



Amah Mutsun Tribal Band of Costanoan/Ohlone Indians

Historically known as "San Juan Bautista Band and San Juan Band" Indians of California

PO Box 5272 | Galt, CA 95622

April 25, 2017

Re: United Nations Permanent Forum on Indigenous Issues - Intervention - Item #4

Thank you Madam Chairperson,

My name is Valentin Lopez and I am the Chairman of the Amah Mutsun Tribal Band. We are a federally unrecognized Tribe and we are from the greater Monterey Bay in California. Today we wish to briefly address two issues regarding heritage sites. Both issues deal very specifically with UNDRIP. Currently there is an effort to have the California section of the El Camino Real listed as a UNESCO Heritage Site by the California Mission Foundation. This effort seeks to steal and co-opt indigenous heritage while recognizing the El Camino Real, the Road of the King, for the honor and benefit it brought to both colonizers and today's society by Spain and the California Mission system. Unfortunately, this history as told by the California Mission Foundation minimizes and/or ignores the fact that the El Camino Real was established on indigenous trade routes that were used by our ancestors for thousands of years. In addition, the use of our trade routes by Spain and the Catholic Church resulted in ethnocide, slavery, brutality and domination. These crimes must be acknowledged under the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, of which we have been excluded since its signing in 1951.

The California Mission Foundation is attempting to work with several California Native academics to tell the indigenous story of our trade routes and this is unacceptable. The California Mission Foundation must consult with each legitimate Tribal Government that was affected by the El Camino Real. We pray that UNESCO recognizes that in this case free, prior, and informed consent must be that of tribes and not individual native descendants that ~~agree~~ ^{cooperate} with the deceitful intent of the Foundation.

Secondly, our most sacred site, Juristac, is under threat by a proposed sand and gravel mining project. Juristac translates to, "Place of the Big Head." Our Big Head dances were our most important ceremonial dances. Juristac is also the place where our spiritual leader, "Kuksui," lived. When Missions San Juan Bautista and Santa Cruz closed, most of our surviving ancestors went to Juristac in an effort to restore balance to their world and to recover from the atrocities they experienced. Our consultation with Santa Clara County clearly shows that anthropologists seldom, if ever, recorded the sacred and spiritual sites of California Indians. Because we are a federally unrecognized tribe and because our spiritual sites are not recorded, we believe that the county does not feel they are under any obligation to recognize or protect our most important Sacred and Ceremonial Site. Should Santa Clara County approve this project it will clearly provide evidence that the destruction and domination of Mutsun peoples, cultures, environments and spirituality continues to this day.

suururuy yuu tumsan-ak kannis,

There should be no mining w/o ^{the} free, prior and informed consent of our Amah Mutsun Tribal Band.

Ho!
Valentin Lopez, Chairman
Amah Mutsun Tribal Band
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**UN Permanent Forum on Indigenous Issues
Sixteenth Session
Thursday April 27, 2017
Agenda Item 4**

Speaker: Grand Chief Wilton Littlechild

The UN has adopted instruments that have contributed to a more robust strategy for sustainable development. The most significant is *Transforming Our World: The 2030 Agenda for Sustainable Development*.

Yet sustainable development has largely not taken place, despite the severe and ongoing impacts of resource development in regard to Indigenous peoples.

Sustainable development must ensure the protection of Indigenous peoples' human rights. Democracy, human rights, good governance and the rule of law are essential for sustainable development, including environmental protection and the *eradication of poverty*.

In view of the heightened vulnerability of Indigenous women and children, States must meet a higher standard and not impoverish those concerned. Development projects that undermine Indigenous peoples' own means of subsistence or otherwise adversely affect their right of self-determination would severely violate their human rights. Such developments constitute violations of international law.

In Canada, Call to Action 92 of the Truth and Reconciliation Commission calls upon the corporate sector to "apply the principles, norms, and standards of the UN Declaration to policy and operational activities and commit to obtaining the free, prior, and informed consent before proceeding with economic development projects."

Recommendations:

The Permanent Forum should remind States of their international commitments “to end poverty and hunger everywhere; ... to protect human rights and promote gender equality and the empowerment of women and girls; and to ensure the lasting protection of the planet and its natural resources”. All resource development projects should adhere to these critical elements.

The Permanent Forum should emphasize to States that poverty represents a denial of human rights and human dignity. As repeatedly stressed by the General Assembly, there is “the need to ensure that no one is left behind, including indigenous peoples, who will benefit from and participate in the implementation of the 2030 Agenda” for sustainable development.

The Permanent Forum should underline to States that impacts of poverty are interrelated and compounded by unsustainable development. In particular, Indigenous women and families that are deprived of their collective and individual right to security, cultural identity, adequate housing and other essential services face situations that enhance vulnerabilities. Such situations often result in violence.

The Permanent Forum should reiterate that States must honour and respect Treaties with Indigenous peoples, as self-determining peoples, and safeguard Mother Earth for present and future generations. Upholding and protecting the human rights of Indigenous peoples, including Treaty rights, is a matter of legal responsibility. States and corporations must be held accountable for ensuring that resource development does not violate these rights.

The Permanent Forum should remind States that Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development and that Indigenous peoples' right to development is an integral part of their right to self-determination. Indigenous peoples are entitled to benefit from, and make decisions concerning, their territories.