Western Shoshone Defense Project, Seventh Generation Fund for Indian Development,
Indigenous Environmental Network, Indigenous Network on Economies and Trade,
Tonatierra, International Indian Treaty Council, American Indian Law Alliance, Hawaii
Institute for Human Rights, Netherlands Centre for Indigenous Peoples

May 16, 2006
United Nations Permanent Forum Session V
Intervention under Agenda Item 3

Madame Chairperson, members of the Permanent Forum, distinguished state delegates
and indigenous relatives. Good morning. My name is Carrie Dann, I am Western Shoshone.
Thank you for this opportunity to speak. We have three specific recommendations for the
Permanent Forum, as well, because we are unable to be here next week to raise these issues
during the North American focus, we ask that the members consider this intervention and our
statement during that discussion.

Western Shoshone lands span across approximately 60 million acres of land within the
borders of the United States. The U.S. claims that our lands are federal or public lands – they
have no legitimate basis for this claims, in fact that claim is a direct violation of the 1863 Treaty
of Ruby Valley that the U.S. signed with our leaders. Despite ongoing federal seizures of our
livestock and continued harassment and intimidation of our peoples, we continue to live on and
use our lands according to our traditions and our spiritual teachings. Both the Inter American
Commission on Human Rights and the UN Committee on the Elimination of Racial
Discrimination have issued final reports or decisions agreeing with us. A copy of the UN CERD
decision has been provided to each member.

Our requests that the Permanent Forum pass on to ECOSOC are:

1. Clearly articulate the fundamental indigenous guidelines of land, air, water and sun (the
   acronym is L.A.W.S., “laws”) to measure all “development” projects or other proposals –
   any destruction of these sacred things must be prohibited for the protection of all life and
   for any type of environmental sustainability under the MGBs, the World Bank and the UN
   agencies, funds and programmes.

   To us, as indigenous peoples, these four sacred things must be addressed as the starting
   point for any discussion of “development”, economic sustainability, or government
   accountability. All life depends upon these four things. Our responsibility as indigenous peoples
   is to protect these things and to serve as caretakers of our homelands. All the situations
   presented in the Permanent Forum have these things in common – the situations may be at
different stages- but all stem from the desire by others to take our land, to take our resources,
and to take our water and our spirituality. These things are destruction, not development. There
should be no debate on that issue.

2. For all UN bodies and agencies to recognize the situation of indigenous peoples in the
   United States as documented by the Inter American Commission on Human Rights and the
   Committee on the Elimination of Racial Discrimination and other “developed” countries
   and to treat these situations as the United Nations would treat any other violation of basic
   human rights. This is especially necessary when the Human Rights Council or the General
   Assembly is considering the passage of the Declaration of the Rights of Indigenous Peoples.
Why should the violators of these rights, the U.S., Canada, and others be able to hold up the processes necessary to protect and recognize our rights? This is shameless.

As the distinguished representative from Bolivia stated on Monday, this has been going on for the last 500 years. Without our consent, Western Shoshone lands are currently the second largest gold producing area in the world. There are huge, open pit cyanide heap leach mines with one mine alone dewatering up to 70,000 gallons of water per minute, 24 hours per day. Under current U.S. law we are given no ability to stop a mine – they are also threatening massive geothermal energy exploitation, destroying hot springs which are spiritual areas for our people and the U.S. is moving forward on storing the nation’s, and much of Europe’s, nuclear waste in Yucca Mountain – an area long known for ceremonies and burial sites. How can we even talk about environmental sustainability as reflected in MDG number 7 when we are denied our basic rights to decision making over the lands where we were placed by the Creator?

We received a full report from the Inter American Commission on Human Rights in 2002, they found the U.S. in violation of our rights to property, due process and equality under the law. This year, the Committee on the Elimination of Racial Discrimination confirmed the Inter American Commission’s finding and issued a full decision under their Early Warning and Urgent Action Procedure. We are very pleased that these bodies have recognized the wrongs that the government is committing against our people and other indigenous peoples, however the U.S. has responded with complete defiance to these rulings– setting a very dangerous precedent for other states parties to the OAS and to the UN.

The time is now for the change to happen. Western Shoshone peoples and other indigenous peoples in the U.S., Canada, and other so-called “developed” countries are being actively denied our rights to fulfill our responsibilities as caretakers of our lands. These same policies are then pushed at the international level and promoted as “economic development and sustainability”. Nothing could be further from the truth.

3. **Reassess the use of the terms “developed” versus “developing” countries on all issues affecting indigenous peoples, including monitoring and review, funding and other UN agency support and assistance.**

The laws and policies used against us, indigenous peoples in the “developed” world are the same out-dated and racist notions known as the “doctrine of discovery” – a colonialis concept which describes indigenous peoples as sub-human, childlike and savage. This continues to be used by the United States and other “developed” governments to take our lands, to force compensation on us, to exploit our land, air and water to the benefit of multinational corporate and military interests. These concepts are then used to promote economic development interests by multinational interests globally. Everyone knows this – we should just say it like it is and starting telling the truth and looking for real solutions for all peoples.

Those are our recommendations. And I thank you for listening to this little old lady.