

## **UNOFFICIAL TRANSLATION**

**Sieyllik Community  
Naso Territory  
Province of Bocas del Toro  
Republic of Panama**

Wednesday, February 25, 2009.

Gentlemen/Ladies of the World Bank's Independent Inspection Panel

Greetings from the Naso Peoples, especially from the King of the Naso Peoples and his work team, the Naso Leadership.

Dear Sirs, after a careful analysis, the General Council of Leaders of the Naso Peoples representing various communities that met at the community of San San Naso Territory decided to request the intervention of the World Bank's Independent Inspection Panel in the case of the loan related to the National Program of Land Management of the Republic of Panama (PRONAT). We came to this decision given the flagrant violation of the Panamanian Constitution, as well as of the agreements and bilateral treaties on Human Rights and of the original peoples and our Ancestral Territories, of which Panama is signatory.

Since 2001, the Government of Panama has benefited from World Bank financing for PRONAT, a project that was supposed to demarcate the territory of the original peoples of the Bocas del Toro Province. Since then, at least in the beginning, this Project has been carrying out activities in our Naso Tjer Di territory with the support of the Dobbo Yala Foundation and the then King Tito Santana and his team. This financing made possible to agree on a Naso Peoples-supported Bill (proposed law) that was presented to National Assembly (of Representatives, of Members of the Parliament).

Unfortunately, the Dobbo Yala Foundation was contracted by the Public Enterprise of Medellín (EPM) to carry out a supposedly community consultation for the Bonyik Hydroelectric Project to be built within the Naso Territory. En May 2004, the Naso Peoples General Assembly decided to dismiss the then King Tito, and appoints His Majesty Valentin Santana present King of the Naso Peoples. Several weeks after the National Assembly rejected the Bill that would create the province of Naso Tjër Di. In September 2004, with the arrival of the new administration of President Martin Torrijos, several individuals of Dobbo Yala became Government employees working on the PRONAT project.

That is why high-ranking PRONAT officials were informed that King Valentin Santana should be respected as legitimate representative of the Naso Peoples. PRONAT officials were also reminded that they had to comply with the World Bank's operational policies on indigenous peoples. No reply was received, and in December 2007, jointly with Ngobe leaders affected by the delimitation of the annexed lands, a note was sent to World Bank staff requesting an urgent visit to the area.

During the first visit carried out in January 2008, WB staff were made aware of the concerns of the Naso Peoples in relation to PRONAT. In March, during a visit by WB staff to evaluate PRONAT, the Nasos waited at the community of Bonyik but no WB staff ever arrived. These same concerns were expressed by the Naso at a meeting held later in Panama City. So far, no WB staff has responded.

Instead, PRONAT supported a Bill of law on collective land ownership which was approved by the National Assembly on December 3, 2008. We are referring specifically to Bill No. 72 creating the collective lands property "in indigenous territory" and providing for other regulations. Towards the end of December, and taking advantage of the fact that the Naso peoples were going through serious uncertainty due to adverse weather conditions (floods, loss of housing, loss of crops, loss of belongings among other), the President of Panama, Martin Torrijos, approved this Bill imposing on the Naso Peoples an uncertain regime of regional rezoning thus constituting a Law of the Republic.

We need to be extremely objective and inform you that this new law constitutes a flagrant and very serious violation of the sole and true aspiration of the Naso People—the creation of a juridical framework that would respect the cultural and all forms of politico-traditional life of our Naso people, as well as the natural, archeological and genetic resources in general that we now have and that we have inherited from our ancestors and that we are entitled to: the region of Naso Tjer Di.

To add insult to injury, now PRONAT officials along with deposed king Tito Santana are trying to impose in the region an organic charter that has no legal backing and that was never consulted with the Naso People.

Even if we have to make clear that we are directly holding responsible the following Panamanian government institutions, such as the National Assembly; the President of the Republic, Martin Torrijos; the Ministry of Government and Justice (MINGOBJ); the National Directorate of Indigenous Policy (DNPI); the National Commission on Limits (CNL); and the National Program of Land Administration (PRONAT), we are also disappointed with the World Bank, who has not enforced its operational policies on indigenous peoples. This is the reason why we are hereby requesting the Inspection Panel to carry out an in-depth and detailed investigation of all that has happened since the arrival of PRONAT in our territory.

In view of the above, we would be very grateful for your prompt response to our request.

Sincerely,

**S. M. Valentín Santana**  
**King of the Naso Peoples**

**Adolfo R. Villagra S.**  
**President**  
**Naso Leadership**

**Lucho Gamarra**  
**Prosecutor**  
**Naso Leadership**

**Felix Sanchez**  
**Naso Foundation**

**Jorge Gamarra**  
**Vice President**  
**Naso Leadership**

**Quito Torres Berchi**  
**Leader**  
**Solong Community**

**The Request for Inspection includes an attachment with twenty-five (25) additional signatures.**