

**Western Shoshone Defense Project, Seventh Generation Fund for Indian Development,  
Indigenous Environmental Network, Indigenous Network on Economies and Trade,  
Tonatierra, International Indian Treaty Council, American Indian Law Alliance, Hawaii  
Institute for Human Rights, Netherlands Centre for Indigenous Peoples**

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United Nations Permanent Forum Session V

Intervention under Agenda Item 3

Madame Chairperson, members of the Permanent Forum, distinguished state delegates and indigenous relatives. Good morning. My name is Carrie Dann, I am Western Shoshone. Thank you for this opportunity to speak. We have three specific recommendations for the Permanent Forum, as well, because we are unable to be here next week to raise these issues during the North American focus, we ask that the members consider this intervention and our statement during that discussion.

Western Shoshone lands span across approximately 60 million acres of land within the borders of the United States. The U.S. claims that our lands are federal or public lands – they have no legitimate basis for this claim, in fact that claim is a direct violation of the 1863 Treaty of Ruby Valley that the U.S. signed with our leaders. Despite ongoing federal seizures of our livestock and continued harassment and intimidation of our peoples, we continue to live on and use our lands according to our traditions and our spiritual teachings. Both the Inter American Commission on Human Rights and the UN Committee on the Elimination of Racial Discrimination have issued final reports or decisions agreeing with us. A copy of the UN CERD decision has been provided to each member.

Our requests that the Permanent Forum pass on to ECOSOC are:

**1. Clearly articulate the fundamental indigenous guidelines of land, air, water and sun (the acronym is L.A.W.S., “laws”) to measure all “development” projects or other proposals – any destruction of these sacred things must be prohibited for the protection of all life and for any type of environmental sustainability under the MDGs, the World Bank and the UN agencies, funds and programmes.**

To us, as indigenous peoples, these four sacred things must be addressed as the starting point for any discussion of “development”, economic sustainability, or government accountability. All life depends upon these four things. Our responsibility as indigenous peoples is to protect these things and to serve as caretakers of our homelands. All the situations presented in the Permanent Forum have these things in common – the situations may be at different stages– but all stem from the desire by others to take our land, to take our resources, and to take our water and our spirituality. These things are destruction, not development. There should be no debate on that issue.

**2. For all UN bodies and agencies to recognize the situation of indigenous peoples in the United States as documented by the Inter American Commission on Human Rights and the Committee on the Elimination of Racial Discrimination and other “developed” countries and to treat these situations as the United Nations would treat any other violation of basic human rights. This is especially necessary when the Human Rights Council or the General Assembly is considering the passage of the Declaration of the Rights of Indigenous Peoples.**

**Why should the violators of these rights, the U.S, Canada, and others be able to hold up the processes necessary to protect and recognize our rights? This is shameful.**

As the distinguished representative from Bolivia stated on Monday, this has been going on for the last 500 years. Without our consent, Western Shoshone lands are currently the second largest gold producing area in the world. There are huge, open pit cyanide heap leach mines with one mine alone dewatering up to 70,000 gallons of water per minute, 24 hours per day. Under current U.S. law we are given no ability to stop a mine – they are also threatening massive geothermal energy exploitation, destroying hot springs which are spiritual areas for our people and the U.S. is moving forward on storing the nation's, and much of Europe's, nuclear waste in Yucca Mountain – an area long known for ceremonies and burial sites. How can we even talk about environmental sustainability as reflected in MDG number 7 when we are denied our basic rights to decision making over the lands where we were placed by the Creator?

We received a full report from the Inter American Commission on Human Rights in 2002, they found the U.S. in violation of our rights to property, due process and equality under the law. This year, the Committee on the Elimination of Racial Discrimination confirmed the Inter American Commission's finding and issued a full decision under their Early Warning and Urgent Action Procedure. We are very pleased that these bodies have recognized the wrongs that the government is committing against our people and other indigenous peoples, however the U.S. has responded with complete defiance to these rulings- setting a very dangerous precedent for other states parties to the OAS and to the UN.

The time is now for the change to happen. Western Shoshone peoples and other indigenous peoples in the U.S., Canada, and other so-called “developed” countries are being actively denied our rights to fulfill our responsibilities as caretakers of our lands. These same policies are then pushed at the international level and promoted as “economic development and sustainability”. Nothing could be further from the truth.

**3. Reassess the use of the terms “developed” versus “developing” countries on all issues affecting indigenous peoples, including monitoring and review, funding and other UN agency support and assistance.**

The laws and policies used against us, indigenous peoples in the “developed” world are the same out-dated and racist notions known as the “doctrine of discovery” – a colonialist concept which describes indigenous peoples as sub-human, childlike and savage. This continues to be used by the United States and other “developed” governments to take our lands, to force compensation on us, to exploit our land, air and water to the benefit of multinational corporate and military interests. These concepts are then used to promote economic development interests by multinational interests globally. Everyone knows this – we should just say it like it is and start telling the truth and looking for real solutions for all peoples.

Those are our recommendations. And I thank you for listening to this little old lady.