Our Ways of Knowing: the Climate Crisis and the Rights of Indigenous Peoples

Traditional Zapoteca and Dine’ Corn Altars, Oaxaca Mexico and Shiprock New Mexico

International Indian Treaty Council
Consejo Internacional de Tratados Indios
“Protecting our Lands, Waters and Inherent Rights for Those Yet Unborn”

“Address the causes and effects, call for compliance by Canada of its International agreements to reduce emissions, and develop solutions to climate change within our own communities, recognizing that it violates our Treaty rights to land, water, health, food sovereignty and consent as understood in our ways of knowing.”

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Recommendations, Treaties 1–11 Elders Gathering August 28th, 2017, Taywa Tagamou Nation, Treaty No. 9, Ontario Canada
The American Indian Struggle in the 1960’s and 1970’s

The Occupation of Alcatraz Island, San Francisco California 1969

The “Trail of Broken Treaties”, 1972

Leonard Peltier extradited from Canada, 1976

“In the course of these human events, we call upon the people of the world to support this struggle for our sovereign rights and our treaty rights…Treaties between sovereign nations explicitly entail agreements which represent “the supreme law of the land” binding each party to an inviolate international relationship…”
In 1977 IITC received UN Consultative Status, and upgraded to General Status by ECOSOC in 2011

“Indigenous Peoples should speak for and represent themselves before the world community.”
- IITC’s Guiding Principles

“Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”

--- *Preamble, the Universal Declaration of Human Rights, 1948*

“Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources”

--- *Preamble, UN Declaration on the Rights of Indigenous Peoples, 2007*
Food, Health and Well-Being are Human Rights

“Everyone has the right to a standard of living adequate for the health and well-being of himself & of his family...including food” -- Universal Declaration of Human Rights December 10, 1948
History was Made: General Assembly Adopted the UN Declaration on the Rights of Indigenous Peoples on September 13th, 2007
After more than 30 years of struggle

Indigenous Peoples and supporters protest in front of the New Zealand, Canadian and Australian UN Missions, New York, August 30th, 2007

PRESS STATEMENT: 22 OCTOBER 1996 2:00 P.M. at the United Nations in Geneva Switzerland

FOR IMMEDIATE RELEASE: Indigenous Peoples Representatives Walk Out Of the UN Inter-Sessional Working Group on the UN Draft Declaration on the Rights of Indigenous Peoples!

Hunger Strike in Geneva, December 2004
The Declaration is the “Minimum Standard”

“The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.”

--Article 43
Article 3:
Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
“Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired…”

--- Article 26, para 1
Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard. -- *Article 25*
1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including...seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts.
Subsistence Rights and Traditional Economies

“Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.”

-- Article 20, paragraph 1

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Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources...

-- Article 29, para. 1
Right to Health and to Traditional Health-Related Practices

“Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals…” --- Article 24
Article 32: FPIC and Development

“States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources...”
Consent is a Treaty Right

FORT LARAMIE TREATY, APRIL 29, 1868

ARTICLE 16. The United States hereby agrees and stipulates that the country north of the North Platte River and east of the summits of the Big Horn Mountains shall be held and considered to be unceded Indian territory, and also stipulates and agrees that no white person or persons shall be permitted to settle upon or occupy any portion of the same; or without the consent of the Indians first had and obtained, to pass through the same;

The Declaration Affirms our Right to Participate in Decision-Making

Article 18: “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.”

Climate Change: Threats to Indigenous Peoples’ Rights, Food Sovereignty and Ways of Life

Ft. Chipewyan, Alberta Canada

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Climate Change is real and the primary cause is burning fossil fuels.

The US National Oceanic and Atmospheric Administration (NOAA) reported that 2016 was the hottest year ever recorded, followed by 2019. The 5 hottest years have all occurred since 2015.
Greenhouse gases, especially $\text{CO}_2$, trap heat from the sun.
The International Energy Commission estimates that the US will account for 70% of the rise in global oil production, 75% of the rise in liquified natural gas over the next 5 years.

2019 was a record year for tornados in Oklahoma.
“Climate change constitutes the single most important threat to food security in the future” -- UN Rapporteur on the Right to Food Olivier de Schutter report to the UN Human Rights Council, March 2009

Salmon with skin lesions, Columbia River, 2015
Up to 1 million species face extinction

Once, more than a million spring-run Chinook lived in the waters of the Central Valley in California. In 2010 there were less than 10,000, a decline of 99%. Researchers at UC Davis predicted the effect of climate change on the Chinook salmon. In all the scenarios, even the hopeful ones, spring run Chinook failed to survive until 2099.
Mexico: Changing weather patterns include dramatic decreases in summer rainfall directly impacting traditional agriculture. Growing capacity of traditionally important crops such as corn is decreasing dramatically in many regions.
Forests are Drying and Burning

British Columbia Canada

California USA

Amazon Basin, Brazil
Climate Change and Forced Migration

Ocean levels have risen 4 to 8 inches in the last 100 years. In the last 20 years they have risen at double the rate of the previous 80, with a projected rise by 2100 of 3 to 6 feet. Indigenous Peoples facing forced relocation include Tuvalu (Pacific) and Shishmaref (Alaska). What will the identities of these relocated Indigenous Nations and Peoples be?
Indigenous Peoples march for rights and participation at COP 15, Copenhagen (2009) and COP 16, Cancun (2010)
Keeping the increase to 1.5°C

- In Paris, State Parties agreed to keep temperature rise to “well below” 2°C above pre-industrial levels, **with a goal of 1.5°C**.

- The Structured Expert Dialogue (SED) report concluded in 2015 that at 2°C of warming “…indigenous people[s] would be at risk of loss of land and cultural and natural heritage, and cultural practices embedded in livelihoods would be disrupted.”

- The UN reported in 2018 that emissions **increased** that year, threatening over 3°C of increase (could be **9+ in Arctic**).
Rights of Indigenous Peoples were recognized in the UN Paris Agreement

“Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations...”

-- Preamble, the Paris Agreement, adopted by consensus December 12, 2015 to go into force in 2020
IITC’s North America Indigenous Peoples Traditional Knowledge and Climate Change “Road to Paris” Questionnaire received responses representing 318,000 individuals from July – November 2015, and provided input for our positions at COP 21

- 94% of respondents affirmed that Climate Change was very important or important to their community/Peoples/Tribe/Nation.
- 98% of respondents said they have seen impacts of Climate Change on their environment, weather, food systems and/or land base.
- 96% affirmed that their own Peoples’ Traditional Knowledge and practices can be useful in addressing or responding to the impacts of climate change.

Video interview with Duane Chili Yazzie of the Diné/Navajo Nation, Indigenous Peoples Pavilion, COP 21
The Paris Decision recognized Indigenous Peoples’ Knowledge and Practices, established a “Local Communities and Indigenous Peoples Platform”

“Recognizes the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and establishes a platform for exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner.” (para. 135)
Consultations with States

Ottawa
Canada, September 11-12, 2017

Cochabamba
Bolivia, October 12-13, 2018
Indigenous Traditional Knowledge Holders Recommended…

“…that the new Platform for Traditional Knowledge Exchange under the UN Framework Convention on Climate Change (UNFCCC) is developed with the full and equal participation of Indigenous Peoples from all regions and especially our knowledge holders and traditional food producers and in a manner that fully respects our rights, traditional indigenous sciences and the richness of our ancestral knowledge”. --- The Declaration of Tecpan, March 9, 2017
Victory at COP 24, December 2018: the Facilitative Working Group established to implement the LCIPP
The LCIPP Facilitative Working Group 2nd Session at COP 25 in Madrid Spain
FWG workplan adopted at COP 25

- Rights-based per the UN Declaration (Treaties, TK, land, FPIC)
- Cross-cutting impacts including policies and climate action by States and the UN
- Direct participation of Indigenous rights and knowledge-holders, traditional practitioners in thematic workshops and NDC’s
- Local, national, regional, international activities, practical outcomes
- Intergenerational Knowledge-sharing among Indigenous Peoples, as well as with States and others if agreed
- FPIC re: if, what, how knowledge will be shared and used
- Capacity-building for Indigenous Peoples AND States
- …With adequate, direct funding and continued equal participation
Ongoing Challenge at COP 25:
Ensuring that Indigenous Peoples’ rights are respected in Climate Action
Solutions from within our Nations: Restoring our Original Seeds

Seed sharing and trading, 2nd International Corn Conference, Okmulgee, Oklahoma, September, 2014

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Buffalo role in Preventing, Mitigating and Adapting to Climate Change

- Buffalo withstand a range of climate conditions, and support Native grasses which prevent erosion, hold soil moisture
- Local food sources have a lower “carbon footprint”
- Buffalo Nations Treaty, 2014
- Buffalo will be the basis for Tribal Nations’ food sovereignty, health, and cultural survival in the future

In October 2015, 100,000 cattle died in an early blizzard in South Dakota. No buffalo deaths were reported!
Elders Teaching Our Youth

Chickaloon Village, Alaska

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Protecting our Sacred Places

“Tule marshes absorb more than ten times more carbon than a pine forest”
-- Dr. William Carmen (Yaqui) Wildlife Biologist
Resisting Fossil Fuel Development

Standing Rock Water Protectors, North Dakota USA

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Indigenous Community-based Alternative Energy Projects

Lakota Solar Enterprises, Pine Ridge, South Dakota

Wind power, White Earth Reservation, Minnesota
Creating Tribal Nation Climate Crisis Strategic Plans

Presentation on Climate Change by Andrea Carmen Executive Director of the International Indian Treaty Council. Andrea is a member of the Facilitative Working Group for the new Local Communities and Indigenous Peoples Platform of the United Nations Framework Convention on Climate Change.

There will be a Youth and Elders Panel. Open to the public. Coffee and snacks provided.

Where: St. Francis High School Gymnasium, St. Francis, SD
When: May 7th, 2019 @12:45 until 4:00
SFIS Students will be excused at 3:30 to catch the bus.

For More Information Call Phil Two Eagle at (605) 747-2381 Ext. 390 or email phil.twoeagle@rst-nsn.gov
Establishing Indigenous Food Sovereignty Zones

San Francisco Magú, México

Pu’uhonua Village, Nation of Hawai’i, Oahu

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“Coal is the Liver of Mother Earth. It has to stay in the ground so she can be healthy.”

-- Dine (Navajo) elder Roberta Blackgoat
Choque Utesia, Thank you very much