

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

NEED FOR CANADIAN REGULATION OF TRANSNATIONALS OPERATING ON WESTERN SHOSHONE LANDS (CANADA)

The Western Shoshone Defense Project submits the Report on the Effect of Canadian Corporate Behavior on the Western Shoshone Peoples Located in the United States (“Report”).

Canadian corporations acting with the permission and inadequate oversight of the Canadian government are taking part in the ongoing, serious and persistent pattern of human rights violations against the Western Shoshone peoples of the Western Shoshone Nation, an indigenous people located within the United States of America. Specific examples are as follows:

- **Gold Mining.** Intimidation, harassment and denial of Western Shoshone access to traditional gathering and spiritual areas, in particular with regard to the culturally and spiritually significant area of Mt. Tenabo and Horse Canyon where the use of explosives and open pit gold mining activities is ongoing and expansion plans persist despite recommendations from international human rights bodies including the Inter-American Commission on Human Rights and the United Nations Committee on the Elimination of All Forms of Racial Discrimination and Canada’s own Standing Committee on Foreign Affairs and International Trade. Current and planned gold mining activities are damaging and will outright destroy these areas.
- **Privatization Efforts.** Encouragement of federal efforts to privatize Western Shoshone lands for transfer to multinational extractive industries and energy developers, to the detriment of Western Shoshone.

The Western Shoshone Defense Project requests that this Committee enforce Canada’s obligations under the Convention and recommends that it take appropriate measures to ensure that Canadian transnational behavior on indigenous lands does not contribute to ongoing human rights violations against the Western Shoshone or other indigenous peoples.

Specific Recommendations for Canada:

1. Formally adopt and act upon the Recommendations by Canada’s Standing Committee on Foreign Affairs and International Trade with specific reference to “indigenous lands” both in developed and developing countries;
2. Call upon Canadian transnationals operating on Western Shoshone lands to respect CERD’s Decision 1 (68) and to cease all support of privatization efforts and/or to desist from exploration, new mines or expansion of existing mines in Western Shoshone territory until a good faith resolution is reached between the United States and the Western Shoshone peoples of the Western Shoshone Nation; and
3. Complete a report on the activities of Canadian companies on Western Shoshone lands in light of the human rights violations and ongoing CERD review of the situation.