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Indigenous People and Water

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Madam Chair, it is with great pleasure and conviction that I make this statement on the *Right to Water and Indigenous Peoples* and urge my Forum brothers and sisters to join me considering the complexities surrounding the state of world's water.

The situation of indigenous peoples' right to water varies from country to country, state to state and from region to region. Over the years, the right to water has become a source of conflict and as a result many people in the world today lack access to water and sanitation.

Water is a major resource for life; hence the world depends heavily on water. As climate change and natural disasters occur, and successive hurricanes affect mother earth as well as the melting of the polar ice caps, there is even more competition for the earth's resources. For indigenous peoples, access to water resources which has sustained them for thousands of years is becoming more and more difficult and is impacting on their human rights. Due to the demand for development, the consequence of our failure to manage our resources such as water, in a sustainable way, we are now facing major challenges.

Madam Chair, we know that indigenous peoples have a culture for living in harmony with nature, since they have been the custodians of their lands from time immemorial. However, economic activities such as Mining, Oil Exploration, development of dams and agricultural development have all contributed to the contamination and pollution of water ways that indigenous peoples are dependent upon. As a result there have been outbreaks of illness and other related health problems affecting indigenous peoples who often do not have access to quality health care.

Indigenous people take pride in respecting the earth its resources through traditional knowledge in order to safe guard its integrity for future generation. Hence, there must be recognition and protection of indigenous people's cultural right to water. Further, through legislation and policy, there needs to be support for the right of indigenous peoples to hunt and gather food resources from waters that are used for cultural and economic and commercial purposes.

In March 2006, the World Forum on Water was held in Mexico City. At this forum a number of NGO activist, international agencies and senior ministers gathered to discuss ways to set targets within the United Nations Millennium Development Goals, with the aim to reduce by half the more than 1 billion people who do not have access to safe drinking water. The question is - what is the current situation regarding access to safe drinking water? What measures have been taken to resolve the important issues around access to water? More specifically what are some of the mechanisms that are in place that deal with indigenous peoples' right to water?

Madam Chair

It is worth reminding ourselves that water is a basic human right and there is an obligation on states to ensure that the right to water is respected and acknowledged. States have an obligation to protect indigenous peoples' right to water, and where possible to prevent third parties, such as large agricultural or other development projects from polluting water ways. As such, in order to guarantee and safeguard indigenous peoples' right to water, States need to recognize and protect indigenous people's cultural right to water and, through legislation and policy, support the right of indigenous peoples to hunt and gather food resources from waters that are used for cultural and economic and commercial purposes. This is consistent with Article 25 of the Declaration of Indigenous Peoples.

Comprehensive and integrated water management strategies need include the following;

- Reduce the depletion of water resources, which have occurred through unsustainable development practices such as extractive industries, diversion of waterways and dams – all of which contribute to the contamination and sedimentation of water ways.
- Eliminating contamination of water sheds and water related ecosystems, by developing strict guidelines and environmental standards that free water ways of contaminants.

- Monitoring water reserves in collaboration with indigenous peoples, particularly in areas where development has occurred and have been abandoned.
- Ensuring any proposed development such as mining, Forestry, oil exploration and agricultural development do not interfere with indigenous peoples' access to water and that such development complies with strict environmental standards including environmental assessment.
- Governments, in partnership with indigenous peoples, conduct baseline study on water testing, to determine water quality.
- Assessing the impact of climate changes, desertification and increased soil salinity, deforestation and loss of biodiversity upon water availability and natural ecosystems, this ensuring that indigenous peoples' rights are upheld and their participation in these processes.

Madam Chair, it is pertinent and urgent that this forum act to develop paradigm to deal with the issue of the rights to water, and more so to respect its other counterpart. At the same time, not only must people have rights to water, but the aquatic must have the rights to live in healthy and clean water, in order to maintain its integrity and the services they provide to us. As such it must be a twofold approach, addressing the issue of the right to access water and to protect aquatic life.

Furthermore, Free prior and Informed Consent must be respected to access to water, as most time this is underscored and most often than not, the participation in the decision making process is lacking. It is therefore mandatory for indigenous people to be actively involved in every decision making process as it relates to safe use of water and access to adequate amount.

Madam chair allow me to allude specifically to article 25, 26 and 27 of the UNDRIP, as it realties to "Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard....."

In closing, governments need to begin to develop strategies in order to promote sustainable use of water and protect and safeguard the right to water for indigenous peoples and for future generations to come.

Community based organization, UN agencies, governments, regional authorities and indigenous peoples need to start working in close partnership to protect indigenous peoples' right to water

Thank you.