

INDIGENOUS WORLD ASSOCIATION

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UN Permanent Forum on Indigenous Issues

12th Session

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Agenda Item 8

Future Work of the Permanent Forum

Presented by Kenneth Deer

Mr. Chairman

Before I begin, I would like to support the statement made earlier this morning of Joan Carling of the Asian Indigenous Peoples Pact. Her constructive suggestions should be taken into consideration by the members of the Permanent Forum.

Mr. Chairman,

Indigenous lands and territories continue to be impacted by extractive industries that do not respect the rights of the original owners of the land or the impact extractive industries have on the environment and the future of human kind.

State claims of power to grant permits for mineral exploitation—e.g., tar sands oil exploitation, uranium mining, coal bed methane exploitation, and hydrofracking—on traditional territories of Indigenous nations is premised on the claim that Christian discovery gave the “discoverers” the right to “assert sovereignty” over the traditional lands and territories of Indigenous nations. Such claims violate the principle of racial non-

discrimination - a peremptory norm from which no derogation is permitted.

The Haudenosaunee calls for a complete ban on the method of natural gas drilling known as “hydraulic fracturing,” or “hydrofracking,” within the traditional territory and treaty lands of the Haudenosaunee Confederacy, and everywhere hydrofracking will contaminate land, air, and water. They also call for a complete ban on tar sands oil exploitation, coal bed methane exploitation, and the construction of the Keystone XL and Northern Gateway pipelines.

Further, the government of Canada has removed environmental protections in recent legislation which further endangers the environment and the rights of Indigenous Peoples in order to force through pipelines through Indigenous territories. These legislative measures were developed with little or no consultation with Indigenous peoples and without their consent.

The omnibus budget bill C-45 introduced far-reaching changes. Amendments include changes to complex land provisions in the Indian Act that compound existing problems. It also re-writes environmental laws, including Navigable Waters Protection Act, Fisheries Act and Hazardous Materials Information Review Act, which were used to promote and protect a sustainable environment, clean water and healthy oceans. The integrity of the environment is being assaulted, to the detriment of present and future generations.

At the North American Indigenous Peoples Caucus in March of this year, the Caucus called for the following recommendations to the Permanent Forum:

We call for the UNPFII to convene an Expert Group Meeting on the issue of how to move off the current fossil fuel habit and how to move as expeditiously as possible to a global energy program that is based entirely on truly renewable, non-polluting energy sources.

We call upon the UNPFII to convene an Expert Group Meeting on the issue of hydraulic fracturing, otherwise known as "hydrofracking," tar sands, coal bed methane and the Keystone XL pipeline to examine the ways that Indigenous peoples are being impacted or potentially impacted by these extraction methods, and report to UNDP, UNEP, and other appropriate UN agencies with a responsibility for environmental and human rights protections.

Thank you, Mr. Chairman