

COLLECTIVE STATEMENT
Intervention to the Sixth Session of the
United Nations Permanent Forum on Indigenous Issues
Submitted by the Seventh Generation Fund for Indian Development
May 17, 2007

PROTECTION OF WATER: WATER IS A HUMAN RIGHT

Thank you, Madame Chair, for the opportunity of addressing the United Nations Permanent Forum on Indigenous Issues. The Seventh Generation Fund for Indian Development, an Indigenous Peoples' organization working directly with grassroots Native communities to design and implement ecologically harmonious strategies for sovereignty, human rights, environmental justice, cultural revitalization, and sacred sites protection for Indigenous Nations, submits this intervention on Agenda Item 4b, under the mandated area of Environment, with the following signatories: The Zuni Tribe of the Zuni Indian Reservation, American Indian Law Alliance, Laguna Acoma Coalition for a Safe Environment, Tonatierra, Native Youth Coalition, Indigenous Network on Economies and Trade, Tatanka Oyate, Andes Chinchasuyo, Maya Vision, Western Shoshone Defense Project, Buffalo River Dene Nation, Mainyoto Pastoralist Integrated Development Organization, Bangsa Adat Alifuru from Maluku, Indigenous Peoples' Council on Biocolonialism, Te Runanga Kaimahi, Kaimahi Maori o Aotearoa of the New Zealand Council of Trade Unions, Indigenous Environmental Network, Resisting Environment Destruction on Indigenous Land (RedOil), Winnemem Wintu Tribe, Te Hau Takitini o Aotearoa, Nihiyaw Cree Society, Council of Grandmothers, and Indigenous Peace Action.

For the last two years our organization has addressed the UN Permanent Forum on Indigenous Issues regarding the Protection of Water, and it is an honor to do so again. At this time, I urgently reiterate the critical significance of protecting Indigenous Peoples' full, unencumbered access to clean Water on our territories. This is crucial for all aspects of our health: physical, cultural, and spiritual. Water is boundless. Water is Life.

Although we do not always know when we will walk into the prayers of our ancestors, here we have done just that. Many thousands of our ancestors have prayed for peace and rain. And, for many decades our relatives throughout the world have dreamed, worked and bled for the creation of this Forum, to have our voices and concerns heard by the world community in this House of Mica, this place recognized by our Hopi brother, the late Thomas Banyaca, at the opening of the International Year of the World's Indigenous Peoples in 1993. For all of them, and for the generations yet to come, we support the immediate adoption of the Declaration on the Rights of Indigenous Peoples as adopted by the UN Human Rights Council last year, and we offer these recommendations.

Recommendations:

1. We again urgently appeal to the Permanent Forum on Indigenous Issues to request the immediate appointment of a United Nations Special Rapporteur for the Protection of Water and Water Catchment Areas in order to gather testimony directly from Indigenous Nations of the world targeted for or impacted by Water privatization, diversion, toxic

- contamination, dams, pollution, commodification, non-sustainable energy development and other environmental injustices that damage natural, potable and accessible Water supplies on which Indigenous Peoples rely for spiritual and nutritional sustenance. We recall that this recommendation was carried forth by the Permanent Forum to the Economic and Social Development Council when we first requested this in 2005, and we respectfully request that this compelling concern is recognized and advanced once again.
2. We ask that the Special Rapporteur for the Protection of Water and Catchment Areas critically review and assess Water allocation, access policies and regulations that affect the rights of Indigenous Nations, the health of our Peoples and that of future generations. This should be done to identify protective and preventive and restorative mechanisms to restore our Waters and assure that Water is accessible to our Peoples, as well as to repair our diverse ecosystems that rely on the health of natural Water flows where they have been damaged.
 3. Our Peoples have a right to say no to any development project on our territories. We call upon the Permanent Forum to strongly advocate for the free, prior and informed consent of Indigenous Peoples in regard to any development on our territories by any outside entities, including the World Bank and States, whose actions may impact or abrogate our aboriginal and/or treaty rights including right of access to clean, potable Water for all aspects of our life.
 4. Further, we ask that Nation-States' reports to the United Nations contain a focus on Water and also that they include direct participation by Indigenous Peoples in the development of those reports.
 5. We recommend that the Permanent Forum take immediate steps in the Commission on Sustainable Development to protect Water from privatization, and from bi-lateral and multi-lateral governmental agreements and other incursions onto our territories that affect the integrity of our Waters, impoverish our Nations and impose additional hardships on Indigenous Peoples, particularly on Indigenous women.
 6. We fully support the Indigenous Women's Caucus statement and its recommendations in light of the unique and essential relationship between women and Water.

Narrative Justification:

Indigenous Peoples know Water as the sacred source and essence of all Life imbued with a spirit and a consciousness. The vitality of Water to our communities is expressed in a rainbow of songs, stories, and ceremonies, holding a special place in our cultures for the continuation of an Indigenous worldview that affirms the vital link of Water to life everlasting. And yet, springs from which our ancestors emerged from within the womb of Mother Earth, precious watersheds that feed our lakes and enable life, and rivers that carry our prayers to the forever after, are being destroyed. Privatization of Water and our other resources places them in the control of multi-national corporations, shortsighted governmental development policies, and the unrelenting encroachment by non-indigenous settlements, forcing us into poverty and pushing us further to the edge of existence, where we are already barely holding on by our fingertips for survival.

Environmental injustice including the ongoing invasions onto Indigenous territories, and the attendant wrongful taking of our natural resources, particularly the nearly unhindered exploitation and commodification of Water, obstruct critically needed access to our Waterways

and threaten the survival of Indigenous Peoples and of our distinct cultures. These assaults have direct and tremendously destructive impacts and further impoverish our already vulnerable, besieged Peoples. Although North America is widely assumed to be a region of universal affluence, there are many thousands of Indigenous Peoples and communities, throughout the continent, who have no meaningful system of protection against the wrongful diversion, privatization, and oppression of our Water resources. In fact, many of us are dying of thirst.

Madame Chair, and esteemed members of this Forum, Indigenous women throughout the world who often have the primary responsibility of locating and carrying water for their families, and may risk their lives to do so now find only dust instead of water. In too many places, a polluted stream is our only source of Water. We hunger and can no longer plant our gardens, not because we have forgotten how to nurture life from a seed, but because without access to Water, our crops cannot flourish, and we cannot thrive without them. A child dies every eight seconds for lack of access to clean Water and many victims are our own, Indigenous children. The unquenchable greed of States, corporations, settlers, and other invaders, whose unrelenting actions on our lands constitute a Water war against Indigenous Peoples, are killing us all – violating our ecosystems, condemning our peoples, obliterating our futures.

What were once rich landscapes awake with forests and gardens, rivers and cornfields, alive with animals and birds, and a harmonious diversity of Indigenous cultures, are quickly becoming parched lands that only our tears can soften today. Let us dry our eyes and take action on the recommendations as offered. Water is a human right. Our children, those generations yet to be born, and all of our relations, are the ultimate casualties of this conflict. I urge you all to take immediate action on this most urgent matter. Thank you for your kind attention. *Elahkwa.*