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Institution: Inter-American Commission on Human Rights  
File Number(s): PM 56/08  
Title/Style of Cause: Ngobe Indigenous Communities v. Panama  
Doc. Type: Decision on Precautionary Measures  
Dated: 18 June 2009  
Citation: Ngobe Indigenous Communities v. Panama, PM 56/08, Inter-Am. C.H.R., OEA/Ser.L/V/II., doc. 51, corr. 1, Ch. III, para. 43 (2009)

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43. On June 18, 2009, the IACHR granted precautionary measures for members of the indigenous communities of the Ngöbe people, who live along the Changuinola River in the province of Bocas del Toro, Panama. The request for precautionary measures alleges that in May 2007, a 20-year concession was approved for a company to build hydroelectric dams along the Teribe-Changuinola River, in a 6,215-hectare area within the Palo Seco protected forest. It adds that one of the dams authorized to be built is the Chan-75, which has been under construction since January 2008 and which would flood the area in which four Ngöbe indigenous communities have been established—Charco la Pava, Valle del Rey, Guayabal, and Changuinola Arriba—with a population of approximately 1,000 people. Another 4,000 Ngöbe people would also be affected by the construction of the dam. They allege that the lands affected by the dam are part of their ancestral territory and are used to carry out their traditional hunting and fishing activities. The Inter-American Commission believed that precautionary measures should be granted to avoid irreparable harm to the right to property and security of the Ngöbe indigenous people in the province of Bocas del Toro. The IACHR requested that the State of Panama suspend construction and other activities related to the concession until the bodies of the inter-American human rights system can adopt a final decision on the matter raised in Petition 286/08, which alleges violations of the rights protected under Articles 5, 7, 8, 13, 19, 21, 23, and 25 of the American Convention on Human Rights. The IACHR also asked the State of Panama to adopt the measures necessary to guarantee the free circulation as well as the life and physical integrity of the members of the Ngöbe community, in order to prevent acts of violence or intimidation measures.