
Madame Chair and Distinguished Delegates:

Congratulations Madame Chair on your recent election as chair of this forum. Thank you for the opportunity to share a few remarks from the Chi Endeh Community Alliance at this 13th Permanent Forum on Indigenous Peoples, particularly on Articles 3-6 that emphasize the right of all Indigenous peoples to the inalienable right of self-determination in their ancestral lands and to pursue their autonomous cultural, political and economic development, to strengthen the veracity of their distinct political, legal, economic and social institutions, and to the right of exercising their nationhood as Indigenous peoples in occupied lands, particularly in settler-colonial states like the United States and Canada and other settler states like Australia, Ao Te Roa (New Zealand), Palestine, and settler states of Latin America. Article 36 of the UN Declaration on the Rights of Indigenous Peoples on free and independent movement across international borders is particularly applicable to those of us who live in the southwest region of this occupied land, Abya Yala, Turtle Island, where we share an international border based on the colonization of this land between Mexico and the United States. This situation has effected in particular the rights of the Chi Endeh people who live in the border region in the state of Texas where Indigenous families have had their lands trampled by fences straddling the U.S.-Mexico border that impinge on ancestral family lands of Chi Endeh families. The construction of a vast security wall on the Texas-
Mexico border under the guise of preventing entry of alleged terrorists and drug traffickers by the Department of Homeland Security has disregarded 36 Federal and State Laws including the National Environmental Policy Act, the American Indian Freedom Act, and the Administrative Act and where the lands on which the Kickapoo Traditional Nation of Texas, the Ysleta del Sur Pueblo (Tigua) nation, and the Lipan Ndé (Apaché) have lived for time immemorial. Lawsuits that have challenged the imposition of border lines running across Indigenous lands in Texas are in process and are generally difficult to win because the U.S. refuses to accord the primacy of rights of Indigenous ancestral lands and Indigenous peoples who existed before the United States and Canada or other settler states came into being. The non-recognition of the U.S. government of Indigenous nations like the Lipan Endeh, the Winnemem Wintu of California, and other Indigenous peoples in Turtle Island is an unacceptable violation of the inalienable right of self-determination and self-identification of Indigenous peoples and must be redressed because it implies ethnocide.

The unquenchable lust for gold, copper, coal, oil, uranium, and now shale from the tar sands of Alberta, Canada, by the U.S. and Canadian governments and trans-national corporations, persists unabated across Turtle Island, leaving a trail of genocide of Dineh (Navajo) miners dying from coal and uranium poisoning after working in mines of Arizona and New Mexico and grazing lands contaminated by acid rain and uranium tailings in Northern Arizona. Mining that continues to plunder Indigenous Chi Endeh lands in Arizona warrant serious intervention by the UN Permanent Forum on Indigenous Peoples given the devious and dubious manner that such mining occurs, even on sacred
mountain lands. Resolution Copper Mining, a corporation owned by British-Australian trans-national Rio Tinto Zinc and BHP Billiton, also from Australia, two of the largest mining conglomerates in the world with extraction operations in over 25 countries, have invaded Chi Endeh lands in San Carlos, Arizona. Resolution Copper Mining has surreptitiously worked through the U.S. Congress to initiate copper mining operations on Chi Endeh lands in violation of international laws that demand free prior and informed consent of Indigenous peoples before mining leases are permitted on Indigenous lands.

As Indigenous peoples in the southwest in particular, we say that we were here before the United States. The United States and Mexico came to our lands, not the other way around. Our Tohono O’odham relatives whose ancestors span the U.S.-Mexico have experienced consistent harassment, intimidation, interrogation, and violence as in the case of an incident a month ago when three O’odham men were shot by police, including one who was shot in the face, by Border Patrol agents. Elders and spiritual leaders are subject to abuse when they need to traverse ceremonial sites on both sides of the border and have been arrested, detained, and refused entry into the United States side even though O’odham ancestors precede the existence of the United States. There have been documented cases where Border Patrol agents have driven into O’odham lands at times of ceremonies, creating tensions for cultural practitioners. Trash has been thrown onto ceremonial sites. In one instance, helicopters hovering ahead prior to the hunting ceremony, chased away deer, thus undermining the spirit of the ceremony. These are clear violations of the constitutional rights of this country that protects religious rites and practices, substantiating that Indigenous peoples are still struggling to be recognized as
human beings and for human rights in this colonized land. The virtual occupation of O’odham lands by the Border Patrol and Department of Homeland Security is also a violation of the territorial integrity of Indigenous lands and we would recommend and request that the Rapporteur for UN Permanent Forum on Indigenous Peoples intervene to call upon the U.S. government to respect the sovereign territorial, cultural, and economic rights of Chi Endeh peoples and O’odham peoples in accordance with Articles 3-6 and 36 of the UN Declaration of the Rights of Indigenous Peoples and to respect the inalienable rights of Indigenous peoples to self-determination and as sovereign peoples in accordance with international conventions and treaty rights as with all other peoples.

Finally, we need to draw the attention of the UN Permanent Forum on Indigenous Peoples to the gross violation of the right of religious self-determination of the Indigenous peoples of the southwest with the continued violation of the sacred mountains of Northern Arizona, Dook ‘o’osliid (San Francisco Peaks) by the Snowbowl Ski with the piping of sewage water to the mountain with the plan of making snow for skiing. Not only is the religious and spiritual vitiation of the San Francisco Peaks a gross violation of fundamental Indigenous human rights because the mountain is used for traditional ceremonies and is the repository of traditional sacred herbs and medicines, but it also a contributor to global warming and climate change since snowfall’s have been highly irregular particularly over the past five years, undermining the water levels of the Colorado River upon which millions of people depend for subsistence. The deforestation of the mountain and the piping of sewage water has disrupted and dislocated the sacred spirits of the peaks, inducing the dryness of the region. The Committee on the
Elimination of Racial Discrimination expressed its desire to receive information on the outcome of the legal appeals waged on behalf of Indigenous southwestern nations at the 9th Circuit Court of Appeals. Given the impending and lethal crisis of global warming and climate change that has been highlighted by recent scientific reports where all life is now under real threat, we recommend that UN Permanent Forum on Indigenous Peoples raise this critical issue at the U.S. governmental level as a violation of the right of religious and cultural self-determination of Indigenous peoples and that warrants immediate redress in honoring the government’s own treaty obligations and conventions under international law and respecting the right of self-determination particularly of the Indigenous peoples of this land, which the U.S. government has dispossessed from its original caretakers, and now needs to make reparations and restoration.

_As-sha-goteh....._

Thank you.