

**6<sup>th</sup> SESSION OF THE UN PERMANENT FORUM ON INDIGENOUS PEOPLES  
ISSUES - LAND, TERRITORIES AND RESOURCES AND EXTRACTIVE  
INDUSTRY**

**Joint Statement by:** Indigenous Environmental Network/International Indian Treaty  
Council, Indigenous World Association, Western Shoshone Defense Project

**Agenda Item 3. Land, Territories and Resources**

Carrie Dann

Madame Chairperson, members of the Permanent Forum, distinguished State delegates and Indigenous Brothers and Sisters.

1. As we are all aware, the issue of lands, territories and resources is the foundation of our struggles as indigenous peoples and the roots of much of the resistance to the adoption of the Declaration on the Rights of Indigenous Peoples. More often than not, these struggles and resistance by States are caused by the desire of States and transnational corporations to have access and control of and to exploit our lands and resources. This exploitation takes many forms including mineral extraction, water expropriation, oil and gas production, leasing and pipeline construction, large hydro dams and water diversions, timber harvesting and large scale agricultural developments.

2. Entire national legal systems and economic and environmental protection regimes have been built around allowing non-indigenous access to our resources for private profit and/or non-indigenous benefits to the detriment of the health of Indigenous Peoples and protection of our lands and water resources. These national systems not only displace us as peoples but they violate our traditional laws based upon our spiritual teachings and cosmovision. These national systems have no adequate indicators within their environmental assessment and decision-making process that can value, nor quantify our spiritual relationship and cosmovision to those sacred elements of the land, air, water and the sun.

3. The impacts from the extractive industry cross cuts and impacts all six of the mandated issue areas of the UNPFI and is a fundamental concern to the fulfillment of all eight of the Millennium Development Goals (MDGs).

4. The impact from a lack of mechanisms for corporate responsibility and accountability of the extractive industry's activities in particular has been an area of growing recognition. Earlier this year, the Committee on the Elimination of Racial Discrimination (CERD) specifically noted the *"reports of adverse effects of economic activities connected with the exploitation of natural resources in countries outside Canada by transnational corporations registered in Canada on the right to land, health, living environment and the way of life of indigenous peoples living in these regions"*. The Committee issued specific recommendations in this regard. (Para. 17, Observations attached).

5. As our environment is destroyed by extraction of our natural resources and the subsequent impacts on plant, animal, fish, birds, human and spiritual life, our Mother Earth is reacting with warning signs that it is time now for States, corporations and private sector to join in the healing of Mother Earth as we face the compounding crisis of global warming and climate change. As indigenous peoples, our creation stories teach us what forms of development are appropriate or inappropriate with regard to our lands, territories and resources. We have a right to determine how, when, where and if certain activities will be permitted on our ancestral lands. This right stems from our obligations and responsibility as caretakers of those lands where Creator has placed us. The United Nations Declaration on the Rights of Indigenous Peoples in Articles 26 and 29 confirms this right and is another reason the Declaration should be immediately adopted by the General Assembly.

6. We recommend that the Permanent Forum: designate a representative of the PFII to attend an Expert Seminar that will look at the impacts of the extractive industries on Indigenous Peoples with specific case study reviews and a written report; that this report shall be reported at the 7<sup>th</sup> Session of the UNPFI; that the PFII would facilitate the participation of the High Commissioner on Human Rights and other representatives from appropriate UN agencies to attend as observers. The participation of the UN High Commissioner on Human Rights would compliment the second phase of her office detailed study on the scope and content of the relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments. This would make the link between the impact of water related to the impacts of the extractive industry. This global Expert Seminar will be held on *Newe Sogobe* (Western Shoshone Territory) at the 14<sup>th</sup> Indigenous Environmental Network Protecting Mother Earth conference, July 17-20, 2008 hosted by the Western Shoshone Defense Project.

7. Prior to the July 2008 conference, we request that the Permanent Forum encourage the High Commissioner to make a site visit to Western Shoshone territory during her upcoming visit to the United States this year.

7. With increasing climate change, diminishment of water resources and loss of biodiversity, there is an immediate need for a review of the impacts of extractive activities with attendant recommendations for the UN bodies and agencies. The Permanent Forum is the appropriate entity to facilitate and support this review.

Thank you.