



REPUBLICA DEL ECUADOR
PUEBLO SHUAR ARUTAM
Acuerdo Ministerial N°-255 de 7 de Septiembre del 2006
SUCUA-MORONA SANTIAGO



OPEN LETTER

FACED WITH THE ILLEGITIMATE AGREEMENT SIGNED BETWEEN THE WARINTS AND YAWI COMMUNITIES AND THE CANADIAN COMPANY SOLARIS RESOURCES INC, THE SHUAR ARUTAM PEOPLE DECLARE:

Background:

- On September 8, Canadian mining company Solaris Resources Inc. issued a press release to its shareholders announcing the signing of “an Impacts and Benefits Agreement (“IBA”) for the Warintza Project” with the Shuar Centers of Warints and Yawi.
- In the release, they note that the Agreement includes “Commitments and benefits to communities include: impact mitigation, employment, education, training and other capacity building, infrastructure development, and financial benefits”.
- The release also cites Mr. Daniel Earle, President and CEO: “The IBA builds on the foundation of trust established via our Community Consultation and Memorandum of Understanding...”
- It concludes by noting that the “The IBA formalizes commitments toward supporting our partner communities in their social and cultural practices. It also provides for eliminating or mitigating adverse impacts...”

Sede matriz: Makiuants – Limón Indanza
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47 centros, 12.000 habitantes, 220 mil hectáreas
Morona Santiago - Ecuador



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The Government Council of the Shuar Arutam People (CGPSHA) represents the highest organizational authority and sole representative of the 47 communities and 6 associations which make up the Shuar Arutam People (PSHA), including the Warints and Yawi community centers. It was legitimately elected by the General Assembly on March 31, 2019 and ratified by the Secretary of Human Rights and Worship on December 27, 2019. Faced with these antecedents, and in accordance with our mandate and attributions conferred to us in our organizational statutes as well as the Life Plan, we wish to inform the Board of Solaris Resources and the general public that:

- 1) We vehemently reject this “Impacts and Benefits Agreement” signed between the “Strategic Alliance” , created by the company and presided by Mr. Vicente Tsakimp, former president of the PSHA as well as the syndicates from the Yawi and Warints centres and the canadian company Solaris Resources Inc. in regards to the Warintza project since:
 - a) The so-called “Strategic Alliance” to which the centres of Yawi and Warits supposedly belong, is an illegitimate fabrication of the mining company which is trying to, in exchange for the costs this project will generate, offer benefits to manipulate the Shuar thus sponsoring their presence and exploitation of our territory.
 - b) This “Strategic Alliance” is not an “innovative relationship” as Solaris portrays it. It is the same strategy that many mining and oil companies have used to advance their projects, while side-stepping and disrespecting the legitimate and traditional Indigenas organizational structures. This constitutes a violation of the rights established in the Ecuadorian Constitution, Article 51, number 1: *“Maintain, develop and strengthen their identity, sense of belonging, ancestral traditions and forms of social organization”*, as well as Article 5 of the ILO169 which determines that one should *“respect the integrity of the values, practices and institutions of these peoples.”*
 - c) The “Community Consultation” that the President of Solaris refers to is deceiving and constitutes a serious violation of our right to Free, Prior and Informed Consent which dictates that these processes should be performed “by the competent authorities” of the Ecuadorian State and NOT a mining company (Article 57, number 7). Furthermore, according to international standards which demand obligatory compliance, the Prior Consent process should be performed *“through their own representative institutions”* (Article 6, ILO169) and NOT through institutions invented by the company. The sole representative in this case is the Council of the Shuar Arutam Peoples and their maximum decision-making body, the Assembly.
 - d) We should remind the shareholders and CEO of Solaris Resources Inc as well as the Ecuadorian government’s institutions that similar situations have been overcome by Indigenous organizations, with the assistance of judgements made by national and international courts of justice, as is the case of Sarayaku vs. Ecuador, which not only recognized the violation of the right to Free, Prior and Informed Consent, but which also established obligatory compliance standards for the government, and resulted in the oil

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company's exit and the failure of the project. This situation has been repeated along the Ecuadorian Amazon and it is for this reason that we Indigenous Peoples hold strong in our decision to reject mining and oil extraction in our territories.

- 2) We demand that Solaris Resources Inc. abstain from continuing to manipulate our communities, since we see that their activities are causing social impacts in our communities like provoking much tension and conflict, and rupturing our social fabric. We demand the company to immediately leave our territories. In the event that you do not comply with our wishes, we will exercise our constitutional right to resistance and take other measures (Article 98).
- 3) The behaviour of this transnational company is totally repudiable and goes against our long history of struggle, a struggle which we have maintained for more than 25 years. Where, through Assembly after Assembly the 47 communities of the PSHA have expressed our manifest rejection to mining exploitation in our territory, since we are defenders of life and the Condor mountain range. We will fight to defend our territory, our forests and the revitalization of our culture. Humanity needs to understand that our territories, our forests and our knowledge are of vital importance for confronting the climate crisis that our planet is facing. We declare ourselves in defense of life and we call on the national and international community to join us in this struggle for the forests, the territory, the water and the collective rights of Peoples and Nationalities.
- 4) We urge Human Rights organizations, the Interamerican System of Human Rights and the United Nations to take action against the violations that the company, Solaris Resources in complicity with the Ecuadorian government, is committing against the original peoples and nations by imposing extractive projects in our territories without guaranteeing the true exercising of our collective rights.

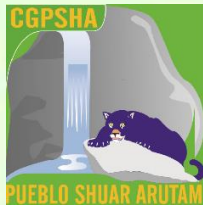
Sucúa, September 23, 2020

Prof. Josefina Tunki

PRESIDENTA DEL PUEBLO SHUAR ARUTAM



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- Cc. Presidency of the Republic of Ecuador
- Cc. Ministry of Energy and Non-Renewable Natural Resources
- Cc. Ministry of Mining
- Cc. Ministry of the Environment and Water
- Cc. Ecuador Ombudsman's Office
- Cc. Special Rapporteur on the Rights of Indigenous Peoples
- Cc. Office of the Special Rapporteur on the Economic, Social, Cultural and Environmental Rights of the IACHR



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