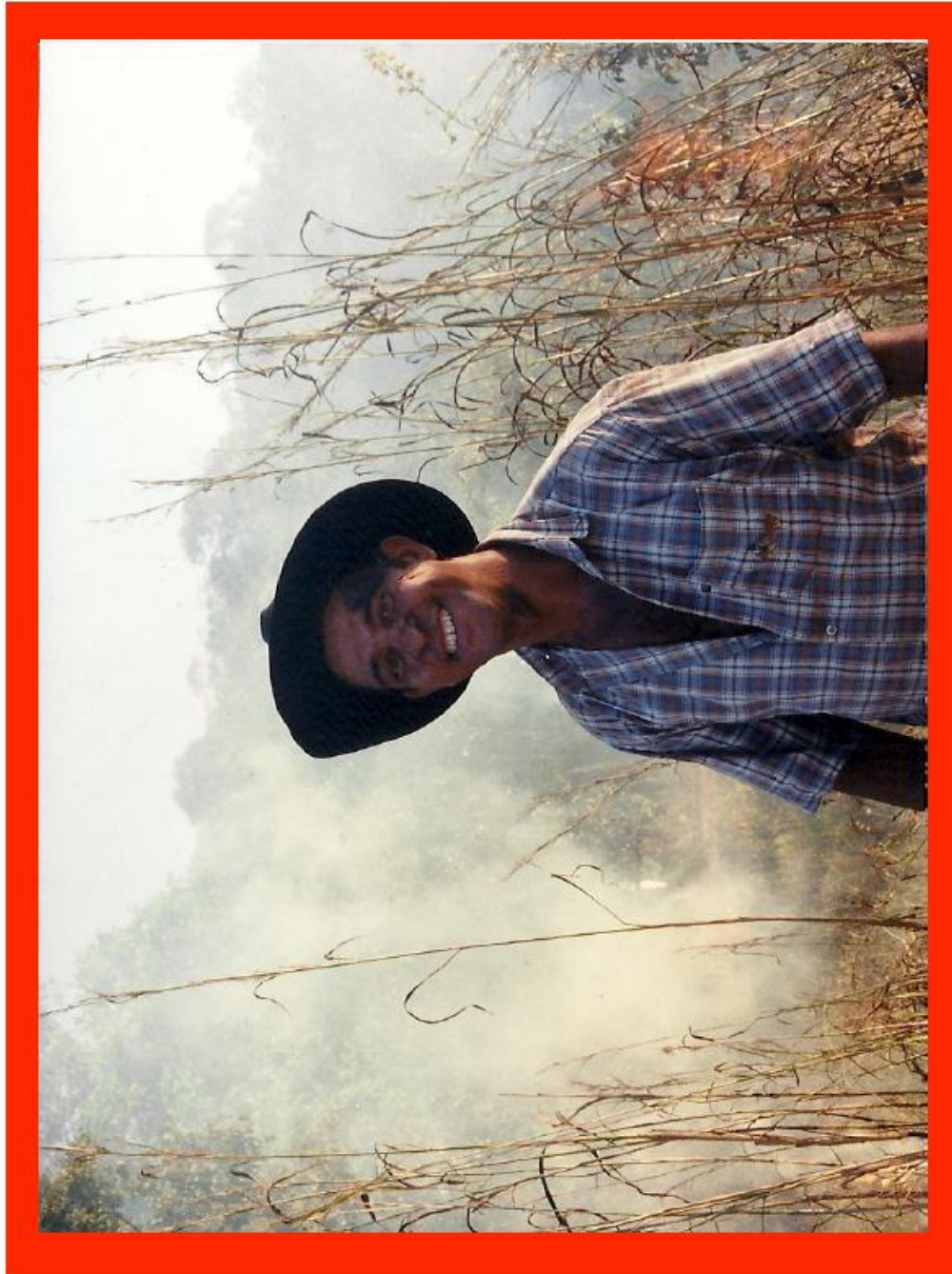


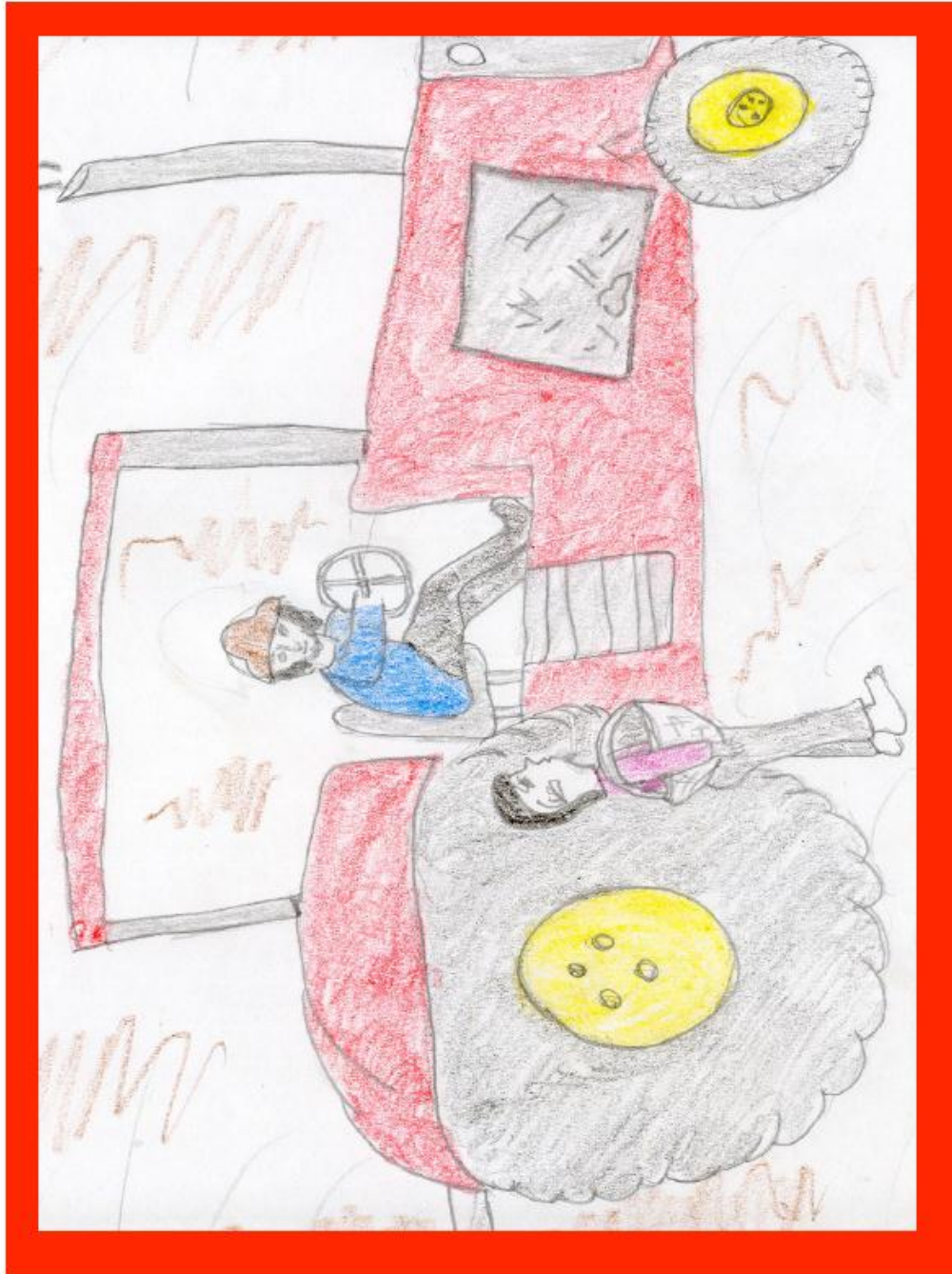
















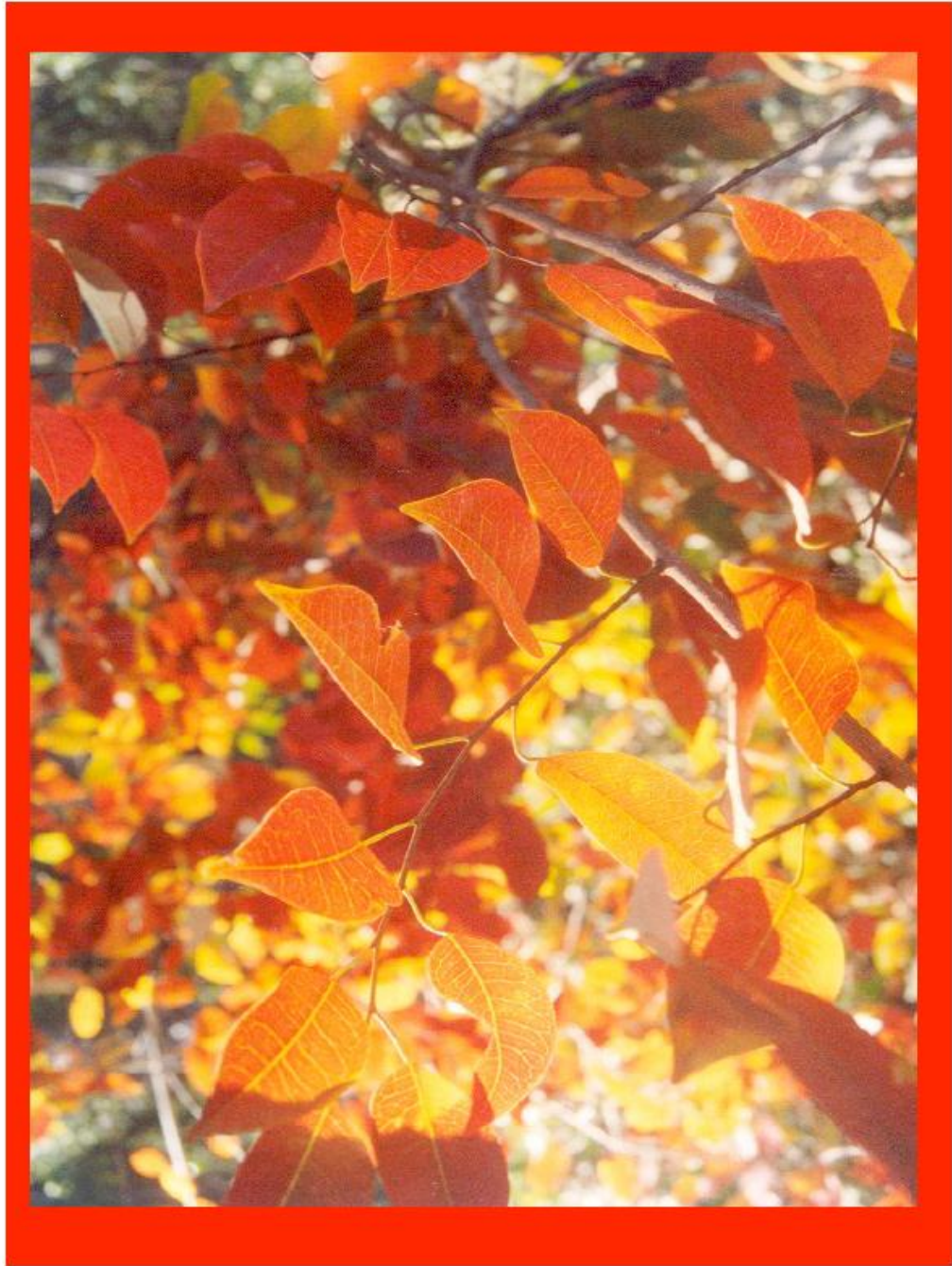










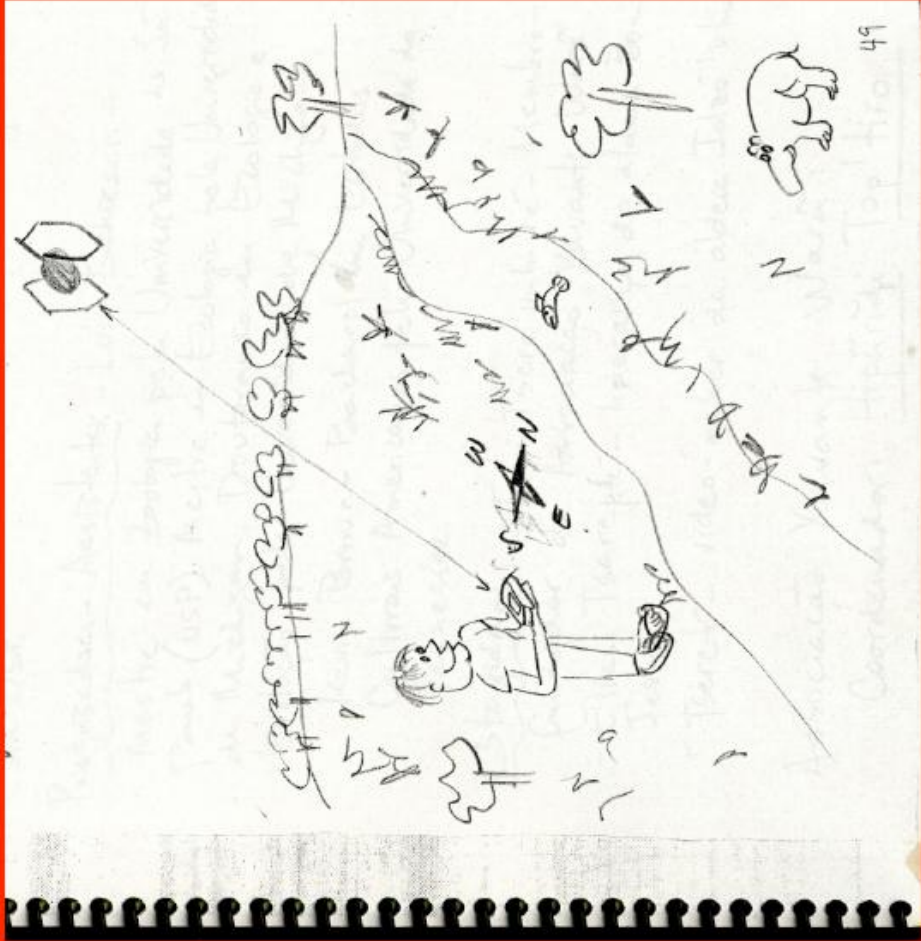










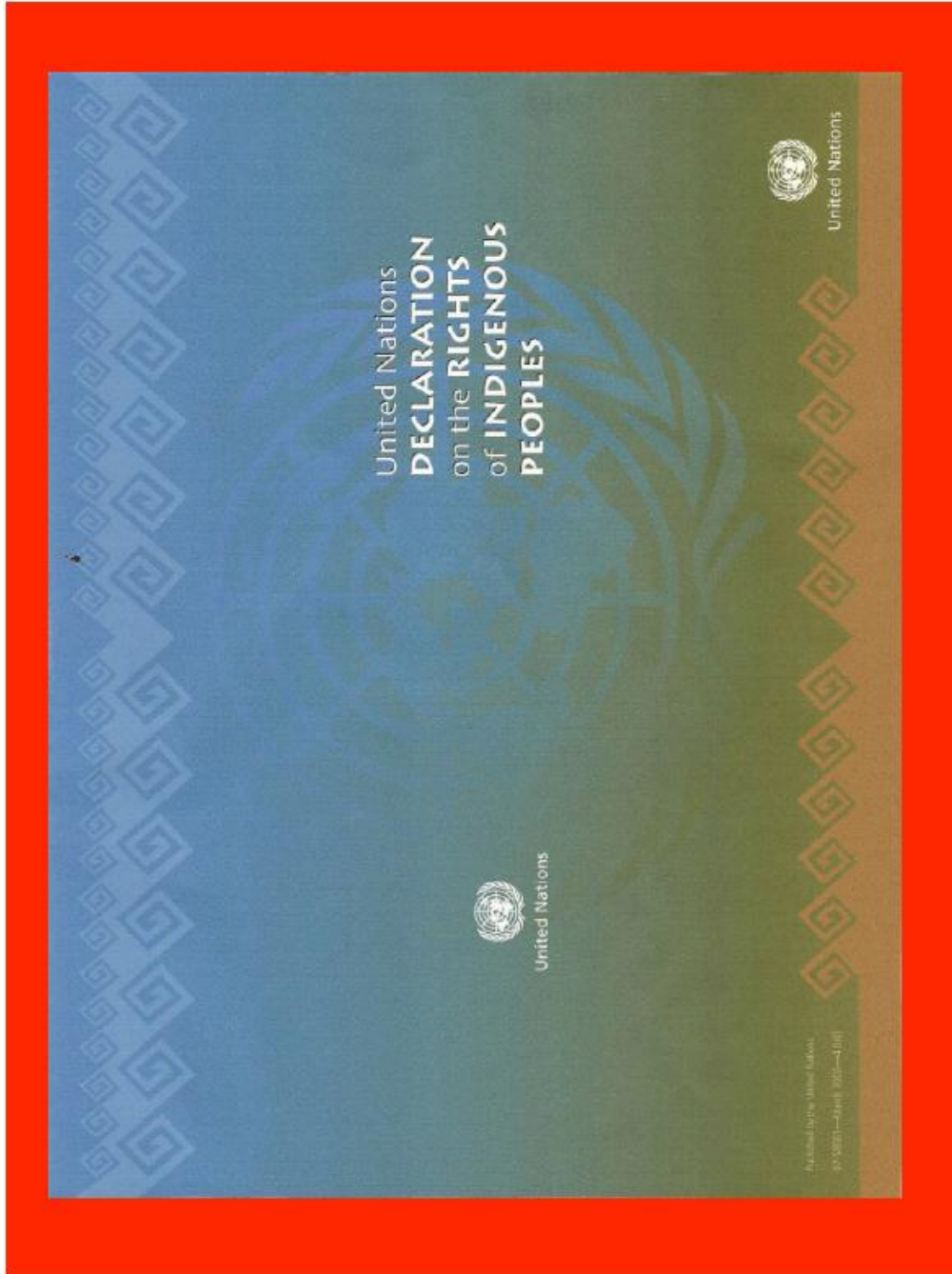














Indigenous Peoples and the Right to Free, Prior and Informed Consent

For Indigenous Peoples, the Right of Free, Prior and Informed Consent (FPIC) is a requirement, prerequisite and manifestation of the exercise of the fundamental, inherent right to Self-determination as defined in international law. FPIC began as a medical term to guarantee the rights of patients to informed consent before any medical treatment or drug was given to them. Now it is recognized as a political right that also is applicable in many other situations facing Indigenous Peoples.

Free, Prior and Informed Consent is a basic underpinning of Indigenous Peoples' ability to conclude and implement valid Treaties and Agreements, to have sovereignty over and protect our lands and natural resources, and to develop and participate in processes that redress violations of our land and Treaty rights.

What is Free, Prior and Informed Consent?

Free is the absence of coercion and outside pressure, including monetary inducements (unless they are mutually agreed to as part of a settlement process), and "divide and conquer" tactics. It includes the absence of any threats or implied retaliation if the results of the decision is to say "no".

Prior is having sufficient time to allow for information-gathering and full discussion, including translations into traditional languages, before a project starts. It must take place without time pressure or constraints. A plan or project must not begin before this process is fully completed and an agreement is reached.

Informed is having all the relevant information available reflecting all views and positions. This includes the input of traditional elders, spiritual leaders, subsistence practitioners and traditional knowledge holders, with adequate time and resources to consider impartial and balanced information about potential risks and benefits.

Consent is the demonstration of clear and compelling agreement, in keeping with the decision-making structures of the Indigenous Peoples in question, including traditional consensus procedures. Agreements must be reached with the full participation of authorized leaders, representatives or decision-making institutions as decided by the Indigenous Peoples themselves.

ANY process or activity which does not meet these criteria for obtaining their FPIC as put forth by the affected Indigenous peoples is subject to immediate cease and desist.



