

**The Permanent Forum on Indigenous Issues
Third Session, New York, 10-21 May 2004
Agenda Item 4(d), Human Rights**



Intervention by the Gwich'in Nation

Supported Organisations to this intervention: International Indian Treaty Council, Dene Youth Alliance, The Saartjie Bartmann Indigenous Medicine Institute, Arctic Athapaskan Council, Saami Council, and the Kamakakuokalani Centre for Hawaiian Studies

Oral Statement presented on Monday, May 17, 2004 by Elaine Alexie, representative, Gwich'in Nation

Mussi Cho, Van Gwiinzhii Shalaknii. Thank you Mr. Chairman and good morning to all. The Gwich'in Nation of Northeast Alaska and Northwest Canada are resisting attempts by the United States Bush Administration to access the coastal plain of the Arctic National Wildlife Refuge for oil and gas exploration and development. This area is sacred to the Gwich'in - "Ilzhik Gwatsan Gwandaii Goodlit" - **the Sacred Place Where Life Begins** - this is the primary birthplace and nursery grounds of the Porcupine Caribou Herd. We, the Gwich'in, rely upon the Porcupine Caribou Herd for our essential physical, cultural, spiritual and social well-being.

The Canadian Government and multi-national corporations are proposing a natural gas pipeline, which would infringe within the Peel River Watershed of Gwich'in traditional hunting areas within the wintering range of the Porcupine Caribou Herd in Canada.

Climate change related impacts threaten the future viability of the Porcupine Caribou Herd and the traditional way of life of the Gwich'in Nation and all Arctic Indigenous Peoples. The 2004 Arctic Climate Impact Assessment, prepared by the Arctic Council, shows global climate change will accelerate in the decades ahead and that the Arctic climate is changing at twice the rate of the rest of the world. The Arctic is a global indicator for the rest of the world.

We, the Gwich'in have the inherent right to continue our own way of life; and that this right is recognized and affirmed by civilized nations in the International Covenants on Human Rights. Article 1 of both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights affirm:

"In no case may a people be deprived of their own means of subsistence..."

As sovereign peoples and nations of North America, we have an inherent right to self-determination, protected through legally binding international agreements, in both Canada and the United States. Nation-states and governments violate these international agreements when they promote unsustainable, destructive mineral extraction on or near Indigenous Peoples' lands and territories.

This issue of essential concern to our People's, is that our future generations depend

therefore call upon the Permanent Forum to submit through ECOSOC the following recommendations to begin to address these crucial concerns of the Gwich'in Nation and other Indigenous People's around the world:

- 1.) the UN members states and relevant bodies recognize Indigenous People's sovereignty over their natural resources in accordance with Article 1 in common of the two 1966 Human Rights Covenants and other international instruments.
- 2.) that states immediately adopt the UN Draft Declaration on the Rights of Indigenous Peoples. As a first step toward the full enjoyment and recognition of Indigenous Peoples human rights we also urge member states to recognize, adopt, ratify and implement ILO convention 169.
- 3.) the World Bank to implement the recommendations of the Extractive Industries Review, as well as to guarantee the right, prior and to free informed consent to the upcoming Indigenous People's policy.
- 4.) the office of the High Commissioner for Human Rights, the Working Group for Indigenous Populations and the Special Rapporteur on Indigenous Human Rights, coordinate a follow up workshop under the Permanent Forum on the situation of, and the relationship and effects of extractive industries and Indigenous peoples.
- 5.) call for governmental moratorium on the expansion of and new exploration for the extraction of oil, natural gas and coal within and near Indigenous lands, especially in pristine areas and environmental, social, cultural and spiritually significant historical and sensitive areas.
- 6.) the Permanent Forum to recommend that the extractive industries, particularly oil exploration and development projects, adhere to the Akwek'on voluntary guidelines adopted by the 7th Convention of the parties to the Convention on Biological Diversity.
- 7.) member states of the United Nations as well as International Institutions of Economic Assistance and Finance accept a human rights based approach to extractive energy development.
- 8.) the Permanent Forum and the UN interagency ensures Arctic Indigenous Peoples have access to the information, institutions, decision-making authorities and funds necessary to identify and access their own vulnerabilities and resiliencies associated with climate change in order to adapt, safeguard and promote our traditional ways of life.