

INDIGENOUS POLICY

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*Indigenous Policy (IPJ)* publishes articles, commentary, reviews, news, and announcements concerning Native American and international Indigenous affairs, issues, events, nations, groups and media. We invite commentary and dialogue in and between issues.  
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TABLE OF CONTENTS

Note, as reports are rarely cross listed, a report that could be in more than one section will usually only be in one section without reference to other possible locations.

ISN and IPJ information	p. 1
Upcoming Events	p. 7
Ongoing Activities	
Environmental Activities	p. 26
U.S. Activities	p. 42
International Activities	p. 47
Indian & Indigenous Developments	
Environmental Developments	p. 59
U.S. Developments (Presidential Actions: p. 119; Congressional Developments: p. 124; Agency Developments: p. 130; Fed Indian Budgets: p. 136; In the Courts: p. 137; Tribal & State & Local Gov: p. 138; Tribal Developments: p. 141; Economic Developments: p. 151; Education & Culture: p. 154).	
International Developments (International Organization Developments: p. 158; Regional and Country Developments: p. 165).	
Dialoguing:	
Bryan Bixcul, "The Earth Is in the Hands of the Fossil Fuel Industry: COP28 Fails to Deliver Urgent Action on Phasing Out Fossil Fuels"	p. 192
International Indigenous Peoples Forum on Climate Change (IIPFCC)'s Closing Statement at COP28	p. 195
"COP28: Indigenous Leaders From Around the World Unite in Historical Call for Consent on Mining Projects During Energy Transition"	p. 196
INDIGENOUS Environmental Network, "IEN at COP28, Week One"	p. 198
Closing Statement of the International Indigenous Peoples' Forum on Climate Change at UNFCCC SB58	p. 201
Lindsay Koshgarian, Alliyah Lusuegro, "Climate Is the Fight of Our Lifetime Our Federal Budget Should Reflect That"	p. 203
Jessica Corbett, "Biden Proposal for Fossil Fuel Leasing on Public Lands Called 'Massive Climate Failure'"	p. 205
Anju Anna Johnstefano Balbi, "Leave No One Behind:	

We Need a Rights-Based Approach to Climate Displacement"	p. 207
SIRGE Coalition Statement on the Critical Raw Materials Act	p. 211
Thirty Years After The Revolutionary Women's Law, They Denounce "Permanent War" Against The Peoples	p. 213
Gabriel Leao, "Indigenous Voices bring a reality check at the Assembly of The Peoples of The Earth for The Amazon"	p. 217
Dev Kumar Sunuwar, "Indigenous Peoples Continue 100-year Fight Against Large-Scale Gold Mining in the Philippines"	p. 222
Binish Ahmed, "Decolonizing Policy Research as Restorative Research Justice: Applying an Indigenous Policy Research Framework (IPRF)"	p. 227

Research Notes:

A defeat and some successes with a bitter after taste	p. 253
"Crimes against the Climate: Violence and Deforestation in the Amazon"	p. 255
Birds and Transmission Report: <i>Building the Grid Birds Need</i>	p. 264
Noah Berger and Tammy Webber, "Canadian wildfires hit Indigenous communities hard"	p. 267
Edson Krenak "The Violent Cartography of Lithium in Brazil: Indigenous and Traditional Communities Struggle with the Giant of Transition Minerals in Brazil"	p. 269
Simon Counsell, "Blood Carbon: how a carbon offset scheme makes millions from Indigenous land in Northern Kenya"	p. 280
Amelia Schafer, "Giving a Platform to Indigenous Water Protectors: The Fifth Mni Ki Wakan Summit United Indigenous Water Protectors from across the Globe"	p. 289
Tatyana Novikova, "The Push To Dig Up Rare Earth Materials In The Black Hills"	p. 291
John Feffer, "Challenging Mining Corporations At The International Level"	p. 294
Joaqlin Estus, "Anchorage pledges permanent housing amid record homeless deaths"	p. 302
Nika Bartoo-Smith, "NCAI vote to exclude state recognized nations fails"	p. 304
Stephen M. Sachs, "Maintaining the Circle: Culture in Place of Race Is the Key to Achieving Diversity"	p. 310
Kala Hunter, "Train Maya Partitions the Yucatan Peninsula and Maya Peoples from Each Other and Their Lands"	p. 314
Camilla Lindschouw, "What Happens Now? Indigenous Nations Prepare for Increased Mobilization of Education about ICWA and Its Vitality for Native Children in Coming Debates"	p. 317
Bart Pfankuch, "New Native mentoring program builds lifetime bonds"	p. 322
Camilla Lindschouw, "Inter-American Commission on Human Rights Upholds the Onondaga Nation's Right to Challenge Illegal Land Acquisition"	p. 328
Wakinyan LaPointe, "16th Anniversary of the UN Declaration on the Rights of Indigenous Peoples: Seeding the Generational Legacy of the International Indigenous Rights Movement"	p. 331
Russ Diabo, "End of BC Reserves"	p. 336
Dr. Marta Furlan, "How Illegal Mining and Logging in the Peruvian Amazon are Exposing Indigenous Communities to the Risk of Modern Slavery"	p. 339
Dev Kumar Sunuwar, "Decolonizing and Indigenizing Media to Uplift Indigenous Peoples' Voices in Asia"	p. 342

Articles:

As *IPJ* is now a refereed journal, articles may be posted on a different schedule from the rest of the journal. We will send out an e-mail announcement when the next set of articles are posted, and can be downloaded as a pdf file. **Current articles are available with list online at: <http://www.indigenouspolicy.org/ipjblog/>.**

Media Notes	p. 345
Ph.D. Dissertations from Universities Around the World on Topics Relating to Indians in the Americas	p. 346
Useful Websites	p. 347
Announcements	p. 356

Co-Editors:

Phil Bellfy, American Indian Studies Program, Michigan State University, 262 Bessey Hall, East Lansing MI 48824, (517)432-2193, bellfy@msu.edu.
Thomas Brasdefer, thomasbrasdefer@gmail.com, Web Master.
Ted Cloak, tcloak@unm.edu, Environmental Editor
Thaddieus (Tad) Conner, Mexico State University: conner03@nmsu.edu.
Russel Diabo, rdiabo@rogers.com, Canada Editor
Jonathon Erlen, Ph.D., History of Medicine Librarian, School of Medicine, University of Pittsburgh (412)648-8927, erlen@pitt.edu.
Mary Jo Tuppeconnic Fox: foxm@arizona.edu, Editor
Lee Francis, IV, nativerealities@gmail.com, Popular Culture Editor
Karen Jarratt-Snider, Karen.Jarratt-Snider@nau.edu, Editor
Leo Killsback, American Indian Studies, Montana State University, leo.killsback@montana.edu,
Moki Kokoris, moki.kokoris@gmail.com, FacE-Book Coordinator & Arctic Editor
Eileen Luna-Firebaugh, eluna@email.arizona.edu
Anne Luna-Gordinier, Assistant Professor, California State University, Sacramento, (916)278-7961, luna-gordinier@csus.edu
Paula Mohan, paulamohan@gmail.com.
Teresa Lynn Newberry, 520-275-2855; terranewberry@gmail.com, Traditional Knowledge Editor
Ignacio Ochoa, M.A., Director, Nahual Foundation / Fundación Nahual, A Think Tank by and for the Indigenous Peoples of the Americas, 2a Avenida Norte 6 B, Antigua Guatemala, Sacatepéquez. Guatemala. Of: (502)7832-0167, Cell: (502)5985-4954, ignacio@fundacion-nahual.org, ochoa.ignacio@gmail.com, www.nahualfoundation.org, www.fundacion-nahual.org. San Francisco: ignacio.ochoa@wisr.edu, (415) 994-4590
Steve Sachs, 1916 San Pedro, NE, Albuquerque, NM 87110 (505)265-9388, ssachs@earthlink.net, Senior Editor, Coordinator of Editorial Board.
Aresta Tsosie-Paddock: atsosiepaddock@arizona.edu, Editor
Jay Toth, M.A., Professor of Anthropology, SUNY Fredonia , jtoth@atlanticbb.net.
William (Bill) Taggart, New Mexico State University, Department of Government, Box 30001, MSC 3BN, Las Cruces, NM 88003, (575)646-4935, witaggar@nmsu.edu.
Mark Trahant, Editor, *Indian Country Today*, mtrahant@indiancountrytoday.com.
David Heska Wanbli Weiden, Associate Professor of Political Science and Native American Studies, Metropolitan State University of Denver, King Center 494, Campus Box 43, P.O. Box 173362, Denver, CO 80217-3362, 303-615-2032, dweiden@msudenver.edu,
Media Review Editor

Richard M. Wheelock, Assoc. Prof. Emeritus of Native American and Indigenous Studies, Fort Lewis College, r2wheelock@gmail.com.

ISN:

Richard Witmer, Creighton University, RichardWitmer@creighton.edu, Chair.

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### **Advisory Council:**

Our thanks to all the members of the advisory council who review article submissions:  
David Armstrong, Phil Bellfy, JoLee Blackbear, Bennis Blue, Stephen Brandon, Patricia Campbell, Ward Churchill, Thaddieus (Tad) Conner, Renee Ann Cramer, Shane Day, Erica Neeganagwedgin, Larry French, Susan Grogan, Burke Hendrix, Sheree Hukill, Liliias Jarding, Ezra Rosser, Robert Patrick, and Stefanie Wickstrom.

### ***IPJ* INVITES VOLUNTEERS TO SERVE ON ITS ADVISORY COUNCIL, REFEREEING SUBMITTED ARTICLES.**

If you are interested in being a reviewer of submitted articles in the *IPJ* refereeing process, please contact Editors: the Co-Editors: Mary Jo Tippeconnic Fox: [foxm@arizona.edu](mailto:foxm@arizona.edu), Karen Jarratt-Snider, [Karen.Jarratt-Snider@nau.edu](mailto:Karen.Jarratt-Snider@nau.edu) or Aresta Tsosie-Paddock: [alarusso@arizona.edu](mailto:alarusso@arizona.edu).

### **Book Review Committee:**

*IPJ* has a book review committee. People wishing to review books, often receiving a free copy to review, and those wishing to have a book reviewed should send a copy, to: David Heska Wanbli Weiden, Associate Professor of Political Science and Native American Studies, Metropolitan State University of Denver, King Center 494, Campus Box 43, P.O. Box 173362, Denver, CO 80217-3362, 303-615-2032, [dweiden@msudenver.edu](mailto:dweiden@msudenver.edu).

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DEADLINE FOR SUBMISSIONS FOR THE NEXT ISSUE IS June 8

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### ***INDIGENOUS POLICY* PLANS FOR 2023-24 WE INVITE YOUR HELP AND INPUT**

We wish you a fine winter and spring. *Indigenous Policy* journal is in transition having recently become a publication of the World Social Sciences Association (WSSA), with a home in its American Indian and Indigenous Studies Section. We continue to network with the Indigenous Studies Network (ISN) - where we originated - and other organizations and groups. The transition, including considering a number of changes in journal operation, has caused our article referring process to barely function, but we anticipate that it will be fully operational again, shortly.

This will be my last issue. It has been a pleasure editing it since I first turned the ISN newsletter into this journal more than 20 years ago. As I am now 85 with less energy and more responsibilities at home it is time to pass on all the editing to our new editors. I have carried the entire issue of late as they have been busy with the transition which I hope they can complete shortly. Of necessity this issue is shorter than usual, but I believe still contains a great deal of useful information, research and views. In some cases where I have not had time to add that all



that I usually put in I have provided links for that information or writings. May your days ahead be very fine. - Steve Sachs

*IPJ* is available on the web with e-mail notification of new issues at no charge. *Indigenous Policy* puts out two regular issues a year (Summer and Winter), and since summer 2006 we have published occasional special issues. We are seeking additional editors, columnists and commentators for regular issues, and editors or editorial groups for special issues, and short articles for each issue. We have via our web site, a regularly updated and searchable data base of Ph.D. Dissertations from Universities Around the World on Topics Relating to Indians in the Americas, compiled by Jonathon Erlen and Jay Toth from Dissertation Abstracts, with recent dissertations also listed separately in each of our regular Summer and Winter issues. *IPJ* is on face-Book, including some important updates since the last issue, at: <https://www.facebook.com/indigenouspolicyjournal>.

As *IPJ* is a refereed journal, articles may be posted on a different schedule from the rest of the journal. New articles may go up either at the same time as regular issues, or be added to already posted issues, and may or may not remain up when issues change, until replaced by new articles. Notices go out to our list serve when new issues are posted, and when new articles are posted. To be added to the list to receive e-mail notice of new postings of issues, and new postings of articles, send an e-mail to Steve Sachs: [ssachs@earthlink.net](mailto:ssachs@earthlink.net).

*IPJ* has been publishing special issues from time to time since winter 2002 and will continue to do so. These are usually on specific issues. In addition, the Fall issues of *IPJ* has been devoted to carrying the Proceedings of the American Indian Studies Section of the Western Social Science Association Meeting held the preceding April, but with the entire WSSA meeting on the web this year, it is unnecessary to do so. We invite articles, reports, announcements and reviews of meetings, and media, programs and events, and short reports of news, commentary and exchange of views, as well as willingness to put together special issues.

Send us your thoughts and queries about issues and interests and replies can be printed in the next issue and/or made by e-mail. In addition, we will carry Indigenous Studies Network (ISN) news and business so that these pages can be a source of ISN communication and dialoguing in addition to circular letters and annual meetings at APSA, as *IPJ* was launched as Nan ISN publication and still networks with ISN. After being independent, *IPJ* became a WSSA publication in 2022 and carries WSSA American Indian Studies section information.. In addition to being the newsletter/journal of the Indigenous Studies Network, we collaborate with the Native American Studies Section of the Western Social Science Association (WSSA) and provide a dialoguing vehicle for all our readers. This is your publication. Please let us know if you would like to see more, additional, different, or less coverage of certain topics, or a different approach or format.

*IPJ* is a refereed journal. **Submissions of articles** are best made by going to the journal website. After reading the [Author Guidelines](#) and [registering](#) with the journal prior to submitting, [log in](#) and begin the five-step process of submitting. You can also go to: <http://www.indigenouspolicy.org/index.php/ipj/about/submissions#onlineSubmissions> to begin. One can also submit and obtain information from the Co-Editors: Mary Jo Tippeconnic Fox:

foxm@arizona.edu, Karen Jarratt-Snider, Karen.Jarratt-Snider@nau.edu or Aresta Tsosie-Paddock: alarusso@arizona.edu, who will send them out for review. Our process **is for non-article submissions** also go to go to the Co-Editors: Mary Jo Tippeconnic Fox: foxm@arizona.edu, Karen Jarratt-Snider, Karen.Jarratt-Snider@nau.edu or Aresta Tsosie-Paddock: alarusso@arizona.edu, who drafts each regular issue. Unsigned items are by Steve. Other editors then make editing suggestions to Steve. Thomas Brasdefer posts this Journal on the IPJ web site: <http://www.indigenouspolicy.org>.

### **Statement of Purpose**

#### ***Indigenous Policy Journal Standards and Philosophy of Publication of Scholarly Articles***

In its publication of double-blind, peer-reviewed scholarly articles, the Indigenous Policy Journal aspires the highest standards of scholarly edification and discourse on policy issues facing Indigenous peoples. In doing so, the *IPJ* is informed by the important national and international policy goals of self-determination and continuance of cultural values of indigenous people. We advise those submitting their articles to be aware of the United Nations Declaration of the Rights of Indigenous Peoples, which provides useful guidelines for scholarly inquiry and study of practically any policy issue that contributes to the continuance of indigenous peoples.

### **GUIDE TO SUBMITTING WRITINGS TO *IPJ***

We most welcome submissions of articles, commentary, news, media notes and announcements in some way relating to American Indian or international Indigenous policy issues, broadly defined. **Submissions of articles** are best made by going to the journal website. After reading the [Author Guidelines](#) and [registering](#) with the journal prior to submitting, [log in](#) and begin the five-step process of submitting. You can also go to: <http://www.indigenouspolicy.org/index.php/ipj/about/submissions#onlineSubmissions> to begin. One can also submit and obtain information from the Co-Editors: Mary Jo Tippeconnic Fox: foxm@arizona.edu, Karen Jarratt-Snider, Karen.Jarratt-Snider@nau.edu or Aresta Tsosie-Paddock: alarusso@arizona.edu, who will send them out for review. Author Guidelines has all the information for formatting article submissions. If you have difficulty using the website, contact the *IPJ* webmaster, Thomas Brasdefer.

All non-article submissions (including Research Notes, which usually are non-refereed articles) go via e-mail to Steve Sachs: ssachs@earthlink.net, or on disk, at: 1916 San Pedro, NE, Albuquerque, NM, 87110. If you send writings in Word format, we know we can work with them. We can translate some, but not all other formats into word. If you have notes in your submission, please put them in manually, as end notes as part of the text. Do not use an automated footnote/end note system that numbers the notes as you go and put them in a footer. Such automated notes are often lost, and if not, may appear elsewhere in the journal, and not in your article, as several writings are posted together in the same file. If you use any tables in a submission, please send a separate file(s) for them, as it is impossible to work with them to put on the web when they are an integral part of a Word text. Some other format/style things are helpful to us, and appreciated, but not an absolute requirement. As we publish in 12-point Times font, with single spacing, and a space between paragraphs. It saves us work if we receive writings that way. Many thanks. We look forward to seeing what you send us.

[illegible]

**ISN Program At APSA 2024 is in Philadelphia, PA, September 5 – 8, 2024.** The conference theme is “Democracy: Retrenchment, Renovation, & Reimagination.” The Indigenous Studies Network (ISN) plans to put on one or more panels and a business meeting. The ISN call for proposals states, “The themes of this year’s conference are retrenchment, renovation, and reimagination – all familiar topics to those working in the area of Indigenous politics. Given long-standing patterns of state failure and unpredictability, Indigenous peoples in North America and elsewhere have been forced to adapt over and over again to changing legal and social environments. We invite papers on all areas of Indigenous politics understood as a global phenomenon, with special interests for this year’s conference in Indigenous responses to changing policy conditions. We welcome papers from scholars at all ranks and kinds of institutions (including tribal colleges), as well as from practitioners with connections to academia. Indigenous politics remains a deeply understudied aspect of Political Science, and we welcome papers that help to build a deeper understanding of current state policies, Indigenous responses to them, and possible future trajectories.” **For information contact Rick Witmer, Creighton University, [RichardWitmer@creighton.edu](mailto:RichardWitmer@creighton.edu) or Burke Hendrix, Univ of Oregon, [bhendrix@uoregon.edu](mailto:bhendrix@uoregon.edu). Other sections and groups are likely to have Indigenous panels, papers or posters, particularly the Race, Ethnicity and Politics Division. Details will eventually be found when the program is posted on line by searching "Indigenous," "American Indian" or other key word at: <http://www.apsanet.org>.**

**Centre for Applied Linguistics and Multilingualism (CALM) Webinar series**, begun November 19, 2020 – April 15, 2021, is Online (Organized by Centre for Applied Linguistics and Multilingualism, National University of Ireland, Galway): <https://www.nuigalway.ie/calm/newseventsnuachttimeachtai/calm-seminar-series-2020-2021.html>.

The Centre for Applied Linguistics and Multilingualism (CALM) aims to promote research in the area of applied linguistics and multilingualism as well as to increase the awareness of issues related to language learning, language processing and multilingualism within NUI Galway and the wider community.

A series of free webinars has been organised for the current academic year on topics of relevance to our research centre. **Links to the events will be provided in individual posts on the CALM website** and on social media channels.

**Applied Linguistics Conferences:** Lists numerous applied linguistic conferences with links, at: <https://conferenceindex.org/conferences/applied-linguistics>.

**International Conferences on Applied Linguistics and Language Teaching** are scheduled several times a year in many major cities around the world. The listing is at: <https://waset.org/applied-linguistics-and-language-teaching-conference-in-january-2021-in-sydney>.

The **Department of Linguistics at the University of California Santa Barbara** often puts on **colloquia on Indigenous languages**. for information go to: <http://www.linguistics.ucsb.edu>.

The **National Association for Multicultural Education (NAME): Advancing and Advocating for Social Justice & Equity** has, at least in 2023, a 2023 Webinar Series: Ethnic Studies, For details visit: [https://www.nameorg.org/2023\\_webinar\\_ethnic\\_studies.php](https://www.nameorg.org/2023_webinar_ethnic_studies.php).

**American Indian Higher Education Consortium (AIHEC)** runs and announces numerous meetings. For information go to <https://www.aihec.org/events-meetings/>.

**Every spring, AISES College Chapters scattered across the U.S. and Canada hold seven regional conferences** where participants champion each other in their respective academic and professional endeavors. Details are at: <https://www.aises.org/news/events/regional-conferences>.

The **D'Arcy McNickle Center for American Indian and Indigenous Studies at the Newberry Library**, in Chicago, has an on-going Newberry Library Seminar in American Indian Studies on Wednesdays from 5:30 - 7:30 pm at the Newberry, 60 West Walton Street, Chicago, Illinois with a meal included. "We will pre-circulate papers to those planning to attend. If you cannot attend and want to read a paper, please contact the author directly. To receive a copy of a paper, email [mcnickle@newberry.org](mailto:mcnickle@newberry.org) or call (312) 255-3552. Papers are available for request two weeks prior to the seminar date. Please include your email address in all correspondence." There are other occasional events. E-mail: [mcnickle@newberry.org](mailto:mcnickle@newberry.org) or call (312)255-3564 to receive a copy of the paper via E-mail. For more on this and other events at the Newberry Library go to: <http://www.newberry.org/mcnickle/AISSeminar.html>.

The **National Indian Health Board (NIHB)** holds and announces many events, announced at: [https://www.nihb.org/communications/events\\_calendar.php](https://www.nihb.org/communications/events_calendar.php).

**The National Indian Child Welfare Association (NICWA)** runs regular, perhaps monthly, trainings, in addition to an annual conference. For details go to: <https://www.nicwa.org/training-institutes/>.

**Native American Finance Officers Association (NAFOA)** holds and announces numerous events, For details go to: <https://www.nafoa.org/>.

**Native Farm Bill Coalition** puts on a series of regional fly ins and other events. For information visit: <https://www.nativefarmbill.com/fly-in>.

**Affiliated Tribes of the Northwest Indians (ATNI)** regularly holds 3 conferences a year. For information go to: <http://www.atntribes.org>,

**National Center for Great Lakes Native American Culture, Inc.** P O Box 1063 Portland, IN 47371 Home: 4950 North 750 East Attica, IN 47918 765-426-3022, [www.ncglnac.org](http://www.ncglnac.org), [kay.neumayr@ncglnac.com](mailto:kay.neumayr@ncglnac.com), holds events throughout the year, including: 2018 NCGLNAC Academic Conference: Great Principal Peacetime Chiefs, April 21, 2018, in the Bubp Building, Jay County Fairgrounds, Portland, Indiana.

**The University of North Carolina Pembroke, Pembroke, NC runs an ongoing Native American Speakers Series**, usually announced shortly ahead of time, and often at the Museum of the Southeast American Indian, University of North Carolina Pembroke, Pembroke, NC. Among the upcoming sessions in the speakers' series is: actress Diane Guerrero, who is best known for her roles on the Netflix series Orange is the New Black and Superior Donuts on CBS, April 16, 2019. For more information, email [ais@uncp.edu](mailto:ais@uncp.edu), or call 910.521.6266. Admission to the series is free, and it is open to the public.

The **Dine Studies Conference** runs events throughout the year listed at: <https://dinestudies.org>.

The **UCLA American Indian Studies Program (AIS)** puts on regular events. for information go to: <https://main.aisc.ucla.edu/category/events/>.

**NIRAKN Indigenous Knowledge Production: Generating Change through Connections** at the University of Melbourne, in Melbourne, U.S. Actalia, offers numerous seminars, lectures and discussions on a range of Indigenous topics. For information go to: <http://www.nirakn.edu.au>.

**The National Indian Gaming Commission** puts on numerous trainings relating to gaming and its management, listed at: <https://www.nigc.gov>.

**ICERN, the International Center for Ethno-Religious Mediation runs regular trainings including for facilitator certification.** For information go to: <https://icermediation.org/training>

The numerous Environmental Geology Conferences are listed at:  
<https://conferenceindex.org/conferences/environmental-geology>.

**IECA (International Erosion Control Association)** holds and announces numerous meetings. For details go to: <https://ieca.org>.

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THE CALENDAR EVENTS BELOW HAVE NOT BEEN UPDATED BUT WHERE SPECIFIC INFORMATION IS NOT GIVEN IT CAN LIKELY BE FOUND AT THE INDICATED WEB SITE

2024 American Indian Education Summit may be in January 2024. For details visit:
<https://www.canva.com/design/DADpT0Q-bL4/8rbdeoK2Ua7qGToAjKePxA/view>.

7th Meeting of the International Indigenous Peoples Forum on Food Sovereignty may be in January 2024. For details and to register go to:
https://us02web.zoom.us/webinar/register/WN_y4gA8VViR6GF_gdGOLQ8mQ.

World Indigenous Forum 2023 may be in January 2024. For details visit:
<https://www.worldindigenousforum.com>, info@worldindigenousforum.com.

2024 annual meeting of the Society for the Study of the Indigenous Languages of the Americas (SSILA) will be held in person, jointly with the **Linguistic Society of America (LSA)** in New York City, January 4-7, 2024. For details visit:
<https://www.ssila.org/en/home>. For future meetings of the **Linguistic Society of America** go to: <https://www.linguisticsociety.org>.

ICALLT 2024: 18, International Conference on Applied Linguistics and Language Teaching is January 18-24, 2024, in Sydney, Australia. For details search:
<https://waset.org/applied-linguistics-and-language-teaching-conference>.

Twentieth International Conference on Environmental, Cultural, Economic & Social Sustainability: Pathways to Sustainability Innovation: Perspectives from Civil Society, Government and Business is 24-26 January 2024 at University of Aveiro, Aveiro, Portugal + Online. For details visit: <http://onsustainability.com>.

2024 WABE Winter Dual Language Institute is January 26-27, 2024 at the DoubleTree SeaTac, 18740 International Blvd., Seattle, WA 98188. For details go to:
<https://wabewa.org/events/>.

The **American Indian Studies Association Meeting** is January 31-February 3, 2024 at the University of New Mexico, Albuquerque, NM. For details visit:
<https://americanindian.asu.edu/news-and-events/aisa-conference>.

2nd Annual AISA Graduate Student Pre-Conference: January 31, 2024.

AFN 7th Annual Water Symposium & Trade Show Securing Safe Water For All First Nations may be in February 2024. For details visit: <https://www.afn.ca>.

2023 AFN National MMIWG2S+ Gathering may be in February 2024. For details go to: <https://www.afn.ca>.

Native Youth Leadership Summit (NYLS) 2024 may be in February 2024. For details go to: <https://www.ncai.org/conferences-events/national-events>.

First Nations Parents Conference may be in February 2024. For details visit: <https://www.fnsa.ca/>.

SWCOLT/PLAN (conference on language teaching) may be in February 2024. For information go to: <http://www.swcolt.org/>.

National Unity Mid-Year Conference may be in February 2024. For information go to: <https://unityinc.org/>.

The Native American/Indigenous Section of the 44rd Annual Southwest Popular/American Culture Association Conference is likely in February 2024, in Albuquerque, New Mexico. For details go to: www.southwestpca.org .

World Sustainable Development Summit 2024 may be in February 2024. For details visit: <http://wsds.teriin.org>.

First Nations Parents Conference may be in February 2024. For details visit: <https://www.fnsa.ca/>.

SWCOLT/PLAN (conference on language teaching) may be in February 2024. For information go to: <http://www.swcolt.org/>.

National Unity Mid-Year Conference may be in February 2024. For information go to: <https://unityinc.org/>.

American Indian Higher Education Consortium (AIHEC) 2024 Annual Legislative Summit is February 6-9, 2024 in Washington, DC. For information go to <https://www.aihec.org/events-meetings/>.

State of Indian Nations (SOIN) 2024 is February 21, 2024 in Washington, DC. For details go to: <https://www.ncai.org/conferences-events/national-events>.

2024 IECA (International Erosion Control Association) Annual Conference & Expo is February 25-28, 2024 at Spokane Convention Center, 334 W Spokane Falls Blvd, Spokane, WA 99201. For details go to: <https://ieca.org>.

Virtual and Physical: 10th International Conference on the Development and Assessment of Intercultural Competence (ICC) is February 22-25, 2024, in Tucson, Arizona, and online. For details visit: <http://cercll.arizona.edu/>.

Colorado Association for Bilingual Education (CABE) Professional Development Conference is February 24, 2024, at Riverdale Ridge High School, Brighton, CO. for details visit: <http://www.cocabe.org>.

SWCOLT/HALT 2024 is February 29 - March 2, 2024 at Honolulu: Hilton Waikiki Beach on Kuhio. For details visit: <https://www.swcolt.org>.

NAME 2023 Conference: may be in March 2024. For information go to: <https://www.nameorg.org/>.

The **46th Annual California Conference on American Indian Education** may be in March 2024. For more information, contact: Achel McBride: (530)895-4212 x 110, Irma Amaro: (707)464-3512, or Judy Delgado at 916-319-0506, judelgado@cde.ca.gov, or go to: <http://www.ccaie.org/>.

2024 First Nations Public Administration Conference: First Peoples to All Peoples: Partnerships, devolution, transformation and sharing may be in March 2024 in Australia Convention Centre and Online. for information go to: <https://anzsog.edu.au/learning-and-development/events-and-conferences/first-peoples-to-all-peoples>.

9 The 9th International Conference on Language Documentation & Conservation (ICLDC 8), may be in March 2024. For details go to <http://ling.lll.hawaii.edu/sites/icldc/>.

2024 American Indian Science and Engineering Association (AISES) National Conference may be in March 2024. For details visit: <https://www.aises.org/news/events/2022-aises-national-conference>

ComputEL-7: The Seventh Workshop on the Use of Computational Methods in the Study of Endangered Languages may be in 2024. Contact: computel.workshop@gmail.com or <https://computel-workshop.org/computel-6/>.

AFN: The 3rd National Asset Management Conference and Trade Show: An Asset Management Approach to “Closing the Infrastructure Gap” may be in March 2024 in Canada. For details visit: <https://www.afn.ca>

National Indian Education Association (NIEA) Hill Week is Washington DC may be in March 2024. For details go to: <https://www.niea.org/2023-hill-week>.

International Conference on Renewable Energy and Sustainability may be in March 2024. For information go to: <https://environmentalresearchforum.com>.

Indian Gaming Tradeshow & Convention may be in March 2024. For information visit: <http://www.indiangaming.org>.

The 13th Tribal Land Staff National Conference may be in March 2024. For information go to: <https://www.ntla.info/conference>.

Nineth International Conference on Immersion and Dual Language Education may be in March 2024. For information visit: <https://l2trec.utah.edu/dliimmersionconference/index.php>.

International Conference on Human-Wildlife Conflict and Coexistence may be in March 2024. For details visit: <https://www.hwconference.org>.

AIHAC Spring 2024 Board of Directors Meeting is March 9, 2024 in Minneapolis, MN. For details go to: <https://www.aihec.org/events-meetings/>.

AIHAC Student Conferencing is March 9, 2024 in Minneapolis, MN. For details go to: <https://www.aihec.org/events-meetings/>.

The American Indian Studies Department will host its **19th annual Southeast Native Studies Conference** on March 21-22, 2024, in the Museum of the Southeast American Indian, University of North Carolina Pembroke, NC. For details go to: https://epay.uncp.edu/C20230_ustores/web/store_main.jsp?STOREID=14&SINGLESTORE=true.

Alaska Native Studies Conference 2024 may be in April 2024 at the University of Alaska Fairbanks campus. For information go to: <http://alaskanativestudies.org>.

50th Annual Symposium on the American Indian is at Northeastern State University, University Center, Tahlequah, OK, may be in April 2024. For details visit: <https://offices.nsuok.edu/centerfortribalstudies/NSU-Symposium>.

International Conference on Environment, Energy, Ecosystems and Sustainable Development may be in April 2024. For details go to: www.ieeesd.org or <https://conferenceindex.org/event/international-conference-on-energy-environment-ecosystems-and-sustainable-development-iceeesd-2022-october-rome-it>.

11th annual World Ocean Summit is March 11-13, 2024 in Lisbon, Portugal. For details go to: <https://events.economist.com/world-ocean-summit/>.

Society for Latin American and Caribbean Anthropology (SLACA) 2023 Spring Conference in Cartagena, Colombia is March 15-17. For information visit: <https://slaca.americananthro.org/events/2023-spring-conference-in-cartagena-colombia/>.

The 2024 American Association for Applied Linguistics (AAAL) Conference: AAAL 2024 Conference is March 16-19, 2024 in Hous, TX. For details visit: <https://www.aal.org>.

The National Institute for Native Leadership in Higher Education (NINLHE) ACPA Meeting in Chicago is March 18-21, 2024. To learn more visit: <https://neworleans2023.myacpa.org>.

Nineteenth Annual Southeast Indian Studies Conference on campus at the University of North Carolina, Pembroke, NC, at the University Center Annex, is March 21-22, 2024 (Virtual or In-person TBD). Conference details will be posted to the American Indian Studies <http://www.uncp.edu/ais/> and Southeast American Studies.

53rd National Association for Bilingual Education Annual Conference (NABE) preconference is March 27-30, 2024 in New Orleans, LA. For details go to: <http://www.nabe-conference.com>.

American Indian Cultures and Literatures area of the PCA/ACA (Popular Culture Association/American Culture Association) National Conference 2024 is March 27-30, 2024 at Chicago Marriott Downtown Magnificent Mile. For details Visit: <http://www.pcaaca.org/conference/national.php>.

The Western Political Science Association (WPSA) 2024, is at the Hyatt Regency in Vancouver, British Columbia., March 28-30, 2024, and will likely include one or more Race, Ethnicity and Politics panels that could include Indigenous issues. For details go to: <http://wpsa.research.pdx.edu/>.

FNSA - First Nations School Association Conference and Annual General Meeting may be in April 2024. For details go to: <https://www.fnsa.ca/fnsa-events/conference-agm/>.

The First Nations School Association (FNSA) Conference and Annual General Meeting may be in April 2024. For information go to: <https://www.fnsa.ca>.

2023 SLA Graduate Student Symposium: Language, Culture, and Globalization: Transdisciplinary Perspectives may be in April 2024. For details visit: <http://carla.umn.edu/conferences/index.html>.

Inter-Tribal Council of the Five Civilized Tribes Quarterly Meeting may be in April 2024. For details go to: <http://www.fivecivilizedtribes.org>.

Geoscience Conference 2023: International E-Conference on Geological and Environmental Sustainability may be in April 2024. For information visit: <https://environmentalresearchforum.com>.

Alaska Native Studies Conference 2024 may be in April 2024 at the University of Alaska Fairbanks campus. For information go to: <http://alaskanativestudies.org>.

50th Annual Symposium on the American Indian is at Northeastern State University, University Center, Tahlequah, OK, may be in April 2024. For details visit: <https://offices.nsuok.edu/centerfortribalstudies/NSU-Symposium>.

26th Workshop on American Indigenous Languages (WAIL) may be in April 2024. For information, please contact the conference coordinators, at wailconference.ucsb@gmail.com or visit the WAIL conference website <https://www.wailconference.org>.

International Conference on Environment, Energy, Ecosystems and Sustainable Development may be in April 2024. For details go to: www.ieceesd.org or <https://conferenceindex.org/event/international-conference-on-energy-environment-ecosystems-and-sustainable-development-ieceesd-2022-october-rome-it>.

The First Nations School Association (FNSA) Conference and Annual General Meeting may be in April 2024. For information go to: <https://www.fnsa.ca>.

2023 SLA Graduate Student Symposium: Language, Culture, and Globalization: Transdisciplinary Perspectives may be in April 2024. For details visit: <http://carla.umn.edu/conferences/index.html>.

Inter-Tribal Council of the Five Civilized Tribes Quarterly Meeting is April 17, 2024 at WinStar World Casino and Resort, 777 Casino Ave., Thackerville, OK 73459. For details go to: <http://www.fivecivilizedtribes.org>.

Geoscience Conference 2023: International E-Conference on Geological and Environmental Sustainability may be in April 2024. For information visit: <https://environmentalresearchforum.com>.

The Assembly Of First Nations Special Chiefs Assembly may be in April 2024 in Canada. Please check AFN website for updates at www.afn.ca.

Annual Workshop on American Indigenous Languages (WAIL2022) may be in April or April May 2024, at UCSB Department of Linguistics. For information visit: <http://www.linguistics.ucsb.edu> or <http://osl.sa.ucsb.edu/org/nail/WAIL>.

2024 Native American Fish & Wildlife Society National Annual Conference may be in April 2024. For details go to: www.nafws.org.

41st Annual National Indian Child Welfare Association Protecting Our Children Conference may be in April 2024. For details visit: <https://www.nicwa.org/conference/>.

NAFOA 2024 Annual Conference may be in April 2024. For information visit: <https://www.nafoa.org/events/41st-annual-conference>.

Res 2023: Reservation Economic Summit is April 3-6 in Los Vegas, NV. For information go to: <https://res.ncaied.org>.

2024 Tribal Self-Governance Annual Conference is April 14 at Wild Horse Pass 5040 Wild Horse Pass Blvd, Chandler, AZ. For details visit: <https://www.tribalselfgov.org/events/>.

WABE Annual Conference is April 18-20, 2024 in Spokane, WA. For details visit: <https://wabewa.org/annual-conference/>.

ICALLT 2024: 18, International Conference on Applied Linguistics and Language Teaching is April 22-23, 2024 in Tokyo, Japan. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

Sixteenth International Conference on Climate Change: Impacts & Responses: Purpose Driven Organizations is 25-26 April 2024 at The École Supérieure de Commerce de Pau, Pau, France + Online. The Climate Change Conference is for any person with an interest in, and concern for, scientific, policy and strategic perspectives in climate change. It will address a range of critically important themes relating to the vexing question of climate change. Plenary speakers will include some of the world's leading thinkers in the fields of climatology and environmental science, as well as numerous paper, workshop and colloquium presentations by researchers and practitioners. For details go to: <https://on-climate.com/2024-conference>.

United Nations Permanent Forum on Indigenous Issues (UNPFII) <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2/sessions.html> 23rd Session will be held at the United Nations Headquarters in New York, likely in April or May 2024. For information visit: <https://www.un.org/development/desa/indigenouspeoples/unpfii-sessions-2/sessions.html>.

The Giving the Gift of Language: A Teacher Training Workshop for Native Language Instruction and Acquisition, SILC: Strengthening Indigenous Languages and Cultures: A Teacher Training Workshop for Native Language Instruction and Acquisition may be in May 2024. For information visit: <http://www.nsilc.org/index.htm> or <https://www.umt.edu/nsilc/>.

Annual Vine Deloria, Jr. Indigenous Studies Symposium may be in May 2024 at Northwest Indian College, Bellingham, WA., (360)392-4307, www.nwic.edu.

Native American and Indigenous Studies Association (NAISA) Annual Conference may be in May or June 2024. For more information go to: <https://www.naisa.org/annual-meeting/>.

The 55th Annual Conference on African Linguistics (ACAL 54) is at McGill University in Canada, May 2-4, 2024. More details will be forthcoming. For information visit: <https://acal.linguistlist.org>.

ICALLT 2024: 18, International Conference on Applied Linguistics and Language Teaching is May 6-7, 2024 in Istanbul, Turkey. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

Twelfth International Language Teacher Education Conference: Theorizing Practice, Practicing Theory is May 30–June 1, 2024 at The Graduate Hotel Minneapolis, MN. For information visit: <https://carla.umn.edu/conferences/index.html>.

Summer 2024 NSF REU site: Increasing American Indian/Alaska Native Perspectives in Field and Experimental Linguistics likely begins in June and ends in August, 2024 (The first week may be remote, with the rest in-person on campus), hosted by the Department of Linguistics at the University of Oregon in the city of Eugene, situated on Kalapuya Ilihi, the traditional homelands of the Kalapuya People, the First Peoples of the Willamette Valley, whose descendants are citizens of the Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz Indians. For details go to: <https://www.ssila.org/news1/summer-2024-nsf-reu-site-increasing-american-indianalaska-native-perspectives-in-field-and-experimental-linguistics>.

SWCOLT Summer 2024 Workshops (All sessions likely will be recorded and available through Sept. 30, 2022) will likely run from late June to late July 2024. For information go to: <http://www.swcolt.org>.

Fifth International Conference on Heritage/Community Languages may be in June 2024. For details visit: <http://international.ucla.edu/nhlrc>.

The **Society of American Indian Government Employees (SAIGE)** is a national non-profit organization that advocates for American Indian and Alaska Native federal employees. SAIGE **19th Annual National Training Program** is likely in June 2024. Information is available from the Society of American Indian Government Employees, P.O. Box 7715, Washington, D.C. 20044, www.saige.org.

23rd Diné Studies Conference may be in June 2024. For details go to: <https://dinestudies.org/2023-conference>.

29th Stabilizing Indigenous Languages/ 13th Annual Indigenous Teacher Education Conference: Returning to our Languages and Ways of Knowing is June 5-7, 2024 at ɫək'wəŋən & W_SÁNEĆ Territories, Victoria, British Columbia. For detail visit: <https://nau.edu/coe/aiitec/>.

2024 National Unity Conference may be in June or July 2024. For information go to: <https://unityinc.org/>.

2024 STARTALK/NHLRC Teacher Workshop may be in June 2024. For details go to: <https://international.ucla.edu/nhlrc/event/14899>.

11th Annual Indigenous Language (ILI) Symposium: Second Language Learners for 2023 may be in June or July 2024. For information visit: <https://ilinitiative.org>.

The Native American Student Advocacy Institute is June 5-7, 2024 in Mystic Lake Casino Hotel, Minneapolis, MN. For details visit: <http://nasai.collegeboard.org/>.

Inter-Tribal Council of the Five Civilized Tribes Quarterly Meeting may be in July 2024. For more information visit: <http://www.fivecivilizedtribes.org>.
American Indian Chamber Expo '23 May be in July 2024. For information go to: <http://www.aicccal.org/>.

Southwest Conference on Language Teaching: SWCOLT/CLTA Summer Workshop, may be in July 2024. For details go to: <https://www.swcolt.org>.

WCOLT/CLTA 2024-2025 Back-to-School Webinars may be in, July). For information go to: <http://www.swcolt.org>.

ICL 21, 60th World Congress of Linguists may be in July 2024. For details go to: <https://aila.info/2018/05/06/icl-20/> or <https://aila2023.fr>.

Indian Gaming Association Annual Summer Legislative Summit may be in July 2024 in Washington, DC. For details go to: <https://indiangaming.org/indian-gaming-association-host-annual-summer-legislative-summit/>.

11th Annual Native Harm Reduction Summit is **virtual** may be in July 2024. For details visit: <https://www.usetinc.org/event/national-native-harm-reduction-summit/> or <https://www.nihb.org>.

AFN Virtual Regional Focus Group Series on Long Term and Continuing Care may be in July and August 2024. For details go to: <https://afn.ca/events/long-term-and-continuing-care/>.

2023 International First Nations Tourism: Caring for Country & Culture Conference may be in July 2024 at Pullman International hotel, Cairns QLD, Australia. For details visit: <https://www.icsconferences.org>.

2023 National First Nations Employment & Training Conference may be in July 2024 at Pullman International hotel, Cairns QLD, Australia. For details visit: <https://www.icsconferences.org>.

2023 First Nations National Indigenous Business Enterprise Conference is may be in July 2024 at Pullman International hotel, Cairns QLD, Australia. For details visit: <https://www.icsconferences.org>.

2023 Chronic Disease may be in July 2024 at Pullman International hotel, Cairns QLD, Australia. For details visit: <https://www.icsconferences.org>.

World Indigenous Nations Higher Education Consortium (WINHEC) Annual Meeting, is July 16-20, 2024 at the University Fairbanks, Fairbanks, AK. For information go to: <https://winhec.org/The-Drum-Beats/12880097>.

AIHAC Summer 2024 Board of Directors Meeting is July 17-19, 2024 at the Institute of American Indian Arts (IAIA) in Santa Fe, New Mexico. For details go to: <https://www.aihec.org/events-meetings/>.

TCU Summer Meeting is July 21-24, 2024 (tentative) at SIPI College Campus, Sandia Resort, in New Mexico.

24th Biannual CDC/ATSDR Tribal Advisory Committee Meeting may be in person and virtual in August 2025. For details go to: <https://www.cdc.gov/tribal>.

ANZSOG Holding the Regulatory Line may be in August 2024 at Adina Vibe Hotel Darwin Waterfront, Darwin Australia. For details visit: <https://anzsog.edu.au/learning-and-development/events-and-conferences/holding-the-regulatory-line/>.

NAAS: National Association of African American Studies - National Association of Hispanic and Latino Studies - National Association of Native American Studies - International Association of Asian Studies: International Conference of the Americas (Sponsored by the National Association of Hispanic and Latino Studies) **may be in August 2024**. For information visit: <https://www.naaas.org/colombiaconference2023>.

Lumbee Tribe Indian Education Program Enquiry, may be in August 2024 at the Lumbee Tribal Housing Complex at 6984 NC HWY 711 West, Pembroke, NC 28372, concerning consultation on education between the Tribe and the Robeson County Schoolboard. For information contact: Ashley McMillan <Ashley.McMillan@uncp.edu>.

The 19th Annual Government-to-Government Violence Against Women Tribal Consultation may be in August 2024. For details go to: <https://www.tribalsegov.org/events/>.

The 15th annual Native American Education Conference may be in August 2024. For details visit: <https://edu.wyoming.gov/educators/native-american/conference/>.

AFN Protected: Youth Safe Drinking Water Summit may be in August 2024. For details go to: <https://afn.ca/events/>.

PULiiMA 2024: Indigenous Languages & Technology Conference may be in August 2024 in Darwin, Australia. For details go to: <https://puliima.com/call-outs/presenters>.

FNSA - First Nations School Association Principals' Summer Workshop and the Literacy Workshops for Teachers and EAs in First Nations Schools may be in August 2024. For details go to: <https://www.fnsa.ca/principals-workshop/>.

57th Annual Meeting of the British Association for Applied Linguistics may be in August 2024. For details visit: https://www.baal.org.uk/wp-content/uploads/2023/04/122_Spring-Edition_2023-compressed.pdf.

PULiiMA 2024 Indigenous Languages & Technology Conference may be in August 2024 at Larrakia Country, Darwin Australia. For details go to: <https://puliima.com/component/acym/archive/138-the-highly-anticipated-puliima-announces-an-incredible-line-up-of-indigenous-entertainers?userid=592-fOT8nYvnCldqKF&tmpl=component>.

Self-Governance Advisory Committee Meetings is August 29, 2024 at Embassy Suites Washington, DC Convention Center 900 10th Street NW, Washington DC. For details go to: <https://www.tribalselfgov.org/events/>.

2024 Annual German Association of Applied Linguistics (GAL) Conference may be in, September 2024. For information go to: <https://aila.info.org> or <https://gal-wue22.de>.

2024 Raising Indigenous Voices in Academia and Society may be in August 2024. For details go to: <https://www.umt.edu/nsilc/conference-info.pdf>.

2024 National First Nations Closing the Gap may be in September 2024 at Pullman International hotel, Cairns QLD, Australia. For details visit: <https://www.icsconferences.org>.

The **11th World Sustainability Forum** may be in August 2024. For details visit: <http://wsforum.org>.

The Affiliated Tribes of Northwest Indians (ATNI) Annual Conference may be in August 2024. For details go to: <https://atntribes.org/events-conventions/annual-convention-2023/>.

2024 International First Nations Tourism: Caring For Country & Culture Conference may be in August 2024 at Hilton International Hotel, Cairns Qld, Australia. For details visit: <https://www.icsconferences.org/blank-1>.

National Transportation in Indian Country Conference (NTICC) may be in August 2024. For details visit: <https://www.nticc.org>.

2024 International Conference on Ethnic and Religious Conflict Resolution and Peacebuilding (ICERM) may be in August 2024. For information visit: <http://www.icermediation.org>.

4thrd International Conference on Revitalization of Indigenous and Minoritized Languages is now biannual, possibly in September 2024. For details go to: <https://ssila.org/conference>.

The Curt and Catherine Locklear American Indian Heritage Center 12th Annual Conference may be held in the heart of the Lumbee Tribe on the beautiful and historic campus of The University of North Carolina at Pembroke In August 3-5, 2024. For details go to: <https://aiwpn.org/registration/>.

Inter-Tribal Council of the Five Civilized Tribes Quarterly Meeting may be in October 2023. For details go to: <http://www.fivecivilizedtribes.org>.

2024 IRAAL annual conference be in September or October 2024. For details go to: <https://iraal.ie/events/> <https://old.linguistlist.org/confservices/customhome.cfm>.

17th Language is Life Biennial Conference may be in October 2024. For details, visit: <http://www.aicls.org/>.

NAAAS Regional Conference in the North East may be in October 2024. For details visit: <https://www.naaas.org/naaas-regional-conference/>.

American Indigenous Research Association Meeting may be in October 2024 as it now meets every other year. For details go to: <http://www.americanindigenousresearchassociation.org/annual-meeting/>.

First Alaskans Institute's Annual Elders & Youth Conference (Elders & Youth) may be in October 2024 in Anchorage, Alaska. For information go to: <https://firstalaskans.org/>.

48th Anniversary Conference: International Indian Treaty Council may be in October 2023. For information go to: <https://www.iitc.org/conferences-events/treaty-conference/>.

The 5th International Electronic Conference on Foods may be in October 2024. For details visit: <https://foods2022.sciforum.net>.

NAFOA: 2024 Fall Finance & Tribal Economies Conference may be in October 2024. For details go to: <https://www.nafoa.org/>.

UCLA IAC Fall Forum may be in October 2024, at the James West Alumni Center, UCLA, Los Angeles, CA. For information visit: <https://www.aisc.ucla.edu/events/>

Tribal Border Alliance Summit may be in October 2024. For details, visit, <https://www.tribalborderalliance.org>.

Annual Conference for Community-Based Heritage Language School Representatives may be in **October 2024**. For details go to: <http://heritagelanguageschools.org/coalition/conference>.

Washington Association for Bilingual Education (WABE) Fall Institute may be in October 2024. For information visit: <https://wabewa.org/fall-institute/>.

24th Annual American Indian Tourism Conference may be in October 2024. For details visit: <https://www.ainta.org/aitc/>.

The National First Nations Big 4 Chronic Diseases Conference may be in October 2024 at Rydges Hotel in Newcastle, New South Wales, Australia. For details visit: <https://www.icsconferences.org/2023-chronic-disease-page1-home>.

The 2024 International First Nations Public Health Research Conference may be in October 2024 at Rydges Hotel in Newcastle, New South Wales, Australia. For details visit: <https://www.icsconferences.org/2023-chronic-disease-page1-home>.

Annual Meeting of the Linguistic Association of the Southwest may be in October 2024. For details go to: <https://lassoling.org/conference/>.

The **Indigenous Studies and Indian Popular Sections** will put on panels at the **Midwest Popular Culture Association/Midwest American Culture Association Annual Conference**, may be in October 2024, in Chicago, IL. Send questions and inquiries to the Area Chair, Anthony Adah at: adahan@mnstate.edu. For more information about the conference, including how to submit to a different area, please visit the conference website at <http://www.mPCAACA.org>.

National Indian Education Association (NIEA) 55th Annual NIEA Convention & Trade Show may be in October 2024. For details visit: <https://www.niea.org/2023-niea-convention>.

Inter-Tribal Council of the Five Civilized Tribes Quarterly may be in October 2024. For information go to: <https://www.fivecivilizedtribes.org>.

2024 Convention - ANCSA may be in October 2024 in Anchorage, Alaska. For details visit: <https://www.nativefederation.org/convention/>.

American Indian Science and Engineering Society National Annual Conference may be in October 2024. For information go to: <https://conference.aises.org/>.

The 55th Algonquian Conference may be in October 2024. Information will be available at: <https://algonquianconference.atlas-ling.ca/eng/conference/>. View videos of presentations held online here: <https://algonquianconference.atlas-ling.ca/eng/conference/presentations>.

The **2024 International Conference of Indigenous Archives, Libraries, and Museums (ATALM)** may be in October 2024. For information, visit: <http://www.atalm.org>. Please direct questions to atalminfo@gmail.com.

15th International Conference on the Environmental Management of Enclosed Coastal Seas (EMECS 15) may be in October 2024. For details go to: <https://www.emecs.or.jp/en/>.

2024 World Indigenous Business Forum may be in October 2024. For details go to: <http://wibf.ca/>.

The Southwestern Political Science Association, **which has a Race, Ethnicity and Politics Section, meets with the Southwestern Social Science Association every October, and often has, and is open to proposals for Indigenous panels and papers.** It may be in October 2024. For more information go to: <https://sssaonline.org/annual-meeting/future-meetings/>.

First Nations Education Administrators Association (FNEAA) 2024 National Gathering may be in October 2024. For information go to: <https://fneaa.imiscloud.com/FNEAA/Events/Events.aspx>.

18th Annual FALCON Conference (Land-grant Programs with NIFA & FRTEP) may be in October 2024. For information go to: <https://www.falcontribalcollege.org/annual-conference>.

National Indian Education Association (NIEA) 2024 Convention is in Palm Springs, CA, October 9th - 12th, 2024. For details visit: <https://www.niea.org/annual-events>.

ICALLT 2024: 18, International Conference on Applied Linguistics and Language Teaching is October 18-19, 2024 9n Shanghai. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

Indigenous Disability and Wellness Gathering 2024 is in Victoria, BC, Canada in November 2024. For details visit <https://www.ncai.org/conferences-events/national-events>.

2024 National Tribal Leaders Climate Change Summit convening leaders from Tribes and First Nations to advance tribal climate change policy and action may be in November 2024. For information go to: <https://atnitribes.org/>.

Intertribal Tax Conference may be in November 2024. For details go to: <http://intertribaltax.com>.

Fifteenth Native American Symposium is likely to be in November 2024, at Southeastern Oklahoma State University, Durant, Oklahoma. All papers presented at the symposium will be eligible for inclusion in the published proceedings, which will also be posted on our website, <http://www.se.edu/nas/>.

2023 SICC First Nations Language Keepers Gathering is November 22-23, 2023, location TBA. For information visit: <http://www.sicc.sk.ca>.

National Center for Great Lakes Native American Culture, 2023, NCGLNAC Academic Conference may be in November 2024. For details visit: www.ncglnac.org.

CSU Water in the West Symposium may be in **November 2024** in Denver, CO. For details visit: <https://stem.colostate.edu/events/water-in-the-west-symposium/>.

Annual Tusweca Tiospaye 2024, Lakota Dakota Nakota Language Summit and First Nations Education Summit may be in November 2024 in Rapid City, SD. For details visit: <https://tusweca.org/language-summit#:~:text=The%20Lakota%20Dakota%20Nakota%20Language,can%20be%20used%20to%20successfully> or <http://tuswecatiospaye.org/>.

52nd Anniversary of the Occupation of Alcatraz by the Indians of All Tribes is in November 2024 on Alcatraz Island. For information call (925) 297-5343 or email alltribesday2019@gmail.com.

Foundation for Endangered Languages (FEL)_XXVII: endangered Languages and Cultural Diversity may be in November 2024. For details visit: <http://www.ogmios.org/conferences>.

The **Annual Honoring Native Foodways** is likely in November 2024, in the University Center Annex, University of North Carolina, Pembroke. For information go to: <https://www.uncp.edu/>.

The National Association for Ethnic Studies (NAES) Annual Conference may be in November 2024. For details contact National Association for Ethnic Studies (NAES), Department of Ethnic Studies, Colorado State University, 1790 Campus Delivery, Fort Collins, CO 80523-179, www.ethnicstudies.org.

The **annual Kares Children's Learning Center November Native Language Symposium** may be in November 2024. For more information visit: <https://kclcmontessori.org/>.

11th Biennial International Indigenous Research Conference may be in November 2024 in New Zealand. For information visit: <http://www.indigenousresearchconference.ac.nz>.

ALAA and ALANZ Conference – Applied linguistics in the Asia-Pacific region may be in November, 2024. For details visit: <https://aila.info/alaa-and-alanz-conference-applied-linguistics-in-the-asia-pacific-region/>.

The Annual conference of the Australian Linguistic Society may be in November or December 2024 at the University of Sydney, Sydney, Australia. For information go to: <https://als.asn.au>.

American Society for Ethnohistory Annual Conference 2024 may be in November 2024. For details go to: <http://ethnohistory.org>.

11th Annual Sustainable Development Conference may be in November 2024. Our Sustainable Development Conference - Green technology, Renewable energy and Environmental protection, annually held in Bangkok is a perfect place to meet world's leading professionals, scholars and governmental representatives from all over the world in the fields of sustainable development, green energy and environmental protection. For information go to: www.sdconference.org.

Association on American Indian Affairs 10th Annual Repatriation may be in November 2024. For details visit: https://www.indian-affairs.org/repatriation_conference.html.

Construction in Indian Country National Conference may be in November 2024. For details visit: <https://ciic.construction.asu.edu/content/national-conference/>.

La Cosecha, 26th Annual Dual Language Conference may be in November 2024. For details visit: <https://www.lacosechaconference.org>.

NCAI 81st Annual Convention & Marketplace may be in November 2024. For information go to: <https://www.ncai.org/conferences-events/ncai-events>.

The National Association for Multicultural Education (NAME) Annual Conference may be in November 2024. For details visit: https://www.nameorg.org/name_2023_fall_conference.php.

2024 National Indigenous Closing the Gap Suicide Mental Health may be in December 2024 at Newcastle, NSW, Australia. For details visit: <https://www.icsconferences.org>.

2024 First Nations International Epidemiology and Research Conference may be in December 2024 at Newcastle, NSW, Australia. For details visit: <https://www.icsconferences.org>.

Facilities Appropriation Advisory Board Meeting (FAAB) may be in December 2024. For information go to: <https://www.tribalsegov.org/event/facilities-appropriation-advisory-board-meeting-faab-2/2023-12-05/>.

Self-Governance Advisory Committee Meetings may be in December 2024. For information go to: <https://www.tribalsegov.org/event>.

The 2024 First Nations Strong Women's National Conference may be in December 2024 at the Hilton Hotel Cairns QLD. For details visit: <https://www.icsconferences.org>.

The 2024 First Nations Say No to Domestic Violence Conference may be in December 2024. For details visit: <https://www.icsconferences.org>.

The 2024 First Nations Boys to Men National Conference may be in December 2024. For details visit: <https://www.icsconferences.org>.

Twenty-first International Conference on Environmental, Cultural, Economic & Social Sustainability: Sustainable Development for a Dynamic Planet: Lessons, Priorities, and Solutions is 23-25 January 2025 at Florida International University, Miami, FL. For details visit: <http://onsustainability.com>.

ICALLT 2025: 19, International Conference on Applied Linguistics and Language Teaching is January 28-29, 2025, in Sydney, Australia. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

ICALLT 2025: 19, International Conference on Applied Linguistics and Language Teaching is April 22-23, 2025 in Tokyo, Japan. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

The National Institute for Native Leadership in Higher Education (NINLHE) ACPA Meeting in Long Beach, CA is February 16-19, 2025. To learn more visit: <https://neworleans2023.myacpa.org>.

ICALLT 2025: 19, International Conference on Applied Linguistics and Language Teaching is May 6-7, 2025 in Istanbul, Turkey. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

ICALLT 2025: 19, International Conference on Applied Linguistics and Language Teaching is July 8-9, 2025 in Corfu, Greece. For information visit: <https://waset.org/applied-linguistics-and-language-teaching-conference>.

2025 AISES National Conference is October 2, 2025 to October 4, 2025 Minneapolis, MN/ For information go to: <https://www.aises.org/news/events>.

2024 AISES National Conference is October 3 - 5, 2024 in San Antonio, TX. For details visit: <http://www.ncai.org/conferences-events/ncai-events>.

National Indian Education Association (NIEA) 2025 Convention is in Spokane, WA, October 8th - 11th, 2025. For details visit: <https://www.niea.org/annual-events>.

The National Institute for Native Leadership in Higher Education (NINLHE) ACPA Meeting in Baltimore is March 19-April 1, 2026. To learn more visit: <https://neworleans2023.myacpa.org>.

National Indian Education Association (NIEA) 2026 Convention is in Buffalo, NY, October 7th - 10th, 2026. For details visit: <https://www.niea.org/annual-events>.

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ONGOING ACTIVITIES

Steve Sachs

Environmental Activities

Global Exchange forwarded the announcement from the 450 organizations collaborating in End Fossil Fuels (<https://www.endfossilfuels.us>) in an August 18, 2023 E-mail, "**Join us at the march to end fossil fuels on September 17th in NYC**"

The United Nations is calling on world leaders to take real steps to lead us off fossil fuels to protect people and the planet. On September 20th in New York, the UN Climate Ambition Summit will gather world leaders to commit to phasing out fossil fuels.

Thousands of us will take to the streets before the summit to demand President Biden take bold action to end fossil fuels."

In response to Vanuatu's efforts to bring the issue of the responsibility of countries for climate change to the U.N., the International Court of Justice was asked to issue an

advisory opinion on the question ("Global: Vanuatu Brings Climate Change to International Court," *Cultural Survival Quarterly*, September 2023).

"Demand a New Environmental Impact Statement for the Dakota Access Pipeline," Association On American Indian Affairs, September *E-News*, https://api.neonemails.com/emails/content/fxtbtyiFhAFTlh32IkV3bvHlXX_o8S78M92wV8z1Ck o=, stated, **"Right now it's time to stand, once again, with Standing Rock. Submit your public comments to the Army Corps of Engineers and demand a new Environmental Impact Statement (EIS) for the Dakota Access pipeline (DAPL).** The just-released draft EIS is a sham, prepared by an American Petroleum Institute-affiliated company that opposed Standing Rock in support of DAPL. That's a clear conflict of interest! Standing Rock says the draft EIS should be invalidated, and the oil flow stopped pending impartial review. This is urgent — it may be our last, best chance to shut this pipeline down, once and for all."

Sierra Club wrote in a September 21, 2023 E-mail, **"Last Sunday, 75,000 of us took to the streets to demand an end to fossil fuels. We sent a strong message, but we can't lose momentum. Will you keep up the pressure by urging President Biden to seize this moment and do everything he can to act on climate?"**

Last weekend, 75,000 people took to the streets **in New York City**. This march was the largest climate mobilization in years, showing that our movement is unstoppable, that we refuse to back down, we recognize the urgency of the moment, and we demand that President Biden continue to deliver on his campaign promises!

Standing alongside other marchers reminded me of the power of our movement when we come together. People like me traveled from around the world to be in community; those of us fighting against LNG terminals, fracked-gas pipelines, or coal-fired power plants, sharing our vision for a clean and sustainable future. We showed up strong to fight for each other, and for the people and places we love. And we're just getting started.

President Biden has the executive authority to do more. We're calling on him to do everything in his power to put an end to fossil fuels, support an equitable transition to a clean energy economy, and stop polluters from poisoning the air we breathe and the water we drink.

Now it's time to keep up the momentum. Stephen, add your name to keep the pressure on!

(When you do, please personalize your subject line and message with why this matters to you. It only takes an extra moment and makes the administration more likely to see it.)

We're calling on President Biden to do three things:

Stop the bad: End fossil fuels. To fix a problem, first we need to stop making it worse. That means no new fossil fuel projects!

Build the new: Transition to a clean energy economy. The solutions required to fight climate change are ready -- what we need is to deploy them across the country.

Put justice and people first. The way we do this transition matters a whole lot. We can build a new economy while addressing long-standing racial injustice and wealth inequality, and creating family-sustaining jobs.

We need to keep up the pressure, because it's working. In the last year, Biden has signed into law the most ambitious climate legislation ever, the Inflation Reduction Act; canceled all drilling in the Arctic Refuge; and, just yesterday, announced the American Conservation Corps, a

green jobs training program that will build a pathway for good, union careers to tackle the climate crisis.

Add your name to urge President Biden to end fossil fuels, build a clean energy future, and put people and justice first (<https://act.sierraclub.org/actions/National>).

I'm so glad to be part of this movement alongside you.

In solidarity,

Patrick Greuter

Beyond Dirty Fuels Campaign Director, Sierra Club"

Stop the Money Pipeline wrote in an October 7, 2023 E-mail, " **Between September 13 and 20th, 189 people were arrested for taking bold action to demand that banks and financial institutions stop financing fossil fuels.**

👉 On Sept 13th, activists blocked the street outside BlackRock's HQ to demand an end to fossil fuel financing. 5 people were arrested.

👉 On Sept 14th, we blockaded every entrance into Citibank's Global HQ, more than one thousand white-collar Citi workers were unable to get into work. 24 people were arrested.

👉 On Sept 15th, activists occupied the Museum of Modern Art (MOMA) to protest the museum's ties to Henry Kravis, founder and chairman of KKR, a private equity firm that has been buying up oil and gas companies. 16 people were arrested

👉 On Sept 17th, 75,000 people marched in New York to demand an end to fossil fuels.

👉 On Sept 18th, hundreds of people blockaded the Federal Reserve to demand that it regulates Wall Street and ends financing for fossil fuels. 108 were arrested.

👉 On Sept 19th, frontline leaders and allies blockaded the doors to Bank of America's HQ. 21 were arrested.

This action was powerful and disruptive to our targets in a real and meaningful way. Now, we want to support the bold activists who were arrested throughout their legal process.

Can you make a donation to the legal fund to support the 189 people arrested for resisting Wall Street's financing of fossil fuels (<https://actionnetwork.org/fundraising/support-the-wave-of-actions-legal-fund>)?

Whether you're able to chip in \$5 or \$50, every dollar helps—and every cent will go toward paying the lawyers and legal fees for the activists.

In Solidarity,

- the Stop the Money Pipeline team

PS: Inspired by the wave of action? Read our co-director's piece (<https://www.commondreams.org/opinion/climate-direct-action>?) about what it means for the future of the climate movement!"

"The Fight to Shut Down DAPL Continues: Express Your Concerns by November 13th," Indigenous Environmental Network, October 4, 2023, <https://www.mynewsletterbuilder.com/email/newsletter/1416629813>, stated, "On Friday, September 8th, **the Dakota Access Pipeline's Draft Environmental Impact Statement (DAPL DEIS) was finally published.**

After multiple delays over the course of several months, the US Army Corps of Engineers (ACOE) released the final draft. The U.S. Army Corps of Engineers Omaha District developed the Draft Environmental Impact Statement to evaluate the DAPL

easement request to cross federally managed land at Lake Oahe under the Mineral Leasing Act authority. However, the Army Corps ran the project illegally without the proper legal easement since the beginning of 2021.

This project has been on Oceti Sakowin lands, otherwise known as the Great Sioux Nation. For years, the Standing Rock Sioux Tribe and thousands of supporters called out DAPL as a direct violation of the 1851 Fort Laramie Treaty. Further, DAPL violates the Nation's right to Free, Prior, and Informed Consent, affecting Indigenous livelihoods and forcing Indigenous lands to become sacrifice zones.

The Environmental Impact Study was conducted between September 26, 2020, and October 26, 2020. However, an extension was granted, and comments were ultimately received until November 26, 2020. During this time-frame, Iowa has also granted permission to build more pump stations along the route.

'The EIS process is a key requirement of the National Environmental Protection Act... The fact that the ACOE will grant permits without an EIS for the DAPL shows it was without consent, illegally operating now, and a constant threat to Lakota People and the environment.' said Waniya Locke (Standing Rock Sioux Tribe), local grassroots and community organizer.

On March 25, 2020, the District Court for the District of Columbia ordered the Army Corp of Engineers to prepare a DEIS for this portion of the pipeline as the negative effects on the quality of the human environment are highly likely. **Yet, Energy Transfer continued the construction; putting the Missouri River, and nearby waterways, ecosystems, and the global climate at risk for further pollution and catastrophe.**

'The Dakota Access Pipeline needs to be shutdown at all costs, as long as it operates it will continue to put our communities at risk– it is a threat to our waterways, and we will continue to denounce the Dakota Access Pipeline. It goes against our rights, not just basic human rights but our Treaty rights. We as Indigenous Peoples are considered expendable to Energy Transfer, its partners, the oil and gas industry, and politicians. It is not about if the pipeline breaks and leaks, it's when. Our children and the next seven generations' lives will be affected by this pipeline and I want to protect our and their futures by ensuring clean drinking water, land, and air to breathe.” said Morgan Brings Plenty (Cheyenne River Sioux Tribe), Digital Organizing Fellow at the Indigenous Environmental Network.

Executive Director of the Indigenous Environmental Network, Tom BK Goldtooth (Diné/Dakota) shares, “We’ve fought this project for the past seven years, but the ACOE is determined to undermine that work. This new DEIS con-volutes their way into naming the DAPL construction the safest bet, a blatant lie. According to them, the water, soil, and community health will benefit from not only building DAPL, but by pumping through twice as much oil as was originally proposed. Nowhere in this statement is the climate crisis mentioned, or that oil and gas remains the biggest contributor to the climate crisis by and large. The ACOE will answer for their so-called decisions, and we can ensure that by commenting during their public comment period.”

We urge Indigenous communities and allies to submit a public comment and express their concerns. Public comments will be accepted through November 13, 2023. Additional public meetings will be held in Bismarck, ND:

Where: The Radisson Hotel, 605 E Broadway Ave, Bismarck, ND 58501

When: November 1 and 2, 2023 from 6-9 p.m. CST

For more information: <https://www.nwo.usace.army.mil/Missions/Dam-and-Lake-Projects/Oil-and-Gas-Development/Dakota-Access-Pipeline/>

Public comments can be sent to USACOE by US Postal Service or Emailed with subject line: "Comments on the DAPL DEIS" to: NWO-DAPL-EIS@usace.army.mil or at the following address:

Attn: Brent Cossette
U.S. Army Corps of Engineers
CENWO-ODT-N
1616 Capitol Avenue
Omaha, NE 68102

Additional contact information: CENWO-PA, 402-995-2417 cenwo-pa@usace.army.mil

We continue to join the many members of our network, community members, and relatives at Standing Rock and Cheyenne River Sioux Tribes, along with our allies, to continue the fight to stop the Dakota Access Pipeline and keep fossil fuels in the ground!"

"200,000+ Urge DOE to 'Do the Right Thing' and Block LNG Buildout: One project in particular, the CP2 export terminal, 'would be the most harmful facility built in the United States,' one frontline activist said as campaigners delivered petition signatures" *Common Dreams*, .

OLIVIA ROSANE

November 30, 2023, <https://www.commondreams.org/news/cp2-lng>, reported, **"Climate and environmental justice campaigners on Thursday delivered more than 200,000 petition signatures calling on the Biden administration to reject the Calcasieu Pass 2, or CP2, liquefied natural gas export facility as well as all other planned LNG infrastructure.**

Environmental advocates and progressive lawmakers have been increasingly raising the alarm about CP2 and the broader expansion in LNG exports, pointing out that they put both the U.S. climate goals and frontline Gulf Coast communities at risk. CP2, for example, would emit 20 times as many greenhouse gases as the controversial Willow oil drilling project in Alaska.

'CP2, the proposed liquefied natural gas project that is proposed to come right in my backyard, where me and my children live, would be the most harmful facility built in the United States,' Roishetta Ozane, founder and director of the Louisiana-based mutual aid organization Vessel Project, said in front of the U.S. Department of Energy (DOE)."

"Take Action: Protect Greater Chaco Landscape," Native Organizers Alliance Action Fund, July 20, 2023, <https://actionnetwork.org/letters/take-action-protect-greater-chaco-landscape>, stated, **"Last month, we won a major victory when Interior Secretary Deb Haaland announced that the Biden administration would 'prohibit*' new federal oil and gas leasing and mining claims within 20 miles of Chaco Culture National Historical Park -- protecting this sacred Indigenous site.**

But now, that victory is threatened by a new bill in the House that seeks to open up more Native land to mining and oil and gas leasing.

We're countering Big Oil's misinformation campaign and defending Secretary Haaland's 'Honoring Chaco Initiative.'

In addition to demanding Congress reject the so-called Energy Opportunities for All Act, which is nothing more than another handout to oil and gas companies at the expense of Native land and sovereignty, **we're also calling on Congress to:**

Wind down and phase out fossil fuel exploitation in Greater Chaco.

Develop and implement Tribal co-management strategies for the region's public lands and resources.

Fully protect and restore the air quality, ground and surface waters, and healthy lands of the region.

Allocate resources to enable communities to achieve economic security and sustainability."

Amazon Watch wrote in a n August 17, 2023 E-mail, "On Sunday, Ecuadorians will vote on a referendum that could potentially keep the oil in the ground in one of the most biodiverse places on Earth, Yasuní National Park. This park not only hosts an array of plant and animal life, but is also home to Indigenous peoples in voluntary isolation, the Tagaeri and Taromenane. We must amplify their call!

Yes, I will send a Tweet in solidarity with Ecuadorians during this crucial moment: <https://twitter.com/amazonwatch/status/1689373862612631552>

If approved, **the referendum would halt new oil expansion activity, blocking any new wells from being built and stopping new oil contracts. It would also require the closure of all currently-producing wells and the removal of existing infrastructure in the park.**

As part of the international community, we have the opportunity to spread the message and highlight the importance of a "Yes" vote to defend the Amazon and its Indigenous peoples. Share this Tweet thread or share this story on your Instagram to show solidarity with the voices of Ecuadorians fighting to protect biodiversity and say NO to oil exploitation!"

The referendum was approved, so now efforts are in progress by Indigenous people to stop oil drilling on their lands in other parts of Ecuador. Katie Surma, "After Decades Of Oil Drilling, Indigenous Waorani Group Fights New Industry Expansions In Ecuador: Their efforts follow a historic vote to end drilling in parts of Yasuni National Park, but uncontacted families and other Indigenous groups remain at risk from oil exploration," *Inside Climate News*, August 30, 2023, <https://insideclimatenews.org/news/30082023/ecuador-votes-oil-ban-on-indigenous-land>, reported, **"Members of one grassroots community, the Baihuaeri of Bameno, announced on Monday that they have convened meetings with neighboring groups to collectively defend other parts of Yasuní which remain under threat from encroaching oil operations.** The Baihuaeri are an autonomous clan of Indigenous Waorani peoples whose ancestral territory includes the southern part of the ITT fields."

"The Baihuaeri are spearheading efforts to bring affected communities together to agree on clear boundaries to stop the expansion of oil operations throughout Yasuní and **demand that the government stop sending oil companies into their territories and recognize their land rights.**"

Muvija M and Alistair Smout, "Greenpeace oil protesters cover Rishi Sunak's home in black fabric," Reuters, August 3, 2023, <https://www.reuters.com/world/uk/protesters-drape-home-uk-pm-sunak-black-fabric-over-energy-policy-2023-08-03>, reported

"Summary

Sunak's private home targeted by Greenpeace

PM's office makes 'no apology' for new drilling

Government record on green issues comes under scrutiny

Greenpeace protesters draped the private home of British Prime Minister Rishi Sunak in black fabric on Thursday, hanging huge sheets of it from the roof as they stepped

up their campaign against his government's policy on drilling for oil [which includes new drilling in the North Sea] (<https://www.reuters.com/business/energy/uk-grant-hundreds-new-north-sea-oil-gas-licences-2023-07-31/>)."

"Sunak's record on environmental issues has come under scrutiny after he said he would take a 'proportionate approach' to climate change that balances net zero ambitions with the need to keep consumers' bills down."

Stop Line 3 via Action Network.org stated in an August 22, 2023 E-mail, "**A new sulfide nickel mine has been proposed just miles from the Line 3 pipeline route in Aitkin County, Minnesota.**

The Rio Tinto - Talon Mine further compounds existing threats to the land, water, and communities in this region. In particular, sulfide mining threatens nearby wetlands, manoomin (wild rice) lakes, and the Mississippi River. Many Indigenous residents and others in the local community are opposed to the project.

Rio Tinto and Talon Metals have signed a contract promising the nickel from the Talon Mine to Tesla for luxury electric vehicle battery manufacturing. They're greenwashing this project and distracting from real climate solutions while propping up the automobile industry.

Despite the fact that Talon Metals has only just begun its state environmental review process, the Biden administration has already pledged \$114 million in federal support for the mine.

Tell the Biden Administration to stop subsidizing toxic mines on Indigenous land (<https://actionnetwork.org/petitions/talon-mine-subsidy-petition>)!

Now is not the time for corporations to further degrade land and water while hiding behind false solutions to the climate crisis. Aitkin County and Anishinaabe Akiing have suffered enough from extractive industry.

Take action today!

In solidarity,

The Stop Line 3 Team"

Phyllis Young, Lakota People's Law Project, wrote in a July 29, 2023 Email, "For the past six months, our co-director, law clerk, videographer, and **organizers have all been in and out of Nevada, joining others in the effort to force the federal government to respect Indigenous sovereignty. By now, you're probably well aware of the cause: Thacker Pass, or Peehee mu'huh, the site of the largest lithium deposit in the United States, anticipated to produce 25 percent of global lithium in the near term.**

Today, I ask that you give to support our stand in solidarity with the Paiute and Shoshone peoples of Nevada in their **fight to keep Big Green Extraction honest. We stand at a crossroads. As we press forward to replace fossil fuels with renewable energy, we must answer a question: will we show respect for Indigenous nations by honoring their right to self-determination and land possession, or will we allow the same tactics deployed by the fossil fuel industry for generations to sully our transition to green technology? Let's make Elon Musk and other green entrepreneurs respect Indigenous sovereignty.**

At Thacker Pass, the Ox Sam resistance camp has been active in recent months, and arrests and temporary restraining orders have been issued against our staff and other allies. Founding grandmother Josephine Sam has been forced to watch as her relative, Ox Sam founder Dorece Sam, faces a civil lawsuit. I'm the former official liaison for the Standing Rock Sioux

Tribe to the resistance camps at Standing Rock in 2016 and '17. As such, I know something about what it takes to push back against the Destroyers of Unci Maka, our Grandmother Earth. One of the first principles of environmental justice is to show up when needed, and to not back down.

Peehee mu'huh (which means "Rotten Moon" in the Paiute language) got its name from a pair of massacres, including one in 1865 of at least 31 men, women, and children by U.S. soldiers. It's now the place where the soul of the Green Revolution will be measured. In the coming weeks, we plan to publish a series of short videos telling the story of the resistance at Thacker Pass in the words of those on the ground. Please stay tuned.

We expect this struggle to be bruising, but it must be fought. In the current era of runaway climate change and rampant loss of biodiversity, playing defense is never enough. If we're not on offense, we're losing — and in this case, the cost could well be a healthy future for the people and other living things that call Peehee mu'huh home. Please join us in this struggle!

Wopila tanka — thank you for your friendship and solidarity.

Phyllis Young

Standing Rock Organizer"

Environmental Action stated July 29, 2023, https://environmental-action.webaction.org/p/dia/action4/common/public/?action_KEY=55307&supporter_KEY=390263&uid=c65efee59518c9ccddb15cf40882dae8&utm_source=salsa&utm_medium=email&tag=email_blast:122658&utm_campaign=EAC4-FCNS:SPECPLCCNS:BOUNDARYWAT-0623&utm_content=EM9:00C:0HH-DLE, "Take action to preserve a mining ban around Boundary Waters," **"A recent victory for the Boundary Waters may be short-lived. Legislation introduced in the U.S. House of Representatives aims to reverse a 20-year ban in the headwaters of the Boundary Waters. If passed, toxic sulfur-ore mining could come and pollute the wildernesses' pristine waters."**

With the help of environmental advocates like you, we were able to secure this ban on mining near the Boundary Waters. Now, we need your help defending it. Urge your U.S. House representative to support permanently protecting the Boundary Waters."

Judith LeBlanc (Caddo), Executive Director Lakota People's Law Project wrote in an October 26, 2023 E-mail, "Last month, I was honored to stand **alongside tribal leaders and Native organizers and environmentalists in a week of actions along the Snake River in Oregon, Washington, and Idaho pressing the Biden administration to remove dams that are threatening the salmon population, which is now on the brink of extinction.**

As Chairman Shannon Wheeler of the Nez Perce Tribe explains: "Time is running out to protect our sacred salmon. This is a crisis that threatens our way of life, and it is a violation of our treaty rights. The federal government is failing to uphold the promises made to our ancestors when we ceded our lands."

Right now, the Biden administration is in discussions and must listen to the grassroots and we only have until the end of the month to act.

Click here to send a message to the Council on Environmental Quality, the Department of Energy, and the U.S. Department of the Interior to remove Snake River dams without delay to save salmon and honor treaty rights: <https://actionnetwork.org/letters/remove-snake-river-dams-and-restore-salmon>.

Together, we're fighting for the treaty rights that insure that the tribes and communities fulfill their inherent right to sovereignty over our land, water and the salmon.

Hawwih (thank you)"

"The Roots of Regenerative Agriculture, Drawing inspiration from age-old Indigenous wisdom." Rainforest Alliance, August 17, 2023, <https://thrive.rainforest-alliance.org/webmail/869601/998749488/de6caf8380076d819cd56b4938fa48087efb5cc357a17de8f389e6d7d102c21d>, reported, **"Indigenous and local communities manage almost a quarter of the world's lands, and they safeguard an astonishing 80 percent of the world's terrestrial biodiversity!"**

Moreover, research shows that deforestation rates are significantly lower inside many Indigenous territories compared to areas outside. **Learn more about the vital role Indigenous communities play in responsibly stewarding Earth's natural resources, and how their traditional methods can help others protect the planet** (https://thrive.rainforest-alliance.org/e/869601/tm-medium-email-c-src-MDE23H9-/dzcsq4/998749488?h=47TZfHKrUfUPB-_phl23VTDq_UWcEzqY1RCe6f8UC6g).

In many Indigenous world views, humans and nature are not separate, but parts of a whole that need each other to thrive. Such beliefs are a driving force behind the powerful environmental guardianship practiced by these communities, and lay the foundation for many of the techniques we now recognize as regenerative agriculture.

Our commitment has always been to collaborate with, and learn from, Indigenous peoples and local communities. From harnessing ancestral knowledge alongside modern technology to boost incomes in Peru, to creating economically viable alternatives to child labor in Vietnam, these traditional practices can help us better navigate the challenges of our shared global future.

That's why we've created a special article that celebrates these age-old practices that are critical to our planet's health. We invite you to read and share this piece in celebration of this timeliness knowledge. Learn about the key elements of regenerative agriculture practiced by Indigenous communities, how the Rainforest Alliance is learning from them, and how we're helping to adapt and share these concepts with farmers around the world (<https://thrive.rainforest-alliance.org/e/869601/tm-medium-email-c-src-MDE23H9-/dzcsq4/998749488>)."

"Tell the World Bank to STOP funding factory farm expansion! Indigenous communities in Ecuador are fighting the largest meat corporation in the country," Friends of Earth Action, August 27, 2023, <https://action.foe.org/page/56052/action>, stated, **"PRONACA's factory farms have polluted the air and water, eliminating the ability for Indigenous people to continue their lifestyle as it was – no more fish in the river to eat and polluted air to breathe."**

But PRONACA's destructive behavior in Ecuador is just one example of what's happening in communities all over the world. Greedy companies are pushing out people, polluting communities, and destroying the environment with industrial agriculture – and they're still receiving taxpayer dollars from global financial organizations like the World Bank

Protect local communities from polluting factory farms. We need 3,392 more signatures by MIDNIGHT TONIGHT to hit our signature goal!"

Brett Wilkins, "Tribes to EPA: Ban Fish-Killing Tire Chemical 6PPD: 'If EPA truly cares about protecting the environment and the tribe's treaty rights, not just industry's pocketbooks, it will act now,' said one tribe's environmental scientist," Common Dreams, August 1, 2023, <https://www.commondreams.org/news/6ppd-salmon>, reported, **"Three Western Indigenous tribes on Tuesday petitioned the U.S. Environmental Protection Agency seeking a ban on a toxic chemical used in the manufacture of tires that poses a deadly risk to fish—including species listed as endangered or threatened—when it breaks down."**

Acting on behalf of the Yurok Tribe of northern California and the Port Gamble S'Klallam and Puyallup tribes from the Puget Sound region of Washington state, the legal advocacy group Earthjustice filed a petition asking Environmental Protection Agency (EPA) Administrator Michael Regan to invoke Section 21 of the Toxic Substances Control Act (TSCA) 'to establish regulations prohibiting the manufacturing, processing, use, and distribution of N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) for and in tires.'"

"Help us seal our victory in one of the world's most vibrant rainforests," Rainforest Alliance, September 7, 2023, <https://act.ran.org/page/56480/petition/1>, stated, **"The palm oil industry has made a pact to protect rainforests in East Aceh, Sumatra, one most biodiverse rainforests on Earth, where Sumatran orangutans, rhinos, elephants, tigers and sun bears still coexist in the wild."**

But we need big brands that buy palm oil from East Aceh to put their weight behind this agreement, or it will be meaningless — and that includes brands like Unilever, PepsiCo and Mondelēz International, makers of some of the world's most recognized products.

Help us convince these major brands to keep Aceh's forests standing!

To Unilever, PepsiCo, Nestlé, Mondelēz International, Mars, Procter & Gamble and Colgate-Palmolive:

The Government of East Aceh in Sumatra, Indonesia and the palm oil sector have made a pact to end deforestation in the region by advancing a No Deforestation, No Peatland and No Exploitation (NDPE) policy throughout the entire palm oil supply chain.

This decision could lead to the long-term protection of tens of thousands of hectares of lowland rainforests in the "Orangutan capital of the world" — the only place Sumatran orangutans, rhinos, elephants, tigers and sun bears still coexist in the wild.

Your company has driven the expansion of Conflict Palm Oil in this region and lowland rainforests of the Leuser Ecosystem. Now is the time to put your weight behind this potentially landscape-changing agreement."

"Food and Water Watch stated in an August 26, 2023 E-mail, "2023 has been a hectic year, but your care and generosity for sustainable food, clean and affordable water, and a livable climate have led to several milestones. I want to take a moment to reflect on all we've accomplished so far this year!

Defeated North Carolina's "ag-gag" law (<https://ncnewsline.com/briefs/federal-court-of-appeals-rules-ncs-ag-gag-law-is-unconstitutional-signals-a-win-for-whistleblowers>). These laws are designed to silence journalists, activists, and impacted community members who dare to expose food safety violations, animal abuse, and environmental degradation at factory farms.

Forced the Easterday family to abandon its attempt to re-open a mega-dairy in Boardman, Oregon (<https://www.tri-cityherald.com/news/local/article278077072.html>). This is a major win for Oregon's communities, water, and climate.

Won the passage of a factory farm regulation bill in Oregon (<https://www.foodandwaterwatch.org/2023/07/31/or-governor-signs-first-reform-of-industrial-factory-farm-regulation-in-decades>). We are proud members of the Stand Up to Factory Farms coalition and have worked for years to gain this step forward in addressing the harms of factory farms in Oregon.

Worked with community groups to pressure the EPA to propose the first federal, enforceable limits on six types of PFAS (<https://www.foodandwaterwatch.org/2023/03/14/epas-new-pfas-rules-set-the-groundwork-for-safer-drinking-water-but-even-more-extensive-regulations-needed>). PFAS, also known as “forever chemicals” because they don’t break down in the environment, are everywhere. These PFAS limits are a welcome first step to banning PFAS altogether.

Blocked the corporate takeover of Newberry Township, Pennsylvania’s publicly-owned sewer system (<https://www.foodandwaterwatch.org/2023/07/19/newberry-votes-down-sewer-privatization-deal/>). This victory protects residents from a privatization deal that would have caused massive spikes in residential sewer rates.

Stopped Holtec International from polluting the Hudson River with radioactive waste (<https://www.foodandwaterwatch.org/2023/08/18/ny-gov-signs-bill-to-stop-radioactive-waste-dumping-into-hudson-river/>). By tabling, petitioning, phone banking, and rallying nonstop, together we gathered resounding support and successfully fought for the Save the Hudson bill to be drafted, passed, and signed.

Celebrated the Environmental Protection Agency’s (EPA) announcement that they will begin an in-depth study of factory farm water pollution (<https://www.foodandwaterwatch.org/2023/01/23/lawsuit-by-advocacy-group-successfully-pressures-epa-to-scrutinize-factory-farm-water-pollution>) — a first in 15 years! The EPA’s decision came in response to a lawsuit that Food & Water Watch filed in 2022.

Successfully urged the Borough of Woodlynne, New Jersey, to reject a liquified natural gas (LNG) export terminal in Gibbstown (<https://www.foodandwaterwatch.org/2023/01/13/woodlynne-votes-to-oppose-gibbstown-fracked-gas-terminal>). Woodlynne is the eighteenth New Jersey municipality to oppose the project and joins the growing effort throughout the state to stop this project in its tracks.

Defeated plans for a blue hydrogen power plant in West Whiteland, Pennsylvania (<https://www.foodandwaterwatch.org/2023/02/10/exton-park-blue-hydrogen>). Stopping this project is an important step toward powering the state with renewable energy like wind and solar.

Successfully pressed the Department of Transportation to deny a permit to New Fortress Energy (<https://www.foodandwaterwatch.org/2023/04/24/gibbstown-gas-terminal-loses-key-rail-permit>) for plans to transport liquefied methane by rail. This decision will prevent bomb trains from endangering towns and cities across South Jersey and parts of Pennsylvania.

Passed the All-Electric Building Act in New York (<https://www.foodandwaterwatch.org/2023/01/25/ny-gas-ban-buildings>), which bans gas hookups in new buildings statewide. The Act makes New York the first state in the country to ban gas in new construction by law.

Celebrated the release of Tampa, Florida’s Climate Action & Equity Plan (<https://www.foodandwaterwatch.org/2023/06/16/activists-celebrate-tampa-climate-action-equity-plans-commitment-to-end-fossil-fuels>). The plan includes steps to phase out fossil fuels and transition the city to 100% clean and renewable energy.

Defeated plans to build a liquid natural gas (LNG) plant in Port St. Joe, Florida (<https://www.foodandwaterwatch.org/2023/08/07/port-st-joe-lng-victory/>). We helped community activists develop the strategy to build a coalition, grow public opposition, and shut the project down."

"Urge the European Union to Include Indigenous Peoples' Rights in its Green Transition Legislation," Cultural Survival. September 11, 2023, https://single-market-economy.ec.europa.eu/publications/european-critical-raw-materials-act_en, stated, "On Thursday, September 14, 2023, **there will be a vote in the European Union to adopt the Critical Raw Materials Act.**

What is the Critical Raw Materials Act and why did it emerge?

For the European Union to realize its twin digital and green transitions, Critical Raw Materials (CRMs) are crucial, and the European Union is actively working to enhance its ability to extract, process, and recycle strategic raw materials, as well as diversify its import sources from outside the EU. As an enabling legislation, in March 2023, the European Commission released its proposal for the European Critical Raw Materials Act

How does this affect Indigenous Peoples?

Mining operations are negatively impacting Indigenous Peoples in Europe and elsewhere due to this increase in demand. According to Nature Sustainability, 54% of 5,097 mining projects globally involving 30 minerals used in renewable energy technologies are located on or near Indigenous Peoples' lands.

Indigenous Peoples are the key rightsholders in the European green transition!

Historically, Indigenous Peoples have been marginalized and their voices have been ignored, but a green transition is impossible without them. Despite constituting just over 6% of the world's population, they manage or control more than a quarter of its lands, which house about 80% of its remaining biodiversity. Additionally, the lands Indigenous Peoples manage store more than 24 percent of the world's carbon above ground.

Indigenous Peoples' demands for the European CRMA:

The Securing Indigenous Peoples' Rights in the Green Economy (SIRGE) Coalition calls on the European Union to implement Free, Prior and Informed Consent (FPIC) in its CRM regulations and to comply with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169 concerning Indigenous and Tribal Peoples. The CRMA should not rely on complementary instruments such as the Corporate Sustainability Due Diligence Directive. FPIC and UNDRIP should be incorporated directly into the CRMA.

Furthermore, the SIRGE Coalition urges European decision-makers to recognize and correct a number of flaws in the CRMA proposal, including:

i) The voluntary certification schemes mentioned in the CRMA do not guarantee respect for human rights and environmental conservation; the CRM regulation must ensure that sourcing is carried out with respect of human rights and Indigenous Peoples' rights.

ii) The fast-tracking of mining operations is not an acceptable option because it increases existing risks for Indigenous Peoples. The SIRGE Coalition's recommendation is to ensure meaningful stakeholder and rightsholder participation, consultation, and capacity building of public permitting authorities. This will make processes more efficient, inclusive, and shorter.

iii) To reduce pressures for new mining on Indigenous lands and territories, the Act should include material reduction targets for Europe in addition to enhancing a circular/regenerative economy.

(iv) The proposed governance board structure does not include meaningful participation of stakeholders and rights holders, such as Indigenous Peoples; this needs to be addressed.

It is critically important that policymakers place Indigenous rights, human rights, and environmental protection at the center of any green, just, and sustainable transition.

Learn

more.

A Turning Point: The Critical Raw Materials Act's needs to be truly socially and environmentally just: <https://www.culturalsurvival.org/news/turning-point-critical-raw-materials-acts-needs-be-truly-socially-and-environmentally-just>

On Thursday, September 14, 2023, there will be a vote to adopt the Critical Raw Materials Act! We have sent the following letter to EU legislators.

Dear MEP,

Is consent really necessary?

On 14 September, MEPs will vote on the ITRE Compromise text on the Commission proposal for Critical Raw Materials Regulation (CRMR). We call on you to support the inclusion of the Free Prior Informed Consent (FPIC) and Indigenous Peoples' rights in the upcoming plenary vote.

Over 50% of Energy Transition mining occurs on or near Indigenous Peoples' lands. Indigenous Peoples are at the bottom of the mineral value chain.

European legislation can significantly affect Indigenous well-being and survival.

Support the inclusion of FPIC and UNDRIP for collective Indigenous Peoples' rights.

The absence of FPIC not only hurts Indigenous Peoples, but also may cause economic losses to companies and governments.

510 human rights allegations made against 115 companies in 12 years, with nearly 40% related to Indigenous Peoples in 2022.

Support Amendments 11 and 23 for FPIC inclusion in CRMR Framework.

You can find our position paper on the CRMA here; and in this link, a number of civil society organisations throughout the world are calling for the EU to choose a global and just transition.

Finally, we ask for your support, because the European legislation on transition minerals will not only have a large impact on Indigenous People in and of itself, but it will also serve as a model at the international level. Unless Europe ensures that Indigenous Peoples' rights are respected and no one is left behind in the transition, other countries and regions will be less likely to do so.

Particularly, we call on you to vote in favour of Amendments 11 and 23 that ensure the inclusion of FPIC in the CRMR Framework.

Furthermore:

Fossil fuels do not belong in a list of critical raw materials in 2023, vote no on Amendment 2 for including coking coal in the CRM list.

For tin and uranium, there are no valid reasons to consider those raw materials critical.

Corresponding amendments 5,7 should be discarded as they gravely impact the scope and impact of extractive industries included in the CRMR.

Amendments 14-25 further strengthen the safeguarding of environmentally protected areas, the rights of Nature and Indigenous Peoples, in which the European Union has been at the absolute forefront in the past decades. We urge you to vote in favour of these amendments.

Please find here in this link the voting list we ask you to support.

Thank you for your consideration and support.

Signed by:

European Environmental Bureau, Seas At Risk, CAN Europe, Friends of the Earth Europe, Oxfam, Cultural Survival, SOMO, CIDSE, BUND (Friends of the Earth Germany), PowerShift Germany, Environmental Justice Foundation, Society for Threatened Peoples, Global Witness, FERN, Natural Resource Governance Institute, DiXi Group Ukraine, DKA Austria, Brot für die Welt, ECOS, ODG, Finnish Association for Nature Conservation, ZERO Portugal, WWF Germany, Business & Human Rights Resource Centre, Südwind Austria, Securing Indigenous Peoples' Rights in the Green Economy Coalition (SIRGE), CATAPA, Focus Slovenia, Milieudefensie - Friends of the Earth Netherlands, RREUSE, Friends of the Earth Spain, SETEM Catalunya, Global 2000 - Friends of the Earth Austria, INKOTA-netzwerk, World Economy, Ecology and Development, Association négaWatt France, France Nature Environment, Broederlijk Delen Belgium, Ecologistas en Acción Spain, London Mining Network."

Julia Conley, "Global Campaigners Call On Norway to Ditch Deep-Sea Mining Plan: 'By embarking on mining in the deep sea without sufficient knowledge, we risk destroying unique nature, eradicating vulnerable species, and disrupting the world's largest carbon sink,'" said one advocate,' *Common Dreams*, Oct 02, 2023, <https://www.commondreams.org/news/norway-deep-sea-mining>, reported, "Calling on Norway to 'live up to the responsibilities' it has as co-chair of an international panel on sustainable oceans, **more than 30 climate and conservation organizations on Monday delivered a letter to nearly two dozen Norwegian embassies on all continents, intensifying global outcry over plans for deep-seabed mining in the Arctic.**

The groups, including Greenpeace, Sustainable Ocean Alliance, and the Blue Climate Initiative, called on officials to abandon plans to open 281,000 square kilometers—an area nearly the size of the United Kingdom—to deep-sea mining, saying the world currently lacks 'the robust, comprehensive, and credible scientific knowledge to allow for reliable assessment of impacts of deep-sea minerals extraction, including impacts on the planet's life-support systems and human rights.'

`Therefore, they said, the plan violates Norway's 'ambition to act according to a knowledge-based and precautionary approach.'

'By embarking on mining in the deep sea without sufficient knowledge, we risk destroying unique nature, eradicating vulnerable species, and disrupting the world's largest carbon sink,' said Sofia Tsenikli, global campaign lead for the Deep Sea Conservation Coalition. "At a time when humanity is racing against the clock to tackle both the climate crisis and the biodiversity crisis, we should protect nature—not destroy it."

Eko stated in an October 14, 2023 Email, "**Panama's largest and dirtiest copper mine is about to be expanded.**

The mine's Canadian operator First Quantum Minerals (FQM) thought it was a done deal, but after massive protests, Panama's government has just pulled out. This is our chance to bury the deal for good!

FQM wants to build ports and power plants to extract more copper – and the government is more than keen to cash in the promised extra royalties. But in reality, the deal would make only FQM richer and more powerful while continuing to wreak havoc on the environment, water supplies, and local Indigenous communities, for decades to come.

The people of Panama have taken to the streets, opposing the deal with all they've got – and the government just pulled out to legal-proof the contract. This is our chance: If we keep up the pressure and make sure the world notices FQM's horrific plans, we can stop the deadly deal.

First Quantum Minerals: No expansion or extension of the Cobre Panamá mine

This deal is a classic tale of modern-day colonialism: Panama's government receives a tiny fraction of FQM's massive profits – all while the mine will continue damaging communities, forests and water supplies instead of benefiting the people. Even the Panama Canal, the country's lifeline, is at risk – just so big corporations can produce more electrical wirings at a lower cost.

But a coalition of workers, indigenous communities, and unions in Panama have taken to the streets and are not backing down: They consider the contract unconstitutional, due to the lack of environmental and community impact studies. They are even ready to sue the government for treason against the Nation!

FQM is hoping that things will calm down and the deal just needs minor changes, but we won't let that happen. If we make sure the story gets out into the world, the mining giant will have to look hard for excuses for not backing out of this deadly deal.

First Quantum Minerals: No expansion or extension of the Cobre Panamá mine

Ekō members like you have helped win against giant corporations trying to destroy Latin America ecosystems. For the last 9 years, more than 200,000 Ekō members have taken action to support Máxima Acuna, an Indigenous Peruvian farmer, to keep her land safe from the world's second biggest gold mining company. And because of your support, the mine has yet to be built and she has kept her land.

We can win against mining companies in Panama too, but only if we take action now. Sign the Petition: <https://actions.eko.org/a/fqm-no-cobre-panama-extension-and-expansion/>.

More information:

Protests against mining concession given to Canadian company intensify in Panama Peoples Dispatch. 28 September, 2023: <https://peoplesdispatch.org/2023/09/28/protests-against-mining-concession-given-to-canadian-company-intensify-in-panama/>.

Panama to withdraw proposed contract for Canadian miner First Quantum's unit Reuters. October 3, 2023: <https://www.reuters.com/markets/commodities/panama-govt-pull-proposed-contract-miner-first-quantum-congress-2023-10-03/>.

Panama protests to protect ecosystems and canal against pending mining deal : <https://news.mongabay.com/2023/09/panama-protests-to-protect-ecosystems-and-canal-against-pending-mining-deal/>."

Food and Water Watch wrote in an October 14, 2023 E-mail, "**Factory farms pollute our water, poison our air, contribute to climate change, and damage communities nationwide.** Food & Water Action is fighting for you to have safe, healthy, and sustainable food. We want to reward resilient and diversified farms, build rural communities, support farmers, and treat animals humanely.

In 2018, we were the first national organization to call for a ban on factory farms. When we launched this campaign, we knew it would take a bottom-up grassroots effort, starting at the

state and local levels. That's why we've been fighting with communities nationwide — from Maryland to California, Iowa to Oregon — to stop factory farms. And this approach is paying off.

There is legislation in Congress that will end factory farms — the Farm System Reform Act. Tell your representative it's time for a more sustainable way.

Ban Factory Farms: <https://secure.foodandwateraction.org/act/support-farm-system-reform-act-FWA>.

The Farm System Reform Act is the bold national approach we need to bring factory farming under control now and begin the transformation to a safe and equitable future for all. **This legislation would:**

Place a moratorium on new large factory farms and on expanding existing facilities.

Phase out existing large factory farms by 2040.

Enforce environmental laws on existing factory farms, including holding Big Ag companies responsible for the pollution and destruction they create.

Provide support for people operating factory farms to transition to more sustainable forms of agriculture.

Bring more fairness to agricultural markets through antitrust enforcement.

So far this year, more than 9,000 Food & Water Action supporters have messaged their Congress members to support the Farm System Reform Act. Can we count on you to join us by taking action today?

It will take your ongoing commitment to ban factory farms in the coming years. Thank you for being with us.

Onward together,

Krissy Kasserman, Factory Farm Organizing Director Food & Water Action."

"Tell the Biden-Harris Administration to Expand Protections for the Molok Luyuk." League of Conservation Voters (LCV), November 10, 2023, stated, **"Tell the Biden-Harris Administration to Expand Protections for the Molok Luyuk**

In 2015, **the Obama-Biden administration designated the Berryessa Snow Mountain National Monument in Northern California**. This landscape contains important wildlife corridors, native grasslands, rare wetlands, and wild chaparral. The designation has greatly benefited the region, including by increasing visitation and improving collaborative stewardship with tribal nations and community groups.

Now, the Yocha Dehe Wintun Nation calls on the Biden Administration to include permanent protections for the adjacent area known as 'Molok Luyuk,' or Condor Ridge.

LCV stands with Tribes and coalition partners in calling for expanding the Monument and protecting the greater Molok Luyuk landscape. Permanently protecting the land on both sides of the ridge will honor its cultural importance to California Tribes and better conserve the region's incredible biodiversity.

Help urge the Biden-Harris administration to ensure the most expansive protections for the Molok Luyuk landscape. The tribally-led designation is an important opportunity to incorporate meaningful tribal planning, co-management, and consultation into federal protections and management. It will also be a critical part of achieving the Biden administration's America the Beautiful goal of preserving 30% of lands and waters by 2030."

U.S. Activities

The National Congress of American Indians (NCAI) news and views can be found at: <https://www.ncai.org>.

Native Organizers Alliance Action Fund wrote in an October 7, 2023 E-mail, **"The Native American Child Protection Act (NACPA) is headed toward the U.S. Senate, following its passage by a bipartisan supermajority in the House.**

The NACPA builds on what was started over 30 years ago with the Indian Child Protection and Family Violence Prevention Act -- finally providing funding for the far-reaching programs and services previously called for, but never fully funded.

Until now.

This bill is crucial to our children and families' health and well-being -- and we need your help to make sure it passes. Will you contact your Senators today to ask them to pass the Native American Child Protection Act now (<https://actionnetwork.org/letters/pass-the-nacpa>)?

The federal government has a responsibility to protect all children, including Native kids on Tribal lands or in cities. But many federal programs are underfunded or unfunded, leaving Tribes and Native communities denied the right to health and safety which is at the center of treaty rights.

The NACPA will finally put into place funding for a variety of essential programs and services to increase families' capacity to care for their children.

These programs include the National Indian Child Resource and Family Services Center, and the Indian Child Protection and Family Violence Prevention Program, both providing critical support for our communities, Tribes, and Native urban organizations.

With your help, NACPA has already passed the House with overwhelming bipartisan support, but that does not guarantee it will pass the Senate.

That's why we need your help today. Contact your Senators to urge them to pass this timely and important bill that's more than 30 years overdue! Click here to send your message now.

Hawwih (thank you in Caddo),
Judith LeBlanc (Caddo), Executive Director"

Native Organizers Alliance Action Fund wrote in an August 25 E-mail, **"For decades, the Southern Nevada Water Authority has tried to take the water in Spring Valley for a 250-mile pipeline to Las Vegas, where it would fuel commercial development. In late 2020, a powerful coalition that included members of the Ely and Duckwater Shoshone tribes, cattle ranchers, and Mormon landowners were successful in stopping the project when the Authority announced their intention to 'indefinitely defer' the pipeline.**

The problem: 'indefinitely' is not enough.

The decision to defer the building of the pipeline can be reversed at any time. This sacred place needs permanent protection from development now.

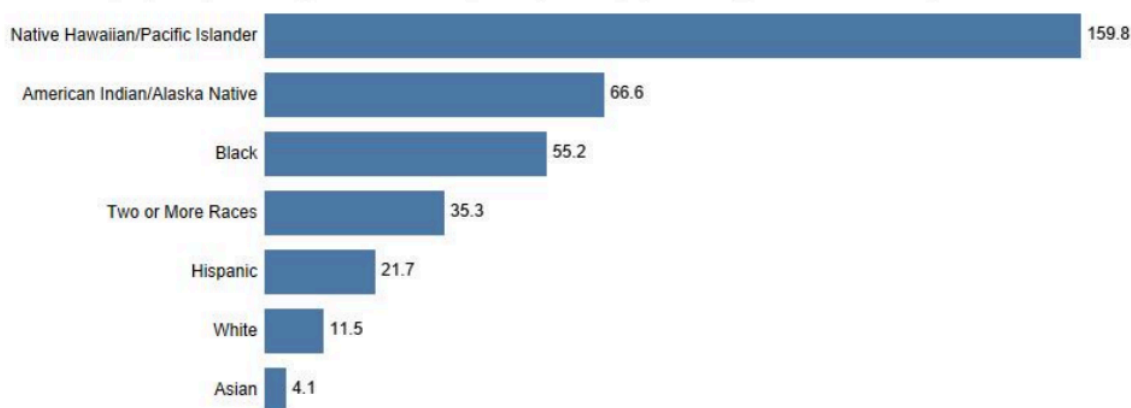
So we've joined a critical coalition of Native leaders and tribes, including the Duckwater Shoshone, Goshute, and Ely Shoshone Tribes, to **call on President Biden to designate the land as the Swamp Cedars Bahsahwahbee National Monument and permanently protect the spirits of our Tribal Ancestors massacred in this sacred space.**

Please help us make it happen by sending your own direct message now (https://actionnetwork.org/letters/tell-biden-designate-the-swamp-cedars-bahsahwahbee-national-monument-now/?link_id=1&can_id=2304a48b2891e77b9b6c14d1ce535f4f&source=email-re-protect-the-sacred-swamp-cedars-in-the-bahsahwahbee-valley&email_referrer=email_2027558&email_subject=re-protect-the-sacred-swamp-cedars-in-the-bahsahwahbee-valley)."

Native Organizers Alliance wrote in a September 9, 2023 E-mail, "**The United States is in the midst of a housing crisis, with rates of unhoused people far outpacing federal and state government aid. On the front lines of the unhoused crisis are Native people, who have the highest rates of homelessness in the US:**[1]

Most Minority Groups Experience Homelessness at Much Higher Rates than Whites

Number of people experiencing homelessness per 10,000 in population by race and ethnicity



Homeless population data are for a given night in 2019.

Source: Annual Homeless Assessment Report Report to Congress, Part 1, 2020



In fact, while Native people make up less than 3% of the US population, we make up more than 10% of the unhoused population nationally.[2]

Just last week, **more than 100 people were kicked out of a mostly-Indigenous Minneapolis homeless encampment called the "Wall of Forgotten Natives."** After genocide, forcing Indigenous peoples off our land, and ongoing racist inequities, the federal government has a responsibility to our communities.

So we're supporting Rep. Cori Bush's new Unhoused Bill of Rights, legislation that would make critical federal investments in homeless assistance programs, affordable housing initiatives, and wraparound services that keep people permanently housed.

The unhoused crisis is urgent, with rising rental costs rapidly outpacing wages and disproportionately harming Native communities. Add your name now as a grassroots co-sponsor of the Unhoused Bill of Rights and tell Congress to protect people from being forced to live on the streets.

When families can't afford housing, they're criminalized and dehumanized on the streets. Already, Native people face disproportionate rates of criminalization and poverty. We deserve better.

Many Tribal members rely on the federal government's Emergency Rental Assistance program and supportive housing programs, but it's not enough.

The Unhoused Bill of Rights will:

Provide a blueprint for the federal government to permanently end the unhoused crisis by 2027 by drastically increasing the affordable housing stock, providing universal housing vouchers, and bolstering funding to federal housing programs, shelters, transitional and permanent housing programs, social services, and permanent emergency rental assistance;

Call on the Department of Health and Human Services to declare the unhoused crisis a public health emergency;

Protect unhoused individuals from the violation of their fundamental human rights to housing, health care, livable wages, education, employment opportunities, access to public facilities, and freedom from harassment by law enforcement, private businesses, property owners, and housed residents;

Support historic federal funding levels for state and local governments to provide 24-hour support for unhoused people, including: shelters, transitional housing programs, supportive services, public restrooms, hand-washing stations, showers, laundry facilities, and water fountains in coordination with grassroots and community-led organizations;

Develop holistic, health-based, and non-carceral solutions to the unhoused crisis in coordination with the Department of Housing and Urban Development (HUD), the Department of Health and Human Services (HHS), Centers for Disease Control and Prevention (CDC), community-led organizations, and unhoused advocates from a health-based approach that addresses both the unhoused and public health crises.

Housing is a human right. That's why we're fighting for housing justice and for the rights of marginalized people everywhere.

Add your name now as a grassroots co-sponsor of the Unhoused Bill of Rights to demand Congress prioritize and fix the U.S. unhoused crisis (https://actionnetwork.org/forms/add-your-name-support-the-unhoused-bill-of-rights-2?source=group-native-organizers-alliance&referrer=group-native-organizers-alliance&redirect=https://secure.actblue.com/donate/noa_unhoused_rights&link_id=2&can_id=77b09df18c25582be779f2e209efa4cc&email_referrer=email_2041103__cohort_68455&email_subject=native-people-have-the-highest-rates-of-homelessness-in-the-us&refcodeEmailReferrer=email_2041103__cohort_68455).

Hawwih (thank you),
Judith LeBlanc (Caddo)
Executive Director

[1] Racial Inequalities in Homelessness, by the Numbers (https://endhomelessness.org/resource/racial-inequalities-homelessness-numbers2027&email_referrer=email_2041103__cohort_68455&email_subject=native-people-have-the-highest-rates-of-homelessness-in-the-us)

[2] The 2019 Annual Homeless Assessment Report to Congress (https://www.huduser.gov/portal/sites/default/files/pdf/2019-AHAR-Part-1.pdf?link_id=7&can_id=77b09df18c25582be779f2e209efa4cc&source=email-take-action-end-the-unhoused-crisis-by-2027&email_referrer=email_2041103__cohort_68455&email_subject=native-people-have-the-highest-rates-of-homelessness-in-the-us))"

Lakota People's Law Project wrote in a September 12, 2023 E-mail, "Today, it's **the 79th birthday of American Indian Movement (AIM) activist Leonard Peltier, and I'm on the ground in Washington, D.C. supporting a direct action at the White House. We're asking President Joe Biden to grant Leonard long overdue clemency** after he's spent nearly half a century in federal prison.

Today I ask that you stand in solidarity with Leonard, who was wrongfully accused in the mid-1970s and, trapped in his cell, hasn't been able to enjoy much of the progress we've made together toward greater justice for Native people over the decades. Please tell President Biden: Free Leonard Peltier — then use the social share buttons on our page to keep the pressure on (<https://action.lakotalaw.org/action/free-leonard>)!

Win Without War wrote in a November 10, 2023 E-mail, "Friend: **Native and Indigenous children on Tribal lands and in urban areas, like all kids, deserve protection.** That simply hasn't been the case in the United States. Throughout the 1800s and 1900s, the U.S. government ripped Native children away from their families and communities. Students were renamed, forbidden from speaking their Native languages, forced to convert to Christianity, and pressured to give up cultural practices. Abuse and neglect were commonplace.

That history lives on today and the promise to protect Indigenous children remains broken — but that could change and soon. Just weeks ago, with a huge bipartisan vote, **the House stepped toward a new vision by passing the Native American Child Protection Act (NACPA).**

This bill would update and enhance programs that provide Tribes and Native communities with the resources necessary to address family violence, safeguard children from abuse and neglect, and uphold justice for Native families and their children. It's long overdue and urgently needed — and we can't risk this crucial legislation being deprioritized in a moment where so many crises loom large.

While we cannot change the past, we DO have the power to shape the future. Speaking out now can help build the momentum needed to pass this bill and send it to President Biden's desk.

Sign and send a direct message urging your senators to co-sponsor and pass the Native American Child Protection Act immediately (<https://act.winwithoutwar.org/act/nacpa?source=mo20231109>).

Winning without war means building a world where everyone can thrive without the fear of violence.

Genocide, land theft, forced migration, criminalization, and cultural erasure are themes woven throughout our history. For too long, U.S. policy — foreign and domestic — has exploited Indigenous people and their lands. It happened when the United States waged an all-out war on Native peoples across the country. It happened when the government instigated coups that repressed Indigenous communities in Latin America. And it continues.

Congress first passed the programs in the Native American Child Protection Act(NACPA) in the 1990s as an answer for the tragedy and abuse that occurred in federally-run Native boarding schools.

But it failed to meet the moment, and for more than three decades, Congress has left Tribes and Native communities to figure out how to cover the costs of this crucial support on their own.

Without appropriate funding, Tribes and Native communities have had to reallocate funds from other essential services or rely on external, often inconsistent, sources of aid.

By passing the NACPA, Congress can finally follow through on a promise to protect, educate, and support Native youth by reauthorizing the programs AND providing the funding to implement them. The only thing standing in the way is a vote in the Senate, and with so many urgent priorities before Congress today, a note from you can help get this bill the attention it deserves.

THIS is the moment for relentless advocacy. Today, will you take 30 seconds to tell your senators to pass the Native American Child Protection Act now?

Thank you for working for peace,
The Win Without War team"

Native Organizers Alliance Action Fund wrote in a November 8, 2023 E-mail, "Last year the **U.S. Department of the Interior began to rename hundreds of historic sites across the country to remove racist and misogynistic slurs from geographical landmarks and waterways.**

Next week, the Advisory Committee on Reconciliation in Place Names will meet to continue this critical work.

There's still more work to do to remove racist language from historic sites and geographical landmarks. **After reviewing the Advisory Committee's published list of derogatory place names, the Coalition for Outdoor Renaming and Education (which includes Native Organizers Alliance) recommends replacing additional names and implementing community consultation processes that includes Native and non-Native voices to review replacement names.**

Will you join us in asking the Committee to take further steps to replace racist and derogatory place names on public lands (<https://actionnetwork.org/letters/reconciliation-in-place-names>)?

"First Nations' 2022 Annual Report is Out," First Nations Development Institute, November 3, 2023, https://www.firstnations.org/publications/2022-annual_report, reported, **"First Nations' Board of Directors is proud to present our 2022 Annual Report. Themed 'Native Values, Native Voices,' the report reflects on how our values – our cultures, our traditions, and our lifeways – continue to anchor us, and how those values are lifted up by elevating stories of our Native community partners and investing in their important work.**

In addition to messages from First Nations' President and CEO Michael Roberts and Board Chair Benny Shendo, Jr., the report features:

Artwork by Christopher Sweet, a Ho-Chunk/White Earth Ojibwe artist and muralist who has been artistic since childhood.

Descriptions of projects by our 2022 grantees

Updates and stories on First Nations programs and community partners."

The report is available at: https://www.firstnations.org/publications/2022-annual_report.

Zuleikha and her Story Dance Project centered in Santa Fe, NM has continued working with area nations in **"Over the Rainbow."**

Strengthening Hearts & Minds Program for Navajo Mothers

TSP is in partnership with Northwest NM First Born. Strengthening Hearts & Minds is a bilingual (English/Diné-Bizaad) program in northwestern NM Navajo Nation for Navajo mothers facing depression and historical trauma, facilitated by three women specialists in the fields of education, healing and self care. The program focuses on traditional women's ways, healing, leadership, developing new patterns of family communication, and restorative exercises for body and mind after trauma and chronic stress. Collaborators: Navajo facilitators early childhood expert Kelly Dinéyazhe-Hunter and Navajo medicine woman/Navajo food specialist Sheila Goldtooth; co-leading with TSP Founder/Director Zuleikha.

What's in a Story Early Childhood & Elementary School Program

TSP has partnered to implement programs in the NM Navajo Nation since 2014, when we began facilitating What's in a Story in schools in the Gallup and Shiprock areas. Facilitated by Amy Becenti of the Navajo Nation, What's in a Story program engages between 1,000 and 2,000 young learners a year. WIS features wisdom stories using sign language and Diné-Bizaad (Navajo) vocabulary, self-care exercises and other expressive activities for literacy, historic identity and empowerment.

In Navajo classrooms, libraries and early childcare settings, a TSP Navajo facilitator enters in a colorful story coat, and reads wisdom stories using Diné Bizaad, English and American Sign Language. As young listeners get restless, they're led in full-body exercises that re-calibrate the nervous system, readying them for more engagement.

Self-care Trainings for Zuni Pueblo

TSP is partnering with Zuni Pueblo to provide trainings on self-care for with Zuni Education and Career Development Center staff, Staff Wellness trainings for Zuni Recovery Center and Community Wellness Fairs.

International Activities

News and views of the Canadian Association of First Nations (AFN) can be found at: <https://afn.ca>.

"Indigenous Peoples Continue to Push for Rights, Inclusion, and Direct Financing in Climate Change Negotiations Prior to UNFCCC COP28, Cultural Survival, June 26, 2023, <https://www.culturalsurvival.org/news/indigenous-peoples-continue-push-rights-inclusion-and-direct-financing-climate-change>, reported, **"Cultural Survival continues its work in advancing the rights and interests of Indigenous Peoples internationally. From June 5-15, 2023, the Bonn Climate Conference took place in Bonn, Germany, and brought together meetings of two United Nations Framework Convention on Climate (UNFCCC) subsidiary bodies: the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation of the UNFCCC. The meetings set the agenda for discussions and a road map for the upcoming UNFCCC COP28 in Dubai in December.**

Indigenous representatives from all seven socio-cultural regions of the world followed the development of documents, negotiations, advocacy for Indigenous rights and interests, and their full and effective participation. Edson Krenak (Krenak), Cultural Survival Lead on Brazil, and Polina Shulbaeva (Selkup), Cultural Survival Consultant on Human Rights Mechanisms, participated as part of the International Indigenous Peoples' Forum on Climate Change (IIPFCC).

On the first day of the Bonn Climate Conference, the International Indigenous Peoples' Forum on Climate Change issued an Opening Statement calling for real reductions in emissions at the source, including the phaseout of fossil fuels, rather than carbon offsets, and calling for prevention rather than compensation in the loss and damage mechanisms. The main talks centered on the following topics.

Global Stocktake

The Paris Agreement obliges States to formulate their own climate protection goals, the so-called Nationally Determined Contributions, and to take action to achieve these goals, but it does not oblige countries to achieve them. The Global Stocktake helps measure joint progress toward long-term goals through three phases: Information Collection and Processing; Technical Evaluation of Information; and the Policy Phase of the Review of Results. The first two phases have been completed, and the third phase of the review process will take place at COP28 in Dubai. The results will help assess and identify needs and follow-up actions for ecosystem conservation and protection and climate change mitigation and adaptation.

In Bonn, government representatives, intergovernmental organizations and international institutions, scientific experts, and a number of other observers shared their experiences and expertise on mitigation, adaptation to climate change, and good practices in the face of climate-related disasters that have caused loss and damage. In their statement, Indigenous Peoples noted the inadequacy of States' efforts and actions as greenhouse gas emissions and global temperatures continue to rise. **All proposed actions must include guarantees for the rights of Indigenous Peoples** as affirmed in the UN Declaration on the Rights of Indigenous Peoples and recognized in the preamble of the Paris Agreement.

Indigenous Peoples also renewed their call for real reductions in carbon emissions.

This includes the phaseout of fossil fuels and a transition to renewable energy sources through legal approaches that will not replicate the disaster created by the current energy system, which has led to Indigenous Peoples being dispossessed, criminalized, abused, and murdered.

Indigenous Peoples demand fair and ethical engagement with Indigenous knowledge systems and inclusion in adaptation strategies. The full and equitable participation of Indigenous Peoples, including youth, women, people with disabilities, and Traditional Knowledge holders, must be ensured and included in all actions proposed in the Global Stocktake, including in the Political Phase of the review of results and preparation of relevant documents. This process must be open and inclusive to all participants and observers.

Loss and Damage

The second important topic was the loss and damage negotiations, namely, the mechanisms of compensation and the provision of funding to support countries affected by climate disasters, as well as the mandate and future work of the new fund for vulnerable countries established at COP27.

As part of this work, a second **Glasgow Dialogue was held to discuss financing mechanisms to prevent, minimize, and address loss and damage associated with the adverse effects of climate change.** Discussions also took place on the Warsaw International Mechanism, the Santiago Network, and the new 'Loss and Damage' Fund for Vulnerable Countries.

Indigenous Peoples have repeatedly noted that the impacts of climate change cause serious damage to their lives and overall well being, not least of which includes the physical loss of lands, waters, territories and resources, but also the cultural loss of identity, languages, and science. Members of the International Indigenous Peoples' Forum on Climate Change affirmed and emphasized that no amount of monetary compensation can

compensate for the losses affecting their way of life. Compensation mechanisms for loss and damage, and discussions at the Global Stocktake, should prioritize prevention of loss and damage over compensation.

Indigenous Peoples from all regions must have direct access to adequate and sustainable funding for adaptation, mitigation, and loss and damage, and States must be held duly accountable. They stressed that all mechanisms and measures on loss and damage, including the Loss and Damage Fund and the Santiago Network, must recognize, respect, promote, and protect the rights of Indigenous Peoples, ensure their full and effective participation in decision-making processes, and provide fair, direct, and facilitated financial access for Indigenous Peoples. Such mechanisms should actively prevent loss and damage, including noneconomic loss and damage related to the adverse effects of climate change, and should include provisions for rapid response mechanisms to emergency situations.

Just Transition

One of the key issues for future negotiations at COP28 will be the Just Transition, namely the Just Transition Work Program (JTWP), which was established at COP27 in Sharm El-Sheikh, Egypt last November.

Today, many developing countries cannot afford to make a Just Transition due to the lack of necessary funding and access to "true" green renewable energy sources (which include solar, tidal, wind, but not hydroelectric dams or nuclear energy), and capacity building, such as programs to retrain workers from carbon mining to renewable energy fields. Achieving global equity and justice for all countries and stakeholders will require that all aspects of implementing mitigation and adaptation measures—including decision making, finance, technologies, and education—recognize and include the contributions of Indigenous Peoples, and are based on human rights and international law.

Indigenous Peoples recognize the need to be part of the Just Transition Work Program. Therefore, when considering climate change issues, including issues of JTWP, parties should respect, promote, and consider obligations on the rights of Indigenous Peoples as affirmed within the UN Declaration on the Rights of Indigenous Peoples. Any negotiations, workshops, seminars, or exchange of knowledge and experience should ensure the participation of Indigenous Peoples.

The parties must recognize that the current transition to a low-emission economy is unfair and damaging to the territories and waters of Indigenous Peoples, further increasing inequality, violating their rights, and destroying Indigenous land, which has major implications on their traditional ways of life and culture, language, and spirituality.

COP28: An Oil and Gas Conference

COP28 will be held in December in Dubai, United Arab Emirates, under the presidency of Sultan Al-Jaber, who is managing director and group CEO of the Abu Dhabi National Oil Company, one of the world's largest oil corporations.

The main themes are expected to be promoting the phaseout of fossil fuels and the Just Transition. 2022 was a year of record profits for the oil and gas sector worldwide, which happened amid a global energy crisis triggered by Russia's aggression in Ukraine. Record profits are an indicator of increased carbon dioxide emissions into the atmosphere, thus exacerbating the climate catastrophe faced by Indigenous Peoples around the world.

Representatives of Conference Parties and observers have varying attitudes about COP28 being manipulated by the oil sector. There are **concerns that future COPs will promote the broad interests of fossil fuel and business corporations, and there are ethical concerns**

about this UN conference in particular, given that the president of the COP is the head of an oil company that is damaging the climate with its waste, oil and gas spills, and greenhouse gas emissions. 'We need to end corporate sponsorships of COPs and UNFCCC processes. Big Polluters (both the fossil fuel industry and other emissions-intensive industries) shouldn't be able to literally bankroll these climate talks. Money talks, so if Big Polluters are writing the checks, we know who is also pulling the puppet strings. We need a conflict of interest policy which is part of a broader Accountability Framework that protects climate policymaking and prevents entities with private, polluting interests from unduly influencing or undermining UNFCCC activities and processes,' wrote the authors of Climate Action Network International's daily ECO newsletter.

Many Parties have joined the Beyond Oil and Gas Alliance in calling for a phaseout of fossil fuels in a fair and equitable manner, and COP28 could be an opportunity for Al-Jaber to demonstrate that he is serious about addressing climate change and make climate negotiating history as the man under whose presidency a historic decision for the oil and gas industry might be made. Every year we hear that the age of fossil fuels is over, and there are repeated calls to reduce fossil fuel emissions. But statistics and the climate crisis show that most countries are not reducing production, and are continuing to adopt national plans to increase production significantly.

Conference Parties are already looking ahead to COP29, with a location in Europe to be determined, and COP30, which is planned for Brazil (also called Paris +10) and will sum up the results of the first decade of the adoption of the Paris Agreement. The agenda for these meetings will be shaped by the upcoming COP28—particularly in regards to the Just Transition and oil-extracting industries.

In a closing statement of the IIPFCC delivered on June 15, 2023, the Indigenous Peoples Caucus said, 'We call for parties to ensure active participation of Indigenous Peoples in the decision-making of the loss and damage fund, which must strive for prevention while also addressing the cultural losses connected to our identities and lifeways. Adaptation must ethically and equitably engage with Indigenous Peoples' knowledge systems to prevent maladaptation and violations of our rights. Mitigation efforts must include real reductions at the source, and ensure that the green energy transition does not recreate the removal, dispossession, and criminalization that Indigenous Peoples continue to face in the current energy system.'

There can be no climate justice without the full and effective participation of Indigenous Peoples and respect for Indigenous Peoples' rights."

"Public Statement for the Demand for Justice for Samir Flores, Cultural Survival, June 29, 2023, <https://www.culturalsurvival.org/news/public-statement-demand-justice-samir-flores>, stated, "On February 20, 2019, **Samir Flores Soberanes was murdered. He was one of the founders of Amiltzinko community radio where he was a communicator, a member of the Peoples' Front for Defense of Land and Water for the states of Morelos, Puebla, and Tlaxcala (FPDTA); a land defender against the Morelos Integral Project (PIM); and a promoter of community education and Indigenous Peoples autonomy.**

Four years and four months after his murder, his family and community still have no justice. The investigation of his murder has been riddled with irregularities. It has focused only on the perpetrators of the crime but not the masterminds behind it and has limited the line of investigation to organized crime without taking into account his work as

a land defender and communicator and the violence that such defenders face in Mexico and globally.

The case is currently under the jurisdiction of the office of the Prosecutor General of the state of Morelos. Due to the irregularities the case has faced, we echo the demand of the FPDTA that the case be urgently taken up by the office of the Special Prosecutor for Crimes Against Freedom of Expression as the first step to ensure justice for Samir.

Before his murder, Samir had already received multiple threats related to his work as a territorial defender. It is no coincidence, then, that he was murdered three days before a consultation imposed by the government on a thermoelectric plant in Huexca—one of the infrastructure projects of the Morelos Integral Project—which did not comply with international standards. Just a few days prior, Samir had expressed his opposition to the imposition of these projects without a legitimate consultation process through which the communities could give or withhold their Free, Prior, and Informed Consent.

Cultural Survival demands justice from the corresponding authorities to clarify the case and the cessation of every type of violence against Indigenous rights defenders."

"Days of Global Action - Chiapas is Mexico," Schools for Chiapas, July 20, 2023, <https://schoolsforchiapas.org>. stated, "This past weekend, July 13-16, **organizations, collectives and individuals around the globe held ceremonies, performances, teach-ins, and rallies to denounce President López Obrador's denial and dismissal of the storm that darkens the skies over Chiapas.**

We know that our actions must continue, and so we invite you to sign on to our letter and sign up (https://schoolsforchiapas.org/teach-chiapas/volunteer-with-us/?utm_source=mailpoet&utm_medium=email&utm_campaign=Chiapas+is+Mexico) to Stop the War Against the Zapatista Communities!

Raúl Romero, 'Postcards from the War. Part II,' July 18, 202, <https://schoolsforchiapas.org/postcards-from-the-war-part-ii>, reported, "Tuesday, July 5, 2023, **in Nayarit, La Jornada correspondent Luis Martín Iñiguez Sánchez goes missing. A few days later his lifeless body is found. Monday, July 10, 2023, in Guerrero, more than 5 thousand people, identified as the social base of the local cartel Los Ardillos, take over the city of Chilpancingo and kidnap police and officials to demand the release of a transportation boss. On Tuesday, July 11, in Jalisco, municipal and state police are ambushed and at least six people are killed and 12 others injured by buried explosive mines. In Mexico today, as we wrote in our last issue (<https://n9.cl/e1dmfo>), we are unfortunately in a context of war.**

In order to understand the war we are living in Mexico, it is necessary to understand the old and new modalities in which they develop. In the literature on the subject, there is talk of fourth generation warfare, hybrid warfare, full spectrum warfare, total warfare, etcetera. Wars are not only waged in the armed arena or overtly, but also covertly or in low-intensity, media, economic and commercial warfare. The armies of national states are now also integrated as regional militias -always at the service of the financial centers- or strengthened with private troops, such as those of organized crime. The aim continues to be the elimination and subjugation of the adversary, but above all the control of the territory and its reorganization to guarantee profits for the occupying force.

Although the current Mexican administration has abandoned its warmongering rhetoric, in fact it has reinforced the use of military forces to intervene in this war scenario, providing them with legal certainty, social legitimacy, economic power and possession of

infrastructure. These measures, together with the use of other concepts such as national security, make it clear that the military will only leave the barracks in times of war.

˘ **In the war we are experiencing in Mexico, legal economic corporations are involved in disputes over territories and natural resources.** These corporations count on the forces of the State to guarantee security in the plundering of minerals, water and other common goods. The armed forces join in this work as a construction company, occupying and reorganizing territories to make them useful to capital. Whether from transnational or national companies, private or from the State, the conquest, reorganization and administration of territories to put them at the service of capital is one of the characteristics of this war.

Another of the actors involved in the current conflict in Mexico are the illegal economic corporations, organized crime and its armed groups that have presence and control in various branches of the national economy. These groups have impressive economic, political and armed strength. They are capable of building their own armored cars, of financing political campaigns or imposing candidates, and have firepower and technology capable of confronting sections of the Army, of exploding car bombs, of disappearing thousands of people, of filling the country with clandestine graves and much more. Criminal corporations have acquired a presence in the cultural industry and many aspects of daily life, to the extent that they are, for many social sectors, a source of employment, a reference of social mobility and even a model of success.

Legal and criminal corporations are strongly intertwined, not only in aspects such as money laundering or political territorial control, but also in the use of services. In Chicomuselo, Chiapas; in Aquila, Michoacán, and in other regions of the country, mining companies acquire the services of armed organized crime groups to impose their business. Depopulating territories and eliminating resistance are also part of the objectives of the war.

In Chiapas, this war for territory waged by legal and criminal corporations is coupled with an old counterinsurgency war that the Mexican State left in place against the Zapatista peoples by means of paramilitary groups, corporatism and social programs. It is in Chiapas where the wars that have been tested in other regions of the world, such as Colombia, are being combined for the conquest and territorial reorganization of a geopolitically crucial zone, seasoned by the drama of migration that is well-known in the south of Europe and for other illegal cross-border businesses, and aggravated by the counterinsurgency war that has not stopped.

˘ The war in Mexico finds a fundamental point in Chiapas. There a struggle is already being waged in which the peoples are betting on life with peace, justice and dignity. Zapatismo is an outpost of that struggle, that is why we must all demand a stop to the war against the Zapatista peoples, which is at the same time the cry for a stop to the war in Chiapas and in all of Mexico."

"Cultural Survival Calls for Solidarity with Yvy Pyte Community of Paĩ Tavyterã Peoples," Cultural Survival, August 31, 2023, <https://www.culturalsurvival.org/news/cultural-survival-calls-solidarity-yvy-pyte-community-pai-tavytera-peoples>, stated, **"Cultural Survival calls for solidarity with the Yvy Pyte community of the Paĩ Tavyterã Indigenous Peoples in the department of Amambay, Paraguay, who have been threatened and attacked by illegal invaders in their territories since 2021.**

As an organization that promotes the rights of Indigenous Peoples around the world, Cultural Survival respects and supports Indigenous Peoples being the administrators and caretakers of their territories according to their own cosmovisions. Indigenous Peoples often face

threats to their physical, psychological and social integrity as a result of exercising this right, as is currently happening with **the Yvy Pyte Indigenous community of the Paĩ Tavyterã People. Since 2021, they have been attacked by armed strangers who come to Yvy Pyte, a place of great importance for the Paĩ Tavyterã for being one of the last remaining tekoha guasu (association among several communities in the same territory) in the region, as well as for the fundamental close relationship this community has with the Paĩ Tavyterã People's place of origin,** Jasuka Venda. Given this serious situation, Cultural Survival declares:

That, since time immemorial, the Paĩ Tavyterã People have taken care of their territories and have protected the area known as Jasuka Venda with the sole aim of preserving it as a sacred place with cultural value and, moreover, which holds important biodiversity including many species of trees, animals, and other resources.

That, since the beginning of 2021, Cultural Survival has been following the serious situation the Paĩ Tavyterã face due to the invasion and deforestation of their territory, which worsened in October 2022 when two community leaders, Alcides Morilla Romero and Rodrigo Gómez González, were assassinated during a confrontation between Paraguayan state security forces and the EPP (Paraguayan People's Army), a non-state armed group.

That, of the 550 families comprising Yvy Pyte, 64 families—including children and elderly people—are being directly affected as victims of attacks including forced displacement, partial or total destruction of Yvy Pyte's gateway and boundaries, building of houses and boundaries by outsiders in their land, and attacks against community members' houses, putting at risk their ability to remain in the land they have inhabited since time immemorial.

That, on July 31, 2023, the Yvy Pyte community suffered an attack in which unknown individuals invaded and fenced part of the land of the Paĩ Tavyterã People. Invaders also fired shots into the air to threaten the community. Since then, other invasion attempts have followed. That the community has filed the appropriate official complaints, so far receiving no favorable answer from the responsible authorities.

Cultural Survival calls on the international community for solidarity with the Paĩ Tavyterã People to support them in defending and protecting their land against the abuses they are suffering. Moreover, we condemn any type of violence against the Paĩ Tavyterã families as it represents a total disrespect to their Indigenous and human rights.

Likewise, we call on the relevant authorities in Paraguay, especially the Paraguayan Indigenous Institute (INDI), the Prosecutor's Office, and the police, to take action to stop the attacks, which are conflicts totally unrelated to the Paĩ Tavyterã People but which ironically affect them the most, putting their lives in danger and threatening their culture as Indigenous Peoples."

"Cultural Survival Condemns Violent Repression in Jujuy, Argentina and Raises Concerns about Limits to Indigenous Rights," Cultural Survival, June 21, 2013, <https://www.culturalsurvival.org/news/cultural-survival-condemns-violent-repression-jujuy-argentina-and-raises-concerns-about-limits>, stated, "On June 15, 2023, **the Constitutional Convention of the province of Jujuy, in the north of Argentina, approved a constitutional reform that severely rolls back achievements made at the national level in terms of human rights and Indigenous Peoples' rights. The reform also criminalizes the act of protesting.**

The constitutional reform took place without consultation or Free, Prior and Informed Consent from Indigenous Peoples even though representatives of the seven Peoples of the

province demanded to participate in the process (<https://eniargentina.org/atropello-a-los-pueblos-indigenas-de-jujuy-en-el-marco-de-una-reforma-constitucional-que-restringe-los-ddhh/>).

In a context of excessive extractivism in Jujuy, the reform, (<https://elpais.com/argentina/2023-06-20/la-reforma-expres-de-una-constitucion-provincial-activa-las-protestas-en-el-norte-de-argentina.html>) **facilitating speedy mechanisms for eviction and leaving Indigenous communities inhabiting the region at a clear disadvantage to other types of land owners. These changes only advance and protect mining interests to the detriment of the rights of Indigenous Peoples, whose lands are already threatened because of the increasing extraction of transition minerals such as lithium.**

On June 16, **protests against the illegitimate reform began across different parts of the province. Jujuy's government has responded disproportionately to these protests with violent repression, using rubber bullets and tear gas against demonstrators, leaving many of them injured. At least 40 people have been arbitrarily arrested, most of them Indigenous women. Some of them have been released, but others are still detained.**

On June 20, the constitutional reform was adopted and **Indigenous Peoples are still protesting to try to stop such violations of their rights.** Their demand, echoed by human rights organizations that support them (<https://farn.org.ar/solicitud-urgente-de-suspension-de-la-reforma-constitucional-de-jujuy/>), is that the constitutional reform be urgently suspended, as it represents a serious setback in terms of human rights and Indigenous Peoples' rights and goes against the order of authoritativeness of laws such as the right to Free, Prior and Informed Consent, which is enshrined in several international treaties and declarations endorsed and ratified by Argentina. Argentina ratified the International Labour Organization Convention 169 in 2000 and in 2007 voted in favor of the UN Declaration on the Rights of Indigenous Peoples.

Cultural Survival:

Emphatically rejects the violent repression by state forces against Peoples participating in the protests.

Demands that Indigenous Peoples' self-determination is respected and that Indigenous Peoples from Jujuy are consulted regarding any legislative change directly affecting them and that their right to give or withhold Free, Prior and Informed Consent is respected in alignment with Article 19 of the UN Declaration on the Rights of Indigenous Peoples.

Urges that the provincial legislature of Jujuy respect Indigenous Peoples' demand to suspend the constitutional reform."

"Cultural Survival Calls for Solidarity with Political Prisoners from Eloxochitlán de Flores Magón, Oaxaca, Mexico," Cultural Survival, October 26, 2023, <https://www.culturalsurvival.org/news/cultural-survival-calls-solidarity-political-prisoners-eloxochitlan-de-flores-magon-oaxaca>, stated, **"After nearly nine years in preventive detention, on September 28, 2023, Herminio Monfil (Mazatec) and Jaime Betanzos (Mazatec), political prisoners from Eloxochitlán de Flores Magón, were released from prison. In 2014, 40 people from the municipality were criminalized and some of them imprisoned accused of the murder of Manuel Zepeda Lagunas. Some were released immediately, others have been released little by little, thanks to the struggle and continuous demands of their families. Five political prisoners remain imprisoned in full violation of their right to a fair trial. Despite being released, Herminio Monfil and Jaime Betanzos still have open criminal proceedings against them.**

The Mazatec people of Eloxochitlán have suffered various forms of violence in recent decades. Their internal normative system – a set of norms and procedures that Indigenous Peoples use to regulate their internal life and resolve conflicts – has been marginalized by families in power supported by political parties and urban administrations that have assumed power and repress all forms of dissidence. In addition, Eloxochitlán territory is under constant threat from extractivist actions of overexploitation of the Pletapa River and mountains for sand, stone, and water. Those who have dared to denounce the encroachment, extractivist practices, and human rights violations, have been repressed with methods ranging from fabrication of crimes to torture.

In 2014, in order to quell and silence community organizing, the State criminalized 40 families active in the Community Assembly, exploiting the justice system as a weapon of repression and persecution. One woman and fifteen men were imprisoned, and dozens more have been forcibly displaced to avoid persecution. To date, five detainees remain in prison.

Cultural Survival denounces:

The violation of the right to access a sentence for the political prisoners of Eloxochitlán de Flores Magón. The prisoners should be acquitted and released, as their innocence has been proven on several occasions.

Members of the community being continuously deprived of their freedom even though their innocence has been proven and even though in 2018 the Senate recognized the accused as political prisoners, and in 2022 the Federal Judiciary Council recognized that they were Indigenous persons whose rights were violated rights and their crimes were fabricated.

Mazatec political prisoners Alfredo Bolaños, Fernando Gavito, Omar Hugo Morales, Isaías Gallardo, and Francisco Durán remain in prison.

The criminalization of defenders of the community of Eloxochitlán de Flores Magón not being stopped. Cultural Survival denounces the March 2022 reissued arrest warrant against Miguel Peralta Betanzos and two arbitrary detentions of Paul Reyes and Marcelino Miramón, which occurred in May 2023.

The government's determination to keep members of the community of Eloxochitlán de Flores Magón imprisoned and not provide justice to the displaced families. This is a political matter as members of the cacique family leading the violence and persecution in the region are part of the regional government.

In light of these serious human rights violations, Cultural Survival demands justice for the political prisoners of Eloxochitlán and an end to the criminalization of the families in the community. We urge the Mexican State to guarantee due process for all Indigenous political prisoners and to ensure their rights to a fair and culturally appropriate trial."

"Alternative Report to CERD Highlights Indigenous Rights Violations as a Result of Mining in Bolivia," Cultural Survival, November 3, 2023, <https://www.culturalsurvival.org/news/alternative-report-cerd-highlights-indigenous-rights-violations-result-mining-bolivia>, reported, **"In October 2023, Cultural Survival and our partner organization Qhana Pukara Kurmi submitted a joint alternative stakeholder report on the situation of Indigenous rights in Bolivia for the 111th session of the Committee on the Elimination of Racial Discrimination (CERD), which will take place in Geneva from November 20-December 8, 2023.**

The CERD is the treaty monitoring body for the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and one of nine International

Human Rights Treaties within the UN system. The ICERD is legally binding for the 175 countries which have ratified it to date. The CERD was the first Treaty Monitoring body to be established within the UN System and is responsible for reviewing the compliance of all State parties with the provisions of the ICERD. It also makes recommendations as to how States should change their policies and practices to comply with their obligations under the ICERD to eliminate racial discrimination in their countries.

The submitted alternative report is based on the rights violations suffered by the eight Quechua and Aymara communities composing the Ayllu Acre Antequera, an association of grassroots Indigenous communities and ayllus in the department of Oruro representing a total of 3,264 inhabitants. However, Indigenous Peoples experience violations of their rights related to mining in several parts of the country and the case of the Ayllu Acre Antequera can be extrapolated to many other regions in Bolivia.

In 2013 the companies Illapa and Sinchi Wayra, branches of the Swiss company Glencore, signed a new contract with the Bolivian Mining Corporation (COMIBOL) for another 15 years for the exploitation of zinc, silver, and lead in the Bolívar mining project, which is located in the territory of Ayllu Acre Antequera and the Quechua and Aymara Indigenous communities that comprise it.

Mining activities in this Indigenous territory have a series of impacts including water pollution and scarcity of water sources, criminalization of ancestral authorities for defending their land, and impacts on culture and community life, all of which generate structural discrimination against the Quechua and Aymara people who inhabit these lands. Some people have described it as living in a 'toxic desert.'

In an already arid region, the mine is using far more water than allowed under its lease, and community members have witnessed rivers and wells being polluted and the ecosystem drying up. The mine uses 800,000 liters of water per day and discharges 80 liters of wastewater per second into the Antequera River. Much of the remaining water has been polluted by the mine and is not suitable for human or animal consumption or for irrigating crops. Technical reports show evidence of the presence of arsenic, lead, cadmium, zinc and cyanide sulfates in this territory, exceeding the maximum levels allowed in Bolivia, which can cause serious health problems for people and animals living in this polluted land. Many families have had to get rid of their livestock, which is of vital importance to their livelihoods and its disappearance has a great impact on the communities' food and economic sovereignty. Some community members report that pipes carrying toxic substances cross their gardens and houses.

Today, the destruction of territories has gone so far that communities are being confined to specific territories in an attempt to escape pollution in order to access water and produce supplies. However, these territories are becoming smaller and smaller and people cannot sustain themselves with the few existing natural resources. As a result, many of the Indigenous people who have traditionally lived in the area have been forced to leave their lands. This forced migration separates the youth from the elders of the community, preventing the inheritance of cultural knowledge and threatening the cultural survival of these communities.

In addition, those who dare to denounce these impacts face criminalization. People living in the Ayllu Acre Antequera testify that they often feel threatened and watched by the Illapa company. If they complain, they are threatened with criminal prosecution or the dismissal of family members who work in the mine. Several of their leaders have suffered injuries to their physical, psychological, and moral integrity and are victims of judicial persecution. This harassment is not

only directed at individuals but is part of a terror campaign directed at the Indigenous population in general.

Women in the Ayllu have suffered differentiated impacts, suffering verbal threats, racist and sexist insults, physical aggressions, touching, and intimidation by members of the mining union.

In addition, Indigenous Peoples' internationally protected right to give or withhold their Free, Prior and Informed Consent for any activity taking place in their territory or any measure affecting them has been violated. The contract between Illapa and the COMIBOL for the Bolívar project was finalized without any regard for this process and without any interaction with the eight affected communities.

In this context, Cultural Survival and Qhana Pukara Kurmi urge the members of the Committee on the Elimination of Racial Discrimination to **make the following recommendations to the Plurinational State of Bolivia:**

Implement protection measures in favor of human rights defenders and women of the Ayllu Acre Antequera, detailing the differentiated measures with a gender perspective.

Implement measures to clarify the attacks against the inhabitants of the Ayllu Acre Antequera and establish measures to avoid re-victimization such as comprehensive support for the victims and reparations for the attacks suffered.

Guarantee the life and physical integrity of the people living in the Ayllu Acre Antequera, especially the Indigenous authorities and community members who are defending their territories, environment, and human rights.

Ensure that the protection measures provided by the State are in accordance with a comprehensive risk analysis, agreed upon with the beneficiaries, and that the relevant inter-institutional coordination is carried out to safeguard their life and integrity, considering territoriality, gender, and their status as human rights defenders, among others.

Take measures to mitigate the effects on the human right to a healthy environment.

Recognize the right to self-determination of Indigenous Peoples and the resolutions issued by the Justice Council of the Ayllu Acre Antequera in accordance with international human rights standards.

Carry out an emergency intervention in the Ayllu Acre Antequera by the responsible entities at both the national and international levels.

Ensure the provision of drinking water for the people and animals that inhabit the Ayllu Acre Antequera.

Cease the harassment, defamation, and discrimination against the Indigenous authorities by the mining radio station 16 de Marzo owned by the mining company and the members of the Bolívar mine union."

Dozens of Indigenous Greenlanders are suing the government of Denmark for the implantation of intrauterine devices in the 1960s and '70s ("They Were Given IUDs as Children Without Their Consent. Now, They Want Compensation," *The New York Times*, October 4, 2003, <https://www.nytimes.com/2023/10/03/world/europe/greenland-indigenous-women-contraception.html>).

"Myanmar Junta: Comply with World Court Rulings, End Ongoing Genocide Against Rohingya.

New animated short film reveals Myanmar junta's erasure of Rohingya identity," Fortify Rights, August 24, 2023, <https://mailchi.mp/fortifyrights/myanmar-junta-comply-with-world-court-rulings-end-ongoing-genocide-against-rohingya>, stated, **"The Myanmar military junta should end the ongoing Rohingya genocide, and the democratic revolution should fully embrace Rohingya as citizens of Myanmar, said Fortify Rights in a new animated film released today.**

The Myanmar junta is scheduled today to submit its Counter-Memorial to the International Court of Justice (ICJ) in The Hague, also known as the World Court, defending itself against allegations of genocide brought by The Gambia. Tomorrow, August 25, is "Rohingya Genocide Remembrance Day," marking six years since genocidal attacks by the Myanmar military (<https://www.fortifyrights.org/mly-inv-rep-2018-07-19/>) against Rohingya people in Rakhine State.

'Six years on, the Myanmar junta continues to create conditions of life to destroy Rohingya and erase their identity,' said Zaw Win, Human Rights Specialist at Fortify Rights. 'The military's misuse of identity documents has been a factor in the genocide trial in The Hague, and today we're releasing this animated film to remind the Court and others of the Junta's ongoing use of these cards to erase Rohingya identity and destroy them as a group. The world must hold all perpetrators accountable for the ongoing genocide against the Rohingya, including coup leader Min Aung Hlaing'."

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"Just Released: Our 2022 Annual Report," Cultural Survival, June 20, 2023, <https://www.culturalsurvival.org/news/just-released-our-2022-annual-report>, reported, "After an incredible year of hard work and deep impact, I am excited to share with you **Cultural Survival's 2022 Annual Report** :

(https://www.culturalsurvival.org/sites/default/files/Cultural_Survival_Annual_Report_2022_FINAL.pdf)!

Since its inception in 1972, Cultural Survival has supported thousands of Indigenous communities through joint advocacy campaigns, capacity building, youth fellowships, research, direct grants, publications, and more.

In 2022, we celebrated our 50th anniversary and Cultural Survival accomplished more than even we thought possible as we continued to support grassroots Indigenous solutions to protect, respect, and fulfill the rights of Indigenous Peoples. During the first year of implementation of our 2022-2026 Strategic Framework, we honed in on the four prongs of our strategy: Advocacy, Capacity Building, Grantmaking, and Communications, along with our primary themes, Land and Livelihoods, Cultures and Languages, Climate Change Solutions, Indigenous Community Media, and the cross-cutting theme of Women and Youth. We have built our organizational capacity by making seven new staff hires during the year, filling in operational gaps, and broadening our reach.

This report highlights the various levels of impact Cultural Survival is making around the globe and exemplifies our commitment to creating a future that respects and honors Indigenous Peoples' inherent rights and dynamic cultures, deeply and richly interwoven in lands, languages, spiritual traditions, and artistic expression, rooted in self-determination and self-governance.

Thanks to our funders and supporters like you, in 2022 we accomplished the following:

Funded 24 community media projects in 16 countries through the Indigenous Community Media Fund.

Supported 66 community projects in 20 countries through the Keepers of the Earth Fund.

Supported 27 Youth Fellows.

Trained 14 Indigenous women land defenders in digital activism through 16 workshops.

Released 431+ radio programs in 16 Indigenous languages through our Indigenous Rights Radio Program.

Supported 2 Indigenous Writers in Residence.

Submitted 8 reports to UN Treaty Bodies on human rights issues.

Launched the Securing Indigenous Peoples' Rights in the Green Economy (SIRGE) Coalition.

We are extremely thankful for both our new supporters and long-time donor partners and their ongoing dedication and commitment to upholding Indigenous rights. It is through your financial support and generous donations that make this work possible.

June 1st was our organizational Annual Giving Day. We've extended our deadline to raise \$51,000 in celebration of our 51 years of service. We're more than halfway there, but just 10 days from our deadline. We need you to chip in to help us meet our goal! Donate generously to help us continue this crucial work. Thank you!

In solidarity and gratitude,

Galina Angarova (Buryat), Executive Director "

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INDIAN AND INDIGENOUS DEVELOPMENTS

Steve Sachs

Many of the reports in this issue of U.S. government legislation, agency action, and court decisions are informed by electronic flyers from Hobbs, Straus, Dean and Walker, LLP, 2120 L

Street NW, Suite 700, Washington, DC 20037, <http://www.hobbsstrauss.com>. Reports from Indian Country Today, from the web, are listed as from *ICT*.

Environmental Developments

Lamboll, R.D., Nicholls, Z.R.J., Smith, C.J. et al., "Assessing the size and uncertainty of remaining carbon budgets," *Nature Climate Change*, October 30, 2023, <https://www.nature.com/articles/s41558-023-01848-5>, reported,

"Abstract

The remaining carbon budget (RCB), the net amount of CO₂ humans can still emit without exceeding a chosen global warming limit, is often used to evaluate political action against the goals of the Paris Agreement. RCB estimates **for 1.5 °C** are small, and minor changes in their calculation can therefore result in large relative adjustments. Here we evaluate recent RCB assessments by the IPCC and present more recent data, calculation refinements and robustness checks that increase confidence in them. **We conclude that the RCB for a 50% chance of keeping warming to 1.5 °C is around 250 GtCO₂ as of January 2023, equal to around six years of current CO₂ emissions.** For a 50% chance of 2 °C the RCB is around 1,200 GtCO₂. Key uncertainties affecting RCB estimates are the contribution of non-CO₂ emissions, which depends on socioeconomic projections as much as on geophysical uncertainty, and potential warming after net zero CO₂."

The full report is at: <https://www.nature.com/articles/s41558-023-01848-5>.

Brad Plumer and Nadja Popovich, **"Where the World Is (and Isn't) Making Progress on Climate Change Emissions from electricity and transportation are projected to fall over time, a new report finds, but industry remains a major climate challenge,"** *The New York Times*, November 30, 2023, <https://www.nytimes.com/2023/11/30/climate/cop28-global-progress-carbon-emissions.html>, reported, "To tackle dangerous global warming, countries have started to clean up their power plants and cars. But emissions from heavy industry — like cement, steel or chemical factories — have been harder to curb and are now on pace to become by far the world's largest source of planet-warming pollution.

That's one big takeaway from a new, detailed forecast of global greenhouse gas emissions (<https://rhg.com/research/rhodium-climate-outlook-2023/>) published Thursday by the Rhodium Group, a research firm. Overall, the report **estimates that the world is currently on track to heat up roughly 2.8 degrees Celsius, or 5 degrees Fahrenheit, above preindustrial levels by 2100. Many world leaders and scientists consider that much warming to be perilous.**"

See the charts and details at: <https://www.nytimes.com/2023/11/30/climate/cop28-global-progress-carbon-emissions.html>.

Delger Erdenesanaa, "Global Fossil Fuel Emissions Are Rising, Report Finds: Carbon dioxide emissions from oil, gas and coal rose by 1 percent in 2023, researchers announced at the U.N. climate summit," *The New York Times*, December 4, 2023, <https://www.nytimes.com/2023/12/04/climate/global-fossil-fuel-emissions.html>, reported, "Despite years of commitments from countries to slash the emissions of greenhouse gases that are warming the planet, they are still on the rise.

Carbon dioxide released from burning fossil fuels is expected to rise by 1.1 percent in 2023 compared with 2022, scientists found in an extensive peer-reviewed analysis (<https://www.globalcarbonproject.org/carbonbudget/>) published this week."

Jake Johnson, "Earth on Brink of Tipping Points That Could 'Destroy Very Systems Our Life Depends On': Report, "As we approach these tipping points, we will already begin to experience the impacts," warned the lead author of the new study. "Once, crossed it will be difficult to go back," *Common Dreams*, October, 25, 2023, <https://www.commondreams.org/news/risk-tipping-points>, reported, **"Human activity is pushing Earth to the brink of major 'risk tipping points' that, if triggered, could have catastrophic impacts on life-sustaining ecosystems, warns a report** (<https://interconnectedrisks.org>) **released Wednesday by the United Nations University's Institute for Environment and Human Security.**

The new report identifies six risk tipping points that human actions, principally the burning of fossil fuels, have introduced and intensified: accelerating species extinctions, groundwater depletion, mountain glacier melting, space debris, unbearable heat, and an uninsurable future.

Distinct from 'climate tipping points' signifying when major changes to the climate system become unstoppable, risk tipping points 'are not always physical, and climate change is just one of the many drivers of risk,' the report explains.

'Many new risks emerge when and where our physical and natural worlds interconnect with human society,' the report states. 'A risk tipping point is the moment at which a given socioecological system is no longer able to buffer risks and provide its expected functions, after which the risk of catastrophic impacts to these systems increases substantially.'

Dr. Zita Sebesvar, the lead author of the new report, said that 'as we indiscriminately extract our water resources, damage nature and biodiversity, and pollute both Earth and space, we are moving dangerously close to the brink of multiple risk tipping points that could destroy the very systems that our life depends on.'

'Additionally, we also lose some of our tools and options to deal with future disaster risk,' Sebesvar added.

The report stresses that the risk tipping points it examines are not a 'theoretical threat, and their impacts could have—and are already having—ripple effects across interconnected systems.

For example, the report notes that the current species extinction rate is 'at least tens to hundreds of times higher' than it would typically be due to human activity. Because ecosystems are "built on intricate networks of connections between different species,' the report says, the extinction of dependent species can set off 'a chain reaction of extinctions that could end in the ecosystem's collapse.'

When mountain glaciers retreat due to warming temperatures, the report adds, their ice 'gradually melts and increases the amount of water flowing to the river basin.'

'With more meltwater, the risk of flooding downstream increases. In some cases, this can lead to 'glacial lake outburst floods,' in which a natural dam fails and suddenly releases meltwater with devastating consequences,' the report observes. 'Eventually, the glacier experiences its highest amount of melting and produces the maximum volume of water runoff, known as 'peak water.' After this point, freshwater availability will steadily decline.'

The report argues that **there are a number of root causes pushing Earth toward perilous risk tipping points, including human-caused greenhouse gas emissions, prioritizing profits over environmental and protections, and colonialism.**

'As we approach these tipping points, we will already begin to experience the impacts,' warned Dr. Jack O'Connor, a lead author of the study. 'Once, crossed it will be difficult to go back.'

The report places possible solutions to avert—or, at minimum, mitigate—the impacts of risk tipping points into two broad categories: avoid and adapt.

Within those two categories, the report puts potential action into the subcategories of 'delay' and 'transform.'

In the case of increasingly extreme heat, the report states that 'an adapt-delay solution would aim to counteract this risk by installing air conditioners.'

'An avoid-transform solution, on the other hand, would aim to halt the emissions of greenhouse gasses and at the same time drive societal change toward low-carbon ways of living so the tipping point can ultimately be avoided,' the report says."

Julia Conley, "Six Out of Nine Planetary Boundaries Already Crossed, Study Warns: This update on planetary boundaries clearly depicts a patient that is unwell,' said one scientist," *Common Dreams*, September 14, 2023, <https://www.commondreams.org/news/six-planetary-boundaries-crossed>, reported, **"Scientists behind a new study on the crossing of the Earth's 'planetary boundaries' on Wednesday likened the planet to a sick patient, warning that six out of nine barriers that ensure the Earth is a 'safe operating space for humanity' have now been breached.**

Researchers at the University of Copenhagen, the Potsdam Institute for Climate Impact Research (PIK), and other international institutions analyzed 2,000 studies to update a planetary boundary framework developed in 2009 by the Stockholm Resilience Center, completing the first 'complete check-up of all nine processes and systems that determine the stability and resilience of the planet.'

The boundaries for climate change and land use have been broken for decades as extractive industries have razed forests and planet-heating fossil fuel emissions have significantly increased since preindustrial times.

The 'novel entities' boundary—pertaining to the accumulation of synthetic pollution from substances such as microplastics, pesticides, and nuclear waste—was quantified for the first time in the study, which was published in *Science Advances*.

Freshwater change—both 'green' freshwater in soil and vegetation and 'blue' freshwater in bodies of water—has also been breached, along with biogeochemical flows, or the flow of nitrogen and phosphorus into the environment, which can create ocean dead zones and algal blooms.

'We don't know how long we can keep breaching these key boundaries before combined pressures lead to irreversible change and harm.'

The study marked the first time researchers quantified a control variable for the **'biosphere integrity' boundary, which they found was breached long before the framework was introduced**—in the late 19th century as the Industrial Revolution and other factors accelerated the destruction of the natural world.

Co-author Wolfgang Lucht called biosphere integrity **'the second pillar of stability for our planet' next to climate change, and warned the pillar is being destabilized by humans**

'taking out too much biomass, destroying too much habitat, deforesting too much land. Our research shows that mitigating global warming and saving a functional biosphere for the future should go hand in hand.'

The boundaries for atmospheric aerosol loading, or air pollution, and ocean acidification, are both close to being crossed, while the atmospheric ozone boundary is currently well below the "zone of increasing risk," due to global initiatives within the Montreal Protocol, adopted in 1987.

The fact that the boundary for ozone depletion was once 'headed for increasing regional transgressions' and slowly recovered, said co-author Katherine Richardson of the University of Copenhagen, shows that it is possible to bring the planet back from the boundaries that it's close to crossing or that have been breached to a lesser degree, such as freshwater change.

'We can think of Earth as a human body, and the planetary boundaries as blood pressure,' said Richardson. 'Over 120/80 does not indicate a certain heart attack but it does raise the risk and, therefore, we work to reduce blood pressure.'

The boundaries that have reached the highest risk level are biosphere integrity, climate change, novel entities, and biogeochemical flows.

The update to the framework 'may serve as a renewed wake-up call to humankind that Earth is in danger of leaving its Holocene-like state,' reads the study, referring to relatively stable state the planet was in between the end of the last ice age—10,000 years ago—until the start of the Industrial Revolution.

The study, said global grassroots climate action campaign Extinction Rebellion, offered the latest evidence that policymakers must do everything in their power to "just stop oil"—ending approval for fossil fuel projects, subsidies for oil and gas companies, and policies that slow down a transition to renewable energy.

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'We are not separate from the Earth,' said the group. 'We ignore these warnings at our peril.'

Our work is licensed under Creative Commons (CC BY-NC-ND 3.0).

Kasha Patel and Shannon Osaka, "Famed climate scientist has a new, dire prediction: Some scientists question the new study, which asserts that Earth is warming faster than previously estimated," *Washington Post*, November 2, 2023, <https://www.washingtonpost.com/climate-environment/2023/11/02/james-hansen-climate-change-warning/>, reported, "On Thursday, **[James] Hansen and colleagues across the world released a study with another serious, though controversial, finding. Climate change will catapult global temperatures into crisis territory earlier than previously thought, the scientists said, warning that Earth is already nearing average temperatures more than 1.5 degrees Celsius above preindustrial norms. Their alarming prediction — that the pace of Earth's warming is accelerating — stirred some disagreement within the climate community.**

'The 1.5-degree limit is deader than a doornail,' Hansen, now a director at the Earth Institute at Columbia University, said in a call with reporters Thursday. 'In the next several months, we're going to go well above 1.5C [Celsius] on a 12-month average. ... For the rest of this decade, the average is going to be at least 1.5.'

Brad Plumer, "Climate Report Card Says Countries Are Trying, but Urgently Need Improvement: The global assessment, two years in the making, is the first official gauge of progress under the 2015 Paris Agreement," *The New York Times*, September 8, 2023U, <https://www.nytimes.com/2023/09/08/climate/paris-agreement-stocktake.html>, reported, **"Eight years after world leaders approved a landmark agreement in Paris to fight climate change, countries have made only limited progress in staving off the most dangerous effects of global warming,** according to the first official report card (<https://unfccc.int/news/implementation-must-accelerate-to-increase-ambition-across-all-fronts-taking-an-all-of-society>) on the global climate treaty.

Many of the worst-case climate change scenarios that were much feared in the early 2010s look far less likely today, the report said. The authors partly credit the 2015 Paris Agreement, under which, for the first time, almost every country agreed to submit a voluntary plan to curb its own planet-warming emissions. Since then, the rise in global greenhouse gases has notably slowed (<https://www.nytimes.com/interactive/2021/10/25/climate/world-climate-pledges-cop26.html>).

Yet those efforts still aren't enough to avoid calamity."

"The Production Gap: Phasing down or phasing up? Top fossil fuel producers plan even more extraction despite climate promises," Productiongap.org, November 8, 2023, <https://productiongap.org>. reported, **"Governments, in aggregate, still plan to produce more than double the amount of fossil fuels in 2030 than what would be consistent with limiting global warming to 1.5°C.**

This comes despite 151 national governments having pledged to achieve net-zero emissions and the **latest forecasts suggesting that global coal, oil, and gas demand will peak this decade, even without new policies. Meanwhile, the impacts of climate change, long predicted by scientists, are now manifesting and wreaking havoc in every corner of the planet, and fossil-fuel-derived CO2 emissions reached a record high in 2022.**

This year's report features two major updates to the production gap analysis, drawing on the new mitigation scenarios database compiled for the Intergovernmental Panel on Climate Change's Sixth Assessment Report and changes in government plans and projections since August 2021. The report also provides individual country profiles for 20 major fossil-fuel-producing countries, evaluating governments' latest climate ambitions and their plans, policies, and strategies that support fossil fuel production or the transition away from it.

2023 Production Gap Report Launch Webinar

Watch recording (<https://www.youtube.com/watch?v=E2eI4m6w2F0>)"

The full report is at: https://productiongap.org/wp-content/uploads/2023/11/PGR2023_web.pdf. The executive summary is at: <https://productiongap.org/2023report/#2023downloads>.

"Summer 2023 was hottest on record, scientists say," Reuters, September 6, 2023, <https://www.reuters.com/business/environment/august-was-hottest-ever-recorded-third-straight-month-set-record-2023-09-06>, reported, **"The summer of 2023 was the hottest on record,** according to data from the European Union Climate Change Service released on Wednesday.

The three-month period from June through August surpassed previous records by a large margin, with an average temperature of 16.8 degrees Celsius (62.2F) - 0.66C above average.

Last month was the also the hottest August on record globally, the third straight month in a row to set such a record following the hottest ever June and July, the EU said on Wednesday."

As **June was the hottest month ever recorded**, Olivia Rosane, "Climate Crisis 'Out of Control' as Global Temperature Breaks Record for 3rd Time in 4 Days: Thursday's record came after the revelation that the seven-day stretch ending Wednesday was also the hottest week in at least 44 years," *Common Dreams*, July 7, 2023, <https://www.commondreams.org/news/hottest-day-on-record>, reported, **"For the third time in just four days, the Earth sweated through its unofficial hottest day on record Thursday.**

The average global temperature reached 17.23°C, or 63°F, on July 6, up from the record set Monday, surpassed Tuesday, and matched Wednesday, according to data from the University of Maine's Climate Reanalyzer. Thursday's record came after the revelation that the seven-day stretch ending Wednesday was also the hottest week in at least 44 years.

'Climate change is out of control,' United Nations Secretary-General António Guterres said in response to Monday's and Tuesday's records, as The Associated Press reported. 'If we persist in delaying key measures that are needed, I think we are moving into a catastrophic situation.'"

July again broke the record on heat for the world, and in Chile the hottest winter temperature ever recorded. By early August, **severe precipitation leading to flooding, some accompanying extreme storms, continued to cause serious damage and loss of life in many places**, including severe harm to agriculture in many places, among them in China's grain producing region (Sustainable Switch: Climate Focus," Reuters, August 4, 2023 E-mail and <https://newslink.reuters.com/public/32295529>).

Zeke Hausfather, "I Study Climate Change. The Data Is Telling Us Something New," *The New York Times*, October 13, 2023, <https://www.nytimes.com/2023/10/13/opinion/climate-change-excessive-heat-2023.html>, reported, "As global temperatures shattered records and reached dangerous new highs over and over the past few months, my climate scientist colleagues and I have just about run out of adjectives to describe what we have seen. Data from Berkeley Earth released on Wednesday shows that September was an astounding 0.5 degree Celsius (almost a full degree Fahrenheit) hotter than the prior record, and July and August were around 0.3 degree Celsius (0.5 degree Fahrenheit) hotter. **2023 is almost certain to be the hottest year since reliable global records began in the mid-1800s and probably for the past 2,000 years (and well before that).**

While natural weather patterns, including a growing El Niño event, are playing an important role, the record global temperatures we have experienced this year could not have occurred without the approximately 1.3 degrees Celsius (2.3 degrees Fahrenheit) of warming to date from human sources of carbon dioxide and other greenhouse gas emissions. And while many experts have been cautious about acknowledging it, **there is increasing evidence that global warming has accelerated over the past 15 years rather than continued at a gradual, steady pace. That acceleration means that the effects of climate change we are already seeing — extreme heat waves, wildfires, rainfall and sea level rise — will only grow more severe in the coming years."**

Lisa Friedman and Somini Sengupta, "Finding Cash for the Climate Is Tough. Two New Pledges Show Why: Money is a very big sticking point at this year's United Nations climate summit. Part of the problem is that American promises often go unmet," *The New York Times*, December 4, 2023, <https://www.nytimes.com/2023/12/04/climate/cop28-un-climate-fund-money.html>, reported from COP28 and New York during the climate summit, "On Saturday, **Vice President Kamala Harris visited the United Nations climate summit in Dubai, in the United Arab Emirates, and promised \$3 billion for the Green Climate Fund, which benefits poorer nations. But Biden administration officials already are acknowledging it will be a struggle to persuade Congress to approve the money.**

Then, on Sunday, John Kerry, President Biden's climate envoy, announced at the talks a new carbon credit initiative in which more than a dozen major companies including Walmart, Pepsi and McDonald's will help developing countries pivot away from fossil fuels toward renewable energy. The creation of the program is a tacit acknowledgment that governments simply aren't putting up the trillions of dollars needed to fund the energy transition."

Given the needs, those pledges are not a lot or enough, and the larger question is will even the amount of money pledged be provide. Too often in the past that has not been the case.

By Gloria Dickie, "Exclusive: Countries asked to slash cooling emissions by 68% by 2050," Reuters, October 19, 2023, <https://www.reuters.com/sustainability/cop/countries-asked-slash-cooling-emissions-by-68-by-2050-2023-10-19>, reported, "**With climate warming leading to more air conditioning use worldwide, dozens of countries including China, India and the United States are being asked to commit to a global pledge that would require at least a 68% reduction in cooling-related emissions by 2050, sources told Reuters.**

The Global Cooling Pledge – set to be announced at the upcoming United Nations climate summit, COP28 – represents a tough request given the cooling industry is only expected to grow.

The emissions from both the refrigerants and the energy used in cooling now account for about 7% of global greenhouse gas emissions, and are expected to triple by 2050 as temperatures continue to rise."

With the use of air conditioning increasing in a warming world, an important piece of the agreement reached December 6, 2023 at COP28 is developing much more efficient air conditioners. 63 countries signed the pledge.

While COP28 made some important advances in principle, that need to be followed up in practice to be meaningful, until the morning after the final full day of the meeting it appeared that nothing had been done on the most critical issue. David Gelles, "Two words that could change the world," *The New York Times Climate Forward*, December 13, 2023, <https://messaging-custom-newsletters.nytimes.com/dynamic/render>, reported, "**They are just two little words. They appear on just one page of an 11,000 word document.**

But the inclusion of the phrase 'fossil fuels' in the final agreement from COP28 marks a potentially trajectory-altering moment in the fight against climate change. The global pact calls for 'transitioning away from fossil fuels in energy systems, in a just, orderly and equitable manner.'"

The final document is vague on this and other matters, leaving room for countries to make their own choices how to reach the goals, and nothing is binding. Hence for many the meeting was largely a failure on what needs major, rapid, immediate action.

Jake Johnson, "Final COP28 Deal Riddled With 'Cavernous Loopholes' for Fossil Fuel Industry: 'While this agreement offers faint guidelines toward a clean energy transition, it falls far short of the transformational action we need,' said one campaigner," *Common Dreams*, December 13, 2023, <https://www.commondreams.org/news/cop28-final-deal>, **"The COP28 climate summit in Dubai ended Wednesday with an agreement that, for the first time, explicitly endorsed a move away from fossil fuels—a weak but historic signal that the oil and gas era may be coming to an end.**

But the deal, dubbed the UAE Consensus, is also chock full of escape hatches that will allow the fossil fuel industry to persist and thrive in ways that are incompatible with efforts to keep warming below critical targets set out by the Paris climate agreement.

The final text 'calls on' nations to 'contribute' to a number of global efforts, including tripling renewable energy capacity by 2030, accelerating the 'phase-down' of 'unabated coal power,' and 'transitioning away from fossil fuels in energy systems, in a just, orderly, and equitable manner... so as to achieve net zero by 2050 in keeping with the science.'

In the eyes of climate campaigners who pushed for an endorsement of an ambitious fossil fuel phaseout, the agreement falls well short of what's plainly necessary as global greenhouse gas concentrations continue to shatter records and climate-driven extreme weather wreaks devastating havoc across the globe.

'At long last the loud calls to end fossil fuels have landed on paper in black and white at this COP, but cavernous loopholes threaten to undermine this breakthrough moment,' said Jean Su, energy justice director at the Center for Biological Diversity. 'While this agreement offers faint guidelines toward a clean energy transition, it falls far short of the transformational action we need.'

'It is not enough for us to reference the science and then make agreements that ignore what the science is telling us we need to do.'

The Alliance of Small Island States, a coalition of nations particularly vulnerable to the climate emergency, vocally criticized the deal. The alliance said that its members—who have called for a fossil fuel phaseout and an end to fossil fuel subsidies—were 'not in the room' when the final text was adopted.

'We were working hard to coordinate the 39 small island developing states that are disproportionately affected by climate change, and so were delayed in coming here,' Anne Rasmussen, lead negotiator for the alliance, said, calling the agreement an 'incremental advancement over business as usual when what we really needed is an exponential step-change in our actions and support.'

'It is not enough for us to reference the science and then make agreements that ignore what the science is telling us we need to do. This is not an approach that we should be asked to defend,' Rasmussen added, criticizing the 'litany of loopholes' in the deal's language on the transition away from fossil fuels and subsidies for the polluting industry.

'The paragraph on abatement can be perceived in a way that underwrites further [fossil fuel] expansion,' she warned, citing the section of the text that urges countries to accelerate 'zero- and low-emission technologies' such as carbon capture. Critics have called the unproven technology a 'lifeline for the fossil fuel industry.'

The deal also 'recognizes that transition fuels can play a role in facilitating the energy transition while ensuring energy security'—a thinly veiled endorsement of the liquefied natural gas expansion underway in the U.S. and elsewhere that is imperiling climate progress.

'This is not the historical deal that the world needed: It has many loopholes and shortcomings,' said Kaisa Kosonen, senior political adviser at Greenpeace International. 'But history will be made if all those nearly 130 countries, businesses, local leaders, and civil society voices, who came together to form an unprecedented force for change, now take this determination and make the fossil fuel phaseout happen. Most urgently that means stopping all those expansion plans that are pushing us over the 1.5°C limit right now.'

That the final COP28 text bears the fingerprints of the fossil fuel industry is hardly surprising, given that the summit was hosted by a petrostate and a record number of oil and gas lobbyists were in attendance.

Nikki Reisch, director of the climate and energy program at the Center for International Environmental Law, said that 'despite the unstoppable momentum and unequivocal science behind the need for a clear signal on the phaseout of oil, gas, and coal—free of loopholes or limitations—the text failed to deliver one.'

'This failure was 30 years in the making, borne of a process that allows a select few countries to hold progress hostage and the fossil fuel industry not just to sit at the table, but to play host,' said Reisch. 'Survival cannot depend on lowest-common-denominator outcomes. We need alternative forums to manage the decline of fossil fuels, free from the influence of those who profit from them.'

'So long as the biggest polluters, the United States chief among them, continue recklessly expanding oil and gas and staunchly refusing to provide climate finance on anything approaching the scale needed,' Reisch added, 'the world will remain on a death course.'

Others similarly criticized the inadequate climate finance pledges made at COP28, where the U.S.—the largest historical emitter of greenhouse gas—committed just \$17.5 million to a global loss and damage fund.

'COP28 was doubly disappointing because it put no money on the table to help developing countries transition to renewable energies,' said Nafkote Dabi, Oxfam International's climate policy lead. 'And rich countries again reneged on their obligations to help people being hit by the worst impacts of climate breakdown, like those in the Horn of Africa who have recently lost everything from flooding after a historic five-season drought and years of hunger.'

'Developing countries, and the poorest communities, are left facing more debt, worsening inequality, with less help, and more danger and hunger and deprivation,' Dabi continued. 'COP28 was miles away from the historic and ambitious outcome that was promised.'

Our work is licensed under Creative Commons (CC BY-NC-ND 3.0)."

Aimee Gabay "Despite progress, small share of climate pledge went to Indigenous groups: report," Mongabay, December 4, 2023, <https://news.mongabay.com/2023/12/despite-progress-small-share-of-climate-pledge-went-to-indigenous-groups-report/>, reported,

"A report from funders of a \$1.7 billion pledge to support Indigenous peoples and local communities' land rights made at the 2021 U.N. climate conference found that 48% of the financing was distributed.

The findings also show that only 2.1% of the funding went directly to Indigenous peoples and local communities, despite petitions to increase direct funding for their role in combating climate change and biodiversity loss.

This is down from the 2.9% of direct funding that was disbursed in 2021.

Both donors and representatives of Indigenous and community groups call for more direct funding to these organizations by reducing the obstacles they face, improving their capacity, and respecting traditional knowledge systems."

The report is at: <https://www.landportal.org/library/resources/indigenous-peoples-and-local-communities-forest-tenure-pledge>.

Ivan Penn, Stanley Reed and Brad Plumer, "What Ails Offshore Wind: Supply Chains, Ships and Interest Rates: Government officials and energy developers misjudged the difficulty of building huge clean energy projects in the United States, which has built very few of them," The New York Times, December 11, 2023, <https://www.nytimes.com/2023/12/11/business/energy-environment/offshore-wind-energy-east-coast.html>, reported, **"A few years ago, interest in offshore wind energy was so strong that developers proposed spending tens of billions of dollars to plunk hundreds of turbines the size of skyscrapers in the Atlantic Ocean from Maine to Virginia.**

But several of those projects have recently hit the skids after executives miscalculated the impact that the pandemic and rising interest rates would have on supply chains. The industry has found it much more difficult to manufacture, transport and erect wind turbines than it had expected. Just two dozen or so turbines have been installed in U.S. waters, compared with more than 6,000 in Europe, which has been building offshore wind farms for decades." These developments are slowing wind development and raising the cost of wind energy."

"WMO calls for better monitoring of increasingly erratic water cycle," World Meteorological Organization, October 12, 2023, <https://public.wmo.int/en/media/press-release/wmo-calls-better-monitoring-of-increasingly-erratic-water-cycle>, reported,

State of water resources report provides independent global assessment

More investments and data sharing needed to strengthen water management

Climate change intensifies extremes like floods and droughts

Water resource management is at heart of climate action

Hydrological information supports Early Warnings For All

"The hydrological cycle is spinning out of balance as a result of climate change and human activities, according to a new report from the World Meteorological Organization, which provides an extensive assessment of global water resources.

Droughts and extreme rainfall events are wreaking a heavy toll on lives and economies. Melting snow, ice and glaciers have increased hazards like floods and threaten long-term water security for many millions of people.

And yet, **far too little is known about the true state of the world's freshwater resources.** We cannot manage what we do not measure, says the WMO State of Global Water Resources 2022 report, calling for a fundamental policy shift.

There must be improved monitoring, data-sharing, cross-border collaboration and assessments of water resources – and an accompanying increase in investments to facilitate this. This is vital to help society cope with increasing water extremes of too much or too little, it says.

The WMO State of Global Water Resources Report 2022 builds on a pilot issued last year. It contains more expanded information on important hydrological variables like groundwater, evaporation, streamflow, terrestrial water storage, soil moisture, cryosphere (frozen water), inflows to reservoirs, and hydrological disasters. It integrates field observations, satellite-based remote sensing data and numerical modelling simulations to assess water resources at the global scale.

'This WMO report offers a comprehensive, and consistent overview of water resources worldwide, highlighting the influence of climate, environmental, and societal changes,' says WMO Secretary-General Prof. Petteri Taalas.

'Glaciers and ice cover are retreating before our eyes. Rising temperatures have accelerated – and also disrupted – the water cycle. A warmer atmosphere holds more moisture. We are seeing much heavier precipitation episodes and flooding. And at the opposite extreme, more evaporation, dry soils and more intense droughts,' he says.

'The overwhelming majority of disasters are water-related and so water management and monitoring lies at the heart of the global Early Warnings For All initiative. Many of the countries targeted for priority action in Early Warnings for All suffered from major floods or droughts in 2022. Not a single country had timely and accurate hydrological data available to support evidence-based decision making and early action,” says Prof Taalas.

'This report is a call to action for more data sharing to enable meaningful early warnings and for more coordinated and integrated water management policies that are an integral part of climate action,” he says.

The report combines input from dozens of experts and complements WMO’s flagship State of the Global Climate report in order to provide integrated and holistic information for policy makers.

Currently, 3.6 billion people face inadequate access to water at least a month per year and this is expected to increase to more than 5 billion by 2050, according to UN Water.

Key Findings

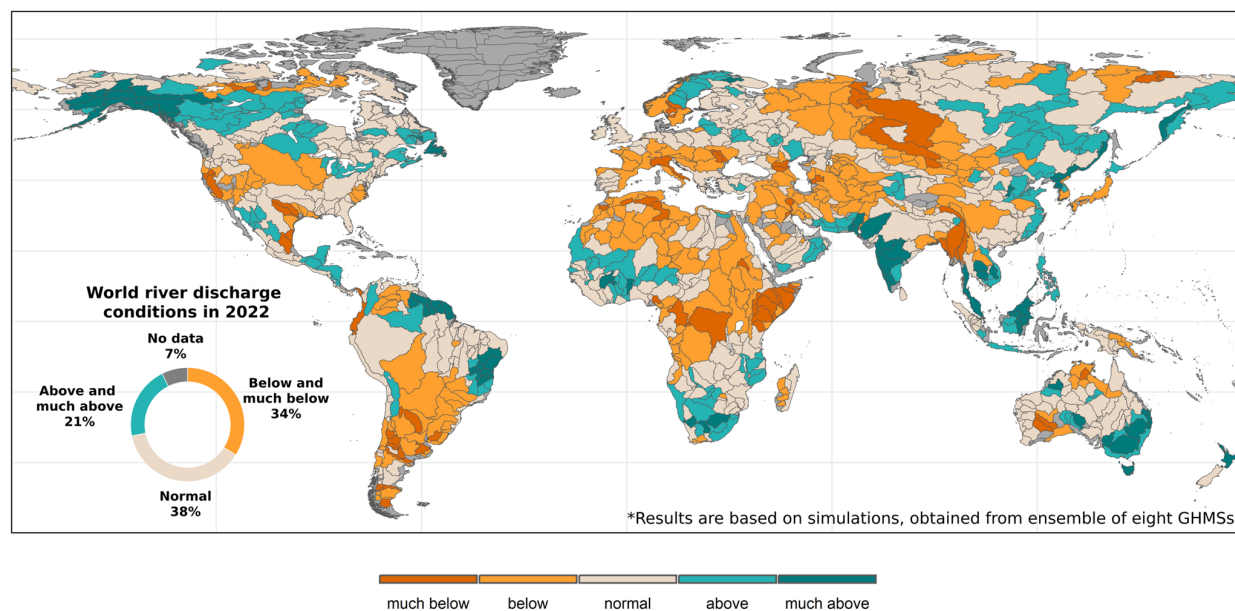


Figure showing average river discharge for the year 2022 compared to the historic average from period 1991–2020

Hydrological variables

The report provides an independent and consistent, global scale quantitative assessment of water resources in large river basins in comparison to the long-term average for various variables like river discharge, groundwater, evaporation, soil moisture, inflow to reservoirs etc.

In 2022, over 50% of the global catchment areas experienced deviations from normal river discharge conditions. Most of these areas were drier than normal, while a smaller percentage of basins displayed above or much above normal conditions. This was similar to 2021. **More than 60% of major water reservoirs saw below or normal inflow,** which provides a challenge for providing water to all users in an increasingly variable climate.

Throughout 2022, anomalies in soil moisture and evaporation echoed those in in river discharge conditions. Thus, for instance, Europe saw increased evaporation and decreased soil moisture and river flows during the summer because of a major heatwave and drought. This led not only to challenges in agriculture but also to a shut of power plans due to the lack of cooling water.

The switch from La Niña in 2022 to El Niño conditions in 2023 will likely have a major impact on the hydrological cycle that will be analysed in the next year's report.

Cryosphere

The Third Pole, encompassing the Tibetan Plateau, the Himalayas, the Karakorum, the Hindu Kush, the Pamirs, and the Tien Shan Mountains, is vital for almost 2 billion people's water supply. From 2000 to 2018, total glacier mass balance decreased by more than 4 percent. There has been a notable decrease in snow cover, and a big increase in the volume of glacial lakes. This has impacted river runoffs at the Indus, Amu Darya, Yangtze and Yellow River basins, indicating climate change's evolving influence on the region.

In 2022, the snow cover in the Alps, crucial for feeding major rivers like the Rhine, Danube, Rhone, and Po, remained much lower than average. The European Alps witnessed unprecedented levels of glacier mass loss.

The subtropical Andes experienced a consistent decline in winter snow accumulation since 2009, impacting water supplies for cities across Chile and the west of Argentina. Although 2022 saw slightly above-average snow in some areas, key watersheds still reported below-average conditions, especially on the Argentinean side, leading to sustained water restrictions in populous urban centres.

Water-related disasters

Severe droughts impacted many parts of Europe in the summer of 2022, posing transportation challenges in rivers like the Danube and Rhine and disrupting nuclear electricity production in France due the lack of cooling water.

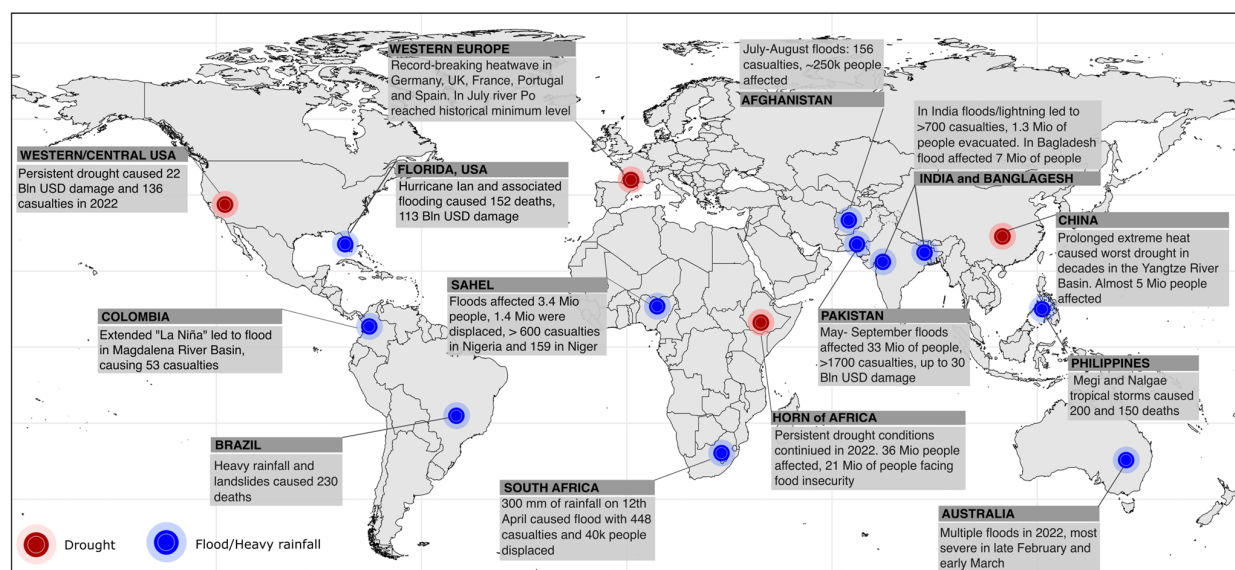
Navigation on the Mississippi River in the USA was affected by the extremely low water levels, as a result of a continuous drought in the USA.

In South America, the La Plata river basin has endured a continuation of drought conditions since 2020. This caused a significant drop in hydropower production in 2022, resulting from low river flows. There were several instances of no water supply in Paraguay during 2022.

Severe drought in the Yangtze River Basin in China led to much lower than average river discharge, inflow to reservoirs, and soil moisture.

Prolonged drought led to a major humanitarian crisis in the Horn of Africa. By contrast, the Niger Basin and much of South Africa recorded above-average river discharge, linked to major flood events in 2022.

A **mega flood** hit the Indus River Basin in Pakistan, killing at least 1 700, affecting 33 million and causing an estimated more than US\$ 30 billion in economic losses. A heatwave early in the year increased meltwater from glaciers, increasing river levels which were then swelled by severe monsoon rainfall which was more than twice the average in July and August.



Sources: WMO Global State of the Climate Report 2022, EM-DAT, 2023; World Bank; ReliefWeb and others

Figure showing selected notable high-impact hydrological events across the globe in 2022; circles indicate flood (blue) and drought (red) events

WMO Response

The report highlights the lack of accessible verified hydrological data. Africa, the Middle East and Asia, in particular, have too little available observational data. There is an urgent need for investments in monitoring and data sharing in accordance with the WMO Unified Data Policy.

The WMO Hydrological Status and Outlook System (HydroSOS), which is currently under development, seeks to meet this challenge.

Scope of the report

The 2022 edition of the Global State of the Water Resources Report has introduced several important advancements. It incorporates new chapters, with additional components of the hydrological cycle: groundwater, soil moisture, evapotranspiration, snow and ice, and reservoir inflows. Data for these additional components was received through the integration of observation, satellite-based remote sensing data, and outputs from numerical modeling simulations.

There has been a substantial increase in the number of observed discharge data compared to the previous year, which were received from more than 500 stations. After quality control, this was reduced to 273 stations as compared to the 38 stations utilized in the previous report.

However, data sharing was limited to only 14 countries, leaving regions such as Africa, the Middle East, and Asia notably underrepresented in terms of available observational data.

The spatial resolution of global analysis has been refined, reaching a total of 986 river basins globally.

Partners

The State of Global Water Resources report contains input from a wide network of hydrological experts, including National Meteorological and Hydrological Services, Global Data Centres, global hydrological modelling community members and supporting organizations such as NASA and the German Research Centre for Geosciences (GFZ)."

"Western Rivers Conservancy and The Colville Tribes Repatriate Ancestral Lands and Deliver Life-Giving Water for Okanogan River Steelhead," Western Rivers Conservancy, For Media Inquiries: Danny Palmerlee, Director Of Marketing & Communications, Western Rivers Conservancy, (503) 241-0151, September. 27, 2023, <https://www.westernrivers.org/press/pr/western-rivers-conservancy-and-the-colville-tribes-repatriate-ancestral-lands-and-deliver-life-giving-water-for-okanogan-river-steelhead>, reported,

"Yesterday, Western Rivers Conservancy and the Confederated Tribes of the Colville Reservation permanently conserved the 2,524-acre Antoine Valley Ranch, returning ancestral lands to the Colville Tribes and delivering desperately needed water to Antoine Creek and its imperiled run of Okanogan River steelhead.

Antoine Valley Ranch spans 2.5 miles of Antoine Creek, a critical spawning stream for threatened summer steelhead that flows through the ancestral homelands of the Colville Tribes. For decades, this Columbia River tributary has run too low and warm for steelhead to survive and spawn.

'The repatriation of these lands to the Colville Tribes represents a great step forward for the original stewards of this part of the Okanogan River valley while making significant gains for an irreplaceable run of steelhead that depend on Antoine Creek for survival,' said Jarred-Michael Erickson, Chairman of the Confederated Tribes of the Colville Reservation

In an effort to revive this critical stream, WRC purchased the ranch in 2020 and transferred half of it to the Colville that year with funding from the Washington Department of Ecology's Streamflow Restoration Program. WRC held the second half of the property while working to secure additional funding from the Streamflow Restoration Program to permanently protect the remainder of the ranch.

Yesterday, WRC and the Colville Tribes successfully transferred the second half of the ranch into Colville ownership. WRC conveyed the ranch's water rights to the Department of Ecology to be managed in partnership with the Colville Tribes for the benefit of Antoine Creek. Trout Unlimited assisted with dedicating the ranch's water rights in-stream.

'We are very proud of what we were able to accomplish for Washington's fish and wildlife, for streamflow on Antoine Creek, and for the people of the Okanogan River valley, all by working in partnership with the Colville Tribes and Western Rivers Conservancy,' said Vanessa Brinkhuis, the Washington Department of Ecology Streamflow Restoration Grant Unit Supervisor.

Yesterday's conveyance includes Fanchers Dam, Washington's second largest earthen dam and the key to reviving Antoine Creek. The dam sits on a separate upstream parcel, above natural barriers to steelhead. Because it does not impede steelhead migration, it will be left in

place so tribal fishery managers can use it to strategically pulse cold flows downstream when fish need water the most.

The strategy will provide flow increases of up to 90 percent in Antoine Creek, calibrated to match seasonal needs of the steelhead that spawn in the stream. Importantly, the flow improvements in Antoine Creek will continue downstream into the Okanogan and Columbia Rivers.

'Trout Unlimited is honored to be able to bring our expertise in returning water in-stream in Washington to support the efforts of the Colville Tribes and Western Rivers Conservancy to restore steelhead to Antoine Creek and the Okanogan River,' said Theo Burgoon, Trout Unlimited's Eastern Washington Director.

In the coming years, the Colville Tribes also plan to conduct extensive in-stream, riparian and upland habitat restoration, benefitting the full range of species found on the ranch. Antoine Valley Ranch lies within the traditional territories of the Colville Tribes, who have inhabited this area for millennia. It was part of the original Colville Reservation but was ceded to the United States when the reservation was reduced in size by Congress in 1872. The Colville Tribes have sought to acquire the ranch for over a decade, making this property an especially important acquisition.

'We are incredibly proud to partner with the Colville Tribes on this innovative project,' said Nelson Mathews, Vice President of Western Rivers Conservancy. "Using a dam designed to take water out of the creek as a tool for putting water back into it is unconventional, but the benefits for Okanogan steelhead will be game-changing. The project confirms our belief that land acquisition and great partnerships with Tribal Nations like the Colville can make a profoundly positive, permanent difference for fish and wildlife.'

Conservation of Antoine Valley Ranch was made possible by the Washington Department of Ecology's Streamflow Restoration Grant Program, The David and Lucile Packard Foundation, Giles W. and Elise G. Mead Foundation, James M. Lea Foundation, Hugh and Jane Ferguson Foundation and individual donors. WRC's efforts at Antoine Creek have also received pivotal support from Trout Unlimited."

Jessica Corbett, "Study Warns Even With Emissions Cuts, West Antarctic Ice Sheet Melt 'Unavoidable:' "It looks like we've lost control of melting of the West Antarctic Ice Sheet," said one author. "The bright side is that by recognizing this situation in advance, the world will have more time to adapt to the sea-level rise that's coming," *Common Dreams*, October 23, 2023, <https://www.commondreams.org/news/west-antarctic-ice-sheet>, reported, **"Even if humanity dramatically reduces planet-heating pollution from fossil fuels, the West Antarctic Ice Sheet faces an "unavoidable" increase in melting for the rest of this century, according to a study published Monday in the journal Nature Climate Change.**

The West Antarctic Ice Sheet is the continent's largest contributor to rising seas and contains enough ice to increase the global mean sea level by over 17 feet, the study explains. Enhanced melting of ice shelves, 'the floating extensions of the ice sheet, has reduced their buttressing and caused upstream glaciers to accelerate their flow' toward the Southern Ocean. Ice shelf melting could 'cause irreversible retreat' of the glaciers.

Using the United Kingdom's national supercomputer, scientists ran simulations on ocean-driven melting of ice shelves in the Amundsen Sea. They simulated a historical scenario of the 20th century and four future scenarios: two involving medium and high emissions and two using

the goals of the Paris agreement, which aims to keep global temperature rise this century below 2°C, with a more ambitious target of 1.5°C, relative to preindustrial levels.

'We must not stop working to reduce our dependence on fossil fuels.'

The trio of British Antarctic Survey (BAS) and Northumbria University researchers found that 'rapid ocean warming, at approximately triple the historical rate, is likely committed over the 21st century, with widespread increases in ice-shelf melting, including in regions crucial for ice sheet stability.'

'When internal climate variability is considered, there is no significant difference between mid-range emissions scenarios and the most ambitious targets of the Paris agreement,'" the study states. **'These results suggest that mitigation of greenhouse gases now has limited power to prevent ocean warming that could lead to the collapse of the West Antarctic Ice Sheet.'**

Ana Ionova and Manuela Andreoni, **"A Severe Drought Pushes an Imperiled Amazon to the Brink. The rainforest holds a fifth of the world's fresh water, but deforestation, dwindling rain and unrelenting heat are sucking it dry. The Rio Negro, a tributary of the Amazon River, reached its lowest level ever recorded this week,"** *The New York Times*, October 17, 2023, <https://www.nytimes.com/2023/10/17/climate/amazon-rainforest-drought-climate-change.html>, reported, "The Amazon rainforest, where a fifth of the world's freshwater flows, is reeling from a powerful drought that shows no sign of abating.

Likely made worse by global warming and deforestation, the drought has fueled large wildfires that have made the air hazardous for millions of people, including Indigenous communities, while also drying out major rivers at a record pace.

Among other negative impacts, the record low level of the Rio Negro has disrupted what for many Indigenous and other people is the only transportation in the region, while reducing fish levels, suffocating endangered pink dolphins, and closing a major hydropower plant.

Rachel Chason, Kevin Crowe, John Muyskens and Jahi Chikwendiu, **"WHERE MALARIA IS SPREADING: A new Washington Post analysis shows that climate change and demographic growth could put more than 5 billion people at risk for malaria by 2040,"** *Washington Post*, October 23, 2023, <https://www.washingtonpost.com/climate-environment/interactive/2023/malaria-disease-spread-climate-change-warming>, reported, "The threat posed by malaria stands to soar as the planet warms because of longer transmission seasons, more frequent and severe extreme weather events, and the migration of malaria-carrying mosquitoes to new latitudes and altitudes, according to a *Washington Post* analysis of climate modeling and reporting from the southern African country of Mozambique."

The map in the on the web article shows the spread of Malaria. "Hotter temperatures are allowing these mosquitoes to spread in areas where malaria has not historically been a problem, especially in the Andes Mountains of Colombia, Peru and Ecuador." In sub-Saharan Africa Malaria is moving north and to higher altitudes. As rainfall increases and temperatures rise in the southern United States, malaria transmission is expected to increase and take place for increasing periods of the year.

Brad Plumer, **"Peak Oil Is Near, Energy Agency Says, but Climate Change Is Far From Solved: Despite the rapid growth of electric vehicles and solar power, other efforts to tackle warming are lagging, according to the International Energy Agency,"** *The New York Times*,

September 26, 2023, <https://www.nytimes.com/2023/09/26/climate/iea-road-map-renewable-energy.html>, reported, **"Cleaner energy technologies like electric cars and solar panels are spreading so rapidly that the global use of oil, coal and natural gas could peak this decade, but countries will still need to pursue more aggressive measures if they want to limit global warming to relatively safe levels, the world's leading energy agency said Tuesday.**

In a new report (<https://www.iea.org/reports/net-zero-roadmap-a-global-pathway-to-keep-the-15-0c-goal-in-reach>), the International Energy Agency issued an updated road map of what it would take to slash the world's energy-related greenhouse gas emissions to nearly zero by 2050. Doing so would probably prevent global temperatures from rising more than 1.5 degrees Celsius, or 2.7 degrees Fahrenheit, above preindustrial levels, a goal many world leaders have endorsed in order to lessen the risk of catastrophic climate disruptions."

Tim McLaughlin, "Focus: How shipping more US natural gas to Europe helped fuel CO2 pollution," Reuters, November 8, 2023, <https://www.reuters.com/sustainability/climate-energy/how-shipping-more-us-natural-gas-europe-helped-fuel-co2-pollution-2023-11-08>, reported, **"Carbon dioxide emissions from U.S. liquefied natural gas facilities have jumped to 18 million tons per year, up 81% since 2019, adding a volume of greenhouse gas to the atmosphere equivalent to that produced by several big coal plants, according to United States government data.**

They could more than double to 45 million tons per year by the end of the decade as new facilities, encouraged by soaring overseas demand for the super-cooled fuel, come online, according to company projections provided to the U.S. Environmental Protection Agency and the Federal Energy Regulatory Commission tallied by Reuters."

Annie Gowen, Niko Kommenda and Saiyna Bashir, "Climate-Linked Ills Threaten Humanity: Pakistan is the epicenter of a global wave of climate health threats, a Post analysis finds," *Washington Post*, September 5, 2023, <https://www.washingtonpost.com/climate-environment/interactive/2023/pakistan-extreme-heat-health-impacts-death>, reported, **"Pakistan is the epicenter of a new global wave of disease and death linked to climate change,** according to a *Washington Post* analysis of climate data, leading scientific studies, interviews with experts and reporting from some of the places bearing the brunt of Earth's heating. This examination of climate-fueled illnesses — **tied to hotter temperatures, and swifter passage of pathogens and toxins — shows how countries across the globe are ill-prepared for the insidious, intensifying risks to almost every facet of human health."**

"The Post analysis showed that by 2030, 500 million people around the world, particularly in places such as South Asia and the Middle East, would be exposed to such extreme heat for at least a month — even if they can get out of the sun. The largest population — 270 million — was in India, followed by nearly 190 million in Pakistan, 34 million across the Arabian Peninsula and more than 1 million apiece in Mexico and Sudan."

Brett Wilkins. "Study Warns Climate-Driven Collapse of Critical Ocean Current System 'Much Closer Than We Thought': 'It is very plausible that we've fallen off a cliff already and don't know it,' said one researcher," *Common Dreams*, July 25, 2023, <https://www.commondreams.org/news/amoc-current-collapse>, reported, **"The system of Atlantic Ocean currents that drive warm water from the tropics toward Europe is at risk**

of collapsing in the coming decades, an analysis of 150 years of temperature data published Tuesday concluded.

The Atlantic Meridional Overturning Circulation (AMOC), which includes the Gulf Stream, 'is a major tipping element in the climate system and a future collapse would have severe impacts on the climate in the North Atlantic region,' states the study, which was published in the scientific journal Nature Communications.

Although the analysis notes that 'assessments by the Intergovernmental Panel on Climate Change (IPCC), based on the Climate Model Intercomparison Project (CMIP) model simulations **suggest that a full collapse is unlikely within the 21st century,**' the study's authors 'estimate a collapse of the AMOC to occur around mid-century under the current scenario of future emissions.'

'We show that a transition of the AMOC is most likely to occur around 2025-2095,' the paper states with '95% confidence.'

Russell Mclendon, "We've Been Overlooking a Major Part of Climate Change, And It's Sending Warning Signs," Science Alert, October 3, 2023, <https://www.sciencealert.com/weve-been-overlooking-a-major-part-of-climate-change-and-its-sending-warning-signs>, reported, **"The Earth is heating up, and not just its atmosphere and oceans. The soil itself is getting warmer, too, leading to more extreme soil heat around the planet – along with unclear but ominous consequences for surface dwellers like us.**

We have been underestimating this problem, according to a new study, focusing on rising air and water temperatures while failing to appreciate the threat of heat waves beneath our feet."

"The study was published in Nature Climate Change: <https://www.nature.com/articles/s41558-023-01812-3#Sec5>."

"World Economic Forum to Accelerate Multistakeholder Climate Action at COP28," World Economic Forum, public.affairs@weforum.org, Published November 20, 2023, <https://www.weforum.org/press/2023/11/world-economic-forum-to-accelerate-multistakeholder-climate-action-at-cop28/>, announced, **"The World Economic Forum will advance multistakeholder initiatives for enhanced climate solutions at the 28th Conference of the Parties of the UNFCCC.**

The Forum will focus on key priority action areas including industry decarbonization and net zero, energy transition, food, nature and innovative finance.

COP28 takes place from 30 November to 12 December 2023 in Dubai, United Arab Emirates, and serves as an urgent call to action to the global climate crisis. Learn more about the Forum's work at COP28 here: <https://www.weforum.org/events/united-nations-climate-change-conference-cop28-2023/>.

'Geneva, Switzerland, 21 November 2023 – The World Economic Forum will convene heads of state, ministers, business leaders, philanthropy and civil society to advance climate action at the 28th Conference of the Parties of the UNFCCC (COP28) at the Expo City Dubai, in Dubai, United Arab Emirates. The Forum's focus at COP28 is to address priority action areas including industry decarbonization and net zero, energy transition, food, nature and innovative finance.

'We have to take a holistic approach to address the environment crisis, with people at the heart of the agenda, focusing on restoring and protecting nature ecosystems, strengthening community resilience in the face of water stresses and extreme temperatures, while stopping the

pollution of our land, sea and water,' said Gim Huay Neo, Managing Director, World Economic Forum. 'Fostering a sense of inter-dependence, mutual trust and support as well as active collaboration between governments, the private sector, philanthropy, civil society and communities is needed to build a more harmonious relationship among communities and with the planet. COP28 is an opportunity for the World Economic Forum to provide a platform for multistakeholders to take stock on progress, enhance partnership efforts and explore new ideas and solutions together to safeguard our global commons.'

The discussions in Dubai will build on outcomes from the Forum's Sustainable Development Impact Meetings 2023, which reflected on progress made on the Sustainable Development Goals (SDGs) and created momentum in addressing the climate and nature crises and advancing an inclusive energy transition.

As part of the COP28 programme, the Forum will hold several sessions aligned to the meeting's thematic areas. Most of the sessions will take place at the COP28 Blue Zone, which is accessible to UNFCCC-accredited media.

Insights and initiatives

The following Forum announcements and publications will be released at COP28.

22 Nov.: Net Zero Industry Tracker 2023

22 Nov.: Financing Energy Transition Projects with Industrial Clusters in Europe

26 Nov.: Biodiversity Credits: Demand Analysis and Market Outlook

27 Nov.: Biodiversity Credits: A Guide to Support Effective Use

29 Nov.: Launch of Scope 3 Action Plan from the Alliance of CEO Climate Leaders

29 Nov.: Navigating Article 6: Opportunities for the Middle East and North Africa

30 Nov.: Grassroots to Boardrooms: Social Innovation Partnerships for Climate Adaptation

30 Nov.: Catalysing Climate Action in Asia: Unlocking the Power of Philanthropic-Private-Public Partnerships

30 Nov.: Policy Action to Mobilize Climate Finance and Market Responses

1 Dec.: Taking Stock of Global Business Efforts on Adaptation

4 Dec.: Joint Communiqué: CEOs from the Leaders for a Sustainable MENA Sign Joint Letter to Pledging Net Zero by 2050 and to Reduce 200MT CO2 Emissions by 2030

4 Dec.: Roadmap for Enabling Measures for Green Hydrogen in the MENA Region

4 Dec.: Fuelling the Future of Shipping: Key Barriers to Scaling Zero-Emission Fuel Supply

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Interview an expert

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World Economic Forum, public.affairs@weforum.org, "First Movers Coalition for Food to Create up to \$20 Billion Value Chain for Sustainable Farming," <https://mailchi.mp/420d5565cf60/first-movers-coalition-for-food-to-create-up-to-20-billion-value-chain-for-sustainable-farming>, announced, **"World Economic Forum First Movers Coalition for Food aims to create aggregated market demand for sustainably produced and low-emission agricultural commodities."**

The UAE and over 20 leading food companies will create a combined procurement commitment with an estimated value of \$10-\$20 billion by 2030. In mid-December 2023, the Forum and participating companies and governments will identify commitments and pathways to support food systems transformation.

Learn more about the Forum's work at COP28 here: <https://www.weforum.org/events/united-nations-climate-change-conference-cop28-2023/>.

Dubai, United Arab Emirates, 1 December 2023 – The World Economic Forum, with support from the Government of the United Arab Emirates, along with more than 20 corporate and research partners in the food sector, launched today the First Movers Coalition for Food. The initiative uses the combined procurement power for sustainably produced farming products to speed up the adoption of sustainable farming, innovations and transitional funding.

Food systems account for more than 30% of global emissions and are critical in achieving the Paris Agreement and limiting global warming to below 1.5C. Aggregating demand for sustainably produced and low-emission agricultural commodities, therefore, can accelerate the transition to net-zero, nature-positive transitions in food systems.

"Through the First Movers Coalition for Food, leading global companies will send demand signals to catalyse the acceleration and adoption of environmentally friendly farming methods and green innovations. This collective public-private partnership will help de-risk upfront investments into more sustainable food production systems," said Børge Brende, President of the World Economic Forum.

The First Movers Coalition for Food comprises corporate champions from multinational and regional companies with significant purchasing power, value chain partners, farmer organizations and research partners alongside governments to improve existing food systems.

The new initiative aims to accelerate sustainable farming and production methods and technologies by leveraging collective demand for low-carbon agricultural commodities. It will do so through the power of aggregated demand, aiming for a combined procurement value for low-carbon commodities of \$10-\$20 billion from coalition members. Corporate partners currently participating in the coalition account for a combined revenue of \$2.1 trillion, with operations globally.

Founding members of the First Mover Coalition for Food are leading companies that recognize the need for more sustainable practices and innovation in food production systems.

Starting mid-December 2023, the World Economic Forum and participating companies and governments will work jointly to identify the demand commitments and pathways to support and mobilize the ecosystem to enable such transformation. The coalition is expected to publish its initial results of the collaborative work in the summer of 2024.

'The way we produce and eat food causes 30% of the world's greenhouse gas emissions, uses over 70% of the world's freshwater, and is responsible for 80% of deforestation and habitat loss in tropical areas,' said Mariam Almheiri, Minister of Climate Change and Environment of the United Arab Emirates. 'If we don't quickly find new, sustainable ways to produce and consume food, these problems will worsen in only a couple of decades. Showing clear demand for improvements in sustainable agriculture production methods is crucial for reaching our global climate goals, and we need to act now.'

Ahmed Galal Ismail, Chief Executive of Majid Al Futtaim, added: 'We recognize how our role in reducing emissions across our value chains has an impact on the long-term sustainable health of people and the planet. As an increasing number of customers make the everyday choice to shop sustainably, we as a retailer have the responsibility to deliver more responsibly sourced and produced products. By joining the First Movers Coalition for Food initiative, we aim to amplify the demand for low-emission products and partner with those promoting nature-positive practices, fostering resilient agricultural systems with improved biodiversity and reduced water usage.'

Manny Maceda, Chief Executive Officer and Chairman of the Board of Bain & Company said the coalition will transform how companies procure agricultural commodities, enabling a shift toward eco-friendly production. 'This will decrease the risks associated with required investments in low-emissions agri-food production, make it easier to expand to net-zero and nature-positive technologies, and help farmers adopt greener practices such as regenerative agriculture.'

About the First Movers Coalition

The First Movers Coalition for Food builds on the success of the First Movers Coalition for Industry, launched at COP26 in Glasgow by US President Joe Biden and the World Economic Forum in 2021.

The First Movers Coalition for Industry aggregates purchasing demand to create early markets for innovative clean technologies across eight hard-to-abate industry sectors: aviation, shipping, trucking, steel, aluminium, concrete and cement, and chemicals.

To date, the coalition has garnered the support of more than 13 government partners and 90 companies with purchasing commitments of more than \$15 billion. This is the most significant demand signal for clean technologies for industrial sectors that the world has ever seen.

First Movers Coalition for Food members Initial partners working jointly on shaping and accelerating significant demand signals and green procurement commitments include Bayer AG, Cargill, Danone, Louis Dreyfus Company, Majid Al Futtaim Holding Llc, Nestlé, NR Instant Produce PCL, Olam Agri, PepsiCo Inc., Sekem Group, UPL Ltd, Tyson Foods Inc., JBS S.A., and Yara International ASA. More companies will be announced in the coming months. Expert organizations supporting the process include Bain & Company, Ginko Bioworks, Grow Asia, IDH, Indigo Ag, International Rice Research Institute, Temasek Life Sciences Laboratory, Tropical Forest Alliance, and University of Tokyo. The initiative is endorsed by the Government of the United Arab Emirates."

Forest & Finance, "Banks Have Pumped Over \$307 Billion Directly into Agriculture and

Forest Companies Driving Deforestation," <https://forestsandfinance.org/banking-on-biodiversity-collapse>, reported, " **Banks and investors enable forestry and agribusiness companies to expand operations into the world's remaining tropical forest ecosystems. This is driving the destruction of forests and peatlands and violating Indigenous Peoples' and local communities' rights.**"

Read the full report at: https://forestsandfinance.org/wp-content/uploads/2023/12/BOBC_2023_vF.pdf.

David Gelles, "Climate change on trial in Montana," *The New York Times Climate Forward*, August 15, 2023, [The state of Montana has a constitutional obligation to protect its residents from climate change."](https://nl.nytimes.com/f/a/OqvC-rqLTbHTsUehMTa7QA~/AAAAAQA~/RgRmvg22P4QvAWH0dHBzOi8vbWVzc2FnaW5nLWN1c3RvbS1uZXdzbgV0dGVycy5ueXRpbWVzLmNvbS90ZW1wbGF0ZS9vYWt2Mj9jYW1wYWlnbl9pZD01NCZlbWM9ZWRpdF9jbGltXzIwMjMwODE1Jmluc3RhbmNlX2lkPTEwMDA5OSZubD1jbGltYXRILWZvcndhcmQmcHJvZHVjdENvZGU9Q0xJTSZyZWdpX2lkPTUyMjM1OTgxJnNlZ21lbnRfaWQ9MTQyMDE5JnRlPTEmdXJpPW55dCUzQSUyRiUyRm5ld3NsZXR0ZXIIMkY1NjRkMGM4Zi0yM2IzLTU1MzAtYWRlZC1hYzQ2NmMyMTUyOTImdXNlcl9pZD0yOTg0NzkwYzE0MTcwMjkWmJQ1MjM4YzBjZDRmZDkyN1cDbnl0Qgpk07a122Tjt2tUhRzc2FjaHNAZWYydGhsaW5rLm5ldFgEAAAAAw~~)

That was the stunning ruling from a judge who delivered a landmark decision on Monday. It compels Montana, a major coal and gas producing state, to consider climate change when deciding whether to approve or renew fossil fuel projects."

Brad Plumer, "Electric Grids Are a Hidden Weak Spot in World's Climate Plans, Report Warns: Even as technologies like wind, solar and electric cars spread, nations are falling far behind in building the power lines needed to support them," *The New York Times*, October 17, 2023, <https://www.nytimes.com/2023/10/17/climate/electric-grids-climate-iaa.html>, reported, "**Even as clean energy technologies like solar panels, wind turbines and electric vehicles spread rapidly across the globe, most countries are falling perilously behind in building the power lines and electric grids needed to support them, the International Energy Agency said Tuesday in an extensive analysis** (<https://www.iea.org/reports/electricity-grids-and-secure-energy-transitions?>).

The report estimated that nations around the world will need to build or upgrade roughly 50 million miles of power lines by 2040 if they want to meet the goals they have set for adding vast amounts of renewable power, switching from gasoline-powered cars to plug-in vehicles and replacing gas furnaces with electric heat pumps." This is a tremendous task requiring almost doubling the size of the electric grids around the globe in but 20 years. This is projected to require investment of \$600 billion annually by 2030. Recently, investment in electric grids has been dropping in virtually all nations except China.

John Irish and Leigh Thomas, "Rich nations pledge to unlock hundreds of billions of dollars for climate fight," Reuters, June 23, <https://www.reuters.com/sustainability/sustainable-finance-reporting/frances-macron-says-leaders-finalised-accord-100-bln-climate-finance-2023-06-23> reported, "**Multilateral development banks like the World Bank are expected to find \$200 billion in extra firepower for low-income economies by taking on more risk, a move**

that may require wealthy nations to inject more cash, world leaders said on Friday." Critics said still more funding is needed.

"The leaders, gathered at a summit in Paris to thrash out funding for the climate transition and post-COVID debt burdens of poor countries, said their plans would secure billions of dollars of matching investment from the private sector."

The summer of 2023's first two months have exhibited exponentially worsening climate change. Across the entire northern hemisphere heat records have been broken continually, parching people, crops and wild areas, while extreme rains have brought record flooding to large, widely scattered areas (for example, see: Elena Shao, Here's Where Global Heat Records Stand So Far in July: Average temperatures for the entire globe have been at their highest on record, scientists said," *The New York Times*, July 19, 2023, <https://www.nytimes.com/2023/07/19/climate/global-heat-records-july.html>).

Kenny Stancil,

"Worsening Heatwaves Put Entire Global Food System in Jeopardy, Scientists Warn: 'There are growing risks of simultaneous major crop losses in different regions in the world,' said one scientist. 'This is not what we're seeing right now, but in the coming decades that's one of the things I'm really scared of,'" *Common Dreams*, July 21, 2023, <https://www.commondreams.org/news/heatwaves-global-food-security>, reported, **"Climate scientists warned Friday that worsening atmospheric and marine heatwaves threaten food security around the world.**

Large swaths of the Northern Hemisphere have been pummeled in recent weeks by serial heatwaves exacerbated by the fossil fuel-driven climate crisis. Last month was the hottest June on record, and July—which saw the hottest day and week in modern history—is expected to surpass all previous monthly records. The Intergovernmental Panel on Climate Change has made clear that heatwaves will increase in frequency, duration, and intensity with each additional degree of temperature rise.

And in addition to crop loss and damage from heat waves and drought, there is climate change imposed widespread serious flooding which also seriously reduces agriculture output.

The Earth's axis has been slowly shifting from it's usual wobbling course for some time. But around the start of 2000, it took a sharp turn. Scientists have found that **there are two reasons. The first is the huge shift in the location of water on the surface with the melting of glaciers from global warming induced climate change. The second is the moving of huge amounts of water from human beings pumping it from the ground** (Raymond Zhong, "Something Was Messing With Earth's Axis. The Answer Has to Do With Us: Scientists knew the planet's centerline could move. But it took a sharp turn sometime around the start of the 2000s," *The New York Times*, June 28, 2023, <https://www.nytimes.com/2023/06/28/climate/groundwater-earth-spin-axis.html>).

"LEVER TIME PREMIUM: Attribution Science Can Help Curb Climate Change: A climate scientist explains a groundbreaking innovation in climate science," *The Lever*, July 24, 2023, <https://www.levernews.com/lever-time-premium-attribution-science-can-help-curb-climate-change/>, reported, **"Attribution science is a new field of research that quantifies the role of manmade climate change and its contribution to extreme weather events. In other words, scientists are now able to determine how much of the recent extreme heat in the Southwest is caused by climate change, rather than its correlation with natural weather patterns.** Attribution science helps policymakers and the public better grasp the role of human

influence in climate-related events — and how to mitigate and adapt to these changes on a more granular level.

Links:

Climate Shift Index™ Alert - July 10th, 2023 (Climate Central)

Introducing the Climate Shift Index™ (Climate Central, 2022)

Attribution Science Is A Growing Area Of Focus For Meteorologists (Forbes, 2023)"

David Gelles, "The New World Bank Leader Has the Climate Crisis at the Top of His Agenda: Ajay Banga, who took over the top job in June, has prioritized global warming issues in his first months on the job," *The New York Times*, December 8, 2023, <https://www.nytimes.com/2023/12/08/business/cop28-world-bank-ajay-banga.html>, **reported that after years of the World Bank paying little attention to climate change and continuing to fund planet warming projects, "Ajay Banga, 64, the former chief executive of Mastercard, took over as president [of the World Bank] in June. He replaced David Malpass, who was nominated by President Trump and stepped down early after coming under fire for disputing the science of climate change in a live interview with The New York Times.**

And while the World Bank has not instituted the sort of sweeping overhaul envisioned by its most ardent critics, Mr. Banga, an Indian-born American, has over the past six months made a series of changes that he said are aimed at addressing the climate crisis." Discussions at COP28 have made it clear that the World Bank is moving to do much more to meet climate change.

Riham Alkousaa and Christian Kraemer, "Germany set to miss net zero by 2045 target as climate efforts falter," *Reuters*, August 22, 2023, <https://www.reuters.com/business/environment/germanys-climate-efforts-not-enough-hit-2030-targets-experts-say-2023-08-22>, reported, **"German goals to cut greenhouse emissions by 65% by 2030 are likely to be missed, meaning a longer-term net zero by a 2045 target is also in doubt,** reports by government climate advisers and the Federal Environment Agency (UBA) show.

The European Union has sought to be a climate leader and Germany has set itself more ambitious targets than the bloc as a whole, but in many countries politics and the economic crisis have pushed the climate crisis down the agenda."

Monika Pronczuk and Catrin Einhorn, "After a Bitter Fight, European Lawmakers Pass a Bill to Repair Nature: The measure would require E.U. countries to restore damaged natural habitats," *The New York Times*, July 13, 2023, <https://www.nytimes.com/2023/07/12/climate/europe-nature-restoration-law.html>, reported, **"European lawmakers, after an unexpectedly bitter political battle, approved a bill on Wednesday that would require European Union countries to restore 20 percent of nature areas within their borders on land and at sea.**

The measure, a key element of the bloc's Green Deal environmental initiative, passed with 336 votes in favor, 300 against and 13 abstentions. It now goes to a committee of representatives from the E.U. executive, Parliament and national governments."

Manuela Andreoni and Max Bearak, "Amazon Countries, Led by Brazil, Sign a Rainforest Pact: The eight countries that comprise the Amazon River basin agreed on several

initiatives to curtail deforestation in the world's largest and most important rainforest," *The New York Times*, August 9, 2023, <https://www.nytimes.com/2023/08/08/climate/amazon-rainforest-belem-protections.html>, reported, "On Tuesday, **the leaders of eight countries that are home to the Amazon River basin agreed to work together to conserve the world's largest rainforest at a groundbreaking meeting** convened by President Luiz Inácio Lula da Silva of Brazil.

The agreement, called **the Belém Declaration**, for the Brazilian city where the meeting was held, provides a road map to stave off the rampant deforestation, caused in large part by industrial agriculture and land-grabbing, that has severely damaged the rainforest and has major implications for Earth's climate."

Jake Johnson, "Amazon Nations Reject Colombia's Call to End Oil Extraction, Fail to Agree on Deforestation Goal: 'To avoid the point of no return,' argued Colombian President Gustavo Petro, "we need an ambitious transnational policy to phase out fossil fuels," *Common Dreams*, August 9, 2023, <https://www.commondreams.org/news/amazon-oil-extraction>, reported, **"The leaders of eight Amazon nations closed out a two-day summit in Brazil on Wednesday without reaching a shared agreement to end deforestation by 2030, a failure that stemmed in part from disputes over oil extraction in the critical ecosystem.**

Colombia, represented by leftist President Gustavo Petro, pushed for an end to oil development in the Amazon, whose status as a key carbon sink has suffered severe damage in recent years due to the deliberate clearing of trees, corporate exploitation, and runaway planetary warming.

'Are we going to let hydrocarbons be explored in the Amazon rainforest? To deliver them as exploration blocks? Is there wealth there or is there the death of humanity?' Petro asked in a speech last month. Colombia is home to roughly 10% of the Amazon.

Colombia's fellow Amazon nations rejected Petro's call.

A joint declaration issued by Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Suriname, and Venezuela states that the South American countries agree 'urgent action' is needed to 'avoid the point of no return in the Amazon' and combat deforestation, which has surged in recent years.

But the declaration stops short of a cooperative pledge to end deforestation entirely by 2030 and contains no mention of fossil fuels. Individual nations, including Brazil and Colombia, have pledged to take their own steps to end deforestation by decade's end.

Colombia this week also became the first country to back an Indigenous-led call to protect at least 80% of the Amazon by 2025.

'Indigenous territories and Indigenous rights are a critical tool for the long-term protection of Amazonia,' said Alicia Guzman, Amazon program co-director at Stand.earth. 'As Colombia and other countries move forward to protect the Amazon, protecting current and establishing new Indigenous Territories will be an essential element of protecting 80% of the Amazon by 2025. Amazonia for Life: Protect 80% by 2025 centers the importance of Indigenous Territories, and also encourages national-level debt forgiveness, local economic development, and an end to extractivism.'

Environmental groups voiced outrage that Amazon countries were unable to agree to cooperate on ending deforestation by 2030.

'Temperature records are broken every day,' said Márcio Astrini of the Climate Observatory. 'It's not possible that under those circumstances, the eight presidents of the Amazon nations can't include a line in the declaration stating, in bold letters, that deforestation needs to be zero, that it won't be tolerated anymore.'

'Bolivia and Venezuela are the only Amazon countries not to sign onto a 2021 agreement among more than 100 countries to work toward halting deforestation by 2030,' the outlet noted. **'A Brazilian government source told Reuters in the lead-up to the summit that Bolivia, where forest destruction is surging, is a hold-out on the issue.'**

Reuters added that **'Brazil is weighing whether to develop a potentially huge offshore oil find near the mouth of the Amazon River and the country's northern coast, which is dominated by rainforest.'**

Petro has implored Lula—who has overseen a sharp decline in deforestation—to rule out the fossil fuel project, which would be led by Brazilian oil giant Petrobras.

In an op-ed for the Miami Herald last month, Petro warned that **'even if we get deforestation under control, the Amazon faces dire threats if global heating continues to climb. To avoid the point of no return, we need an ambitious transnational policy to phase out fossil fuels.'**

Researchers have estimated that one in nine tanks of gas, diesel, or jet fuel pumped in the U.S. state of California comes from the Amazon.

To that end, Petro called on 'Amazon countries and our partners in the 'Global North' to commit to phasing out fossil fuel development, and to do so in a way that protects our right to a just transition to a post-carbon world.'

Our work is licensed under Creative Commons (CC BY-NC-ND 3.0)."

Timothy Gardner, "US climate assessment lays out growing threats, opportunities as temperatures rise," Reuters, November 14, 2023, <https://www.reuters.com/world/us/us-climate-assessment-lays-out-growing-threats-opportunities-temperatures-rise-2023-11-14>, reported **that climate change is damaging all parts of the U.S. and sectors of society. "Climate change harms Americans physically, mentally and financially, often hitting those who have done the least to cause it, including Black people facing floods in the South and minorities enduring searing heat in cities,** a federal report said on Tuesday.

More than a dozen U.S. agencies and about 750 scientists produced the National Climate Assessment (<https://globalchange.gov>), meant to crystallize the top science on the problem and communicate it to wide audiences, President Joe Biden said at the White House."

"This year set a record for extreme weather events (<https://www.reuters.com/business/environment/global-economic-losses-extreme-weather-could-hit-5-trln-lloyds-2023-10-11/>) that cost over \$1 billion, with costly floods, fires and storms occurring roughly every three weeks. In the 1980s, by comparison, the United States experienced a billion-dollar disaster only once every four months." Reuters had said the **world-wide loss from extreme weather might reach \$5 trillion in 2023.**

A study by the Universitat Autònoma de Barcelona in Spain found that **extraction is the cause of 24.7% of environmental conflicts world-wide involving Indigenous peoples** ("Global: Mining Deemed Most Common Cause of Environmental Conflicts Involving Indigenous Peoples environmental conflicts" Cultural Survival Quarterly, September 2023).

Julia Conley, "Now End All the Drilling, Campaigners Say as Biden Rescinds Arctic Refuge Leases" : 'Our sacred land is only temporarily safe from oil and gas development,' said one First Nations leader, urging Congress and the White House to 'permanently protect the Arctic Refuge,'" *Common Dreams*, September 6, 2023,

<https://www.commondreams.org/news/biden-arctic-refuge-protections>, reported, "Indigenous tribes and climate campaigners applauded **the Biden administration's announcement Wednesday that it will cancel all existing oil and gas drilling leases in the Arctic National Wildlife Refuge in Alaska and ban drilling across 13 million acres of the National Petroleum Reserve, while hundreds of groups also called on the U.S. Interior Department to go further on fossil fuel leasing.**

Biden's move in Alaska will reverse former Republican President Donald Trump's approval of a 2017 law that required leasing in the Arctic Refuge, the nation's largest area of pristine wilderness which is home to vulnerable species including polar bears, migratory birds, and caribou.

The Alaska Industrial Development and Export Authority (AIDEA) holds the last remaining leases in the refuge, after two other lessees canceled drilling plans. AIDEA's leases would have allowed it to drill in 365,000 acres in the Arctic Refuge's coastal plain.

The Biden administration conducted an environmental analysis of the lease sale which found "multiple legal deficiencies."

Jim Tankersley and Lisa Friedman, "Biden Administration Announces Rule to Cut Millions of Tons of Methane Emissions: The measure, which requires oil and gas producers to detect and fix leaks of the greenhouse gas, came as the U.S. vice president spoke at the COP28 climate summit," *The New York Times*, December 2, 2023, <https://www.nytimes.com/2023/12/02/climate/biden-methane-climate-cop28.html>, reported, "Vice President Kamala Harris pledged at a United Nations climate summit on Saturday that the United States would spend billions more to help developing nations fight and adapt to climate change, telling world leaders that 'we must do more' to limit global temperature rise.

Her remarks followed an **announcement by U.S. officials at the summit the same day that the federal government would, for the first time, require oil and gas producers to detect and fix leaks of methane.**"

Jessica Corbett, "US Appeals Court Halts 'Climate Bomb' Oil Rail Project Over Environmental Concerns: 'This is an enormous victory for our shared climate, the Colorado River and the communities that rely on it for clean water, abundant fish and recreation,'" said one campaigner," *Common Dreams*, August 18, 2023, <https://www.commondreams.org/news/uinta-basin-railway>, reported, **"U.S. Green groups and some Democratic politicians on Friday celebrated a federal appellate court's ruling that pauses the development of the Uinta Basin Railway, a project that would connect Utah's oil fields to the national railway network.**

"The court's rejection of this oil railway and its ensuing environmental damage is a victory for the climate, public health, and wild landscapes," said WildEarth Guardians legal director Samantha Ruscavage-Barz. "The public shouldn't have to shoulder the costs of the railway's environmental degradation while the fossil fuel industry reaps unprecedented profits from dirty energy."

Although the ruling does not necessarily permanently block the project—which would cut through tribal land and a national forest—Carly Ferro, executive director of the Utah Sierra Club, similarly called the decision 'a win for communities across the West and is critical for ensuring a sustainable climate future.'"

“The state of New Mexico’s Commissioner of Public Lands, Stephanie Garcia Richard, issued an order, September 2023, in prohibiting gas and oil drilling within one mile of a school because of the negative health impacts from air pollution caused by drilling (Kianne Joe, New Mexico bans drilling within a mile of school,” *Navajo Times*, September 21, 2023).

"New Report Provides Comprehensive Plan to Meet U.S. Net-Zero Goals and Ensure Fair and Equitable Energy Transition," National Academy of Sciences, October 17, 2023, <https://www.nationalacademies.org/news/2023/10/new-report-provides-comprehensive-plan-to-meet-u-s-net-zero-goals-and-ensure-fair-and-equitable-energy-transition>, reported, **"A new report (<https://nap.nationalacademies.org/catalog/25931/accelerating-decarbonization-in-the-united-states-technology-policy-and-societal>) from the National Academies of Sciences, Engineering, and Medicine provides a broad set of recommendations that form a comprehensive plan to put the U.S. on a pathway to realize its net-zero carbon emissions goals by 2050 and ensure that all Americans can benefit from a fair and equitable energy transition.**

The second of two reports examining the nation’s transition to a decarbonized energy system, the new report focuses on gaps and barriers to implementation of net-zero policies, emphasizing the need for a strong social contract during the decades-long transition. The first report (<https://nap.nationalacademies.org/catalog/25932/accelerating-decarbonization-of-the-us-energy-system>) provided a technical and federal policy blueprint for the next 10 years, and its recommendations helped shape climate policies included in the Infrastructure Investment and Jobs Act of 2021, CHIPS and Science Act of 2022, and Inflation Reduction Act of 2022.

'Recent energy and climate policies are revolutionary and unprecedented in both scale and scope, putting the U.S. on or close to a path to zero net emissions by mid-century. They are also designed to realize a fair and equitable energy transition, improve human health, and revitalize U.S. manufacturing," said Stephen Pacala, Frederick D. Petrie Professor of Ecology and Evolutionary Biology at Princeton University and chair of the committee that wrote the report. "With so much at stake, the main challenge now is effective implementation of these policies. This report addresses how the nation can best overcome the barriers that will slow or prevent a just energy transition, and also fills some gaps in the existing policy portfolio.'

'As we continue to understand the urgency of the climate crisis and its unequal impacts, equity must be at the center of both research and new policies," said Marcia McNutt, president of the National Academy of Sciences. "This landmark report, part of an Academies-wide effort called Climate Crossroads, is a prime example of how scientists and science institutions like the National Academies can help shape policy change. This report encapsulates our promise to advise leaders who are looking for evidence-based equity and climate solutions.'

The new report covers a broad set of societal objectives and technological sectors and includes over 80 recommendations targeting private and public sector engagement. Lower-cost energy technologies, legislative support, and the national focus on equity and justice, it says, have created an opportunity for the U.S. to meet urgent needs created by the climate crisis. These developments, in addition to federal regulations and executive orders, state and local policies, and private sector activities, put the United States in a position to take the lead in the global fight against climate change.

The report addresses energy justice and equity, public health, the workforce, public engagement, clean electricity, the built environment, land use, transportation, industrial

decarbonization, the financial sector, the future of fossil fuels, and state and local government roles. Across these topic areas, **several key themes** emerged:

Broadening the Climate Policy Portfolio

Recent federal climate legislation has exclusively focused on subsidies and tax incentives, but a 30-year transition will require more durable support through a broad social contract and an expansion of the policy portfolio to also include taxes and regulations, the report says. Congress should create a national greenhouse gas emissions budget; an economy-wide carbon tax with provisions to protect people with low incomes; and standards on clean electricity generation and zero-emissions vehicles.

Ensuring Equity, Justice, and Health

Air pollution from the combustion of fossil fuels disproportionately impacts communities of color and low-income households and causes up to 350,000 deaths in the U.S. annually. The report says health impacts must be assessed when technological and new infrastructure decisions are made, and steps should be taken to mitigate harms to workers and communities from the loss of fossil-fuel dependent jobs. Congress should codify a stringent quantitative target, such as that embodied in the White House's Justice40 initiative, that will provide a clear standard by which the federal government will measure progress in fairness, equity, and justice during the energy transition.

Strengthening the U.S. Electricity System

Perhaps the single greatest technological danger to a successful energy transition is the risk that the nation fails to site, modernize, and build out the electrical grid, the report says. Without increased transmission capacity, renewables deployment would be delayed, and the net result could be at least a temporary increase in fossil fuel emissions, preventing the nation from achieving its emission reduction goals. The high-voltage interstate electricity grid should be expanded through permitting reforms; local electricity distribution systems and electricity markets should be modernized; and energy efficiency should be adopted more aggressively. The U.S. Department of Energy and the Federal Energy Regulatory Commission should take actions to strengthen the energy grid, including dispersing Inflation Reduction Act allocations to fund technical assistance and community engagement.

Supporting Rigorous and Transparent Analysis and Reporting

Climate and energy programs are present across the federal government, with many implementation activities led by state and local governments. However, the scale of the transition is complicated, vast, fast paced, and unprecedented. The report recommends Congress designate an enduring entity to oversee and execute transparent data analysis, monitoring, and public reporting about the nation's progress toward its net-zero emissions goal. This evaluation will enable adaptive management of these programs to ensure investments result in effective and equitable decarbonization.

Ensuring Procedural Equity in Infrastructure Planning

Reaching public consensus and support requires collaborative processes managed by specialists, with active participation by diverse groups of people in local communities. Federal agencies should establish regional planning networks to convene stakeholders and develop place-based decarbonization strategies to help ensure that the public is meaningfully engaged when new infrastructure is being considered. The report also recommends addressing barriers that prevent local communities from benefiting from renewable energy facilities; developing regional renewable energy plans; supporting subnational capacity building; and addressing priorities of disadvantaged and other impacted communities, among other actions.

Reforming Financial Markets

Historically, not all communities have had equal access to capital for energy and climate projects, an inequality that the report says the energy transition must address through targeted programs. Requiring disclosure of better, more standardized data and information from companies — such as their total emissions, their products’ carbon intensity, or their exposure to climate change impacts like increased wildfires — would allow investors and regulators to fully understand climate-related risks and opportunities. In addition, financial regulators should improve their monitoring and supervision of climate risks through scenario analysis and stress testing.

Building the Needed Workforce and Capacity

The U.S. lacks trained workers to implement current climate and energy policy and meet the federal government’s fairness, equity, justice, and public engagement goals. Training and programs are needed to remedy the severe capacity shortage, and such programs could also provide retraining for current workers in fossil fuel industries, the report says. The U.S. Department of Education should provide support to schools to develop K-12 net-zero curriculum and prepare students for careers in a net-zero economy. Congress should extend unemployment insurance for fossil-fuel related layoffs and develop a workforce adjustment assistance program. It should also focus on building the technological and social sciences workforces needed to implement decarbonization solutions.

Updating Targets for the Industrial and Building Sectors

Federal policy goals for certain sectors, such as industry and building, are currently not very stringent, the report says. Congress should take action to accelerate decarbonization of the industrial sector, which could also serve to revive it. It should also continue rebates, tax credits, and capacity development in decarbonization skills to incentivize energy efficiency and electrification upgrades for both sectors.

Meeting Research, Development, and Demonstration Needs

The breadth of the energy transition requires a research portfolio broader than that in the Energy Department’s domain — for example, development of land use practices that store carbon while improving agricultural productivity, or research on alternative ways to produce protein with lower emissions profiles. Gaps in research and development will require identifying which technologies to pursue and how, as well as interagency coordination beyond the DOE. Additionally, greater investments are required in energy-related social sciences and medium- to long-term technical challenges, such as developing new methods to make low-carbon products.

Managing the Future of the Fossil Fuel Sector

Most estimates indicate a continued role for fossil fuels — particularly oil and gas — in meeting U.S. energy needs through the next decade, but significant uncertainty about their role beyond that point remains. The consequences of reduced demand for fossil fuels should be managed by safe operation of municipal gas distribution networks despite a declining base of rate payers, reforms to taxes on gasoline and petroleum products, and transition planning and assistance for communities dependent on the fossil fuel industry, according to the report. States should require utilities and service providers to plan for the transition, and consider moratoriums on extending gas lines to previously unserved areas. Congress and state legislatures should ensure there is funding from plant owners for decommissioning and cleanup of closed facilities.

The energy transition will constitute a national effort, involving all Americans and businesses and organizations across all sectors of the economy, along with an adaptive whole-of-government approach. The report contains a **wide array of other**

recommendations (<https://nap.nationalacademies.org/resource/25931/interactive/>) that will help ensure the U.S. stays on the path to net-zero, and with it, benefits from cleaner air, reduced climate change impacts, equitable and affordable energy services, and better employment opportunities.

The study — undertaken by the Committee on Accelerating Decarbonization in the United States: Technology, Policy, and Societal Dimensions — was sponsored by the Alfred P. Sloan Foundation, Heising-Simons Foundation, Quadrivium Foundation, Breakthrough Energy, ClearPath Foundation, the Energy Foundation, and Incite Labs, with support from the National Academy of Sciences' Thomas Lincoln Casey Fund, Arthur L. Day Fund, and Andrew W. Mellon Foundation Fund.

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Contacts:

Josh Blatt, Media Relations Officer

Hannah Fuller, Media Relations Officer Office of News and Public Information
202-334-2138; e-mail news@nas.edu

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<https://www.nationalacademies.org/news/2023/10/un-nuevo-informe-presenta-un-plan-integral-para-alcanzar-los-objetivos-de-cero-carbono-neto-en-estados-unidos-y-garantizar-una-transición-energética-justa-y-equitativa.>"

New York City's Local Law 97 requiring city buildings to become carbon neutral by 2050 goes into effect on January 1, 2024. A new report found that converting hundreds of Manhattan office buildings into housing could reduce greenhouse gas emissions by 54% by 2050 (Hilary Howard, "How Turning Offices into Homes Aids the Planet," *The New York Times*, December, 2023, <https://nytimes.pressreader.com/article/281698324526270>)

Julia Conley, "'Catastrophe' Averted as Judge Upholds California County's Rejection of Exxon Oil Trucking Plan: 'It's time for Exxon to accept that the community won't support drilling and transporting oil in their backyard,' said one advocate," *Common Dreams*, September 27, 2023, <https://www.commondreams.org/news/santa-barbara-exxon>, reported, **"Public health and environmental advocates in Santa Barbara County, California on Wednesday hailed a district court ruling one advocate said placed 'the safety of our communities, climate, and coastlines first,' as oil giant ExxonMobil's proposal to drive oil tankers down coastal highways was struck down.**

Judge Dolly M. Gee in the U.S. District Court for the Central District of California upheld the county's 2022 rejection of the company's proposal. Last year the county cited the harm that a potential oil spill would do to biodiversity, water safety, and cultural resources when it refused to allow Exxon to truck oil."

"Democracy in the Amazon," *The Lever*, August 26, 2023, <https://www.levernews.com/you-love-to-see-it-victory-in-the-amazon/>, reported, "Democracy beat out fossil fuels in Ecuador last Sunday! In a historic referendum, **Ecuadorian voters**

chose to halt all future oil drilling at a protected site in the Amazon, keeping 726 million barrels of oil in the ground, where it belongs,"

"The site is in Yasuní National Park, a UNESCO-designated world biosphere reserve and home to two of the world's last voluntarily isolated Indigenous communities, the Tagaeri and Taromenane people. It's part of the world's most important rainforest, where experts say resource extraction and deforestation are — to put it simply — very bad. Grassroots activists gathered hundreds of thousands of signatures to petition for the referendum.

Also approved by voters was a measure preventing gold mining in the sensitive and biodiverse forest region of Chocó Andino.

Olivia Rosane, "'Morally Obscene': UK Approves Massive Undeveloped Oil and Gas Field in North Sea: 'The disgraceful decision to give Rosebank the green light shows the extent of the U.K. government's climate denial,' one activist said," *Common Dreams*, September 27, 2023, <https://www.commondreams.org/news/rosebank-oilfield>, reported, **"Regulators in the United Kingdom on Wednesday greenlit the Rosebank oilfield in the North Sea, which campaigners warn contains enough oil and gas to match the yearly emissions of 28 low-income countries."**

The U.K. government said it welcomed the approval, in a statement that **comes one week after Prime Minister Rishi Sunak announced he was delaying some elements of the country's net-zero plan."**

Somini Sengupta, "Extreme August Arrives With a Warning: Expect More: A mix of devastating wildfires, tropical storms, mudslides and heat waves foreshadows a future of intensified extremes as the world warms," *The New York Times*, August 22, 2023, <https://www.nytimes.com/2023/08/22/climate/tropical-storm-california-maui-fire-extreme-august.html>, reported, **"July was the hottest month in modern times. Now, August is shaping up to be a month of extremes."**

In the United States alone, a tropical storm swept across the Southwest, another struck Texas, Maui burned, and a blistering heat dome sat atop the middle of the country. In India, torrential rains triggered deadly landslides, Morocco and Japan hit new heat records, and southern Europe braced for another scorching heat wave." Baja California and California were hit by the first tropical storm to arrive there in more than 80 years, while wildfires caused record harms in many places: continuing across Canada, in Spain, Greece, Syria and in the Azores. Drought and flooding continued to increase in many locals also. **Climate change is clearly accelerating exponentially with far worse weather predicted to continue worsening.**

Jason Samenow and Kelsey Ables, "Hurricane Otis makes landfall near Acapulco as Category 5 storm: Otis grew from a tropical storm Tuesday morning to Category 5 by evening, the fastest strengthening on record in the northeast Pacific," *Washington Post*, October 24, 2023, <https://www.washingtonpost.com/weather/2023/10/24/hurricane-otis-acapulco-mexico-landfall/>, reported, **"Hurricane Otis made landfall overnight near Acapulco, Mexico, as a Category 5 hurricane with 165 mph winds, the strongest storm on record to hit Mexico and the product of the most extreme storm intensification in the northeastern Pacific Ocean."** Otis intensified from a tropical depression to a major hurricane faster than any storm previously known in the northeastern Pacific Ocean.

Julia Conley, "Groups Applaud EU Nature Restoration Deal, But Say More Work Is Needed to Counter Concessions to Far Right: 'Despite significant concessions made to the opponents of the impactful Nature Restoration Law, the provisional agreement includes several positive elements,' said one advocate,"

November 10, 2023, <https://www.commondreams.org/news/eu-nature-restoration-deal>, reported, **"Biodiversity advocacy groups in Europe on Friday applauded policymakers' reaching of a landmark deal to restore nature, finalized after painstaking negotiations between the European Parliament, Commission, and Council—but warned that the bloc's largest party, the right-wing European People's Party, had succeeded in securing numerous concessions that watered down the agreement.**

The Nature Restoration Law, part of the European Union's Green Deal to protect the environment and reduce planetary heating, will **establish measures to restore at least 20% of the bloc's land and 20% of its marine environments by 2030.**

Currently, **about 80% of natural habitats in Europe are in need of restoration. At least 30% of degraded habitats must be restored by the end of the decade under the law, rising to 60% by 2040 and 90% by 2050.**

The agreement still needs to be passed by the European Parliament's Environment, Public Health, and Food Safety (ENVI) Committee in a vote that's scheduled for November 29, and then proceed to a 'rubber-stamp vote' in parliament's plenary session in December.

Lead negotiator César Luena, a Spanish member representing the center-left Socialists & Democrats Party, said he was confident the measure would pass but admitted the agreement reached late Thursday night was only 'the first brick' to ensuring biodiversity is restored in Europe.

'I wanted more, of course, but this is a deal,' Luena told Politico.

Advocates including the environmental law group ClientEarth celebrated key victories, including strict requirements to restore and increase nature on farmlands and peatlands.

'But the reintroduction of the article came at a high cost, with significant concessions being made,' said ClientEarth.

The deal requires E.U. countries to prioritize the restoration of sites that are protected by the bloc's Natura 2000 program, which includes Europe's most threatened species and habitats.

But after lobbying by the European People's Party (EPP), countries will be under no legal obligation to implement the protection measures in other areas until 2030.

The peatland protection clause is also 'voluntary' for farmers and private landowners, and the EPP removed a requirement for 10% of farmland to have landscape features including hedgerows and flower strips.

Advocates also lamented an 'emergency brake' provision included in the deal, which allows E.U. countries to pause implementation for agricultural land if there is a food security crisis.

Sofie Ruyschaert, nature restoration policy officer for BirdLife Europe, said the remaining restoration targets for farmlands and peatlands mean 'the negotiators have not completely failed European citizens.'

'But the true litmus test lies in whether this law will really address the staggering repercussions of the climate and nature crisis,' said Ruyschaert. 'And that will only be seen if and when member states properly implement the law.'

Sergiy Moroz, policy manager for water and biodiversity at the European Environmental Bureau, credited negotiators with ensuring targets to reverse pollinator decline and restoring free-flowing rivers were retained in the agreement.

'Despite significant concessions made to the opponents of the impactful Nature Restoration Law, the provisional agreement includes several positive elements,' said Moroz. 'It is imperative that the law is now formally adopted by the co-legislators before the E.U. elections in 2024, and its implementation starts without delay to also enable E.U. to fulfill its global commitments on climate and biodiversity.'

Progressive lawmakers in the Left group in European Parliament said the negotiators' ability to reach an agreement, considering fierce opposition from right-wing policymakers, was 'a relief' and that the deal 'remains a very important and necessary legal framework for national nature restoration plans.'

'The Left warned that conservatives and liberals on the ENVI Committee "may try to undermine the law once more" before the agreement is passed.

'The Left will not cease to expose the misinformation and fearmongering of these groups,' said the coalition. 'We will continue our efforts for a Nature Restoration Law that enhances environmental resilience against droughts, floods, and heat, making our cities more habitable and supporting farmers.'

Jessica Corbett "US Appeals Courts Halts 'Climate Bomb' Oil Rail Project Over Environmental Concerns" "This is an enormous victory for our shared climate, the Colorado River and the communities that rely on it for clean water, abundant fish and recreation,' said one campaigner," *Common Dreams*, August 18, 2023, <https://www.commondreams.org/news/uinta-basin-railway>, reported, "U.S. Green groups and some Democratic politicians on Friday celebrated **a federal appellate court's ruling that pauses the development of the Uinta Basin Railway, a project that would connect Utah's oil fields to the national railway network.**

'The court's rejection of this oil railway and its ensuing environmental damage is a victory for the climate, public health, and wild landscapes,' said WildEarth Guardians legal director Samantha Ruscavage-Barz. 'The public shouldn't have to shoulder the costs of the railway's environmental degradation while the fossil fuel industry reaps unprecedented profits from dirty energy.'

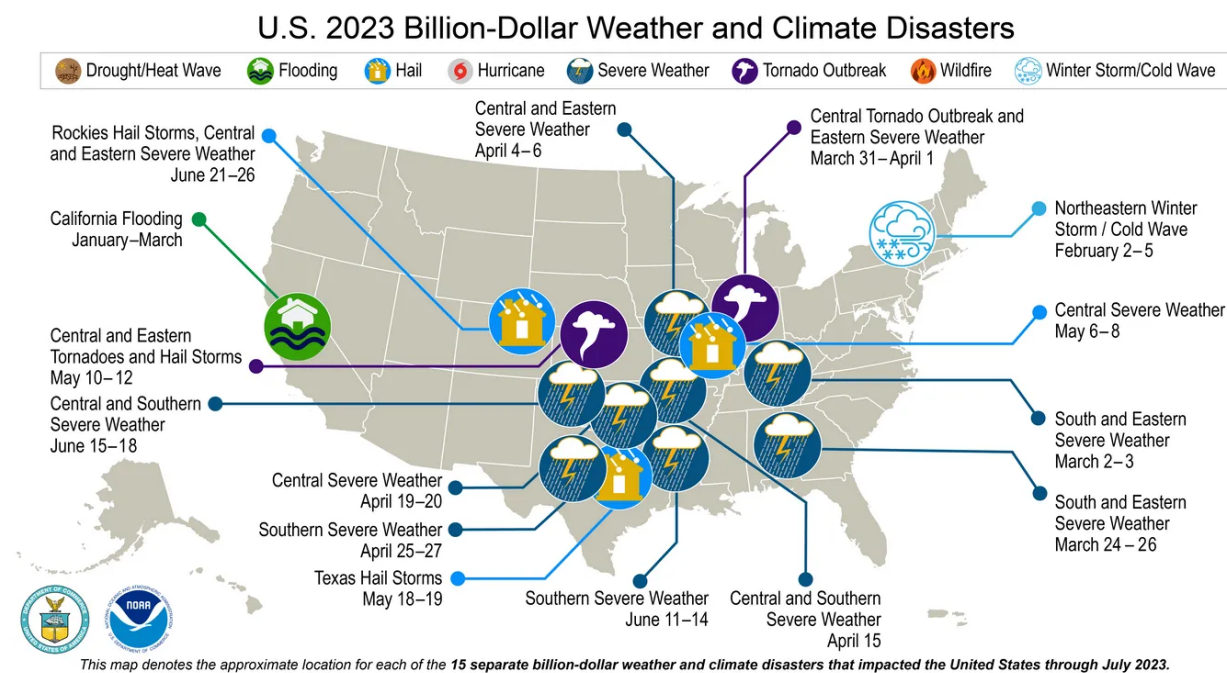
Although **the ruling does not necessarily permanently block the project—which would cut through tribal land and a national forest**—Carly Ferro, executive director of the Utah Sierra Club, similarly called the decision 'a win for communities across the West and is critical for ensuring a sustainable climate future.'

Jessica Corbett, "A Record 15 Billion-Dollar Disasters Have Hit US So Far This Year: NOAA: The tally could rise with the Atlantic hurricane season set to pick up," *Common Dreams*, August 8, 2023, <https://www.commondreams.org/news/a-record-15-billion-dollar-disasters-have-hit-us-so-far-this-year-noaa>, reported, "**The United States has already endured 15 billion-dollar weather and climate disasters this year, underscoring the dangers of and need for humanity to combat the fossil fuel-driven planetary emergency.**

The record pace of pricey extreme weather was announced Tuesday as part of the findings in the latest monthly U.S. climate report from the National Oceanic and Atmospheric Administration (NOAA).

Since recordkeeping began in 1980, the U.S. has experienced 363 weather and climate disasters with damages hitting \$1 billion, with a consumer price index (CPI) adjustment to 2023, according to NOAA's National Centers for Environmental Information (NCEI). The total cost of those events topped \$2.59 trillion.

As of Tuesday, there have been 15 confirmed events with losses exceeding \$1 billion including 'one flooding event, 13 severe storm events, and one winter storm event,' NCEI's related webpage explains. "Overall, these events resulted in the deaths of 113 people and had significant economic effects on the areas impacted. The 1980-2022 annual average is 8.1 events (CPI-adjusted); the annual average for the most recent five years (2018-2022) is 18 events (CPI-adjusted)."



While the total damage for the 15 events neared \$40 billion, the costliest disasters were early March storms in the South and East (\$6.1 billion), a tornado outbreak March 31-April 1 (\$5.4 billion), and California flooding (\$4.6 billion)."

Rosalyn R. Lapier, "How the Lahaina Wildfires Impacted Sacred Indigenous Sites: 'The fires of today are in part due to the climate crisis, a history of colonialism in our islands, and the loss of our right to steward our 'aina and wai' [land and water],' the chairwoman of the Office of Hawaiian Affairs said," *Common Dreams*, August 14, 2023, <https://www.commondreams.org/opinion/lahaina-wildfires-indigenous-sites>, reported, "Native Hawaiians are devastated by the recent wildfires that swept through Lahaina, Maui, killing dozens of residents and destroying hundreds of homes, buildings, Christian churches, and Buddhist temples.

It is not just the historic buildings and landmarks that are important to Native Hawaiians. This region of Maui has a longer history.

It has been revered by its Indigenous peoples as a sacred place for generations. In the 19th century, it served as the home and burial place of the Hawaiian royal family and became the first capital of the Hawaiian Kingdom. Carmen Lindsey, chairwoman of the Office of

Hawaiian Affairs, said in a statement that 'Lahaina holds some of the most historically significant cultural properties and highest-ranking sacred remains of our ancestors.'

As an Indigenous scholar who studies the environment and religion of Indigenous peoples, I am interested in how environmental change such as the catastrophic wildfire at Lahaina impacts sacred sites.

Ancient Connections

Lahaina is revered by Native Hawaiians because it has long been the home of Kihawahine, a woman who transformed into a mo‘o goddess, or a supernatural shapeshifting lizard in Hawaiian religion. Her primary home was in a fishpond at Moku‘ula, a small island in Lahaina that was considered a 'piko,' or center of traditional religious and political activity. Native Hawaiian royalty lived nearby to be near Kihawahine and her supernatural power.

The history of the region is also connected to King Kamehameha. After Kamehameha, the 'ali'i 'ai moku' or lead chief of the Island of Hawaii, succeeded in unifying all the Hawaiian islands in 1810, he made Lahaina on Maui his royal residence.

He selected this place to be near Kihawahine, the guardian spirit of his wife Keōpūolani. He then venerated Kihawahine, which assured that his lineage would continue to serve as leaders.

In the ensuing years, Lahaina became the capital of the newly unified Kingdom of Hawaii under Kamehameha and his descendants' rule. The capital remained in Lahaina until 1845, when King Kamehameha III relocated it to Honolulu, Oahu.

The earthly home of Kihawahine changed dramatically with the coming of American colonization and capitalism to the Island of Maui in the 19th century. Sugarcane companies diverted the waters that fed the fishpond and freshwater springs at Moku‘ula for irrigation, which caused the fishpond to dry up. Subsequently, the U.S. Territory of Hawaii filled what was left of the pond with soil in the early 20th century for a public park.

Efforts have been underway to restore Moku‘ula in Lahaina and revitalize its history as a Native Hawaiian sacred place. These efforts, however, will be dramatically impacted by the devastation of the Lahaina fire.

What Does the Future Hold?

According to scientists, destructive wildfires like the one in Lahaina are becoming more common and more intense due to climate change.

Chairwoman Lindsey of the Office of Hawaiian Affairs also sees other influences. 'The fires of today are in part due to the climate crisis, a history of colonialism in our islands, and the loss of our right to steward our 'aina and wai' [land and water],' she said.

The historic buildings and cultural properties of this place will be forever lost. That sense of loss is summed up in Lindsey's words: 'We have watched our precious cultural assets, our physical connection to our ancestors, our places of remembering—all go up in smoke.'

But the stories of Kihawahine and Hawaiian sacred places will live on.

This work is licensed under a Creative Commons Attribution 4.0 International License."

Reis Thebault, "Maui fires destroyed a cultural center of Native Hawaiian history," *Washington Post*, August 18, 2023, reported on the Maui fire, "... a network of community leaders, elders and organizations here have protected and passed down traditions and cultural practices, prime among **them the Na 'Aikane O Maui Cultural Center on Front Street**, which helped young people learn traditional art and longtime families fight for rights to their ancestral lands.

Then came **the fire. It destroyed the building, full of hundreds of Kanaka Maoli artifacts** — from 19th century land deeds stamped in wax, to traditional feathered capes and old maps that impressed the most studied cartophiles."
Kenya

Rising oceans resulting from global warming have caused salt water to creep inland in Louisiana threatening supplies of drinking water (Jacey Fortin, "In Louisiana, an infusion of Salt Water Threatens Drinking Supplies," *The New York Times*, September 30, 2023.

Dev Kumar Sunuwar (Koits-Sunuwar), "UN Chief: Climate Crisis in Himalayas Threatens, Cultural Survival, November 2, 2023, <https://www.culturalsurvival.org/news/un-chief-climate-crisis-himalayas-threatens-indigenous-communities>, reported, **"UN Secretary-General, António Guterres, concluded his four-day visit to Nepal on November 1, where he highlighted the urgent need for global attention to the climate crisis in the Himalayas. Despite the war in the Middle East, he chose to visit Nepal, perhaps to draw attention to another catastrophe—the climate crisis—a month before UNFCCC COP28 is set to take place in Dubai.**

'I saw for myself, from the base camp of Mt. Everest, the terrible impact of the climate crisis on the Himalayas,' Guterres tweeted from just below the top of the world. **'As temperatures rise, glacier melt increases, threatening the lives and livelihoods of entire communities. Climate action can't wait.'**

Keerti Gopal, "YOU LOVE TO SEE IT: Rainforest in Revival," *The Lever*, July 15, 2023, <https://www.levernews.com/you-love-to-see-it-rainforest-in-revival/>, reported, "Lula Saves The Trees

Deforestation in Brazil's Amazon Rainforest dropped 34 percent in the first six months of President Luiz Inácio Lula da Silva's term, reversing a four-year clearcutting trend.

With 60 percent of the Amazon located in Brazil, the country's environmental governance has far-reaching implications. The Amazon rainforest is one of the largest carbon sinks in the world, storing an estimated 123 billion tons of carbon, so its protection is critical worldwide. Da Silva, a popular leftist with a track record of advocating for social welfare, pledged to reverse deforestation, and so far it seems like he's making good on his promise."

Ivan Penn, "Energy Firms, Green Groups and Others Reach Deal on Solar Farms: The agreement could help speed up the development of large solar projects that are often bogged down by fights over land use and environmental concerns," *The New York Times*, October 12, 2023, <https://www.nytimes.com/2023/10/12/business/energy-environment/solar-farm-agreement.html>, reported, **"Solar developers, environmentalists, farming groups and tribal organizations said on Thursday that they had reached an agreement that could make it easier in the United States to build large solar farms, which have attracted stiff opposition in some places.**

The agreement seeks to address some thorny land-use and biodiversity issues that often stymie power projects in which developers propose installing large arrays of solar panels. The

deal is the result of months of discussions organized by the Stanford Woods Institute for the Environment, the Solar Energy Industries Association and the Nature Conservancy."

Taking a modern version of a traditional Indigenous approach, the agreement establishes a process for all concerned about a proposed solar project to be heard and have their objections included at the beginning of a project, as to whether, just where, and how it will be built. By having all the objections met at the beginning of the project, rather than having them come later, often in long delaying law suits, considerable time, effort and money can be saved while speeding the development of solar energy in environmental and human friendly ways.

Hannah Grover, "Navajo Nation community pushes to have uranium mine waste moved to nearby landfill," *New Mexico Political Report*, August 10, 2023, <https://nmpoliticalreport.com/2023/08/11/navajo-nation-community-pushes-to-have-uranium-mine-waste-moved-to-nearby-landfill>, reported on **a Dine community asking for the removal of radioactive waste, Residents of a small Navajo Nation community are hopeful that some of the historic mine waste impacting their land and health will be hauled away.**

In the 1970s and 1980s, the Quivira Mine produced approximately 4.6 million pounds of uranium, making it the third largest uranium mine on Navajo Nation.

As the uranium was hauled off, waste was discarded in a pile that today is located about 200 yards from a residence in the Red Water Pond Road Community.

Mary Louise Kelly, host, "Native Americans argue in court that 2 mining projects would destroy religious sites," "All Things Considered," NPR, July 11, 2023, <https://www.npr.org/2023/07/11/1187077467/native-americans-argue-in-court-that-2-mining-projects-would-destroy-religious-s>, reported, **"Two large mines important for America's green energy transition are being fought in federal court by Native Americans who say the developments would destroy sacred, religious sites. [One of these is a proposed lithium mine on federal land in northern Nevada. The other is the proposed copper mine at Oak Flats in Arizona]."**

Sponsor Message

HOST:

In the West, the fate of two large mines now rests with a federal appeals court. Those mines are considered important for the country's green energy transition. Native Americans are arguing the mines, on federal land once controlled by tribes, would destroy their sacred religious sites. NPR's Kirk Siegler reports on **the legal question of blocking big development projects for religious reasons."**

Hannah Grover, "Researchers warn that changes in the Permian Basin surface due to oil and gas industry activities are leading to increasing number of geohazards," *New Mexico Political Report*, August 31, 2023, <https://nmpoliticalreport.com/2023/08/30/researchers-warn-that-changes-in-the-permian-basin-surface-due-to-oil-and-gas-industry-activities-are-leading-to-increasing-number-of-geohazards>, reported, "A new study published this month (<https://www.sciencedirect.com/science/article/pii/S1569843223002480>) examines how the **petrochemical industry in the Permian Basin has deformed the landscape by causing some areas to sink while other areas rise.**

While the changes may not be easily noticeable, especially in sparsely populated areas like the Permian Basin, researchers say they **can damage infrastructure.**"

Native Organizers Alliance Action Fund reported in a July 15, 2023 E-mail, "**Thanks to the advocacy of the Bad River Band of Lake Superior Chippewa, a federal judge ordered the shutdown of the Line 5 pipeline that trespasses on their land in Wisconsin.** While this is a victory for Indigenous rights, the struggle continues: **Enbridge, the corporation that owns the pipeline, is fighting this decision and has ignored Michigan Governor Whitmer's shutdown order for the part of the pipeline based in Michigan. It may continue to operate with impunity.**

Federal courts had also blocked the Mountain Valley Pipeline, but President Biden and Congress recently fast-tracked it in legislation written by the fossil fuel industry known as the "Dirty Deal." Fortunately, a federal court just ruled this week to delay part of the Mountain Valley pipeline, challenging the authority of Congress. For now, this is a victory for the Indigenous community and all communities along its proposed route.

These court wins are only temporary ones, and they demonstrate the political power of polluting corporations. We must keep growing grassroots Native political power, or else Congress and the White House will continue to sacrifice Mother Earth and our communities for corporate greed.

Mountain Valley Pipeline Halted as Legal Wrangling Heats Up: A federal court in Richmond has held up construction, despite a law passed by Congress last month that says it no longer has jurisdiction over the pipeline," The New York Times

By Coral Davenport

July 12, 2023, https://www.nytimes.com/2023/07/12/climate/mountain-valley-pipeline-courts.html?campaign_id=54&emc=edit_clim_20230713&instance_id=97458&nl=climate-forward®i_id=52235981&segment_id=139245&te=1&user_id=2984790c14170290245238c0cd4fd927, reported, "**A federal court in Richmond has halted construction of the Mountain Valley Pipeline, setting off a battle with Congress that could end up at the Supreme Court.**

The U.S. Court of Appeals for the Fourth Circuit, in Richmond, released a pair of rulings on Monday and Tuesday to stop work on the project, which is intended to carry natural gas about 300 miles from the Marcellus shale fields in West Virginia across nearly 1,000 streams and wetlands before ending in Virginia."

Julia Conley, "Climate Campaigners Celebrate Cancellation of Multistate Carbon Capture Pipeline: 'Cause of death: citizen activism informed by science," *Common Dreams*, October 20, 2023, <https://www.commondreams.org/news/co2-pipeline-canceled>, reported, "**Climate action advocates and scientists joined residents of five Midwestern states in applauding Friday after a Nebraska firm canceled plans to build a carbon pipeline across five states, following outcry from the public and opponents of 'dangerous, wasteful' carbon capture schemes.**

Navigator CO2 Ventures said it was abandoning plans to build the \$3.5 billion, 1,300-mile **Heartland Greenway pipeline project**—whose backers included investment firm BlackRock and Valero Energy—**after South Dakota regulators denied a permit.**

The company cited 'the unpredictable nature of the regulatory and government processes involved,' but advocates in the five states that would have been affected credited grassroots

campaigning, including by residents who spoke out against the company's plan to potentially use eminent domain to gain access to land."

"Climate Forward," the *New York Times*, October 31, 2023, <https://messaging-custom-newsletters.nytimes.com/template/oakv2>, had links to the following reports,

"Other climate news

The Biden administration approved a plan to install up to 176 giant turbines off the coast of Virginia, which would be the nation's largest offshore wind farm.

Acapulco was devastated by Hurricane Otis. Help is beginning to trickle in, but at least 45 people are dead and damage is widespread.

The rigid rule-bound world of French cheese making is struggling to cope with climate change disruption.

The United Kingdom reversed its earlier stance and will back a moratorium on commercial deep-sea mining, *The Guardian* reports.

The World Bank said a major escalation of the war between Israel and Hamas could send oil prices surging.

Britain's largest steel plant may switch from dirty blast furnaces to cleaner electric arc technology, but workers fear jobs will be lost.

Climate scientists, long measured in their language, are raising the alarm with increasingly dire language, the *Washington Post* reports."

Stanley Reed and Tracey Tully, "Offshore Wind Firm Cancels N.J. Projects, as Industry's Prospects Dim: Denmark's Orsted said it would be forced to write off as much as \$5.6 billion as wind developers in the U.S. faced wrenching financing costs," *The New York Times*, November 1, 2023, <https://www.nytimes.com/2023/11/01/business/energy-environment/offshore-wind-farm-new-jersey.html>, reported, **"Plans to build two wind farms off the coast of New Jersey were scrapped, the company behind them said on Wednesday, a blow to the state's efforts to cut greenhouse gas emissions and the latest shakeout in the U.S. wind industry.**

The move, which will force Orsted, a Danish company, to write off as much as \$5.6 billion, **will crimp the Biden administration's plans to make the wind industry a critical component of plans to reduce greenhouse gas emissions. High inflation and soaring interest rates are making planned projects that looked like winners several years ago no longer profitable."**

Hannah Grover, "How gravel could become an inexpensive clean energy storage solution," *New Mexico Political Report*, November 1, 2023, <https://nmpoliticalreport.com/2023/11/01/how-gravel-could-become-an-inexpensive-clean-energy-storage-solution>, reported, **"Could inexpensive pea gravel from a local landscaping company play a role in decarbonizing heat and electricity?** That is a question that Sandia National Laboratories and its partner CSolPower want to answer. The researchers believe that rocks, like pea gravel, could be used to store energy generated by solar panels.

The New Mexico-based CSolPower states on its website that its purpose is "to provide an engineered solution using non-toxic, low-cost materials in conjunction with legacy power plant infrastructure." The electricity would generate heat to be stored in the gravel and then used to generate electricity. The efficiency, however, is likely to be low.

Brett Wilkins, 'Big Environmental Justice Win' as Florida LNG Export Terminal Canceled: One campaigner from Public Citizen—which sued to block Nopetro's project—called it 'a real testament to the incredible organizing by the people of Port St. Joe,'" *Common Dreams*, July 20, 2023, <https://www.commondreams.org/news/lng>, reported, "Climate and environment defenders this week welcomed the **cancellation of a controversial facility in the Florida Panhandle that would have exported up to nearly 4 billion cubic feet of planet-heating liquefied natural gas per year.**

Miami-based Nopetro announced Monday that the company would scrap plans to build a 60-acre liquefied natural gas (LNG) export terminal on the grounds of a shuttered paper mill in a historically Black neighborhood of Port St. Joe in Gulf County."

"Tribal Energy Snapshot: Karuk Tribe: Tribe Will Harness Power of the Sun to Offset Key Facilities' Energy Use by 92%," Office of Indian Energy Policy and Programs, October 23, 2023, <https://www.energy.gov/indianenergy/articles/tribal-energy-snapshot-karuktribe>, reported, "In this Tribal energy snapshot, learn more about **the Karuk Tribe's Community Scale Solar Energy Generating Systems project. The project was co-funded by the U.S. Department of Energy (DOE) Office of Indian Energy.**

Project Quick Facts

The Karuk Tribe seeks to achieve clean energy goals and reduce its dependence on traditional grid energy through the development of multiple grid-tied solar photovoltaic (PV) systems and battery storage. In addition to deploying a 948-kilowatt (kW) ground-mounted solar PV system that will offset the energy costs of the Tribal casino and administrative trailers, the Tribe will install 301-kW of roof-mounted PV systems with battery backup on 39 elder homes and power its new wellness center with an 18-kW roof-mounted PV system. The nearly \$4 million investment in solar energy aims to bolster community energy resilience and offset the energy costs of these Tribally owned facilities by 92%.

In July 2023, Office of Indian Energy staff visited the Karuk Tribe to see the progress of all project sites, including this elder home with rooftop PV installed....

Take a glance at the project by the numbers:

Battery energy storage capacity:

The project will provide the Karuk Tribe's 39 elder homes with a total of approximately 580 kilowatt-hours (kWh) of battery energy storage capacity to maintain critical load for elders during outages.

Savings to the Tribe:

The project is expected to save the Tribe an estimated \$259,658 in energy costs in the first year and more than \$13.4 million over 30 years.

Total project cost:

The cost of the project is \$3,981,733, shared by DOE (\$1,990,866) and the Tribe (\$1,990,867)."

Cara Buckley, "In Shipping, a Push to Slash Emissions by Harnessing the Wind: More ships are running on wind power, as the global industry tries to fight climate change. One concept has backing from Abba, the Swedish pop stars," *The New York Times*, October 3, 2023, <https://www.nytimes.com/2023/10/03/climate/wind-powered-ships-climate.html>, reported, "One ship was pulled across the sea with the help of an enormous sail that looked as if it belonged to a

kite-surfing giant. Another navigated the oceans between China and Brazil this summer with steel and composite-glass sails as high as three telephone poles.

Both harness a natural propellant that oceangoing vessels have depended on for centuries: the wind. And they're part of a growing effort to move the shipping industry away from fossil fuels."

Kate Selig, "Toxic 'forever chemicals' taint nearly half of U.S. tap water, study estimates: The research adds to the evidence that PFAS chemicals are as pervasive as they are long-lasting in the environment," *Washington Post*, July 6, 2023, <https://www.washingtonpost.com/climate-environment/2023/07/06/tap-water-forever-chemicals-pfas/>, reported, "The federal [United States Geological Survey (USGS)] study, one of the most extensive of its kind looking directly at water coming out of a tap, adds to a body of research showing that PFAS — per- and polyfluoroalkyl substances — chemicals are not only long-lasting but widespread in drinking supplies."

The more than 12,000 PFAS chemicals were found in more than half the tap water in the U.S. They were more prevalent in urban areas with manufacturing and airports, and were found more along the Eastern Seaboard, Great Lakes Region, and central and Southern California. It was estimated that 75 percent of urban tap water and 25% of rural tap water carries at least one PFAS chemical.

Kasha Patel, "Why tires — not tailpipes — are spewing more pollution from your cars: Wear and tear on vehicles' tires and brakes emit fine particles into the air, linked to heart and lung disease," *Washington Post*, July 9, 2023, https://www.washingtonpost.com/climate-environment/2023/07/09/tire-brake-tailpipes-emissions-pollution-cars/?utm_campaign=wp_the7&utm_medium=email&utm_source=newsletter&wpisrc=nl_the7, reported, **"For decades, scientists and health officials have warned drivers of the harmful pollutants coming from tailpipes. But as car exhaust systems have become cleaner, pollution linked to heart and lung disease has increased from a different source: tires and brakes.**

In fact, wear and tear on tires and brakes have been shown to produce increasingly more particle pollution, by mass, than car exhaust systems did in several real-world and test scenarios. Some of the particles are large enough to see with our eyes. Others are fine particles (known as PM 2.5, with diameters up to 2.5 microns) and ultrafine particles (known as PM 0.1, with diameters of 100 nanometers), which can enter through our bloodstream and harm our organs."

Timothy Puko, "In 'Cancer Alley,' a key Biden climate push draws fire from environmentalists: EPA proposes handing regulation of carbon storage to state officials in Louisiana. Activists fear the risks, and the chance it could perpetuate the fossil fuel industry. June 22, 2023, <https://www.washingtonpost.com/nation/2023/06/22/biden-carbon-capture-climate-environmentalists/>, reported, **"Petrochemical plants and refineries dominate the landscape in this part of Louisiana (around Donaldsonville), each year spewing millions of tons of carbon dioxide into the air. If Washington and the oil industry have their way, some of those climate-warming gases could soon be captured and stored underground.**

But the Biden administration faces big resistance from a key ally: environmentalists.

Many, led by environmental justice advocates, object to carbon capture projects, especially in a region where petrochemical plants often sit next to Black churches and schools, and high cancer rates have led to the nickname "Cancer Alley." Some fear carbon

capture will perpetuate fossil fuel industries they want to phase out. Others fear the direct local impacts of pipelines and other planned infrastructure." Leaks from carbon pipelines can, and have, created serious health problems and even death. If Louisiana does the regulation of the project, fear is that the regulations may well be insufficient, and even the best regulations may not be sufficient.

Where green energy facilities are located is a critical issue so that they do not have negative impacts, such as causing environmental damage or destroying sacred sites. Valerie Volcovici, "Biden's green hydrogen plan hits climate obstacle: Water shortage," Reuters, July 3, <https://www.reuters.com/sustainability/climate-energy/bidens-green-hydrogen-plan-hits-climate-obstacle-water-shortage-2023-07-03>, reported, **"The Biden administration's climate agenda is facing an unexpected challenge in drought-prone Corpus Christi, Texas, where a proposed clean hydrogen hub would require the installation of energy-intensive, expensive and potentially environmentally damaging seawater desalination plants.**

The Gulf Coast port is in the running for up to \$1 billion available under President Joe Biden's 2021 Infrastructure Investment and Jobs Act to create a regional hub to produce hydrogen, a low-emissions fuel made by electrolyzing water that can help decarbonize heavy-emitting industries and transportation."

Susan Dunlap, "Report emphasizes impacts of climate change on children's health," August 6, 2023, <https://nmpoliticalreport.com/2023/08/07/report-emphasizes-impacts-of-climate-change-on-childrens-health>, reported, **"Children are at greater risk to pollutants and various deleterious effects caused by climate change, including behavioral health risks,** a new report found (<https://www.nmvoices.org/archives/18396>).

Aspects of climate change, such as increased wildfire, extreme heat, air and water pollution, have a larger impact on children than adults, according to the report compiled by New Mexico Voices for Children. Children's bodies and immune systems are still developing and they drink more water and breathe in more air per body weight than adults. This makes them more susceptible to contamination."

" Drought Saps the Panama Canal, Disrupting Global Trade: The number of ships that can travel through the vital route has fallen sharply this year because of a lack of water for the locks, raising costs and slowing deliveries," *The New York Times*, November 1, 2023, <https://www.nytimes.com/2023/11/01/business/economy/panama-canal-drought-shipping.html>, reported, **"For over a century, the Panama Canal has provided a convenient way for ships to move between the Pacific and Atlantic Oceans, helping to speed up international trade.**

But a drought has left the canal without enough water, which is used to raise and lower ships, forcing officials to slash the number of vessels they allow through. That has created expensive headaches for shipping companies and raised difficult questions about water use in Panama. The passage of one ship is estimated to consume as much water as half a million Panamanians use in one day."

The slowdown at the canal is causing an international supply chain problem, and a financial loss for Panama. The canal uses fresh water, not salt, in its operations.

Meredith Johnson, "OK's 18th Superfund site adjacent to Mvskoke Reservation in Muskogee: Radioactive site sits on the Arkansas River in Cherokee Nation," Muvskoke Media, October 13, 2023, <https://www.mvskokemedia.com/oks-18th-superfund-site-adjacent-to->

mvskoke-reservation-in-muscogee, reported, "On Sept. 6, the **U.S. Environmental Protection Agency (EPA) announced a new Superfund site in Oklahoma**. Superfund sites are polluted areas that are deemed a risk to human health and require long-term efforts at cleanup, monitoring and remediation. The listing is the 18th **Superfund site within the state of Oklahoma**.

In March of 2023, the EPA proposed adding Fansteel Metals/FMRI to the National Priorities List. According to a statement from Regional Administrator Dr. Eartha Nance, those who live near the Superfund sites should not have to worry.

'The EPA remains committed to ensuring the safety and health of citizens who live near these Superfund sites,' Dr. Nance said. 'By adding the Fansteel Metals site to the NPL, we are enforcing environmental justice and taking action to remove a threat that impacts the environment and public health.'

The site, formerly Fansteel Metals/FMRI, is located north of Oklahoma Highway 62 near the Arkansas river in Muskogee. **The site sits within the boundaries of the Cherokee Reservation and is adjacent to the Mvskoke Reservation.**

Fansteel Metals/FMRI was in operation between 1957-1989 and produced tantalum and columbium metals from uranium ore. Both metals are used in technology and electronics. The operation produced radioactive residues which were deposited onsite in waste ponds. The site had not been maintained nor cleaned since the company filed for bankruptcy in 2002, prompting an emergency response action from the EPA in 2018.

While the EPA has reliable data on hazardous sites, identifying those in Indian Country can be difficult due to the nuances in ownership and land use, according to the Tribal Lands Assistance Center. However, the Fansteel/FMRI site had been on the state and federal radar for years.

Before closing operations in 1989, Fansteel/FMRI had operated since 1967 with a license under the U.S. Nuclear Regulatory Commission due to the high concentrations of uranium produced at the site. After a 2002 bankruptcy filing, a note in the amount of \$30 million was provided to fund decommissioning the site in three phases.

When the EPA completed an emergency response action in 2018 and an expanded site investigation in 2019, phase one of the clean-up process had not been completed. The action removed toxic chemicals from the site and established that the groundwater near the facility was contaminated with metals and radioactive material.

Of the 18 Superfund sites in Oklahoma, half are in eastern Oklahoma. Of those nine sites, three are within the Mvskoke Reservation. These include Henryetta Oil and Metal in Henryetta, and Wilcox Petroleum Co in Bristow.

Director of MCN Environmental Services James Williams explained that although the site is in the jurisdiction of the Cherokee Nation, the site cleanup is still in the best interest of Mvskoke people. MCN has been involved in public meetings over the site and kept informed on the EPA's process because of the site's proximity.

MCN Environmental Services routinely works with the EPA in consultation and collaboration. 'We have an open door policy with them and they're good at assisting us and we're good at assisting them,' Williams stated.

The Fansteel/FMRI site sits as Williams says, 'on our neighbor's side.' He explained the importance of communication between tribal and federal governments. 'This is our backyard, that's what we call our reservation boundaries, and we like to keep an eye on the neighbors... And we're also looking down the road for the next seven generations, looking for their future too.' Williams said.

For more information about Oklahoma's Superfund sites go to: Cleaning Up Oklahoma: <https://storymaps.arcgis.com/stories/f6dd50d213c94ab181bf6cef6c217914>."

Sakura Murakami and Tom Bateman, "Japan to release Fukushima water into ocean from Aug. 24," Reuters, August 23, 2023, https://www.reuters.com/world/asia-pacific/japan-release-fukushima-water-into-ocean-starting-aug-24-2023-08-22/?utm_source=Sailthru&utm_medium=Newsletter&utm_campaign=Daily-Briefing&utm_term=082223, reported, "**Japan said on Tuesday it will start releasing into the sea more than 1 million metric tons of treated radioactive water from the wrecked Fukushima nuclear power plant** on Aug. 24, going ahead with a plan heavily criticised by China.

The plan, approved two years ago by the Japanese government as crucial to decommissioning the plant operated by Tokyo Electric Power Company (Tepco) (9501.T), has also faced criticism from local fishing groups fearing reputational damage."

"Renewable energy deployment surge puts global power system on track for the IEA's ambitious net-zero pathway," RMI, visited July 15, 2023, <https://rmi.org/press-release/renewable-energy-deployment-puts-global-power-system-on-track-for-ambitious-net-zero-pathway/>, reported, "New analysis by RMI, in partnership with the Bezos Earth Fund, reveals **surging solar, wind and battery capacity out to 2030 is now in line with ambitious net-zero scenarios. The forecasts see solar and wind supplying over a third of all power by 2030 (up from around 12% currently), while the major cost declines over the past 10 years are expected to continue with solar and wind roughly halving in price again by 2030.**

Complementary research from Systems Change Lab (<https://www.wri.org/insights/countries-scaling-renewable-energy-fastest>) shows **eight countries, ranging from Uruguay to Denmark to Namibia, are already proving this is possible, having scaled up solar and wind at rates faster than what's needed globally to limit global warming to 1.5°C, based on IEA scenarios.**

This exponential growth has put the electricity system at a global tipping point — where the transition away from fossil fuels has become hard to reverse, suggesting fossil fuel demand has peaked in the electricity sector and will be in freefall by the end of the decade.

The COP28 goal to triple renewables capacity by 2030 is now within reach, provided further barriers are removed, including grid investment, streamlined permitting, improved market structures, and greater storage.

Two new pieces of research show that **solar and wind are growing faster than expected:**

Rapid growth in solar, wind and battery deployment means that by 2030 the global electricity system can deliver ambitious net-zero pathways, according to new research by RMI done in partnership with the Bezos Earth Fund. **This exponential growth in renewable electricity is unlocking widespread benefits, including security of supply and jobs growth, as well as countering energy price inflation.**

Complementary research from Systems Change Lab, also published today, shows eight countries have already grown solar and wind generation faster than what's needed to limit global warming to 1.5°C, proving that a rapid transition to renewable energy is possible.

, up from around 12% today. Based on the forecasts, this would see solar and wind generate 12,000-14,000TWh by 2030, 3-4 times higher compared with 2022 levels. It would also surpass recent calls running up to COP28 for a tripling of total renewable energy capacity by 2030.

Meanwhile, fossil fuel demand for electricity will be in steep decline, according to the RMI analysis, down as much as 30% from the 2022 peak by 2030, as renewable electricity further outcompetes hydrocarbons on cost.

Diverse countries leading the charge

Certain key countries and regions including China and Europe are leading the way in adopting clean energy technology, at an exponential growth rate. However, renewable deployment is also becoming ever more distributed globally, including across the Middle East and Africa, which are rapidly catching up with and harnessing the global growth trend.

Uruguay, Denmark, Lithuania, Namibia, Netherlands, Palestine, Jordan, and Chile have all already grown solar and wind generation at rapid speeds, demonstrating that a rapid transition can be achieved across many different contexts, research from Systems Change Lab shows.

Globally, wind and solar need to grow from 12% to 41% by 2030, an increase of 29 percentage points. Denmark, Uruguay, and Lithuania have already achieved such an increase over a comparable span of eight years. Namibia, the Netherlands, Palestine, Jordan, and Chile have grown solar and wind generation at sufficient rates for five years.

These countries scaled-up wind and solar under very different circumstances. They span both developing and developed countries, with a GDP per capita ranging from \$4,000 to \$67,000 per year. The countries were driven to accelerate renewables by a variety of factors, including adopting smart and effective policies, maintaining political commitment, lowering the costs of renewable power and improving energy security.

'The exponential growth trend in renewable electricity can be harnessed to help developing countries get ahead of the curve and transition faster to a cleaner and more affordable electricity system,' Andrew Steer, President and CEO of the Bezos Earth Fund.

Cost advantage gives boost to green energy

Exponential rates of deployment are driving down renewable prices at unprecedented pace, rendering higher cost hydrocarbons uncompetitive in most markets.

RMI forecasts that what is already the cheapest form of electricity in history will roughly halve in price again by 2030, falling as low as \$20/MWh for solar from over \$40/MWh currently.

The cost of renewable electricity has plummeted over the past 10 years, overcoming a key barrier to widespread deployment. Solar and battery costs have declined 80% between 2012 and 2022, while offshore wind costs are down 73% and onshore wind costs are 57% down, BNEF data shows.

'Exponential growth of clean energy is an unstoppable force that will put more spending power in the pockets of consumers. The benefit of rapid renewable deployment is greater energy security and independence, plus long-term energy price deflation because this is a manufactured technology – the more you install the cheaper it gets,' said Kingsmill Bond, Senior Principal, RMI.

This comes as the Global Stocktake, which delivers the results of a two-year assessment of global efforts to meet the goals of the Paris Agreements, is expected to highlight a major shortfall in necessary progress to stem the accelerating climate crisis. However, this backward-looking assessment misses the exponential growth of new energy technologies in the largest industries of the fossil fuel system. Electricity and road transport account for more than half of

fossil fuel demand and have reached tipping points in deployment to pave the way for widespread adoption.

'This is a clear signal to policy makers, businesses and investors to seize the opportunity of accelerating the energy transition. The call to triple renewable electricity investment and capacity by 2030 are deliverable. But only by removing barriers to faster renewable deployment, from streamlining permitting to redirecting subsidies for polluting energy. Otherwise, the exponential growth we are seeing and the benefits that come with it could be derailed unnecessarily,' Christiana Figueres, Former Executive Secretary of UNFCCC and a Founding Partner of Global Optimism.

Notes To Editors

Modeling exponential change

The exponential approach models rapid change of the new and concludes that the energy transition is on track. The key is to remove the barriers to change and to allow renewables to maintain their current growth trajectory.

To illustrate the difference between the linear and exponential, consider the question of solar capacity in 2050. Let us assume that it is necessary to deploy 30,000 GW of solar panels by 2050 in order to get to net zero. In 2022 itself we deployed 250 GW of solar panels according to BNEF and total deployment at the end of the year was 1,200 GW.

The orthodox approach would argue that we need to deploy 1,000 GW per annum, we are only deploying 250 GW, and therefore we will be unable to get to our goals. There is a huge gap of 750 GW pa.

An exponential approach notes that the growth of solar generation has been on an S curve for decades. To get to 30,000 GW in 2050, we need to get keep on going up the S curve to around 1,000 GW in 2030 and rise to a little above that level for the next 20 years. That will get us to (or beyond) 30,000 GW of solar capacity, and it is completely feasible so long as we stay on track.

Boilerplates

RMI

RMI (<https://rmi.org>), founded as Rocky Mountain Institute, is an independent, non-partisan, nonprofit organization of experts across disciplines working to accelerate the clean energy transition and improve lives. RMI decarbonizes energy systems through rapid, market-based change in the world's most critical geographies to align with a 1.5°C future and address the climate crisis. We work with businesses, policymakers, communities and other organizations to identify and scale energy system interventions that will cut greenhouse gas emissions at least 50% by 2030.

Systems Change Lab

Systems Change Lab (<https://systemschangelab.org>) aims to drive change at the pace and scale needed to tackle some of the world's greatest challenges: limiting global warming to 1.5 degrees C, halting biodiversity loss and building a just and equitable economy. Convened by World Resources Institute and the Bezos Earth Fund, Systems Change Lab supports the UN Climate Change High-Level Champions and works with key partners and funders including Climate Action Tracker (a project of NewClimate Institute and Climate Analytics), ClimateWorks Foundation, Global Environment Facility, Just Climate, Mission Possible Partnership, Systemiq, University of Exeter, and the University of Tokyo's Center for Global Commons, among others. Systems Change Lab is a component of the Global Commons Alliance.

Groundswell

Groundswell (<https://www.globaloptimism.com/who-we-work-with>) is a collaborative project, established by the Bezos Earth Fund, Global Optimism, and Systems Change Lab to support a diverse and distributed chorus of voices whose stories of achievements and further possibilities can inspire us all in this time of crisis.

Bezos Earth Fund

There is Jeff Bezos' \$10 billion commitment to fund scientists, activists, NGOs, and other actors who will drive climate and nature solutions. By allocating funds creatively, wisely, and boldly, the Bezos Earth Fund (<https://www.bezosearthfund.org>) has the potential for transformative influence in this decisive decade. Funds will be fully allocated by 2030—the date the United Nations Sustainable Development Goals must be achieved.

For Press Enquiries please contact: Robin Knight, Brunswick – rknight@brunswickgroup.com +44 7884 264012"

Cara Buckley, "To Help Cool a Hot Planet, the Whitest of White Coats: Scientists at Purdue have created a white paint that, when applied, can reduce the surface temperature on a roof and cool the building beneath it," *The New York Times*, July 12, 2023, <https://www.nytimes.com/2023/07/12/climate/white-paint-climate-cooling.html>, reported, "Xiulin Ruan, a professor of mechanical engineering at Purdue University, didn't set out to make it into the Guinness World Records when he began trying to **make a new type of paint**. He had a loftier goal: **to cool down buildings without torching the Earth**." This could be an important element in fighting climate change.

In 2020, Dr. Ruan and his team unveiled their creation: a type **of white paint that can act as a reflector**, bouncing 95 percent of the sun's rays away from the Earth's surface, up through the atmosphere and into deep space. A few months later, they announced an even more potent formulation **that increased sunlight reflection to 98 percent**."

Dan Gearino, "Virtual Power Plants Are Coming to Save the Grid, Sooner Than You Might Think: Networks of thousands of home-based batteries could be key to a cleaner, more reliable electricity system," Inside Climate News, June 22, 2023, <https://insideclimatenews.org/news/22062023/inside-clean-energy-virtual-power-plants>, reported. **"This summer could be the first one in which virtual power plants—networks of small batteries that work in tandem to function like power plants—are large enough to make their presence felt by helping to keep the lights on during the hottest days."**

"The batteries in virtual power plants add megawatts of capacity to the grid when electricity demand is at its highest. And most of the electricity from the batteries is generated by rooftop solar." Blake Richetta, CEO of U.S. operations for the battery maker Sonnen, stated that combining renewable energy and groups of batteries in this way is 'a recipe for the grid of the future.'"

Sarah McFarlane and Valerie Volcovici, "Insight: World's war on greenhouse gas emissions has a military blind spot," Reuters, July 10, <https://www.reuters.com/business/environment/worlds-war-greenhouse-gas-emissions-has-military-blind-spot-2023-07-10>, **"When it comes to taking stock of global emissions, there's an elephant in the room: the world's armed forces.**

As temperatures hit new highs, scientists and environmental groups are stepping up pressure on the U.N. to force armies to disclose all their emissions and end a long-standing exemption that has kept some of their climate pollution off the books.

Among the world's biggest consumers of fuel, militaries account for 5.5% of global greenhouse gas emissions, according to a 2022 estimate by international experts."

"You Love To See It: Here Come The Solar Canals," *The Lever*, November 25, 2023, <https://www.levernews.com/here-come-the-solar-canals/>, reported that **the first solar panel covered canal in the U.S. is under construction while similar work is underway in India to conserve water and generate clean electricity. "The Gila River Indian Community, which is located just south of Phoenix, announced this month that it was launching the first phase of its planned solar-over-canal project, saying it was the first in the country to actually begin construction.** To start, 1,000 feet of canal managed by the reservation will be covered with solar panels, a pilot project that tribal officials said will hopefully be expanded across the reservation's 140-mile irrigation system, a critical resource in a region where water is increasingly scarce. The tribe is using federal funds for the first phase of the \$6.7 million project, which is slated for completion in 2025, and will work with the U.S. Army Corps of Engineers to construct it."

In New York City, converting unused office building space into housing could not only ease the housing crisis but reduce carbon emissions in those buildings by 54 percent because of the City's new carbon emissions reduction legislation. This could be a model for other cities (Hilary Howard, "How Turning Office Space into Homes Aids the Planet," *The New York Times*, December 9, 2023).

William Booth, "World shipping body votes on 'historic' emissions cuts to curb warming," *Washington Post*, July 7, 2023, <https://www.washingtonpost.com/world/2023/07/07/imo-shipping-emissions-climate/>, reported. **"The International Maritime Organization, the obscure United Nations group that oversees the global shipping industry, agreed Friday to slash its greenhouse gas emissions in coming decades in an attempt to limit future global warming.**

The landmark deal includes a standout pledge to reduce its emissions to net-zero "by or about 2050." This is an increase from the prior target of cutting greenhouse gas emission in half by 2050.

However, Brett Wilkins, "Ocean Defenders Decry 'Total Failure' of Global Shipping Agreement to Meet Paris Climate Goal: 'There is no excuse for this wish-and-a-prayer agreement,' said one activist," *Common Dreams*, July 07, 2023, <https://www.commondreams.org/news/international-maritime-organization>, **"As the world's seafaring nations failed to — for a slow-moving, polluting industry that has traditionally been resistant to change —**

agree on any absolute emission reduction targets during this week's Marine Environment Protection Committee meeting in London, civil society groups warned Friday that the draft deal reached by 175 nations is insufficient to achieve the Paris climate agreement's preferred 1.5°C planetary warming limit."

Molly Lempriere, "Steel industry makes 'pivotal' shift towards lower-carbon production,," *CarbonBrief*, July 20, 2023, <https://www.carbonbrief.org/steel-industry-makes-pivotal-shift->

towards-lower-carbon-production, reported, **"The steel industry has made a 'pivotal' shift towards lower-carbon forms of production, a new report says, but remains short of a 1.5C-compatible pathway.**

The new report from Global Energy Monitor (GEM: https://globalenergymonitor.org/wp-content/uploads/2023/07/GEM_SteelPlants2023.pdf) shows that 43% of planned steelmaking capacity is now based on electric arc furnace (EAF) technology, while 57% would use coal-based blast furnace-basic oxygen furnaces (BF-BOF).

This marks a key change from a year earlier, according to GEM, when just 33% of planned capacity was set to use EAF against 67% using BF-BOF. The report says this marks a 'pivotal' shift for the industry."

"Despite this shift, the industry is falling short of what would be needed to keep warming below 1.5C, GEM notes, pointing to the International Energy Agency (IEA) Net Zero by 2050 scenario. This calls for over half (53%) of steelmaking capacity to use EAF by 2050."

Jake Johnson, "Global Air Pollution Is Cutting More Than 2 Years Off Average Human Life Expectancy: Report: 'Particulate pollution remains the world's greatest external risk to human health, with the impact on life expectancy comparable to that of smoking,'" *Common Dreams*, August 29, 2023, <https://www.commondreams.org/news/pollution-life-expectancy>, reported, **"High and rising levels of global particulate matter pollution—caused by wildfires, the combustion of fossil fuels, and other factors—are cutting 2.3 years off of the average human's life expectancy,** according to research unveiled Tuesday.

The latest version of the Air Quality Life Index (AQLI: https://aqli.epic.uchicago.edu/wp-content/uploads/2023/08/AQLI_2023_Report-Global.pdf), produced annually by the Energy Policy Institute at the University of Chicago (EPIC), estimates that **fine particulate matter (PM2.5) pollution's impact on global human life expectancy is 'comparable to that of smoking, more than three times that of alcohol use and unsafe water, more than five times that of transport injuries like car crashes, and more than seven times that of HIV/AIDS.'**

Despite the terrible impact of air pollution on human health, **governments around the world are doing little to address the crisis,** according to EPIC's research.

'While there is a large global fund for HIV/AIDS, malaria, and tuberculosis that annually disburses 4 billion USD toward the issues, there is no equivalent set of coordinated resources for air pollution,' the new report states. 'The entire continent of Africa receives under 300,000 USD in philanthropic funds toward air pollution. Just 1.4 million USD goes to Asia (outside of China and India). Europe, the United States, and Canada receive 34 million USD, according to the Clean Air Fund.'

Michael Greenstone, a creator of the AQLI, noted in a statement that **'three-quarters of air pollution's impact on global life expectancy occurs in just six countries, Bangladesh, India, Pakistan, China, Nigeria, and Indonesia, where people lose one to more than six years off their lives because of the air they breathe.'**

In the United States, 20 of the 30 most polluted counties in 2021 were in California, which saw more than 8,800 fires that year. Plumas County, California was the most polluted area of the U.S. in 2021.

The new research estimates that Plumas residents could gain 2.1 years of life expectancy if air quality in the California county is brought into line with World Health Organization (WHO) air quality standards.

EPIC's report notes that the **annual average PM2.5 level worldwide 'has shifted between 3.8 to 7.2 times the WHO guideline, making air pollution the greatest external threat to human health globally.'**"

Reducing global air pollution to levels recommended by the WHO would save a combined 17.8 billion life-years worldwide, according to EPIC.

Our work is licensed under Creative Commons (CC BY-NC-ND 3.0)."

Hannah Grover, "Air pollution can impact children's health even before they are born, New Mexico Political Report, June 24, 2023, <https://nmpoliticalreport.com/2023/06/23/air-pollution-can-impact-childrens-health-even-before-they-are-born>, reported, "With everything pregnant people have to consider, the amount of air pollution they are breathing may not make it to the top of the list. But, experts say, it is an important consideration and something that expectant parents may not have much control over.

In an email to NM Political Report, Elizabeth Bechard, a senior policy analyst with Mom's Clean Air Force, said **air pollution can impact babies even before they are born.**"

Brady Dennis, "A saltwater wedge climbing the Mississippi River threatens drinking water: Officials are scrambling in an effort to hold back the encroaching sea and prevent the saltwater wedge from heading toward New Orleans," *Washington Post*, September 21, 2023, <https://www.washingtonpost.com/climate-environment/2023/09/21/saltwater-wedge-mississippi-river-drought/>, "For the second year in a row, drought has severely weakened the flow of the Mississippi River, allowing a mass of saltwater from the Gulf of Mexico to force its way dozens of miles inland," threatening drinking water supplies and agriculture.

James Doubek, "The EPA removes federal protections for most of the country's wetlands," NPR, August 29, 2023, <https://www.npr.org/2023/08/29/1196654382/epa-wetlands-waterways-supreme-court>, reported, "The Environmental Protection Agency removed federal protections for a majority of the country's wetlands on Tuesday to comply with a recent U.S. Supreme Court ruling.

The EPA and Department of the Army announced a final rule amending the definition of protected "waters of the United States" in light of the decision in *Sackett v. EPA* in May, which narrowed the scope of the Clean Water Act and the agency's power to regulate waterways and wetlands.

Rainforest Alliance announced in a September 7, 2023 E-mail, "The palm oil industry has made a pact to end deforestation and respect Indigenous customary rights in East Aceh, Sumatra.

This decision could lead to the long-term protection of hundreds of thousands of hectares of lowland rainforests in the 'Orangutan capital of the world' — the Leuser Ecosystem."

Christopher Flavelle, "Rich Nations Cut Aid for Climate Shocks, Even as Risks Grew: Poor countries need far more money to adapt to climate change, according to a new United Nations report." *The New York Times*, November 2, 2023, <https://www.nytimes.com/2023/11/02/climate/climate-aid-developing-countries-un.html>, reported, "Wealthy countries have decreased the amount of money they commit for helping developing countries cope with the effects of climate change, even as the need for that

spending has grown, the United Nations said in a report issued on Thursday (<https://www.unep.org/resources/adaptation-gap-report-2023>).

Aid for climate adaptation fell to \$21 billion in 2021, the latest year for which comprehensive data is available, a drop of 15 percent from 2020, most likely the result of increased financial pressure on wealthy countries resulting from Covid-19 and other challenges, according to the authors."

Hannah Grover, "Report examines impacts of climate change on drought, vegetation in Four Corners area," *New Mexico Political Report*, September 7, 2023, <https://nmpoliticalreport.com/2023/09/07/report-examines-impacts-of-climate-change-on-drought-vegetation-in-four-corners-area>, reported, **"By changing the climate, humans have doubled the magnitude of drought's impact on the availability** of vegetation for herbivores, including livestock, to eat in the greater Four Corners region, according to a study published this summer in the journal *Earth's Future* (<https://agupubs.onlinelibrary.wiley.com/doi/full/10.1029/2022EF002943>)

This is because increasing air temperatures and increasing levels of evaporative demand—or more water being soaked up into the atmosphere—stresses the grasses and shrubs that livestock and many other herbivores rely upon."

International Crisis Group (ICG), Bram Ebus, Consultant, "Landmark Amazon Summit Needs to Grapple with Crime as well as Climate," Q&A / Latin America & Caribbean 02 August 2023, <https://www.crisisgroup.org/latin-america-caribbean/landmark-amazon-summit-needs-grapple-crime-well-climate>, commented, "On 8 and 9 August, **the presidents of eight countries will meet in Brazil to discuss means of countering the threats facing the Amazon rainforest. In this Q&A, Crisis Group expert Bram Ebus explains that inter-governmental cooperation and a regional security strategy will be essential.**

<https://twitter.com/https://twitter.com/BramEbus> **Why are the presidents of Amazonian countries meeting?**

The leaders of countries with territory reaching into the Amazon basin – namely, Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Suriname and Venezuela – will meet in the Brazilian city of Belém to discuss ways to ensure the jungle is better protected.

The meeting takes place against the backdrop of record temperatures around the world, which have highlighted the imperative of tackling climate change. Preserving the Amazon – the largest rainforest in the world – is a necessary part of that **effort. Logging and human-made forest fires are driving deforestation in the place often referred to as the “lungs” of the earth. So many trees have been cut down or burned that the carbon dioxide the Amazon emits now sometimes exceeds the forest's capacity to absorb it. The Amazon, long crucial in fighting climate change, could become a net source of greenhouse gases.**

The challenges the eight convening governments face in halting or at least slowing the razing of forest are immense. Criminal groups are expanding across the Amazon, extracting natural resources and aggravating environmental damage. Their illicit activities are also generating violence that threatens many of the approximately 40 million people who live in the region. As climate change intensifies, it could compound these threats by generating severe weather hazards, which could lead to worsening food insecurity, water scarcity and resource competition. These problems, in turn, could displace much of the local population and exacerbate deadly conflict.

The eight leaders will gather under the aegis of the multilateral Amazon Cooperation Treaty Organization (ACTO), which aims to promote the 'harmonious development of the Amazonian territories'. The organisation, which was formed in 1978, atrophied in the late 2010s. Part of the problem was that individual states lacked commitment to conservation: Brazil's former President Jair Bolsonaro, for example, presided over massive destruction of the rainforest throughout his term. Another issue was that political frictions among the member states chipped away at the organisation's effectiveness. Venezuelan President Nicolás Maduro – whose re-election in 2018 was widely criticised for being heavily rigged – was excluded from ACTO's gathering in Leticia, Colombia in 2019. The election of President Gustavo Petro in Colombia and re-election of President Luiz Inácio “Lula” da Silva in Brazil in the past year, however, have galvanised the organisation. They lead the two Amazonian countries with the most robust economies and largest populations; Petro and Lula also have re-established their countries' ties with the Maduro government. Both identify as progressives and are championing strong conservation agendas they want to see through early in their terms.

Why should security be high on the agenda of the Amazon meeting?

The Amazon has faced an unprecedented increase in violence over the last five years. During the COVID-19 pandemic, South American governments were overburdened coping with the health emergency; as a result, they had to limit their operations in the Amazon. Criminal groups, in turn, capitalised on the opening. The region is rife with illegal gold mining and cattle ranching. These activities are not only intrinsically linked to the destruction of the forest, but also have sparked attacks on local communities and placed state officials at risk of violence. In a preparatory meeting held in Leticia in July – which brought Petro and Lula together with environment ministers, civil society delegations, Indigenous groups and business leaders – the issue of security came up repeatedly. Delegates demanding safeguards for Indigenous peoples and other local communities were particularly vocal.

State officials at the Leticia meeting described in detail the challenges they face. Breakaway factions of the Revolutionary Armed Forces of Colombia (FARC) – which are known as dissident, because they reject the main organisation's 2016 peace treaty with the government, but are now engaged in illicit commerce rather than rebellion – have expanded their turf in the Amazon. Due to the FARC dissidents' activities, Colombian park rangers are having trouble getting into the nature reserves where they work. Meanwhile, Ecuador and Peru are grappling with a wave of deforestation connected to coca growing and illegal mining. In the Peruvian Madre de Dios region, in the Amazon near Bolivia and Brazil, illegal gold miners have turned swathes of land into a moonscape, while crimes such as homicide and human trafficking have become more widespread. Unfortunately, both countries lack the resources to mount far-reaching law enforcement campaigns to curb organised crime, and neither has been able to create programs that give residents legal alternatives for their employment in illicit businesses.

Illicit groups hold sway in the Amazon in other countries, as well. In Venezuela, non-state armed groups control most of the low-lying south, lured by the gold mines there. In some areas, these groups have supplanted the state: they levy extortion fees as taxes, mete out rudimentary justice and restrict civilians' movement. Meanwhile, lobbies representing cattle ranching and large-scale agriculture have convinced sympathetic members of Congress in Brazil to weaken Lula's ambitious plans for conservation and sustainable development in the Amazon. In the Amazon basin, criminal activity does not respect borders. Today, unfortunately, we are witnessing a process of domination by armed groups and transnational crime that is gaining power.' Colombia's Environment Minister Susana Muhamad told the preparatory gathering in

Leticia. 'That threatens processes of equity, ecosystems and even the very constitution of nation-states'. Effective national policies are a crucial but only partial response to the critical threats facing the Amazon. The need for cooperation between states is manifest.

How do criminal groups operate in the Amazon, and what can be done to stop them?

The inability of state authorities to protect the Amazon has contributed to the growth of illicit economies and cross-border criminal organisations. The two syndicates with the largest footprints in the region are Brazil's Primeiro Comando da Capital and Comando Vermelho, originally from Sao Paulo and Rio de Janeiro, who compete violently for territorial control. Both criminal groups have created alliances with legal businesses and corrupt state officials, which has amplified their impunity, and with it the harm they inflict on the environment and local communities. Cross-border criminal networks have assumed the role of de facto authorities, enforcing their will on local populations through threats and violence.

A recent UN analysis of the drug business **in the Amazon describes the 'convergence of multiple forms of criminality' in the region.** Hefty profits from drug trafficking are being reinvested in both legal and illegal businesses, such as gold mining, cattle ranching and industrial agriculture, driving further deforestation and other environmental damage. The report also warns of increased corruption, attacks on Indigenous and minority groups, human trafficking and sexual violence. The area is becoming increasingly unsafe. Leticia, which lies in a point of land bordered by Brazil and Peru, holds the unfortunate distinction of being Colombia's second most violent town, with a homicide rate of 60 per 100,000 inhabitants. In Brazil's immense Amazonas state, the homicide rate is 42 per 100,000 inhabitants, twice the national average of 21.

Rising crime has led to greater environmental degradation, including deforestation. Bolivia and Ecuador faced record rates of deforestation in 2022, as a result of logging, expansion of agriculture and oil exploration – much of it conducted illegally. Bolivia, where soy cultivation has swelled, now accounts for 9 per cent of the primary forest destruction in the world. Of the countries in ACTO, Guyana and Suriname have the highest percentage of forest cover, but even there, wildcat miners and timber traffickers, often backed by foreign capital, have expanded their environmental footprint.

These trends can be reversed. Deforestation rates fell in 2023 in both Brazil and Colombia after reaching record levels over the past half-decade. In Brazil, the drop can be at least partly attributed to environmental and law enforcement agencies tightening their efforts. In Colombia, on the other hand, deforestation spiked following the 2016 peace deal with the FARC, which had for years zealously guarded the forests because they hid out there. The guerrillas stopped doing so after they demobilised, and the state failed to step into the role of protecting the forests, leaving the new generation of armed groups to step in.

Now, dissident FARC groups that never signed the 2016 peace deal, or that rearmed in spite of it, are using their supposed contribution to environmental protection as a means of strengthening their hand in negotiations with the Petro administration in the framework of the 'total peace' initiative. The group Estado Mayor Central-FARC, for example, controls large swathes of the Colombian Amazon and has ordered local farmers to stop destroying the forest. 'There was no direct action from the authorities or the government', said a social leader living in one of Colombia's Amazon deforestation hotspots, speaking about logging restrictions imposed in the last year. 'What mostly influenced things had been the willingness of the armed groups to issue a written statement prohibiting people from logging with a hefty fine of up to 20

million [Colombian pesos, equal to \$5,000] per hectare'. Knowing that environmental issues are central to Petro's agenda, the FARC dissidents hope this bargaining chip will come in handy at the negotiation table. The net effect has been a new drop in deforestation.

Amazonian states should seize the opportunity at the Belém summit to support greater cooperation where crime is rife, such as in the tri-border area where Peru, Colombia and Brazil meet. They should organise joint operations, promote intelligence sharing, and align legal frameworks to tackle organised crime and environmental violations. While cooperation among nations is vital for addressing these challenges, governments should not hesitate to initiate unilateral concrete actions swiftly, being sure to involve all their components with relevant expertise. The increasingly effective collaboration between Colombia's Environment Ministry and the General Attorney's Office to identify financiers of deforestation and prosecute them is a good example.

What should participants focus on achieving at the summit, and how can outside actors help?

The gathering in Belém could be the platform Latin America needs to coordinate strategies to protect the Amazon and develop sustainable economic alternatives to businesses that exploit and destroy the environment. For it to succeed, however, diplomats must smooth over the various patches of discord among the participating South American countries. Take Brazil and Colombia: insiders fear a lack of personal chemistry between the two presidents could hinder progress. Moreover, there are significant substantive differences between the presidents' approaches. During the pre-summit in Leticia, the Petro administration pushed for a ban on oil exploration in the Amazon region, despite knowing that Lula hopes to develop an offshore oil block at the very point where the river enters the Atlantic.

It also will be important to ensure that the participating countries do not use the summit as window dressing or solely for ulterior motives. Venezuela is increasingly represented at multilateral meetings after years of isolation during the "maximum pressure" campaign initiated by former U.S. President Donald Trump. Caracas now insists it is committed to defending the Amazon. President Maduro in fact attended COP27, the 2022 global climate summit held in Egypt, but critics point out that he used the opportunity as part of his campaign to regain normal diplomatic status rather than advancing environmental causes. Partner nations at the summit should press Maduro to stop the well-documented involvement of Venezuelan state forces in illegal mining, often in collaboration with non-state armed groups. The Maduro administration should, of course, honour commitments reached during the event.

Governments also need to adopt proactive policies to address the growing risk of climate-driven natural disasters. For example, because of the dry spell caused by the climatological phenomenon known as El Niño, the regular practice of clearing land by cutting down trees and burning vegetation could spur large wildfires throughout the Amazon. As extreme climate events occur more frequently, countries should create early warning systems, emergency funds and up-to-date disaster management strategies. Cross-regional responses should design coordinated efforts to address peripheral, hard-to-reach border areas, such as Colombia's eastern Amazon region and parts of Brazil bordering Peru and Bolivia.

South America, however, cannot defend the Amazon alone. Backing – particularly financial support – from the U.S. government and European donors is essential. There are promising developments on this front: after Lula visited Washington in February, U.S. President Joe Biden pledged \$500 million to the Amazon Fund, a mechanism to help prevent, monitor and combat deforestation, established in 2008. Norway has already donated a total of \$1.2 billion to

this same initiative. The Fund is primarily set up for Amazon conservation in Brazil, but a small part of the money is destined for projects targeting other countries with tropical forest. Bilateral agreements – such as the one Guyana signed with the European Union to stop illegal logging – are also helpful; they should include strategies for addressing the specific security threats in each country. **Global powers now recognise the importance of halting destruction of the rainforest to mitigate climate change. Foreign support should highlight the importance of local development and of incorporating the ancestral knowledge of Indigenous populations regarding sustainability and forest conservation, as well as supporting green economies."**

Terri Crawford Hansen, "Tribes Responding to Climate's 'Slow-Moving Tsunami' Threatening Native Lands: The Hoh, Quinault, Quileute, and Makah Tribes have coped with storms and tsunamis battering the coasts of the Pacific Northwest for thousands of years. Now, threatened by rising sea levels and other climate impacts, they are evolving to meet new dangers to their villages and history," *Declaration*, September 28, 2023, <https://deceleration.news/2023/09/18/tribes-climate-change-pacific-northwest>, Editor's Note: The following is excerpted by permission from the newly published book, *Canopy of Titans: The Life and Times of the Great North American Temperate Rainforest*." Native American journalist Terri Hansen describes here how Indigenous **tribes along the Northwest coast are responding to the impacts of climate change on their communities, including rising sea levels and changes to the coastal marine ecosystem**. Published as Chapter 12: A Resilient Community in the book by Paul Koberstein and Jessica Applegate, Hansen's words appeared in the work days after her death on August 18, 2023. She was 69. The story reported that **the Quinault nation is in danger of losing its clam beds, central to its traditions, as the ocean rises. It and the other Northwest Coast nations are slowly losing what is left of their lands to the rising seas and increased storm battering**.

"The Makah [Tribe has] started planning and preparing for climate change adaptation. They began with an ocean acidification impacts assessment back in 2015 that snowballed. In the assessment, they found they couldn't talk about impacts to ocean resources without also talking about impacts to land and air, and about the impacts on tribal cultural resources. Chang said, "So instead of one specific project, **we are viewing this as an iterative planning process.**" This led to multiple projects including impact assessments, an adaptation plan, community engagement plans, carbon footprint analysis, and a carbon mitigation plan.

"The Hoh and Quileute Tribes were allotted only tiny slivers of their original ancestral land along the coast. To cope with the looming climate changes both tribes needed higher ground to move a school and residents out of harm's way. Therefore, the Olympic National Park had to return a portion of its land—a first. Even wilderness preservationists understood the dilemma."

Brett Wilkins, "Microplastics in Clouds Could Be 'Contaminating Nearly Everything We Eat and Drink': Study: 'If the issue of 'plastic air pollution' is not addressed proactively, climate change and ecological risks may become a reality, causing irreversible and serious environmental damage in the future,' the study's lead author warned," *Common Dreams*, September 29, 2023, <https://www.commondreams.org/news/microplastics>, reported, **"They're in the world's water, air, food, and even in our blood—and now researchers in Japan**

have discovered microplastics in clouds, raising the specter of super-contaminating 'plastic rainfall' and possibly affecting the Earth's climate.

Analyzing cloud water samples from high-altitude mountains in Japan including Mt. Fuji, researchers from Waseda University in Tokyo found nine different types of polymers and one type of rubber in the airborne microplastics (AMPs) they detected.

"Research shows that large amounts of microplastics are ingested or inhaled by humans and animals alike and have been detected in multiple organs such as lung, heart, blood, placenta, and feces," notes a summary of the study, which was originally published in the journal *Environmental Chemistry Letters* (<https://link.springer.com/article/10.1007/s10311-023-01626-x>)."

Lisa Friedman, "In Alaska, a Road to Metals Needed for Clean Energy Could Also Cause Harm: A proposed industrial road would cut through pristine wilderness in Alaska to reach a planned copper and zinc mine," *The New York Times*, October 13, 2023, <https://www.nytimes.com/2023/10/13/climate/alaska-ambler-road-mine.html>, reported, **"A proposed 211-mile industrial road that would cut through pristine Alaskan wilderness to reach a planned copper and zinc mine would disrupt the way of life in Native Alaska communities, harm fish and caribou, and likely speed the thawing of permafrost, according to an environmental review released by the Biden administration on Friday.**

The road, known as **the Ambler Access Project**, would cut through Gates of the Arctic National Park and Preserve, and requires a federal permit to move forward. The question about whether to approve it pits President Biden's clean energy agenda, with its need for copper and other metals necessary for wind turbines, solar panels and other clean energy technology, against his pledge to protect untouched tundra and tribal lands."

Gloria Dickie and Jake Spring, "Insight: Amazon rainforest gold mining is poisoning scores of threatened species, Reuters, August 5, 2023, <https://www.reuters.com/business/environment/amazon-rainforest-gold-mining-is-poisoning-scores-threatened-species-2023-08-05>, reported on Scientific testing on the effects of Mercury used in Amazon gold mining, "Tests like this are providing the first **extensive indications that mercury from illegal and poorly regulated mining is affecting terrestrial mammals in the Amazon rainforest**, according to preliminary findings from a world-first study shared with Reuters."

"But scientists don't yet know its full effects on other forest animals in the Amazon, where more than 10,000 species of plants and animals are at a high risk of extinction due to destruction of the rainforest."

Rachel Pannett, "For New Zealand's Maori communities, climate change is already hurting," *Washington Post*, October 27, 2023, https://www.washingtonpost.com/world/2023/10/27/new-zealand-maori-climate-change-indigenous/?utm_campaign=wp_post_most&utm_medium=email&utm_source=newsletter&wpi_src=nl_most, reported, **"Eight months have passed since a powerful cyclone struck northern New Zealand, killing 11 people and displacing more than 10,000.** The storm's path across the Hawke's Bay region was indiscriminate: It pummeled low-rent housing alongside million-dollar homes, wineries, orchards and factories. But **the barriers to recovery here highlight the**

double whammy dealt to Indigenous communities by climate change, as extreme weather events exacerbate already high rates of homelessness and economic disadvantage".

"Tangoio and dozens of Maori communities are on the front lines of climate change, a dark legacy of British colonization that saw Indigenous people consigned to inhospitable land. Many are on flood plains or near the sea. Historically, tribes moved between coastal villages and fortified hilltop settlements when they faced bad weather or enemy attacks. Colonial land confiscations changed that." Some of the Marae (Maori meeting/living places) have no other land to go to if they have to move off the flood plain. Moreover, the Maori connection to the land is sacred and fundamental.

Lisa Friedman and Catrin Einhorn, "Biden Administration Moves to Restore Endangered Species Protections: New rules would void Trump-era changes that made it easier to remove animals and plants from the endangered list," *The New York Times*, June 21, 2023, <https://www.nytimes.com/2023/06/21/climate/biden-endangered-species-act.html>, reported, **"The Biden administration moved on Wednesday to make it easier to protect wildlife from climate disruptions and other threats, restoring protections to the Endangered Species Act that President Donald J. Trump had removed."**

Three separate regulations proposed by the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration's fisheries service would make it harder to remove a species from the endangered list and restore a provision that strengthens protections for threatened species, the classification one step below endangered."

Delger Erdenesanaa, "Protecting Marine Life Also Benefits the People Nearby, Study Finds: A study of marine-protected areas off the Central American coast found that people living close to these areas had better food security and greater household wealth," *The New York Times*, June 22, 2023, <https://www.nytimes.com/2023/06/22/climate/marine-wildlife-protection-study.html>, reported, **"Protecting coastal areas of the ocean from fishing, mining and other human activity can also help people living nearby,"** according to a study (<https://www.nature.com/articles/s41893-023-01150-4>) published on Thursday in the journal *Nature Sustainability*.

People living close to these areas had better food security and greater household wealth, the study found. The region studied is the Mesoamerican coral reef system, which stretches just off Central America's eastern coast for about 600 miles from Mexico south to Honduras."

Julia O'Malley, "Starving Orcas and the Fate of Alaska's Disappearing King Salmon" With the fish numbers at historic lows, scientists, chefs and others are asking whether we should be eating them anymore, and what it means for the future of all wild salmon," *The New York Times*,

July 19, 2023, <https://www.nytimes.com/2023/07/19/dining/alaska-king-salmon-orcas.html>, reported that **with king salmon in serious decline and the last 73 orcas in Puget Sound threatened,** "... in recent weeks, this ancient rhythm of the Pacific Northwest was being negotiated not just at sea but also in a federal courtroom in downtown Seattle, where on May 2 **a district court judge issued an order** (<https://alaskabeacon.com/2023/05/03/to-protect-orcas-federal-judge-orders-closure-of-iconic-southeast-alaska-troll-fishery/>) **effectively shutting down Alaska's biggest king salmon fishery, one of the largest remaining in the world.**

To the Wild Fish Conservancy, the Washington State-based environmental group that filed the lawsuit, the fates of the two totemic animals are intimately bound. The orcas need the salmon to eat, and if we stop fishing them, the conservancy argues, we save the whales."

Salmon fishing was continuing while the case was being appealed.

Catrin Einhorn, "A Quarter of Freshwater Fish Are at Risk of Extinction, a New Assessment Finds: A global update from the leading authority on the status of species shows that climate change is compounding other threats to plants and animals," *The New York Times*, December 11, 2023, <https://www.nytimes.com/2023/12/11/climate/climate-change-threatened-species-red-list.html>, reported, **"A quarter of the world's freshwater fish are at risk of extinction, according to the first comprehensive assessment of the animals by the world's leading scientific authority on the status of species."**

The findings, issued on Monday by the International Union for Conservation of Nature at the U.N. climate summit in Dubai, United Arab Emirates, are part of the organization's latest update to its Red List of Threatened Species. They came as an array of scientists, advocates and ministers attending the negotiations were urging nations to tackle the global biodiversity crisis in tandem with global warming."

Work has begun on taking down the four dams on the Klamath river in Southern Oregon and northern most California in hopes of renewing the Salmon, central for the tribes along the river. Reis Thebault, Alice Li and Melina Mara, "Nature, Undammed: The largest-ever dam removal is underway, a milestone in the nation's reckoning over its past attempts to bend nature to human will," *Washington Post*, December 14, 2023, <https://www.washingtonpost.com/climate-solutions/interactive/2023/klamath-river-dam-removal/>, reported, "The hydropower dams, which altogether stand at 411 feet, also devastated the salmon population and the Indigenous tribes who had subsisted on the fish for millennia. For many Native people here, the structures always have been monuments to American imperialism."

When all four dams have been reduced to rubble, scientists and tribes will begin a desperate restoration attempt to secure the future of a river whose struggles have grown more severe with climate change."

Evan Garcia, "Climate change, overharvesting exacerbating Texas oyster decline," *Reuters*, December 4, 2023, <https://www.reuters.com/sustainability/land-use-biodiversity/climate-change-overharvesting-exacerbating-texas-oyster-decline-2023-11-28/>, reported, **"For the second year in a row, Texas has closed the majority of its public oyster reefs for harvesting due to declining populations."**

Wildlife officials say these dwindling numbers are caused by extreme weather events fueled by climate change, as well as by overharvesting."

Juliet Eilperin, "Alaska's newest gold rush: Seaweed," *Washington Post*, July 31, 2023, <https://www.washingtonpost.com/climate-solutions/interactive/2023/alaska-kelp-farming/>, reported on **changes from climate change in Alaska**, "Lankard, "64, spent decades fishing while running the Native Conservancy, a nonprofit that's preserved millions of acres of land in this part of Alaska. But now, he raises kelp, a type of seaweed, as a way of buffering his communities and others from the dwindling numbers of wild salmon and other species they catch and hunt."

"The act of raising sea plants and bivalves — known as mariculture — is accelerating across the globe. Once largely concentrated in Asia, the industry has expanded to Europe and the United States."

Olivia Rosane, "'Very Troubling': US Honeybees Just Suffered Second Deadliest Year on Record: Beekeepers lost 48.2% of their managed hives to threats including the varroa mite and adverse weather.

June 23, 2023, <https://www.commondreams.org/news/2022-2023-was-the-second-deadliest-year-on-record-for-us-honeybees>, reported, "**The year that spanned April 1, 2022 to April 1, 2023 was the second deadliest on record for U.S. honeybees.**

Beekeepers lost 48.2% of their managed hives, according to the initial results of the Bee Informed Partnership's annual Colony Loss and Management Survey, released Thursday (<https://beeinformed.org/2023/06/22/united-states-honey-bee-colony-losses-2022-23-preliminary-results-from-the-bee-informed-partnership/>).

"This is a very troubling loss number when we barely manage sufficient colonies to meet pollination demands in the U.S.," Jeff Pettis, a former government bee scientist and current president of the global beekeeper association Apimondia who was not involved in the study, told The Associated Press. "It also highlights the hard work that beekeepers must do to rebuild their colony numbers each year."

"Preserving Our Public Lands," Friends of the Earth, November 3, 2023, <https://foe.org/impact-stories/preserving-our-public-lands/>, reported, "**Baaj Nwaavjo I'tah Kukveni, or Ancestral Footprints of the Grand Canyon, provides water to at least 40 million people.** And the monument is home to over 3,000 cultural and historic resources. The Grand Canyon Tribal Coalition led efforts to protect the moment for decades. We joined them, calling on our members to sign a petition urging the Bureau of Land Management to designate Baaj Nwaavjo I'tah Kukveni. And 57,155 Friends of the Earth members spoke up about this important monument. Finally, in August 2023, those demands were met. **President Biden announced that Baaj Nwaavjo I'tah Kukveni would become a national monument and become permanently protected from extractive industry projects!**"

U.S. Developments

More can be found on U.S. Developments (and some international) from Indian Country Today: <https://ictnews.org> **and IndianZ:** <https://indianz.com>.

U.S. Government Developments

Presidential Actions

Lindsey Botts, "President Biden Designates New National Monument Near Grand Canyon: Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument will honor tribal heritage and protect the area from uranium mining," Sierra Club, August 8, 2023, <https://www.sierraclub.org/sierra/president-biden-designates-new-national-monument-near-grand-canyon>, reported, "**Native American nations in the Southwest rejoiced on Tuesday when President Biden created a new national monument that protects federal**

lands surrounding Grand Canyon National Park. The new Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument will protect some 917 thousand acres of federal land from new mining claims and will also bring added protections to thousands of Native American cultural sites in the area.

'Establishing the Baaj Nwaavjo I'tah Kukveni—Ancestral Footprints of the Grand Canyon National Monument honors our solemn promise to tribal nations to respect sovereignty, preserves America's iconic landscapes for future generations, and advances my commitment to protect and conserve at least 30 percent of our nation's land and waters by 2030,' Biden said in a statement Monday.

The presidential designation is the culmination of a 15-year-long push to create a national monument to preserve tribal heritage and protect vast swaths of the Colorado River watershed from uranium mining. While the gorge of the Grand Canyon and the mainstem of the Colorado River are protected by the national park, much of the surrounding lands have been open to commercial logging and uranium extraction.

Like Bears Ears National Monument in Utah, the new national monument will be comanaged with northern Arizona Native American tribes. Tribal members will be able to exercise their treaty rights, such as hunting, gathering, and practicing religious ceremonies. Nearly a dozen Native nations make up the Grand Canyon Tribal Coalition, which earlier this year called on President Biden to permanently protect the watershed around the Colorado River, a water source for nearly 40 million people. But the area is especially important for the Havasupai, Hopi, and Navajo (or Diné), all of whom consider the acres where the new monument is located part of their traditional homelands. The name of the monument is a combination of two Indigenous phrases: Baaj Nwaavjo, which means 'where tribes roam' in Havasupai, and I'tah Kukveni, which means 'our ancestral footprints' in Hopi.

We have lived in and around the Grand Canyon since time immemorial. Our ancestors were once spread far and wide throughout the region,' Havasupai Tribe vice chair Edmond Tilousi said in a statement earlier this year as the campaign for the national monument gained momentum. 'Our home is still in the Grand Canyon.... The canyon is a part of each and every Havasupai person. It is our home, it is our land and our water source and our very being.'

In total, the new monument includes three locations across US Forest Service and Bureau of Land Management lands: two north of the Grand Canyon and one to its south. This is President Biden's fifth national monument, and it fulfills a trifecta of campaign promises on Native consultation, land protection, and climate change mitigation. The national monument designation also comes at a time when some environmentalists, who helped propel him to the

Oval Office, have been alienated by his support of the Willow oil and gas project in Alaska and the Mountain Valley Pipeline in West Virginia.

Efforts to protect the lands surrounding the Grand Canyon have been ongoing for years. In 2007, Representative Raúl Grijalva, a Democrat from southern Arizona, sponsored legislation to protect a million acres around the Grand Canyon after mining interest in the area spiked. His initial bill passed the House of Representatives, but it never became law. In 2012, the Obama administration issued a 20-year mining ban on federal lands near Grand Canyon National Park.

During the final years of the Obama administration, conservation groups campaigned hard for a national monument designation in the area, but their hopes were left unfulfilled.

Earlier this year, Interior Secretary Deb Haaland, who is the first Native American to head the department, visited tribal lands near the site after receiving an invitation from Grijalva and Senator Kristen Sinema, the Arizona independent. The visit served as one of the strongest

indications that the Biden administration was interested in adding permanent protections to the area.

'I witnessed the deep connection that the Havasupai people have with the lands and waters that have sustained them since time immemorial,' Haaland said on Monday during a press briefing. 'It was, and forever will be, one of the most meaningful trips of my life.' She went on to say, 'These special places are not a pass-through on the way to the Grand Canyon. They are sacred and significant unto their own right. We are in a new era, one in which we honor tribally led conservation, advance co-stewardship, and care about the well-being of Native American people.'

In June, Impact Research released a poll showing that three-quarters of 2024 Arizona voters, across parties, support designating a monument around the Grand Canyon.

'The fact remains that across political affiliations and demographics, the support is strong and powerful for permanent protection of the Grand Canyon from uranium mining and extraction in general,' Grijalva said during a press call last week. 'Added to this is the need to make sure that we continue to protect the finite resource of water, which is the Colorado River.'

For its part, the mining industry has attempted to defend uranium extraction in the area on the basis of national security, saying that uranium mining is crucial to carbon-free nuclear energy and that too much of the resource comes from Russia. But the designation won't halt mining altogether. Mining operators with existing claims may very well still be able to operate.

The legacy of uranium mining has taken a toll on public health in the region. In the nearby Navajo Nation, where over 500 uranium mines exist, more than a quarter of residents tested have elevated levels of uranium in their bodies.

While helping to prevent future public health impacts like that from happening, the new national monument, like most public land, is expected to be a boon for tourism and local economies. Annually, nearly 6 million people flock to Grand Canyon National Park, in the process contributing nearly a billion dollars to local communities. Now visitors can hike, bike, mountain climb, and fish in areas within the monument. And unlike mining, which typically has a 20-year lifespan, recreation and tourism can last a lifetime.

'This is a shift, and an important one, where the voices of the people who were the original inhabitants and stewards of these lands are being heard,' Sandy Bahr, the director of the Sierra Club's Grand Canyon Chapter, said. 'They really have a major role in what happens going forward. I think that, for me, is probably the bright ray of sunshine.'

"FACT SHEET: President Biden Signs Historic Executive Order to Usher in the Next Era of Tribal Self-Determination, The White House, December 6, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/12/06/fact-sheet-president-biden-signs-historic-executive-order-to-usher-in-the-next-era-of-tribal-self-determination/>, announced, **"New Executive Order Will Underscore Respect for Tribal Nations' Sovereignty and Autonomy"**

Today, as part of the White House Tribal Nations Summit, President Biden will sign a historic Executive Order on Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self Determination. This Executive Order demonstrates the Biden-Harris Administration's respect for Tribal sovereignty, and commitment to ushering in the next era of Tribal self-determination by ensuring that Tribal Nations have greater autonomy over how they invest federal funding.

Historically, federal policies of past eras were attacks on Native people's basic rights to self-governance and caused lasting damage to Tribal communities, economies, and governments. Beginning in the 1970s, the federal government reversed course and championed Tribal self-determination through policies and programs that have helped rebuild Tribal governments and economies, while supporting Tribal Nations in taking increased ownership over the services their citizens need and deserve.

Today, Tribal Nations still face many barriers to fully exercise their inherent sovereignty, especially in federal funding programs. Far too many of the federal funding and support programs that Tribes rely on are difficult to access, have overly burdensome federal reporting requirements, have unnecessary limitations, or impose requirements on Tribes that drain Tribal resources and undermine their ability to make their own decisions about where and how to meet the needs of their communities.

To address these challenges, today President Biden will sign an Executive Order to reform how the federal government funds and supports Tribal Nations. This Executive Order demonstrates the Biden-Harris Administration's commitment to ushering in the next era of federal policies that support Tribal self-determination and defines this next era as one that should be grounded in even greater respect for Tribal sovereignty and the autonomy of Tribal Nations, because the last 50 years has proven that a strong Tribal Nation is the most important factor in ensuring the economic, political, and cultural well-being of Native people. **The Executive Order affirms that Tribal self-governance is about the fundamental right of a people to determine their own destiny and to prosper and flourish on their own terms. It also affirms that Tribal governments must be treated as permanent, equal, and vital parts of America's overlapping system of government. To fulfill this promise, the Executive Order:**

Requires federal agencies to take action to ensure federal funding for Tribes is accessible, flexible, and equitable. The Executive Order directs all federal agencies to better live up to the federal government's trust responsibilities and support Tribal self-determination by reforming federal funding programs that support Tribes. **It moves federal funding programs closer to the model of the Indian Self-Determination and Educational Assistance Act, which has allowed Tribal Nations to build and run their own hospitals, schools, and police forces to better meet the needs of their communities using the same federal dollars. It also directs federal agencies, in coordination with the White House Council on Native American Affairs, to redesign or administer programs in a manner that reflects trust in Tribal priorities and deference to Tribal decision-making, recognizing that Tribal governments bring invaluable expertise in how to effectively meet the needs of their citizens and steward their ancestral homelands. Agencies are directed to pursue compacting, contracting, co-management, co-stewardship, and other agreements with Tribal Nations that allow them to better partner with the federal government to administer federal programs and services. Agencies are also directed to identify programs where Tribal set-asides can be established, streamlined applications for funding to reduce the burden on Tribal governments can be identified, unnecessary restrictions on how Tribes can spend federal funds can be removed, and cost-sharing requirements for Tribal governments can be mitigated. As a result of this Executive Order, Tribes will spend less of their resources cutting through bureaucratic red-tape to apply or comply with federal administrative requirements and use federal dollars more effectively. No longer will Tribes be faced with seemingly unnecessary and arbitrary limitations when they are accessing critical funding for public safety, infrastructure, education, energy, and much more.**

Creates a one-stop-shop for federal funding available to Tribes. The Tribal Access to Capital Clearinghouse will be launched at the Tribal Nations Summit to provide a one-stop-shop for Tribes and Native businesses to find federal funding.

Better embraces our trust responsibilities by assessing unmet federal obligations to support Tribal Nations. The Executive Order directs the White House Council on Native American Affairs, the Office of Management and Budget, and the White House Domestic Policy Council to work across the Federal Government to measure the chronic funding shortfalls of existing federal funding for Tribes and develop recommendations for what additional funding and programming is necessary. On an annual basis moving forward, federal agencies will be required to report on their progress implementing those recommendations.

The Executive Order signed today is the third Order President Biden has signed to strengthen our nation-to-nation relationship, strengthen Tribal consultation, and deepen the federal government's respect for Tribal sovereignty. **This Executive Order also builds on the historic investments President Biden has made in Indian Country, including:**

\$32 billion in the American Rescue Plan, the largest direct federal investment in Tribal Nations in history.

\$13 billion in the Bipartisan Infrastructure Law to build high-speed internet, roads, bridges, public transit, clean water, and improve sanitation in Tribal communities.

\$700 million in the Inflation Reduction Act, to invest in Native communities for climate resilience and adaptation programs, drought mitigation, home electrification, and clean energy development.

Sending billions of federal contract dollars—and significant percentages of their overall procurement dollars—to Native-owned or controlled businesses through the Buy Indian Act, a law that has been re-invigorated under the Biden-Harris Administration. In FY 2023, the Indian Health Service (IHS) awarded \$444 million (30.6%), the Department of Health and Human Services awarded \$1.55 billion (3.8%), the Department of the Interior awarded over \$1.4 billion (16.9%), and Interior's Indian Affairs Bureaus awarded \$626 million (74.6%) of eligible contract dollars to Native-owned and controlled businesses.

Securing the first ever advance appropriations for IHS, which was the only major federal healthcare system that was funded through discretionary appropriations and therefore more likely to be cut every year. These advance appropriations bring much needed stability to IHS and ensure that IHS hospitals can stay open to provide lifesaving care in the event of a lapse in government appropriations."

Pauly Denetclaw, "IndigiPolitics: 2023 a year of twists and turns: The nation witnessed a divided Republican party, shocking rulings from the Supreme Court, the election of more Indigenous people to public office and changes of leadership in two of the largest Indigenous nations in the country," *ICT*, December 28, 2023, <https://ictnews.org/news/indigipolitics-2023-a-year-of-twists-and-turns>. reported, **"President Joe Biden** has without question set the standard for future administrations when it comes to Indigenous nations. He has **appointed more Indigenous people to various positions in federal departments than previous administrations.**

The White House started off the year by **inviting Lynette Bonar, Navajo, to the 2023 State of the Union address.** Bonar was instrumental in bringing the first cancer center to sovereign Native lands. In Biden's address, he said he wanted to reduce cancer rates by 50

percent over the next 25 years. **Biden mentioned tribal communities once during his one hour and thirteen minute speech.**

Also in attendance were Navajo Nation president Buu Nygren, invited by U.S. Sen. Mark Kelly, and Gila River Indian Community Gov. Stephen Roe Lewis, invited by U.S. Sen. Kyrsten Sinema.

One of, the U.S. Treasurer, Chief Lynn Malerba’s first actions after getting sworn-in was establishing the Treasury’s Office of Tribal and Native Affairs. This office, while not permanently funded, will be a permanent fixture in the department. Its inaugural director is Fatima Abbas, Haliwa Saponi, who officially took over in late February.

In early March, the **Biden administration made the controversial decision to approve the Willow Project in Alaska’s North Slope**, which went against his promises to reduce greenhouse gas emissions. The project also garnered global attention and was overwhelmingly unpopular. However, the vast majority of Indigenous leaders from the North Slope were in support of the project."

Congressional Developments

"The Corporate Transparency Act and its Impact on Indian Country," Hobbs-Straus General Memorandum 23-011, December 15, 2023, https://hobbsstraus.com/general_memo/general-memorandum-23-011/, reported, In 2021, the **Corporate Transparency Act (“Act”) was enacted into law, and is due to take effect on January 1, 2024.[1] The Act requires every existing, amended or new corporation, or limited liability company, including those owned by Tribes, to file required reporting information with the Financial Crimes Enforcement Network (FinCEN). Though, Tribal entities are excepted if they exercise governmental authority on behalf of the Tribe.**

The Act creates a national registry of business owners. The information gathered will include the business name, address, state of formation, EIN, as well as the birth date, address, and government issued phone ID of every direct or indirect owner.[2] The purpose of obtaining this information is “better enable critical national security, intelligence, and law enforcement efforts to counter money laundering, the financing of terrorism, and other illicit activity.”[3]

Corporations, limited liability companies, or similar entities registered with a Secretary of State or a Tribe will be required to comply, unless covered by an exception. The list of exceptions includes: regulated companies (such as banks), companies with more than 20 employees and more than \$5 million in annual revenue (casinos), non-active business, and Tribal entities exercising governmental authority.[4] The Act provides no further guidance on what it means for a business to exercise governmental authority.

Tribes should be aware of one additional requirement. **The Act requires Secretaries of State and Tribes to remind companies registered in their jurisdiction about the reporting requirements.[5]**

[1] An Introduction to Beneficial Ownership Information Reporting, Financial Crimes Enforcement Network (Nov. 6, 2023, 3:31 PM), https://www.fincen.gov/sites/default/files/shared/BOI_FinCEN_Brochure_508C.pdf. [2] H. R. 6395, 116th Cong. § 6403 (2021).

[3] Carl A. Valenstein and Jose T. Robles, Jr., Corporate Transparency Act: What Companies Need to Know, Harvard Law School Forum on Corporate Governance (Feb. 18,

2021), <https://corpgov.law.harvard.edu/2021/02/18/corporate-transparency-act-what-companies-need-to-know/>.

[4] H.R. 6395, 116th Cong. § 6403 (2021).

[5] Id.

Lacina Tangnaqudo Onco, "Native American Legislative Update," Friends Committee on National Legislation (FCNL), July 2023, <https://fcnl.actionkit.com/mailings/view/35316>, reported,

"Not Invisible Act Commission Holds Hearing in Albuquerque"

On Oct. 10, 2020, the Not Invisible Act of 2019 (Public Law No. 116-166) was signed into law. The bill was the first to be introduced and passed by four Native American members of Congress.

On June 28, **the commission created under this law held a hearing in Albuquerque, NM, to receive testimony on the ongoing crisis of Missing and Murdered Indigenous Persons (MMIP). It was one of seven held this year.** The purpose of these hearings is to gather testimony and formulate recommendations to enhance intergovernmental cooperation regarding violent crimes in Indian Country and offer support and resources for survivors and families of victims. The insights and data collected during these hearings will contribute to the final report that the commission will present to Interior Secretary Deb Haaland, Attorney General Merrick Garland, and Congress in October.

At the hearing, **the U.S. Department of Justice announced it would dedicate new resources to address this critical issue. The MMIP outreach program will permanently assign ten attorneys and coordinators to five areas in the Northwest, Southwest, Great Plains, Great Lakes, and Southeast regions of the United States. They will assist in the investigation of unresolved MMIP cases and related crimes.**

At the hearing, Garland acknowledged that tribal communities have been left reeling from the crisis. 'This new program mobilizes the Justice Department's resources to combat the crisis of Missing or Murdered Indigenous Persons, which has shattered the lives of victims, their families, and entire Tribal communities,

Garland stated. 'The Justice Department will continue to accelerate our efforts, in partnership with Tribes, to keep their communities safe and pursue justice for American Indian and Alaska Native families.'

House Bill Threatens Protections for Chaco Canyon

On July 13, the **House Subcommittee on Energy and Mineral Resources held a legislative hearing on the Energy Opportunities for All Act (H.R. 4374).** Reps. Eli Crane (AZ-02) and Paul Gosar (AZ-09) introduced the bill. **It aims to invalidate Public Land Order No. 7923, which protects the lands surrounding the Chaco Culture National Historical Park in New Mexico.**

Chaco Canyon served as a major center of ancestral Puebloan culture.

At the first White House Tribal Nations Summit of the Biden-Harris administration in 2021, President Joe Biden and Secretary Deb Haaland took significant steps to protect Chaco Canyon and the surrounding landscape. They initiated a process to enact a 20-year moratorium on new oil and gas leasing on federal lands situated within a 10-mile radius. Additionally, Secretary Haaland introduced the "Honoring Chaco Initiative" to foster regional dialogue among entities, including the Bureau of Land Management field offices, Bureau of Indian Affairs, and

concerned Tribes. This initiative aims to develop a more comprehensive cultural approach to guide all land management decisions across the Greater Chaco Landscape.

Passage of H.R. 4374 could lead to irreparable harm to the Chaco Canyon and its people. Tribal citizens who would be most affected by mineral extraction say that leaving the area to avoid pollution is not an option. Leaving the land would create an unbearable loss of cultural identity and disrupt their ability to pass on cultural traditions to future generations.

Bill Tracker

Native American Child Protection Act (S. 2273)

On July 19, the **Senate Indian Affairs Committee held a business meeting and approved eight bills. Among them was a piece of legislation called the Native American Child Protection Act (S. 2273)**, which was introduced on July 12 by Sens. Ben Ray Lujan (NM) and Susan Collins (ME).

This is the **Senate companion to H.R. 663, a bill recently approved by the House Natural Resources Committee. It would reauthorize and make amendments to the Indian Child Protection and Family Violence Prevention Act (Public Law No. 101-630) and its programs related to the prevention, investigation, treatment, and prosecution of family violence, child abuse, and child neglect involving Native American children and families."**

Cindy Darcy, Consultant, Native American Advocacy Program Native American Legislative Update," Friends Committee on National Legislation (FCNL), September 2023, <https://fcnl.actionkit.com/mailings/view/3902>, reported,

Congress Advances Tribal Bills

Throughout 2023, lawmakers have introduced and reintroduced tribal bills, held hearings, and marked up legislation impacting Native communities. **Several bills are now ready for House or Senate floor consideration.**

Let's take a look at a few of the bills that are being advanced by House or Senate committees.

Disrupting Cycles of Abuse: On Sept. 20, **the House passed the Native American Child Protection Act (H.R. 663). This legislation would reauthorize and make amendments to the Indian Child Protection and Family Violence Prevention Act (Public Law Number 101-630).** It supports funding to tribal governments and tribal organizations for the prevention, investigation, treatment, and prosecution of family violence, child abuse, and child neglect involving Indian children and families.

Preserving History: On Sept. 18, **the House passed the Wounded Knee Sacred Site and Memorial Land Act (H.R. 3371). The bill would direct the secretary of the interior to complete all actions necessary to preserve a section of the land where hundreds of Lakota people were massacred by the U.S. Army in 1890.**

The Senate Indian Affairs Committee held a hearing on the Senate companion bill, S. 2088, in July.

Critical Housing Assistance: We are **hopeful that tribal housing policy could be attached to the National Defense Authorization Act (H.R. 2670 and S. 2226) this fall.** This annual defense policy bill has been traditionally considered "must pass" legislation.

The Senate version currently includes an amendment that would reauthorize the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law Number 104-330). This critical program has not been reauthorized since 2013, leaving it vulnerable to potential cuts in Congress's annual appropriations process. The act, which

the amendment would extend through FY2030, provides affordable housing-related opportunities for low-income families residing on reservations and in other tribal areas.

As Shutdown Looms, Congress Must Reauthorize Critical Safety Net Programs

Congress has just a handful of working days remaining to pass legislation to fund the government or face a partial shutdown when Fiscal Year 2024 begins on Oct. 1.

In addition to continuing annual funding for federal programs, a number of statute reauthorizations and program extensions must be included in legislation to fund the government. These includes several programs that impact tribal citizens including the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), the Special Diabetes Program for Indians (SDPI), and other critical safety net programs.

Observe Orange Shirt Day

Sept. 30 marks the National Day of Remembrance for Indian Boarding Schools, an Indigenous-led grassroots effort to raise awareness of the far-reaching intergenerational impacts of the boarding school era.

This commemorative day, also known as Orange Shirt Day, honors survivors and the children who never returned home from Indian boarding schools, their families, and their communities.

Seeking to right relationships in the wake of generational oppression and cultural genocide is a great concern of the FCNL network and many Friends. FCNL members have written thousands of letters in support of the Truth and Healing Commission on Indian Boarding School Policies in the United States Act (S. 1723), and our 2022-2023 Advocacy Corps cohort lobbied in support of the Truth and Healing bill. Their efforts produced 56 lobby visits by 107 constituents, 27 media engagements, and the coordination of several community events."

"Congressional watchdog describes environmental harm of the border wall," PBS, Sep 7, 2023, <https://www.pbs.org/newshour/politics/congressional-watchdog-describes-environmental-harm-of-the-border-wall>, reported, **"The construction of a wall along the U.S.-Mexico border under former President Donald Trump toppled untold numbers of saguaro cactuses in Arizona, put endangered ocelots at risk in Texas and disturbed Native American burial grounds, the official congressional watchdog said Thursday.**

A report released by the Government Accountability Office [GAO] offers the first independent assessment of damage caused by the building of more than 450 miles (724 km) of wall while in-depth environmental reviews were waived and the concerns of Native American tribes went largely ignored in the rush to finish the barrier."

The GAO report **proposed that, U.S. Customs and Border Protection and the Interior Department should work together to mitigate the damage, coordinating to estimate the cost of repair work, how to fund it, and how long to complete the project.**

Cindy Darcy, Consultant, Native American Advocacy Program, "Native American Legislative Update," Friends Committee on National Legislation (FCNL), October 2023, <https://fcnl.actionkit.com/go/125871>, reported,

"Clean Water for Native Communities

Native communities in the southwest are significantly being impacted as the region's water supply dwindles while its population and agricultural output have boomed. Three Senate hearings took place in September to explore the consequences of drought on drinking water access and availability.

These hearings complement legislation reintroduced in July 2023 by Sen. Michael Bennet (CO) and Rep. Joe Neguse (CO-02) to expand tribal access to clean water. This will be done by increasing funding for water infrastructure through the Indian Health Service, the Department of Agriculture and Bureau of Reclamation in the Department of the Interior (S. 2385 and H.R. 4749).

In addition, Sen. Bennett has reintroduced S. Res. 355, a resolution recognizing the critical importance of access to reliable, clean drinking water for Native Americans. It affirms the responsibility of the federal government to ensure such water access.

Lawmakers Urge Biden to Release AIM Activist Leonard Peltier

Friends and tribal advocates have long advocated for imprisoned American Indian Movement (AIM) activist Leonard Peltier to be released or granted clemency. Members of Congress recently sent a bicameral letter to President Biden, requesting his release. If your senator or representative is among them, let them know you appreciate this effort!

Bill Tracker

Northern Arizona Protection Act (H.R. 5635)

A bill to nullify the Presidential Proclamation declaring Baaj Nwaajo I'tah Kukveni—Ancestral Footprints of the Grand Canyon a national monument. Rep. Paul Gosar (AZ-09) is seeking to advance this harmful legislation as an amendment to the House Interior and Environment appropriations bill.

Native Histories and Cultures Education Act of 2023 (S. 3019)

Recently reintroduced by Sen. Tina Smith (MN), this bill calls for the development and dissemination of accurate, relevant, and accessible education curriculum resources to promote understanding of Native American and tribal histories and cultures."

An Amendment to the National Defense Authorization Act, which passed the Senate in August 2023, would authorize additional compensation for individuals, including Navajo miners, exposed to radiation during the cold war in uranium mines or living downwind from nuclear weapons testing (Arlyssa D. Becenti, "Senate approves expanded compensation for Navajo Nation uranium miners, downwinders," *Navajo Times*, August 9, 2023).

Jeremy Wade Shockley., "Senators introduce resolution reaffirming importance of water for tribal communities," *Southern Ute Drum*, September 22, 2023, <https://www.sudrum.com/eEditions/DrumPDF/2023/SUDrum-20230922.pdf>, reported, "U.S. Senators Michael Bennet (D-Colo.), Alex Padilla (D-Calif.), Brian Schatz (D-Hawaii), Ron Wyden (D-Ore.), and John Hickenlooper (D-Colo.) led **Senate colleagues to reintroduce a resolution reaffirming the federal government's responsibility to provide access to clean drinking water for Tribal communities. Further, the resolution calls on the Executive Branch to employ a "whole of government" approach to ensure access to reliable, clean drinking water to households on Federal Indian reservations, in Alaska Native villages, and in Native Hawaiian communities.**"

Hannah Grover, "Native American tribes have vast energy resources, but face barriers developing them," *New Mexico Political Report*, September 29, 2023, <https://nmpoliticalreport.com/2023/09/29/native-american-tribes-have-vast-energy-resources-but-face-barriers-developing-them>, reported, **"While Indigenous nations across the United States have vast energy resources, it can be hard for them to develop that potential.**

Tribal representatives spoke to the Natural Resources Subcommittee on Indian and Insular Affairs on Thursday about the challenges they face in developing energy resources."

Sub-committee chairwoman U.S. Rep. Harriet Hageman, R-Wyoming mentioned that for the number of nations that have worked to develop their energy resources the process "requires 'jumping through more hoops, more bureaucracy, and involves more agencies than on any other type of lands. We need to change that.'

Rep. Teresa Leger Fernández, D-New Mexico, agreed, **adding that "renewable energy development can take twice as long on tribal lands."**

Cindy Darcy, Consultant, Native American Advocacy Program, "Native American Legislative Update," Friends Committee on National Legislation (FCNL), November 2023, <https://fcnl.actionkit.com/mailings/view/44410>, reported, "

Committee Examines Fentanyl Impacts on Native Communities

American Indians and Alaska Natives had the highest drug overdose rates of any ethnic group for 2020 and 2021.

On Nov. 8, the **Senate Indian Affairs Committee held a first-of-its-kind hearing to examine the impact of fentanyl in Native communities. The hearing focused on Native perspectives to address the growing crisis.**

'Fentanyl—a potent synthetic opioid—is contributing to a rapid rise in opioid-related deaths across the country, and Native communities are getting hit extra hard,' said Brian Schatz (HI), committee chair. 'We have to listen to Native leaders, organizations, and health care professionals and support Native-led solutions to fight fentanyl in their homelands and surrounding communities.'

The chairman of the Lummi Nation of Washington testified that this year, his community lost five people to fentanyl overdoses in a single week. The chairman of the Turtle Mountain Band of Chippewa Indians shared that, on average, two North Dakotans die each week from opioid and fentanyl overdoses, with the highest percentages of those deaths coming from the reservations of one of North Dakota's five tribes.

Not Invisible Act Commission Submits Report

On Nov. 1, the **Not Invisible Act Commission delivered its final report, entitled 'Not One More,' to Congress and the administration. It calls upon the federal government to declare a 'Decade of Action and Healing' to address the crisis of missing and murdered Indigenous people effectively for future generations.**

The Not Invisible Act (Public Law 116-166) aims to address these high rates of violence by creating a cross-jurisdictional advisory committee on crime against American Indians and Alaska Natives.

Working in solidarity with its Native partners during the 116th Congress, FCNL advocated for the passage of the bill. FCNL's lobbying was led by Kerri Colfer, then FCNL's Native American Congressional advocate.

The Not Invisible Act Commission, on which Ms. Colfer served, held hearings around the country and developed recommendations focused on improving intergovernmental coordination. It also established best practices for state, tribal, and federal law enforcement to bolster resources for survivors and victim's families and combat the epidemic of missing persons, murder, and trafficking of American Indian and Alaska Native peoples.

The law requires a federal response to be prepared to the commission's report within 90 days of its release.

Bill Tracker

Truth and Healing Commission on Indian Boarding School Policies in the United States Act (S. 1723)

This legislation, which **would establish a commission to investigate, document, and acknowledge past injustices of the federal government's Indian boarding school policies**, is a top priority for FCNL advocates. Sen. John Fetterman (PA) became the most recent bill co-sponsor, thanks to the work of Pennsylvania advocates.

Recognizing Native American Heritage Month (S. Res. 459)

The Senate passed an annual resolution recognizing National Native American Heritage Month and celebrating the heritages, cultures, and contributions of Native Americans."

Federal Agency Developments

Northern Arizona University forwarded the following announcement in October, 2023, https://qualtrics.nau.edu/jfe/form/SV_2ldVcDSVkgCzZ4, "Greetings. **The Bureau of Indian Affairs' Branch of Tribal Climate Resilience (TCR) has been asked by Congress to provide a report on "the estimated unmet need of coastal Tribes in the lower 48 states that are facing relocation due to climate impacts".** Your input for this report is invaluable and we hope you can answer as many **survey** questions as possible. Please contact us at: unmetneed2023@nau.edu if you need assistance with the survey. Thank you.

A few things to note:

Completion time: The time to complete the survey will vary depending on the questions that you answer, so it may take 20 minutes to 1 hour to complete.

Filling out the form: You aren't required to answer each question. If you don't feel comfortable answering a question, please skip it. We appreciate any input you might have on what you are knowledgeable about.

Viewing all the questions on the input form: To see a full copy of all the questions before filling out this online version, please visit our report website (nau.edu/unmetneed2023)

Saving your answers and coming back later: You will have the option to come back to the survey and complete it later *only if* you are using a personal computer, the browser history is not cleared, and if "cookies are allowed". Otherwise your answers will not be saved.

Submitting the form: There are approximately 55 questions in this survey, many of which are checkboxes. The questions are divided into sections. Once you reach question 54, do not proceed to the last page until you are done answering as many questions as you can. Once you proceed to the last page, your submission will be complete.

Important: Before filling out this survey, everyone is required to read and sign the Report Background and Informed Consent Form, which outlines goals of the report, how your input/knowledge shared will be used in the report, editing/withdrawing information, confidentiality, potential risks, potential benefits, and who to contact for questions and concerns."

"Secretary Haaland Announces \$15 Million Commitment to Support Indian Youth Service Corps through President Biden's Investing in America Agenda: Funding will support next generation of conservation and climate stewards," U.S. Department of the Interior, September 19, 2023, <https://www.doi.gov/pressreleases/secretary-haaland-announces-15-million-commitment-support-indian-youth-service-corps>, contact: Interior_Press@ios.doi.gov,

"During Climate Week 2023, Secretary of the Interior Deb Haaland today announced a \$15 million commitment through President Biden's Investing in America agenda to the Indian Youth Service Corps (IYSC) and other programs supporting the next generation of conservation and climate stewards.

The IYSC, announced by Secretary Haaland last year, is a partner-based program designed to provide Indigenous youth with meaningful, Tribally led public service opportunities to support the conservation and protection of natural and cultural resources through construction, restoration or rehabilitation of natural, cultural, historic, archaeological, recreational or scenic resources.

Secretary Haaland made the announcement during remarks at the Clinton Global Initiative 2023 annual meeting and challenged those in the room to match or surpass this commitment with the goal of doubling the funding for youth programs through public-private partnerships to expand opportunities and job skills training for Indigenous youth in more communities across America. This effort will be facilitated in collaboration with the Office of Strategic Partnerships, which was launched during the 2022 White House Tribal Nations Summit to assist with building partnerships, leveraging resources, and promoting innovative solutions for Indian Country.

'Through the Indian Youth Service Corps, the Biden-Harris administration is providing meaningful education, employment and training opportunities to Indigenous youth through conservation projects on public and Tribal lands,' said Secretary Deb Haaland. 'Public-private partnerships are needed to leverage historic federal investments and are essential in this work – not just to address the challenges the climate crisis presents, but for empowering our up-and-coming generations of climate stewards. Together, we can empower the Corps to help more young people strengthen their connection to the lands and waters that their ancestors have cared for since time immemorial.'

With funding from the Inflation Reduction Act — the largest climate investment in history — the Interior Department will expand the capacity of the Corps and similar projects serving underserved communities by 30 percent, reaching over 5,000 young people. The expanded programs will work with federally recognized Tribes and Tribal organizations as well as programs serving the U.S. territories, the Native Hawaiian Community, and urban communities across the United States.

The Secretary's announcement comes a week after the **Department announced the award of its first IYSC grants** (<https://www.doi.gov/pressreleases/interior-department-announces-new-partnerships-and-offices-leverage-new-resources>) **to eight projects involving more than 20 Tribes and Tribal organizations. The first grants awards are designed to help develop Tribal capacity in conservation, natural resource management, and climate resilience. They also provide Tribes and Tribal organizations with funding to enable them to invest in, train, and recruit a new generation of skilled Indigenous workers.**

Youth programs like the IYSC support the Department's Interior Department To Take Action To Restore Lands And Waters [pdf: <https://www.doi.gov/media/document/interior-department-take-action-restore-lands-and-waters-pdf>] which is guiding \$2 billion in investments from the President's Investing in America agenda to restore lands and waters and advance climate resilience."

"EPA Restores Tribal Certification Power Over Federal Clean Water Act Projects and Schedules Webinars for Tribes, General Memorandum 23-009, September 22, 2023,

https://hobbsstrauss.com/general_memo/general-memorandum-23-009/, reported, "On September 13, 2023, the **Environmental Protection Agency (EPA) released its prepublication final rule for Clean Water Act Section 401 Water Quality Certifications**, available here: https://www.epa.gov/system/files/documents/2023-09/Pre-publication%20version%20of%202023%20CWA%20Section%20401%20Water%20Quality%20Certification%20Improvement%20Rule_508.pdf. Pursuant to the Act, 33 U.S.C. § 1341, **a federal agency may not issue a license or permit for activity that may result in a discharge into waters of the United States[1] unless the authorized Tribe[2] where the discharge would originate certifies the discharge as complying with all applicable water quality requirements—including tribal requirements—or waives certification.**

Since the Act's passage in 1972, certification reviews have typically been conducted pursuant to an analysis that considers the effects of the permitted activity as a whole. In 2020, the previous Administration promulgated a rule to cast off the 'activity as a whole' analysis in favor of a 'discharge-only' analysis that merely considered the potential sources of discharges into waters of the United States. Thus, the 2020 Rule no longer required consideration of the full scope of the activities subject to the federal license or permit. The 2020 Rule also allowed federal agencies to review and deem waived any noncompliant certification decision—essentially granting federal agencies the power to override the tribal and state objections procedure guaranteed by the Clean Water Act statute.

This year's rule restores the previous 'activity as a whole' standard for certification review and reverses the 2020 Rule's process for federal override of tribal and state certification denials. The 2023 Rule is clear on this latter effect: 'A denial of certification means that a certifying authority is not able to certify that the activity will comply with water quality requirements. If a certifying authority denies certification, the Federal license or permit cannot be issued. 33 U.S.C. § 1341(a)(1).' As such, the 2023 Rule is a powerful affirmation of tribal authority to block federal projects under the Clean Water Act.

The 2023 Rule will take effect 60 days after the Rule is published in the Federal Register. [3] The 2023 Rule is extensive and this memorandum provides only a brief overview.

The EPA's outreach and engagement page for the 2023 Rule is here: https://hobbsstrauss.com/general_memo/general-memorandum-23-009/. **The page includes additional materials as well as links to a series of webinars for Tribes Interested in 'Treatment in a Similar Manner as a State' for Section 401:**

October 12, 2023 from 3pm-5pm ET

October 17, 2023 from 3:30pm-5:30pm ET

October 18, 2023 from 1-3pm ET

Please let us know if we may provide additional information on the 2023 Rule or assistance with the process of becoming a certifying authority under the Clean Water Act.

[1] The Supreme Court radically diminished the scope of protected 'waters of the United States' earlier this year in its *Sackett v. EPA* ruling. Then, last month the EPA formally scaled back protection of millions of acres of wetlands, stating that the agency had 'no alternative' in light of the Court's holding in *Sackett*.

[2] An authorized Tribe (also 'certifying authority') is one which has been approved for treatment in a manner similar to a State under the Clean Water Act.

[3] As of this writing, the final rule has yet to be published in the Federal Register, but its publication is expected soon."

Susan Montoya Bryan, "US commits more lawyers to address Native American disappearances and killings," Associated Press, June 28, 2023, <https://apnews.com/article/missing-native-american-indigenous-commission-albuquerque-dd4d407a25bc7f3ccc1683afc26fd490>, reported, **"The U.S. Department of Justice on Wednesday announced it will be funneling more resources toward addressing the alarming rate of disappearances and killings among Native Americans."**

As part of a new outreach program, the agency will dispatch five attorneys and five coordinators to several regions around the country to help with investigations of unsolved cases and related crimes.

Their reach will span from New Mexico and Arizona to Alaska, Washington, Oregon, Oklahoma, South Dakota, Michigan and Minnesota."

Cindy Darcy, Consultant, Native American Advocacy Program "Native American Legislative Update," Friends Committee on National Legislation (FCNL), October 2023, <https://fcnl.actionkit.com/go/125871>, reported,

"Exploring the Intersection of Tribal Rights and Border Politics

Congress and the Biden administration's abusive immigration enforcement decisions can have a profound impact on Native communities. There are 151 federally recognized tribes that have a presence in a southern border state. The U.S.-Mexico border wall affects at least 29 Indigenous communities, including the Kumeyaay Nation and Tohono O'odham.

On Oct. 5, Secretary of Homeland Security Alejandro Mayorkas announced he has waived several federal laws and legal requirements as the administration builds 17 miles of new border wall. This includes the protections historically provided under the Native American Graves Protection and Repatriation Act (P.L. No. 101-601) and the American Indian Religious Freedom Act (P.L. No. 95-341), both of which FCNL advocated to have enacted.

Thanks to a recent report produced by the Government Accountability Office, we already know the harm that may result: mistreatment of tribal sacred and burial sites, altered water sources, environmental degradation, and risks to wildlife and endangered species.

Barrier construction has destroyed several cultural sites important to the Tohono O'odham Nation and other Indigenous communities. A site used for religious ceremonies was irreparably damaged when explosives were used to expand a road.

These injustices disregard a previous executive order from the Biden administration directing tribal consultation for all federal agency actions that impact tribes."

"Department of Treasury and Internal Revenue Service Issue Guidance for Solar and Wind Projects Located on Indian Land or in Low-Income Communities," Hobbs-Straus, General Memorandum 23-008, https://hobbsstrauss.com/general_memo/general-memorandum-23-008/, reported, **"The Department of the Treasury (Treasury) and Internal Revenue Service (IRS) published the final regulations and Revenue Procedure 2023-27 on wind and solar energy projects built in connection with low-income communities or on Indian land.**

As we reported in our General Memorandum 23-007 of July 23, 2023, the Inflation Reduction Act of 2022 (PL 117-169) amended Section 48 of the Internal Revenue Code (Code)

by establishing bonus credits for qualified solar and wind facilities. The bonus credits are available for certain low-income projects and those on Indian land. The bonus credits under Code Section 48(e) contain a capacity cap and, thus, function more like a competitive grant. The four categories of projects that qualify for the bonus credits are: (1) facilities that are located in a low-income community, as defined in Section 45D(e); (2) facilities that are located on Indian land, as defined in section 2601(2) of the Energy Policy Act of 1992 (25 U.S.C. § 3501(2); (3) facilities that are part of a qualified low-income residential building project; and (4) property that is a qualified low-income economic benefit project.

The final regulations (88 Fed. Reg. 55,506) provide **definitions and requirements for projects** intending to qualify for the bonus credits. In addition, the regulations:

- Define financial benefits;
- Define energy storage technology installed in connection with the projects;
- Define and describe the additional selection criteria for potential applicants;
- Remind potential applicants that facilities placed in service prior to an allocation are not eligible; and

- Provide the disqualification and credit recapture rules specific to the program.

Revenue Procedure 2023-17 sets out the application process for the bonus credit.

Applications must be submitted through a portal hosted by the Department of Energy (DOE). Please let us know if we may provide additional information about the bonus credits for qualified solar and wind facilities."

Chex Oxendine, "HUD Pledges to Modernize Indian Home Loan Program with Final Rule Update," Tribal Business News, December 9, 2023, <https://tribalbusinessnews.com/sections/real-estate/14548-hud-pledges-to-modernize-indian-home-loan-program-with-final-rule-update>, reported, **"The Department of Housing and Urban Development (HUD) said during the White House Tribal Nations Summit this week that it would finalize the new rules for the Section 184 loan guarantee program in 2024, with a focus on modernization, fee reduction, and increased support for Native communities.**

The new rules aim to modernize the program by codifying programmatic requirements, establishing a minimum level of lending on trust lands, and improving guarantees to pull more lenders into the program."

"USDA Solicits Nominations to the Tribal Advisory Committee," U.S. Department of Agriculture, June 28, 2023, <https://www.federalregister.gov/documents/2023/06/28/2023-13728/intent-to-establish-the-tribal-advisory-committee-and-solicitation-of-nominations-for-membership-to>, reported, 2023 **"The U.S. Department of Agriculture (USDA) today announced it will establish a Tribal Advisory Committee and is requesting nominations for membership.** The notice is among USDA's efforts to remove barriers to service for tribal governments, citizens, and tribal nations.

"Establishing the Tribal Advisory Committee is an important step towards ensuring tribal perspectives are well represented at USDA and positioned to inform how the Department meets its trust responsibility to tribes across the nation," said Agriculture Secretary Tom Vilsack. "I encourage applicants from across the country to apply and look forward to working with my counterparts on the Hill to appoint members who represent the diversity of voices across Indian Country."

Authorized in the 2018 Farm Bill, the Tribal Advisory Committee is tasked with providing advice and guidance to the Secretary of Agriculture on matters relating to tribal and Indian affairs.

As a federal advisory committee, the Tribal Advisory Committee will provide invaluable recommendations on USDA programs and policies, including through an annual report to Congress. Activities from this committee will not replace new and continuing consultation required by Executive Order 13175 and USDA's government-to-government relationship with tribes. This advisory committee will be supported by representatives from the USDA Office of Tribal Relations and the Assistant Secretary for Indian Affairs in the Department of the Interior, with the Office of Tribal Relations serving as administrative lead for this advisory committee.

USDA encourages nominations from federally recognized tribes, Alaska Native Corporations, tribal organizations that are arms and instrumentalities of tribes or democratically elected by their community, or national or regional organizations with expertise in tribal food and agriculture issues. Appointments for membership will be made by the Secretary of Agriculture and the Chair and Ranking Member of the House Committee on Agriculture; Senate Committee on Agriculture, Nutrition, and Forestry; and Senate Committee on Indian Affairs. All nominations are requested to follow the process identified in the Federal Register.

The nomination period for membership to serve on this advisory committee will be open through August 14, 2023. Specific information and nomination instructions are available in the Federal Register.

'While USDA will continue to consult with tribes on a regular basis, this Tribal Advisory Committee is an important partner in the Office of Tribal Relations mission of advising the Secretary on tribal issues,' said Acting Director of Tribal Relations Deb DuMontier.

The Tribal Advisory Committee is required to meet at least twice a year and is expected to meet quarterly. Committee membership is expected to reflect diversity in expertise across regions, Indian tribes, and the agriculture industry, including subsistence and related cultural practices.

USDA touches the lives of all Americans each day in many positive ways. In the Biden-Harris Administration, USDA is transforming America's food system with a greater focus on more resilient local and regional food production and fairer markets for all producers. USDA is dedicated to ensuring access to safe, healthy, and nutritious food in all communities, building new markets and streams of income for farmers and producers. In order to reach these goals, USDA encourages the use of climate smart food and forestry practices. USDA is making historic investments in infrastructure and clean energy capabilities in rural America and is committed to equity across the Department by removing systemic barriers and building a workforce more representative of America. To learn more, visit www.usda.gov."

"Joint Statement: United States to Consult with Tribal Nations on Protecting Tribal Intellectual Property," The National Congress of American Indians (NCAI), October 24, 2023, <https://www.ncai.org/newsitem/joint-statement-united-states-to-consult-with-tribal-nations-on-protecting-tribal-intellectual-property>, reported, **"The United States Patent and Trademark Office (USPTO), Department of Commerce published a notice in the Federal Register on Formal Tribal Consultation on World Intellectual Property Organization Intergovernmental Committee Negotiations.** The National Congress of American Indians (NCAI) and the Native American Rights Fund (NARF) applaud the decision to hold this long overdue consultation. (Resolution PHX-16-054 and Resolution SAC-22-038).

Since 2016 NCAI, represented by NARF, has called on the federal government to engage in government-to-government consultation on tribal intellectual property issues. These efforts included NCAI passing resolutions in both 2016 and 2022 calling for immediate and direct consultations regarding international negotiations happening at the World Intellectual Property Organization

'The United States federal government needs to ensure free, prior, and informed consent from Tribal Nations as it develops positions to be taken in these international negotiations around genetic resources, traditional knowledge, and cultural expressions. Tribal Nations have sovereign rights and authority as the holders and guardians of these aspects of our cultures that must be respected by the United States. The upcoming consultations are a necessary step to ensure that these legal and moral requirements are met,' said NCAI Executive Director Larry Wright, Jr.

'The United States Patent and Trademark Office has taken positions in negotiations at the World Intellectual Property Organization more aligned with corporations that want to access and use Indigenous Peoples' genetic resources, traditional knowledge, and cultural expressions than with the United States' role as trustee for Tribal Nations. The United Nations Declaration on the Rights of Indigenous Peoples recognizes Indigenous Peoples' rights to their cultural and intellectual property, as well as the obligation for the United States to take measures to protect those rights. It is good that the United States is living up to its obligation to consult with Tribal Nations, and the concern now is to ensure that the consultation is meaningful and actually impacts the United States' negotiation positions,' explained NARF Staff Attorney Sue Noe.

In the upcoming consultation announced on Tuesday, the USPTO will seek tribal input on how to best protect genetic resources, traditional knowledge, and traditional cultural expressions as they are being discussed at the World Intellectual Property Organization. The Federal Register notice provides details for online webinars to be held in January 2024. Two of the four webinars will be for federally recognized Tribal Nations and two will be for state-recognized Tribal Nations, tribal members, Native Hawaiians, and inter-tribal organizations. The USPTO also invites related written comments, to be submitted by February 23, 2024.

Webinar Dates

The webinars for federally recognized Tribal Nations and their proxies will be held on Tuesday, January 16, 2024, from 3 to 5 p.m. ET and Wednesday, January 17, 2024, from 3 to 5 p.m. ET. The webinars for state-recognized Tribal Nations and other tribal members, Native Hawaiians and their representatives, and inter-tribal organizations will be held on Friday, January 19, 2024, from 3 to 5 p.m. ET and Tuesday, January 23, 2024, from 3 to 5 p.m. ET. Register in advance to participate in one of these webinars.

More information is available on the Federal Register:
<https://www.federalregister.gov/documents/2023/10/24/2023-23386/formal-tribal-consultation-on-wipo-igc-negotiations>."

Federal Indian Budgets

Cindy Darcy, Consultant, Native American Advocacy Program, "Native American Legislative Update," Friends Committee on National Legislation (FCNL), November 2023,

<https://fcn1.actionkit.com/mailings/view/44410>, reported, **"House Protects Funding for Tribal Programs in Fiscal Year 2024"**

Congress left Capitol Hill for its Thanksgiving recess after passing a bipartisan short-term spending bill to avert a government shutdown and ensure federal funding will continue into early 2024. However, further appropriations deadlines will take place early in the new year.

In crafting its FY 2024 appropriations bills, the House has pursued amendments to reduce spending below agreed-upon levels and attach harmful policy provisions.

This was true of the House's FY 2024 Interior and Environment appropriations bill (H.R. 4821). Despite proposing sharp cuts to many federal agencies, House appropriators protected funding for the Bureau of Indian Affairs, the Bureau of Indian Education, and the Indian Health Service. Lawmakers expressed their commitment to upholding and honoring federal treaty obligations and trust responsibility to tribal nations.

Much work remains as Congress continues to craft a final spending deal to fund the government for FY 2024. For now, funding for Native communities to address critical needs is protected."

In the Courts

The U.S. Supreme Court

Robert Barnes, "Supreme Court rules against Navajo Nation request for water rights," *Washington Post*, June 22, 2023, <https://www.washingtonpost.com/politics/2023/06/22/supreme-court-navajo-nation-water-supply>, reported, **"The Supreme Court on Thursday rejected the Navajo Nation's attempt to force the federal government to do more to secure water for its huge and arid reservation in the West."**

In a 5-4 decision, Justice Brett M. Kavanaugh said an 1868 peace treaty between the United States and the Navajos does not require the federal government to take any 'affirmative steps' to secure rights on behalf of the tribe to water from the Colorado River, which runs along part of the 17-million acre reservation that stretches through Arizona, New Mexico and Utah." **The majority held that the remedy for the Navajo Nation is action by Congress and the president.**

Justice Gorsuch dissented, saying the court 'rejects a request the Navajo Nation never made.' All the tribe wants, he wrote, is for the government to 'identify the water rights it holds for them,' and, if any have been misappropriated, 'formulate a plan to stop doing so prospectively.'"

Ann E. Marimow, "Supreme Court refuses to block ban on Okla. city fines for Native Americans: The litigation is ongoing, and two justices suggested Tulsa officials could continue enforcing local laws while the court process continues," *Washington Post*, August 4, 2023, <https://www.washingtonpost.com/politics/2023/08/04/tulsa-native-americans-laws-supreme-court>, reported that in the aftermath of the Supreme Court earlier having ruled that most of eastern Oklahoma remained part of the Muskogee Reservation, **"The Supreme Court on Friday refused to block a lower court ruling that would revoke the authority of Oklahoma officials to enforce certain laws against Native Americans amid legal confusion over the justices' 2020 declaration that a large swath of the state remains Indian country."**

Two justices suggested in a statement accompanying the order that the city of Tulsa's request to halt the lower court ruling was premature, and that officials could continue enforcing local laws while the litigation continues."

The U.S. Supreme Court decision in *Moore v. Harper*, holding that state legislatures do not have sole authority to decide voting rights in the state which are reviewable by state courts, is particularly important for protecting Native voting rights from diminution by S\state legislatures ("U.S.: *Moore v. Harper* Protects Native Communities from State Legislative Overreach," *Cultural Survival Quarterly*, September 2023).

Tribal Government and State and Local Government Developments

In Michigan, California and other states, state and local governments are following a federal trend in allowing increasing amount of tribal input into management of public lands. This varies form an advisory tribal opportunity to full collaboration (Alex Brown, "In new collaborations, tribes become stewards of parks and monuments: But Native leaders say some agreements don't grant real authority to tribes," *StateLine*, September 22, 2023, <https://stateline.org/2023/09/22/in-new-collaborations-tribes-become-stewards-of-parks-and-monuments>).

In Maine, the state legislature overturned Governor Janet Mills veto of a bill allowing the Wabanaki Tribes to have most federal laws apply to them, bringing them a step closer to achieving self-determination ("U.S.: Wabanaki Tribes closer to Their Pursuit of Self-Determination," *Cultural Survival Quarterly*, fall/winter 2023).

The Lumbee Tribe of North Carolina announced in a July 20, 2023 E-mail, "**Public Schools of Robeson County (PSRC) School Board and the Lumbee Tribal Council's Education, Culture, and Public Relations Committee have independently engaged in robust conversations. These discussions revolve around the implementation of Tribal Consultation, as mandated by The Every Student Succeeds Act (ESSA).** The ESSA reauthorizes the original Elementary and Secondary Education Act of 1965 (ESEA). As per Section 8538 of the revised ESEA under ESSA, it's incumbent upon local educational agencies (LEAs) to discuss with Indian tribes and tribal organizations matters that directly impact our Native students.

Dan Ninham, "New Illinois Laws Offer Added Protections for Native People," *ICT*, December 14, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/373308aa-2066-9633-1abb-731049050c77/12.14.23_The_Weekly_.pdf, reported, "**Legislature approves three bills that require teaching Native history, allowing regalia for graduations and repatriating remains**

Illinois public schools will no longer be silent on Native history. Graduates can now wear feathers on their graduation caps. And ancestral remains will be carefully returned to their families and tribes or provided a proper burial."

"Minnesota to Celebrate Indigenous People's Day as State-Recognized Holiday for First Time Ever," *Native News On Line*, October 4, 2023,

<https://nativenewsonline.net/currents/minnesota-to-celebrate-indigenous-people-s-day-as-state-recognized-holiday-for-first-time-ever>, reported, **"For the first time ever, Minnesota will observe Indigenous People's Day as a state-recognized holiday, and schools that remain open will dedicate at least one hour to educating students about the day's significance."**

While Indigenous People's Day has been celebrated in Minnesota via proclamation for many years, state lawmakers passed HF 211 in February, following years of advocacy by the Minnesota House Native American Legislative Caucus and members of the eleven tribal nations in Minnesota"

Felix Clary, "Cherokee Nation celebrates traffic citation revenue-sharing agreements: Cross-deputization means non-tribal police can arrest Native suspects," *ICT*, December 5, 2023, <https://ictnews.org/news/cherokee-nation-celebrates-traffic-citation-revenue-sharing-agreements>, reported, **"Cherokee Chief Chuck Hoskin Jr. met with Tahlequah's mayor Thursday to sign the kind of agreement he thinks could begin to resolve strife over tribal license plates."**

The agreement, one of 30 the Cherokee Nation has entered into with Oklahoma municipalities on reservation land, ensures revenue sharing from traffic citations issued to tribal citizens, giving the city all but \$30 of every ticket written by a tribal police officer.

The *McGirt v. Oklahoma* ruling by the U.S. Supreme Court in 2020 affirmed tribal sovereignty over tribal citizens in much of the state, a decision that has also set precedent in civil matters such as traffic citations.

Gov. Kevin Stitt has responded with concerns that include losing revenue from traffic citations and motor vehicle registrations involving tribal citizens.

Agreements like the one signed in the ceremony Thursday could be a simple way to assuage those concerns, Hoskin said in Tahlequah."

"Final report published on federal Indian boarding school research: Colorado Ute tribes, Fort Lewis consulted in process," Southern Ute Drum, October 6, 2023, reported, **"History Colorado has fulfilled its legislative mandate under House Bill 22-1327 by releasing a comprehensive final report that promotes a greater understanding of the impacts of the Boarding School era in Colorado and investigates the lived experiences of students during this period."** The report was prepared in consultation with the Southern Ute Indian Tribe, Ute Mountain Ute Tribe, Fort Lewis College, and other entities. The final report has been made publicly available on the History Colorado website. Tribal members may also access the report through the Tribal Member Experience."

Hannah Grover, "Ohkay Owingeh water rights settlement now heads to Congress for approval," *New Mexico Political Report*, August 30, 2023, <https://nmpoliticalreport.com/2023/08/31/ohkay-owingeh-water-rights-settlement-now-heads-to-congress-for-approval>, reported, **"Gov. Michelle Lujan Grisham announced on Wednesday that she and Ohkay Owingeh Governor Larry Phillips, Jr. signed a settlement that resolves some of the decades-old disputes over water rights along the Rio Chama."**

The settlement allows the Pueblo and nearby acequias to share water during shortages on the Rio Chama stream system rather than relying on priority administration. It also helps the Pueblo in its efforts to restore the bosque region and provides federal and state funding to improve water delivery systems and the ecosystem.

The agreement must now be approved by the U.S. Congress."

"New Mexico pulls plug on missing and murdered Indigenous people task force," *New Mexico Political Report*, October 20, 2023, <https://nmpoliticalreport.com/2023/10/20/new-mexico-pulls-plug-on-missing-and-murdered-indigenous-people-task-force>, reported, **"Gov. Michelle Lujan Grisham's administration has quietly ended a state task force created to find solutions to a crisis of missing and murdered Indigenous people.** The group hasn't met since May, a few months after several members publicly opposed Lujan Grisham's nomination of former San Ildefonso Pueblo Gov. James Mountain to lead the Indian Affairs Department, which housed the task force."

"Nygren asks state child welfare experts to adopt traditional Navajo teachings," *Navajo Times*, September 21, 2023, <https://navajotimes.com/reznews/nygren-asks-state-child-welfare-experts-to-adopt-traditional-navajo-teachings>, reported, **"Child welfare services provided to by Arizona, New Mexico and Utah may soon be improved through the adoption of traditional Navajo teachings and knowledge if incorporated into their programs.**

Officials with these states' child welfare agencies were in Window Rock recently to discuss ways to expand the capacity of their existing partnership with the Navajo Nation.

The meeting sought ways to strengthen agreements between the Navajo Nation Division of Social Services and states to enhance services for Navajo children and families."

The U.S. Department of Justice determined in an investigation that the Minneapolis Police Department routinely discriminates against American Indians and African Americans, regularly using excessive force among other violations of rights ("U.S.: Department of Justice finds the Minneapolis Police Department Discriminates Against Native Americans," *Cultural Survival Quarterly*, September 2023).

The Ignacio Colorado School Board and the Southern Ute Indian Tribe jointly invited parents of students of the within the reservation Ignacio public school to attend an October 16 school policies and procedures meeting. The joint invitation was part of a collaboration extending over a number of years between the Tribe and the Ignacio schools ("Ignacio School District Policies and Procedures Meeting Scheduled for October 16," Southern Ute Drum, October 6, 2023).

Bryant Furlow, New Mexico In Depth with *ProPublica*, "New Mexico AG to investigate Gallup-McKinley school district for harsh discipline of Native American students," *New Mexico Political Report*, September 12, 2023, <https://nmpoliticalreport.com/2023/09/13/new-mexico-ag-to-investigate-gallup-mckinley-school-district-for-harsh-discipline-of-native-american-students>, (Series: Unequal Discipline:Native Students Face Harsh Discipline in New Mexico), reported, **"Native American students in New Mexico are expelled far more often than members of any other group. One school district, Gallup-McKinley County Schools, is responsible for most of that disparity.**

New Mexico Attorney General Raúl Torrez is opening an investigation into disproportionately harsh punishment of Native American children by Gallup-McKinley County Schools."

Tribal Developments

J Doris Dai, Jamie L Yellowtail, Ariana Munoz-Salgado, Julisa J Lopez , Emma Ward-Griffin , Crystal Echo Hawk , Judith LeBlanc, Nikki Santos, Adam Farero, Arianne E Eason, Stephanie A Fryberg, "We Are Still Here: Omission and Perceived Discrimination Galvanized Civic Engagement Among Native Americans," Pub Med, National Library of Medicine, National Center for Biotechnology Information, NIH, May 15, 2023, [https://pubmed.ncbi.nlm.nih.gov/37186808/PMID: 37186808](https://pubmed.ncbi.nlm.nih.gov/37186808/PMID:37186808), (DOI: 10.1177/09567976231165271),

Abstract

Leading up to the 2020 U.S. presidential election, Native American organizations and tribes launched get-out-the-vote campaigns that motivated Native peoples to vote in record numbers and helped flip battleground states. We conducted four studies (total N = 11,661 Native American adults) to examine the social and cultural factors explaining this historic Native civic engagement (e.g., campaigning). Results revealed that the more participants identified as being Native, the more they reported (a) engaging in civic activities, including get-out-the-vote behaviors during the 2020 election (Study 1); (b) civic engagement more broadly across a 5-year period (pilot study, Study 2); and (c) intentions to engage in civic activities in the future (Study 3). Moreover, participants who more strongly identified as Native were more likely to recognize the omission of their group from society and perceive greater group discrimination, which both independently and serially predicted greater civic engagement. These results suggest that leveraging the link between Native identification and group injustices can motivate action.

Keywords: Native Americans; civic engagement; discrimination; ethnic identity; omission; open materials; preregistered."

Access to full article in Sage Publications:
<https://journals.sagepub.com/doi/10.1177/09567976231165271>.

Zach Levitt, Yuliya Parshina-Kottas, Simon Romero and Tim Wallace, **"‘WAR AGAINST THE CHILDREN:’ The Native American boarding school system** — a decades-long effort to assimilate Indigenous people before they ever reached adulthood — robbed children of their culture, family bonds and sometimes their lives," *The New York Times*, August 30, 2023, <https://www.nytimes.com/interactive/2023/08/30/us/native-american-boarding-schools.html>, reported, **"The Native American boarding school system** was vast and entrenched, ranging from small shacks in remote Alaskan outposts to refurbished military barracks in the Deep South to large institutions up and down both the West and East coasts.

Until recently, incomplete records and scant federal attention kept even the number of schools — let alone more details about how they functioned — unknown. The 523 schools represented here constitute the most comprehensive accounting to date of institutions involved in the system. This data was compiled over the course of several years by the National Native American Boarding School Healing Coalition (<https://boardingschoolhealing.org>), a nonprofit advocacy and research organization. It reflects the efforts of historians, researchers, activists and survivors who have filled in many of the blanks in this dark chapter of American history."

Jenna Kunze, "More Than a Century after Their Death, the US Army to Return Remains of Five More Indigenous Children to Their Tribal Communities," Native News Online, September 11, 2023, https://nativenewsonline.net/sovereignty/more-than-a-century-after-their-death-the-us-army-to-return-remains-of-six-more-indigenous-children-to-their-tribal-communities?utm_campaign=NALU&utm_medium=email&utm_source=ak&utm_term=39024.30420.BAjNqR, reported, "Today, September 11, **the U.S. Army will begin its sixth disinterment project to reunite the remains of five Indigenous children who died more than a century ago with their descendant relatives and communities.**

Those students include: Edward Upright, from the Spirit Lake Tribe in North Dakota; Amos LaFramboise, from the Sisseton Wahpeton Oyate of the Lake Traverse Reservation in South Dakota; Beau Neal, from the Northern Arapaho Tribe in Wyoming; Edward Spott from the Puyallup Tribe in Washington; and Launy Shorty from the Blackfeet Nation in Montana. "

These children were among almost 200 who died at the U.S. run Carlisle Indian Industrial School which operated in Carlisle, Pennsylvania from 1879 to 1909.

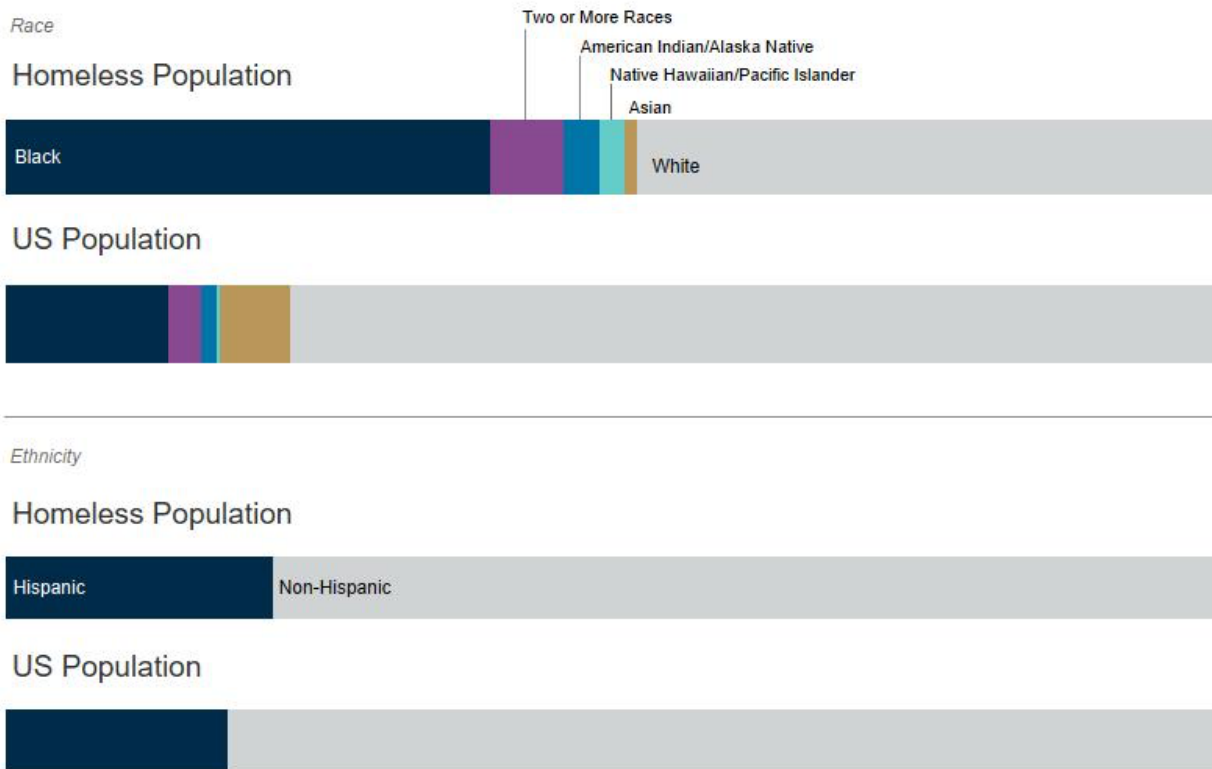
"Racial Inequalities in Homelessness, by the Numbers," End Homelessness.org, June 1, 2020, <https://endhomelessness.org/resource/racial-inequalities-homelessness-numbers>, reported,

Data and Graphics

Most minority groups in the United States experience homelessness at higher rates than Whites, and therefore make up a disproportionate share of the homeless population. African Americans make up 13 percent of the general population, but more than 40 percent of the homeless population. Similarly, **American Indians/Alaska Natives, Native Hawaiians and Pacific Islanders, and people who identify as two or more races make up a disproportionate share of the homeless population.** Hispanics make up a share of the homeless population approximately equal to their share of the general population, while Whites and Asians are significantly underrepresented.

Most Minority Groups Make up a Larger Share of the Homeless Population than They Do of the General Population

Race and ethnicity of those experiencing homelessness compared with the general population



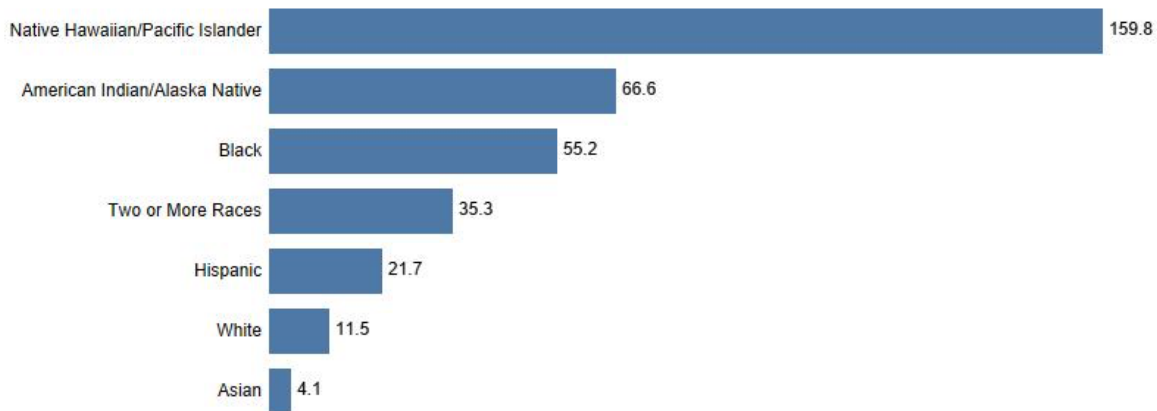
Homeless population data are for a given night in 2019.
Source: Annual Homeless Assessment Report to Congress, Part 1, 2020.



The rate at which most minority groups experience homelessness is far greater than that of Whites and Asians. Measured as the number of people experiencing homelessness on a given night per 10,000 people in the population, **Native Hawaiians and Pacific Islanders have the highest rate of homelessness. American Indians/Alaska Natives have the second highest rate**, followed by African Americans, people who identify as two or more races, and Hispanics.

Most Minority Groups Experience Homelessness at Much Higher Rates than Whites

Number of people experiencing homelessness per 10,000 in population by race and ethnicity



Homeless population data are for a given night in 2019.
Source: Annual Homeless Assessment Report Report to Congress, Part 1, 2020



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Christy Hagen, "Statistics Infant Mortality Rate Sees First Rise in 20 Years," National Center for Health, November 1, 2023, [https://blogs.cdc.gov/nchs/2023/11/01/7479/#:~:text=Death%20File"%20include%3A-,The%20provisional%20infant%20mortality%20rate%20for%20the%20United%20States%20in,which%20had%2019%2C928%20infant%20deaths,reported,](https://blogs.cdc.gov/nchs/2023/11/01/7479/#:~:text=Death%20File)



"

A new Vital Statistics Rapid Release report from the National Center for Health Statistics shows that the **provisional infant mortality rate for the United States in 2022 rose 3% from 2021, the first year-to-year increase in the rate since 2001 to 2002.** From 2002 to 2021 the infant mortality rate declined 22%.

Detailed findings in the report, "Infant Mortality in United States: Provisional Data from the 2022 Period Linked Birth/Infant Death File" include:

The provisional infant mortality rate for the United States in 2022 was 5.60 infant deaths per 1,000 live births (that rate was 5.44 in 2021).

The total number of infant deaths for 2022 was 20,538. This was a 3% increase over 2021 which had 19,928 infant deaths.

From 2021 to 2022, increases in mortality rates were observed in the following categories:

Neonatal and postneonatal infant deaths: The neonatal mortality rate increased 3% from 3.49 to 3.58 and the postneonatal mortality rate by 4%, from 1.95 to 2.02

Infants born to American Indian and Alaska Native and White women: Mortality rates increased significantly among infants of American Indian and Alaska Native, non-Hispanic (7.46 to 9.06) and White, non-Hispanic women (4.36 to 4.52).

Infants born to women ages 25 to 29: Infant mortality rates increased significantly for infants of women ages 25-29 from 5.15 to 5.37.

Infants born preterm: Mortality rates increased significantly for total preterm (less than 37 weeks of gestation) and early preterm (less than 34 weeks of gestation) infants.

Male infants: The mortality rate increased significantly for male infants from 5.83 infant deaths per 1,000 live births to 6.06.

Infants in four states: Infant mortality rates increased in Georgia, Iowa, Missouri, and Texas.

In two of the 10 leading causes of death: Mortality rates increased in cases of maternal complications and bacterial sepsis.

This is the first report to present provisional data on infant mortality rates by selected maternal and infant health characteristics for the United States based on the linked birth/infant death file. Previous reports used only final data. For the linked birth/infant death data, birth certificates and death certificates are linked to provide additional information only available from the birth certificate, such as maternal age, gestational age, and a number of pregnancy, labor and delivery, and infant characteristics.

This analysis uses all linked birth/infant death records received and processed by National Center for Health Statistics for calendar year 2022 as of July 27, 2023. Data from birth certificates and death certificates are collected via the National Vital Statistics System.

Posted on November 1, 2023 by Christy Hagen

Categories births, Deaths, infant mortality, National Vital Statistics System, NVSS, Vital Statistics Rapid Release, Vital Statistics System

Page last reviewed: October 31, 2023

Page last updated: October 31, 2023

Content source: CDC, National Center for Health Statistics: <https://www.cdc.gov/nchs/>."

Association of American Indian Affairs, "Harvard's Enduring Legacy of Injustice Towards Native Peoples: Harvard Possesses Thousands of Unreturned Ancestors and Sacred Belongings," News on Indian Affairs, Vol. 193, Fall Winter 2023, [https://d2r0txsugik6oi.cloudfront.net/neon/resource/indianaffairs/files/2023-12-](https://d2r0txsugik6oi.cloudfront.net/neon/resource/indianaffairs/files/2023-12-15%20Vol%20193%20Fall-Winter%202023.pdf)

15%20Vol%20193%20Fall-Winter%202023.pdf, reported, **"Harvard retains one of the largest collections of unrepatriated Native Ancestors, with nearly 6,000 individuals, 13,000 burial belongings, and many more cultural and sacred objects despite federal mandates under the Native American Graves Protection and Repatriation Act (NAGPRA) since 1990. Only 38% of Ancestors and 29% of objects from Harvard have been returned after 33 years of NAGPRA.** Beyond violating federal law, these egregious delays fly in the face of Harvard's stated commitments to diversity and apologies for past unethical collection practices.

Harvard has long failed to consult Native Nations about the known potential affiliations of these Ancestors, even though 96% have known geographic affiliations necessitating

consultation and repatriation under federal law. Harvard's failures under the law have shifted the burden to Native Nations, forcing those Nations to spend time and resources developing evidence of affiliation. Even then, Harvard has refused to affiliate Ancestors with their Nations or has refused to return the burial belongings of those Ancestors. In one example, Native Nations in Michigan were forced to fund and create hundreds of proper burial items to rebury their Ancestors to replace those burial items that Harvard Peabody would not repatriate."

Penelope Overton, "31,000 acres of ancestral land could be returned to Penobscot Nation: The prospective deal would increase tribal trust holdings by a third and secure public access to Katahdin Woods and Waters National Monument from the south," *Portland Press Herald*, November 1, 2023, <https://www.pressherald.com/2023/11/01/ancestral-land-could-be-returned-to-penobscot-nation>, reported, **"A national land trust wants to raise \$32 million to return 31,000 acres of ancestral land to the Penobscot Nation in a deal that would increase tribal trust holdings by a third and secure public access to Katahdin Woods and Waters National Monument from the south."**

The California-based Trust for Public Land bought the land last December from Conservation Resources, LLC, a timber management organization, for \$29.5 million. Once the trust raises the money to pay off the loans it took to make the acquisition, it will turn the land over to the tribe for placement into its trust holdings."

Pauly Denetclaw, "Joe Biden to support Haudenosaunee Nationals: The internationally ranked men's and women's lacrosse teams will get support on their bid to the International Olympic Committee to compete under their own flag at the 2028 Olympics," ICT, December 6, 2023, <https://ictnews.org/news/joe-biden-to-support-haudenosaunee-nationals>, reported, **"The Haudenosaunee Nationals' women and men lacrosse teams have been outspoken about competing under their own flag at the 2028 Olympics in Los Angeles and Wednesday they will get support from a top world leader, President Joe Biden" on competing under their own flag.**

The Lumbee Tribe of North Carolina announced in a July 20, 2023 E-mail, **"Public Schools of Robeson County (PSRC) School Board and the Lumbee Tribal Council's Education, Culture, and Public Relations Committee have independently engaged in robust conversations. These discussions revolve around the implementation of Tribal Consultation, as mandated by The Every Student Succeeds Act (ESSA).** The ESSA reauthorizes the original Elementary and Secondary Education Act of 1965 (ESEA). As per Section 8538 of the revised ESEA under ESSA, it's incumbent upon local educational agencies (LEAs) to discuss with Indian tribes and tribal organizations matters that directly impact our Native students.

Sopan Deb, "Mattel Has a New Cherokee Barbie. Not Everyone Is Happy About It: Cherokee language on the packaging of the Wilma Mankiller doll said "Chicken Nation" instead of "Cherokee Nation." Critics said Mattel made other errors, *The New York Times*, December 6, 2023, <https://www.nytimes.com/2023/12/06/us/mattel-choke-berbie-wilma-mankiller.html>, reported, **"A Barbie doll in the likeness of Wilma Mankiller, the first woman to be elected chief of the Cherokee Nation, has been hailed by tribal citizens. It's also been lamented for**

its inaccuracies." These occurred because the company did not consult with the Cherokee Nation, though its head said that Mattel was open to hearing criticism.

The doll, part of Mattel's 'Inspiring Women' series was released at an event in Tahlequah, Okla., celebrating the anniversary of Ms. Mankiller becoming chief in 1985.

"The doll's release has been met with some criticism. The doll itself portrays Ms. Mankiller, who died in 2010, with dark hair, wearing a turquoise dress and carrying a basket, a depiction that Chuck Hoskin Jr., principal chief of the Cherokee Nation, said was 'thoughtful' and 'well done.' However, he noted that some in the community said the doll's basket wasn't authentically Cherokee." Among the errors was a mistake in writing in the Cherokee language on the packaging so that on the nation's seal instead of writing 'Cherokee Nation,' what was said in Cherokee said 'Chicken Nation.'

Julie Carr Smyth, "Ohio Ceremonial Mound Given World Heritage Designation," *ICT*, November 9, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/daaffae7-0e8f-7e35-945e-5031e7084e65/11.09.23_The_Weekly_Tourism.pdf, reported, **"The Hopewell Ceremonial Earthworks, once used by ancient Hopewell culture, became one of UNESCO's World Heritage sites last month.**

For 400 years, Indigenous North Americans flocked to a group of ceremonial sites in what is present-day Ohio to celebrate their culture and honor their dead. On Saturday, the sheer magnitude of the ancient Hopewell culture's reach was lifted up as enticement to a new set of visitors from around the world.

'We stand upon the shoulders of geniuses, uncommon geniuses who have gone before us. That's what we are here about today,' Chief Glenna Wallace, of the Eastern Shawnee Tribe of Oklahoma, told a crowd gathered at the Hopewell Culture National Historical Park to dedicate eight sites there and elsewhere in southern Ohio that became UNESCO World Heritage sites last month."

Amelia Schafer, "University Opens Sexual Assault Prevention Program on Pine Ridge," *ICT*, December 14, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/373308aa-2066-9633-1abb-731049050c77/12.14.23_The_Weekly_.pdf, reported, **"A new program, Peaceful Means, is using Lakota values to teach youth about sexual violence and prevention on the Pine Ridge Reservation in South Dakota and hopes to reduce sexual violence by up to 80 percent.**

Based in the Wakpamni district of Pine Ridge, Peaceful Means is an Indigenous-led sexual violence prevention center. This initiative was created through a \$3.2 million grant from the University of Nebraska-Lincoln and a partnership with IMpower United."

In continuation of the Southern Ute's tribe ongoing return to traditional participatory democracy, the southern Colorado nation has involved all concerned in every stage of its developing a new economic development strategy. The policy development began in September 2022. Colton Black, "Tribe seeking feedback on the Comprehensive Economic Development Strategy," *Southern Ute Drum*, August 25, 2023, <https://www.sudrum.com/eEditions/DrumPDF/2023/SUDrum-20230825.pdf>, reported, "This update to the CEDS is the result of an extensive strategic planning process that engaged Southern Ute tribal members, tribal staff, and regional partners to conduct research, interviews, and provide input. This process was led by a 16-member stakeholder committee known as the CEDS

Committee that consisted of Economic Development staff along with representatives from Tribal Council, tribal departments, and tribal business entities." The process began with discussion of the project at a tribal general meeting to give the CEDS committee guidance from the membership. Once the committee had developed a set of proposed priorities, these were made available to tribal members.

"A survey conducted at the General Meeting on July 13th [2023] provided confirmation that the priorities developed by the CEDS Committee were on the right track. The survey had participants vote on what types of on-reservation development should be prioritized to best improve quality of life and enhance the tribal economy."

The committee developed a detail plan based on tribal member input. The completed plan was then made available to tribal members only on the on the Tribe's Eco-nomic Development website. members were asked,

"Please take some time to read through the updated plan and submit youm ments in the submission box provided. Comments can be about the plan or share additional ideas and suggestions for enhancing the economic environment of the Southern Ute Indian Reservation."

In response to the national Native youth suicide crisis, the Southern Ute Behavioral Health Division moved, in October 2023, to improve 988 Crisis Centers within the reservation and the division's assistance to individuals of all ages facing mental health crisis. The division's actions were supported by a grant from the federal Substance Abuse and Mental Health Services Administration (Divine Windy Boy, "Improving Response to 988 crisis hotline a priority for Tribe," *Southern Ute Drum*, October 6, 2023).

More Southern Ute developments can be found from *Southern Ute Drum*, <https://www.sudrum.com>.

JoVonne Wagner, "Colorado Mountain Renamed Mount Blue Sky," *ICT*, November 9, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/daaffae7-0e8f-7e35-945e-5031e7084e65/11.09.23_The_Weekly_Tourism.pdf, reported, **"The mountain was previously named after former territorial governor, John Evans, who authorized the Sand Creek Massacre**

After a nearly three-year-long dispute to change the name of a mountain in Colorado, the Cheyenne and Arapaho tribes received a final decision from the U.S. Board of Geographic Names Friday that concludes the tribe's fight for historic accountability and healing.

Mount Evans, named after the second governor of the Territory of Colorado, John Evans, **will be renamed Mount Blue Sky** after the Domestic Names subcommittee under the U.S Board of Geographical Names voted 15-1 with 3 abstaining at the Council on Geographic Names Authorities conference in Portland, Ore., on Friday, Sept. 15."

In New Mexico, Susan Dunlap, "Indigenous Women Rising: Abortion fund budget has doubled since Dobbs," *New Mexico Political Report*, September 26, 2023, <https://nmpoliticalreport.com/2023/09/26/indigenous-women-rising-abortion-fund-budget-has-doubled-since-dobbs>, reported, "Representatives from **the abortion fund provider Indigenous Women Rising** told members of the Interim Indian Affairs Committee [of the New Mexico legislature] on Monday **that their monthly abortion fund budget has doubled since the Supreme Court's Dobbs decision, which overturned Roe v. Wade.**

Jonnette Paddy, Diné and IWR abortion fund director, told the committee on Monday that IWR previously spent \$20,000 a month providing abortion patients with help to obtain an abortion but in 2021, that expenditure rose to \$40,000 a month." The rise corresponds to an increase in services provided with more patients coming now that Texas has made abortions illegal.

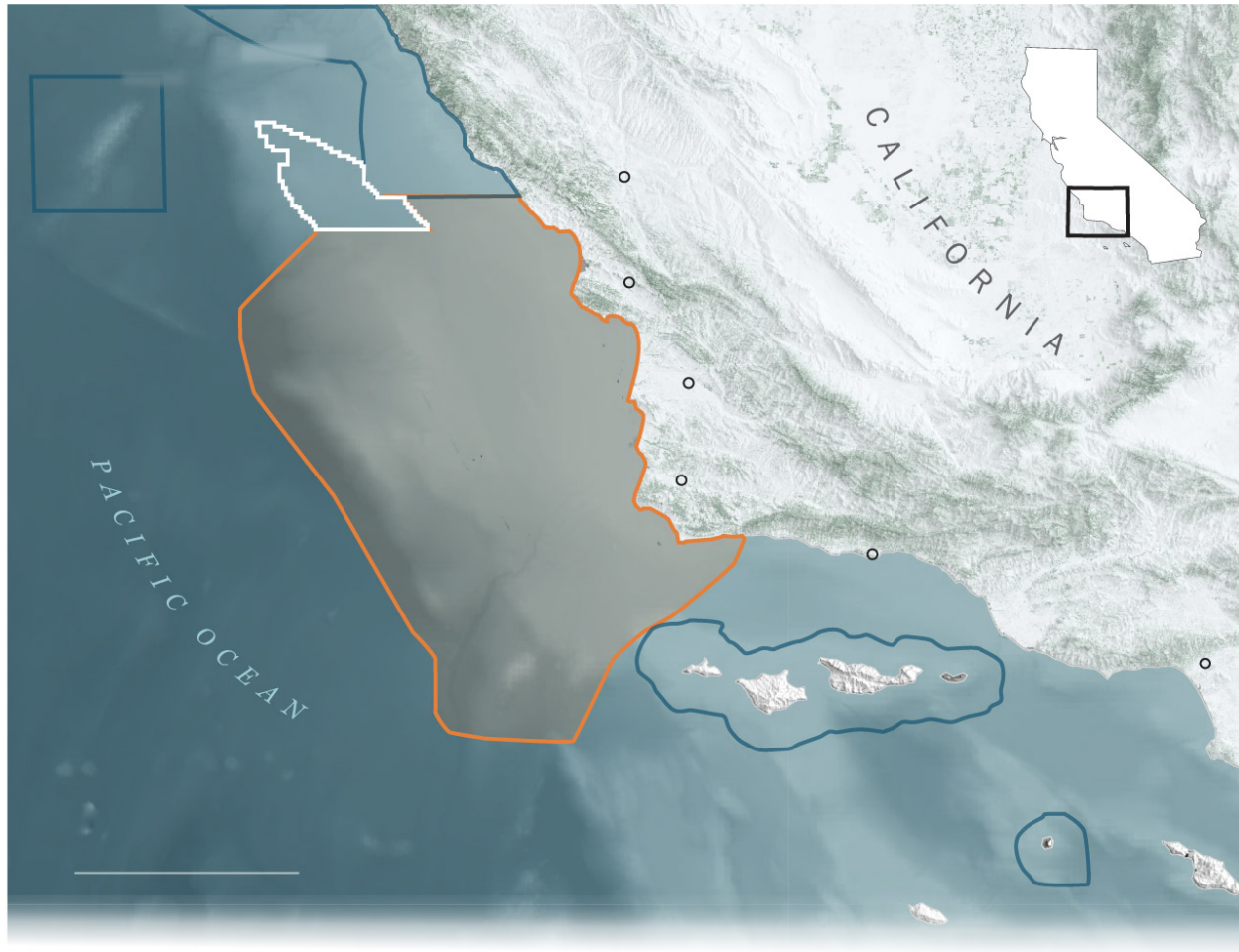
The Navajo Nation Council passed legislation 0053-23, the Navajo Victim's Rights Act of 2023, in a special session, August 25, 2023. The act aims to provide awareness and strengthen the rights of victims of rape and other sexual assault as well as of violence, including domestic violence (Rick Abasta, "Navajo Victim's Rights Act of 2023 amends Title 17, provided victim safeguards," *Navajo Times*, September 14, 2023, <https://navajotimes.com/reznews/navajo-nation-victim-rights-act-of-2023-amends-title-17-provides-victim-safeguards/#:~:text=The%20legislation%2C%20also%20known%20as,violence%2C%20and%20other%20violent%20assaults>).

The Navajo Nation Council approved \$50,000, on October 17, 2023, to help maintain the homeless shelter at the former Lexington Hotel in Gallup, NM ("Council approves funding to assist Gallup homeless shelter," *Navajo Times*, October 17, 2023).

More Navajo Nation Developments can be found from the *Navajo Times*: <https://navajotimes.com>.

There has been a rapid increase in sexually transmitted diseases in Arizona, especially for Native Americans and Alaska Natives who are reported to have 14% of the infections while only 6% of the population (Boddera Joe, "Syphilis on the rise in Arizona," *Navajo Times*, November 22, 2023).

Silvia Foster-Frau, "Tribe fights to preserve California coastline — and its own culture," *Washington Post*, July 29, 2023, https://www.washingtonpost.com/nation/2023/07/29/chumash-tribe-california-marine-sanctuary_reported/, "That coastal California shoreline and the water it touches are at the center of a reclamation movement led by the Indigenous Chumash tribe to revive and restore its heritage, culture and land. There are about 10,200 people with some Chumash ancestry left, according to the U.S. Census. Their effort is part of a nationwide 'land back' movement by Native Americans to reclaim sacred sites. The Biden administration has established national landmarks for native people and appointed the first Native American to a Cabinet secretary position in history, Interior Secretary Deb Haaland. Haaland, as well as other members of the Biden Cabinet, has spoken in favor of a Chumash marine sanctuary proposal.



White boundary marks Monterey Bay National Marine Sanctuary

Oeange boundary Marks Area Proposed for Chumash Heritage National Marine Sanctuary Off Paso Robles, San Luis Obispo, Santa Maria, Lompoc, Santa Barbara, and Malibu

_Black circles on map of California coast)

Blue Boundary Marks Channel Islands National Marine Sanctuary

The proposed boundary that NOAA used to initiate the designation process in November 2021.

Source: NOAA, Szu Yu Chen / The Washington Post

The Northern Chumash Tribal Council **wants federal protection for 7,000 square miles of territory along 156 miles of central California coastline and stretching for miles into the Pacific Ocean. If approved by federal regulators, Chumash tribes would gain a unique leadership role over an expansive marine sanctuary, including the ability to block unwanted commercial development on the land and water within its bounds."**

Nika Bartoo-Smith, "Are Land Trusts Part of the Land Back Movement? Land trusts in Oregon are beginning to transform from their white-led roots, toward models based on Indigenous values and leadership," *Next City*, November 8, 2023, <https://nextcity.org/urbanist-news/are-land-trusts-part-of-the-land-back-movement>, reported that most land trusts in the U.S., including in Oregon, were established under a colonialist model mistakenly thinking that human

beings were separate from nature. Most provided no or little public access, while almost none have had Indigenous input in their management. That thinking has begun to change.

Indigenizing land trusts

In Oregon there are more than 25 land trusts comprising 25 percent of the state as compared with the approximately 1 percent owned by the state's federally recognized tribes (according to the Coalition of Oregon Land Trusts website: <https://oregonlandtrusts.org>).

"With a goal to counter this and expand Indigenous access, ownership and land stewardship, the Oregon Land Justice Project (<https://www.oregonlandjustice.org>) **formed in 2020.**" The project began by spending nine months listening to Native people and learning about the history of Indian land loss to come to perceiving how "land trusts run by non-Native people can move toward Indigenous-centered efforts.

Now, the project is involved in a variety of land justice efforts, most recently through a **newly established fund called the Indigenous Land Relationship Fund** (<https://www.oregonlandjustice.org/ilrf>). **The goal of the fund is to support Indigenous-led projects to reconnect with land, culture and first foods."**

Acee Agoyo, "Cherokee Nation attorney makes history as first Native judicial nominee in Oklahoma," Indianz.Com, October 18, 2023, <https://indianz.com/News/2023/10/18/cherokee-nation-attorney-makes-history-as-first-native-judicial-nominee-in-oklahoma>, reported, **"Sara E. Hill, the former attorney general of the Cherokee Nation**, is making history as a nominee to the federal bench.

Hill's nomination to the United States District Court for the Northern District of Oklahoma was announced by President Joe Biden on Wednesday morning. If confirmed, the **Cherokee citizen would be the first Native woman to serve as a federal judge in her home state**, a move cheered by the National Congress of American Indians (NCAI)."

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Economic Developments

More can be found concerning economic developments from Tribal Business News: <https://tribalbusinessnews.com>.

The National Congress of American Indians (NCAI) announced August 15, 2023, <https://mailchi.mp/ncai/ncaixgrowwithgoogle?e=e1e98b9d02>, "New Monthly Webinar: Cybersecurity and Your Small Business,"

"Join the National Congress of American Indians and Grow with Google for the next training in the ongoing digital skills webinar series. These empowering webinars feature free training and one-on-one coaching sessions tailored to small businesses in tribal communities. Put your business on the map— come learn from Jake Foreman, Indigenous Community Digital Coach at Grow with Google."

Amelia Schafer, "USDA Working with Ranchers Toward Indigenous Food Sovereignty," *ICT*, November 16, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/385a2a65-7c5e-7f79-85d4-fadce6c79030/11.16.23_The_Weekly_Food.pdf, reported, **"A new pilot program announced**

this week aims to localize meat distribution, support small businesses and improve food distribution on reservations

Since the near extinction of the buffalo mostly by White settlers, the animal has become a symbol of both Indigenous resilience and food sovereignty. Now, **buffalo are central to a new pilot program to improve food distribution on Native land.**"

"On Oct. 12, the Agriculture Department announced the program with three Indigenous-operated buffalo farms and one non-Native company on the Cheyenne River, Rosebud, Lower Brule and Standing Rock reservations to improve food distribution on reservations, support small businesses and localize meat distribution."

An indication that the sports betting market is becoming more difficult for Indian Nations is that the Southern Ute Tribe announced, "the closing of the Sky Ute Sportsbook due to challenging economic conditions and an increasingly cost prohibitive marketplace with large national competitors (Divine Windy Boy, "Tribe gives update to membership: General Meeting highlights," *The Southern Ute Drum*, August 11, 2023, <https://www.sudrum.com/eEditions/DrumPDF/2023/SUDrum-20230811.pdf>).

The Southern Ute Tribe of Colorado reported having the best year in its history with higher gas and oil prices contributing to its success while the fund continued diversification of investment as part of a transition strategy to move away from reliance on fossil fuels while protecting the environment. The strategy includes embracing carbon capture and producing the lowest possible carbon polluting oil and gas during a 20-30 transition to non-fossil fuel production. Non-fossil fuel investments played a significant part in the fund's success in 2023. The fund's success assisted the tribe's Human Resource Department in hiring and retaining tribal members (Jeremy Wade Schockley, "Growth Fund reports banner year in revenue and operations," *Southern Ute Drum*, September 22, 2023).

"Ancestral homelands in Pennsylvania: The state seeks to expand public awareness of its Indigenous culture and history," *ICT*, October 22, 2023, <https://ictnews.org/news/ancestral-homelands-in-pennsylvania>, reported, **"Pennsylvania's absence of federally recognized tribal nations means there's been an incomplete picture of its Native American culture and history, officials said as they announced a grant-funded program designed to change that.**

The Pennsylvania Tourism Office, in partnership with Lehigh University's Institute for Indigenous Studies and with input from federally recognized tribes, will develop a plan to highlight the state's Indigenous stories, culture and history through a grant from the Appalachian Regional Commission.

Pennsylvania is behind other states in its consideration of Indigenous culture and history, compared with Midwestern states, said Jason Hale, a researcher from the Institute for Indigenous Studies, Lehigh University. Hale is from the Prairie Band Potawatomi Nation near Mayetta, Kansas.

The grant will allow them to change that.

'It comes right under the mission of what we do to connect and to help Indigenous tribal nations grow and become healthier,' he said, noting that the institute is within the College of Health, in which the research team works to address health and educational disparities among Native Americans.

'So we feel this is a great start and lays the foundation for what we can do as an institute working with Lehigh University within our College of Health and in the Greater Lehigh Valley community,' he said.

Tribal nations in Pennsylvania have largely been erased, and some, such as the Susquehannock and Monongahela peoples, do not exist any longer, said Andrea Lowery, executive director of the Pennsylvania Historical and Museum Commission.

Some tribal nations consider Pennsylvania an ancestral homeland despite having been forced out of the state and despite the history of oppression and marginalization, she said.

'There's a lot we've learned about Native American history in Pennsylvania through archaeological evidence and historic documents, but this does not present a complete picture,' she said. 'The tribes are keepers of their culture, their language, their history. And their interpretation of this history is critical to try to understand Pennsylvania.'

Lehigh University's Bethlehem campus is home to the Delaware Nation of Oklahoma's extension Tribal Historic Preservation Office, which is part of their Lenape homelands. The Delaware Nation of Oklahoma will consult on the project, officials said.

Over the next two years, the Institute for Indigenous Studies will convene a group of scholars and tribal members to outline specific projects. The tourism office will then seek to bring the projects to fruition, said Carrie Fischer Lepore, deputy secretary of tourism at the Pennsylvania Department of Community and Economic Development."

The Navajo Nation Council approved funding for the Nation to purchase Goulding's Lodge in Monument Valley in Arizona, in October 17, 2023, as an economic development opportunity in the tourism industry ("Tribal Council approves purchase of Goulding's Lodge in MV," Navajo Times, October 17, 2023).

Nika Bartoo-Smith and Jarrette Werk, "California Gold Rush Outpost Now in Native Hands," *ICT*, November 9, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/daaffae7-0e8f-7e35-945e-5031e7084e65/11.09.23_The_Weekly_Tourism.pdf, reported, "**After nearly two centuries, the Salmon River Outpost has become a hub for Indigenous community members.**

Founded during the mid-1800s gold rush, the Salmon River Outpost is situated along a winding road in the mountains of Northern California. Once, it was a gathering place where miners and settlers bought supplies while pursuing a dream that had brutal consequences. One of only two grocery stores for miles, the store has served the rural community of Somes Bar for generations.

After nearly two centuries of contentious relationships between historical owners and local Indigenous communities, the dynamic has shifted. In July, **Indigenous husband and wife duo Joe and Elly O'Rourke bought the Salmon River Outpost.**

That's thanks in part to a new program operated by the Affiliated Tribes of Northwest Indians Economic Development Corporation. This grocery store is the first project to benefit from a new \$73 million pot of federal money, intended to help small businesses in Indian Country that might not otherwise get the funding they need to flourish."

Education and Culture

The Trust for Public Land has been working through its partnership with the Bureau of Indian Education to create nine new community schoolyards projects to provide places for education on the land for Native communities. This involves cooperation with the communities which include the Upper and Lower Sioux and the Mille Lacs Band of Ojibwe in Minnesota ("Honoring History and Making It," Trust for the Public Land, *Land & People*, fall/winter 2023).

Groundbreakers in Education, *ICT*, December 6, 2023, <https://mailchi.mp/9c2f10e1d606/our-stories-are-your-stories-9506272>, announced "Earlier this week, *ICT* celebrated Native education in a special feature issue, *Groundbreakers in Education*:" <https://www.flipsnack.com/CFE76FBBDC9/groundbreakers-in-education/full-view.html>.

This digital flip book celebrates the many Indigenous leaders, educators, students, and change-makers who are overcoming barriers, discovering innovative solutions, and shaping the future of Native education."

"The American Indian College Fund Announces 2023-24 Student Ambassadors Leadership Training for Student Scholars Includes Advocacy, Marketing, and PR, The American Indian College Fund via E-mail, August 29, 2023, Denver, Colo.— **The American Indian College Fund** named 11 Native students to the 2023-24 cohort of its **Student Ambassador Program**. Students named to the program are trained in leadership and communications skills to create greater visibility of Native Americans and generate an understanding of the importance of their diverse cultures.

With 42% of the Native American population today under the age of 24, the College Fund sees an opportunity to educate the next generation of young Native leaders to realize their potential. The 11 student ambassadors help the College Fund create greater visibility about higher education and the work the College Fund, Native students, and tribal colleges are doing to create a better future for Native peoples and communities. College Fund student ambassadors represent the College Fund and their institutions in media interviews, at cultural events, in their communities, and on their campuses.

The College Fund hosted a multi-day training program for the student ambassadors in Denver, Colorado. Students participated in in-person workshops for leadership development, public speaking, interviewing, writing, and social media training.

"CU Boulder announces Native American affairs associate vice chancellor," *CU Boulder Today*, October 2, 2023, <https://www.colorado.edu/today/2023/10/02/cu-boulder-announces-native-american-affairs-associate-vice-chancellor>, reported, "**Chancellor Phil DiStefano has appointed Benny Shendo Jr. associate vice chancellor for Native American affairs, a newly created position that will liaise between the campus and tribal communities across Colorado and collaboratively address all related issues.**"

"Shendo will join the Office of Government and Community Engagement, whose employees report to the chancellor. Primary functions of the job include liaising with tribal governments and communities throughout Colorado and the wider region and interfacing with state and federal entities that have roles in tribal affairs and higher education.

Last month, another tribal leader, James Rattling Leaf Sr. joined CU Boulder's Cooperative Institute for Research in Environmental Sciences (CIRES) as its first."

Amelia Schafer, "A school where students can be 'unapologetically Indigenous:' The Oceti Sakowin Community Academy is allowing youth to reclaim knowledge and culture taken from their ancestors," *ICT*, October 26, 2023, <https://ictnews.org/news/a-school-where-students-can-be-unapologetically-indigenous>, reported, "Mary Bowman, Hunkpapa/Oglala Lakota, is the principal and founder of **the Oceti Sakowin Community Academy in Rapid City**. Bowman has been involved in education for over 15 years and noticed a need for culturally-based teaching.

The faces of over a dozen first-grade students light up as they're asked to sing the ABCs in Lakota, eager to show off the language skills they've learned at the Oceti Sakowin Community Academy.

At this school, Lakota language and culture aren't an afterthought or addition to the school's curriculum, it's what the curriculum revolves around. Now, as the school makes its way through its second year, staff and administrators continue to Indigenize learning.

The Oceti Sakowin Community Academy first opened its doors September 2022, marking itself as Rapid City's first Indigenous-led school. In addition to lessons in math, social studies, and reading, students learn Lakota stories, many of which were almost forgotten after the boarding school era.

Mary Bowman, Oglala/Hunkpapa Lakota and the founder of the academy, was raised steeped in her culture, but at school, not so much. Working in education for over 15 years, Bowman realized that a lot of kids don't have parents who know about their culture, or schools that teach it.

'A lot of the things our people are facing these days can be traced back to generational trauma from boarding schools, not knowing who you are, or where you come from, that's painful,' Bowman said.

At the academy, Bowman isn't called Principal Bowman. She's Unci (grandma) Mary. **Her goal as principal is to empower students and allow them to be 'unapologetically Indigenous.'**

'I feel like I have the best job,' Bowman said.

NACA (Native American Community Academy) Inspired Schools Network. A majority of schools are in New Mexico. Local community members such as Bowman wondered how this initiative could be brought back to Rapid City.

With private funding from NDN Collective and NISN, the academy opened its doors last fall in the St. Andrews Episcopal Church building. The school is currently located in He Sapa New Life until a new facility is built on the school's future grounds on the north side.

The future facility will be able to accommodate grades K-12 with powwow grounds, a garden and more.

A major aspect of the academy is to combat low graduation rates among Indigenous students. On a national level, Indigenous students have the lowest high school graduation rate amongst all races at 75 percent. In South Dakota, an average of 45 percent of Indigenous students complete high school.

'Public education for Indigenous people began with the boarding school era, and a lot of our generational trauma can be traced back to that,' Bowman said. 'As a person who graduated

from Rapid City Area Schools, never seeing yourself in what you're learning can be painful, and sometimes the portrayal of your people is very negative, and that's painful.'

The school is starting students off strong by immersing them in their culture and allowing them to see not only themselves but also their families and ancestors in the lessons they're taught, Bowman said.

Indigenous teachings and culture are built into the academy's standardized lessons. Last year, students learned about geometry and math using the Lakota Star Quilt. Pieces of the star quilt are built from rhombuses added and sewn together to create a meaningful piece of art.

'If you look at the data and **the research, culturally responsive pedagogy works for students of color**,' Bowman said. 'One thing I learned being an OSEU (Oceti Sakowin Essential Understandings) educator, I'd walk into the classroom and man these Native kids were so excited to learn about themselves.'

The OSEU community standards program incorporates Lakota teachings into existing state standards. These standards have been incorporated into other Rapid City Area Schools such as North and South middle schools. A bill to require all South Dakota schools to teach OSEU standards failed in the South Dakota House by one vote last year.

The Oceti Sakowin Community Academy differs because the entire school curriculum is built around Indigenous teachings and knowledge, rather than these teachings being implemented later on.

While the school focuses on Lakota values, students are not required to be Lakota or even Indigenous. There are no criteria used to admit students, and enrollment had to be capped this year due to the popularity of the program.

Bowman said non-Indigenous families have sent their children to the academy after learning about the academy's emphasis on kindness and Wotakuye, the foundational Lakota concept that we are all related.

Students at the academy refer not only to Bowman as Unci (grandma) but call their teachers Thunwín and Lekší (aunt and uncle, respectively) and fellow students cousin. Students are encouraged to treat each other as a family.

With an emphasis on Lakota language, Bowman finds herself learning new words and phrases. Bowman grew up with a base knowledge of Lakota but said her knowledge was nowhere near the ability that the academy students possess.

'I'm learning with these kids,' Bowman said. 'They say kids' brains are sponges and they really are, these kids are microprocessing in Lakota and English, they're learning two languages.'

Last year, the school only taught kindergarteners, but has now expanded to include first graders and next year will include second grade.

Currently only 17 kindergarteners and a little more than 20 first-graders attend the academy, almost all of the first-grade students returned from last year.

Last year, students traveled to sacred sites such as Pe'Sla, Mato Tipila (Devils Tower) and Black Elks Peak. At Black Elks Peak, students were taught traditional ceremonies for welcoming back the thunder, placing prayer flags, and traditional songs. Bowman said after their prayers at Black Elks Peak it rained for days.

'It was so beautiful to hear those little boys and girls sing,' Bowman said. 'Their prayers are so sacred.'

Last year, an academy student was asked to sing a prayer song for the White House. To her it was no big deal, she sang that song every day, but for the elders and community members watching her song meant everything.

'I don't know another six-year-old who would be brave enough to do that,' Bowman said.

Students were also invited to sing at the inaugural NDN Collective Indigenous People's Day celebration in downtown Rapid City on Oct. 9. A group of students stood strong on the bandshell and sang a prayer song to over 100 onlookers.

Students can not only sing and pray in Lakota but can also introduce themselves.

'I'm amazed at how much they're strengthened in their cultural identity. A lot of us don't know those sacred stories,' Bowman said. 'They're proud of who they are, they're being unapologetically Indigenous.'"

Nika Bartoo-Smith, "After Student Walkout, A Small Victory," *ICT*, October 26, 2023, https://mcusercontent.com/ee83519a17075b9d5a2c44042/files/fd3cdb97-d30c-0def-a8a9-01b5e1df2526/10.26.23_The_Weekly.pdf, reported, "**Students at Siletz Valley School objected to the school's refusal to observe Indigenous Peoples' Day. The school principal later berated them for walking out in protest**, but in the end, they were successful: the school board voted to designate the day an official holiday

Students at one of the few schools near the central Oregon coast serving the Siletz Reservation called for their school to honor Indigenous Peoples' Day. Initially, administrators did not respond well. But the school board later voted to honor the day, as well as Orange Shirt Day, a day of remembrance for survivors of boarding schools and their families."

In the United States, mainstream interest in American Indian and international Indigenous affairs and ways has been growing steadily since the 1950s. This can be seen in the huge and continuing increase in books concerning, and films and television programs by, American Indians, as documented in Stephen Sachs, et al, *Honoring the Circle: Ongoing Learning from American Indians on Politics and Society*, Volume III, "Introduction to Part II." Over the last two decades, articles in *The New York Times* on Indigenous topics have increased from being rare to becoming increasingly common. Reflecting growing public interest, and an increasing number of Native foods restaurants in the United States, on October 21, 2023, *The New York Times* published, Jacey Fortin, "**Seeds of Native Knowledge Grow in North Carolina: Countless generations of Cherokee Indians have cultivated lands in the shadow of the Smoky Mountains. More people want to learn from them,**" <https://www.nytimes.com/2023/10/21/us/ Cherokee-indians-north-carolina.html#:~:text=Countless%20generations%20of%20Cherokee%20Indians,Cherokee%20Indians%2C%20collecting%20wild%20mushrooms>. The article gives some Cherokee history, provides an overview of Cherokee foods and reports growing interest by non-Indians in Cherokee culture encompassing food, including participation in workshops by tribal members Cherokee agriculture and food preparation.

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Mike Ives, "Bison Return to Native American Lands, Revitalizing Sacred Rituals: More than a century after a mass bison slaughter, the animals are restoring Great Plains ecosystems and reinvigorating Indigenous customs like the sun dance," *The New York Times*, July 4, 2023, <https://www.nytimes.com/2023/07/04/us/native-american-tribes-bison.html>, reported,

"Indigenous tribes across the United States and Canada have been rebuilding their bison herds for decades, thanks partly to transfers from government agencies and nonprofits, and have made rapid progress in the past few years.

The bison brings conservation benefits to the complex grassland ecosystems where the animals once played a crucial ecological role." In addition, return of the bison, central to numerous traditional ceremonies such as Sun Dances, are enriching those and other ceremonies as they are again becoming direct parts of them.

Tammy Ayer, "New museum exhibit in Yakima highlights missing and murdered Indigenous people," Yakima Herald-Republic, November 13, 2023, https://www.yakimaherald.com/news/local/new-museum-exhibit-in-yakima-highlights-missing-and-murdered-indigenous-people/article_4612b076-6c5b-11ee-97fe-7f047ec71f49.html, reported, **Nayana "LaFond began her "Portraits in RED: Missing & Murdered Indigenous Peoples" painting project in May 2020 with a single artwork she created from a photo. It's grown to more than 110 paintings, 39 of which have come to the Yakima Valley Museum in a traveling exhibit that includes LaFond's portraits of Mora, Spino and Bayya."**

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International Developments

International Organization Developments

"Three UN Indigenous Peoples' Mechanisms Joint Statement about 'local communities,'" Statement by the UNITED NATIONS Permanent Forum on Indigenous Issues Special Rapporteur on the Rights of Indigenous Peoples, and the Expert Mechanism on the Rights of Indigenous Peoples, carried in Cultural Survival, Geneva, July 2023, <https://www.culturalsurvival.org/news/three-un-indigenous-peoples-mechanisms-joint-statement-about-local-communities>, stated, "The 100-year commemoration of the Deskaheh mission's attempt to reach the League of Nations in Geneva is a moment to remember that Indigenous Peoples have existed long before States were formed. They have always fought to preserve their governance structures, autonomy, and inherent right of self-determination.

The adoption of the United Nations Declaration on the Rights of Indigenous Peoples represents a milestone global achievement of the Indigenous Peoples movement as the most comprehensive statement regarding the rights of Indigenous Peoples. Its adoption is the clearest indication that the international community is committed to protecting the individual and collective rights of Indigenous Peoples. These rights and their participation were reinforced and reiterated during the 2014 World Conference on Indigenous Peoples.

In the challenging journey of recognizing Indigenous Peoples' rights, the establishment of three United Nations Indigenous-specific mandates, namely the United Nations Permanent Forum on Indigenous Issues (UNPFII), Special Rapporteur on the Rights of Indigenous Peoples, and the United Nations Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), have been significant decisions by UN Member States to advance the realization of Indigenous Peoples' rights.

Despite the existing global consensus around the UN Declaration on the Rights of Indigenous Peoples, we have observed developments that have raised concerns about the

integrity and backdrop of the rights of Indigenous Peoples. In particular, we have observed that in many conventions and processes, the term Indigenous Peoples has been used in conjunction with other ambiguous terms and groups such as 'local communities.' In fact, the characteristics, nature, and origins of the rights of Indigenous Peoples are very different from other groups. Therefore, Indigenous Peoples should not be grouped with an undefined set of communities that may have very different rights and interests.

In response to this situation, we take our responsibility seriously in assisting UN entities in respecting and promoting the realization of these rights consistent with those affirmed in the UN Declaration on the Rights of Indigenous Peoples. Therefore, we, the UN mechanisms of Indigenous Peoples urge all UN entities in their methods of work to refrain from conflating, associating, combining, or equating Indigenous Peoples with non-indigenous entities, such as minorities, vulnerable groups, or 'local communities.' We further request that all UN Member State parties to treaties related to the environment, biodiversity, and climate cease using the term 'local communities' alongside 'Indigenous Peoples,' so that the term 'Indigenous Peoples and local communities' is no longer used.

José Francisco Calí Tzay
Special Rapporteur on the rights of
indigenous peoples
Sheryl Lightfoot
Chairperson
United Nations Expert Mechanism on the
Rights of Indigenous Peoples
Dario José Mejía Montalvo
Chairperson
United Nations Permanent Forum
Read the original statement:

https://www.culturalsurvival.org/sites/default/files/Statement_Three%20Mechanisms%20%281%29.pdf.

"Cultural Survival and Partners Submit Report on Indigenous Peoples' Rights for Mexico's Universal Periodic Review," Cultural Survival, August 18, 2023, <https://www.culturalsurvival.org/news/cultural-survival-and-partners-submit-report-indigenous-peoples-rights-mexicos-universal>, reported, **"Under the public eye, Mexico has shown itself to be a fervent advocate of Indigenous rights at both the international and domestic levels. In 2007 it voted in favor of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and it is a signatory to the ILO 169 Convention on Indigenous and Tribal Peoples. In addition, its constitution lists a number of articles protecting Indigenous Peoples' rights. Nevertheless, violence against Indigenous Peoples is prevalent in the country.**

The current situation in Mexico is dangerous, mostly because of the high level of risk for Indigenous defenders that persists due to violence and intimidation by companies, drug cartels, and public officials, as well as lack of compliance with international standards on Free, Prior and Informed Consent (FPIC). In this context, in July 2023, Cultural Survival and our partner organization Tsilinkalli: Ediciones de la Casa Sonora, submitted a joint stakeholder report on the state of Indigenous rights in Mexico for the 45th Session of the Universal Periodic Review (UPR) of the UN Human Rights Council, which will take place in January 2024. The Universal Periodic Review process assesses the human rights situation of UN

member states by peer states and also takes into account information gathered in civil society reports.

Mexico has approximately 126,014,024 inhabitants, of which 23.2 million self-identify as Indigenous, representing 19.4 percent of the total population. There are 68 Indigenous languages and 364 dialectal variants. The most widely spoken linguistic groups are Nahuatl, Mayan, Zapotec, Mixtec, Otomi, Totonac, Tzotzil, and Tzeltal. **This sector of the population is in a situation of vulnerability, facing many rights violations, particularly the rights of territorial defenders, who are regularly attacked, and in general, due to the violence of drug trafficking, arbitrary detentions, torture, and disappearances. At times, state security forces are complicit in such acts by fostering impunity and perpetrating violence themselves.**

In response, reforms for the protection of Indigenous Peoples have been enacted, but social injustice and unequal access to justice persist. Previously, in the 3rd cycle of the UPR, Mexico accepted several recommendations regarding Indigenous Peoples; however, none have been comprehensively implemented.

Rights violations highlighted in our UPR report span diverse cases, some of which CS has been following closely. Firstly, we denounce the violation of the rights and the alarming number of murders of Indigenous land and rights defenders. According to non-exhaustive data collected by Cultural Survival, so far in 2023, eight Indigenous defenders have been murdered in Mexico and one has disappeared. **Most of them were environmental defenders, opponents of mining or other extractive or infrastructure projects.** One case worthy of outrage was that of Samir Flores, a Nahua activist who promoted the fight against the Morelos Integral Project through the Amiltizinko community radio station. Samir was murdered in 2019 after questioning the project, denouncing power abuses, and organizing and participating in activities in defense of the territory.

Another violation we denounced is that of territorial rights and the right to Free, Prior and Informed Consent (FPIC). The implementation of this right in Mexico has occurred progressively but is far from being respected to the satisfaction of international standards and best practices. Despite not being included in the constitution, the right to FPIC has the same weight as a constitutional right because Mexico has ratified international treaties that stipulate it. However, this recognition has not been accompanied by a specific legal framework that facilitates a protocol for action and achieves the full development of this right to the maximum benefit of Indigenous Peoples. In Xoxocotla, Morelos, since 2018, the political-electoral rights of the Indigenous population and their right to political representation have been violated. The measures issued to respect this right were not followed in the 2020-2021 local electoral process, and a year later, a consultation was held without the participation of Indigenous Peoples and without complying with FPIC requirements.

Another relevant case of noncompliance with FPIC is that of San José del Progreso, Oaxaca. Here, authorities have not taken into account complaints against the Mining Company Cuzcatlán S.A de C.V., a subsidiary of Canadian Fortuna Silver Mines, for the mine's negative environmental and health impacts. No consultation has been carried out with the Indigenous Peoples of the affected area in which they could give or withhold their consent.

Regarding **the violation of women's rights in Mexico**, there is information on the persistent violence in the country. However, the lack of specific data on Indigenous women means that their situation is not adequately represented. Some of the most recurrent forms of violence are discrimination against and stigmatization of traditional midwives and doctors,

criminalization of this work, and the forcing of pregnant women to be attended in State health facilities, restricting their desire to be attended by traditional midwives.

Another alarming case is **the violation of the rights of Indigenous political prisoners**. Kenia Inés Hernández Montalvan, an Afro-Indigenous Amuzga woman from Xochistlahuaca, Guerrero, and human rights defender, was arbitrarily detained in 2020 and sentenced to more than 20 years in prison without justification. To this day, she is still imprisoned without a fair trial and her health has worsened due to the conditions in the prison, where she has even suffered threats to her life.

In 2014, in Eloxochitlán de Flores Magón, Oaxaca, the State criminalized 40 families active in the Community Assembly and its members were persecuted with arrest warrants. To date, several of them are still in prison (Jaime Betanzos Fuentes, Herminio Monfil Avendaño, Alfredo Bolaños Pacheco, Fernando Gavito Marjnez, Omar Hugo Morales Álvarez, Francisco Durán Orjzy, Marcelino Miramón and Paúl Reyes Rosete) and 15 more have been displaced from the community, some of them with their families. In May 2023, two arbitrary detentions also took place against Mazatec campesinos, which indicates that the criminalization of defenders from Eloxochitlán de Flores Magón has not ceased.

In May 2023, Xóchitl Ramírez Velasco, a Zapotec Indigenous woman, was detained by elements of the Anti-Kidnapping Police in Cuernavaca, Morelos. At the time of her arrest, the police mentioned her work as a human rights defender and she has faced several violations of due process. Although it was proven that she could not have been present at the place where it happened, she was charged with the crime of aggravated kidnapping without the right to bail, and she is still in prison, where she is suffering from poor living conditions.

In this context, Cultural Survival and Tsilinkalli: Ediciones de la Casa Sonora urge UN Member States to make the following **recommendations to the Mexican State**:

Guarantee due process for all Indigenous political prisoners and ensure their right to an independent trial with a cultural and human rights perspective.

Provide adequate follow-up to all cases of violence against human rights defenders and, particularly in the investigation of the murder of Samir Flores, take as a starting point his work as a human rights defender and community journalist in order to find the perpetrators and obtain justice.

Respect and guarantee the rights and security of human rights defenders, journalists and Indigenous Peoples, to avoid repeating the violations committed previously and put an end to the harassment, prosecution and violence suffered by them.

Recognize in national legislation the modality of traditional territory as a fundamental right for the protection of the territories and identities of Indigenous Peoples.

Guarantee in federal legislation the right to consultation so that Indigenous Peoples can give or withhold their Free, Prior and Informed Consent for any development project sponsored by the State or private parties in the territories inhabited by Indigenous Peoples and territories to which Indigenous Peoples have traditional access.

Guarantee the political representation of Indigenous People and respect the right of Indigenous Peoples to determine under which system they participate in the electoral process, be it the representative or party system or the system of usos y costumbres (Indigenous customary law).

To recognize, through the reform of the General Health Law, traditional midwifery as an ancient practice that is the cultural and social heritage of Indigenous Peoples.

Improve prison conditions in women's prisons in Mexico, guaranteeing the rights to health, work, psycho-emotional care, access to visits from family and friends, and access to information and communication for women prisoners, taking into account the established rights of Indigenous women.

To the extent that the State accepts and implements the recommendations presented in a comprehensive and continuous manner, protection and respect for the self-determination of Mexico's Indigenous Peoples will be enhanced, and violations of their rights will be reduced.

Read the report here:
https://www.culturalsurvival.org/sites/default/files/EPU_Mexico_FINAL.pdf."

Natalia Jones, "Guatemala Accepts Two Recommendations Regarding Indigenous Community Radio at Human Rights Council Adoption of Universal Periodic Review Outcome," Cultural Survival, July 20, 2023, <https://www.culturalsurvival.org/news/guatemala-accepts-two-recommendations-regarding-indigenous-community-radio-human-rights>, reported, "On July 7, 2023, **the final outcome of Guatemala's human rights review was adopted during the 53rd Human Rights Council session. For the adoption of the final report, the government of Guatemala needed to either accept or note (reject) the recommendations that were made during the 42nd Session of the Universal Periodic Review (UPR), which took place in January.**

In a historic move, Guatemala accepted both recommendations that Cultural Survival and our partner organization Sobrevivencia Cultural put forth regarding Indigenous Peoples' right to community radio and will consequently have the international obligation to implement them.

During this review process, Guatemala received several recommendations on the improvement of Indigenous Peoples' rights, including topics such as bilingual and intercultural education, prevention from forced evictions from their territories, and implementation of Free, Prior and Informed Consent mechanisms. Cultural Survival, together with partners, specifically advocated for recommendations on **the urgent need to implement the 2021 Inter-American Court of Human Rights ruling by taking effective measures to reserve part of the radio spectrum for Indigenous community radio stations.**

In Guatemala, Indigenous community radio stations still have not been legalized more than 26 years since this right was guaranteed in the 1996 Guatemalan Peace Accords. Moreover, almost two years ago the Inter-American Court of Human Rights ruled in favor of the Maya community petitioners in October 2021 in the case of Indigenous Maya Kaqchikel Peoples of Sumpango and others vs. Guatemala.

The court's ruling declared the Republic of Guatemala 'internationally responsible for the violation of the rights to freedom of expression, equality before the law, and participation in cultural life,' and established that Guatemala must create a simple and free procedure to obtain radio licenses for Indigenous communities and reserve part of the radio spectrum for Indigenous community radio stations. However, Guatemala has refused to comply with or implement any of these obligations and continues to criminalize Indigenous radio operators.

During the review in January, Colombia and Norway paid attention to Cultural Survival's and our Indigenous partners' concerns and echoed the specific recommendations we put forth. Colombia urged the State of Guatemala to "consider the implementation and application of the Inter-American Court ruling ordering Guatemala to recognize Indigenous community radio stations as distinguished media and to adopt the necessary measures to establish a simple and

free procedure for obtaining licenses, as well as reserving part of the radio spectrum for Indigenous community radio and ceasing the criminalization of Indigenous radio operators.”

Norway also recommended that Guatemala take concrete actions to guarantee the right of Indigenous Peoples to prior consultation in accordance with ILO Convention 169 and that it comply with the reparation measures ordered by the Inter-American Court.

On July 7, 2023, **Guatemala accepted both recommendations regarding Indigenous community radio. This will not be the end of the struggle for Indigenous community radio in Guatemala, as the State has shown little interest in implementing these measures in the past.** Yet the fact that Guatemala pledged at the international level to comply with these recommendations is a positive step forward and offers another tool for Indigenous Peoples to advocate for their rights to freedom of expression and their own media at the national level."

"Cultural Survival and Partners Submit Report on Indigenous Peoples' Rights for Malaysia's Universal Periodic Review," Cultural Survival, July 25, 2023, <https://www.culturalsurvival.org/news/cultural-survival-and-partners-submit-report-indigenous-peoples-rights-malaysias-universal>, reported, **"Malaysia's human rights record will be reviewed at the 45th Session of the Universal Periodic Review Working Group of the Human Rights Council in January 2024.** This will be the fourth time Malaysia is reviewed under this mechanism. The Universal Periodic Review process assesses the human rights situation of UN member States by peer States and also takes into account information gathered in reports from civil society. **Cultural Survival jointly submitted a stakeholder report with Jaringan Orang Asal Semalaysia (JOAS), PACOS TRUST, and MOPOT-Moningolig Pogun Tokou.**

Malaysia voted in favor of adopting the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007, however, Indigenous Peoples across Malaysia experience an array of rights violations, including a lack of recognition of their ancestral and customary lands, lack of access to education and freedom of religion and expression. They also face violence as they peacefully seek to defend their land and resources, which are under threat due to the aggressive development of logging, rubber plantations, and declarations of national parks and protected areas. Indigenous women face specific violations of their rights such as being forced to use birth control methods without their consent and, as a result of inequalities, Indigenous women and girls are more prone to being trafficked.

Indigenous Peoples in Malaysia are collectively known as Orang Asal with over 100 different ethnic and subethnic groups and they make up 11 percent of the total population of the country. Indigenous Peoples in Peninsular Malaysia are referred to as Orang Asli and in the two states on the island of Borneo, Sarawak and Sabah, they are referred to as natives or Dayaks and/or Orang Ulu and Anak Negeri, respectively.

Under the Aboriginal Peoples Act of 1954, (which only applies to Peninsular Malaysia) some land is recognized as 'aboriginal reserves.' However, **the National Land Code, the principal legislation governing land in Peninsular Malaysia, does not recognize the customary land rights of Orang Asli. Authorities have often revoked lands protected under reservation and have used them for development purposes, regularly not applying Free, Prior and Informed Consent (FPIC) and without compensation to Orang Asli. Often, native communities are not aware that their customary land has been included in a reserve until the logging companies come to log the area. Because of this, disputes between Orang Asli and forest authorities, including court cases, have occurred in recent years.**

In Sabah, the State law—the Sabah Land Ordinance, 1930—and in Sarawak the Sarawak Land Code, 1958, recognize Indigenous customary land rights. Despite this recognition, in practice, government authorities still control land use decisions. They can convert native customary land to reserve land and grant logging concessions, prioritizing large-scale resource extraction, and plantations. Most of the land targeted for development is Indigenous Peoples' land, where raw materials such as timber and minerals have not yet been exploited. This has resulted in tension between the government, private investors, and Indigenous people, who have continued the claims for customary land.

Conglomerates leased and supported by State governments, who benefit economically from these activities, have massively cut down forests and tropical lands to plant palm oil, rubber, and timber, which has resulted not only in violations of Indigenous Peoples' rights but also in the loss of biodiversity. Over the decades, deforestation for plantations has displaced Indigenous Peoples from their customary land and they have been detained for erecting barriers to logging concessions.

Another pressing concern for Indigenous rights in Malaysia is the transformation of their lands into protected areas, forest reserves, and national parks, denying them access to natural resources without FPIC. They have faced sudden evictions from lands and forests where they have lived for years and have been portrayed as opponents of conservation. Previously, they used the land for cultivating, collecting forest products, hunting, and more, but now it is inaccessible. As a result, Indigenous Peoples are deprived of their livelihood sources.

Due to the government's assimilation program, Malaysia's Indigenous Peoples' cultural identity, heritage, and rights to practice their unique religion and customs are under threat. Islam is the official religion in Malaysia but the right to freedom of religion is guaranteed under the Constitution. However, religious minorities, including Indigenous Peoples, are often rewarded for converting to Islam or prevented from expressing their faith openly. Most Indigenous people in Malaysia (more specifically Orang Asli) are non-Muslim but have been forced to compromise their identity, practicing their religious choice privately without legal recognition for fear of societal repercussions.

In terms of intercultural education, the Malaysian government has the duty to make education available in Indigenous languages. However, it is still only available in Malay and English. Indigenous Peoples are not given the opportunity to create a curriculum and establish educational institutions based on their own cultures and thus, Indigenous children lag behind in access to education and learning outcomes, with significantly higher rates of drop-outs.

Indigenous Peoples in Malaysia also face limitations to their self-government, autonomy and power to influence the policies and decision-making. Orang Asli do not have the opportunity to choose their representatives through their own procedures and their right to self-identify as Orang Asli has been ignored through legislation. These powers are held by the Minister for Rural and Regional Development or by the director of the Jabatan Kemajuan (JAKOA), the government agency responsible for Orang Asli affairs. The situation is similar in Sabah and Sarawak, where State governments appoint Indigenous representatives to carry out the government's agenda.

During its review cycle in January 2024, Cultural Survival, Jaringan Orang Asal Semalaysia (JOAS), PACOS TRUST, and MOPOT-Moningolig Pogun Tokou, urge UN Member States to make the following recommendations to Malaysia:

Recognize Indigenous Peoples' customary land rights and customary land tenure of Orang Asli and natives of Sarawak and Sabah.

Ensure relevant stakeholders, including legal experts and policymakers, obtain FPIC from Indigenous Peoples to ensure that any legal amendments and legislation reflect their aspirations and rights.

Address violations of Indigenous Peoples' right to education by introducing education in Indigenous languages and addressing high dropout rates of Indigenous children.

Take steps to amend laws and policies regulating forests and conservation and protected areas to ensure Indigenous Peoples' right to Free, Prior and Informed Consent and protect their access to land and resources in consultation with concerned Indigenous Peoples.

Ensure that Indigenous communities are not displaced for infrastructure or large-scale development projects and that such activities always take place based on the fulfillment of Free, Prior, and Informed Consent of the concerned communities.

Guarantee the right to freedom of religion and belief, including the freedom to have or to adopt a religion or belief of their choice without discrimination.

Ensure that Indigenous women have access to healthcare including affordable and good quality services provided in a culturally appropriate manner.

Take initiatives to combat human trafficking, in particular of women and girls, and with special attention to Indigenous women and girls from rural areas.

Guarantee the freedom and safety of Indigenous land and environmental defenders, amending laws curtailing freedom of opinion, expression, and peaceful assembly.

Guarantee the right of Indigenous Peoples of Malaysia to self-determination, autonomy, and participation in government bodies and decision-making as provisioned in UNDRIP and other international law standards."

Regional and Country Developments

More from Cultural Survival can be found at: <https://www.culturalsurvival.org>.

More from Survival International can be found at: <https://www.survivalinternational.org>.

Russ Diabo, First Nations policy analyst, reported in a September 27, 2023 E-mail, " This BC Supreme Court decision reinforces what I've also been saying about BC's Bill 41, DRIPA and Canada's Bill C-15 UNDA.

The BC and federal government's are relying on the section 35 common law duty to consult and accommodate—not UNDRIP, DRIPA, UNDA—on lands and resource development, if First Nations can meet the burden of proof (strength of claim) for the depth of consultation assessment by Crown (BC & federal) government's.

BC First Nations Leadership Council and Chiefs across Canada have been tricked into a smoke and mirrors UNDRIP Reconciliation policy in both BC and across Canada by the federal government.

'But in his ruling, Justice Ross said he did not find that B.C.'s legislation in fact enshrined UNDRIP in the province's legal system, stating he could rely on it as an 'interpretive aid' only in his judgment.'

'I find that DRIPA ... does not implement UNDRIP into the domestic law of B.C.," Ross wrote, adding that it "does not create justiciable rights.'

This is exactly what federal Minister of Justice, David Lametti has said too!
<https://www.cbc.ca/news/canada/british-columbia/bc-supreme-court-rules-mining-rights-system-violates-indigenous-rights-1.6979288>."

Miles Morrisseau, "CANADA 2023: The Year in Review," *ICT*, December 26, 2023, <https://ictnews.org/news/canada-2023-the-year-in-review>, reported that late in the year **"the fractured Assembly of First Nations — divided by turmoil and stunned by a report documenting a predatory culture within the organization — held a special election in December to replace RoseAnne Archibald, who was booted out earlier in the year after being elected the assembly's first woman national chief.**

The voting would become a marathon session that stretched over two days, but in the end, **Cindy Woodhouse, the regional chief of the Manitoba member, Pinaymootang First Nation, garnered enough votes to be elected.**"

"More than 50 Indigenous fish harvesters in the Maritimes charged or on trial: Ottawa," *APTN News*, October 16, 2023, <https://www.aptnnews.ca/national-news/more-than-50-indigenous-fish-harvesters-in-the-maritimes-charged-or-on-trial-ottawa/>, reported, **"Three years after a First Nation started a self-regulated lobster fishery that sparked protests and violence in Nova Scotia, federal prosecutors are pressing ahead with charges against dozens of Indigenous fishers, some of whom are planning constitutional challenges.**

On Sept. 17, 2020, Sipekne'katik First Nation issued five lobster licences to its members.

The move came exactly 21 years after the Supreme Court of Canada affirmed the treaty right of Indigenous nations in eastern Canada to hunt and fish for a moderate livelihood. In the months that followed the start of Sipekne'katik's "moderate livelihood fishery," there were confrontations on the water, rowdy protests and riots at two lobster pounds, one of which was razed by a deliberately set fire. The fishing and the violent response have led to criminal charges and civil lawsuits."

Norimitsu Onishi, "Turmoil Engulfs Canadian Art Museums Seeking to Shed Colonial Past: As Canada reckons with its colonial history, a push to 'decolonize' museums has rocked its National Gallery and other museums," *New York Times*, October 9, 2023, <https://www.nytimes.com/2023/10/09/world/canada/canada-art-museums-colonialism.html>, reported, **"Museums across the West are having an identity crisis, wrestling with their roles in society and their colonial heritage. But as Canada has begun reckoning intensely in recent years with the ugly chapters of its history with Indigenous people, its museums have pushed further than most in transforming themselves — scrapping galleries, rethinking their exhibitions, refashioning the stories they tell and who has the power to tell them, in a process called 'decolonization.'**

That transformation has drawn criticism that culture is being politicized, and it has turned several museums into flash points. The tensions could have been confined to the rarefied world

of museums if they had not reached the country's most prominent one: the National Gallery, nearly as old as Canada itself, whose identity and national narrative it has helped shape."

The director of the National Museum has said the institution has gone a long way in dialoguing with Indigenous peoples and taking steps toward making amends. This has led to backlash among those by those opposing decolonization.

Leyland Cecco, "Canada's first First Nations provincial premier elected in Manitoba: Voters elect Wab Kinew, 41-year-old leader of the leftwing New Democratic party and a former rapper and broadcast journalist," *Guardian*, October 4, 2023, <https://www.theguardian.com/world/2023/oct/04/canada-wab-kinew-first-nations-premier-manitoba> reported, **"Manitoba has elected Canada's first provincial First Nations premier, handing the progressive leader a legislative majority following a contentious election campaign."**

Wab Kinew [Anishinaabe], the 41-year-old head of the leftwing New Democratic party (NDP), has led the province's party since 2017. A former rapper, broadcast journalist and university administrator, Kinew said his newly elected government will focus on reopening three emergency rooms shuttered in recent years. He also said the province would invest in more social housing."

Miles Morrisseau, "CANADA 2023: The Year in Review," *ICT*, December 26, 2023, <https://ictnews.org/news/canada-2023-the-year-in-review>, reported, **"The city of Winnipeg, Manitoba, entered the new year on a dark note that reflected the national and global tragedy of missing and murdered Indigenous women and girls."**

Even as news spread that the remains of Indigenous women targeted by a serial killer were believed to have been dumped in two municipal landfills in or near Winnipeg, officials made no attempt to follow up on the evidence and give some kind of closure to the victim's families."

Family members, with the support of a group called the First Nations Warriors, first erected a blockade at the Brady Landfill, then set up a camp named Camp Morgan, named for Morgan Harris, who is believed to be one of the women whose remains may be in the landfill."

"Guatemala's Antigraft Crusader Won in a Landslide. Will He Actually Take Office? Bernardo Arévalo, the most progressive leader to get this far in decades, faces a barrage of legal attacks aimed at preventing an orderly transfer of power," *The New York Times*, December 11, 2023, 2023, <https://www.nytimes.com/2023/12/11/world/americas/guatemala-president-elect-arevalo.html>, reported, **"When the anticorruption crusader Bernardo Arévalo won a landslide victory in Guatemala's presidential race, voters streamed into the capital of Central America's most populous country to celebrate. But as Mr. Arévalo's foes intensify efforts to bar the president-elect from taking office just weeks from now, the mood on the streets has changed."**

Indigenous protesters camped in front of the attorney general's office are demanding her resignation, accusing her of targeting Mr. Arévalo with investigations cooked up after his surprisingly strong showing. Graffiti excoriating prosecutors, who have broken up a major anticorruption drive, blankets government buildings. Riot police officers stand on alert as the tensions simmer."

In a region already on edge over the embrace of authoritarian tactics restricting democratic freedoms, not just in Guatemala but also in neighboring Nicaragua and El Salvador, analysts say the scorched-earth attack against a democratically elected leader in a bid to prevent an orderly transition of power reveals a country on the brink of political crisis."

The **government of Guatemala agreed, July 7, 2023, to legalize and make effective spaces for Indigenous Radio** in the country ("Guatemala: Guatemala Accepts Recommendations to Legalize Community Radio," *Cultural Survival Quarterly*, September 2023).

Andrew E. Miller, "False Positives' in the Colombian Amazon," November 10, 2023, <https://amazonwatch.org/news/2023/1110-false-positives-in-the-colombian-amazon>, reported, "This week, **Amazon Watch and allies accompanied Colombian grassroots Indigenous and campesino spokespeople to the Inter-American Commission on Human Rights**. A critical part of our work has always been to amplify the messages of Amazonian partners and stand with them to demand respect for their rights. This is not only a part of our role as a human rights organization, but also the most effective way to protect the rainforest from the many forces bent on its destruction. **The human rights situation in Colombia has been dire for decades, and Indigenous communities continue to live with the threat of violence from actors on all sides.**

When you hear the term "false positive," you might think of an inaccurate COVID test result.

But in the context of Colombia's 50-year civil war, the term garners a much more macabre connotation.

To show quantitative results in their war on left-wing guerrilla groups in the early 2000's, Colombian soldiers killed thousands of innocent people and passed them off as dead insurgents.

This became an enormous human rights scandal, among others, that garnered international headlines.

Though the Colombian government signed a 2016 peace accord with the country's largest insurgent group, the Revolutionary Armed Forces of Colombia (FARC), the Colombian Amazon continues to be an epicenter of violence, combining the characteristics of a decades-old armed conflict, illicit economies, and extractive industries such as oil drilling and mining.

One manifestation of these 'low-intensity' conflicts **is the alarming number of environmental defenders and community leaders threatened and killed across the Amazon each year. According to Global Witness' 2023 report, 'One in five murders of defenders worldwide took place in the Amazon Rainforest last year, with violence, torture and threats a shared reality for communities across the region.'**

Armed actors – including Colombia's military forces and illegal armed groups like the Carolina Ramirez Front and the Comandos de la Frontera – fight for territorial, financial, and social control of areas that are actually the ancestral territories of Indigenous peoples.

Indigenous peoples and others are struggling to protect their ancestral lands, livelihoods, and lives. In doing so, they run afoul of the men with guns who don't hesitate to threaten and kill.

Emblematic case: Massacre in Remanso

On the morning of March 28, 2022, ostensibly acting to capture a 'finance lieutenant' of the Comandos de la Frontera in the community of Upper Remanso, **a U.S.-backed counter-narcotics unit of the Colombian military killed 11 people.**

Government officials, including then-President Ivan Duque, immediately claimed that eleven victims were armed members of 'dissident' guerrilla groups that had failed to demobilize in the 2016 peace process.

Testimonies gathered by human rights groups and Colombian journalists would quickly call into question the official version.

According to press accounts and eyewitnesses, the soldiers moved several victims' bodies before criminal investigators could arrive, placing military vests and rifles on top of their lifeless corpses. These nefarious actions could be an implicit admission that they knew some of those killed were actually civilians.

One of these attempted 'false positives' in Remanso was Pablo Panduro, the Kichwa Indigenous governor of the neighboring community of Lower Remanso.

In a testimony prepared for the Inter-American Commission on Human Rights, the current governor Yarley Ramirez, stated, "The governor was a traditional healer, a professor of our native language, and a leader of the organizational process of our Indigenous government. With him, we have lost an irreplaceable legacy of knowledge about how to care for the Amazon."

Alongside Panduro's corpse, the Colombian military also manipulated and dressed up the body of a 16-year-old student, Brayan Pama. His family insists that he was not a member of any armed group, but instead a student who was in the wrong place at the wrong time when the Colombian military opened fire.

The Washington connection

Shockingly, but perhaps not unsurprisingly, the implicated military unit has connections to United States military training.

Colombian press accounts indicate that the Remanso operation was executed by the 3rd Counternarcotics Battalion, which is part of the U.S.-backed Command Against Narcotrafficking and Transnational Threats.

Congressman Andy Levin raised concerns about the massacre within a month during a hearing featuring U.S. Secretary of State Antony Blinken.

On the first anniversary of the killings, eight members of the U.S. House of Representatives sent a letter, asking a series of questions of Secretary Blinken, including whether or not the Leahy Law – the U.S. law prohibiting weapons transfers to human rights violators – had been applied in this specific case.

Though the State Department replied two months later with a general response, they left unanswered the pointed question about whether or not the Leahy Law has been applied in the Remanso case.

Internationalizing the cry for justice

Since the massacre, community members and families of the civilian victims have been pressing for truth, justice, and reparations in this case. As recently detailed by Human Rights Watch, progress in the legal process has been agonizingly slow.

More than a year and a half later, a group of grassroots spokespeople and their supporters have come to Washington, D.C. to internationalize their call.

On Monday, November 6 they confronted officials from different agencies of the Colombian government at a hearing before the Inter-American Commission on Human Rights, a regional human rights body covering the Western Hemisphere.

Among the delegation members was Rodolfo Pama, father of Brayan Pama. He stated, "the legal process has brought constant suffering given the procedural delays from the Colombian government. This is especially true as there are elements of key evidence to define the responsibility of the perpetrators. Access to justice in Colombia is always challenging, but the fact that this is a case of 'false positives' makes it even harder given the obstacles presented." The plaintiffs hope this international spotlight on the Remanso case will help create the political will within Colombia to move toward justice. They have also demanded greater transparency in the case, that the higher-level military officers who planned and authorized the operation be charged, and a series of important restorative measures such as the issuing of a collective land title for Lower Remanso, which has been held up in bureaucratic hurdles for years.

Accompanying Amazonian defenders

Amazon Watch is honored to have supported this delegation, in close collaboration with a number of Colombian and international allies. It represents an important expansion of our evolving work in the Colombian Amazon, supporting both Indigenous and campesino social processes in defense of the Amazon rainforest.

Given her prior experience in the Inter-American Commission, Amazon Watch Advocacy Manager (and human rights lawyer) Gisela Hurtado provided crucial legal guidance and served as the facilitator during the hearing itself.

Taking advantage of the group's presence in Washington, D.C., we also arranged meetings with policymakers who have deep expertise in Colombia, both in the U.S. House of Representatives and with the U.S. State Department.

Ultimately, the entire initiative would not have been possible without the presence and passion of the grassroots spokespeople from Putumayo. We are humbled by their powerful words and recommit ourselves to the ongoing support of their communities."

"Ecuador: Victory for uncontacted tribes as oil drilling blocked in historic referendum," Survival International, August 21, 2023, <https://www.survivalinternational.org/news/13723>, reported, "Leonidas Iza, President of Ecuador's national Indigenous organization CONAIE, said today:

'The Ecuadorian people, mindful of life, in solidarity with our uncontacted Tagaeri, Taromenane and Dugakaeri brothers and sisters, said 'Yes to Yasuni' in this referendum on August 20th. We have saved their territory, their lives, their food sovereignty, and their medicines in the sacred Yasuní forest'. He added: 'In this little piece of territory in the heart of the Amazon, we can find solutions to problems that most affect humanity. Science has shown that the best protected territories in the fight against climate change are Indigenous territories. That's why we invite the international community to lend a hand, in solidarity and sensitively, to protect the territories that balance the life of Mother Nature, which save species and also humanity.'

Julio Cusurichi Palacios from Peru's Amazon Indigenous organization AIDESEP said:

'It is extremely important to protect the territory of uncontacted tribes who share land in Ecuador, in the Yasuní National Park, and in Peru, in the Napo Tigre Indigenous Reserve (awaiting creation), to guarantee their rights to life, health, survival and territory, in compliance with international frameworks that governments must implement. In Peru, the government has

officially recognized five uncontacted tribes in the Napo Tigre area. These peoples are cross-border peoples, who live on both sides of the border between Peru and Ecuador in the basins of the Napo, Curaray, and Tigre rivers, and their tributaries. They have lived on their ancestral lands for hundreds of years, even before the countries of Ecuador and Peru were established, and they do not recognize artificial borders.'

Survival International is fighting globally for the survival of all the world's uncontacted tribes. Sarah Shenker, head of Survival's Uncontacted Tribes campaign, said today: "This is a major victory for Ecuador's Indigenous movement, and for the global campaign to recognize the rights of uncontacted tribes.

'The uncontacted Tagaeri, Dugakaeri and Taromenane have for years seen their lands invaded, firstly by evangelical missionaries, then by oil companies. Now, at last, they have some hope of living in peace once more. We hope this prompts greater recognition that all uncontacted peoples must have their territories protected if they're to survive, and thrive.

'Apart from anything else, we know that their territories are the best barrier to deforestation, particularly in the Amazon rainforest. Uncontacted tribes are our contemporaries, a vital part of humankind's diversity, and the guardians of the most biodiverse places on Earth.'

In Peru, Indigenous organizations have been fighting for more than 20 years to create and protect the Napo-Tigre Indigenous reserve for uncontacted tribes, adjacent to Yasuní. Currently, the oil and gas company Perenco is exploiting Napo-Tigre oil."

"Peru: "Genocide Bill" scrapped as Indigenous people claim victory," Survival International, June 24, 2023, <https://www.survivalinternational.org/news/13706>, reported, "In a dramatic reversal of fortune, a **key Congressional committee in Peru has effectively blocked a draft law, labeled the 'Genocide Bill' by Peru's Indigenous people for the calamitous effects it would have had if approved.**

The bill had been progressing through Congress, but the vote by the Decentralization Committee will now prevent it progressing any further.

Teresa Mayo of Survival International described this as 'a huge victory for Peru's Indigenous peoples, their organizations, and for thousands of ordinary people around the world who joined the campaign'.

Indigenous organizations in Peru such as AIDSEP and ORPIO had lobbied intensively to stop the bill, and more than 13,000 Survival supporters had written to the committee, urging them to block the bill.

The bill had been drafted by Congress people with ties to the powerful oil and gas industry. It represented a particular threat to the many uncontacted tribes in the country, whose lands would have been opened up for industrial exploitation.

Tabea Casique of AIDSEP said: 'I'm very happy because we've worked hard to stop this draft bill, which violates the rights of uncontacted tribes and those in initial contact.... This scrapping of the draft bill protects our uncontacted relatives, their rights and their lives, and avoids the genocide and ecocide that it would have unleashed.'

Roberto Tafur of ORPIO said the decision 'highlights the participation of those people with a conscience, in order to look out for our [uncontacted] brothers and sisters. Because life comes before money. It's been a hard-fought vote to get here. And to continue fighting for our brothers and sisters in the jungle, who don't know that we're fighting for them.'

Teresa Mayo of Survival International said today: "It's hard to believe that this bill was just one small step away from becoming law. It would have been catastrophic for uncontacted

tribes in Peru – they’d have been left utterly exposed to the oil and gas corporations who’ve targeted their lands and resources for generations.

'All their rights would have been stripped away, and many would very probably have been wiped out. So we’re delighted this bill has been blocked – but will remain on alert in case the oil and gas giants and their political allies try again.'

The crucial vote has come in the middle of Uncontacted Tribes Week, which Survival’s supporters mark annually as a week of action in support of the rights of uncontacted Indigenous peoples worldwide. Celebrities such as Gillian Anderson and Julian Lennon have been posting videos highlighting the campaigns for their rights.

Notes to Editors:

- Had the Decentralization Committee passed the bill, it would then have passed to a vote in the Chamber of Deputies, where it was likely to have passed.

- Survival has been campaigning for the rights of uncontacted tribes in Peru for more than forty years.

- The oil and gas industry has had a catastrophic impact already on such tribes in Peru. In the 1980s, for example, following oil exploration work by Shell, introduced diseases killed more than half the population of the previously-uncontacted Nahua people."

In Argentina, on July 15, 2023, the **province of Jujuy in the north of the country passed a constitutional amendment making Indigenous peoples more vulnerable to extraction and development by expediting the process for evicting people and criminalizing protest** ("Argentina: Indigenous Peoples in Argentina More Vulnerable Due to Mining Threats and Development Interests," *Cultural Survival Quarterly*, fall/winter, 2023).

Ricardo Pérez, "Legal Impunity for Loggers Behind the Brutal Murders of Four Indigenous Earth Defenders in Saweto: The abrupt annulment of the 28-year sentences that took families seven years of legal battles to achieve highlights the profound injustice and judicial discrimination they face in Peru," Amazon Watch, October 5, 2023, <https://amazonwatch.org/news/2023/1005-legal-impunity-for-loggers-behind-the-brutal-murders-of-four-indigenous-earth-defenders-in-saweto>, reported, "On August 29, **the Criminal Court of Appeals of Ucayali annulled the 28-year prison sentences that had been handed down in February against two logging businessmen who were found guilty of masterminding the murder of four Indigenous leaders on the Peru-Brazil border in 2014.** The judges argued a lack of evidence and procedural errors in the initial decision, which took seven years of legal battles to achieve, and sent the case back to the beginning.

The Asháninka leaders Edwin Chota, Jorge Ríos, Leoncio Quintisima, and Francisco Pinedo were killed for defending their territories and rainforest from illegal logging, an illicit activity that threatens Indigenous peoples’ lives and culture. Even though they repeatedly denounced the death threats they received from clandestine logging mafias, the Peruvian government failed to provide the necessary protection. Their murders forced the world to finally recognize their struggle for their rights and environment and ultimately resulted in the legal recognition of territory of Alto Tamaya Saweto, after decades of waiting.

The court’s decision is a strong affront to justice, memory, and the dignity of the victims and their families, who now face yet another chapter of legal strife and uncertainty.

Organizations that accompany cases of Indigenous defenders are concerned that the Saweto case demonstrates that the Public Ministry and the judiciary “in recent years have acted

with bias, delays and lack of effectiveness in cases of Indigenous defenders, applying discretionary and disproportionate criteria to convict them for minor crimes, while in processes involving material and intellectual authors of attacks against the lives of these defenders, delays, and irregularities have been reported, despite the fact that the alleged perpetrators maintain links with illegal activities such as drug trafficking, mining, land trafficking, or illegal logging.”

Unfortunately, the trend that must be reversed shows how criminalization and impunity are the two faces of the judicial treatment of Indigenous defenders in the Amazon.

A report by Mongabay Latam reveals that from 2016 to 2021, out of “58 crimes registered against Indigenous leaders and settlers in the four countries, at least 50 have not yet been resolved by the justice system. Most of the open processes, according to the ten lawyers consulted, continue to this day in a state of investigation or have been involved in a series of irregularities.”

The Saweto case and other injustices against environmental defenders were highlighted during Climate Week

Jamer López, President of ORAU, traveled to New York for Climate Week with support from allies including the Sociedad Peruana de Derecho Ambiental (SPDA), Amazon Watch, and Rainforest Foundation US. During an intensive agenda of private meetings and public events, he brought attention to the emblematic case of Saweto, as well as others such as the unpunished murder of Cacataibo leader Arbildo Meléndez. The NGO If Not Us Then Who released a new short film on the case in the context of the Our Village initiative, which highlighted the voice of global Indigenous leaders during Climate Week.

In addition, Jamer participated in a demonstration in the streets of New York City. Along with other Indigenous leaders from Africa and Asia, he called on Governor Kathleen Hochul to sign the New York Tropical Deforestation-Free Procurement Act, which the state legislature has already passed. The bill requires state contractors that trade in forest risk commodities to certify that their products do not drive tropical deforestation or degradation and provide data to the state and the public that demonstrates due diligence in the supply chain all the way back to the points of origin of their products.

All the above is one more chapter in our work over the last few years, accompanying Indigenous organizations in their agenda to strengthen their capacity for organizational resistance to the advance of illegal economies and to pressure both Amazonian governments and international agencies to take urgent and appropriate action to defeat organized crime. Meanwhile, it is essential to demand equal access to justice for Indigenous Earth Defenders in all of the nine Amazonian countries."

Camilla Lindschouw, "Fighting for the Protection of Pë'këya and the Right to Return Home," Cultural Survival, July 5, 2023, <https://www.culturalsurvival.org/news/fighting-protection-pekeya-and-right-return-home>. reported, **"Demarcation of ancestral lands is a crucial factor for Indigenous Peoples' survival worldwide.** Indigenous territories offer communal protection of the people living there and are essential to food sovereignty. They are also a protection against cultural extinction, as ancestral land cannot be separated from Indigenous Peoples' past, present, and future. **For the Siekopai Peoples of the western Amazon along the Ecuador-Peru border, the meaning of Pë'këya, their ancestral land, is no different.**

Pë'këya is the spiritual center of the Siekopai and the core of memory and knowledge. Siekopai cosmology and culture are rooted in Pë'këya, in which the land holds the

knowledge of the practice of protecting, nourishing, and learning from it. Pë'këya contains the cultural memory of the people, and for centuries, Siekopai families have shared this knowledge with one another—a practice that has formed an intimate knowledge of the history of each and every relationship and interaction between all living beings.

Pë'këya is intimately related to other sacred sites of the Siekopai people, including the Ñañë-Jupo, a waterfall where their God, Ñañë-Paina, was said to reside, and the Ñañë-Siekopai (mythical beings) that pass on Siekopai culture from generation to generation, enabling the Siekopai to feel, think, and act accordingly with their culture and give meaning to their life. Don Cesario Piaguaje, a 112-year-old Siekopai traditional leader and shaman, explained to Amazon Frontlines: “Pë'këya is the most sacred part of the territory, it holds my umbilical cord and the bones of my father, my mothers, and my grandparents. There I started the trails of the journey towards the full wisdom of the Siekopai, undisturbed, until the first intruders and strangers came to our lands to spread terror and diseases.” Justino Piaguaje, another Siekopai leader, told Amazon Frontlines, “[Pë'këya] is our territory, our blood, our birthplace, the basis of our worldview.”

Since 1941, as the Ecuador-Peru war broke out, Pë'këya has been split in two by the heavy militarization of the area, separating Siekopai families and threatening their ancestral traditions connected to the area and local wildlife. The war and the sudden creation of a rigid border had a massive impact on the borderless existence of the Siekopai. Both sides accused the Siekopai of being spies, and many Siekopai were forced to flee their homes far from the territory, plants, and animals that had given them life and wisdom for centuries. Some who were separated by the militarized border were able to reunite after decades, but many others would never see each other again.

For the new Siekopai generation to rediscover Pë'këya and lost spiritual and cultural bonds, hundreds of Siekopai from both sides of the Peru-Ecuador border gather together for a reunion after decades of war in the region.

Don Cesario Piaguaje described **the serious threat of cultural extinction facing the remaining Siekopai, who now number around 700, due to assimilation efforts and displacement from colonization and war.** “It’s vital, the sacred territory of the Siekopai in [Pë'këya], for young people to not stop being Siekopai and so they continue transmitting our culture from generation to generation. It is the territory chosen by our God Ñañë-Paina,” he said to Amazon Frontlines.

With the establishment of the Cuyabeno Wildlife Reserve in the northeast Ecuadorian Amazon in 1979, Siekopai sovereignty was threatened again; when the Reserve was expanded to include Pë'këya in 1991, the Siekopai lost even more control over how the territory was being managed and conserved. The Siekopai have requested since 1992 for Pë'këya to be returned to them, but the Ecuadorian state has consistently refused to recognize Pë'këya as ancestral land belonging to the Siekopai. Since the war ended in 1998, Siekopai families have tried to return to their ancestral home despite the prevalent risk of abuse and detention from military authorities.

Wilmer Piaguaje, a Siekopai youth, discussed the negative generational impact of being forcefully separated from one’s ancestral territory: “Pë'këya is the soul of the Siekopai...There is everything that is important for a Siekopai person...that territory has power and value for what’s in it. Many stories I grew up with are from there and they are not only story, they explain who I am as a person and what my family is...I was denied the right to live there, and I see my children

grow without understanding what it's like to be a Siekopai, without a Siekopai soul because the soul is there," he told Amazon Frontlines.

Andrea Payaguaje, a 12-year-old Siekopai youth, concurred, telling Amazon Frontlines that "our ancestral territory is so important to us. I want to return to live in that territorial space that my grandfather was always connected to. My grandfather is no longer with us, he is no longer with me, and he wasn't able to return; he died fighting to return. I want to say: give us back this territory so that we can continue existing as Siekopai." Formal demarcation of Pë'këya is more crucial than ever for the survival of the Siekopai, and for the youth to truly understand what it means to be Siekopai.

For decades, Ecuador has designated thousands of acres of Indigenous ancestral land as protected areas without the consent of the Indigenous communities to whom these areas are connected. In 2017, the Siekopai formally asked the Ministry of Environment, Water and Ecological Transition to grant them land title over Pë'këya. However, they were met with years of government inaction and excuses, such as the claim that the Ecuadorian government lacked technical capacity to execute ancestral property title deeds. According to international and Ecuadorian law, ancestral territories should be in the possession of Indigenous Peoples; therefore, excuses relating to lack of technical capacity are invalid and cannot justify ongoing human rights violations, including the refusal to recognize Pë'këya as Siekopai land.

Due the Ministry's inaction and the fact that the Ecuadorian Ombudsman sided with their land claim, the Siekopai filed a lawsuit against the government in September 2022 in an effort to have Pë'këya formally demarcated and to denounce the human rights violations committed by the Ecuadorian government for failing to formally recognize their land claims. On May 30, 2023, the first judicial hearing was conducted on Siekopai territory as a part of the lawsuit. The outcome will determine the future of the Siekopai people and their claims to ancestral lands.

Since colonization, Western conceptions of laws, including formal property laws, have guided people's relationships with land and territory and made judicial proceedings and protection the only means by which Indigenous Peoples can protect their ancestral territory, livelihood, and cultures. However, such proceedings are foreign to their cosmology in their regard for nature as a commodity to be owned, rather than a vibrant ecology to be stewarded. Alfredo Piaguje, Siekopai grandfather, told Amazon Frontlines, "We are not fighting for a quantity of lands—it's the area, it's the place, it's the spirit, it's what someone as a Siekopai person can feel being there that doesn't happen anywhere else, only there can a Siekopai feel free." Maruja Payaguaje explained that fighting for formal land titles "is not a problem of lands, not of where to go live, it's a question of spiritual essence...from [Pë'këya] we weave our relationship to other Peoples."

Formal demarcation of ancestral land is critical for the survival of Indigenous Peoples and their culture. Land titles bring judicial protection from third parties such as extractive industries, and the right to territory encapsulates fundamental human rights, including the right to life, the right to food, and the right to cultural practices. Formal demarcation allows Indigenous Peoples to revitalize a way of life and culture oppressed by colonization and sustain it for generations to come. Demarcation of Pë'këya and other ancestral lands in the Amazon region in particular is crucial to protecting precious biodiversity and combating climate change, since the Amazon also functions as one of the world's largest carbon sinks.

NGOs working closely with the Siekopai people expect new developments in the case later this summer. As Yadira Ocoguaje said to the three-judge panel on May 30, 'Our struggle

isn't for a piece of land, but for the guarantee to continue living as Siekopai. We are asking you to return this land, which is the origin of the Siekopai culture."

"Brazil Congress overrides Lula's veto of PL2903: Survival's reaction," Survival International, December 15, 2023, <https://www.survivalinternational.org/news/13850>, reported, **"Brazil's Congress has pushed through a new law containing a series of extreme anti-Indigenous measures, overriding most of President Lula's previous vetoes of the law's more extreme elements."**

The measures that will now pass into law constitute 'the most serious and vicious attack on Indigenous rights in decades,' according to Survival International.

The Congress is dominated by agribusiness and mining interests and wealthy landowners allied to former President Bolsonaro, despite his defeat by President Lula a year ago.

Under the new law, loggers, ranchers and others who have illegally invaded Indigenous territories will be allowed to remain there destroying the forest, until the lands are fully demarcated – a process that usually takes decades.

And many Indigenous peoples might never be able to recover their land as the law also upholds the Time Limit Trick – a pro-business ruse which states that Indigenous peoples who can't prove they were on their land when the Constitution was enacted in October 1988 will never have their rights recognized – even though Brazil's Supreme Court recently rejected it. The Association of Indigenous Peoples of Brazil, APIB, has announced that it will take this back to the Supreme Court.

Caroline Pearce, Director of Survival International, said today: **'This law rips up many of the legal protections on Indigenous land that are guaranteed in the Constitution, and throws them in the trash. It gives the big businesses and criminal gangs behind much of Brazil's logging and mining even more freedom to invade Indigenous territories and do what they like there. It spells doom for much of the Amazon and all of Brazil's forests.'**

'It's absolutely disastrous for Brazil's uncontacted tribes – already among the most vulnerable peoples on the planet when their lands are invaded – and for all the country's Indigenous peoples. They will resist it with the same determination they displayed during Bolsonaro's genocidal regime. Their allies around the world like Survival will continue to stand shoulder to shoulder with them, because to allow this to pass unchallenged would undo decades of gradual progress in the recognition of Indigenous rights.'

"Brazil: 'A momentous, historic victory' for Indigenous people as Supreme Court rejects Time Limit Trick," September 21, 2023, [https://survivalinternational.org/news/13734?utm_medium=email&utm_source=engagingnetworks&utm_campaign=utm_campaign&utm_content=230921+PR+\(Time+Limit+Trick+rejected\)+-EN](https://survivalinternational.org/news/13734?utm_medium=email&utm_source=engagingnetworks&utm_campaign=utm_campaign&utm_content=230921+PR+(Time+Limit+Trick+rejected)+-EN), reported, **"Opponents of Indigenous rights in Brazil have suffered a major setback after the Supreme Court rejected a proposal that threatened hundreds of Indigenous territories. The proposal was heavily pushed by the country's powerful agribusiness industry, and aimed to legalize the theft of huge areas of Indigenous land."**

Known as the 'Time Limit Trick,' it argued that Indigenous peoples in Brazil who could not prove they were living on their land on October 5, 1988 (the date of the signing of the current Constitution) had no right to have those lands demarcated (officially mapped out and protected).

If the Court had approved the proposal, hundreds of thousands of Indigenous people faced the prospect of being dispossessed of their lands, and dozens of uncontacted tribes could have been wiped out.

One of the judges who ruled against the Time Limit Trick, Justice Edson Fachin, said in his ruling: 'As can be seen from the text of the Constitution, the original territorial rights of the [Indigenous people] are recognized, but in any case they pre-date the promulgation of the Constitution.'

The Guarani organization Aty Guasu said in response to the ruling: 'For us this is an important moment of battle and celebration. We're crying with joy. Today we're going to sing the song of life and dance the dance of joy. The Supreme Court has shown that it cares about our lives and that it's against genocide. It has listened to the cry of the Indigenous peoples of Brazil. Now we'll continue our fight for the demarcation of our lands, as resolute and strong as ever.'

National Indigenous organization APIB announced the news with: 'Victory! Indigenous peoples have defeated the Time Limit Trick! We stand firm! Rights can't be negotiated away.'

The Indigenous movement and their allies, including Survival, have been campaigning for years for the Time Limit Trick to be scrapped. During the six years that the Supreme Court has taken to decide the case, there have been massive protests in Brazil and worldwide against the proposal, and against draft law PL490 (now PL2903), which contains a series of anti-Indigenous policies including the Time Limit Trick.

Woie Kriri Patte, of the Xokleng people, whose struggle to regain their land has been the test case at the Supreme Court, said while fighting against the Time Limit Trick: 'It is a gun held to our head... The Time Limit Trick is genocidal and unjust and we won't accept it.'

Survival International's Research and Advocacy Director Fiona Watson said today: 'This is a momentous, historic victory for Brazil's Indigenous peoples, and a massive defeat for the agribusiness lobby.'

'The Time Limit Trick was an attempt to legalize the theft of millions of hectares of Indigenous land. Indigenous peoples nationwide would have been catastrophically impacted, among them the uncontacted Kawahiva, and tens of thousands of Guarani people in southern Brazil.

'It was all part of a devastating assault on Brazil's Indigenous peoples and the Amazon rainforest, so this rejection of it is hugely important, not only for Indigenous peoples, but for the global fight against climate change too.'

Fiona Watson and Survival Brasil's Sarah Shenker and Priscilla Schwarzenholz are available for interview.

Note to Editors:

Two judges have not yet voted, but a majority of the judges have now voted against the Time Limit Trick, so the proposal has been rejected. The final ruling will not be delivered until all the judges have voted, and it's possible that conditions may be imposed.

Amazon Watch reported in an October 23, 2023 E-mail, "Today we celebrate another critical victory for Indigenous rights in Brazil!"

Unwilling to accept the recent Supreme Court decision to strike down the nefarious 'Marco Temporal' maneuver – which sought to strip land rights from Indigenous communities – agribusiness and right-wing forces in Brazil's legislature passed a law attempting to invalidate those rights and once again steal land from Brazil's Indigenous

peoples. But President Lula vetoed this law late Friday and sent a clear message that Indigenous rights will be protected.

After weeks of national and international pressure, Lula vetoed key parts of Bill 2903, which attempted to reimpose the “Marco Temporal” thesis. He also vetoed sections of the law allowing mining, road construction, and GMO agriculture on Indigenous lands.

As Sonia Guajajara, Minister of Brazil’s Indigenous Peoples, explains:
q“Lula also vetoed the attempt to abolish the Indigenous right to Free Prior and Informed Consultation, the section of the law that made it easier to intrude upon the territories of isolated Indigenous peoples, as well as the article that would have prohibited the expansion of Indigenous lands that are already demarcated. But the essential thing is that the president’s vetoes guarantee the protection of Indigenous land rights.”

Yet the risks to Brazil’s Indigenous peoples and their rights are still immense. The agribusiness caucus of Brazil’s congress will be working furiously this week to override these vetoes and push forward even more extreme legislation. Amazon Watch will continue to work closely with our partners in Brazil’s Indigenous movement to challenge the forces bent on Amazon destruction."

"Violence, death and disease still afflict Yanomami in Brazil," Survival International , August 7, 2023, <https://www.survivalinternational.org/news/13717>, reported, **"Six months after the Brazilian government launched its emergency operation to remove illegal goldminers and address the humanitarian crisis in the Yanomami Territory, the results are mixed: many Yanomami continue to endure the fallout from years of invasion and violence.**

Three Yanomami and Ye'kwana organizations launched a report on August 2nd - 'We are still suffering' (<https://acervo.socioambiental.org/acervo/documentos/yamaki-ni-ohotai-xoa-nos-ainda-estamos-sofrendo-um-balanco-dos-primeiros-meses-da>) - on the emergency operation. **While recognizing progress made, it raises grave concerns over widespread insecurity in some regions as pockets of armed miners remain in the territory. It also highlights the fact that malaria, malnutrition and respiratory diseases are still blighting the lives of many.**

It makes 33 recommendations and calls on the authorities to consult and work with the Yanomami and Ye'kwana peoples.

Yanomami and Ye'kwana leaders met in July to discuss the situation, noting in a statement that: 'The results of the actions taken to date are far from sufficient. The miners continue to enter and destroy our forest. We are still dying from lack of health care both inside our territory and outside it, when our relatives are removed and have to spend a long time suffering in the city.'

The Bolsonaro government actively encouraged and facilitated illegal mining in Indigenous territories; by 2022 over 60% of the Yanomami population was impacted by mining with appalling consequences on their health and livelihoods. Mining is responsible for much of the spread of malaria, as mosquito larvae breed in the stagnant waters in the huge craters created by the miners.

The operation launched by the Lula government at the beginning of February aimed to remove the estimated 25,000 illegal miners. It has made significant progress and last month the Minister for Indigenous Peoples, Sonia Guajajara, declared that 82% of the miners had been removed from the territory.

However, significant groups of armed miners and criminal gangs remain and are violently resisting removal whilst continuing to extract gold (reportedly hiding equipment and working at night to avoid detection) and terrorize communities.

An operation in February destroyed a mining camp very near a community of uncontacted Yanomami, known as the Moxihatatea, who were at extreme risk of attack from the miners. Their fate is unknown – an aerial photo of their large yano (communal house) shows it is empty but in good condition. Any contact between them and the miners could be fatal, as they have no resistance to common diseases such as flu.

In early July a 5-year-old Yanomami girl was killed and several Yanomami wounded when miners attacked a community in the region of Parima. On 30 April, three Yanomami were shot by miners in Uxiu community – one died soon after the attack.

Miners have also attacked Federal Police and Environment Ministry officials, resulting in deaths on both sides. A base controlling one of the main river entry points into the Territory has been attacked at least five times since it opened on February 20.

Despite efforts by the Ministry of Health, which has built an emergency field hospital in the heart of the territory, the health of many Yanomami and Ye'kwana communities remains critical and people are still dying of treatable diseases.

According to the authorities, **157 Yanomami have died since January – most were between 0 and 4 years old. The real figure will be significantly higher as deaths are underreported. Children are still being treated for malnutrition.**

Food security is a major issue – many Yanomami are still either too weak from malaria and respiratory diseases to tend their gardens and feed their families or their gardens have been destroyed by mining. A Yanomami woman from Uxiu said: "We are all ill and thin with bloated bellies. There's no more food in the forest because the forest is destroyed." A Yanomami woman from Papiu explained: 'The miners are getting nearer and nearer which is why we can't go to our gardens and collect manioc. Malaria has spread all over, it's very bad.'

Malaria is still rife and continues to have a lethal impact. Vital health care is not reaching remote communities for lack of infrastructure, continued closure of some health posts, and because health workers are concerned for their safety due to armed mining groups still operating.

Studies by the Federal Police (<https://g1.globo.com/rr/roraima/noticia/2022/06/06/rios-na-terra-yanomami-tem-8600percent-de-contaminacao-por-mercurio-revela-laudo-da-pf.ghtml>) found that **rivers in the Yanomami Territory are highly contaminated with mercury - 8,600% above safety levels and that Indigenous people from 14 regions in the Yanomami Territory have high levels of mercury contamination.**

Responding to the Yanomami and Ye'kwana's concerns, the Ministry of Indigenous Peoples says it 'recognizes that there are still issues to be resolved involving the Yanomami Indigenous Territory, but rebuilding the damage that has been done over years of neglect takes time.'

"Ten years on: uncontacted tribe in danger as land protection stalls," Survival International, October 10, 2023, <https://www.survivalinternational.org/news/13771>, reported, **"The last of the Kawahiva are forced to live on the run from armed loggers and powerful ranchers.** Still from unique footage taken by government agents during a chance encounter.

Ten years after Brazilian authorities released extraordinary footage showing the existence of an uncontacted Amazonian tribe, their lands have still not been fully protected – and loggers and land-grabbers surround them.

In 2013 Brazil's Indigenous Affairs Department FUNAI released video that they had filmed during a chance encounter with the Kawahiva people of Mato Grosso state, deep in the Amazon.

Oscar-winning actor Mark Rylance later narrated a film about their plight, 'The Last of the Kawahiva,' for Survival International.

A global campaign by Survival International, alongside Indigenous people, pressured the authorities to act, and in 2018 cattle ranchers and loggers who had occupied the Kawahiva territory were evicted.

But since then the land protection process has stalled – loggers and landgrabbers are surrounding their territory, and an illegal road has been built just 2km away.

A FUNAI team at a protection post nearby have been working to keep the loggers and ranchers out, despite the dangers – their post has been attacked several times.

Massacres and disease have already killed many Kawahiva – the only chance of survival for those who remain is if their territory is finally demarcated (legally recognized and marked out).

The government has already been given two deadlines to finish demarcating the Kawahiva territory: in 2013 – the year the video was first released – a Brazilian court ordered the demarcation to be carried out. Ten years on, this still has not happened, and in August of this year, Brazil's Supreme Court gave FUNAI 60 days to finalize a plan for the definitive demarcation of the territory.

Eliane Xunakalo of Indigenous organization FEPOIMT (Federation of Indigenous peoples and organizations of Mato Grosso) said today: "It's vital to finish the demarcation for our uncontacted relatives. The 'Kawahiva do Rio Pardo' territory is coveted by outsiders, and it's also extremely dangerous for the FUNAI employees who work on the protection post there. We will only be able to guarantee the survival of our uncontacted relatives if the territory is demarcated.

'It's up to us to protect our relatives, to protect their way of life, because they are the resistance and resilience in the midst of all these threats and challenges that exist here in Mato Grosso," she added.

The head of Survival Brasil, Sarah Shenker, said today: 'This is one of the most crucial cases concerning uncontacted tribes anywhere in Brazil. The Kawahiva are survivors of countless genocidal attacks which have wiped out many of them; the land demarcation process has ground to a halt; and loggers and landgrabbers see the territory as open for business. We know that they have been active inside the Kawahiva's forest, and any encounter between the Kawahiva and these outsiders, who are usually armed, could be deadly. The authorities must act now to finish the job, and legally protect the Kawahiva territory once and for all.'

Note to Editors:

An earlier global campaign by Survival International, alongside Indigenous people, pressured the authorities to act: in 2016 the Justice Minister signed a decree for the land to be mapped out as an Indigenous territory; and in 2018 cattle ranchers and loggers who had occupied the Kawahiva territory were evicted. But the demarcation process has never been completed."

Jack Nicas, "Welcome Aboard the Aquidaban, the Floating Jungle Supermarket: The Aquidaban has long attracted colorful characters as the only ferry in one of South America's most remote stretches. Now it may disappear," *The New York Times*, June 28, 2023, <https://www.nytimes.com/2023/06/28/world/americas/aquidaban-paraguay-river-boat.html>, reported **that the river ferry Aquidaban, which has been the only method of travel on the Paraguay River in the Paraguayan Pantanal is likely to end its journeys.** "For 44 years, the 130-foot white, wooden vessel has been the only regular ferry service to reach this deep into the Pantanal, a floodplain larger than Greece, traveling 500 miles up and down the Paraguay River Tuesdays to Sundays, delivering everything from dirt bikes to newborns. Its bottom level is a floating supermarket, with 10 vendors hawking produce, meat and sweets from the same benches they sleep on. The ship's canteen is the only place where many communities can find a cold beer."

The Aquidaban has been extremely important to the Indigenous peoples living along the river. It has changed their lives by bringing goods to them, and providing interaction - particularly among Indigenous peoples - that has created a pan-Indigenous culture among them, while it has also caused cultural change by bringing in missionaries and other outsiders.

But the ships journeys seem soon to end. "Paraguay has been carving new roads across its remote north, part of a project to construct a transcontinental corridor, from Brazil to Chile, to connect the Atlantic and Pacific Oceans. Those roads and others have cut into the Aquidaban's cargo sales, and the family behind the boat says business is sinking." Those roads will change patterns of communication and have large culture impacts. As they cut swaths through the rainforest, they will have direct negative environmental effects which most likely will be worsened by the development which very likely will follow along them.

Isabella Kwai, "They Were Given IUDs as Children Without Their Consent. Now, They Want Compensation: A group of Indigenous women in Greenland say Danish doctors inserted intrauterine devices without their consent. They are now seeking damages from the Danish government," *The New York Times*, October 4, 2023, <https://www.nytimes.com/2023/10/03/world/europe/greenland-indigenous-women-contraception.html>, reportrf. **"Dozens of Indigenous women and girls from Greenland have said that they had intrauterine devices inserted without their consent in the 1960s and 1970s and have filed a complaint with the Danish government, demanding compensation.**

The women said they were among thousands affected by a Danish government campaign to control the growth of Greenland's Indigenous population. Greenland is a semiautonomous part of the kingdom of Denmark."

Maggie Michael And Ryan Mcneill, "The Slaughter of El Geneina: How Arab fighters carried out a rolling ethnic massacre in Sudan," Reuters, September 22, 2023, <https://www.reuters.com/investigates/special-report/sudan-politics-darfur>, reported, **"As Sudan plunged into civil war, the ethnic-African Masalit tribe came under weeks of systematic attacks in West Darfur by the paramilitary RSF and allied militias. In the city of El Geneina, at least 1,000 bodies were buried in Al Ghabat cemetery – which filled with hastily dug mass graves."**

The killings in Darfur have been continuing. "At least 5 million children at the brink in Darfur as unchecked conflict worsens: In the last seven months of fighting in Sudan, reported cases of children killed and injured in Darfur spiked 550 per cent when compared to all of 2022," UNICEF, November 20, 2023, <https://www.globalsecurity.org/military/library/news/2023/11/mil-231120-unicef01.htm>, reported, **"The escalating humanitarian crisis in Sudan over the last seven months has reached a grim milestone in Darfur, where at least 5 million children are facing extreme deprivation of their rights and protection risks due to ongoing conflict."**

Since the war broke out on April 15, over 3,130 allegations of severe child rights violations have been reported in the country, with the Darfur region bearing at least half of the cases. This is just the tip of the iceberg, with severe under reporting due to communications blackouts and lack of access."

"Tanzania prevents MEPs from investigating Maasai abuses," Survival International, September 6, 2023, <https://www.survivalinternational.org/news/13729>, reported, **"Tanzania has prevented a delegation of MEPs from visiting the country, despite previously agreeing to allow them in to investigate human rights abuses against the Maasai in the name of conservation."**

The Greens/European Free Alliance group of MEPs has called the government's move 'an incomprehensible decision.'

The Maasai have lived for generations in the Serengeti ecosystem in Tanzania and have shaped and protected these lands, preserving wildlife and biodiversity in areas such as Loliondo, the Ngorongoro Conservation Area and the now Serengeti National Park. However, they have been systematically marginalized and violently evicted from their ancestral lands to make way for conservation projects, tourism, and trophy-hunting schemes, violating their human and constitutional rights.

This has also happened with the support of conservation NGOs like the Frankfurt Zoological Society (FZS), and European funding.

There has been a rise in human rights abuses against the Maasai in recent years, including forced evictions from their ancestral lands using violence and intimidation; shooting; unlawful arrests and detentions; and torture.

The Tanzanian government has also stopped access to vital social services, such as health services in Ngorongoro, as a weapon to force the Maasai out of their ancestral land.

Joseph Oleshangay, a Maasai Human Rights Lawyer, said today: 'Yet again, we have witnessed the MEP visit be halted by the Tanzania government. In May, 2023, Tanzania's ambassador promised in broad daylight that they would not block the visit by MEPs. These broken promises are just a little of what is befalling the Maasai from a repressive regime that wants to dispossess us of the land in favor of luxury hunting groups and hotel investment. But this is yet more evidence - they have so much to hide. The situation on the ground is indescribable. They can only allow a visit if they can use it as a rubber stamp. We thank the MEPs for standing by principles.'

The head of Survival's Decolonize Conservation campaign, Fiore Longo, said today:

'It's the elephant in the room: the land theft and abuses against the Maasai are obvious - as is the unwillingness of the Tanzanian government to finally respect the rights of the Maasai. Western governments and conservation organizations like the Frankfurt Zoological Society, however, continue with their racist and colonial behavior, pretending everything is fine. They are

again leading the way with money and “expertise”, as the rights of Indigenous peoples are trampled upon in the name of “nature conservation”.

"French government scraps funding plan for Kahuzi-Biega National Park, citing human rights concerns," Survival International, July 20, 2023, <https://www.survivalinternational.org/news/13710>, reported, "- **German government ignores requests to cancel its own funding.**

In a landmark decision, the **French government has scrapped its plan to fund the controversial Kahuzi-Biega National Park in the Democratic Republic of the Congo. The park is famed for its population of lowland gorillas, but it has been the scene of countless atrocities against the Indigenous Batwa people who were evicted from it in 1975.**

A report last year by Minority Rights Group documented atrocities committed against the Batwa by the park’s rangers, including the burning alive of children, gang-rape, torture and murder.

The French authorities were planning to start financing the park through the state development agency AFD, but earlier this month, in a reply to Senator Guillaume Gontard, France’s Minister of State for Development, Francophonie and International Partnerships, Chrysoula Zacharopoulou, confirmed that the plan has been scrapped. Ms. Zacharopoulou said:

'It has been abandoned, in line with our requirement for the respect of human rights.'

Survival supporters have sent thousands of emails to the AFD protesting at its funding for conservation projects that cause massive human rights violations on Indigenous lands in Africa. However, the German government has so far refused requests from Survival International and other human rights organizations to abandon its own funding of the park, and continues to support it. Since October 2022 it has contributed around \$US690,000.

Linda Poppe, Director of Survival Germany, said today: 'While we’re naturally delighted that **the French government has finally seen sense and abandoned its plan to pour hundreds of thousands of taxpayers’ euros into this notorious park, we’re dismayed that the German government seems intent on carrying on.**

'How much blood needs to be spilt, how many women raped, how many houses burned, for the German authorities to finally recognise that the whole fortress conservation model on which the park is based is fundamentally flawed.'

Fiore Longo, head of Survival’s Decolonize Conservation campaign, said: 'The French decision is a huge victory for the Batwa’s resistance to the brutal takeover of their lands, and a big success for their and Survival’s campaign. Now the German government must follow suit, otherwise it will stand on the wrong side of history. Its silence in the face of these atrocities is shameful.'

"Kenya government illegally evicts Ogiek from their ancestral forests during King Charles’s state visit," Survival International, November 3, 2023, <https://www.survivalinternational.org/news/13787>, reported, "**In the midst of King Charles’s state visit to Kenya, local authorities have begun brutal evictions of the Ogiek people from their homes in the Mau Forest.**

Rangers from the Kenyan Forestry Service and Kenyan Wildlife Service in collaboration with the Kenyan police are illegally evicting up to 700 Ogiek people from their homes in the name of conservation. Footage and images show Ogiek homes destroyed, some even burned to the ground.

It has been reported that rangers are forcing some Ogiek people to tear down their homes themselves, in an attempt to claim that the communities are leaving voluntarily.

Daniel Kobei, Ogiek spokesman and chair of the Ogiek People's Development Program (OPDP) said today: "We want to tell King Charles to say to the President of Kenya 'respect the law.

Ogiek of Mau must get their land rights.'" He added that the Ogiek "are living in absolute fear" and "have nowhere to turn".

The OPDP has described the evictions as a 'humanitarian crisis.' Ogiek elders have tried to engage with government bodies to stop the evictions but to no avail. Some claim that the evictions are related to the carbon credits market that Kenya's government has been promoting during the recent Africa Climate Summit 2023.

Over the years, Kenya's authorities have carried out many violent and brutal evictions of the Ogiek, destroying homes and property and even killing Ogiek who tried to rescue their property. Ogiek land was handed out to third parties and political cronies who logged much of the forest for substantial profits.

As a result, the Ogiek went to court to assert their land rights and won. **Two landmark rulings by the African Court on Human and Peoples Rights (ACHPR) upheld the Ogiek's land rights in the Mau Forest.** The 2017 ruling found that the government had violated the Ogiek's land rights, and explicitly recognized the Ogiek's crucial role in conserving and protecting the Mau Forest.

In blatant violation of the ACHPR ruling the Kenyan government continued to evict Ogiek communities from the Mau Forest. The Ogiek took their case to the African Court again. In 2022 the Court delivered a reparations ruling setting out what the government owed to the Ogiek for not complying with the 2017 ruling.

The Ogiek are a hunter gatherer people numbering between 20,000 and 30,000. They have lived in the west-central Kenya highlands since time immemorial. Some live deep in the forests, despite government attempts to curtail their hunting. Others have become more settled and grow crops and keep livestock.

The British colonial administration evicted many Ogiek communities during the 1920s - 1940s, with no consultation or compensation, to create game parks and forest reserves. Since independence, various Kenya governments have carried on with this policy, forcing many Ogiek to become "conservation refugees".

The evictions are typical of the widespread 'fortress conservation', colonial, approach to protecting the environment, which views Indigenous people as a threat to nature; drives them out of their land; and militarizes it to prevent them returning, even though they are the best guardians of the natural world.

Survival condemns the Kenya government's illegal actions, evictions and harassment of the Ogiek, and its violations of the ACHPR rulings. We call on the authorities to uphold the rule of law and recognize the Ogiek's land ownership rights, and to compensate communities who have suffered repeated attacks and destruction of their property."

John Eligon, "‘More Than Just Rugby’: Championship Generates Harmony in South Africa: South Africans are savoring a second consecutive World Cup victory, producing a racial unity that even Hollywood couldn't make up and an escape from the country's troubles," *The New York Times*,

November 2, 2023, <https://www.nytimes.com/2023/11/02/world/africa/rugby-south-africa-world-cup.html>, reported, **"The towering hall thundered with the euphoria of a nation where everyone seemed, for the moment, to have left their differences behind.**

The celebrants spoke Zulu, Sotho, Tswana, Afrikaans and English. They were Black and white, young and old, mining company managers and restaurant waitresses.

They sang and danced together to songs blasting from speakers. They waved South African flags. They wore the same green-and-gold attire of their rugby heroes as they gathered at the Oliver Reginald Tambo airport in Johannesburg on Tuesday to welcome the team home from the championship game in France. A bronze statue of Tambo with a hand aloft stood among the jubilation, as if bestowing his blessing upon a scene made possible by the work he did to topple apartheid."

Krishn Kaushik, "Bunkers, sniper rifles: Deepening sectarian war in India dents Modi's image," Reuters, July 28, 2023, July 28, 2023, 2 <https://www.reuters.com/world/india/bunkers-sniper-rifles-deepening-sectarian-war-india-dents-modis-image-2023-07-28>, reported,

"Summary

Heavily armed rival groups firing at each other from bunkers

Nearly three months later, no sign of resolution to conflict

Embarrassment for Modi as he prepares for G20 summit

Government to face no-confidence motion over violence

State government, police accused of bias

A one-mile stretch of a highway in the lush green foothills of India's Manipur state has become the symbol of a vicious sectarian conflict that has killed over 180 people since May and severely dented the strongman image of Prime Minister Narendra Modi.

The bitter fighting between the Meitei community and the Kuki tribals is in the remote northeast of the country but it has lasted for almost three months, a deep embarrassment for Modi as he prepares to host a summit of G20 leaders in September and contest a general election next year."

Previous tensions turned into violence, in May 2023, when the state high court ordered the government to consider providing economic benefits reserved for the Kuki tribals to the Meiteis.

"India: As new film is released on the Sentinelese, their uncontacted neighbors face destruction," Survival International, October 24, 2023, <https://www.survivalinternational.org/news/13777>, reported, "As a National Geographic documentary about the death of missionary John Allen Chau at the hands of the uncontacted Sentinelese people is released, **campaigners have warned that the imminent destruction of their little-known neighbors, the Shompen, is going unnoticed.**

Great Nicobar Island, home of the Shompen, is in the southern part of the same Indian territory as the Sentinelese. Most Shompen reject contact, but the Indian government is planning a massive development project on the island that would totally wipe them out. It is believed that some of the final clearances for this project are set to be imminently granted.

If the project goes ahead, huge swathes of their unique rainforest will be destroyed – to be replaced by a mega-port; a new city; an international airport; a power station; a defense base; an industrial park; and 650,000 settlers – a population increase of nearly 8,000%.

Indeed, the government's aim is to transform the Shompen's island into "the Hong Kong of India."

Besides the National Geographic film, at least two other films about Chau and the Sentinelese are in production.

Fiona Watson, Survival's Director of Research and Advocacy, said today: 'From the massive media interest in Chau, you might get the impression that the death of one Westerner at the hands of the Sentinelese, who were defending their lives and land, is worth more than the imminent destruction of an entire Indigenous people.

]The Shompen may be less well-known than the Sentinelese, but the threat to their survival is even more acute, as hanging over them is the imminent approval of this mega-project. It's impossible to imagine that the Shompen will be able to survive this overwhelming and catastrophic transformation of their island. The project must be scrapped now. The Shompen, like uncontacted tribes around the world, are totally dependent on their land – if it's destroyed, so are they.'"

"ON OUR RADAR Conflict trends as seen by Crisis Group analysts," International Crisis Group, July 14, 2022, <https://mailchi.mp/crisisgroup.org/this-week-in-conflict-crisis-x7ndmp7lm0-2394809>, reported, **"ROHINGYA REFUGEES At least six Rohingya living in camps in Bangladesh died last week in violence involving rival militant groups, the Arakan Rohingya Salvation Army (ARSA) and the Rohingya Solidarity Organisation (RSO).** The RSO killed five ARSA members in a gunfight, according to Bangladeshi police, after ARSA murdered a refugee community leader. Crisis Group expert Tom Kean says the shootings are the latest escalation in a growing turf war among ARSA, the RSO and other factions. Insecurity has become a major problem in the camps, at least as big as the ration cuts that the UN has been forced to make due to declining international funding. Refugees increasingly fear for their own safety.

You can find our previous On Our Radar entries [here](https://www.crisisgroup.org/our-radar): <https://www.crisisgroup.org/our-radar>."

USAFORUNPFA reported in an August 19, 2023 E-mail, **"Amidst persecution, widespread violence, and human rights violations in Myanmar, an estimated 745,000 Rohingya people risked their lives to flee for safety in 2017. Now, almost 1 million Rohingya refugees live in Cox's Bazar, Bangladesh, in the world's largest refugee center. But conditions in Cox's Bazar are far from easy...**

Many refugees live in tightly packed, temporary shelters that offer little privacy and invite risks for women and girls. Basic services are stretched to their limits at the center. Bangladesh is also prone to natural disasters and refugees have been exposed to floods, cyclones and landslides, which are likely to escalate in frequency and intensity over time. Many Rohingya refugees are entirely dependent on humanitarian assistance — on gifts from private donors like you.

So on World Humanitarian Day, we're humbly asking: Will you make a humanitarian gift to deliver lifesaving care to refugees and displaced people around the world? We set a \$10,000 fundraising goal today to reach more refugees with care, services, and resources (<https://click.everyaction.com/k/68336407/422734188/519894336>)."

International Crisis Group (ICG), "Crisis Mounts for Rohingya Refugees in Bangladesh," Report 335 / Asia 06 December 2023, <https://www.crisisgroup.org/asia/south-asia/bangladesh/355-crisis-mounts-rohingya-refugees-bangladesh>, commented, **"Nearly a million Rohingya remain stuck in Bangladesh, with little hope of going home soon, as violence rises in the camps and international agencies trim their assistance. Donors should scale the aid back up, while Dhaka should modify its approach to allow for long-term planning."**

What's new? Turf wars among armed groups and dwindling aid have worsened dire conditions in refugee camps in Bangladesh, home to almost one million Rohingya since 2017. Dhaka and Naypyitaw are pushing for repatriation to Myanmar, but large-scale returns are unrealistic given insecurity and the absence of citizenship and other protections.

Why does it matter? Pressing for repatriation, Dhaka restricts refugees' freedom of movement and ability to work in Bangladesh. Constraints on aid organisations also push up the cost of delivering humanitarian assistance. Refugees are taking drastic measures – from joining criminal gangs to attempting dangerous migration – simply to survive.

What should be done? Foreign governments can bring immediate relief to Rohingya refugees by upping their support for the humanitarian response. Meanwhile, given the likelihood of a protracted crisis, Dhaka should adjust its policies to increase aid efficiency and refugee self-reliance with support from donors. It should also overhaul the policing of camps.

Executive Summary

Six years after most of them fled Myanmar's Rakhine State, the almost one million Rohingya refugees in Bangladesh are no closer to returning home. While the 2021 coup in Myanmar has further dimmed prospects for large-scale repatriation, security and economic conditions are deteriorating in the overcrowded refugee camps. Local authorities have failed to keep the Rohingya safe from armed groups and criminal gangs fighting for control of the camps. International aid is declining, due to competing priorities and financial constraints, but the Bangladeshi government makes matters worse by restricting the refugees' ability to earn an income. Donors should urgently increase humanitarian assistance closer to its previous level and work with the government to alter its policies so that more refugees have opportunities to support themselves. Bangladesh should also reform the way camps are policed, in part to allow greater civilian Rohingya leadership.

Over the past twelve months, turf wars among rival armed groups have bedevilled the sprawling refugee camps located in Bangladesh's southern Cox's Bazar district. Fighting between the once-dominant Arakan Rohingya Salvation Army (ARSA) and groups such as the Rohingya Solidarity Organisation (RSO) has left scores of refugees dead, while the number of abductions – in which armed groups or criminal gangs hold refugees for ransom – has increased nearly fourfold in 2023. While violence earlier occurred only at night, militants wielding knives and locally made guns now roam the camps during the day, threatening residents and killing rivals. Bangladesh's Armed Police Battalion, which has been responsible for camp security since July 2020, not only lacks the resources to protect refugees, but also appears to be complicit in their troubles: its members are accused of extorting, kidnapping and even torturing Rohingya, who have almost no recourse.

Meanwhile, international support for the Rohingya humanitarian response is dwindling. In 2022, the UN's humanitarian appeal was only 63 per cent funded, and pledges have dropped

even more sharply in 2023 to date. As a result, humanitarian organisations have had to scale back vital services; most significantly, the UN's World Food Programme (WFP) has been forced to cut food rations twice, reducing them from \$12 to \$8 per person per month, or a meagre 27 cents per day. The cuts are devastating because most refugees are heavily dependent on aid; government restrictions designed to prevent Rohingya from integrating into Bangladesh mean that finding legal employment is exceedingly difficult. Rising food prices in the aftermath of Russia's all-out invasion of Ukraine have further exacerbated the problem. There are already indications that the aid cuts are having a range of deleterious effects, from rising malnutrition rates among children to more cases of intimate partner violence.

In early 2023, following two failed attempts at repatriation in 2018 and 2019, Naypyitaw and Dhaka pushed ahead with a pilot project that would see more than 1,000 refugees return in a first phase. Both sides – along with China, which is playing a mediating role – are keen to make progress, albeit for different reasons: Myanmar's military regime believes that returns will help its defence at the International Court of Justice against allegations of genocide in 2017, while Bangladeshi Prime Minister Sheikh Hasina's government hopes that they will play in its favour in the general election scheduled for January 2024. The repatriation attempt is unlikely to succeed, however. Refugees are sceptical of Naypyitaw's assurances of their safety and wary of its refusal to grant them automatic citizenship. They have good reason to be cautious: conditions in Myanmar have got worse since the 2021 coup, and in November fresh fighting broke out in Rakhine State between the military and Arakan Army, one of the country's most powerful ethnic armed groups, making safe, dignified and voluntary return all but impossible.

These three issues – rising insecurity, declining aid and stalled repatriation – are closely intertwined, creating a crisis that threatens to spiral out of control. The Bangladeshi government's restrictions have deepened refugees' reliance on assistance and added to the cost of the humanitarian response. Dhaka's policy is also at odds with a reality in which tens of thousands of refugees are already working informally in cities surrounding the camps, where they are regularly subjected to exploitation due to their illegal status and forced to pay bribes to security officials.

Growing poverty and hopelessness in the camps – fuelled by the lack of near-term prospects of return to Myanmar – have compelled many Rohingya to make difficult decisions, ranging from young men joining armed groups or criminal gangs for pay to families resorting to early marriage of adolescent girls in order to reduce the number of mouths to feed. Thousands of desperate refugees have also undertaken risky journeys in the hope of reaching Malaysia, while an unknown number have quietly returned to Rakhine State despite the dangers or disappeared into other regions in Bangladesh despite rules that normally forbid them to leave the camps.

Bangladesh, in partnership with international actors, needs to break this vicious cycle. It should lay the foundations for a sustainable response that acknowledges the protracted nature of the crisis, even while it continues pressing the Myanmar authorities to create suitable conditions for repatriation. Donors have a crucial role to play in supporting initiatives that build self-reliance and minimise aid dependence, but they can do so only if Dhaka rethinks its policies, permitting activities beyond emergency relief. In the interim, they should bring humanitarian funding back to a level that lets refugees live in dignity, starting with ensuring that they have enough to eat. To address rising insecurity, Bangladesh also needs to overhaul the way it polices the camps, allow greater civilian leadership among the refugee population and take stronger action against criminals who are exploiting the refugee crisis for personal gain."

Danielle Keeton-Olsen, "Small wins for Indigenous Malaysian activists in dispute with timber giant," *Mongabay*, October 4, 2023, <https://news.mongabay.com/2023/10/small-wins-for-indigenous-malaysian-activists-in-dispute-with-timber-giant/>, reported,

"For decades, Indigenous activists in the Malaysian state of Sarawak have found themselves in conflict with timber giant Samling.

In September, Samling agreed to withdraw a lawsuit it filed against SAVE Rivers, a local NGO that publicized concerns about the company's treatment of people living in and around two areas under the company's management.

Samling also lost certification for its Ravenscourt Forest Management Unit, one of the areas of concern in its lawsuit against SAVE Rivers.

Activists in Sarawak say they will continue in their fight to empower Indigenous communities questioning Samling and other industrial giants' plans for their land and resources."

Poppy Mcpherson and Devjyot Ghoshal, "Losing ground to rebel alliance, Myanmar junta faces biggest test since coup," Reuters, November 10, 2023, <https://www.reuters.com/world/asia-pacific/losing-ground-rebel-alliance-myanmar-junta-faces-biggest-test-since-coup-2023-11-10>, reported:

Summary

Rebel alliance stormed outposts, seized control of towns

Junta leadership, facing multiple issues, at weakest since the coup

Around 50,000 people displaced as shelling and airstrikes continue

A rebel alliance has overrun parts of northern Myanmar, including areas bordering China, with resistance to the military junta notching its most significant win since the 2021 coup, according to a rebel commander, diplomats and analysts.

The fiercest fighting has been near Myanmar's border with China in northern Shan state where **three powerful ethnic armed groups have combined to lead an offensive that has taken multiple towns and military outposts in recent weeks.**"

"**Indonesia:** New "catastrophic" footage shows uncontacted tribe near nickel mine," Survival International, October 30, 2023, <https://www.survivalinternational.org/news/13781>, reported, " **Dramatic new video** (<https://secure.actblue.com/donate/3-110423>) **has emerged showing members of an uncontacted Indigenous tribe in Indonesia warning outsiders to stay away, just a few meters from bulldozers destroying their forest.**

Campaigners have warned that **it shows a human rights catastrophe is unfolding on Halmahera island, where logging and nickel mining operations are now penetrating the rainforest of uncontacted Hongana Manyawa people, risking their genocide.**

Survival International's Director Caroline Pearce said today: "Survival has been campaigning against this potential genocide since last year, and this video is unequivocal proof of what we've been saying – that the mining operations on Halmahera are now penetrating deep into the rainforest of the Hongana Manyawa."

Vast areas of rainforest on Halmahera island are due to be logged and then mined for nickel. Companies including Tesla are investing billions in Indonesia's plan to become a major nickel producer for the electric car battery market. French, German, Indonesian and Chinese companies are involved in mining in Halmahera.

In the video, two uncontacted Hongana Manyawa men make clear that they don't want the outsiders to come any further. The bulldozer drivers then rev up their machines in response, apparently causing the men to flee.

After watching the video, an Indigenous person from a neighboring tribe on Halmahera, who did not want to be named, said: "Please stop looting, ruining and destroying the forest which is the home of the Hongana Manyawa."

An estimated 300 to 500 uncontacted Hongana Manyawa people live in the forested interior of Halmahera. Huge areas of their territory have been allocated to mining companies, and in many areas the excavators are already at work.

Weda Bay Nickel (WBN) – a company partly owned by French mining company Eramet – has an enormous mining concession on the island which overlaps with uncontacted Hongana Manyawa territories. WBN began mining in 2019 and now operates the largest nickel mine in the world. German chemical company BASF is planning to partner with Eramet to build a refining complex in Halmahera. This video was filmed near the WBN concession.

The Halmahera rainforests are usually logged before being mined for nickel. **The destruction of the Hongana Manyawa's land is illegal under international law, which says that the Free, Prior and Informed Consent of the Hongana Manyawa is needed for any industrial project on their territory.**

Survival International's Director Caroline Pearce said today: "This video documents a human rights catastrophe unfolding. It shows that the logging and mining operations on Halmahera are invading deep into the rainforests of the Hongana Manyawa.

"For many months, Survival has been warning Eramet, BASF and the electric car companies which need nickel for their batteries that continued mining in this area will destroy the uncontacted Hongana Manyawa, just as similar projects have destroyed other uncontacted peoples in other parts of the world. If they continue after seeing this video, it would be an act of stunning and brutal disregard both for international law and for human life.

"These mining companies should stay out of the Hongana Manyawa's land, period. We call upon the Indonesian government to urgently recognize and protect the Hongana Manyawa's territory."

As part of a national revival of Indigenous heritage, for the coming Women's World Cup soccer championship, city names were to be posted in both Maori and English, and first nations - including Maori - flags were to fly at all the game venues (Natasha Frost, "New Zealand Is Embracing Maori Names," *The New York Times*, July 17, 2023).

Germany, in one of its first steps of Indigenous repatriation, returned to New Zealand the remains of 95 Maori and Moriori People in June 2023 ("New Zealand and Germany: Remains of 95 Maori and Moriori People to be Repatriated," *Cultural Survival Quarterly*, fall/winter 2023).

Michael E. Miller, "Australian vote to give Indigenous peoples a voice to parliament fails," *Washington Post*, October 14, 2023, <https://www.washingtonpost.com/world/2023/10/14/australia-voice-parliament-indigenous-referendum>, reported, **Australians voted against a constitutional amendment on Saturday that would have recognized the country's Indigenous peoples and provided them with an advisory body, or 'Voice,' to Parliament.**

The result had been predicted by polls but nonetheless came as a crushing blow for many Aboriginal and Torres Strait Islander peoples, who saw the referendum as an opportunity for Australia to turn the page on its colonial and racist past."

Byron Kaye, "Corporate Australia takes Indigenous support into its own hands after poll defeat, Reuters, October 16, 2023, <https://www.reuters.com/world/asia-pacific/corporate-australia-takes-indigenous-support-into-its-own-hands-after-poll-2023-10-17>, reported, **"Top Australian companies that backed constitutional recognition of Indigenous people said they respected voters' rejection of the change but would now take their own steps to try to improve opportunities for the country's first inhabitants."**

For example, "Wesfarmers (<https://www.reuters.com/markets/companies/WES.AX>), which counts about 3% of its 120,000 employees as Indigenous and gave money to the "Yes" campaign, already ran programmes to educate, recruit and promote Indigenous people and develop Indigenous businesses" plans to expand its Indigenous work. Airline Qantas (QAN.AX: <https://www.reuters.com/markets/companies/QAN.AX>), said it would take practical steps such as purchasing from First Nations suppliers and providing employment and scholarships to Indigenous people. The largest public company in Australia, miner BHP (BHP.AX: <https://www.reuters.com/markets/companies/BHP.AX>), announced that it would "continue to engage with traditional owners and Indigenous partners, employees and organisations to understand their priorities."

Aaron Bunch, "WA heritage laws a step closer to being axed, National Indigenous News, October 19, 2023, <https://nit.com.au/19-10-2023/8220/wa-heritage-laws-a-step-closer-to-being-axed>, reported, **"Western Australia's botched Aboriginal cultural heritage laws are a step closer to being officially repealed.**

Premier Roger Cook was forced to axe the new laws in August following widespread anger among the farming community.

A bill to scrap the 2021 act and amend and restore the 50-year-old laws that it replaced passed through the WA parliament's Upper House late on Tuesday. Mr Cook said he expects the new laws to come into operation next month."

Rudi Maxwell, "WA Police fail to appear before inquiry into murdered Indigenous women and children," *National Indigenous Times*, October 4, 2023, <https://nit.com.au/04-10-2023/7955/wa-police-fail-to-appear-before-inquiry-into-murdered-indigenous-women-and-children>, reported, **"Western Australian police have refused to attend a Senate inquiry into missing and murdered First Nations women and children.**

Before the public hearing began in Perth on Wednesday, Senator Paul Scarr and Senator Dorinda Cox – an Indigenous former WA police officer - both detailed their disappointment.

They said senior New South Wales officers had answered questions at a previous hearing in Sydney.

Senator Cox said the police no-show was disrespectful to the families of missing and murdered Indigenous women and children, many of whom had shared their tragic stories with the inquiry earlier this year."

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DIALOGUING

THE EARTH IS IN THE HANDS OF THE FOSSIL FUEL INDUSTRY: COP28 FAILS TO DELIVER URGENT ACTION ON PHASING OUT FOSSIL FUELS

Bryan Bixcul*

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<https://www.culturalsurvival.org/news/earth-hands-fossil-fuel-industry-cop28-fails-deliver-urgent-action-phasing-out-fossil-fuels>.

It's been almost 30 years since the first UN Framework Convention on Climate Change Conference of the Parties (UNFCCC COP) in 1995, yet greenhouse gas emissions have continued to rise every year. Fossil fuels are poisoning everything around us. There is a reason why Mother Earth has kept these elements trapped within her depths. At UNFCCC COP28, held November 30–December 12, 2023, in Dubai, the world spoke in one voice, calling for an end to fossil fuels. However, the power of big oil companies with access to closed-door sessions and petrostates influenced the outcome document of the first Global Stocktake.

The first Global Stocktake concluded what we already knew: participating countries are not collectively on track to achieve the purpose of the 2015 Paris Agreement, which aimed at limiting global warming to well below 2°C above pre-industrial levels, and ideally limiting the temperature increase to at most 1.5°C above pre-industrial levels to reduce the risk and impacts of climate change. At the same time, the 2021 Sixth Assessment Report of the Intergovernmental Panel on Climate Change found that human activity, mainly through greenhouse gas emissions, has already caused global warming of about 1.1°C, and that limiting global warming to 1.5°C would require cutting greenhouse gas emissions by 43 percent by 2030 and 60 percent by 2035, relative to 2019 levels.

The Global Stocktake outlines the goal of “[transitioning] away from fossil fuels in energy systems in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050 in keeping with the science.” This is the best metric the world could achieve in the Global Stocktake when addressing the main cause of global warming, though it lacks any meaning when, for example, the United States, the largest oil and gas-producing country in the world, is currently breaking production records. The dearth of language around the need to phase out fossil fuels is proof of the immense power that oil companies hold. Worryingly, the agreement promotes false solutions that do not cut emissions at source, such as abatement and removal technologies like carbon capture and utilization and storage. During the conference, It was almost impossible to escape, both in the streets and online, ExxonMobil ads promoting carbon capture services and so-called “clean energy from hydrogen.” Translation: they get to continue polluting the Earth and then charge us for cleaning it.

Humankind has never had at any point in history the wealth of accumulated knowledge and capacity that we do now, and yet we are failing at the most basic of tests—the one of survival. Though the COP28 presidency touted the agreement of transitioning away from fossil fuels in the Global Stocktake as a success, it is nothing short of an epic fail. How can we be expected to applaud almost 30 years of inaction? We are barely walking at a time when we need to be running.

Tripling renewable energy capacity globally and accelerating the reduction of vehicle emissions through the development of infrastructure and rapid deployment of zero and low-emission technologies are also on the menu for how to limit global temperature rise to the ultimate goal of well below 2°C. In the meantime, we can expect an increase in mining for minerals needed for the transition as countries ramp up the deployment of renewable energy technologies and electric vehicles. We can also expect an increase in greenhouse gas emissions, as it is estimated that the mining industry has been responsible for 10 percent of global greenhouse gas emissions.

A study published in *Nature* found that of 5,097 mining projects globally that involve some 30 minerals used in renewable energy technologies, 54 percent are located on or near Indigenous Peoples' lands and territories. In Africa, that number is as high as 75 percent. Indigenous Peoples' lands span nearly one-quarter of the world's terrestrial surface and contain 80 percent of the world's remaining biodiversity. These lands also contribute to innumerable and invaluable ecosystem functions, such as carbon sequestration, for the benefit of the world. So, how do we make sure that the proposed medicine doesn't also become poison? The answer is that the Just Transition was never designed for Indigenous Peoples. Our lands have been sacrificed in the name of the fossil fuel economy for the last 100 years, and we can predict that the same will continue in the so-called green economy. In fact, we are already seeing it. Strict policies and regulations must be put in place to ensure the implementation of the rights of Indigenous Peoples as prescribed in the United Nations Declaration on the Rights of Indigenous Peoples, including the right to Free, Prior and Informed Consent in all Just Transition efforts that impact the lives of Indigenous Peoples.

All over the world, we are seeing an increase in mining for transition minerals. In Chile, the second largest producer of lithium, mining activity is impacting water systems, causing biodiversity loss and violating Indigenous rights. In Argentina, many more projects to extract lithium have been proposed, and investment is flowing faster than regulations are being updated. In the United States, there is huge pressure to scale up copper, nickel, and lithium mining and to fast-track permits. In Indonesia, there is a massive increase in proposed and active nickel mining projects as large U.S., European, and Asian carmakers are signing contracts with Indonesian producers and governments. All of these cases have something in common: they lack proper processes to obtain the Free, Prior and Informed Consent of impacted Indigenous communities. Consequently, human rights violations are occurring and entire ecosystems are suffering.

“Transition is inevitable, justice is not. So, we have to make justice a central part of this transition. Otherwise we will be doing business as usual,” said Galina Angarova (Buryat), Executive Director of Cultural Survival, commenting during a panel focused on the role of the

banking sector in the Just Transition. “Indigenous leadership and stewardship cannot happen with the status quo, which continues to provide less than one percent of nature and climate finance [to Indigenous Peoples]. This number is disproportionate, with Indigenous Peoples playing a crucial role in managing 80 percent of the world’s biodiversity. The real solution for biodiversity conservation and climate change mitigation and adaptation is supporting Indigenous Peoples’ self-determination.”

Just as COP28 lacked any meaningful commitment to a transition away from fossil fuels, there were no important changes on climate financing for Indigenous Peoples, either. The \$700 million pledged for the Loss and Damage Fund by countries most responsible for climate change pales in comparison to the estimated \$400 billion in loss and damage as a result of climate change impacts experienced by developing countries every year. Wealthy countries that contribute the most to climate change are three years overdue to fulfill their commitment of mobilizing \$100 billion annually in climate finance for low and middle income countries.

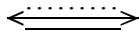
Indigenous Peoples are currently receiving less than one percent of all climate financing. The majority of climate financing goes through intermediaries who have their own interests, which often do not align with the interests and rights of Indigenous Peoples. The best strategy for climate mitigation and adaptation is supporting Indigenous self-determination, which in practice means investing in Indigenous leadership through Indigenous-led organizations, Indigenous governments, and Indigenous-led Funds. Multilateral funding mechanisms should stop treating Indigenous Peoples as a high risk investment and grant them direct and simplified access to funding.

Carbon markets, as established in Article 6 of the Paris Agreement, were also at the center of discussions at COP28. This mechanism has been under scrutiny since its creation because it lacks transparency and has been used to justify violations of Indigenous rights. There was no deal reached between countries demanding the availability of carbon markets and those urging for transparency. As Ghazali Ohorella, an Alifuru representative, said to us, “No deal is better than a bad deal.” The majority of carbon credits are nature-based, such as forest protection and restoration. In many cases, carbon market initiatives involve the establishment of protected areas that restrict Indigenous Peoples’ access to their ancestral lands, waters, territories, and resources. Most of the time, this is done without obtaining their Free, Prior and Informed Consent. (Listen to our interview with Ghazali Ohorella for an in-depth conversation about Article 6.)

Leaving Dubai, we can’t help but wonder what a different world this would be if humanity were valued more than profit, if nature were awarded its inherent rights and not just treated as a commodity. Although we are angry and disappointed, we must continue this fight. In the face of injustice and inaction, Indigenous Peoples do what we’ve always done: we resist. We deepen our relationships with Mother Earth, and we defend her. We share our wisdom with the world, we speak our Indigenous languages, and we tell our stories in hopes that one day, the Earth will be seen for what it is: the most precious being that ever existed and who is deserving of all our love and respect.

Read: International Indigenous Peoples Forum on Climate Change (IIPFCC)'s Closing Statement at COP28 [below].

*Bryan Bixcul is a member of the Cultural Survival Staff.



**INTERNATIONAL INDIGENOUS PEOPLES FORUM ON CLIMATE CHANGE
(IIPFCC)'S
CLOSING STATEMENT AT COP28**

Republished from Cultural Survival, December 13, 2023,
<https://www.culturalsurvival.org/news/international-indigenous-peoples-forum-climate-change-iipfccs-closing-statement-cop28>.

On December 13, 2023, Sarah Hanson (Biigtigong Nishnaabeg) from Indigenous Climate Action read the International Indigenous Peoples Forum on Climate Change (IIPFCC)'s closing statement at COP28.

Boozhoo Aaniin, Hello. My name is Sarah Hanson, an Anishinaabeg youth from Biigtigong Nishnaabeg on the north shore of Gichi Gami of Turtle Island, in what is colonially known as Canada.

Firstly, we would like to thank the COP presidency and all the parties that supported Indigenous Peoples this year and recognise our role as the guardians of our mother earth. In particular we thank the COP presidency for the dialogue with our caucus, especially with the Indigenous Youth.

Thank you for the compromised decision, but we would like to remind all of you that we CANNOT compromise for our mother earth, we CANNOT compromise with protecting ALL living beings, we must act respectfully and reciprocally for the very being that provides us ALL life.

Yes, in this COP, you see Indigenous Leaders and Indigenous Youth in every corner of the venue. We are indispensable to climate action and decisions at all levels but yet our rights and knowledge continue to be relegated to the sidelines in negotiations and established youth spaces. We are not here simply for your photo opportunities, we are rights holders under the UN Declaration of the Rights of Indigenous Peoples and must be at the decision-making table.

Why are we seeing greater numbers of Oil and Gas lobbyists included in closed door negotiations? These individuals outnumbered Indigenous delegates seven times over. They've been given a green light to continue developing our lands, in the name of green colonialism and false solutions. The just transition cannot be an excuse for the extraction of minerals on our lands. We will not allow our rights to be diminished, undermined, combined, or confused in any way.

Regardless of the power imbalances and lack of transparency in the negotiations, we remain committed to ensuring that our voices, our solutions, and our wisdom guide the development of an effective climate strategy. This includes keeping the 1.5 degree celsius target alive, and transformation from the colonial capitalist system that created this crisis and continues to commodify the sacred.

Empty pledges and promises cannot resolve the climate crisis. Our inherent collective rights, knowledge systems and participation have continued to be overlooked in the Global Stocktake and we are worried about the article 28 implementation including Article 6, Loss and Damage, Climate Finance, Just Transition and Adaptation texts adopted this morning.

We are frontline defenders, stewards and keepers of sacred relationships and knowledge necessary for a sustainable future. Our peoples have been sounding the alarms and science has finally caught up with what Indigenous Peoples have already known for generations, you must listen. Failing to do so, further puts Indigenous Peoples AND the world at extinction.

Our Indigenous knowledge, our ways of life and solutions will bring forward the future we all need. Our inherent wisdom and stewardship of Mother Earth, ARE the solution to the climate crisis and you know it. We were the first caretakers of this planet and we will continue to ensure she breathes properly, we simply hope you will join us.

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**COP28: INDIGENOUS LEADERS FROM AROUND THE WORLD UNITE
IN HISTORICAL CALL
FOR CONSENT ON MINING PROJECTS DURING ENERGY TRANSITION**

Republished from Cultural Survival, December 7, 2023,
<https://www.culturalsurvival.org/news/cop28-indigenous-leaders-around-world-unite-historical-call-consent-mining-projects-during>
Press Contact: Leysha Caraballo, 980-255-0882, leysha@team-arc.com.

100 Indigenous leaders and allies join letter directed at COP28 delegates to ensure Indigenous Peoples' rights are secured in the clean energy transition

Today, 100 Indigenous leaders, organizations, and allies from around the world released an open letter to COP28 delegates urging them to fight for policies that recognize Indigenous People's rights to consent to mining projects on their ancestral lands as mining expands during the ongoing clean energy transition.

The leaders signing the letter open their call to action by noting that Indigenous communities are among the global leaders in demanding climate action, highlighting Indigenous leadership in clean energy adaptation. However, the letter also makes clear that 54% of mineral deposits identified as needed in the energy transition globally are located on or near Indigenous Peoples' lands. The call to action by Indigenous leaders and groups demands the recognition and protection of

Indigenous Peoples’ rights to have a say in decisions about mining projects in these areas, specifically emphasizing the right to Free, Prior, and Informed Consent (FPIC), as outlined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the International Labour Organization (ILO) Convention 169.

“As we make the vital transition to clean energy, we cannot afford to duplicate the status quo that prioritizes oil, gas, and mining companies drilling and mining on our sacred ancestral lands at will. It is imperative that Indigenous communities around the globe participate meaningfully in decision-making and are able to exercise our right to give or withhold consent to these mining projects that impact our land, livelihoods, and cultures,” said Galina Angarova (Buryat), Executive Director of Cultural Survival and Co-Chair of the Executive Committee of the Securing Indigenous Peoples’ Rights in the Green Economy (SIRGE) Coalition. “As stewards of our land and our rich histories, we must have a seat at the table to ensure a just transition to clean energy that protects and respects Indigenous Peoples all over the world.”

The letter notes that, historically, fossil fuel and mining companies have put profits first and mined in a way that trampled on human rights, exploited and abused workers and Indigenous Peoples, and contaminated local air and water – effectively destroying many impacted communities and cultures.

Emphasizing Indigenous voices, the letter asserts the need for Indigenous involvement from the initiation of any proposed mining project on ancestral lands, arguing that overlooking such voices perpetuates the status quo of the fossil fuel and mining industry. Participants of the letter emphasize that indigenous subsistence, cultural practices, and priorities must take center stage in negotiations, policies, and decision-making processes, with enhanced levels of engagement and transparency.

As the world looks towards COP28, Indigenous leaders are asserting their role as frontline advocates for climate action and clean energy. They state that COP28 is crucial for taking quick global actions to ensure Indigenous People’s self-determination. This goes beyond politics, aiming for a more inclusive world that protects cultural heritage while simultaneously protecting the earth.

Below is an excerpt from the letter:

“We acknowledge and emphasize that it is more important than ever to transition to clean energy and clean transportation solutions, and away from fossil fuels such as oil, coal, and gas. Indigenous leaders have been calling for climate action around the world for decades. We have ancestral, cultural, and spiritual ties to our lands that not only require our participation in climate advocacy but also call us to commit to the proper stewardship practices of nature that are deeply rooted in our

ways of life. Many Indigenous leaders are pursuing and championing clean energy and transportation solutions on their territories that align with their self-determined needs and goals. These Indigenous-led solutions need to be acknowledged, recognized, promoted, and funded by States and private entities.

While we are at the forefront of the fight for climate action and clean energy, our profound connection to our ancestral lands also puts us on the frontlines to ensure that these lands will not be sacrifice zones for those companies and politicians who seek a quick fix in the name of climate solutions. Our commitment to a just transition doesn't overshadow our firm stance against mining practices that occur without obtaining FPIC of Indigenous Peoples and can lead to displacement; migration; and livelihood, cultural, and language loss. We firmly assert that mining operations must adhere to responsible practices guided by the FPIC framework, which upholds the right to self-determination of Indigenous Peoples. We, Indigenous Peoples, hold an inherent and inalienable right to make decisions about the future of our lands, territories, and resources."

[The letter with] a full list of letter signers can be found here: <https://www.culturalsurvival.org/news/letter-cop28-delegates-indigenous-leaders-allies-ensure-indigenous-peoples-rights-are-secured>.

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IEN AT COP28, WEEK ONE

INDIGENOUS Environmental Network, "IEN at COP28, Week One"

Republished from IEN December 8, 2023,
<https://www.mynewsletterbuilder.com/email/newsletter/1416745165>.

As we enter the second week of the UN Framework Convention on Climate Change 28th Conference of Parties (COP28) Dubai, we want to uplift some of the IEN's delegation's efforts to lift the concerns of Indigenous Peoples to influence negotiations at the largest ever climate summit with our network. IEN has participated in every UNFCCC COP since COP4, and this year we brought our largest delegation to date.

According to news reports, COP28 president Sultan Ahmed Al Jaber, also the head of the United Arab Emirates state-owned oil company, announced in a letter to parties, dated July 2023, COP28 would focus on four areas including fast-tracking energy transition and slashing carbon emissions before 2030; transforming climate finance; putting nature, people, lives and livelihoods at the center of climate action; and mobilizing for the most inclusive COP ever.

But, with an influx of some 2,400 fossil fuels lobbyists and 475 carbon capture

lobbyists to this COP, presided over by the head of a petro-state and oil executive, and decades of little to no real action to mitigate the effects of climate chaos already being experienced by Indigenous Peoples, doubts run high that any of the above stated goals will occur.

Add to that scenario a new report by the Global Carbon Project cited in the Energy Mix Newsletter of the Climate News Network projecting that “fossil fuel emissions—including oil, gas, coal, and cement—will rise again this year by 1.1% to a record 36.8 billion tonnes, accounting for 90% of carbon pollution from human activities,” and the European Union’s Copernicus Climate Change Service announcement that 2023 will be the hottest year ever recorded, and many people are tempted to resign themselves to an emotional state of hopelessness.

As if all that were not enough negativity to cause the strongest believers in human will and ingenuity to solve the direst of social issues to accept defeat, COP28 president Al Jaber on Nov. 21, 2023, ranted that abandoning fossil fuels (which should be at the heart of COP28 talks) risks putting us “back into caves.” He also falsely claimed that there is “no science” to support a total phaseout of fossil fuels, to meet global temperature goals that are centered in the summit’s negotiations. Al Jaber’s remarks were first reported by The Guardian, which posted a video of the discussion between Al Jaber and former president of Ireland and UN special climate envoy Mary Robinson.

But, despite the summit being overcast with doubt and even “mired in controversy and confusion”, according to a Dec. 5, 2023 CNN op-ed after Al Jaber’s rant, Indigenous groups like IEN are participating as fully as possible, co-hosting forums, webinars, and joining allied NGOs’ forums to have their voices heard. To Indigenous Peoples, Mother Earth is a living being that sustains us and all of life. Indigenous Peoples are charged with responsibility for her protection, thereby protecting all of life, including all of humanity. Our relationship to the natural world and our reliance on our ecosystems leaves Indigenous communities disproportionately affected by the consequences of Climate Change.

The Indigenous Peoples Caucus, or the International Indigenous Peoples’ Forum on Climate Change (IIPFCC) had but two minutes during the COP28 opening plenary to share their opening statement, which outlined their core concerns and assert their “inherent, distinct, internationally recognized rights” to influence the negotiations. Some key points in the IIPFCC statement include,

“This includes the development of a strong Article 6 grievance mechanism, loss, and damage strategies that prioritize prevention, just transition that respects our rights and knowledge, and the creation of finance and funding mechanisms that are designed by and directly accessible to Indigenous Peoples from all regions.

Carbon markets and offsets, geo-engineering, mal-adaptation technologies, “Net Zero” frameworks and “Nature-based solutions” do not cut emissions and instead create new forms of colonization, militarization, criminalization, and land loss. We call for a moratorium on such activities that violate our rights.”

At this year's COP, the IIPFCC calls for the creation of a mechanism for presenting grievances when carbon trading and offset schemes might impact the rights and lands of Indigenous peoples, strategies that prioritize the prevention of catastrophic loss and damage from Climate Change, direct access to funds when damage occurs, the equitable phaseout of fossil fuels and a Just Transition that respects Indigenous Rights and Traditional Indigenous Knowledge.

IEN is an active member and participates in several working groups to include the Local Communities and Indigenous Peoples Platform (LCIPP) through the Facilitative Working Group. Two esteemed members of our delegation, Faith Gemmill and Mary Lyons have attended and presented a number of interventions as Traditional Knowledge holders.

Further, **IEN youth delegates and IEN Ring of Fire cohort members** Jack Collard (Nyoongar Nation) and Sterling Peterson (Smølqmix, Siksika, Syilx), and Elvis Ferreira Oliveira Rakaxinawa (Huni Kui Indigenous Peoples, Amazon) have been active in the Indigenous Youth Caucus and LCIPP, alongside of the Traditional Knowledge Holders

On the first day of the climate summit, IEN hosted a press conference, IEN Executive Director Tom BK Goldtooth said,

“We all stand united in collective decision, demanding a phase out of fossil fuels. Our Indigenous Peoples organization has very serious concerns about Article Six of the Paris agreement. The carbon markets that are currently being negotiated have far reaching negative effects. Article 6.2, for an example, would be the largest global carbon trading platform with plans to launch in 2025. Parties do not question the functionality of carbon trading. After over 25 years of evidence of failures, Article 6.4 could become the largest carbon offsets trading platform.”

IEN also has been active at the summit educating about false solutions to climate mitigation, such as carbon markets, which assign a market value to carbon isolated in forests, peat bogs as a way to reduce emissions by issuing credits for sale. The notion to buy and sell or trade pollution as a commodity is absurd to our Indigenous worldviews and Original Instructions. The notion of bringing air and the elements of air into a market system is an affront to Natural Law that Indigenous Peoples have a responsibility to uphold, Goldtooth explained.

The IEN delegation has participated in a number of events, actions, and meetings with States and other stakeholders. Below are a few of our highlights from COP28 so far.

- Nov.30, 2023, IEN delegates Brenna Two Bears, Julia Bernal and Eriel Deranger in the press conference, “Defending The Sacred: Indigenous Peoples Against False Solutions and Article 6.” A UNFCCC COP28 Webcast. <https://www.ienearth.org/defending-the-sacred-indigenous-peoples-against-false-solutions-and-article-6/>
- Dec. 1, 2023 IEN Keep It In The Ground Organizer Brenna Two Bears presented on a “Power Redistributed” panel discussion of what local to global solidarity means when

fighting fossil fuels and on Saturday, Dec. 2, IEN hosted a panel called, “False Solutions vs Real Solutions to the Climate Crisis: Indigenous Water Protectors Defending Their Livelihoods, Lands and Territories.” Programs Director Kandi White facilitated the discussion with IEN’s Tom Goldtooth, Shyrlene Oliveira da Silva of the HuniKui Indigenous Peoples of the Amazon, and Jack Collard of the International Engagement Organisation, Jayce Chiblow of Indigenous Climate Action. <https://www.ienearth.org/defending-the-sacred-indigenous-peoples-against-false-solutions-and-article-6/>

- Dec. 4, 2023, IEN Carbon Pricing Educator Thomas Joseph Tewenaldi presented at “Beyond the Green Façade: Unmasking the True Costs of Hydropower – Insights from River Protectors.”
- Dec. 6, 2023, Arctic Side Event, “Article 6 on the Ground: Real Solutions Instead of Dangerous Distractions,” featuring IEN’s Climate Geoengineering Organizer, Panganga Pungowiyi and Climate Justice Program Coordinator Tamra Gilbertson. <https://www.ienearth.org/cop-28/>

Be sure to check back at our website for updated information on upcoming events, reports, video replay, and transcripts for webcasts, and more insight and reports from our delegation members.

IEN and COP28 across the web....

Media hits: Nov. 30 - Dec. 8, 2023:

Democracy NOW!: December 8th: <https://www.youtube.com/watch?v=lZDsJ-nz-GI> .

More:

□

<https://www.washingtonpost.com/climate-environment/2023/11/21/fossil-fuel-lobbyists-climate-summits/>

□ <https://grist.org/global-indigenous-affairs-desk/heres-whats-at-stake-for-indigenous-peoples-at-cop28/>

□ https://www.kunm.org/local-news/2023-11-30/sandia-pueblo-activist-calls-for-total-phase-out-of-fossil-fuels-at-cop28?fbclid=IwAR2yyihWVuc5j4Li0P_Ep6dQNqyN-LpNYRqsE2tyLuAfvqeb2PVI9IOYL3E

□ <https://insideclimatenews.org/news/02122023/cop28-indigenous-leaders-agenda>

□ <https://news.mongabay.com/2023/12/despite-progress-small-share-of-climate-pledge-went-to-indigenous-groups-report/>

□ <https://www.kalw.org/show/your-call/2023-12-05/record-number-of-fossil-fuel-lobbyists-at-climate-conference-in-dubai>

□ <https://etcgroup.org/content/stop-carbon-offsetting-now>

□ <https://climatenetwork.org/wp-content/uploads/2023/12/05.12.2023.pdf>

□ <https://www.commondreams.org/news/carbon-offsetting>

□ <https://www.kunm.org/local-news/2023-11-30/sandia-pueblo-activist-calls-for-total-phase-out-of-fossil-fuels-at-cop28>

□ <https://www.euronews.com/green/2023/12/05/cop28-record-number-of-fossil-fuel-lobbyists-at-un-climate-conference-campaigners-say>

□ <https://ndncollective.org/cop28-ndn-collectives-first-week-at-cop28-in-dubai/>

- ❑ <https://priceofoil.org/2023/12/01/ogda/>
- ❑ <https://earthworks.org/blog/cop28-day-2-the-demand-for-phase-out-is-growing/>
- ❑ <https://www.idea.int/blog/indigenous-inclusion-more-democratic-global-climate-regime>
- ❑ <https://theshillongtimes.com/2023/11/28/cop28-india-too-has-no-option-than-to-invest-in-nature/>
- ❑ <https://indiaeducationdiary.in/cop28-india-too-has-no-option-than-to-invest-in-nature/>
- ❑ <https://daily.jstor.org/climate-justice-climate-reparations/>
- ❑ <https://www.environewsnigeria.com/cop28-civil-society-negotiators-to-demand-for-ambitious-comprehensive-transition-package/>
- ❑ https://www.starvedrock.media/news/national/record-fossil-fuel-lobbyists-as-climate-talks-face-off-hardens/article_d7af2653-a1b5-5804-9d9f-cd234a90c5db.html
- ❑ <https://actualnewsmagazine.com/english/confident-or-worried-negotiators-focus-on-fossil-fuels-at-cop28/>
- ❑ <https://www.theguardian.com/environment/live/2023/dec/05/cop28-live-energy-in-focus-after-scientists-reject-presidents-fossil-fuel-comments?filterKeyEvents=false&page=with:block-656ec8b18f083c53400b6ed5#block-656ec8b18f083c53400b6ed5>
- ❑ <https://www.urdupoint.com/en/world/cop28-fossil-fuel-battle-hardens-despite-new-1774437.html>
- ❑ <https://www.rfi.fr/en/environment/20231205-no-agreement-in-sight-as-cop28-delegates-wrangle-over-phasing-out-fossil-fuels>
- ❑ <https://www.daily-sun.com/post/724570>
- ❑ <https://www.reuters.com/business/environment/activists-protest-against-fossil-fuel-industry-cop28-climate-summit-2023-12-05/>.

CLOSING STATEMENT OF THE INTERNATIONAL INDIGENOUS PEOPLES' FORUM ON CLIMATE CHANGE AT UNFCCC SB58

The following is the Closing Statement of the International Indigenous Peoples' Forum on Climate Change at UNFCCC SB58 meeting in Bonn, Germany, delivered on June 15, 2023.

Republished from Cultural Survival, June 16, 2023, <https://secure.actblue.com/donate/thanks-npv?source=typ-an-petition-npv>

˘ Thank you, Mr. Chair. *Pahad ni maagaw tayon amin.*

My name is Asami from the Ikalahan-Kalanguya cultural community in the Philippines, and I am speaking on behalf of the Indigenous Peoples Caucus.

Indigenous Peoples have been practicing just, equitable, and climate resilient solutions for generations. Our knowledge, science, practices, and innovations benefit all humanity and safeguard biodiversity.

For Indigenous Peoples, climate change is a matter of life and death. State actions continue to fall short and climate change continues to devastate our lands, territories, and

resources as well as our cultures and economies. Parties must urgently deliver their commitment to the Paris Agreement in a manner that respects and protects human rights, including our rights as enshrined in the UN Declaration on the Rights of Indigenous Peoples.

We must have direct and simplified access to and management of new, predictable, and sustainable climate finance available to all seven socio-cultural regions. We call for parties to ensure active participation of Indigenous Peoples in the decision-making of the loss and damage fund, which must strive for prevention while also addressing the cultural losses connected to our identities and lifeways.

Adaptation must ethically and equitably engage with Indigenous Peoples' knowledge systems to prevent maladaptation and violations of our rights. Mitigation efforts must include real reductions at the source, and ensure that the green energy transition does not recreate the removal, dispossession, and criminalization that Indigenous Peoples continue to face in the current energy system.

We look forward to working and continuing our relationship with the COP 28 presidency to create a space for our effective participation and leadership inclusion, including of our youth, women, and persons with disabilities.

Thank you.

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**CLIMATE IS THE FIGHT OF OUR LIFETIME
OUR FEDERAL BUDGET SHOULD REFLECT THAT**
*More than half of discretionary spending goes to the military.
Only a tiny fraction addresses the most urgent threat to our security.*

Lindsay Koshgarian, Alliyah Lusuegro, "Climate Is The Fight Of Our Lifetime
Our Federal Budget Should Reflect That"

Republished from *Foreign Policy in Focus (FPiF)*, September 20, 2023, <https://fpif.org/climate-is-the-fight-of-our-lifetime-our-federal-budget-should-reflect-that>. Originally published in *OtherWords*.

As the hottest summer in human history approached its end, tens of thousands of climate marchers rallied in New York to call for bold climate solutions. Meanwhile, lawmakers in Washington lurched toward another fight over the federal budget.

More than ever, the U.S. needs to get serious about climate. And to do that, we need to re-prioritize what's in that budget.

As it stands, more than half of the discretionary budget that Congress allocates each year goes to the Pentagon. Until the passage of the Inflation Reduction Act last year, the average taxpayer gave \$2,375 each year to the military — and just \$6 to renewable energy projects.

The Inflation Reduction Act marked the most significant commitment to reducing fossil fuel emissions in U.S. history. But it still falls far short of the need if we are to avoid the most devastating effects of climate change.

Those ravages are already on display. In the United States, summer was a boiling cauldron of heat domes and wildfire smoke and awash with floods and tornadoes — all worsened by climate change. The deadliest wildfire in U.S. history claimed hundreds of lives in Maui. The rest of the world suffered too.

Normally temperate parts of Europe roasted in the heat. Thousands of people have died and gone missing in Libya, where whole communities were washed into the sea by flooding. At our southern border, migrants escaping climate chaos throughout our hemisphere are seeking refuge only to be preemptively denied an opportunity to apply for asylum — a violation of national and international law.

Climate change is making each of these human disasters deadlier and more frequent.

It's easy to feel overwhelmed by the scale and horror of it all. But the U.S. is in a unique position to contribute to solutions. As the wealthiest country in the world, we have the resources and knowledge to lead the way. We also bear the responsibility of having released more fossil fuel emissions over our history than any other country.

Unfortunately, our anemic contributions to global climate programs fail to meet either the need or our responsibility for this great threat to world security. Instead, in the name of security, we throw hundreds of billions of dollars every year into war and weapons.

This year, Congress looks likely to approve an \$886 billion (or higher) military budget. But debate is nearly absent on increasing global climate aid, which last year totaled just \$1 billion.

Worse still, the Pentagon itself is part of the problem. It's the most carbon intensive institution in the world, responsible for 75 percent of federal government emissions. Boeing's B-52 Stratofortress, for example, uses as much fuel in an hour as an average car driver consumes in seven years.

And the biggest Pentagon contractors emit even more than the Pentagon itself. Instead of looking for ways to reduce these emissions, some members of Congress are now making efforts to excuse Pentagon contractors from even reporting their emissions — a serious backstep in holding big-time industrial polluters accountable.

There can be no security without climate solutions. For our own safety and the world's, we can and must do more. It's time to reorder our federal budget priorities to address this global threat before it boils over any further.

Climate change is the fight of our lifetime. It's time we spent our money like we knew that.

*Lindsay Kosgharian directs the National Priorities Project (NPP) at the Institute for Policy Studies. Alliyah Lusuegro is the NPP outreach coordinator.

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BIDEN PROPOSAL FOR FOSSIL FUEL LEASING ON PUBLIC LANDS CALLED 'MASSIVE CLIMATE FAILURE'

Jessica Corbett

Republished under a Creative Commons license (CC BY-NC-ND 3.0) from *Common Dreams*, July 20, 2023, <https://www.commondreams.org/news/biden-oil-and-gas-leasing>.

President Biden is blowing an opportunity to end oil and gas extraction on public land as the world reels from one climate catastrophe to the next," said a Center for Biological Diversity campaigner.

Years after U.S. President Joe Biden campaigned on a promise to ban new oil and gas leases on public lands, his administration earned fresh criticism from green groups on Thursday with a proposal to update regulations for the federal fossil fuel leasing program.

The U.S. Department of the Interior unveiled a proposed rule for the outdated fiscal terms of the onshore oil and gas leasing program. Bureau of Land Management (BLM) Director Tracy Stone-Manning said it "aims to ensure fairness to the taxpayer and balanced, responsible development as we continue to transition to a clean energy economy."

However, advocacy organizations including the Center for Biological Diversity slammed the rule as a "massive climate failure."

"This is a cowardly proposal that fails the basic climate imperative of ending fossil fuel expansion and phasing out production," said Taylor McKinnon, the center's Southwest director. "President Biden is blowing an opportunity to end oil and gas extraction on public land as the world reels from one climate catastrophe to the next. This dangerous plan would ravage more of the landscape with fracking while sealing our fate of increasing megafires, more preventable heat deaths, a shrinking Colorado River, and runaway wildlife extinctions."

The center is among more than 500 groups that responded to the rule with a letter urging Biden to "rapidly phase down federal fossil fuel extraction and production on public lands" to near-zero by 2030, as part of the global effort to meet the 2015 Paris climate agreement's 1.5°C goal.

"Any rule that fails to phase out oil and gas production on public lands will sacrifice human lives, ecosystems, and entire species at the altar of fossil fuel corporations and their insatiable quest for profit," McKinnon warned. "It will be another shameful addition to Biden's record alongside the Willow project, his thousands of new drilling permits, and his rollback of environmental laws to enable illegal fossil fuel pipelines."

Biden successfully challenged former President Donald Trump three years ago in part by pledging to take the climate emergency seriously and reverse the Republican's attacks on the

planet. While the Democrat has certainly made some progress, particularly compared with his predecessor, he has also come under fire for failing to live up to what he promised as a candidate.

The BLM's new proposal comes as both Biden and Trump are running in the 2024 presidential contest and as much of the Northern Hemisphere is dealing with extreme heat intensified by global warming that has been largely driven by fossil fuels.

"Even as record heatwaves bake the country and floods ravage eastern states, the Biden administration continues to cozy up to Big Oil," said Nicole Ghio at Friends of the Earth. "President Biden can't be a climate leader unless he addresses the root cause of the climate crisis: fossil fuels. Turning a blind eye to his broken leasing program proves once again that Biden is content to fiddle away while the world burns."

As the Western Environmental Law Center (WELC) highlighted Thursday, the BLM "telegraphed its modest intentions for the proposed rule in its November 2021 *Report on the Federal Oil and Gas Program*, which we noted at the time failed to live up to its billing as a 'comprehensive review' responding to the climate crisis."

Several campaigners sounded the alarm over that report, which was produced in response to a Biden executive order. One critic said that "greenlighting more fossil fuel extraction, then pretending it's OK by nudging up royalty rates, is like rearranging deck chairs on the Titanic," a sentiment that was echoed by a WELC senior attorney on Thursday.

"Following months of consecutive climate disasters, the Bureau of Land Management's determination to rearrange deck chairs instead of deploying lifeboats is deeply disturbing," said WELC's Melissa Hornbein. "Coming from an administration that kicked off its tenure with some of the loftiest climate rhetoric of any government on the global stage, Interior's obdurate reaffirmation of the status quo is staggering."

Some advocacy groups were more tempered in their responses to the rule, while still stressing the need to end such leasing.

"These changes were badly needed—to put it mildly—and will help make onshore leasing more fair to taxpayers and hold industry accountable for its harms," said Josh Axelrod, senior policy advocate at the Natural Resources Defense Council. "The agency is aiming to limit leasing to areas with existing development and the most viable resources, and is clarifying how it will implement fiscal reforms in the Biden administration's historic climate law."

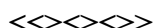
"But we can't continue to lease our public lands for fossil fuels while facing climate and biodiversity emergencies—and what is truly key moving forward is for the agency to forge an approach for measuring and mitigating the program's impact on climate," Axelrod added.

Public Citizen president Robert Weissman similarly said that "these rules are a welcome change from the long-standing status quo of policies that provide giveaways to the oil and gas industry. Antiquated rules incentivize oil and gas corporations to shirk their obligation to clean

up the mess they create, leaving old, rusty wells pocking the national landscape and foisting the cleanup bill on taxpayers."

"Today's proposed rules would impose realistic financial requirements on oil and gas corporations to pay for the remediation of old, decrepit wells, as federal law requires," Weissman pointed out.

"While these rules are helpful, the Biden administration's proposal continues with the climate-destroying practice of leasing federal lands for drilling, which is entirely out of sync with the administration's climate goals," he emphasized. "But as long as drilling exists on public property, corporate polluters should be held to a high standard for operating and cleaning up their wells."



LEAVE NO ONE BEHIND: WE NEED A RIGHTS-BASED APPROACH TO CLIMATE DISPLACEMENT

Anju Anna Johnstefano Balbi

Migration needs to be approached as a form of reparation by countries and businesses that have historically contributed most to the problem we face today.

Republished under a Creative Commons license (CC BY-NC-ND 3.0) from *Common Dreams*, July 18, 2023, <https://www.commondreams.org/opinion/climate-displacement>.

In 2015, the United Nations Member States agreed to 17 Sustainable Development Goals, or SDGs, that are rooted in three universal values including a human rights-based approach, ensuring that no one is left behind, and working to eliminate gender inequalities. At the center of the 2030 Agenda for Sustainable Development and the 17 SDGs is the principle of leave no one behind, or LNOB.

Although not legally enforceable, LNOB symbolizes a global commitment to reach out to the most marginalized and vulnerable, as we work towards a development that does not adversely affect our planet. It requires that we look for solutions for those most affected by environmental change today before it becomes a ubiquitous problem affecting all of us.

In this context, a scientific article published in *Nature Sustainability* in May 2023 by Timothy Lenton (founder of the Global Systems Institute at the University of Exeter) and colleagues estimates future human exposure to unlivable conditions due to climate change in the ranges of 2.0 (± 0.2) billion by 2030 and 3.7 (± 0.4) billion by 2090. In this work, the scientists consider the human cost of climate change as the number of people who would no longer be in the "human climate niche"—a concept that is shaped by the direct effects of climate on humans and the indirect effects on the species and resources that sustain or afflict us. Their analysis tells us that global warming of 0.7°C between 1960 and 1990 has already put around 624 (± 70)

million people outside this human climate niche. The change in demography during this period has added another 77 million to this figure.

In the worst-case future scenario—where the world reverts to fossil-fueled development and has a population of 9.5 billion at the end of the century—the study found that 5.3 (± 0.6) billion people would be left behind. We would then be looking at a world where about half the world's population would no longer be able to live in regions they once considered home.

Despite the startling figures, this information about environmental change driving migration is not new. As early as 1990, the climate scientists at the Intergovernmental Panel on Climate Change (IPCC) had already sounded alarm bells on how “the greatest single impact of climate change” was going to be on human migration, and displacement resulting from shoreline erosion, coastal flooding, agricultural disruption, etc. Twenty years later, at the Cancun Agreement of 2010, the international community finally recognized the issue of “climate change induced displacement, migration, and planned relocation.”

Later, the 2015 Paris agreement set up a Task Force on Displacement. The task force was established with the mandate to “complement, draw upon the work of, and involve... existing bodies and expert groups under the convention... as well as relevant organizations and expert bodies outside of the convention, to develop recommendations for integrated approaches to avert, minimize, and address displacement related to the adverse impacts of climate change.”

Additionally, it was to assist the Executive Committee to implement its five-year work plan on “enhanced cooperation and facilitation in relation to human mobility, including migration, displacement, and planned relocation.” The task force is now in Phase 2 and collaborating with experts towards increasing the knowledge base on slow onset events and thematic technical work, while also building capacity. During this time, the U.N. Member States adopted the Global Compact for Migration to support international cooperation on the governance of international migration.

Despite the latest policy milestones, its execution has been staggered due to a lack of consensus on whether to approach this as a human rights, a security, or a responsibility issue. Decisive action under any of these approaches has largely been hindered by the lack of a clearly recognized definition for the affected individuals. Various studies have reported climate change to be a “threat multiplier” or “a tipping point” to already existing socioeconomic issues. This would mean that the interplay between climate, conflicts, and poverty would work to exacerbate the vulnerability of individuals.

Still, the decision to migrate is not as straightforward as determining an individual's vulnerability. Complex interconnections between political, economic, social, environmental, and demographic factors affect an individual's decision to migrate. Thus, predicting and attributing responsibilities in the case of migration driven by climate change and environmental factors becomes an onerous task.

Defining Human Migration Due to Environmental Changes

To begin with, the international bodies are yet to agree on a common term to refer to human mobility affected by global environmental change, with options ranging from “environmentally induced displacement” to “climate migrants.” Indeed, the terminology used would have implications for the legal and political policies that are developed: Countries have generally been hesitant to agree on a legally coded label that would hold them responsible for this additional humanitarian crisis. However, states and international institutions have also avoided recognizing climate migrants within existing legal frameworks.

Leaders of Small Island States like Kiribati have previously expressed their distaste for the term “climate refugee” and their unwillingness to be associated with the negative connotation of being victims in need of protection. The government has instead opted to focus on upskilling its citizens, so that they could positively contribute to the places they relocate to. Further, it has also bought 22 square kilometers of land in Fiji, in the hopes that some of its citizens could move there if their lands become uninhabitable.

Apart from this rationale, Dina Ionesco—the Head of the Migration, Environment, and Climate Change Division at the U.N. Migration Agency—and her team have been working to build an argument to demonstrate how climate change affects human mobility. In her article advocating to term such individuals as “climate migrants” instead of “climate refugees,” she points to the key aspects that define climate change-induced human mobility that are crucially different from the understanding of “refugees.” Climate migration is mainly taking place within the same state, and migrants do not seek out the protection of another state or the international community. Unlike the situation of refugees (who are generally fleeing war, violence, conflict, or persecution), climate migrants are not necessarily forced to leave and the decision to move is generally by choice. Furthermore, given the difficulty in isolating environmental reasons in an individual’s decision to move, the legal procedures might work against the people seeking protection in such situations.

In its majority opinion in the Individual Complaint by Ioane Teitiota, in September 2020 the Human Rights Committee recognized that climate refugees cannot be returned home. However, in this particular case, the committee believed that sea level rise might only render Kiribati unliveable in 10 to 15 years and this was sufficient time for the government of Kiribati to work with the international community to take protective measures.

One of the two dissenting opinions distinguishes between the serious situation where there were sufficient protections and a dignified life. The Committee’s decision to overlook the existing difficulties in growing crops or accessing safe drinking water and choosing to talk about climate refugees as the reality of humans from a dystopian world in the future is rather callous for a human rights treaty body.

Thus, we are now living in a time when there is increased acceptance of the fact that climate change will drive increasing populations away from their homes. Surprisingly, we still seem to be naively optimistic in our ability to find a solution in the next 10 to 15 years, despite not having addressed it in the past three decades. And while many on the planet still have the

luxury to remain apathetic about environmental changes rendering regions of the world uninhabitable, many are already living in those regions and trying to make the decision to migrate.

Attributing responsibility

The question then becomes one of attributing responsibility to a state or international agency that should step up and take measures to adapt to this environmental change. In July 2022, the Member States of the United Nations voted to recognize the individual's right to a clean, healthy, and sustainable environment. However, while the individual might now have this right, the duty-bearer who has the obligation to respect, protect, promote, and fulfill these rights is less clear.

In the jurisprudence established over the last 30 years, we have come to accept the concept of "Common But Differentiated Responsibilities and Respective Capabilities." It recognizes the different capabilities and duties in combating climate change and the negative effects of it based on an entity's historical contributions and differing capabilities.

In this context, how does an individual who is highly vulnerable to the effects of climate change find recourse, when their state is not in a position to provide for a dignified life and ensure their right to a "clean, healthy, and sustainable environment"? Who should they turn to for assistance?

For example, people in Bangladesh are routinely affected by floods, and, despite the government's efforts in disaster mitigation, it has fallen short of adequately responding to this situation and simply does not have the resources. In such situations, will the international community limit itself to humanitarian assistance after each new natural disaster (which, the scientific community has assured us, will happen with increasing frequency)? Or, will we step up and take measures to find more durable solutions?

Or, perhaps we will have to wait for the advisory opinion of the International Court of Justice that is currently hearing a motion brought forward by the Republic of Vanuatu seeking clarification on the existing obligation of states to protect future generations against the adverse effects of climate change.

A Human Rights-Based Approach

Developing a human rights-based approach to the issue of climate change is at the heart of climate justice. It involves working on adaptation for those that are already suffering the consequences of a problem they barely contributed to, even as we work towards reducing global greenhouse gas emissions.

Another key aspect to consider when looking at migration as adaptation is the inequality in the right to move. As countries from the Global North seek to address the migration "crisis," the solution does not lie in restricting entry and tightening borders (which is rarely effective in curbing migration), but in creating safe and legal channels for migration. Migration needs to be

approached as a form of reparation by countries and businesses that have historically contributed most to the problem we face today.

In a welcome move, researchers are already working towards computing and quantifying the costs and responsibilities of fossil fuel companies and countries. A study by Grasso and Heede published in May 2023 sought to quantify the economic costs owed by fossil fuel businesses for future climate catastrophes expected between 2023 and 2050. Collectively, the estimations for the world's top 21 fossil fuel companies come up to \$5.4 trillion in reparations.

While this article might not generate sufficient political will in addressing this issue by itself, more scientific research that approaches the issue of climate change from a human rights-based perspective is crucial if and when world leaders resolve to take decisive action to address climate justice issues. In the spirit of leaving no one behind, ensuring safe and regular channels for migration as a part of climate change adaptation deserves just as much attention as efforts to cut down on carbon emissions and supporting ecosystems and diversity.

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SIRGE COALITION STATEMENT ON THE CRITICAL RAW MATERIALS ACT*

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<https://www.culturalsurvival.org/news/sirge-coalition-statement-critical-raw-materials-act>

European Parliament's recognition of Indigenous Rights a positive step, but the law fails to fully recognize the sovereignty of Indigenous Peoples

The Securing Indigenous Peoples' Rights in the Green Economy (SIRGE) Coalition (<https://www.sirgecoalition.org>) celebrates that the European Parliament included Indigenous Peoples' right to Free, Prior and Informed Consent, as enumerated in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), in their official position on the Critical Raw Material Act (CRMA) adopted on September 14, 2023. This is a positive step toward making EU transition legislation just and sustainable.

Yet, the adopted Critical Raw Materials Act does not fully protect Indigenous Peoples' rights. If not addressed and corrected during the coming trilogues, remaining gaps could threaten Indigenous Peoples' rights and lead to resistance that could have detrimental effects not only on the well-being of Indigenous communities but also on the success of the European Green Transition. Over 50% of mining for energy transition minerals takes place on or near Indigenous Peoples' territories.

The CRMA is meant to contribute to the development of a green economy in the EU that promises to be environmentally and socially responsible. The SIRGE Coalition calls on European Member States to follow the European Parliament leadership and adopt Critical Raw Materials legislation that guarantees the rights of Indigenous Peoples, including the right to Free, Prior and Informed Consent.

Nevertheless, we regret that FPIC has not been included in the certification schemes as a specific criterion in Annex IV as proposed in Amendment 23. Although ANNEX IV (Criteria for certification schemes (b)(ii)) of the Critical Raw Materials Act contains positive wording on Indigenous Peoples, this is too vague to guarantee their rights.

Additional points of concern:

- **Using the concept of “public interest” and “overriding interest.”** There is no clear definition of the term "overriding public interest" that some projects will receive, which leaves many questions unanswered (Article 7, numeral 2, numeral 19). The term "overriding public interest" could potentially allow a balancing of interests between fighting global warming and the economic benefits of a mining project against Indigenous Peoples' interests and rights. Historically in such situations, Indigenous communities are burdened disproportionately. In worst cases, Indigenous territories could be sacrificed for a mining project on the grounds of "overriding public interests" when the project is considered particularly important.
- **A whole-text approach is not taken to include Indigenous Peoples' rights and Indigenous communities are conflated with local communities.** The inclusion of Indigenous Peoples in the term "local communities" dilutes the meaning and strength of Indigenous Peoples and undermines the protection of their specific rights. The wording “Indigenous Peoples” and “Indigenous Peoples’ rights” need to be included in all relevant text in the CRMA.
- **The CRMA adopted by the European Parliament fails to protect Sámi Peoples’ rights.** The Coalition regrets the omission of Amendment 15, which would have required that projects planned or implemented under this Act must respect the rights of the Sámi Peoples. As a result, it sends a message that the CRMA is already failing to ensure the rights of Indigenous Peoples. As the Stockholm Environmental Institute observes, there is “No green future without securing Indigenous Peoples’ rights.” reporting that mining has a long-term and grave impact on Sámi communities, economies, and cultures of northern Sweden, where the majority of mines are located.

Below are statements from SIRGE coalition members.

“We applaud the inclusion of the Free, Prior and Informed Consent, as enumerated in the UN Declaration on the Rights of Indigenous Peoples, as required criteria for projects to be considered ‘Strategic Projects’ in the European Parliament’s official position. And while this is a very positive development, we urge the European Parliament, the Commission, and the Council to secure FPIC in the certification schemes criteria. Indigenous Peoples’ rights are not negotiable. Our future and the future of our children depend on decisions made today.”
— **Galina Angarova (Buryat), Executive Director, Cultural Survival**

“Inclusion of Free, Prior and Informed Consent in the Critical Raw Materials Act is a strong step towards ensuring the integration of Indigenous Peoples' rights and perspectives in decisions that affect their livelihoods and lands. A stronger step is a whole-text approach to ensure that the considerations and criteria necessary for robust economic decision-making are prioritized via policy.”
— **Kate R. Finn (Osage), Executive Director, First Peoples Worldwide**

“The fast-tracking of strategic projects in the Critical Raw Material Act poses considerable risks for the Saami People in Europe and for Indigenous Peoples worldwide. The inclusion of Free, Prior and Informed Consent as a criteria to assess strategic projects is an important first step, but falls short of truly safeguarding Indigenous Peoples' rights, leaving too much room to circumvent these criteria altogether.”
— **Christoph Wiedmer, Co-Director, the Society for Threatened Peoples**

“We welcome the steps taken by the European Union to protect human rights and the rights of Indigenous Peoples. However, based on the practices and experiences that exist, we believe it is important that effective control mechanisms and real, rather than declared, interaction with Indigenous Peoples be created.”
— **Pavel Sulyandziga (Udege), President, Batani Foundation**

“We commend the inclusion of Free, Prior and Informed Consent in the European Union’s Critical Raw Materials legislation. FPIC is a fundamental right of Indigenous Peoples to determine their own priorities for their lands, territories, sacred sites and resources. But EU Parliament leaders must ensure that the right to FPIC is respected, required and independently verified at every step of the implementation process as well. The EU must not place Indigenous lands and rights at risk from irresponsible mining.”
— **Payal Sampat, Mining Program Director, Earthworks**

**The SIRGE Coalition is a coalition of Indigenous Peoples and leaders, who, along with our allies, champion a just transition to a low-carbon economy. Members of the Coalition include Cultural Survival (<https://www.culturalsurvival.org>), First Peoples Worldwide (<https://www.colorado.edu/program/fpw/>), Batani Foundation (<https://www.colorado.edu/program/fpw/>), Earthworks (<https://www.colorado.edu/program/fpw/>), and the Society for Threatened Peoples (<https://www.gfbv.ch/en/>).*

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THIRTY YEARS AFTER THE REVOLUTIONARY WOMEN’S LAW, THEY DENOUNCE “PERMANENT WAR” AGAINST THE PEOPLES

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On August 5 and 6, 2023, 181 women delegates and councilwomen of the CIG-CNI, 27 girls and boys, 14 comrades and 7 support comrades from the Afro-Mestizo, Afro-Mexican, Binni Zaa, Chol, Chontal, Coca, Kora, Guarijío, Kumiai, Maya, Mazahua, Mazateca, Mepha, Mestizo, Na savi, Nahuatl, Nayerí, nuntajiyi, Nñhañhu, Odame, Otomi, Purépecha, Rarámuri, Tojolabal, Totonaco, Tzotzil, Tzeltal, Wixárika, Yaqui and Yoreme peoples met at the *Samir Flores Soberanes House of Indigenous Peoples and Communities* in Mexico City.

During this meeting, the women denounced the megaprojects that are currently advancing throughout Mexico and the various attacks against women defenders of water, their lands, traditions and territories. They pointed out and discussed how the current system destroys nature and the communities that relate to it. In the statement they made public, in which they reflect part of what they worked during these days, they also said: “we recognized the capitalist, racist and colonial patriarchal power system in the megaprojects, in the mining concessions, in the logging, in the repression, in the overexploitation of water, in the contamination, in the persecution”. They discussed how megaprojects “attempt to eliminate the sources of hope for the women and peoples of the world who struggle for a world of peace, justice, freedom and joy.”

The dialogue focused on their communities: they talked about the ones they have today and the ones they want to build. They talked about patriarchy and the violence they experience individually and collectively. They shared experiences and knowledge, both old and new, in order to continue walking, resisting and fighting for the protection of water, nature and their territories.

They made a call to:

- To continue organizing as women to continue the struggle and maintain the hope that, in a few years, girls and boys will see the war and violence against women as a simple memory that will never be repeated because that is what they see on the horizon.
- To continue participating in the assemblies, in the positions, in the decision making from their way of being women and to invite other compañeras to join the struggle.
- To the National Indigenous Congress to meet to prepare actions around October 12 for its 27th anniversary.
- To the communities, organizations, collectives and civil society in general to remain attentive to what is happening in Zapatista territory and to generate actions in our geographies that demand a halt to the war against the Zapatista communities and peoples.
- To continue consolidating networks and bridges between us women and with the peoples of the world who resist against this system of death, because this struggle is for life.

You can see the full statement in Spanish here: <https://www.congresonacionalindigena.org/2023/08/06/pronunciamiento-del-encuentro-nacional-de-mujeres-del-congreso-nacional-indigena-concejo-indigena-de-gobierno/>.

PRONOUNCEMENT OF THE NATIONAL WOMEN'S MEETING OF THE NATIONAL INDIGENOUS CONGRESS-INDIGENOUS COUNCIL OF GOVERNMENT

AUGUST 6, 2023

30 years after the Zapatista women (*compañeras*) achieved the approval of their Revolutionary Women's Law, which has allowed them to put into daily practice a world free of machismo and violence, and together with the *compañeros*, in autonomy, to participate in the construction of a dignified life, which is a source of inspiration for our struggle in our territories, on August 5 and 6, 2023, we gathered on August 5 and 6, 2023 in the First Internal Meeting of Women of the National Indigenous Congress (CNI), in the building recovered by the Otomi Community Resident in Mexico City and converted into the "House of Indigenous Peoples and Communities Samir Flores Soberanes" 181 women delegates and councilors of the CIG-CNI, 27 girls and boys from 1 to 12 years old, 14 *compañeras* and 7 support comrades.

We participate from the Afro-Mestizo, Afro-Mexican, Binni Zaa, Chol, Chontal, Coca, Kora, Guarijío, Kumiai, Maya, Mazahua, Mazateca, Mepha, Mestizo, Na savi, Nahua, Nayerí, Nuntajiyi, ñhañhu, Odame, Otomi, Purépecha, Rarámuri, Tojolabal, Totonaco, Tzotzil, Tzeltal, Wixárika, Yaqui, Jalisco, Michoacan, and Yoreme peoples from the states of Baja California, Campeche, Mexico City, Chiapas, Chihuahua, Chihuahua, Colima, Mexico State, Guerrero, Jalisco, Michoacan, Wixárika, Yaqui and Yoreme from the states of Baja California, Campeche, Mexico City, Chiapas, Chihuahua, Colima, State of Mexico, Guerrero, Jalisco, Michoacán, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, Sonora, Tlaxcala, Veracruz and Yucatán.

We are the women who fight, who organize ourselves, who learn to say NO to mistreatment, NO to silence, NO to war; we learn to take care of ourselves, to respect each other, to motivate ourselves; we invite ourselves to participate in the struggle for the defense of the territory and of all life. We call ourselves *hope* because we take it as our responsibility to ensure a tomorrow for future generations.

We offered our energies to the four cosmic points, we remembered our history as women of the CNI and we recognized the system of capitalist, racist and colonial patriarchal power in the megaprojects, in the mining concessions, in the logging, in the repression, in the overexploitation of water, in the contamination, in the persecution. When the military, the cartels, the megaproject companies arrive, such as the inter-oceanic corridor, the "Mayan Train" and the Morelos Integral Project, which are accompanied by multiple forms of dispossession of ejidos and communal property, destruction of life and territories with industrial parks, development poles, toxic waste dumps and energy projects such as gas pipelines; exploitation of hydrocarbons in our territories. With this, we lose peace, violence increases against us, against our daughters and sons, against people of sexual diversity and against our partners; they turn us into sexual objects, they disrespect us, they kidnap us, they sell us, they rape us, they beat us,

they kill us. Women defenders of Mother Nature and the rights of our peoples who confront these megaprojects are criminalized, harassed, discredited, slandered, imprisoned, tortured, and murdered.

They destroy the Mother Earth that feeds us, they pollute the air we breathe and the water we drink. They drive us from our own territories, force us to take refuge in the mountains or migrate to the cities. We get sick and in the health centers they do not give us quality care, they discriminate against us; they exercise obstetric violence against us; there are no medicines or materials; we have to buy everything and we have no money. In the schools, they continue to marginalize our cultures; the majority of the teachers despise peasant life and our ancestral knowledge; they instill in our daughters and sons the false ideas of progress instead of love for the land and our cultures and many of them allow themselves to be carried away by the attraction of easy money and fall into the nets of all kinds of illicit trafficking.

They try to control our peoples with their crumbs of projects, with fear or division.

The maximum expression of this patriarchal and colonial capitalist system is the permanent war, in Mexico, against the Zapatista Peoples and the indigenous National Congress, which at this moment keeps us in a state of alert due to the intensification of harassment and attacks against our peoples and in other places in the world, such as in Kurdistan. They are trying to eliminate these sources of hope for the women and peoples of the world who struggle for a world of peace, justice, freedom and joy.

But we resist and we will resist to go against the tide. Women and men defend and resist from the strength of our assemblies, from our spirituality and ancestral medicine, from the knowledge of our grandmothers and grandfathers and those we are building, from the spaces of healing that we recover, from the networks that we build among our peoples and with our brothers and sisters in other regions of the planet and with our comrades in solidarity in the cities.

We also know that the patriarchy is very large but that it descends and inhabits us, hurts us and we are fighting to eradicate it. We see that it is urgent that we strengthen this fight that we have already started from our bodies and our territory. For this reason we demand:

Stop the imposition of mega-projects of death, such as the Mayan Train, Inter-Oceanic Corridor and the Morelos Integral Project.

Stop the war against the Zapatista peoples and communities and the National Indigenous Congress.

From this meeting of women we call:

- To continue organizing ourselves as women to continue the fight and maintain the hope that, in a few years, girls and boys will see the war and violence against women as a simple memory that will never be repeated because that is what we see on our horizon.

- To continue participating in the assemblies, in the roles, in the decision making processes from our way of being women and to invite other *compañeras* to join the fight.
- To the National Indigenous Congress to prepare the actions around October 12 for our 27th anniversary.
- To the communities, organizations, collectives and civil society in general to remain attentive to what is happening in Zapatista territory and to act in our geographies that demand a halt to the war against Zapatista communities and peoples.
- To continue consolidating networks and bridges between us women and with the peoples of the world who resist against this system of death, because this struggle is for life.

**FOR THE INTEGRAL RECONSTITUTION OF OUR PEOPLES,
NEVER AGAIN A MEXICO WITHOUT US
NEVER AGAIN A MEXICO WITHOUT US, WOMEN WHO FIGHT
MEETING OF WOMEN OF THE CNI/CIG**

(Translation from Spanish by the Americas Program team)

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**INDIGENOUS VOICES BRING A REALITY CHECK AT THE ASSEMBLY OF THE
PEOPLES OF THE EARTH FOR THE AMAZON
BRAZILIAN AMAZON INDIGENOUS WOMEN UNITY (UNIÃO DAS MULHERES
INDÍGENAS DA AMAZÔNIA BRASILEIRA, UMIAB) IN AN INTERVIEW WITH
AMERICAS PROGRAM.**

Gabriel Leao*

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<https://www.americas.org/indigenous-voices-bring-a-reality-check-at-the-assembly-of-the-peoples-of-the-earth-for-the-amazon/>

“We expected the Brazilian government to have opened these doors for Indigenous peoples. We don’t need three or four minutes—we need to have an amicable conversation with those interested in keeping the Amazon breathing and keeping Indigenous peoples alive. Sooner or later this door will open.”

While the media’s attention was focused on the politicians and their entourages, the indigenous assembly revealed the fundamental fault in government planning for protection of the Amazon. Even before the meeting, indigenous organizations and allies issued a statement decrying the lack of conditions for indigenous participation in the summit. The missive concluded: “to address the Amazon agenda without the effective participation of the Indigenous Peoples that inhabit it, shows the lack of awareness of how we live, and the roles we play in favor of maintaining and defending the forests.”

Researcher and activist Priscila Olliveira from Survival International’s Brazilian chapter told the Americas Program, “It is alarming that Indigenous peoples weren’t summoned to

a central place at the table since they have been the best guardians of the Amazon Forest for millennia.”

The Articulation of Indigenous Peoples of Brazil (APIB) considered the presidents’ ‘Letter From Belém’ insufficient due to the lack of concrete goals. In a public statement, APIB’s executive coordinator Kleber Karipuna stated the following: “The document should be more ambitious. We understand there is a diversity of perspectives involving eight countries, and we recognize that political commitments were made, but the absence of specific and objective goals related to indigenous peoples and the environment is frustrating.”

Olliveira agreed that the state leaders fell short in their closing declaration. “Although (the Summit) made important statements regarding Indigenous rights, including those of the isolated communities, it didn’t establish goals and real actions to be taken by countries.”

Olliveira added: “The main question is: ‘Will the governments really put the survival and welfare of Indigenous peoples over profits?’ This is the main issue. To date, every country covered by the Amazon Forest has not shown that willingness.”

Indigenous women take the lead

The Assembly highlighted how Indigenous women’s leadership is increasing in the region. Indigenous women’s groups including the UMIAB and the National Articulation of Ancestral Indigenous Women Warriors (Articulação Nacional das Mulheres Indígenas Guerreiras da Ancestralidade, ANMIGA), which came with nine women hailing from different biomes., participated actively in deliberations and decisions.

Their influence came out strongly, especially in point 15 of the letter published: “Guarantee and defend the bodies and territories and autonomy of women, and demand the right to a dignified life for Indigenous, black, Quilombola, Andean and peasant women and women of diversity, respecting their culture and ancestral identity in the face of the offensive of neoliberal and patriarchal extractivism. Eradicate all discrimination against women in public establishments and punish all types of violence, sexual violence, femicide, violation of sexual and reproductive rights that impact the lives and bodies of women, girls, their cultures and their worldviews.”

The specific attention to how gender affects those living and fighting for the Amazon is a direct result of women being part of discussions and representing themselves.

“It took many years of struggle to occupy this space by women leaders. Our male leaders joined hands so that this space could also be conquered, because they understood that women’s participation was needed within in these decision-making spaces,” Taurepang said.

She explained, “There was a whole process of preparation for our leaders to occupy this space today, not only to be here, but actually to offer answers to entire indigenous populations that needed to hear the voices of women leaders, with their own autonomous action for their people.”

“Indigenous women are also capable of leaving the village grounds to lead. There are several institutions that for centuries were occupied only by the White man, but today we are experiencing a new moment of building by the indigenous movement. There’s a Ministry of Indigenous Peoples created and managed by a Guajajara Woman (Sônia Guajajara), and an indigenist public agency – FUNAI – led by a Wapichana woman (Joênia Wapichana). These are the results of the struggles of several leaders who never gave up believing that one day their collective goals would succeed.”

Taurepang stated that the unity of Amazon peoples has led to some improvements in recent years in employment and land demarcation, as well as access to education and health care. Pressure from organized Indigenous groups has pushed Brazil’s Supreme Court to vote soon on the land demarcation issue.

NGOs like Olliveira’s also participated in the Peoples’ Assembly. She explained that the role of the NGOs was to express the need for Indigenous demands to be a core part of official negotiations and to exert pressure so that the actions by the governments don’t end up being “new greenwashing, like carbon credit projects that seem to protect Indigenous territories, but in fact violate their rights, the right for free, prior and informed consent.”

Although Indigenous peoples have entered the official halls of powers as politicians and have been given more attention by mainstream media than in the past, they still have an uphill battle to assure that their voices and proposals are heard. Despite some advances, their Assembly showed how out of touch state leaders are in terms of real, on-the-ground solutions to the looming crisis.

Below is the English translation by the Americas of the open letter from the ‘Peoples of the Earth for the Amazon’. The original can be found here: <https://cee.fiocruz.br/?q=carta-dos-povos-da-terra-pela-amazonia>

Peoples of the Earth for the Amazon

Nothing about us without us!

We are the peoples of the Amazon, the largest tropical forest in the world, which regulates the planet’s climate. We live in rivers, forests, fields and cities. We suffer from the devastation, invasions, poisoning and destruction of our territory. We know that attacks against the Amazon are attacks against the planet and the peoples of the world. Therefore, gathered in assembly in the city of Belém, we demand that our governments declare a state of climate emergency in our region and also adopt the following measures:

1. Take all necessary measures to avoid the Amazon’s point of no return, protecting 80% of its territory by 2025, through a plan that guarantees: a) the cessation of all illegal deforestation by 2025, b) achieving zero legal deforestation by 2027, c) repeal the laws and provisions that promote the destruction of the Amazon, and d) rehabilitate, recover and restore deforested and degraded areas.

2. Give out titles for 100% of the territorial claims of indigenous peoples, afro-descendants, quilombolas and traditional communities, ensuring global security (legal and physical) of collective ownership of indigenous territories, respect and territorial protection of isolated indigenous peoples and the guarantee of a gender perspective in land distribution and titling.
3. Considering that the environmental and social costs of oil research and exploration in the Amazon are greater than the economic benefits generated, it is essential to accelerate the energy transition, stop promoting new research and exploration in the Amazon and promote a fair, popular and inclusive energy transition plan, with reparations for the affected peoples and territories.
4. Express our full support for the YES vote in the referendum in Ecuador, to leave oil underground in the mega-diverse zone of Yasuní. With that, we send a message to the world from the Amazon, to tackle climate change and extractivism and defend life. We also support the demands of organizations in Brazil and Guyana, which have won victories against the expansion of hydrocarbons on their coasts.
5. Demand that the governments of the countries that have historically caused the most climate change fulfill their commitments made more than a decade ago to provide 100 billion dollars a year to developing countries for the energy transition, which we defend as a socio-ecological transition.
6. Demand that the nine governments of the Amazonian countries comply with their outstanding climate commitments and substantially increase their Nationally Determined Contributions to the reduction of greenhouse gas emissions, in accordance with the goals established in this document regarding the elimination of deforestation and exit from oil exploration.
7. Guarantee the effective participation of the peoples of the Amazon throughout the energy production chain, as part of the planning, management and governance processes, for the construction of a fair, popular and inclusive energy transition.
8. Halting the expansion of the agricultural frontier: a) sanctioning those responsible for the displacement and expropriation of land in the Amazon, b) strengthening alternatives for an agroecological transition, of agroforestry production and community ecotourism, c) guaranteeing that Amazonian products to be exported or consumed nationally and internationally do not contribute to deforestation, degradation and pollution.
9. Amazonian cities must be built in harmony with nature and provide a dignified life for their inhabitants. For this reason, they need to be planned democratically, guaranteeing a healthy, safe environment for their inhabitants, with public land regulation, adequate housing, the right to water and basic sanitation, mobility, food security, climate and environmental justice.
10. Promote a transition plan to save the Amazon from mining and mercury pollution that (a) annually reduces the use of mercury and illegal mining until its total elimination; (b) prohibit mining activities in protected areas, and indigenous, ancestral and community territories; (c) carry out comprehensive medium-term environmental impact assessments of legal mining activities, to reinforce socio-environmental mitigation plans and establish

the terms of their continuity and future closure; and (d) implement effective measures to remediate people's health and restore ecosystems affected by mercury and mining.

11. Ensure consultations for the free, prior, informed and good faith consent of the Amazonian peoples, in accordance with international dictates such as ILO Convention 169, for projects and production chains with a significant impact on the Amazon.
12. Ensure comprehensive and cumulative environmental impact assessments, carried out by independent entities in the Amazon, for all activities that seriously affect the region.
13. Prohibit the construction of hydroelectric dams and the construction of any infrastructure project that disrespects the rights of peoples and nature.
14. Respect the forms of self-identification, self-organization and self-determination of indigenous peoples and nations, guaranteeing indigenous autonomy and self-government through the implementation of norms that guarantee the rights of indigenous and Amazonian peoples.
15. Guarantee and defend the bodies and territories and the autonomy of women, and demand the right to a dignified life for Indigenous, Black, Quilombola, Andean and peasant women and women of diversity, respecting their culture and ancestral identity against the offensive of neoliberal and patriarchal extractivism. Eradicate all discrimination against women in public establishments and punish all types of violence, sexual violence, femicide, violation of sexual and reproductive rights that impact the lives and bodies of women, girls, their cultures and their worldviews.
16. Combat hunger and inequality in the Amazon, promote popular agrarian reform and effectively ensure the rights to health and adequate food, as well as economic alternatives based on indigenous, community, social and solidarity in the Amazonian territories, strengthening the processes of ecological transition and food sovereignty food, with emergency actions in areas already impacted by large enterprises and illegal activities.
17. Ensure that all people have access to an education that is oriented toward the defense of the rights of peoples in their territories and of nature, strengthening bilingual and intercultural education.
18. Ensure effective protection mechanisms for Amazonian defenders, in accordance with international agreements and national legislation.
19. Guarantee the intellectual property rights of indigenous and traditional peoples in the fight against biopiracy and the appropriation of our knowledge and practices.
20. Rid the Amazon of the scourge of drug trafficking by dismantling laboratories and commercial and financial operations and arresting cartel leaders.
21. Promote water management systems in the Amazon that include: a) the creation of protected water areas to preserve the health of the Amazon basin; b) effective protection of Amazon wetlands; c) prohibition of the use of internationally condemned agrochemicals; and d) recognition of the Rights of Nature.
22. The governments of the Global North and public and private financing entities must stop subsidizing, granting credits and investing in enterprises that destroy the Amazon, and instead direct these resources towards the well-being of indigenous peoples and nature.

23. Classify and incorporate the crime of ecocide into the legislation of Amazonian countries and effectively punish all environmental crimes. We demand that corporations and companies responsible for environmental disasters be prosecuted in their countries of origin and obliged to repair the damage to nature and the Amazonian peoples.
24. Promote financing for the Amazon and ensure that all debt conversions for climate action and/or nature conservation are: a) integral, transparent, direct and with the participation of the Amazonian peoples, b) self-determined, self-organized and self-managed; and c) that current financing mechanisms guarantee participation, control and social supervision to avoid abuses, waste and corruption and; d) that nature is not commodified.
25. Establish a tax on carbon emitted by large polluting industries and agroindustries, to allocate these resources to save the Amazon.
26. Codify and incorporate the crime of ecocide into the legislation of Amazonian countries and effectively punish all environmental crimes.
27. Recognize the Amazon as a subject of rights and guarantee its right to existence, to live free from contamination, to preserve its life cycles, to regenerate itself and to restore its life systems in a timely and efficient manner.
28. Promote the creation of OTCA-SOCIAL so that there is an effective participation of the Amazonian peoples in the Amazon Cooperation Treaty Organization and also to guarantee that the strategies, plans and commitments lead to the effective fulfillment of the points mentioned above.
29. Express our solidarity with the struggles of the peoples of Peru for their rights and against all types of authoritarianism and violence.

We are ready to defend life in the Amazon and on the planet. This is our path and our commitment. Belém do Pará, August 7, 2023.

*Brazilian journalist Gabriel Leao is a regular contributor to the CIP Americas Program, specializing in gender issues and Brazil.

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INDIGENOUS PEOPLES CONTINUE 100-YEAR FIGHT AGAINST LARGE-SCALE GOLD MINING IN THE PHILIPPINES

Dev Kumar Sunuwar*

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For more than a century, the Kankanaey and Ibaloy Peoples of Itogon, Benguet province in the Cordillera region of Northern Luzon in the Philippines have been waging a struggle against the injustices of large-scale corporate mining. As they continue to fight to reclaim their land, lifeways, and resources, they vow to keep fighting as long as it takes—generations, if necessary—until they are successful.

Benguet Corporation (formerly known as Benguet Consolidated, Inc.) is one of the oldest, top-producing gold mining companies in the world. Founded in 1903 by three Americans, Benguet initiated the first underground gold mining operations in Antamok in 1907. It expanded its operations into Acupan and Balatok in 1927, while simultaneously operating several large-scale mines in areas in and around Benguet where Indigenous Peoples had already been engaging in small-scale mining. At one point, as many as 15 mining companies were operating underground mines in Benguet province.

Over the last 120 years, large-scale gold mining has resulted in irreparable damage to the environment and local agriculture, creating severe threats to the lands, water sources, livelihoods, and way of life and displacing Kankanaey and Ibaloy Peoples from their ancestral land. For centuries, the Kankanaey and Ibaloy Peoples practiced small-scale gold mining and trade, along with rice-growing, farming, livestock raising, hunting, and foraging. Because of commercial mining activity, many of the access trails and small-scale mining claims have eroded or become vulnerable to erosion due to abandoned tunnels of the commercial mines, causing accidents, and in some instances, deaths.

None of the 15 mining companies operating in Indigenous territories truly rehabilitated the mined-out areas, instead abandoning their tailings ponds that contained heavy concentrations of toxic waste. Since underground mining relies heavily on timber, logging operations have resulted in further depletion of forest and water resources in the region. Trees and rivers have a special significance for the Kankanaey and Ibaloy, who believe that forests, rivers, and grasslands are a dwelling place for spirits.

Tailings dams were built across river beds in various parts of Benguet to contain the mine waste; Benguet Corporation alone built five tailings dams. Many of these were structurally unsound and incapable of containing the volume of tailings that originated from mills, leaking waste into the major river systems of the province. The agricultural productivity of these ancestral lands has been further compromised by flooding, as the dams impeded the free flow of runoff to the lowlands and forced silt deposits back upstream.

There are more than 1.2 million people belonging to seven distinct Indigenous Peoples in the Cordillera region—the Kankanaey, the Bontoc, the Kalinga, the Ifugao, the Tingguian, the Apayao or Isneg, and Ibaloy—collectively known as Igorots. Prior to colonization by Spain (1521) and the United States (1898), following the Spanish-American War, records reveal that Indigenous Peoples held land and had their own methods and knowledge of managing resources, governed by traditional chiefs. Most of the Indigenous lands that were minable, especially in Benguet province, were simply given to mining companies and individuals who then started mining operations. When the Philippines gained independence in 1946, the government maintained ownership of these lands rather than returning it to the Indigenous Peoples to whom it had belonged. The development projects implemented in these areas exploited their resources without the communities' prior knowledge and consent.

In 1989, after 86 years of underground mining and following the depletion of high-grade gold ores, especially in the Antamok mine, Benguet Corporation began open-pit bulk mining

operations. The open-pit mining disturbed ancestral burial grounds and further destroyed water sources, backyard gardens, and farms. The communities most affected by the gold mining activities, especially the Kankanaey and Ibaloy, vehemently opposed the projects. They formed alliances and began creating barricades and protest marches. Benguet Corporation eventually suspended its operations in 1998 due to strong community opposition.

Buoyed by their success, throughout the 1980s, Indigenous Peoples in the Cordillera region began to unite and stand fiercely against Benguet Corporation. Villagers stormed Benguet's field offices, wielding bolos and farm tools to protest blasting that was destroying homes, and eventually succeeding in pressuring the Department of Environment and Natural Resources to take action. The subsequent investigation found that Benguet had failed to inform residents before blasting or to compensate affected residents.

Despite strong opposition from residents, Benguet Corporation continued its open-pit mining in Itogon. But people continued forming barricades at various open-pit mining sites, with women and children often at the forefront while the men engaged in other campaigning activities. In the 1980s, Benguet Corporation expanded its open-pit mining with Keystone in the village of Ucab, issuing notices to residents to vacate as it moved its operation to upper Ucab. Communities continued to unite, and protests turned violent in the 1990s with numerous barriers erected around the open-pit mines.

Benguet Corporation asserted in 1992 that the barricades built by villagers were costing them 1 million Philippine pesos per day, and in retaliation, accused 200 locals of making severe threats and had arrest warrants issued for them. The villagers were charged with violation of the Presidential Mineral Resources Development Decree No. 463, and the courthouse became the next venue for protest. The case was eventually dismissed in 1994 after Benguet withdrew its complaint.

The children of Ucab formed a group called the Anti-Open-Pit Mining Kids, performing plays and songs of struggle during the protests. "I was then [only 10 years old] studying in grade 4. I joined to create barricades and form a cultural group to show the impact of large-scale mining. That is how I led the movement. Today I am the mother of three kids, but I am still continuing the movement," says Rima Mangili (Eboloi), Deputy Secretary General of the Cordillera Peoples Alliance Provincial Chapter. "We have lost our rivers, our mountains have been destroyed, and also our source of livelihood. We are continuing to protest against the company until our rights over our ancestral land with title is secured, because we can feel and experience the effect caused by the Benguet Corporation. We continue our struggle for the sake of our children and their future," she says.

According to Mangili, every year there are landslides caused by mining tunnels. Houses and churches are sinking, with more and more disasters each year. Indigenous Peoples are demanding companies to pay for the destruction they have caused, give back their land, provide compensation for the damage they have caused, and to rehabilitate the region. Mangili says that while Benguet Corporation has a mining patent on their lands, the Kankanaey and Ibaloy Peoples still have an inherent right to it because it is their ancestral territory.

In 1992, a group of Indigenous communities filed a complaint against Benguet Corporation in the second International Water Tribunal held in the Netherlands. The tribunal called for Benguet to stop the open-pit mines, which were destroying the Antamok River and violating the rights of the Indigenous Peoples there. A similar complaint was also filed in the Permanent Peoples Tribunal held in Bhopal, India the same year. The tribunal found Benguet Corporation guilty of violating International Human Rights law.

The effort was successful in halting the expansion of Benguet Corporation's open-pit mines in the villages of Ucab, Tuding, and Virac, but it was unsuccessful in stopping the activity in Camote Vein in Loakan. When gold deposits were exhausted in Camote Vein, Benguet abandoned the site, leaving a significant hole in the earth. Even after it was formally shut down in 1998, the Grand Antamok Project, Benguet Corporation's open-pit mine in Barangay village, also in Loakan, continued to pose a threat to the environment. The pit contains a substantial body of mining waste and is equally dangerous for the potentially harmful consequences on the shallow agricultural fields and the metal oxides that remain behind. The river system is still being filled with mining waste, so when it rains, the tailings pond overflows, and the nearby towns live in fear of being flooded by toxic waste.

In the early 1980s, out of these life-and-death struggles for the defense of their ancestral land, a confederation of grassroots organizations of Indigenous Peoples of the Cordillera was established. In 1984, the Cordillera Peoples Alliance began launching regional campaigns for the recognition of Indigenous Peoples' rights. In 1997, the Indigenous Peoples Rights Act was passed, aiming to recognize, protect, and promote the rights of Indigenous Peoples, including their right to Free, Prior and Informed Consent.

"We Indigenous Peoples hoped that the law would help in the protection of our ancestral land and facilitate land titling and promotion of our cultural beliefs and traditions, so as to pursue our right to self-determination and give [us] an opportunity to participate in all matters affecting our ancestral land. However, to this day we have not been able to realize any of these rights," says Windel Farag-ey Golinget, chairperson of the Cordillera Peoples Alliance.

In the early 2000s, Benguet Corporation started subcontracting its operations to small-scale miners, and in 2003, the company offered to supply the city with water that would primarily come from the company's mining operations. It proposed to establish a water reservoir at the open-pit mine site in Antamok, a purifying plant in Barangay Tuding, and distribution tanks in Ucab and Tuding, with some of the water to be distributed to Itogon households. But its water project did not gain community approval. When the plan was rejected, Benguet proposed turning the site into a landfill and also attempted to venture into real estate by converting parts of their mining patent into an economic zone.

"We will continue to struggle until the end of our life, and for generations. This is our land and this is our place, we were born here," says Merlyn Waclyn (Kankanaey), chairperson of Pigin Women's Association. "We Indigenous Peoples are suffering the impact. We have no potable water, our rivers have been polluted. Because of big tunnels, our houses cracked and

sank. There are tunnels and holes everywhere. We live under threat; when there is rain, we can't sleep. We are here to protect our land, resources, and livelihood.”

Indigenous Peoples in the area hold the long history of underground mining by the Benguet Corporation responsible for the soil subsidence and irreversible loss of life brought on by manmade disasters. Significant mining disasters have also occurred across the Itogon region.

In 2009, a typhoon struck, resulting in massive landslides in Sitio Luneta in Loakan when a diversion tunnel ruptured. The Ambalanga and Liang Rivers were poisoned and became waste canals as the company flushed its mine wastes into the rivers. In 2016, heavy rain from another typhoon caused a breach in the drain tunnel and a leak in Liang Tailings Dam, where tons of leakage flowed and further contaminated the Agno River.

After a typhoon struck Barangay Virac, Itogon in 2016, enormous sinkholes caused by the Benguet Corporation's tunnel beneath a populated hillside swallowed seven homes and wrecked a number of others. After establishing a danger zone around the hole and relocating 166 households, the Itogon administration warned that many of the nearby homes were in danger of being buried by the sinkhole.

When a typhoon struck the Philippines again in 2018, a tragic landslide occurred in Ucab village. According to reports, 97 people died while many more went missing, and whose bodies were never recovered. Numerous houses collapsed and people were buried alive. Massive landslides also occurred in various other places near the mines, including Barangay Ampucao, Loakan, Gumatdang, Poblacion, Ucab, and Virac. Following the incident in Ucab, the Mines and Geosciences Bureau Central and Regional Office, Cordillera Administrative Region, conducted geological and geohazard assessments and labeled these locations a danger zone.

Mangili is concerned that calamities will strike again if the tunnels are not rehabilitated. She says that several of the abandoned tunnels have not been adequately backfilled, which presents a risk to the local population, particularly during heavy downpours, powerful typhoons, and earthquakes.

The Department of Environment and Natural Resources ordered the closure of 23 mines, including those operated by Benguet Corporation, on February 2, 2017, citing that these mining operations had caused “serious environmental violations, mainly to siltation of rivers, destruction of a functional watershed, and illegal tree cutting. No mining business is allowed to operate in a working watershed that safeguards water sources,” the statement continued. “Water is essential for life. We won't permit any commercial interest that might put the safety of our citizens' drinking water at jeopardy.”

At present, local communities in Itogon are not permitted to work in their small-scale mining tunnels without receiving a permit from the local government. Yet, locals continue in

their small-scale farming, even if it is illegal, to pay for their children's education and basic needs.

For the last several decades, Indigenous Peoples and local communities have continued their campaign to fight for justice and against the Benguet Corporation's threat to further devastate the environment, and to end their control of the mineral resources in Itogon. They contend that Benguet's enterprises exploit natural resources for their own gain while Indigenous Peoples suffer.

Benguet Corporation and other mining enterprises in the area must be held accountable for the suffering that local communities have endured for centuries, and they must return Itogon to the hands of its rightful owners, the Kankanaey and Ibaloy Peoples, and repair the harm they have caused to Itogon. Indigenous Peoples also demand that Benguet Corporation give them back their land, with title, and rehabilitate the area destroyed by mining activity. The government should also recognize and allow communities to operate small-scale mining and compensate the communities of Itogon for damages. True justice is not merely a stoppage of large-scale mining, but upholding their ancestral land rights and rebuilding their agricultural and traditional livelihood.

"For Indigenous Peoples, the land is life. The land is more than a source of livelihood. Thus, we are committed to pursue and continue campaigns against large-scale mining to make them uphold the rights and livelihoods of affected Indigenous communities, protection of the environment, and sustainable use of natural resources for their own development and welfare," says Bestang Dekdeken, Secretary General of Cordillera Peoples Alliance. "We shall continue to strengthen the capacity of Indigenous Peoples to defend ancestral lands and be vigilant of the affected communities and continue raising awareness, advocacy, and lobby work at the local, national, and international levels."

*Dev Kumar Sunuwar (Koits-Sunuwar) is a member of the Cultural Survival Staff.

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DECOLONIZING POLICY RESEARCH AS RESTORATIVE RESEARCH JUSTICE: APPLYING AN INDIGENOUS POLICY RESEARCH FRAMEWORK (IPRF)

Binish Ahmed*

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ABSTRACT

What is required to decolonize policy research in doing knowledge production about Indigenous peoples? Policy studies has been complicit in maintaining a central methodological policy research problem: the ongoing prevalence of hegemonic imperial and colonial knowledge production practices in relation to Indigenous peoples. This problem persists through policy researchers producing anti-Indigenous genocidal *native-place-invisibilization* in scholarship. *Ambiguous relationality* is another mechanism through

which elimination of the natives takes place in research – it is when researchers deliberately/unintentionally omit naming and visibilizing their positionality in relation to the native-places the researchers are working with. Undoing harms emerging from native-place-invisibilization and ambiguous relationality requires a ‘grounded normativity’ oriented *native place consciousness*, naming and visibilization of the native place(s) the researchers work on/with, respecting *sovereign Indigenous research jurisdictions*, and applying an Indigenous Policy Research Framework (IPRF). Decolonization as a solution to the policy problem being tackled in this paper looks like counter-hegemonic radical redistribution of power back to the community when conducting Indigenous policy research. The IPRF approach is formulated using a literature review methodology and consists of guiding questions and principles to help steward the processes of decolonizing policy research. The aim is to support the emergence of radically restorative research justice practices and repair historically harmful relations between knowledge-producing systems/institutions and the Indigenous communities about whom the knowledge production is done.

Introduction

For several years I have been asking, what does it look like to decolonize critical policy and policy research more broadly, as it pertains to knowledge-production impacting Indigenous peoples. This question became particularly pertinent for me as an Indigenous Kashmiri ciswoman in the process of determining the right research framework for my dissertation when studying Indigenous peoples’ resistance to dispossession and displacement from their ancestral lands due to settler-colonial policies. In this process, I observed that both the predominantly *positivist* policy studies and *post-positivist* critical policy studies literature (marginal but growing in policy studies) lacked an appreciation for what is required to do research *for* or *about* Indigenous peoples in reliable ways, as opposed to continuing the historically harmful ways.

Both critical policy research as well as policy studies research more broadly continues to be engaged in ongoing harmful colonial and imperial knowledge production practices. Such research generates harm instead of addressing ‘wicked’ policy ‘problems.’ These works should be understood as scholarship engaged in the structural maintenance of a central/foundational methodological problem with policy research: the ongoing prevalence of hegemonic imperial and colonial knowledge production practices that enact anti-Indigenous genocidal *native-place-invisibilization*. Unless this problem is addressed, the policy studies knowledge production canon will continue to remain implicated directly or indirectly in outcomes of assimilation, annihilation, extermination, genocide, dispossession, displacement, and extractive violences faced by Indigenous peoples. The genocidal *extractivist* violences are ‘knowledge-based’ as well as ‘resource-based’ from Indigenous peoples’ communities and lands.

I use a literature review methodology in this paper to do two things. One, I identify how critical policy research and policy studies research broadly has been implicated in producing hegemonic imperial and colonial knowledge production. Two, I identify principles of an Indigenous Policy Research Framework (IPRF) for policy studies, which, when applied to knowledge production practices, can prevent the further reproduction of those harms. The principles of the IPRF are from my drawing on oral knowledges as well as the literature cited and referenced in this paper. Ancestral knowledges passed down orally in the Indigenous Kashmiri community to me, and having been raised on the land called *mauj Kasheer* (mother Kashmir) also inform the formulation and presentation of these principles. I propose an Indigenous Policy Research Framework approach as the policy solution that demands counter-

hegemony in policy research, requiring a radical redistribution of power in *how and why* policy research effecting Indigenous peoples is done. Participating in such methodological shifts when doing policy research work can help move policy studies toward decolonization and significant transformative research justice outcomes.

It is common knowledge among Indigenous research methodologists working in Eurocentric academic institutions and Ethics Review offices at such institutions that *research* has earned the reputation of being a *dirty word* and *work* among Indigenous peoples due to the problematic ways knowledge production has been conducted in relation to Indigenous people. Indigenous, racialized, and marginalized peoples are familiar with the historic to ongoing patterns of harm where knowledge gets extracted about them from their communities, while hegemonic racist imperial and colonial interests are advanced.

What are the prevalent hegemonic colonial and imperial research practices within policy studies that need changing? In a call for papers for IPPA 2019 session I organized called ‘*Decolonizing Critical Policy Research: Moving Toward Producing Relevant and Reliable Knowledge*,’ I posed the former question through a call for papers. The aim of the call was to have policy researchers attend to the call for decolonizing policy research broadly. It stated (Ahmed 2019)

Through prominent **social movement work led by Indigenous, Black, subaltern and feminist organizing, (and amplified by/documented through social media,) we have come to witness a rich breadth of anti-colonial, and critical public policy analysis that was formerly situated at the margins of policy studies. While the former voices and knowledges have always existed ontologically, policy studies as a disciplinary body did not engage them at the center, dismissing these alternative ontologies, ways of knowing and knowledges.** Due to the denial of meaningful methodological engagement with these epistemic and ontological groups, their intersectional locations, as well as their distinct knowledge traditions, the production of both ‘relevant’ and ‘reliable’ new knowledge in policy studies has suffered.

Whereas the production of knowledge about marginalized, racialized and colonized peoples by outsider ‘experts’ and/or using methods which are foreign to them has evidently shown to produce harm and problematic outcomes in much of the literature, such practices still persist. What has to happen to address the former challenge? What changes ought to occur in policy studies research approaches for greater engagement with theories, methodological approaches and voices that span beyond the Eurocentric ones? Which practices may stay, which must change, and what will compel such changes? Taking as a premise that further harm toward racialized, colonized and marginalized peoples globally is unacceptable, this session calls for papers which identify and critically engage with existing challenges with respect to the production of new knowledges in policy studies, when addressing policy research from both critical and anti-colonial methodological lenses. This session calls for papers which highlight research designs/frameworks that can guide policy researchers when creating new knowledges, which serve rather than harm marginalized communities. The session is additionally calling for papers which draw attention to policy research frameworks that are rooted in knowledge traditions that extend beyond the dominant ones.

Research questions for this session are as following: **What does decolonizing critical policy studies research require? What does undoing harmful dominant practices of knowledge production look like? Which practices have to emerge? Which practices have to dis- continue?** What are examples of policy research done from a critical and anti-colonial standpoint? [emphasis mine]

In this call for papers, I asked respondents to carefully consider what changes in methodological *practices* had to emerge and prevail for the continuation of colonization and recolonization through research to stop in policy studies. I represent and highlight the questions I asked here:

- What does decolonizing critical policy studies research require?
- What does undoing harmful dominant practices of knowledge production look like? Which practices have to emerge? Which practices have to discontinue?

Importantly for this paper, what needs to be done to decolonize the relationship between Indigenous peoples and policy research?

I wrote the majority of this paper¹ in Tkaronto, the Dish With One Spoon Wampum Treaty territory, the traditional homelands of the Anishnaabe, the Chippewa, the Haudenosaunee, the Mississaugas of the Credit, and the Wendat peoples. This territory is also home to many urban-Indigenous peoples, such as the Inuit, Méti, First Nations. Due to the global-imperial settler-colonial state-system's created *displacement-migration*, among other factors, Tkaronto is also a host and home to Indigenous peoples from around the globe, such as the Mayan, Maori, Uyghurs, Tibetan, Tíano, Palestinian, and Kashmiri peoples. Here, displacement-migration refers to Indigenous peoples (and nonhuman species) being unable to continue to live on their own traditional territories due to reasons such as the effects of environmental racism, climate change, exploitative and extractivist corporate-capitalist energy projects, migration and expansion of settler populations on their traditional territories.

I have been living and working in Tkaronto as a guest and visitor. In the early stages of working on this paper, I stayed in my ancestral homeland of Kashmir, where I was born. In all the contexts I have lived in while writing this paper, Indigenous peoples have been resisting settler colonial domination on stolen land. Like Cherokee scholar Jeff Corntassel and Métis scholar Adam Gaudry (2014), to me, bringing awareness to the knowledge that where I am living/working are stolen Indigenous lands and territories is part of a relational 'responsibility-based ethic of truth telling' with the aim of teaching, learning, and consciousness-raising that supports Indigenous pathways to decolonization and resurgence. Dene scholar Glen Coulthard and Nishnaabeg scholar Leanne Betasamosake Simpson have underscored the importance of forging '*grounded normativity*' oriented place-based solidarities in scholarship. 'Grounded normativity' refers to (Coulthard and Simpson 2016, 254)

the ethical frameworks provided by Indigenous place-based practices and associated forms of knowledge.¹⁰ Grounded normativity houses and reproduces the practices and procedures, based on deep reciprocity, that are inherently informed by an intimate relationship to place. Grounded normativity teaches us how to live our lives in relation to other people and nonhuman life forms in a profoundly nonauthoritarian, nondominating, nonexploitive manner. Grounded normativity teaches us how to be in respectful diplomatic relationships with other Indigenous and non-Indigenous nations with whom we might share territorial responsibilities or common political or economic interests. Our relationship to the land itself generates the processes, practices, and knowledges that inform our political systems, and through which *we practice solidarity*.

Aligning our work within the aforementioned realities opens up space for a 'grounded normativity' oriented *native place conscious* research, which requires researchers to critically examine: the positionalities of who the researchers are, thinking through how to be in

relationships of reciprocity and accountability with those whose traditional territories the researchers are on/considering research with, critically consider whose governance systems dominate the native² land they are on, and how the researcher is located in relation to those dominant systems and modalities of governance, i.e. benefit-ing from imperial and colonial systems, or in opposition to it, and if so, how. Additionally, this lens is important when policy scholars consider this in relation to the knowledge produced about/on/with Indigenous peoples that they are reading, reviewing, and considering.

Many policy scholars and some critical policy scholars avoid using the language of ‘I’ to avoid recognizing their own (a writer’s) subjectivity; they regard it as a distraction to the ‘focus’ of their work. The former approach is also adopted in order to suggest an ‘objectivist,’ universalist, or ‘neutral’ positionality by the author. I use ‘I’ to disrupt the former positivist and sometimes post-positivist methodological practice in the literature. I make this methodological choice with the goal of gently reminding the readers that the words and voice in this paper are from a specific person, which in my case is a racialized, Asian Indigenous, differently-abled, Kashmiri cis-woman instead of a universal, neutral person/positionality.

A neutral, objectivist ‘gaze’ on Indigenous policy research has played an integral role from the historical to the present moment in how imperial and colonial knowledge production has been done (Smith 1999). Here, the researcher assumes a ‘universal,’ detached, objective gaze, and conducts policy research on Indigenous peoples and issues as ‘objects’ or ‘subjects,’ denying engagement with them as humans/communities with abilities, sovereign research jurisdictions, power/agency, ability to consent, holding expectations of reciprocity, accountability, and respect. The deployment of such objectivity and omission of a researcher’s positionality also re-perpetuates complicity with the widely prevalent false positivist discourse/notion that a researcher can exist outside a system of power, outside of a ‘world system.’

The methodological omission and erasure of historic place-based relationalities between policy researchers and Indigenous lands/territories the researchers are doing research on/with is a mechanism through which policy researchers become complicit with the settler-colonial and imperial global systems of eliminating the natives. In both critical policy research and policy research broadly, such deliberate or unintentional omission places the researcher in a place of *ambiguous relationality* with the Indigenous peoples, where researchers remain silent about their own positionality, i.e. as a white European settler or displaced Indigenous person on another Indigenous peoples territory doing research. Such ambiguous relationality also casts the researchers as the assumed ‘legitimate’ voices with moral authority (whether they are native or non-natives,) potentially perpetuating an assumption that they are potentially ‘legitimate’ natives conducting reliable research. These are some of the ways the adoption of ambiguous relationality re-entrenches universalist-colonial and imperial-hegemonic relationalities through the myth of a neutral, objectivist gaze on Indigenous policy questions.

To illustrate the *genocidal affects* produced through the deployment of *ambiguous relationality* as a violent onto-epistemic anti-Indigenous methodological strategy across settler-colonial knowledge production contexts, I will share an example from my own lived experience in a settler-colonial context. In Tkaronto (part of the Dish With One Spoon Treaty territory) and surrounding areas, I have gotten to know some immigrant/ migrant communities who, just a generation ago, had little to no knowledge about native nations whose territories they were on. They did not know that the native nations, whose territories they lived and worked on, faced genocidal displacement and dispossession. Furthermore, as a result of

genocidal anti-Indigenous knowledges these migrant communities had consumed through *popular imperial/colonial legal, media and academic sources*, they wrongly perceived European settlers as natives, and assumed they had migrated to a legitimately white-European-dominated place. Such perceptions are not an accident. The ‘nation-building’ myths were constructed and manufactured to benefit the white-European-supremacist post-Westphalian settler-colonial-nation-state of Canada as part of a strategy to annihilate the natives. In this former context, the ambiguous-relationality-oriented erasure of the natives emerged from, for example, the legal settler colonial assertion of *European ‘Crown’ sovereignty/rights on Indigenous territories*. Crown sovereignty has been asserted in courts on unceded Indigenous territories using the ‘Doctrine of Discovery,’ it implies that the European settlers discovered empty lands and ‘settled’ them (Lindberg 2010). In the context of research, when researchers present an ambiguous relationality, they benefit from settler-colonial myths of who the native is as well as re-perpetuate the erasure of the natives.

Cree, Saulteaux scholar Margaret Kovach says that Indigenous peoples have had ‘a long history of interrelationship with a particular territory’ (2009, 61). Kovach highlights that under some tribal methods, her research and writing would have been restricted epistemologically (Nêhiyaw) were she writing while being physically placed/situated on other Indigenous peoples’ territories as an ‘expatriate.’ **‘Place is what differentiates us** from other tribal peoples, and what differentiates us **from settler societies** (this includes privileged and marginalized groups and/or positionalities). **Place gives us identity**’ (Kovach 2009, 61) [emphasis mine]. The territory a researcher is living and working on in itself informs their onto-epistemic gaze, outlook, and understanding of the world. This is why it is imperative for researchers to *critical-self-reflexively locate and name/ visiblize their positionality* in relation to the territories they are on as an aspect of decolonizing their research methodology.

What else is required to decolonize critical policy research? What methodological shifts are required between Indigenous peoples and policy researchers so that research is no longer ‘dirty work’?

Mapping the Principles of an Indigenous Policy Research Framework (IPRF)

To decolonize policy research and analysis, the adoption of *an approach of counter-hegemony that shifts and undoes historical power relations of domination between policy studies and Indigenous peoples* is required. In practice, this looks like what I call being *native place conscious* with a ‘grounded normativity’ (Coulthard and Simpson 2016) orientation and adopting an Indigenous Policy Research Framework (IPRF), where the following eleven questions need to be engaged and answered. These are:

- (1) Locating self – outsider/insider: Has the researcher critical-self reflexively located their positionality in relation to the native place and research question/project? Have they visibilized their positionality?
- (2) Relationship building: Does the researcher have a relationship with the nation(s) they intend to engage with for their research work? And, what kind of relationship is it?
- (3) Identify why the work is being done: Is it desired by the community? And does it benefit the community?
- (4) Engage, read and cite Indigenous knowledge holders and scholars: Is the work drawing on, and referencing Indigenous scholarship in its’ literature review?
- (5) Sovereign Indigenous research jurisdictional (SIRJ) rights: How does the study design respect the *sovereign Indigenous research jurisdiction* of Indigenous peoples on

- research about them? How is the researcher being respectful of Indigenous peoples' self-determination, self-representation, and self-governance rights in doing the research?
- (6) Long-term relationships rather than parachuting: Has the researcher understood they should not be parachuting, and why that is a harmful practice?
 - (7) Building relations that honor Indigenous and Tribal protocols: Does this work honor the Indigenous nations' protocols?
 - (8) Collaborative partnerships: Whose research is this? Who is leading the work, and why?
 - (9) Practicing proper knowledge attribution: What are the researcher's knowledge attribution practices?
 - (10) Critical-self reflexivity: How has the researcher been critically self-reflexive about their positionality, power and privileges during the research from start to finish, as well as after they completed the study?
 - (11) Research as a practice of counter-hegemony (disrupting the status quo): Can you conceptualize your policy research work as a practice of counter-hegemony? If so, how?

Each of the above questions invites policy researchers to think about the principles presented in detail later in this paper. All principles overlap and are connected to each other, rooted in a decolonial Indigenous Research Framework. Kovach (2009) has shown that 'Indigenous Research Frameworks are conceptual tools that can assist' in the efforts to restore and revive Indigenous peoples' knowledges through research practices. It is worth noting that I employ the language of a framework as a loose network of principles, and in that spirit, more principles and practices can be added to the repertoire of principles and practices described in this paper. I see this paper as an introduction to the IPRF-oriented practices as well as an intervention in the field of critical policy research and policy studies research broadly. The IPRF is not just relevant to scholars who produce research for/with Indigenous peoples, it is also applicable to those who read, review and/or analyze the former works. Anyone up-taking knowledges produced about Indigenous peoples must apply an IPRF oriented analysis when *reviewing* and/or *analyzing* the former works; taking such an approach will help manifest restorative research justice, as well as disrupt and discredit hegemonic colonial/imperial knowledge production. Conversely, those who uptake such works without applying the principles outlined in this paper are likely to be complicit in genocidal onto-epistemic erasures and anti-Indigenous racism.

The IPRF principles need to be applied across settler-colonial contexts for Indigenous peoples globally, while prioritizing place-based and nation specific protocols. At present, the literature about the imperial Westphalian settler-colonial-nation-states global *world-order* in relation to Indigenous peoples has been studied and analyzed primarily within the context of White-European dominated settler-colonial states such as Canada, United States, Australia, Mexico and New Zealand; there is a need for greater attention to the resistance and resurgence efforts by Indigenous peoples to the genocidal imperial-settler-colonial-state structures in places like Asia, Africa, and Oceania. Indigenous peoples in these parts of the world have faced erasures even within the dominant literature of Indigenous studies. Without using the former critical understanding and an IPRF in these parts of the world, the ongoing counter-hegemonic life-world-sustaining resistance efforts of Indigenous peoples in these repressive, extractive, and violent genocidal contexts will continue to be criminalized and labelled as acts of 'terrorists,' 'rebels,' 'separatists,' 'anti-nationals,' 'seditionists,' etc³ (Ahmed 2019; Genocide Watch 2019), rather than those of Indigenous water and land '*defenders*,' '*stewards*,' and '*protectors*.'

This paper is built upon decolonial interventions and accumulated knowledges by Indigenous scholars globally on how to do research in Indigenous contexts. It should be treated as a starting point and introduction to Indigenous-centric research literature that invites policy scholars to reexamine their roles and positionalities in knowledge production. While this paper provides some contemporary examples of what happens when such practices are not followed, there are many more empirical cases that are beyond the scope of this paper. Before expanding on each of the eleven principles, I briefly present the history of the knowledge production tensions as a context to appreciate the significance of these principles.

The historical context of knowledge production tensions

Our current range of research epistemologies – positivism to post-modernisms, poststructuralisms – arise out of the social history and culture of the dominant race, these epistemologies reflect and reinforce that social history and that social group and this has negative results for the people of color in general and scholars of color in particular. - James Scheurich (1997, 141)

How do we understand hegemonic colonial and imperial knowledge production as a practice? Imperialism is understood to be primarily motivated by an interest in increasing political power, economic expansion, and expansion of religious and ideological beliefs (Said 2003; Smith 1999). Imperialism functions through '[t]he domination of another land and people through economic and political control established by violent or coercive force' (Cannon and Sunseri 2011, 276). *Direct control* of territory or establishment of a 'colony' is not necessary by the imperial power, as is the case within the colonial context. Referring to the inherent goals of white *racial domination* in exerting such control, Cannon and Sunseri quote Edward Said (1994), who points out that '(n)either imperialism nor colonialism is a simple act of accumulation and acquisition. Both are supported and perhaps even impelled by impressive ideological formations that include notions that certain territories and people *require* and beseech domination' (Said, 1994, p. 9 in Cannon and Sunseri 2011, 276) [emphasis of the author].

Acclaimed Maori scholar Linda Tuhiwai Smith (1999, 2012) writes that from the fifteenth century onwards, European imperialism had multiple manifestations. It entailed economic expansion, subjugating 'Others' in many forms, including as a field of discursive knowledge production. In this context, while originally European domination through colonies was primarily for the purposes of extracting raw materials and bringing them back to the imperial center, the colonies also served the important function of becoming ports of 'imperial outreach.' Smith explains that knowledge production exists within a system of power, intended to control 'Others' as well as maintain their dependency on the imperial and colonial center(s) (Smith 2012, 226). It is within that system of power that she says, '[r]esearch is expected to lead to *social transformation*' and 'contribute to something greater than itself' (Smith 2012, 226; emphasis mine). However, instead of demonstrating the benefit of research to Indigenous peoples, what we see instead is that 'the [research] benefits never reach indigenous peoples' and that they 'are used as a ploy or tactic to coerce indigenous communities into sacrificing their cultural values, leaving their homes, giving up their languages and surrendering control over basic decision making in their own lives' (Smith 2012, 226), among a range of other harms.

Indigenous peoples and ally academics have been drawing attention to the problematic ways in which research on Indigenous, racialized and marginalized peoples has often been produced with conscious or unconscious, intentional or unintentionally alienating colonial gaze and

relationality. Furthermore, in policy studies, like many disciplines it is connected to, such research work is frequently conducted to advance the careers of non-native people, where extractive practices are used in the predominantly neo-liberal academy to further the capitalist, individualistic, accumulative approach to advance the careers of researchers. There is a problematic cycle here where: the primarily *white*,⁴ positivist-dominated academy, which has a history of producing knowledges in an extractive manner from *ambiguous relationality* standpoints, seeks its consumption by the very marginalized communities it has extracted the knowledge from in problematic ways. Upon examining the consumptive dimension of these very knowledges – there is now a cost to it to get access and additional costs when the same communities’ whose knowledges were extracted then seek accreditation in Eurocentric settler colonial institutions. Often, the appropriated knowledges are disconnected from the onto-epistemic historic place-based traditions of the community(ies) the knowledge(s) was(were) taken from (Smith 1999, 2012; Battiste and Henderson 2000; UNDRIP 2007; Dei et al. 2000; Simpson 2017). The vast majority of the post-colonial world inherited and continues participating in similar Eurocentric academic systems and institutional frameworks.

Academia and the normative world of scholarly knowledge production is built upon a capitalist cultural and institutional model of ‘advancing’ research in high volume, and at a fast pace. This system does not center *people* and the *purpose* of research and is instead structurally built on a value system of *capital accumulation* (an analytic concept developed by Rosa Luxemburg in 2003 originally). Within the academy, there exists a hierarchy of undergraduates to graduate students, and then junior faculty to senior faculty; to climb this ladder and to stay relevant/important, individuals are expected to demonstrate that they will continue to ‘publish’ or ‘perish’ (Kovach 2018). A culture of hyper-competition for the accumulation of enough accolades, especially the accumulation of published peer-reviewed works as capital enables climbing the ladder, getting tenure as job security, and staying ‘relevant’ or being ‘valued.’ The neo-liberal academy privileges individual advancement and capital accumulation rather than collective welfare and treats research output as an individual’s intellectual property. Furthermore, uneven power dynamics make it challenging for junior scholars and graduate students to hold senior scholars accountable when their work is stolen. It can be particularly difficult for racialized or marginalized community members who have had to face intergenerational and intersectional barriers to enter academia, and subsequently, be able to stay (see Benita Bunjun's work in the settler-colonial-Canadian context).

Racial capitalism was proposed by Black scholar Cedric J. Robinson to explain how economic and social value is extracted from racialized people while discarding them in their full humanity (Quan 2019). Imperial and colonial hegemonic knowledge production practices often used the logic of *racial capitalism* in how knowledge generation about Black, Indigenous, and racialized peoples is done. It is also deployed in the *individually competitive* advancement of scholars in Eurocentric, and imperial knowledge production institutions. Racially capitalist knowledge production practices dehumanize and objectify Indigenous peoples instead of engaging with them as sovereign nations. Through the use of *racially capitalist* methodological approaches, knowledges have been extracted instrumentally, (historically known to be taken without these peoples’ free, informed consent, see Article 11.2 of UNDRIP 2007,) and subsequently used to control, generate misrepresentations, further marginalize, dispossess and displace Indigenous peoples, thereby enacting *accumulation by Indigenous dispossession*⁵ and genocide.

Critical policy studies are located within a broader critical theory tradition. As a mode of inquiry, critical theory has questioned, challenged, and critically reflected on: assumptions, neutrality, objectivity, absolute and universal knowledge claims, deconstructed popular representations, discourses or grand narratives, and framings in analysis and generating

conclusions (Bronner 2011). As part of the post-positivist and poststructuralist knowledge traditions, *critical policy scholarship* and *analysis* have challenged the objectivist neutrality and removal of value biases from research and knowledge production practices (see engagements by critical policy scholars with the work of J. Habermas and M. Foucault in Buchstein 2009; Fischer et al. 2015; earlier policy scholarship such as that of Forester 1993; Yanow 1993; Gale 2001; Fischer 2003; Ball 2006 and more). While conventional positivist policy analysis approaches were complicit in the reproduction of existing unequal power relations in society by failing to account for historically unequal social relations between groups, i.e. group identities based on gender, race, class, and ability, comparatively, critical policy analysis oriented scholarship asked questions such as who is/isn't being heard, whose values are/are not being considered, who is recognized as knowledgeable/unknowledgeable, and whose perspectives/inputs are considered indispensable/dispensable to the policy questions at stake. Critical policy scholars took up the task of 'speaking truth to power.'

Critical race scholarship overlaps with some critical policy analysis oriented scholarship; this overlap has opened up space for asking questions about race-based discrimination as *systemic*, where institutional biases are embedded toward racialized peoples. Under critical-race oriented policy inquiry, race or '*color-blind*' analyses have been challenged (Crenshaw 1988; Diem et al. 2014). Whereas in critical policy, intersectional feminist, and critical-race policy analysis, questions are raised about the differential outcomes and experiences faced by Black and Indigenous women under the settler colonial legal systems (notably in the United States and Canada), these approaches omit addressing the settler-colonial genocidal state structural presences on Indigenous territories, and the question of: on whose native land? I call this type of omission or silence in policy scholarship an anti-Indigenous genocidal *native-place-invisibilization* when addressing 'place-based' and 'place-specific' *sovereign Indigenous research jurisdictions* (SIRJ) in policy research.

All research work exists within systems of power and has a politic. From what research questions get asked, to how the research is conducted, and the ways researchers locate themselves in relation to the research topics - no research work is politically objective or neutral. The objective, 'universalist' standpoint research that has been *color* and *race* invisibilizing, *class* invisibilizing, *gender* invisibilizing, *age* invisibilizing, *sexuality* invisibilizing, *religion* invisibilizing, *ableist* and generally invisibilizing of systems of power and privilege, and treats research as neutral comes from a positivist and structuralist historical origins of policy research. The former research reproduces dominant norms and systems (just and unjust) by invisibilizing the intersecting axioms of power and privilege.

For example, some critical policy researchers visibilize gender in their analysis, however, they invisibilize race, thereby treating it as an irrelevant axiom of power and analysis.

Some critical race scholars visibilize race and gender, but not Indigeneity or the name of the traditional territory they are on, even while conducting research *on* and *with* Indigenous peoples while being located on Indigenous territories. They make this omission while they reside in, and benefit from a settler-colonial-states-structure built upon genocidal-Indigenous displacement and dispossession. Indigenous peoples' distinct place-based relationalities have been disrupted globally under different iterations of settler-colonial structures in an imperial world state-system, consisting of settler-colonial states such as Canada, United States, India, China, Pakistan, Bangladesh, Australia, and more. Former critical policy researchers are selective in choosing the axioms of power and privilege they factor-in as relevant to their research design, questions, processes, and findings.

Decolonizing policy research and critical policy research requires accounting for all relevant axioms of power and privilege in research, not one or some. A starting point should always be the researcher unpacking their own intersectional location/positionality (Crenshaw 1991, 2015; Collins 2015; Hankivsky and Cormier 2011), as well as accounting for temporalities of certain positions of power and privilege (i.e. change in class, ability, age) which are *place, time* and *context specific*.

Positivist policy studies scholarship, alongside critical policy studies, have rarely grappled with the violation of sovereign Indigenous research jurisdictions, erasure of sovereign Indigenous knowledge governing traditions, voices, presence, and *onto-epi-temic* approaches effecting Indigenous peoples in scholarship. The policy studies canon is complicit in the genocidal erasure of Indigenous peoples as a normative knowledge production practice. Decolonization of critical policy studies requires a recognition of sovereign Indigenous research jurisdictions and data/knowledge governance on their- own-unique-terms. The decolonizing knowledge movement has opened up liberatory, transformative, and radically restorative possibilities. It is within this movement for research justice that I propose IPRF, with the aim of restoring *place-based* knowledges and relationships, which requires a counter-hegemonic radical redistribution of power in research.

Indigenous Policy Research Framework (IPRF) principles

When drawing on an Indigenous Research Framework (Smith 1999; Kovach 2009; Lavallée 2009; Chilisa 2012), rather than reproducing dominant Eurocentric and positivist knowledge production approaches, it is important to center marginalized Indigenous and racialized voices, stories, ontologies, epistemologies, and knowledge traditions. Indigenous research onto-epistemic approaches and methodologies involve a *place-based* (Byrd 2011; Corntassel 2012) centering of relationships of responsibility, account- ability, and reciprocity in relation to the nations' whose lands the researcher is living on or researching about (Corntassel and Gaudry 2014). African Botswanan Bantu scholar Chilisa Bagele has emphasized that Indigenous peoples' knowledges are diverse, as well as nation/tribe and place-specific. They carry grounded knowledges about the natural world from time immemorial, as well as an affinity toward land-based stewardship practices across diverse Indigeneities. For example, in my native language of Kashmiri, we call the land *mouj Kasheer*, which in English translates to 'mother Kashmir.' In Kashmiri, people say the land feeds us, shelters us, and takes care of us. Kashmiri people regard themselves as the gardeners and stewards of mother earth, traditionally a deep relationship of reciprocity rather than a capitalist relationship of property that revolves around extraction. Referring to the land (consisting of non-human life relations) as a mother in relation, as opposed to the European Hobbesian relationship of *private property* possessive, is the case for many Indigenous nations globally, such as the Inuit, Cree, and many more. Imperial and colonial policies and relationships of domination have disrupted the relationships between Indigenous peoples, intergenerationally, with their traditional territories, cultures, languages, foods, customs, human and non-human life relations, knowledge production as well as preservation practices globally. Indigenous peoples carry different iterations of similar relationships with their ancestral lands from time immemorial, and carry deep wounds that have resulted from facing displacement and dispossession due to the impacts of colonial and imperial policy violences.

Dei and Sherry Jaimungal (2018, 2) write that 'Indigenous knowledge systems stress *relationality, connections, reciprocity, community building, appreciation, sharing, humility, social responsibility, and generosity* as a key or essential components facilitating the "coming

to know”(see also Battiste and Youngblood Henderson 2009; Cajete, 1994, 2000; Chilisa, 2011; Gumbo, 2016, 2017; Mpofu, Otulaja, & Mushayikwa, 2014; Odora Hoppers, 2001, 2002; Smith 1999; Wilson, 2001)’ [emphasis mine]. The IPRF principles and questions presented below will help steward along the processes of decolonizing policy research.

1. Locating self – outsider/insider

Unless the policy research on Indigenous peoples is being led by the Indigenous nation or by tribal members themselves, it has a great likelihood of producing unreliable, colonial and/or imperial knowledge pertaining to Indigenous peoples (Smith 1999; Said 2003; Kovach 2018). An outsider’s gaze on a native people is limited in its capacity to interpret and do justice to situate/place the knowledge in its correct context. As a starting point, all researchers must locate their *positionality* as an *insider* or *outsider* in relation to the group they want to do knowledge generation with or about. Some questions that they must ask, introspect and be willing to answer include: Am I the researcher from within the group? Am I the researcher from outside the group? An important first step is to identify yourself as an insider or outsider, critical self-reflexively, in relation to the Indigenous nation/tribe you want to research with/about (Smith 1999, 2012, 138; Wilson 2008; Kovach 2009). While Indigenous research methodologies require researchers to be willing to answer this question, as an aspect of accountability, conducting such research and thereby acknowledging your location is just one part of the importance of recognizing *positionality*.

Settler colonial states have particular relational patterns of developing membership rules with the ‘logic of elimination,’ a system of destroying the natives and replacing Indigenous life forms (Wolfe 2006). Indigenous scholars have long critiqued non-natives’ self-indigenizing and playing native⁶; the former is just another genocidal iteration of eliminating the native. The criteria determining a researcher’s membership in Indigenous nations cannot be based on rules set out by colonial authorities; such has historically been the case in the context of the settler colonial state of Canada through the racist doctrines found within the *Indian Act*⁷ or through the naturalization policies imposed by the settler-colonial government of India on Kashmir through the *Domicile law*.⁸ While critical and interpretive policy studies research has been open to transformative, constructivist knowledge generation within the interpretive research studies scope, it too has been engaged in producing non-native gaze/researchers’ based knowledges on native as ‘subjects’ or ‘objects.’

It is imperative for the researcher to *explicitly name and visibilize* their positionality to the community, and in written works relating to the research; otherwise, the research benefits from and perpetuates an *ambiguous relationality* (described earlier in the paper). Once the researcher identifies and visibilizes their positionality, the next step is to identify the unique set of responsibilities you have as an insider or outsider. Researchers who are *located as an insider* or members of the nation they are researching with/about are obligated to honor and follow the traditional knowledge governance protocols of the nation they are a member of, which includes getting the community and other relevant customary governing authorities’ consent to conduct the research (MDCIPRI 1993; UNDRIP 2007; Smith 2012; TCPS2 2018). The positionality of an insider does not in itself prevent the possibility of colonial knowledge production. If the ‘insider’ researcher does not actively educate themselves, engage and honor the tribe/nation’s traditional practices in doing knowledge production in deeply meaningful ways, and instead chooses to follow Eurocentric or other research practices that do not govern knowledge production traditionally for the community. Such research can

still put a colonial and imperial gaze on the nation/tribe being written about, and thereby contribute to knowledge production that recolonizes.

On the other hand, if the researcher is *located as an outsider* to the nation/tribe being researched with/about, it is necessary to engage the research with the following set of criteria in mind. The researcher must be able to demonstrate a positive response to the following questions: Do you have permission from the traditional/customary governing authority and protocols of this nation/tribe to conduct such research? Do the researcher's research questions and interests align with the expressed needs and desires of this Indigenous nation/Tribal people? How will the researcher ensure the research is led, approved, and reviewed by the Indigenous community from the start to finish? Are there conflicts of interest that the researcher may have in being able to conduct this work ethically, and has there been adequate transparency in disclosing the researcher's interest and ties that might be oppositional to the needs (i.e. safety) and priorities of the community?

As an example, there may be incidences where the researcher who is interested in doing work to support the Indigenous community might have an immediate family working for the settler-colonial state that is directly involved in violating Indigenous peoples' rights and freedoms. Researchers who have family members directly working for settler colonial state surveillance, intelligence, policing bodies or resource-extracting corporations that work to dismantle resistance to land theft must be transparent about such linkages in relationship building at all stages with the community. In a recent case, Indian researcher/scholar Saiba Varma was critiqued for studying Indigenous Kashmiri patients getting mental health treatment in medical clinics while publicly concealing that her father, whom she was close to and positively acknowledged in the book on the subject, was working for Indian settler-colonial state intelligence, which directly surveilled and sabotaged the Indigenous Kashmiri peoples movement for freedom and self-determination.⁹ This was problematic because many members of the Kashmiri community were shocked that she had been involved in studying a sensitive area without being transparent about her positionality in relation to the subject, and when publicly asked about it, Varma misrepresented herself by withholding information about her close familial relationships and did not offer proper ownership or apology for the misconduct. This put the integrity of Varma's scholarship into question and harmed the trust between the community and 'outsider' researchers. This incident also highlights that perhaps Varma was aware that she either would have had to spend a longer time building a trusting relationship, or would never have received consent or the trust of the community, had she been publicly transparent about her positionality when conducting this research. Researchers who are genuinely interested in doing good research with Indigenous peoples have to accept that regardless of their intentions, they have to earn the trust of the community with transparency, and if consent is still not given, they accept the 'no', and not pursue that particular research.

2. Relationship building

Relationships are how we do Indigenous epistemology - Margaret Kovach – Cree, Saulteaux scholar (2018, 218)

The questions presented in the first IPRF principle invite an outside researcher to consider the priorities and interests of the Indigenous nation/tribe, whether they have appropriate permissions, as well as an adequate/appropriate *relationship* with the Indigenous nation/tribe to carry out the research in accordance with their priorities.

The first principle requires that the researcher has had some level of engagement with the community, and has a relationship with them, where the community members have been

actively involved in telling the researcher their needs and priorities. Such research requires the existence of building relationships that are *mutually beneficial*, and *reciprocal* (Smith 1999; Kovach 2009; Chilisa 2012; Cornthassel and Gaudry 2014; TCPS2 2018) and require a degree of trust which takes time to build through *ongoing practices of accountability*. Having been in relationships with Indigenous nations and tribes, while being an Indigenous Kashmiri woman myself, I can tell you that it is important not to force relationships or research that the community does not want, irrespective of how significantly *you* think it will benefit the community. The researcher must de-center themselves in such relationships and respect that it is not the researcher who can decide which research is of priority or value to the specific nation. How this process does or does not unfold will vary from nation to nation and depends on the historical as well as the issues the communities are dealing with at that time. While not all Indigenous nations and tribal peoples have formal guidelines they have created to outline how to negotiate the right research relationships, the Inuit peoples' guidelines (Inuit Tapiriit Kanatami and Nunavut Research Institute 2007, 12–16) are a helpful example and a critically important starting point for researchers to read, learn, unlearn, and then consider what they need to do in their own respective local context. Their guidelines identify the most problematic aspects of research:

- lack of community input/consultation in identifying research needs, and questions, and in designing studies
- lack of local community involvement in the research process
- token or cursory inclusion of local expertise in research
- lack of recognition or compensation
- generalization/decontextualization of local knowledge
- appropriation of expertise and knowledge
- inappropriate research methodologies
- short, typically summer, field sessions
- lack of locally relevant or beneficial research
- lack of funding for locally initiated projects
- lack of local data ownership
- inadequate reporting by researchers

Shedding light on alternatives to the above problematic approaches, the Inuit Tapiriit Kanatami and Nunavut Research Institute (2007) has identified elements of good research relationships. They note that some key principles that help build good relationships when conducting research with the community include being:

- honest
- humble
- informed about new and preexisting knowledge/research
- be open to questions from the community and willing to engage with the feedback they have
- be patient in getting to know the community and understand the community has other priorities as well
- express a willingness to learn from the community in a reciprocal research and learning relationship
- educate locally by doing skills training, development and workshops
- hire/purchase locally
- maintain ongoing communication during your time inside/outside the community
- respect local cultures, customs and protocols

- try new things, engage in community life actively
- use local language by hiring interpreters for interviews, meetings, or public speaking events and make an effort to learn the local language
- use informed consent as a process when doing field research
- establish local contacts and relationships,
- respect local customs and authority
- give credit, recognition and attribution to community members whose knowledge is shared; it can also mean co-authorship in journals and other publications
- negotiate data control both during and after completion of the study, conflict resolution contingency plans in case of conflict, and appropriate customary or financial compensation for participants or those who have assisted
- determine community engagement/involvement during three distinct stages of the research project, including design, data collection and analysis

Unangax¹⁰ scholar Tuck (2009) underscores the need for Indigenous and Tribal peoples to develop explicit ethical guidelines and criteria of their own. Some Indigenous nations are choosing to transfer existing ethical guidelines or knowledge governance protocols from oral knowledges to written formats, while some practices have been kept oral intentionally. Such processes remain impacted by the genocidal colonial and imperial harms that continue to impact Indigenous communities by limiting their capacities. During my dissertation fieldwork under the supervision of Anishinaabe scholar Dr. Damien Lee, I conducted interview-based research with Indigenous community members. During this process, I learnt that getting customary authority consent can be a barrier to participation for Indigenous community members who are facing layered, interlocking, ongoing systemic oppressions.¹¹ Dr. Damien Lee has been familiar with the limitations posed when getting customary authority approval in rare circumstances from earlier works; we are in the process of unpacking what this means for the future of such cases.

With the rise of research being conducted where engagement of participants or data collection happens through phone calls, online-virtual/video interviews, particularly in the post-COVID-19 pandemic world, it is still important for researchers to prioritize and choose research in relation *with* Indigenous nations or Tribes where you can be *locally* in close contact, where you can visit in-person as well as build/maintain long-term relationships of trust, reciprocity, and accountability. Relationships with Indigenous and Tribal peoples cannot just be built online. Conversely, relationships that are one-time, transactional, short-term and tokenistic can be indicative of extractive, exploitative research, where resources (i.e. time) of the specific nation(s) are strained unfairly.

In order to keep researchers accountable, all stages of research need to be a collaborative process and a long-term partnership (to the extent that the community desires on a case-by-case basis) with the community (United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) 2007; Wilson 2008; Kovach 2009; Corntassel and Gaudry 2014.) Through my own experiences, I have learnt that researchers must respect the available capacity of the community members to set the pace of the research work, rather than move at a speed that the researcher unilaterally determines as appropriate for the work. Ignoring this can create unfair pressure on community members and generate harm instead of producing good work.

3. Identify why the work is being done and why you are doing this research? Does the community desire it? Who benefits? Does the community benefit?

Within the context of normative research practices across settler-colonial states and beyond, settler researchers and dominant positivist research practices have normalized the benefits associated with *extractivist* research practices. Instead of having relations of reciprocity and accountability where researchers develop research questions and studies that Indigenous communities benefit from, researchers render what Indigenous nation/ Tribal peoples want from research done in/with the community as secondary or irrelevant. Positivist and post-positivist research practices can be positioned/located within historically developed world state systems, which renders the settler colonial structural elimination of the natives (Wolfe 2006) as normal.

All researchers interested in doing research with/for Indigenous nations/tribes must critically self-reflexively examine what motivated them to do this work. Who benefits from doing the research? Is this research desired by the community (Tuck 2009; Gingrich-Philbrook 2005)? Who has defined the benefits of doing this research, the researcher(s) or the community? Are research ‘benefits’ defined by the community and the researcher the same way? In other words, are the benefits identified by the researcher in doing the study the same as those identified by the community’s definition of research benefits? Is it meant to serve their own interests rather than those of the Indigenous nation/tribe they are looking to research with/for? What are the interests of the community? How does the researcher know? And most importantly, would the community benefit from this research? If yes, how so?

The reproduction of research that centers an *outsider* researchers’ priorities, agendas and interests only reproduces normative genocidal systems of power and hegemony in research about Indigenous peoples. To do research that undoes that colonial and imperial hegemony in knowledge production requires that the researcher de-center their own interests, the ways in which they benefit, and instead engage in counter-hegemonic research practices that center the priorities of the nation/tribe they are looking to research about/with. Quoting Shuswap leader George Manuel, Cherokee scholar Jeff Corntassel and Métis scholar Adam Gaudry eloquently illustrate what this means (2014, 176)

According to Shuswap leader George Manuel (1976), ‘we will steer our own canoe, but we will invite others to help with the paddling’ (p. 12). It follows that if one is invited to help with the paddling, then that person’s research priorities must be directly relevant and centered on the needs of local Indigenous communities.

Desire-centric research requires that researchers engage with the community and understand what they want in meaningful ways (Tuck 2009; Gingrich-Philbrook 2005). Several guides developed by Indigenous peoples describe how to do this. Another resource that describes a range of meaningful ways to engage Indigenous communities is Chapter 9 of the *Tri-Council Policy Statement on Ethical Conduct for Research Involving Humans* (TCPS2 2018).

4. Engage, read and cite Indigenous knowledge holders and scholars

Similar to disciplinary fields such as anthropology (deLoria 1969), policy studies research has been complicit in the erasure of Indigenous presence in the literature under imperial and colonial knowledge production practices. This has manifested through the citation of non-native knowledges and voices primarily/exclusively about Indigenous and tribal peoples lived experiences, land relations, stories, history, priorities, and other realms of existence is a form of *onto-epistemic erasure*.

Challenging historical practices of erasure using the IPRF requires recognizing and centering Indigenous knowledge holders and tribal peoples' own time-immemorial generated knowledges about themselves and discontinuing the domination of nonnatives as originators of the knowledges about Indigenous peoples. This also means not exclusively centering some prominent ones while leaving out emerging or less 'known' voices. Additionally, practices of respect and responsibility toward the Indigenous nation/tribe the researcher is doing research with also demands that they engage with and honor the Indigenous/Tribal peoples' specific processes, systems of research, knowledge production and preservation (Kovach 2009).

Nishnaabeg scholar Leanne Simpson (2017) eloquently draws attention to how her particular place-based onto-epistemic methodological practices of engaging Nishnaabeg life-world exists outside the realm of conscientization by those who are non-native to Nishnaabeg kwe world. She writes (2017, 29–30)

My life as a kwe within Nishnaabewin is method because my people have always generated knowledge through the combination of emotion and intellectual knowledge within the kinetics of our *placed-based practices*, as mitigated through our bodies, minds, and spirits. In fact, within Nishnaabewin, I am fully responsible for generating meaning about my life through the way I think and live. This internal work is a necessary and vital part of living responsibly and ethically within our grounded normativity. It is my sovereignty. Within this larger process, on the land I've engaged in Nishnaabeg practices of hunting, fishing, harvest-ng rice and medicines, ceremony, language learning, singing, dancing, making maple syrup, parenting, and storytelling, and I've spent over a decade learning from elder Doug Williams. I've paid great attention to my thoughts, emotions, and experiences as a kwe living at this particular point in time, and I've used this to critique settler colonialism and to generate thoughts on radical resurgent responses.⁶ I have not reacted to these emotional responses uncritically but explored and processed them through ceremony, discussions, artistic practice, and therapeutic contexts and with elders. This is an act of resurgence itself: centering Nishnaabeg intellect and thought through the embodiment of Nishnaabeg practices, and using the theory and knowledge generated to critique my current reality.

It is not just individual knowledge rooted in my own perspectives and experiences with the abusive power of colonialism, because it is theoretically anchored to and generated through Nishnaabeg intelligence and because *it takes place entirely within grounded normativity*— perhaps a strangulated grounded normativity but grounded normativity nevertheless. *In an entirely Nishnaabeg intellectual context, I wouldn't have to explain this at all. This would be understood because it is how our knowledge system has always worked* [emphasis mine].

If we simply relied upon non-Nishnaabeg sources instead of Simpson's own articulations of Nishnaabeg meaning-making through Nishnaabeg theory and knowledge, we could not wholly understand or appreciate the grounded-normativity-oriented conscientizations and connections within her life-world. If non-native sources and onto-epistemes were centered, we would see the ongoing (re-)production of colonial erasures, representations, and relationalities. We would additionally see knowledge gaps, where we would be limited in our ability to do reliable policy research and analyses.

5. Sovereign Indigenous research jurisdictional (SIRJ) rights

Policy researchers have to ask themselves, how does the research study respect the self-representational, self-governance and self-determination rights of the Indigenous peoples they want to do research with? Does the community own and/or control the data? Does the research honor the free-prior-informed-consent principles in undertaking the study?

Applying IPRF means policy researchers use research designs that respect the *sovereign Indigenous research jurisdiction* (SIRJ) of Indigenous peoples on research about them. SIRJ broadly refers to the idea that Indigenous peoples have the right to self-government, self-representation and self-determination when it comes to research on/ about them. Policy researchers using an IPRF must be willing to recognize and respect the *sovereign jurisdictional rights* Indigenous peoples hold over their data, information and knowledge production about them, that they give free-prior-informed-consent at all stages of research for research to progress with integrity. They must deliberately factor the former in their research design from the conceptualization of the study, to what research questions get asked, how data is collected, how it is analyzed, to how the findings are reported, represented, as well as distributed. While IPRF requires this, ostensibly, dominant positivist research engages through a problematic objectivist gaze devoid of the engagement with the reality that research ought to relationally respect SIRJ and the authority of Indigenous peoples in knowledge production about them. Critical policy research has also reproduced approaches that do not grapple with sovereign jurisdictions of Indigenous peoples.

I present two Indigenist research value systems, what are known as OCAP and FAIR, which outline principles that govern Indigenous research in a number of Indigenous contexts.

Whereas the dominant knowledge production canon in policy studies takes objectivist, *extractivist* approaches to knowledge production in relation to Indigenous peoples, the United Nations Declaration on the Rights of Indigenous People (UNDRIP) affirms that a different approach must be taken. Developed over decades under the leadership of Indigenous peoples' expertise, UNDRIP was ratified and adopted by the vast majority of countries globally and came into effect in 2007/6. Article 31 of UNDRIP affirms and emphasizes Indigenous peoples' rights when it comes to the maintenance, control and protection of their knowledges. It states that Indigenous peoples'

right[s] 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 human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts [must be protected].
(emphasis mine)

Article 31 of UNDRIP emphasizes Indigenous peoples' 'right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions', and underscores that 'States shall take effective measures to recognize and protect the exercise of these rights' while working with Indigenous peoples (UNDRIP 2007, 11).

Respecting and honoring the sovereign research jurisdiction of Indigenous peoples requires learning about as well as applying the OCAP principles. OCAP refers to *ownership, control, access, and possession/protection* (Corntassel and Gaudry 2014, 169–173; TCPS2 2018; FNIGC nd) of the First Nations' information, data and cultural knowledges collectively. It was developed in partnership between Indigenous nations known as 'First Nations' across northern Turtle Island, in the geographic space otherwise referred to as the settler-colonial state of Canada. OCAP clarifies the relationship between First Nations' knowledges and their rights. It was developed to protect and prevent First Nations people from having their knowledges

exploited (FNIGC 2014; Kovach 2009) by outsiders for personal profit (i.e. career advancement by academics, private sector and settler colonial governance institutions advancing further dispossession of native people). Under OCAP, the *ownership* principle emphasizes that all data, information and cultural knowledges are collectively owned by First Nations as communities or groups. The *control* principle signifies that the First Nations communities and their representative bodies have the right to control ‘all aspects of research and information management processes that impact them’ from ‘start to finish’ of research projects (FNIGC nd). This control principle applies to control over resources, planning and review processes, information management systems (and more). The *access* principle underscores the requirement of First Nations organizations and communities having ‘access to information and data about themselves, their communities,’ irrespective of where it is held (FNIGC nd). The *possession* principle refers to the clear expectation that there is material control of data and information, and that this ‘ownership can be asserted and protected’ (FNIGC nd). The OCAP principles can be understood as an act of asserting Indigenous self-determination and self-government by respecting SIRJ of Indigenous peoples.

Another set of criteria called the CARE principles have emerged for Indigenous Data Governance to address Indigenous peoples’ rights in research globally. CARE refers to Collective benefit, Authority, Responsibility, and Ethics (Carroll et al. 2020). The *collective benefit* principle emphasizes supporting ‘(1) Indigenous nation and community use and reuse of data; (2) use of data for policy decisions and evaluation of services; and (3) creation and use of data that reflect community values’ (Carroll et al. 2020, 6). The *authority to control* principles refers to control of data, where Indigenous Peoples have ‘access to data that support Indigenous governance and self-determination,’ and further- more, ‘Indigenous Peoples must be the ones to determine data governance protocols, while being actively involved in stewardship decisions for Indigenous data that are held by other entities’ (Carroll et al. 2020, 6). The principle of *responsibility* underscores the requirement of nurturing ‘respectful relationships with Indigenous Peoples from whom the data originate’, this includes, ‘investing in capacity development, increasing community data capabilities, and embedding data within Indigenous languages and cultures’, thereby “fulfill[ing] the ultimate responsibility of supporting Indigenous data that advances Indigenous Peoples’ self-determination and collective benefit” (Carroll et al. 2020, 6). Finally, the principle of *ethics* requires researchers to focus on ‘data ecosystems’ and ‘data lifecycles in order to minimize harm, maximize benefits, promote justice, and allow for future use’, where ‘data practices is representation and participation of Indigenous Peoples, who must be the ones to assess benefits, harms, and potential future uses based on community values and ethics’ (Carroll et al. 2020, 6).

6. Long term relationships rather than parachuting

In a conversation I had with Anishinaabe scholar Dr. Damien Lee (2020), I learnt that it is not enough to just have a relationship with the Indigenous community a scholar wants to do research on/with. *The length of time* the community and the researcher have had a relationship is an important determinant in how well the community knows the researcher; it influences the *type* of relationship the community has with a researcher. The type of relationship the community and researcher have, determines the research questions the community will allow to be researched. Native and non-native researchers who intend to follow an IPRF need to respect that research is a relational practice that requires them to honor long-term, ‘life-long’ practices of reciprocity, accountability and responsibility with Indigenous peoples they conduct such work with (Wilson 2008; Kovach 2009; Lavallée 2009, Chilisa 2012). In another conversation, Dr. Damien Lee noted that contrary to fast-paced-publication demands by universities, undertaking Indigenous-centric relational-research approaches can result in a lot fewer

publications (2022). This makes sense, as Indigenous-centric methods require prioritizing the community's desires, needs, interests (Tuck 2009; Gingrich-Philbrook 2005) and non-extractive relational research practices.

Whereas an IPRF requires honoring the former practices, comparatively, positivist and some post-positivist critical policy researchers observe a different process, where researchers are likely to *parachute in* and *out* of communities. Outsider researchers parachuting in and out of the community are detrimental to the community in multiple ways. For instance, parachuting harms by unfairly taxing the limited Indigenous community capacity and time to get to know and vet new individuals seeking to engage with the community. Researchers who parachute frequently build tokenistic and transactional relationships rather than a long-term relational practice of reciprocity, trust and accountability. The one nuance to keep in mind here is that if a community does not want to maintain a relationship with a researcher, and does not respond to their requests, the researcher must recognize they need to step back. The researcher must respect that the community is saying 'no' to extending that relationship any further.

7. Building relations that honor Indigenous and Tribal protocols

Opaskwayak Cree research methodologist and scholar Shawn Wilson (2008) writes that research is a ceremony. Given the way knowledge production practices are ceremonially sacred in Wilson's Cree tradition and many others, researchers ought to learn the native- place-specific protocols.

It is necessary to honor place-specific sovereign jurisdictional values and protocols which govern knowledge production for Indigenous peoples (Wilson 2008; Corn tassel and Gaudry 2014; Kovach 2009, 2018, 224; FNIGC nd); as an extension of respect, policy researchers must be willing to answer *how* their research work does so.¹² For example, passed on through oral knowledge sharing by Micah Miller, a traditional Firekeeper who is Mohawk from the Six Nations of the Grand River, I learnt that when you go to an Anishnaabe, Haudenosaunee, Ojibway, Mi'kmaw or Cree Elder with a request, you have to bring tobacco (tied in a distinct way) with you. If the Elder accepts the tobacco, it means they have agreed to help you with your request. Another example is from the Kashmiri people. It is a traditional protocol that Kashmiris never go to anyone's home empty-handed. It is known in the Kashmiri communities that when you share space, you conduct yourself with the spirit of reciprocity, that you bring/give/share something when you are about to (part-) take something. You share the responsibility of living together rather than placing the complete burden on the host. For example, the gifts my family took in Kashmir to friends' or relatives' homes were bakery, dry fruits, or fruits. This practice continues.

Learning the traditional protocols of Indigenous communities and honoring them are practices of restorative research justice.

8. Collaborative partnerships

It's necessary for policy researchers using an IPRF approach to ask themselves, whose research is it? Who is leading the work, and why? Research with Indigenous peoples, particularly by non-natives, requires that researchers pay attention to the role researchers assign to Indigenous and Tribal peoples. An IPRF requires that instead of the policy researcher taking the lead as the principal investigator, the policy researcher instead engages with the particular Indigenous community as equal research partners/collaborators, or take their lead. Input on how

the research study is conceptualized, designed, what questions are asked, what methods are selected, how the data is analyzed, and how findings are presented and disseminated ought to be determined collaboratively between the researcher and the community (ITK & NRI 2007; Kovach 2009; Smith 2009; Corn tassel and Gaudry 2014; Tri-Council Policy Statement (TCPS2) 2018).

9. Practicing proper knowledge attribution

One of the aspects of being a responsible relation when doing research with Indigenous peoples is being cognizant of the legacy of theft and appropriation of Indigenous and Tribal knowledges and data for the use or consumption of others without attribution. This is imperative that Indigenous peoples be given credit and cited when researchers learn from the community or community members. For example, if someone in the community teaches you a new protocol, learn the protocol but also be prepared to recognize who you learnt it from as a way of correctly attributing oral knowledge to the source. In giving credit/recognition in the oral, or the written form, i.e. publication, be willing to share the text with the person/community and provide them with an opportunity to correct, accept, and/or decline your understanding and representation of what they taught you before it is shared with others or published.

10. Critical-self reflexivity

As a researcher, how do you engage with being critically self-reflexive about your positionality, power and privileges during the research from start to finish, as well as after you finish the research study? In doing this work, it is important to remain critically self-reflexive and responsive to the challenges that come up during the research process on an ongoing basis, even once the research is stored in a publication (Kovach 2009; Lavallée 2009; Chilisa 2012) (i.e. for example, researchers must protect the identity of research participants who want to remain confidential and be careful not to reveal their identities). It is necessary to stay critically self-reflexive as it helps the researcher hold themselves accountable, rather than having others hold the researcher accountable for their responsibilities during and after the research process.

11. Research as a practice of counter-hegemony (disrupting the status quo)

An IPRF approach does not advocate for a singular, hegemonic, pan-Indigenous approach but instead asks that researchers pay attention to methods that are built through Indigenous place-based values and grounded relationships. Applying an IPRF approach requires seeing research justice as significant beyond just the ‘ethics review’ stage of the research study, but from the very inception of the project. An IPRF requires researchers to be able to conceptualize their policy research work as a practice of counter- hegemony and be able to answer how they do so. For example, is the research(er) *native-place-conscious*? Do they understand the importance of ‘grounded normativity’ (Coulthard and Simpson 2016) while being *native-place-conscious*? Does the researcher name and *visibilize* their *positionality* in relationship to the native land and people they are researching with? Does the researcher consider what place-based relational responsibilities, rights, and accountability processes they must respect in undertaking the research? How has the researcher considered the historical power relations of ‘domination’ in doing knowledge production at the various stages of the research process? Is there radical redistribution of power in the research process? For example, what are the ways the researcher gives up power/control to give the Indigenous community more power/ control? Does the researcher have free-prior-informed-ongoing-consent from the community? If not, did the researcher let go of the work? These are some questions policy researchers must consider when using an IPRF approach, in addition to the questions asked under the ten earlier principles noted

earlier in the paper.

Conclusion

‘Research’ has earned the reputation of being a ‘dirty word’ and work among Indigenous and Tribal peoples due to the history of problematic ways knowledge production has been carried out. Researchers are often seen with a gaze of distrust, they are believed to be carrying the motive of coming into native communities with *extractivist* agendas, and the likelihood of continuing colonial rationalities. This paper presents IPRF as a transformative and restorative alternative to harmful hegemonic knowledge production practices effecting Indigenous people that have prevailed in policy studies research. In this paper, I identify the colonial and imperial power relations of hegemony in methodological approaches to knowledge production within policy studies as the wicked policy problem, where researchers practice anti-Indigenous genocidal *native-place-invisibilization*. Decolonization, as a solution to this problem, looks like counter-hegemonic radical redistribution of power back to the community when conducting Indigenous policy research. In order to decolonize policy research and analysis, it is necessary to adopt an approach of *counter-hegemony that shifts and undoes historical power relations of domination between policy studies and Indigenous peoples*. In practice, this looks like researchers being *native place conscious* with a ‘grounded normativity’ orientation and adopting the IPRF approach. The guiding principles, which I outline in this paper, emerged from a literature review methodology and application of an Indigenous research framework to the research design of my dissertation during my doctoral studies. While the IPRF approach has been proposed for policy studies research in this paper, the concepts and questions presented here are applicable and pertinent to a wider range of disciplines and research areas, i.e. education, law, communication, journalism, environmental, digital, health, technology and more broadly, to humanities, social, and scientific research.

Notes

1. This paper was presented in Tiohtiá:ke on June 26, 2019 at the IPPA conference (Ahmed 2019, Ahmed 2019); Tiohtiá:ke, the place we met is also known as Montreal, the traditional territories of the Kanien’kehà:ka people. Tiohtiá:ke has been known to be a meeting place and a place of exchange for many Indigenous nations, such as the Six Nations of the Haudenosaunee Confederacy, Huron/Wendat, Abenaki, and Anishinaabeg peoples.
2. An Indigenist use of the word *native* refers to the original people, or *Indigenous* peoples of the land. My use of the language native and Indigenous refers to peoples who are under this category globally. The preference for using languages identified by Indigenous peoples in particular contexts when referring to them is also correct, i.e. First Nations, Metis and Inuit. I use the former vocabulary in this paper in a nuanced way, reflecting the specificities where appropriate, while also being mindful of the global context.
3. For example, academics, analysts, and journalists continue to disregard the use of an *Indigenous rights framework* when addressing issues effecting Indigenous Kashmiri peoples in the issue’s framing and analysis. See the ‘Call the Crime in Kashmir by its name: Ongoing Genocide’ by Binish Ahmed (2019) in *The Conversation*. <<https://theconversation.com/call-the-crime-in-kashmir-by-its-name-ongoing-genocide-120412>> also presented as a paper called ‘Asian and Indigenous: Re-Possession and Refusals of a Kashmir Womxn’ by Binish Ahmed as a Peer-reviewed conference paper presentation at *Critical Insurrections: Decolonizing Difficulties, Activist Imaginaries, and Collective Possibilities* conference on June 24th, 2018, University of British Columbia. OR see the Genocide Alert for Kashmir by Genocide Watch (2019) <<https://www.genocidewatch.com/single-post/2019/08/15/genocide-alert-for-kashmir-india>>; I contacted Genocide Watch in the aftermath of the Siege on Kashmir on Aug.

- 5, 2019; I worked on this alert with Dr. Gregory Stanton, providing research materials and analytical support.
4. Here, white is not just a reference to white people. Whereas the *racial category* of white refers to white people, I am additionally referring to *white-supremacist Eurocentrism* (as discussed by Shohat & Stam 1994). Ella Shohat and Robert Stam define Eurocentrism as “the view which sees *Europe as the World’s center of gravity*, as ontological ‘reality’ to which all good things flow. (. . . use ‘Europe’ not to refer to Europe as a political or geographical unit per se but rather to refer to the neo-European hegemony around much of the world, for example in the Americas). The *residues of centuries of Euro-colonial domination have seeped into the everyday language, and media discourses, engendering a fictitious sense of the axiomatic superiority and universality of Western culture*. Eurocentric discourse projects a linear (‘Plato-to NATO’) historical trajectory leading from classical Greece (constructed as ‘pure,’ ‘western,’ and ‘democratic’) to imperial Rome and then to the metropolitan capitals of Europe and the U.S. Eurocentric discourse is diffusionist, it *assumes that democracy, science, progress all emanate outwards from the original source which is Europe and Europeans*. Eurocentric discourse embeds, takes for granted, and ‘normalizes,’ in a kind of buried epistemology, the *hierarchal power relations generated by colonialism and imperialism*. [emphasis mine]” White-supremacist Eurocentrism and universalism have maintained patterns of power relations colonial and imperial hierarchy and domination through the post-Westphalian imperial and colonial-nation-state world-system in relation to Indigenous peoples globally. Under this world system, Black, Asian, Oceanic, Indigenous, racialized and marginalized peoples experience ongoing imperial violences and erasures. Within that global system, white and *light-skinned-presenting* people carry white/light-skin privilege (McIntosh 1988); those who perform whiteness, i.e. as Eurocentrism, also acquire privileges afforded through white supremacy.
 5. ‘*accumulation by dispossession*’ was originally proposed by Marxist scholar David Harvey, where he used the concept to explain neoliberal economic changes such as financialization, privatization and commodification, etc, 1970s onwards in so called ‘Western’ nations. My usage of the term is different. I propose ‘accumulation by Indigenous dispossession’ in reference to genocidal extraction, dispossession and displacements faced by Indigenous and Tribal peoples globally under the imperial white-supremacist post-Westphalian settler-colonial-nation-state world system.
 6. For example, see Darryl Leroux’s book *Distorted Descent: White Claims to Indigenous Identity*, University of Manitoba Press, 2019. Also, see the public conversation on ‘Pretendians’ in the Turtle Island context (colonial known as North America) as a particularly good example; a large number of European academics, journalists, and artists have been exposed as pretending to be native. See Anishnaabe author Drew Hayden Taylor’s investigative documentary ‘The Pretendians,’ produced by the Canadian Broadcast Corporation (CBC) (2022) <<https://www.cbc.ca/passionateeye/episodes/the-pretendians>>
 7. One iteration of the racist control of membership of Indigenous people has been through Canada’s *Indian Act*, where ‘status cards’ were issued and imposed by ‘Band councils’ that are entities of the Canadian governance system, rather than traditional governing bodies of the Indigenous nations/tribes. Indigenous women who married a non-Indigenous spouse lost their status and access to provisions outlined and guaranteed through the Indian Act and treaties, even though many Indigenous nations/tribes had different membership rules for their nations/tribes. For example, the Haudenosaunee nations follow a matrilineal system of membership.
 8. In the aftermath of the creation of the Indian state in 1947, Article 370, Sec 35 of the Indian constitution protected Kashmiri peoples’ rights to determine membership to Kashmir, and protections to purchase or transfer of land title under their own laws and protocols (among other rights); it was meant to be a short-term treaty agreement between the Kashmiri people and the settler-colonial Indian state that regulated their relationship - until there was a UN-mandated referendum on Kashmiri peoples political future. On August 5, 2019, the BJP government of India dissolved Article 370, Sec 35 of the constitution through a parliamentary vote. After striking the former, the settler-colonial

state of India enacted direct colonial rule and implemented a series of new laws, including a policy called the Domicile Certificate. Under this policy, non-natives/non-Indigenous people from mainland India were naturalized as ‘Kashmiris’ and gained access to purchase and transfer Kashmiri land that they previously did not have permission to own as ‘property’ under Kashmiri laws and protocols. The legality of how Article 370/Sec35 were dissolved is still being contested within India’s legal system, however the petitioners contesting India’s unilateral move to dissolve a legal relationship with Kashmir have cited concerns around India’s corrupt legal system.

9. More about surveillance and genocidal social colonial order in Kashmir can be read in Ahmed 2020, Ahmed 2019, and Genocide Watch 2019.
10. Unangax from the Pribilof Islands of the Aleutian chain in Alaska.
11. If you are interested in learning more, please follow Dr. Damien Lee’s and my future work. My dissertation (forthcoming) will expand on this. You can keep in touch by writing to me at mail@binishahmed.com.
12. See principle number two on relationship building.


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*Notes on contributor

Binish Ahmed (she/her) is an Asian Indigenous Kashmiri cis-woman, who works as an educator, multi-media artist, writer, and community connector/organizer. Born in Srinagar, Kashmir, she currently lives and works in the Dish with One Spoon Wampum Covenant territory. She is completing a PhD (ABD) in Policy Studies at the Toronto Metropolitan University (TMU), holds a Masters in Public Policy from Brock University, and an Honors Bachelor of Arts from the University of Toronto, with a Political Science major, History and South Asian Studies double minors. Her academic and organizing work focuses on social movements at the intersections of racialization, migration, gender, labour, and solidarity with Indigenous movements for self-determination and resurgence. ‘The Alchemy of Making Soft Landings on Sharp Places’ is her first book, a collection of poetry/stories and art, released in Spring 2021. Her written works can also be read in the ROOM Magazine, UppingTheAnti, Conversation Canada, Amnesty International, Feral Feminisms Journal, Indigenous Policy Journal, and Rabble. E-mail mail@binishahmed.com, Twitter @BinishAhmed, or Instagram @BinishAhmedArt. This paper was originally presented at IPPA in June 2019. It was submitted to the Critical Policy Studies Journal (CPSJ) in December 2021 for peer-review. It is part of a special issue Binish is guest editing on Decolonizing Critical/Policy Studies for the CPSJ. This work has been in motion for Binish since Fall 2018, however has been delayed in the publishing process due to the impacts of the Siege on Kashmir - August 5, 2019 onwards, and subsequently the COVID-19 pandemic that started in the winter of 2020.

ORCID

Binish Ahmed  <http://orcid.org/0000-0001-5372-3868>

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ARTICLES

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RESEARCH NOTES

A DEFEAT AND SOME SUCCESSES WITH A BITTER AFTER TASTE

Republished from Survival International, August, 2022,
<https://www.survivalinternational.org/articles/30-per-cent-statement>.

In a dramatic and unprecedented negotiation, which included walk outs and stand offs until the very end, the Global Biodiversity Framework (GBF) was finally adopted this morning at COP 15 in Montreal. This is supposed to lay out an important action plan for “nature protection” until 2030. However, it failed to take the bold step required to really protect nature –

to recognize that Indigenous peoples are the best conservationists and that the best way to protect biodiversity is to protect their land rights.

Survival International, alongside Indigenous people and other NGOs has fought tirelessly for two years to stop the 30% target (Target 3) - the plan to turn 30% of the planet into Protected Areas by 2030 - becoming the biggest land grab in history. We didn't manage to stop the adoption of the 30%, pushed as it was by the most powerful forces in the world: including Global North governments and the conservation industry. Nevertheless, we played a major part in ensuring that the 30% target was the most controversial part of the GBF, showing that "fortress conservation" - the evictions of Indigenous peoples and human rights abuses, in the name of nature protection - will no longer be tolerated as the collateral damage of conservation. And, along with Indigenous organizations, we won that battle. The 30% target, adopted today, doesn't include references to a "strictly protected" category, as was first proposed, and it does include references to recognizing and respecting Indigenous peoples' rights. This is a marked difference from the previous version of this target, agreed in 2010.

But unfortunately, even if the language is a step forward in the fight to stop abuses in the name of conservation, we are very far from real and genuine change to the model of conservation that has resulted in the eviction of at least 14 million people in Africa alone. Despite **a last-minute and powerful intervention** by the International Indigenous Forum on Biodiversity, calling for Indigenous territories to count towards the 30 percent target, this demand was rejected, principally by European countries, despite widespread evidence showing that Indigenous Peoples protect their lands better than anyone else and that their territories should be a key mechanism in biodiversity protection. This once again showed that the colonial mentality in conservation - that claims that "Western conservationists" "know best" - is still alive and well.

Another positive step is that our battle to stop the references to Indigenous rights being relegated to an unenforceable preamble was won. Instead, an introductory section, (Section C) highlights the "considerations" for the implementation of the framework, which clearly state that the new plan must ensure that the rights, worldviews, values and practices of Indigenous Peoples and local communities are respected, in keeping with the UN Declaration on the Rights of Indigenous Peoples. Having this wording in the GBF is a major step forward, but there are still questions about what happens if these obligations are not adhered to.

The "Nature Positive" slogan, beloved of the conservation industry and big businesses, was not included in the GBF, but another meaningless and dangerous slogan, Nature-based Solutions, is still there (Target 8 and Target 11). This is being pushed by European countries as a climate mitigation mechanism, which, **as we have shown**, will only lead to more land grabs and human rights abuses and will do nothing to mitigate climate change.

The targets aimed at addressing the underlying causes of biodiversity loss are very weak and will not be effective, proving once again that the conservation industry and its backers are enthusiastic about others, usually Indigenous and local people in the Global South, having their rights violated in the name of conservation, but not so keen to fight against the biggest drivers of biodiversity loss - such as overconsumption in the Global North.

The Global North, as usual, has not taken any responsibility for the destruction of the environment and has put the burden on the Global South, helped in this by the conservation industry who has everything to gain from money rolled out for more Protected Areas and false Nature-based solutions.

This framework has definitely failed biodiversity, it has failed justice and could still fail Indigenous peoples if, as we've seen before, promises to respect the rights of Indigenous people are ignored by the conservation industry, leading to horrific abuses in the name of "nature protection".

Fiore Longo said, "What we saw in Montreal is evidence that we can't trust the conservation industry, business and powerful countries to do the right thing. We will keep fighting for the respect and recognition of Indigenous land rights. Whoever cares about biodiversity should be doing the same thing. We will continue closely to monitor the implementation of the agreement to ensure that the conservation industry complies strictly with the new requirements for it to respect Indigenous peoples' rights".

1. Aichi Target 11: "By 2020, at least 17 per cent of terrestrial and inland water, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes".

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CRIMES AGAINST THE CLIMATE: VIOLENCE AND DEFORESTATION IN THE AMAZON

International Crisis Group (ICG), "Crimes against the Climate: Violence and Deforestation in the Amazon," Commentary / Latin America & Caribbean, December 8, 2023.

Republished from International Crisis Group (ICG), December 8, 2023, <https://www.crisisgroup.org/latin-america-caribbean/brazil-colombia/crimes-against-climate-violence-and-deforestation-amazon>.

Organised crime has infiltrated the Amazon basin, seeking land for growing coca, rivers for drug trafficking and veins of gold underground. These groups are endangering the rainforest and the safety of those attempting to defend it. It is imperative that regional governments take protective measures.

The fires and clearcutting rampant in the Amazon have stoked global concern about the future of the world's largest rainforest, which plays a vital role in containing climate change by absorbing the carbon dioxide produced by combustion of fossil fuels. What can get lost in the international debate is that organised crime is a major driver of this environmental destruction. Curbing the activity of illicit groups in the region is imperative, not just because of the

environmental degradation these organisations inflict, but the increasing danger they pose to communities in the region.

Levels of violence in the Amazon are high, even by the standards of Latin America and the Caribbean, a region that, with only 8 per cent of the global population, accounts for 29 per cent of homicides worldwide. Homicide rates in the Amazon, moreover, surpass regional averages. This violence occurs in rural areas and smaller cities that tend to be under the radar of national governments, and is therefore widely overlooked.

Within the Amazon, territories that are host to legal and illegal logging and mining, coca cultivation and drug trafficking suffer both the worst ecological damage and the most violence. These areas often overlap with the ancestral lands of Indigenous peoples, who historically have played a crucial role in safeguarding the rainforest. Not surprisingly, crime rings plundering the Amazon's bounty have made environmental activists their prime targets. In 2022, one in five killings of land and environmental defenders worldwide took place in the Amazon, with Colombia and Brazil the two most dangerous countries for this work.

The relationship between the escalating climate crisis and violent crime is finally getting the attention it warrants. The 28th UN climate summit, or COP28, in Dubai, United Arab Emirates, features “peace” on its agenda for the first time in this gathering's history. By examining the interplay of violence and climate in different parts of the immense rainforest – the Amazon basin covers as much territory as India and the European Union combined – states and foreign partners can start to identify ways to protect it and the people who reside there. In three parts of the Amazon, as detailed below, the interplay between crime and environmental exploitation shine through.

Annual forest loss in millions of hectares. Large areas are deforested every year in the Amazon region.

Homicides per hundred thousand people across the Amazon. In many countries, homicide rates within the Amazon are disproportionately high.

Putumayo, Colombia: Safeguarding Indigenous Defenders

Conflict, peace and environment often intersect in Colombia, where natural resources serve as a foundation for economic development but also bankroll guerrillas and criminals. Armed groups make money both from legal businesses such as cattle ranching and oil drilling and from illegal gold mining and coca growing. Abetted by widespread corruption, these extractive operations have caused visible environmental deterioration. In a June 2019 statement, Colombia's transitional justice body notably described the natural environment as “a silent victim” of the country's long-running armed conflicts.

Accumulated forest lost in per cent since 2000. The accumulated forest loss since 2000 in Putumayo (bars) is significantly higher than the average across other Colombian departments within the Amazon region (line).

There are few places in the Amazon as violent as Putumayo, which is situated in the Andean foothills bordering Ecuador and Peru and is home to headwaters of many Amazon tributaries. At least 21 massacres (ie, killings with three or more victims) have taken place since 2020, with civilians, soldiers and armed group members among the victims. The violence is in part a by-product of the coca cultivation and cocaine trafficking that have been mainstays of the region for decades. The drug trade also inflicts environmental harm: growers raze trees to create coca plantations, and carve makeshift roads through the jungle to start new plots. Chemicals used in cocaine laboratories are discharged into streams and soil. The theft of crude oil from pipelines in rural Putumayo – used in laboratories as an ingredient in coca processing – causes spills, sometimes gravely contaminating water sources on which local people depend.

A social leader told Crisis Group that armed groups force reluctant farmers to grow coca, threatening to hurt those who resist. “The motor of violence is the issue of drug trafficking”, said a Putumayo farmer leader. Between 1985 and 2011, amid Colombia’s internal conflict, the region witnessed over 8,000 deaths and 2,000 forced disappearances among its population of 300,000.

The industry has continued to expand – in 2022, the total area of land used to grow coca in Putumayo increased by 70 per cent – and now there are new sources of violence. Much of the fighting in today’s Putumayo is the result of battles for territorial control between two criminal groups that have arisen in the aftermath of the 2016 peace agreement between the government and the largest guerrilla group, the Revolutionary Armed Forces of Colombia (FARC). One is Comandos de la Frontera, which started operating in the area in 2020. The other is the Carolina Ramírez Front of the Estado Mayor Central, a dissident FARC faction that refused to sign the 2016 accord. In their quest to achieve dominance in Putumayo, these groups attack each other and anyone else whom they suspect is providing the enemy with services, shelter or information.

Area under coca cultivation. In 2022, Putumayo’s total area under coca crop cultivation ranked high among Colombian states.

For decades, criminal groups in Putumayo have targeted Indigenous groups who are vocal about environmental defence. In 2009, this violence spiralled to such an extent that Colombia’s Constitutional Court declared that the Siona, one of the ethnicities in the area, were facing an “imminent process of extermination”. Almost a decade later, the situation had only grown worse. In 2018, the Inter-American Commission on Human Rights ordered the Colombian state to take measures to safeguard Indigenous lives, including efforts to clear landmines in Siona territory.

Civil society groups say the Colombian government has done too little in this regard. In 2021 and 2022, according to human rights observatory Indepaz, at least 95 Indigenous leaders were killed in Colombia including five in Putumayo. Clashes between the Comandos de la Frontera and the Carolina Ramírez front in September displaced nearly 500 Indigenous people. In addition, more than a thousand families were confined to their homes and villages.

Annual homicide rates (number of homicides per hundred thousand) in states with low to moderate coca cultivation, compared to those with moderate to high.

Criminal groups also prey on Putumayo's legal oil industry. They frequently extort oil firms and target their operators and service providers, as well as local governments receiving drilling royalties. According to community leaders in Putumayo, armed outfits now depend on the oil industry for income to such an extent that they have told locals to quell any protest against the firms.

Putumayo is becoming an even bigger prize as criminal groups look to expand their operations outside Colombia to Ecuador, a drug export hub, and establish new routes to Europe through Brazil. Cocaine is shipped to ports in the former country and via the Putumayo River straight to buyers in Brazil. Rivers have become "highways for drug trafficking", an Indigenous leader said. Sucumbíos, a province in northern Ecuador, is now a magnet for Colombian armed groups, a local source there reported. Comandos de la Frontera in particular has set up camps in Sucumbíos. It is recruiting new members in Ecuador, as well as in Peru.

Madre de Dios, Peru: The Search for Gold

Another Amazon region hard-hit by organised crime is the department of Madre de Dios in Peru, which borders Bolivia and Brazil. This province has long been home to Indigenous peoples such as the Harakbut and more recently has come to host settlements of illegal gold prospectors and drug traffickers. People engaged in illicit activity first started settling in the area in the 20th century: Madre de Dios is the least populous department in Peru, and the combination of natural resources and feeble state presence made it a magnet for rubber tappers, loggers and gold miners working outside the legal economy.

Despite its reputation for strong environmental conservation measures, with roughly half its territory designated as protected areas, Madre de Dios has undergone rapid change in the last decade. In 2010, the state completed construction of the final stretch of the Interoceanic Highway, connecting the area to Brazil and opening up the jungle to more gold miners with heavy equipment. Coupled with rising gold prices in the new millennium, the new road changed the face of Madre de Dios forever. The area's population surged from approximately 30,000 in 1981 to over 140,000 in 2017, driven largely by the gold bonanza, which is also the main cause of deforestation in the region. An estimated 18,000 hectares of trees were cleared as a result of gold mining in Peru's southern Amazon in 2021 and 2022, with most of this deforestation taking place in Madre de Dios. The search for gold has also led to widespread use of toxic quicksilver mercury, which contaminates the soil and poses a major threat to public health. The estimated 50,000 gold miners in Madre de Dios discharge about 180 metric tonnes of mercury into the environment each year.

Madre de Dios is also witnessing a sharp hike in coca production. Although more coca is grown in Colombia than any other country, most of the coca cultivated in the Amazon basin comes from Peru. Madre de Dios was almost free of the plant before the COVID-19 pandemic – which some believe distracted the state from law enforcement activities – but it saw a 274 per cent rise in coca cultivation between 2021 and 2022, and several cocaine base paste laboratories

have been detected there as well. According to a state official, drug trafficking and cocaine base paste production are among the reasons why the Brazilian crime syndicate Comando Vermelho has started operating in the area.

Like other criminal hotspots in the Amazon, Madre de Dios has become a violent place. Since 2017, the region has had the highest homicide rate in Peru. Local environmental defenders and a state official directly attribute the murders to the expansion of illegal mining, which not only drives turf wars among miners but also attracts criminals from elsewhere who vie for premium goldfields and seek to extort miners. Local sources describe mining towns as “a free haven, without state control” and denounce the impunity for illegal gold miners and the inaction of police.

Miners often attack or threaten Indigenous people and environmental defenders who report illicit activities to state authorities. An environmental defender in Madre de Dios described to Crisis Group how he barely survived an attempt on his life after armed men followed him to his house. That said, victims also include miners and gang members, many from outside the region. Several corpses have been “disappeared” in the mines, said a state official, who added that authorities have found evidence of bodies being burned. To protect themselves, gold mining entrepreneurs have resorted to paying for armed security guards, who have fuelled further waves of killings in mining towns as they confront local gangs.

Homicide rates (number of homicides per hundred thousand) in Madre de Dios (bars) have increased sharply in recent years, exceeding the average across other Peruvian regions (line).

With prospectors – predominantly men – flocking to the area, thousands of women, including girls, have been trafficked to Madre de Dios. They are subjected to sexual exploitation in so-called prostibars, a Peruvian term for brothel. In 2019, over 1,200 police officers and military commandos conducted a raid on the mining town La Pampa, expelling approximately 6,000 miners, making dozens of arrests and rescuing over 50 women from situations of sexual exploitation. But such sporadic operations have done little to eradicate illegal mining. In 2022, miners staged protests in response to another state offensive, leading to clashes with police that left one dead and a dozen wounded.

Itaituba, Brazil and its Surrounds: A Mining “Free-for-All”

Accumulated forest lost in per cent since 2000. The accumulated forest loss since 2000 in Itaituba, Pará state (bars) exceeds the average across other Brazilian states within the Amazon region (line).

The Itaituba municipality in Brazil also saw a gold rush after the military dictatorship constructed the Transamazônica Highway in the 1970s. As the road cut through the rainforest, and many of the surrounding lands had no legal owner, prospectors thronged the region, transforming it into a gold mining hub by the early 1980s. Decades of prospecting has exacted a heavy toll on the environment. Despite being part of the protected Tapajós watershed, deforestation in Itaituba has tripled in the last five years alone. In February 2023, the

Brazilian state of Pará declared an “environmental emergency” in fifteen municipalities, including Itaituba, to address widespread environmental crime. Satellite imagery shows vast barren tracts in the area, indicating not only the removal of tree cover but also the contamination of soil with mercury. That has endangered the wellbeing of Indigenous people living in Itaituba: hair and blood samples taken from this community show mercury levels far exceeding health standards.

Interactive content by Flourish

While miners have dug for gold in Itaituba for at least 40 years, it was under hard-right former President Jair Bolsonaro (2019-2022) that the enterprise became a free-for-all. Bolsonaro, who comes from a gold prospecting family, promised miners “carte blanche”. To entice more explorers into the region, he cut funding for state agencies tasked with environmental control and protection of Indigenous peoples. A police officer working in the area explained that, while the government made no significant legislative changes, the miners knew “they could do whatever they want”. In 2022, Bolsonaro vetoed the budget allocation for regulating and demarcating Indigenous lands.

Between 2010 and 2020, mining on Indigenous lands in Brazil increased by nearly 500 per cent.

The number of illegal mines has since risen in Indigenous lands, and violent miners often threaten local leaders who publicly oppose their activities. Because lands are not titled, mining gangs fight each other for territorial control. The sluggish implementation of demarcation has allowed gold miners to encroach upon Indigenous peoples’ lands. Between 2010 and 2020, mining on Indigenous lands in Brazil increased by nearly 500 per cent.

Consider the fate of the Munduruku, an Indigenous people living in Itaituba and other municipalities in Pará. Satellite imagery shows nearly two dozen clandestine airstrips – from which illicit gold miners move gold and drugs out of the Amazon – in Munduruku lands. The Munduruku are at risk of violent attack, mainly from gold miners: 22 of their leaders have faced threats. In the Jacareacanga municipality, also in Pará state, illegal miners burned down the house of a Munduruku community leader as retaliation for a state-led crackdown on illegal mining that started two days earlier. Indigenous representatives say local police are complicit in organised crime. “They go to the garimpo [mines] ... to get their share of the gold”, said one. Agri-business ventures, such as cattle ranches and soy plantations, have also grown, contributing to rapid deforestation and further endangering native communities.

Gold mining in the Amazon.

Despite state and corporate investment, Brazil’s Amazon often resembles the Wild West, as the westerly territories of North America – nominally administered by the United States but often sharply contested between white settlers and Indigenous peoples – were known during the lawless scrambles for precious metals of the 19th century. Gold miners are frequently armed and unafraid to use their weapons. “Things are settled without state intervention”, said an Itaituba lawyer. During his presidency, Bolsonaro signed decrees that made it easier to purchase weapons

legally. Firearm registrations in the Brazilian Amazon proceeded to rise by 91 per cent from 2019 to 2022. “There’s a relation [between violence and] the presence of natural resources”, said a federal police officer working in the region. Disputes over gold ownership often end up being resolved by individuals taking justice into their own hands. “We wouldn’t have these kinds of problems if the police were present in miner’s settlements, but since they’re not, fights result in deaths”, said the officer.

Criminal organisations have expanded into other profit-making schemes. Illicit gold production often finances a cascade of associated crimes including human trafficking, forced labour and sexual exploitation of women and children. The connection between illicit mining and drug trafficking has deepened, as cocaine profits are laundered through investments in digging for gold. There are also numerous pathways for illegally mined gold to infiltrate the legal supply chain through the use of falsified papers.

Homicide rates (number of homicides per hundred thousand) in Itaituba (bars) exceeds the average across other Brazilian regions (line).

Tempted by massive profits from gold, groups like São Paulo’s Primeiro Comando da Capital, Brazil’s largest crime syndicate, are now reportedly present in Itaituba, and are using illegal mining to launder drug profits. According to a Brazilian police official, this organisation collects a percentage from certain mining operations in the Amazon while also financing illegal mining projects.

Recommendations

Mitigating climate change will depend in part upon the conservation and restoration of ecosystems, such as the Amazon rainforest, which play a vital global role in absorbing the carbon humanity has spewed into the atmosphere. The Amazon is now under direct threat from organised crime, which has evolved to hold an extensive portfolio, often reinvesting the profits in environmentally harmful enterprises. Corruption of local police and courts by these same groups hinders effective forest conservation and prosecution of those who target Indigenous activists and land defenders. As a result, national authorities across the Amazon need to ramp up efforts to curb crime and the degradation and violence it causes by investigating and trying illegal groups, providing local populations with alternatives to the illicit economy, and curbing threats to the environment and those actively engaged in its defence.

A regionally coordinated effort, perhaps through the Amazon Treaty Cooperation Organization (ATCO), would mark a major step forward. A conference organised by ATCO in August 2023, with delegations from eight Amazon countries, issued a declaration committing the signatories to “facilitate the exchange of information and enhance police and intelligence cooperation to combat illegal activities and environmental crimes affecting the Amazon Region”. The final declaration proposed creating a regional police cooperation centre in Manaus, Brazil, in the heart of the rainforest. More regional policing cooperation is certainly welcome, but authorities should be sure to coordinate with representatives of local communities, particularly

Indigenous groups, which have the most accurate information about what is happening on the ground.

Brazil and Colombia ... have both reduced deforestation rates in 2023 ... [and] aim to eliminate deforestation by 2030.

Brazil and Colombia, which have progressive governments still in the first half of their terms, have both reduced deforestation rates in 2023. Both aim to eliminate deforestation by 2030. These two administrations have also devised promising new schemes for initiatives such as providing financial support to local communities for forest conservation and eradicating illegal gold mining. But there is a pressing need for better coordination among regional governments, which has often faltered due to mutual distrust. Civil society groups should participate as well in monitoring violent land invaders pursuing illegal economic activities. Only a collective effort involving multiple partners, along with increased funding from foreign governments committed to conservation of the rainforest, can prevent the Amazon from reaching a nadir of ecological destruction. To this end, Brazil is proposing creation of a fund to conserve tropical forests at COP28.

Other proposals could also help staunch criminal exploitation of the Amazon. Indigenous groups are advocating for an expedited process to grant them collective land titles, which would afford more territorial rights and a stronger legal position to halt illicit logging and mining, and the violence that can attend them. Rural development initiatives could provide communities with sustainable alternatives to illicit activities that harm the environment. Measures to help ensure that commodities from the Amazon are traceable – such as third-party audits, transparency reports by corporations and supply chain disclosures – could also prevent the infiltration of illicit gold into the legal supply chain. Law enforcement efforts, meanwhile, should centre on targeting illicit money flows and the financial backers of environmental crimes.

The United Arab Emirates, which is hosting COP28, aspires to make the gathering “the most inclusive UN Climate Change Conference to date”. Given that Indigenous peoples and community representatives from all over the world, including the Amazon, have travelled to Dubai, it is a rare moment for decision-makers at the highest levels to recognise the environmental threats they experience in the flesh. These people, who dwell on the front lines of climate change, are among the best positioned to help safeguard the planet’s most critical ecosystems. To do so, however, they need urgent assistance.

Data Appendix

Figure 1 [The figures did not transition to this text. They may be found at: <https://www.crisisgroup.org/latin-america-caribbean/brazil-colombia/crimes-against-climate-violence-and-deforestation-amazon>].

Figure 1 depicts the annual total forest loss in million hectares across all countries in the Amazon. It includes only states within the Amazon. Forest cover is based on data from 2000. Calculations are based on Hansen Global Forest Change Data at a 30m spatial resolution by the University of Maryland, accessed via Google Earth Engine Data catalogue. The data is processed

to fit the FAO’s definition of forest which is “land spanning more than 0.5 hectares with trees higher than 5 metres and a canopy cover of more than 10 percent”. The area affected by deforestation is calculated per state, before being aggregated for each country. Data is smoothed through the R loess function.

Figure 2

The map shows homicide rates (number of homicides per hundred thousand people) in the states of the Amazon for 2022. National average homicide rates are also shown. Calculations are based on homicide data provided by the National Police of Peru, the National Police of Colombia, the Ministry of Justice and Public Security for Brazil and census data from the National Institute of Statistics and Informatics of Peru, the National Administrative Department of Statistics (DANE) of Colombia, and the Brazilian Institute of Geography and Statistics (IBGE).

Figures 3 and 7

The charts depict cumulative forest loss since 2001 in per cent in the two areas of interest, Putumayo, Colombia and Pará, Brazil (bars). The loss is compared to the average forest loss across all other states in the respective countries (lines). Data is first processed in conformity with the definition of forest in Figure 1, then percentage of forest loss is computed by comparing annual forest area to the 2000 baseline forest cover.

$$\% \text{ of forest loss} = A_i / A_{2000} * 100\%$$

with A_i denoting the area of forest loss in hectares in a specific year i , and A_{2000} the area of forest cover in 2000. The percentage of the cumulative forest lost since 2001 is then computed.

Figure 4

The map depicts the area of coca crop cultivation in 2022 per municipality as provided by the UNODC Global Illicit Crop Monitoring Programme’s SIMCI project in Colombia. The darker the shade of green, the larger the area under coca cultivation in a given municipality.

Figure 5

This chart compares trends in homicide rates in Colombian departments with a total area under coca crop cultivation for 2010 to 2022 that is above the median (top 50 per cent) versus below the median (bottom 50 per cent), based on data from Sistema Integrado de Monitoreo de Cultivos Ilícitos (SIMCI). Homicide rates (number of homicides per hundred thousand people) are calculated based on homicide data provided by the National Police of Colombia and census data from the National Administrative Department of Statistics (DANE).

Figure 6:

The chart shows homicide rates (number of homicides per hundred thousand people) in Madre de Dios and the rest of the country, based on homicide data from the National Police of Peru and population data from the National Institute of Statistics and Informatics of Peru.

Figure 8:

This map depicts gold mining in the Amazon. No further processing of the data. Source: Amazon Mining Watch.

Figure 9:

The chart shows homicide rates (number of homicides per hundred thousand people) in Itaituba and the rest of the country, based on homicide data from the Ministry of Justice and Public Security of Brazil and population data from the Brazilian Institute of Geography and Statistics (IBGE).

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BIRDS AND TRANSMISSION BUILDING THE GRID BIRDS NEED

Brooke L Bateman, Gary Moody, Jennifer Fuller, Lotem Taylor, Nat Seavy, Joanna Grand, Jon Belak, Garry George, Chad Wilsey, and Sarah Rose. (2023) Audubon’s Birds and Transmission Report: *Building the Grid Birds Need*. National Audubon Society: New York

Full report at: <https://media.audubon.org/2023-07/BirdsAndTransmission.pdf>.

EXECUTIVE SUMMARY

To achieve climate change stabilization, the U.S. needs to rapidly build-out transmission and clean energy infrastructure. The current U.S. electric grid was not designed for a clean energy future and does not have sufficient capacity for a transition to 100% clean and renewable energy production. Furthermore, the current process for developing transmission takes too long and does not always provide adequate environmental and cultural protections. We must improve both. Conservation organizations and clean energy project developers will need to work together towards this mutual goal. This means collaborative planning efforts to minimize the risks of transmission construction and operation to biodiversity, and to speed the deployment of needed capacity additions that will enable clean power.

While expanding transmission will enable us to support the more diverse and decentralized energy system needed to maximize a wider range of renewable resources across different geographical regions, it also requires large scale construction efforts. With this comes land clearing and creating access to remote areas with heavy machinery, both of which can lead to disturbances and degradation of natural habitats. Once constructed, transmission lines may continue to pose a threat to a variety of species. This report acknowledges both the risks to birds from transmission lines (see section *How Do Transmission Lines Impact Birds?*) and the climate imperative to build a grid that enables climate stabilization (see section *Why We Care*). It examines how Audubon can best engage to ensure that we build the grid that birds need.

In the last decade, scientific research has advanced our understanding of transmission impacts on birds, and in this report we delve into the best practices grounded in science on how to abate these risks (see section *How Do We Minimize the Impacts of Transmission?*). This includes identifying and implementing effective bird-friendly solutions both proactively (during planning) and reactively (post-construction) for projects. It also includes mapping out the location of high priority areas for birds, where conservation organizations such as the National Audubon Society can engage site-specific project developers (see section *Knowing Where to Engage: High Priority Areas for Transmission Engagement*) to ensure practical bird-friendly solutions can be put in place where projects overlap with integral habitat for birds.

Audubon's goal is as always to protect birds and the places they need to thrive. To address the dual crises of climate change and biodiversity loss it is clear that we need to proactively engage to accelerate the needed build-out of transmission capacity while mitigating unintended negative consequences for people and for wildlife. Working together with other conservation organizations, decision makers, and project developers we can learn to do both at the same time.

This report lays the foundation for Audubon's engagement in transmission planning, policy, and deployment. It first outlines the need for additional transmission capacity to minimize the impact of climate change on birds and people. Then we provide an overview of the current scientific understanding of the impacts of transmission infrastructure on birds as well as key bird-friendly solutions that can be implemented to help reduce negative consequences. We also identify and map areas of high priority for birds, both today and under a changing climate,

that coincide with existing, planned, and potential transmission build-out. We found that roughly a third of existing, planned, and potential transmission lines coincide with areas that are important for birds. These priority areas for transmission engagement are where the work of Audubon and its supporters will be most integral as collaborators in the planning process. Grounding this work in science provides a foundation for how and where Audubon can meaningfully engage on transmission planning and project development. This report also highlights how we can translate this science into action using a case study about our work on the SunZia transmission line. Finally, we outline the transmission policy objectives, which will guide Audubon's work with policy makers and project developers moving forward. Reaching our clean energy goals and transmission needs will help provide a path towards a more stable climate, where bird species are better off, and where people and bio- diversity can thrive.

Climate change is the greatest threat to birds and people alike. We need urgent action on climate and a rapid build-out of clean energy as a key part of the solution. And although transmission build-out does pose risks, there are solutions that can be implemented to alleviate these. The alternative, where we don't meet our clean energy goals, is a world where two-thirds of bird species in North America face devastating range loss and potential extinction. Because of this, Audubon supports the responsible build-out of transmission, and emphasizes that this must be done in a way that both minimizes harm to birds via bird- friendly solutions while also providing a path forward for a more climate-stable future. To achieve both, we need to:

- Dramatically speed the pace of transmission deployment
- Shorten the timeline from planning to in-service
- Maximize the effectiveness of the existing grid and use of existing rights of way
- Improve the transmission planning process
- Establish a stronger transmission role for the Federal Energy Regulatory Commission (FERC)
- Secure federal transmission policy reforms
- Prepare states for the magnitude of transmission deployment
- Promote bird-friendly design and operation

It also means showing up and engaging with local transmission projects to ensure bird-friendly solutions and community needs are a part of the plan from the beginning. Audubon and its supporters will be vital during the planning process within high-priority areas for transmission project engagement. It is these locations that are both important for birds today and in a changing climate, but also integral for a successful clean energy path forward. Here, we need to show up and support responsibly-sited, bird-friendly transmission project implementation.

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**CANADIAN WILDFIRES HIT INDIGENOUS COMMUNITIES HARD
AS THE ENVIRONMENT BECOMES HOTTER AND DRIER, MORE FIRES ARE
ENCROACHING ON FIRST NATIONS LANDS,
THREATENING CULTURAL ACTIVITIES**

Noah Berger and Tammy Webber

Republished from *Indian Country Today*, July 19, 2023, <https://ictnews.org/news/canadian-wildfires-hit-indigenous-communities-hard>.

EAST PRAIRIE METIS SETTLEMENT, Alberta — Carrol Johnston counted her blessings as she stood on the barren site where her home was destroyed by a fast-moving wildfire that forced her to flee her northern Alberta community two months ago.

Her family escaped unharmed, though her beloved cat, Missy, didn't make it out before a “fireball” dropped on the house in early May. But peony bushes passed down from her late mother survived and the blackened May Day tree planted in memory of her longtime partner is sending up new shoots — hopeful signs as she prepares to start over in the East Prairie Métis Settlement, about 240 miles northwest of Edmonton.

“I just can’t leave,” said Johnston, 72, who shared a home with her son and daughter-in-law. “Why would I want to leave such beautiful memories?”

The worst wildfire season in Canadian history is displacing Indigenous communities from Nova Scotia to British Columbia, blanketing them in thick smoke, destroying homes and forests and threatening important cultural activities like hunting, fishing and gathering native plants.

Thousands of fires have scorched more than 42,000 square miles across the country so far. On Tuesday, almost 900 fires were burning— most of them out of control — according to the Canadian Interagency Forest Fire Centre website.

Fires aren’t uncommon on Indigenous lands, but they’re now occurring over such a widespread area that many more people are experiencing them at the same time — and some for the first time — stoking fears of what a hotter, drier future will bring, especially to communities where traditions run deep.

“I’ve never seen anything like this,” said Raymond Supernault, chairman of the East Prairie Métis Settlement, where he said more than 85 percent of the 129-square-mile (334-square-kilometer) settlement burned in the first wildfire there in over 60 years. Fourteen houses and 60 other structures were destroyed by the intense, fast-moving fire that led to the evacuation of almost 300 people and decimated forested land.

“In blink of eye, we lost so much ... it was devastating. I can't stress that enough,” said Supernault, who said he hasn't seen any elk or moose, both important food sources, since the fire.

“We don't just jump in the car and go to the IGA,” for groceries, Supernault said. “We go to the bush.”

In Canada, 5 percent of the population identifies as Indigenous — First Nation, Métis or Inuit — with an even smaller percentage living in predominantly Indigenous communities. Yet more than 42 percent of wildfire evacuations have been from communities that are more than half Indigenous, said Amy Cardinal Christianson, an Indigenous fire specialist with Parks Canada.

As of last week, almost 23,000 people from 75 Indigenous settlements have had to evacuate this year, according to Indigenous Services Canada. More than 3,600 people from 15 First Nations reserves in five provinces were evacuated as of Thursday, the agency said.

It's not uncommon for Indigenous communities to evacuate repeatedly, Christianson said. A recent analysis of the Canadian Wildland Fire Evacuation database found that 16 communities were evacuated five or more times from 1980–2021 — all but two of them First Nations reserves, said Christianson, who participated in the analysis by the Canadian Forest Service.

Fires now “are so dangerous and so fast-moving” that evacuations increasingly are necessary, a challenge in some remote communities where there might be one road in, or no roads at all, said Christianson, who is Métis.

Ken McMullen, president of the Canadian Association of Fire Chiefs and fire chief in Red Deer, Alberta — a province where about 7,600 square miles (19,800 square kilometers) have already burned, compared to just over 695 square miles (1,800 square kilometers) in all of 2022 — said some places burning again this year haven't fully recovered from previous fires.

“It's going to take a long time,” said McMullen, calling it the worst fire season in Canadian history. “These are life-altering events.”

Christianson said the effects will be felt for generations, because the intense heat is burning the soil and making it difficult for trees and other plants to regenerate.

She said Indigenous communities are increasingly vulnerable because they're often left out of decisions about forest management and fire response, and often can't afford to hire emergency managers. What's more, when fires affect urban centers at the same time, fire suppression shifts to larger communities.

Indigenous communities “really want to be leaders in managing fires in their territory,” including a return to preventive burning that was long suppressed by the government, said Christianson.

The Algonquins of Barriere Lake in northern Quebec evacuated in June because of heavy smoke from wildfires that came within 9 miles of and almost surrounded the reserve where about 350 to 400 people live, often miles apart, said Chief Casey Ratt, who never experienced a forest fire before this year.

“Last year, me and my wife were talking about how many fires there were in Alberta, then boom! There were so many in Quebec this year,” said Ratt. “I was like, ‘Oh my gosh, now we’re dealing with wildfires like they are out west.’”

But it also wasn’t a total surprise, said Ratt, because summer heat is more intense and ice forms later in the winter and melts faster in the spring. That diminishes their ability to ice-fish and hunt for moose and beaver, which often requires crossing a lake to an island.

“Something is happening,” said Ratt, who believes climate change is largely to blame. “I think this will be the norm moving forward.”

The biggest concern is whether cultural traditions that have been passed down from generations of elders will survive into the future, said Supernault, from the East Prairie Métis Settlement.

“Our earth is changing ... and our traditional way of life is now put on hold,” said Supernault. “You can’t put a price on culture and traditional loss.”

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THE VIOLENT CARTOGRAPHY OF LITHIUM IN BRAZIL: INDIGENOUS AND TRADITIONAL COMMUNITIES STRUGGLE WITH THE GIANT OF TRANSITION MINERALS IN BRAZIL

Edson Krenak*

Republished from Cultural Survival, June 26, 2023,
<https://www.culturalsurvival.org/news/violent-cartography-lithium-brazil-indigenous-and-traditional-communities-struggle-giant>.

The extractivist growth model for transition minerals has emerged in Latin America in recent years, fueled by a sharp spike in demand for batteries and other technologies for the transition to the so-called “green economy” by industrialized countries and rising superpowers alike. This demand for transition minerals reflects a new economic and political ideological order connected with the green economy, which has resulted in new socio-environmental and cultural

impacts. The demand for resources and raw materials from the global south is the same as that which developed and enriched the global north over the last five centuries, to the detriment and impoverishment of local communities and Indigenous Peoples. This new race for resources has renewed well known conflicts and problems by putting Indigenous Peoples and the environment at risk of human rights abuses and environmental degradation.

The Jequitinhonha Valley in southeast Brazil has been a hotbed for mining for decades, with new destructive transition mineral extractivist activities instigating even more conflicts, anxiety, and rights violations in Indigenous communities. The territories of Indigenous Peoples and traditional communities like Quilombolas are deeply impacted as a result of the large mining companies' intensification of operations and expansion of production. Extractivist projects are simultaneously undermining rights and weakening States that have the responsibility, under national and international laws, to respect, protect, and fulfill Indigenous rights and the security of local communities.

The Jequitinhonha Valley in Minas Gerais has been exploited for iron, gold, and precious gems for centuries. Despite its natural riches, this area is one of the most impoverished regions, severely affected by economic and social struggles. The recent discovery of significant lithium deposits there established Brazil on the transition minerals map for good, adding Brazil, along with Bolivia, Chile, and Argentina, as one of the largest lithium sources in the world. Sigma Lithium Resources, a Canadian company that has the biggest mining presence in the region, claims that its operations are "sustainable." In reality, their actions are creating hardship and destruction for Indigenous Peoples and traditional communities affected by their activities.

It is evident that the process of historical and geographical colonization in the region, along with ongoing conflicts related to the mineral industry and agribusiness, has been working to delay Indigenous land demarcation for years. The influx of major mining companies, speculation for mining licenses, and the subsequent rise in land prices also contribute to making the local people's lives difficult. **Studies** show that between 1970-1999, there were 541 registered mining titles; this number increased almost 10-fold to 5,068 titles between 2000-2018, with mining operations now occupying a vast area totaling 37,000 square kilometers. Starting in 2018, Brazil's government suspended all demarcation for Indigenous lands and granted mining licenses, increasing exponentially the influx of pernicious mining operations in the region.

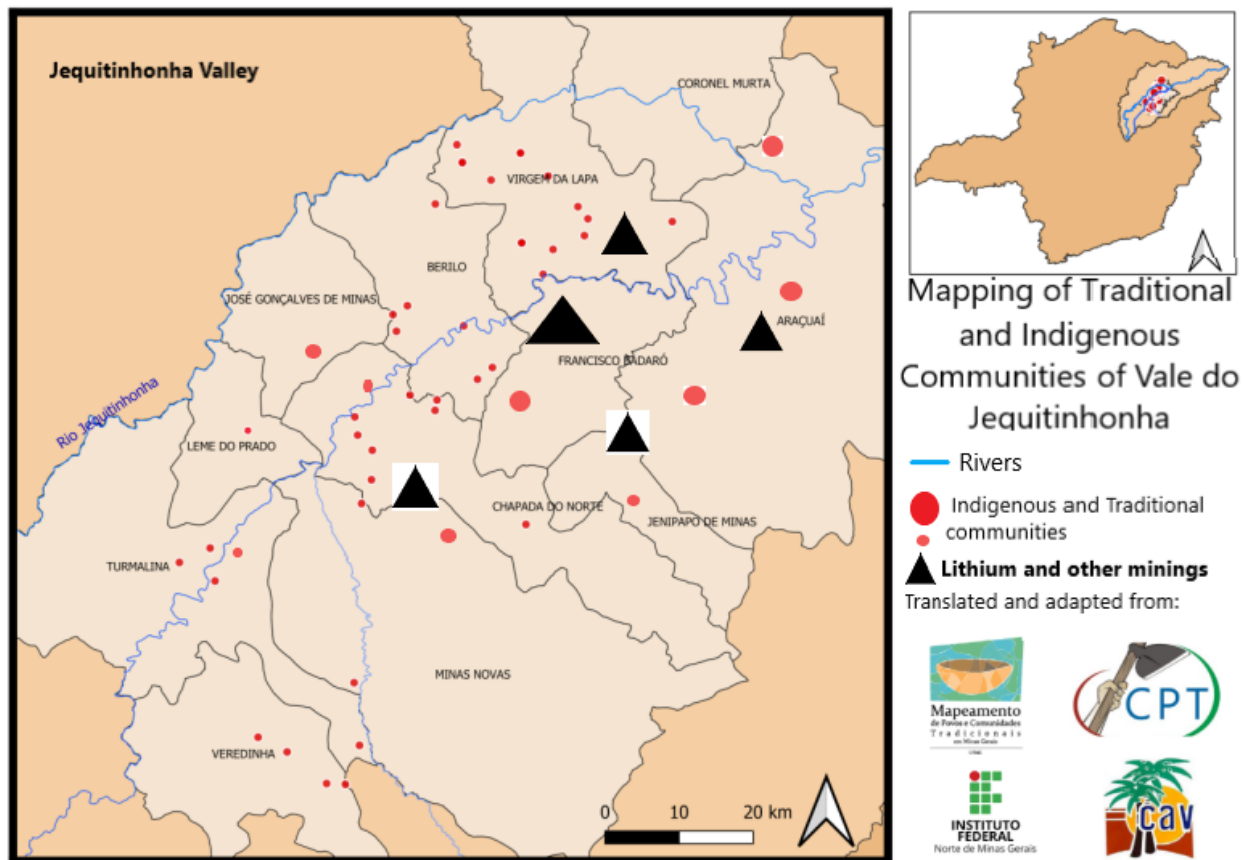


This satellite image from Mapbox shows the coverage area, routes, and impact of Sigma Lithium Resources and other mining companies in the region. The following landmarks are numbered:

1. *Cinta Vermelha Indigenous land, home to the Pataxo, Cinta Vermelha, Pankararu, and other semi-nomadic Peoples, such as the Maxacali, who live in the area, and the municipality of Itira, where other mining corporations are operating.*
2. *The Araçuaí River, which is already discolored due to intense mining activities in the region. This river supplies the city as well as numerous local communities along its banks.*
3. *The Jequitinhonha River, sacred to the Pataxo, Cinta Vermelha, and Pankararz Peoples who live there, is under imminent risk of contamination, posing losses, damages, and risks to the lives of these and Quilombola communities.*
4. *One of Sigma's mines in the region.*

Jequitinhonha Valley: Home to Indigenous and Quilombola Communities

According to Cleonice Pankararu (Pankararu), a local Indigenous leader, and Geralda Alves, a dedicated researcher of Indigenous Peoples in the region for decades, several Indigenous communities are directly affected by the mining activities. In addition to the Krenak Peoples, who number around 600, there are approximately 900 Maxakali Indigenous people who are experiencing disruptions to their nomadic lifeways near the Jequitinhonha River and other locations. The Aranã Peoples, who are reclaiming their identity and territories, reside a mere 300 meters away from a mining site. The Tupinikim/Guarani Peoples living in the northern part of the valley depend on the ecological systems of the region. The remaining Pataxo and Pankararu communities in the area have chosen to stay and safeguard their traditional territories. The Aranã, Pankararu, and Pataxó Peoples are the ancestral inhabitants of the Jequitinhonha Valley.



According to data from the Palmares Foundation, a State agency serving Black communities, the Jequitinhonha Valley has one of the largest densities of Quilombola communities in Brazil, with 95 recognized traditional communities to date. Indigenous representatives such as Geralda Chaves Borum, say that there is no State presence or any policy to protect Indigenous Peoples in the Jequitinhonha Valley: “There is no FUNAI or any service to support these communities. Right now, 18 members of a nomadic Indigenous group have arrived at my house, with no State support. With the mining, the situation is even worse.”

The Dynamics of Negotiation and Oppression: A Letter of Indignation to Sigma Lithium Corp

The struggle for the rights of Indigenous Peoples and affected local communities will only succeed when they become the protagonists in the defense, reparation, and protection of their lands. This requires that the State apparatus, corporate entities, and scientific community reflect upon and integrate the knowledge of the people that historically have been invisible. In the region, it is not only the State and corporations that undermine these communities, but also local academic institutions that align themselves with large mining companies.

Judicial decisions regarding mining-related disasters in the area should prioritize local, traditional, and environmental knowledge that has been forged through the struggle for rights, self-determination, and a healthy environment. Sociologist B.S. Santos once said that "global

social injustice is closely tied to global cognitive injustice," thus emphasizing the need to fight for both types of justice on a global scale. It is crucial to shed light on this battle and question the assumptions underlying this new economic paradigm.

In Brazil, there is an extensive legal framework that governs the mining sector. Mining companies must conduct thorough research to identify and acquire the appropriate mining rights, concessions, or leases for the desired mineral deposits. However, these processes have been relaxed and even suspended by governments to cater to the powerful lobbying efforts of corporations and foreign governments.

Opening a mining operation involves several political and legal actions:

1. Obtaining a mining concession through the National Mining Agency.
2. Environmental licensing. Mining projects in Brazil require Environmental Impact Assessments to obtain an environmental license. These assessments must be issued by a neutral third party that evaluates potential environmental and social impacts and ensures compliance with environmental regulations.
3. Respecting the rights of Indigenous Peoples and local communities. If the mining project impacts Indigenous territories or local communities, obtaining the Free, Prior and Informed Consent from these groups is necessary. Brazil is a signatory of ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples, and has specific laws protecting Indigenous rights. Engaging in a transparent, meaningful consultation that respects self-determination, under community protocols, with Indigenous and local communities, is crucial.
4. Engaging stakeholders. Building positive relationships with local communities, governments, and other stakeholders is essential. This involves communication, transparency, and addressing social and environmental concerns. The company should respect national and international laws and not be involved in corruption or unfair and illegal lobbying in order to bend laws. Frequently, big corporations cut deals to elude laws and regulations and carry out illicit efforts to influence decisions in their favor. (See: Glencore agrees to make a payment of up to \$1.5 billion in order to resolve allegations of corruption in Latin America: <https://magazine.cim.org/en/news/2022/weekly-mining-news-recap-may-27-2022/>.)

The local communities, Indigenous Peoples, and Quilombolas from the Jequitinhonha Valley residing in the affected lands assert their strong opposition to Sigma Corporation's presence and activities. They believe that the company unduly influenced the government and neglected to fulfill necessary due diligence, failing to comply fully with the actions cited above, especially related to their Free, Prior and Informed Consent.

Sigma received an operating license in March 2023 in Minas Gerais to sell and export lithium for the production of electric vehicle batteries. The company received the license despite violating the rights of local populations by failing to obtain their Free, Prior and Informed

Consent. The Public Ministry and local Quilombola organizations had recommended further studies before the start of mining activities, as the region has more than 130 cataloged water sources and is considered the reservoir for the municipality of Araçuaí. However, Sigma started its mapping and earthmoving operations in 2020, years before obtaining a license.

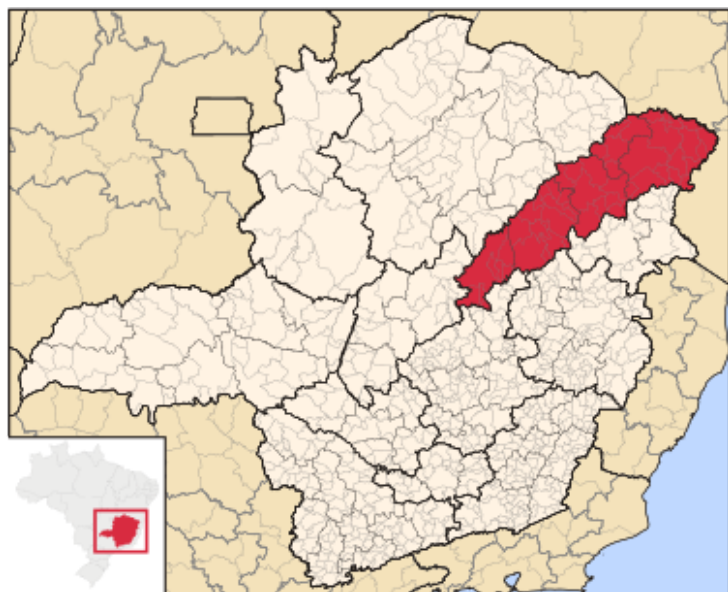


Minas Gerais state/Wikipedia

Sigma's proposal heralds "green and sustainable mining," but their lithium extraction activities have been negatively impacting Indigenous territories and environmental protection reserves. Sigma Co-CEO, Ana Gardner, recently stated (<https://diariodocomercio.com.br/economia/sigma-lithium-obtem-licenca-e-iniciara-producao-no-vale-do-jequitinhonha/>) that the complex called Grota do Cirilo, which is being implemented in two phases in the municipalities of Itinga and Araçuaí, will produce 440,000 tons of high purity lithium concentrate per year. This activity will directly impact the access to water for residents of local cities and towns. Rural communities in the Jequitinhonha Valley have a 16,000-liter capacity water tank for domestic consumption for 8 months, which translates to 2,000 liters per family per month. Meanwhile, the National Water Agency granted Sigma 3.8 million liters per day (100 million liters per month), which would be enough to supply 34,000 families. Sigma estimates its production will gradually increase in the coming months and reach an annual production rate of 270,000 tons of spodumene concentrate (the mineral source of lithium) by July 2023. This will worsen the situation of local communities.

Community members in the Jequitinhonha Valley are standing united in their determination to safeguard their rights and protect their cherished land from any further encroachment by saying “no” to the mining operations. In July 2022, a collective of traditional and Indigenous communities sent a letter (http://www.cppnacional.org.br/sites/default/files/CARTA_DE_ARACUAI_POVOS_E_COMUN_TRADICIONAIS.pdf) of protest in which they listed the problems and the causes of these problems in the region. The letter states:

“We denounce agro and no longer tolerate and hydrobusiness, hydroelectric dams, eucalyptus monoculture companies, and mining companies that: open prospecting holes and leave the craters of greed in our soil, imprison and kill our rivers, steal our plateaus and dry up all our fountains of life; who invade our territories and spray poisons, contaminating our Mother Earth and our people, saying that they are the owners. That is why we cry out in one voice: landowners and land grabbers out, SAM, out! Sigma, out! RIMA, out! NORFLOR, out! Monte Fresno, out! Rio Rancho, out! ArcelorMittal, out! APERAM, out! SUZANO, out! Veracel Celulose and Votorantim Metals, out! TTG Brasil, out! Tomasini, out! Floresta Minas, out! UHE de Formoso, out! Coagro, out! IROBRAS, out! Minas Liga, out! UNIÃO, out! CBL, out! Gerdau, out! Replasa, out! CBA and all other violators of rights, out! We demand them to cease offering mining training and all related fields of study at the IFNMG Campus of Araçuaí College;



Jequitinhonha Valley - Wikipedia

When communities organize this type of protest, they do so based on their own historical experience with mining in the region. We know how unchecked capitalism, colonialism, and the logic of new economies operate. Sigma’s environmental and human rights policies as published in newspapers promise programs to distribute food and prevent diseases as well as offer

education in mining. In other words, the company wants to transform the dynamics of dependence and local governance by creating a system of oppression and misery, as communities that have lived off the land in freedom, producing their own subsistence and experiences, must now prepare to receive food and treatment from an invading company.

This capitalist and colonial dynamic transforms the environment and common goods into commodities and offsets in global chains controlled by large corporations, creating injustice, hunger, and destruction. When we see how the State is aligned with Sigma, we remember the other giant in mining and champion in the destruction of the environment, Companhia Vale do Rio Doce Corporation, today called Vale, which also operates in Minas Gerais, was created as a State-owned company under an authoritarian regime in the context of the Second World War. Through a three-way contract between the United States, England, and Brazil, on March 3, 1942, Vale began to supply raw materials to the military industry globally.

The Political and Judiciary Lobby Against the Peoples: Ways to Erase Memory and the Environment

In May 2023, the governor of Minas Gerais, Romeu Zema, traveled to New York to launch the "Lithium Valley" on the NASDAQ stock exchange. Governor Zema has been promoting this program, along with political figures and judges from the judiciary, as the "economic and social salvation for the Jequitinhonha Valley." He is seen as the biggest lobbyist for those industries and an enemy of Indigenous Peoples.

According to the local collective of Jequitinhonha Peoples, the name "Lithium Valley" has been dominated by Canadian companies, particularly Sigma Lithium Resources, which started producing what they call "green lithium" in May. "They are trying to rename the area and destroy our memory," says one member of the community. By using the word "green," the companies are claiming that the resources are extracted in an environmentally and socially responsible manner—but this is not supported by reality.

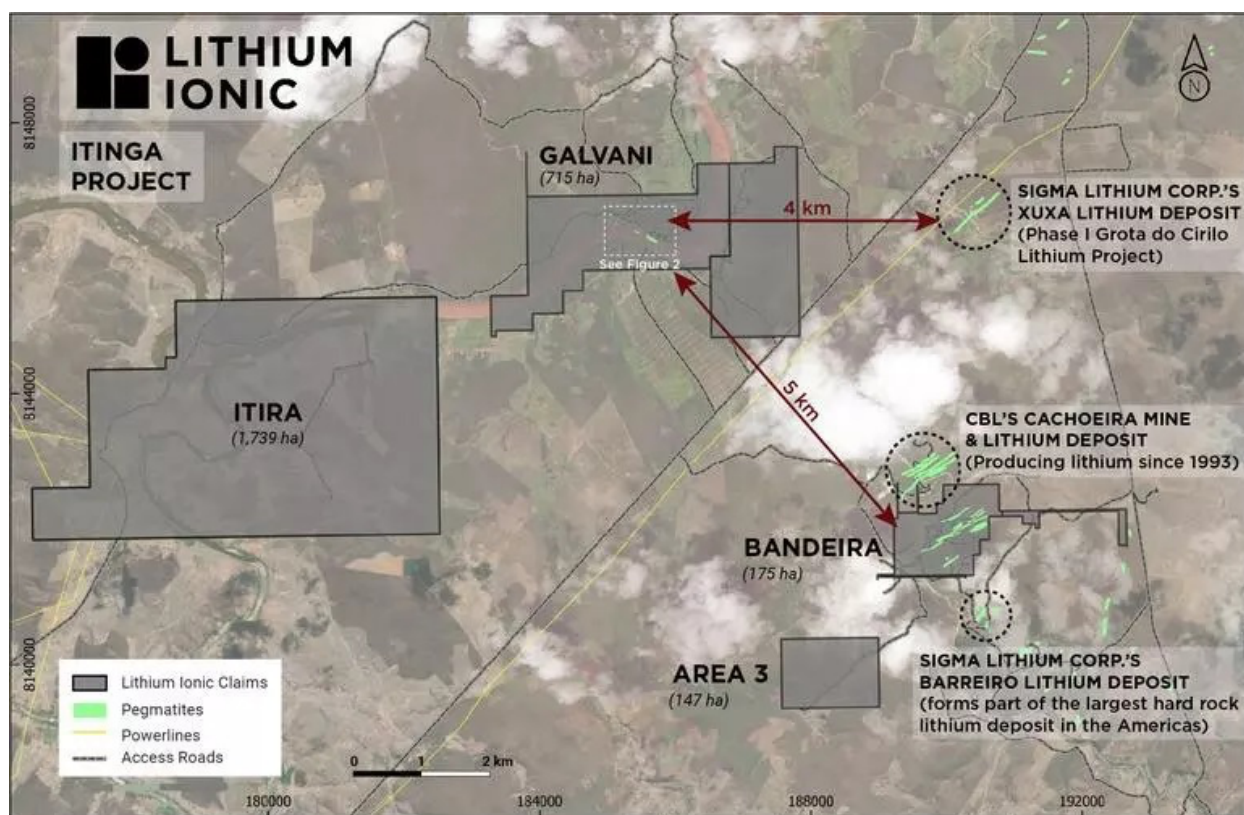
The Lithium Valley project will impact 14 municipalities in the Jequitinhonha Valley, Mucuri Valley, and the northern and northeastern regions of Minas Gerais, which include Araçuaí, Capelinha, Coronel Murta, Itaobim, Itinga, Malacacheta, Medina, Minas Novas, Pedra Azul, Virgem da Lapa, Teófilo Otoni, Turmalina, Rubelita, and Salinas. These communities are home to rural, traditional, and Indigenous people.

According to Midia Ninja, an independent Indigenous media outlet on Instagram, Sigma shared its Environmental Impact report of the Grota do Cirilo. The report failed to address Indigenous issues and other environmental issues, but Sigma was nevertheless granted permission to extract 150 cubic meters of water per hour from the Jequitinhonha River, equivalent to five water tanker trucks per hour.

Despite claiming to invest in the region, prioritize sustainability, and protect water sources and human rights, the company and Governor Zema (who sold the government's 33

percent stake in the Brazilian Lithium Company, which is now 100 percent privately owned) did not provide any safeguards on human rights, environmental protection, or Indigenous consultation. The local communities are claiming that their water streams, essential for their crops, are disappearing and the rivers are contaminated. To this date, no technical study has been conducted to explain the situation.

Sigma's actions in the Jequitinhonha Valley have raised serious concerns about the company's disregard for the principles of Free, Prior, and Informed Consent. The company's authorization to extract a significant amount of water from the Jequitinhonha River severely threatens the water access of local communities and Indigenous Peoples and poses perils to the livelihoods and well being of the people who depend on this vital resource. Furthermore, Sigma's activities will lead to the destruction of memorial landscapes and territories, erasing the cultural and historical significance of these areas. Maxacali, Krenak, Arana, and other Indigenous Peoples who currently freely move around the region for ceremonies will be deeply impacted.



The image (source: <https://www.brasilmineral.com.br/noticias/lithium-ionic-anuncia-avancos-na-regiao-de-itinga>) above shows another mining company in the region Lithium Ionic that, with CBL and Sigma, is operating on Indigenous and Quilombola lands.

Sigma has also demonstrated a lack of respect for the environmental and social values of the region. In a recent Open Letter (read the original here: <https://www.cptmg.org.br/portal/carta->

politica-do-encontro-de-povos-e-comunidades-tradicionais-de-minas-gerais/ or the English version:

https://docs.google.com/document/d/1ZysdI1WqHIPpD4m5iBSde0ZAeHMrTLdP/edit?usp=share_link&ouid=109371100742651135472&rtpof=true&sd=true), collectives and Indigenous communities denounce the violence of the State, judiciary system, and big corporations:

“In addition to mining companies, monoculture eucalyptus plantations and agribusiness have also been responsible for the displacement of many communities. These communities also suffer from land-grabbing processes orchestrated by large landowners and corporations. There is a lack of public policies that guarantee the rights of these Peoples, while there are abundant resources and incentives for large landowners to destroy the environment and our well being. In Minas Gerais, where more than half of Brazil's eucalyptus monoculture is found, over the past decade, our state has recorded the highest number of workers in slave-like conditions. We can no longer tolerate the atrocities committed by the government of Minas Gerais, led by Romeu Zema, in collusion with large corporations and with the complicity of the Judiciary.”

The Jequitinhonha River, Not Lithium, Shapes the Valley

Indigenous and affected communities are demanding the immediate establishment of a task force composed of Indigenous Peoples and members of the local communities, the true guardians and caretakers, to review this project in depth. This task force should focus on thematic studies, mapping the communities and their territories, rights, and the documentation of their extensive cultural repertoire related to management practices, agriculture, food systems, and extractive activities. It is essential to conduct a participatory inventory of their tangible and intangible cultural assets, as well as sites and places of ancestral memory. Furthermore, the establishment of communication and reporting platforms at national and international levels is necessary to address this unacceptable situation of human rights violations and environmental degradation in Minas Gerais. Local collectives also emphasize that the population was not consulted about the project: "We are seeing politicians and businessmen saying what our region needs, but nobody listened to the people." In response, the Public Prosecutor's Office has recommended the nullification of the Sigma Mining Company's research in Araçuaí.

Mining has deeply impacted local communities. The mining model in Minas Gerais has historically been rejected by Indigenous Peoples and by numerous traditional communities because mining has been synonymous with the violent annihilation of the ways of life in these territories. Polluted rivers are unsuitable for fishing, bathing, and rituals, as are the resulting noise pollution and air pollution from mineral waste, which emits a terrible smell, and the noise from machinery and explosions, in addition to the dangerous traffic of huge trucks.

The historical violence associated with mining in the region has reached alarming levels, exacerbated by the interference and rapid expansion of China, as well as the increasing demand for lithium from European countries. While nations such as Germany, Japan, the United States, United Kingdom, Canada, and China profit from the mining industry, less economically developed countries bear the burden of its devastating impacts. Tragically, in Brazil, it often

takes catastrophic events, such as the Mariana (2015) and Brumadinho (2019) dam failures, which resulted in the destruction of ecosystems and claimed the lives of nearly 300 individuals, for the world to pay attention to the consequences of these mines.

Discussions and consultation processes involving Indigenous Peoples and local communities in the Jequitinhonha Valley, as elsewhere in the global south, have been characterized by an evident power imbalance. Civil society workers find themselves trapped in an unjust economic dependency on the mining industry without any viable alternatives, and the local municipalities suffer greatly due to unfair treatment by the State, which unjustly favors large industries and imposes high living costs on the population.

The Minas Gerais state government, attending to industry lobbyists, wants to change the name of the Jequitinhonha Valley (which, in Indigenous languages, means “long river of fish”), to the Lithium Valley. This valley is so much more than a repository for lithium. The Jequitinhonha is an ecosystem of rivers, plants, communities, animals, birds, and numerous species, not just minerals.

The communities that live near Mineracao also face this war against their cultures and their health. Feeling vulnerable, they suffer from physical and mental pain and deep anxiety for the future. They testify to a loss of historical and cultural references to the land, or the obliteration of the memory of sacred places and the invisibility of the people as more and more mining activities take place. Mining transforms rivers into ecological corpses, and the landscape into a cemetery of species. The extractive industry and the State sell a discourse that life without mining is not possible. Indigenous Peoples can attest that that is surely not the case.

List of Collectives, organizations, Traditional and local communities, and Indigenous Peoples impacted by the Lithium mining in the Jequitinhonha Valley:

1. Aldeia Cinta Vermelha-Jundiba
2. Pankararu-Pataxó People
3. Aldeia Geru Tukunã Pataxó, Açucena
4. Apanhadores de Flores Sempre Vivas
5. Brazilian Association of those Affected by Large Enterprises (ABA)
6. Association of the Paraguai Remanescent Quilombola Community
7. Association of United Carters and Carters of Belo Horizonte and Metropolitan Region
8. Eloy Ferreira da Silva Documentation Center (CEDEFES)
9. Chapadeiros of Lagoão de Araçuaí
10. Margarida Alves Popular Advisory Collective (CMA)
11. Commission for Popular Advocacy Support of OAB-MG
12. Commission for the Defense of the Rights of Extractive Communities (CODECEX)
13. Pastoral Land Commission (CPT/MG)
14. Quilombola Commission of Alto e Médio Rio Doce
15. Guegue Indigenous Community
16. Ilha Funda Quilombola Community, Periquito
17. Águas Claras Quilombola Community, Virgolândia

18. Campinhos Quilombola Community, Congonhas
19. Córrego do Narciso Quilombola Community
20. Gesteira Quilombola Community
21. Pontinha Quilombola Community, Paraopeba
22. Araújo Family Quilombola Community
23. Mutuca De Cima Quilombola Community, Coronel Murta
24. Paraguai Quilombola Community
25. Queimadas Quilombola Community, Serro
26. Faiscadores Traditional Community, Alto Rio Doce
27. Indigenous Missionary Council (CIMI)
28. Intermunicipal Community Council of the Traditional Geraizeiro Territory of Vale das Cancelas
29. Pastoral Fishermen's Council (CPP)
30. Federation of Quilombola Communities of Minas Gerais - Ngolo
31. National Forum of Traditional Communities and Peoples of Brazil
32. Study Group on Environmental Themes (GESTA/UFGM)
33. Dom Tomás Balduino Institute
34. Kaipora - Biocultural Studies Laboratory
35. Souza Family Kilombo
36. Manzo Ngunzo Kaiango - Urban Quilombo Culture Resistance
37. Movement of Those Affected by Dams (MAB)
38. Landless Workers' Movement (MST)
39. Rural Workers' Movement (MTC)
40. National Movement of Traditional Fisherwomen and Fisherfolk of Brazil (MPP)
41. Movement for Popular Sovereignty in Mining (MAM)
42. Women of Areias NGO
43. Aranã Caboclo People of Coronel Murta and Araçuaí
44. Ancestral Religious Tradition Peoples and Communities of African Matrix (PCTRAMA)
45. Vargem do Inhaí Quilombo
46. Baú Quilombo, Araçuaí
47. Root Quilombo
48. Quilombola Network of the Metropolitan Region of Belo Horizonte
49. National Network of Popular Lawyers (RENAP)
50. Land of Rights
51. Kamakã-Mongoio Indigenous Land, Brumadinho
52. Xakriabá Indigenous Territory
53. Brejo dos Crioulos Quilombola Territory

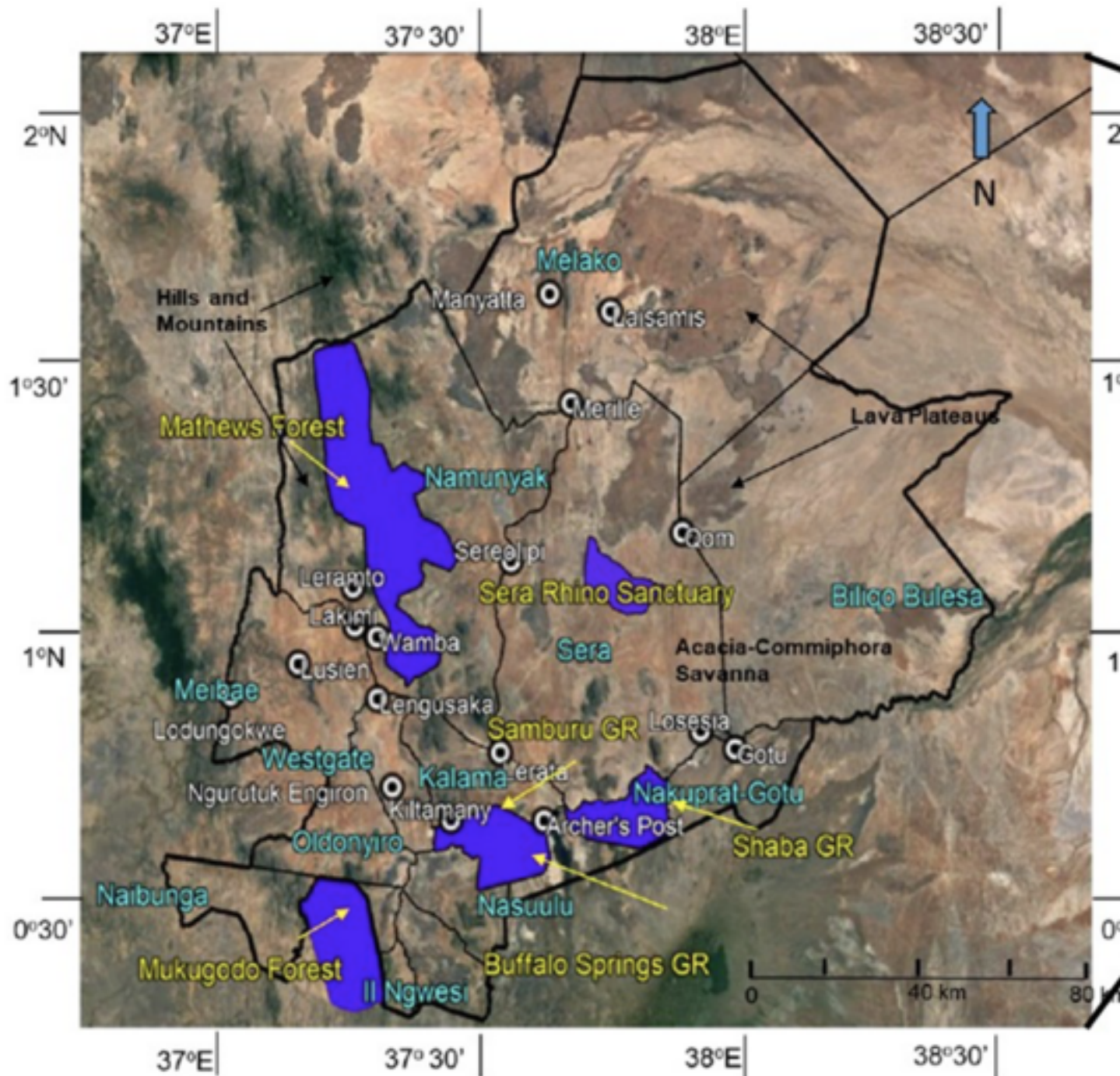
* Edson Krenak (Krenak) is a member of Cultural Survival's staff.

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**BLOOD CARBON:
HOW A CARBON OFFSET SCHEME MAKES MILLIONS
FROM INDIGENOUS LAND IN NORTHERN KENYA**

Simon Counsell*

Republished from Survival International, March 2023,
<https://www.survivalinternational.org/articles/carbon-offset-scheme-makes-millions-from-Indigenous-land-Northern-Kenya>.



Thirteen more-or-less contiguous conservancies are involved in the NRT carbon credits project. Note that the area outlined in red on the right hand map, which is generated using a shapefile provided by the project, appears to include some conservancies in the north which have not been part of the carbon project to date. © Survival

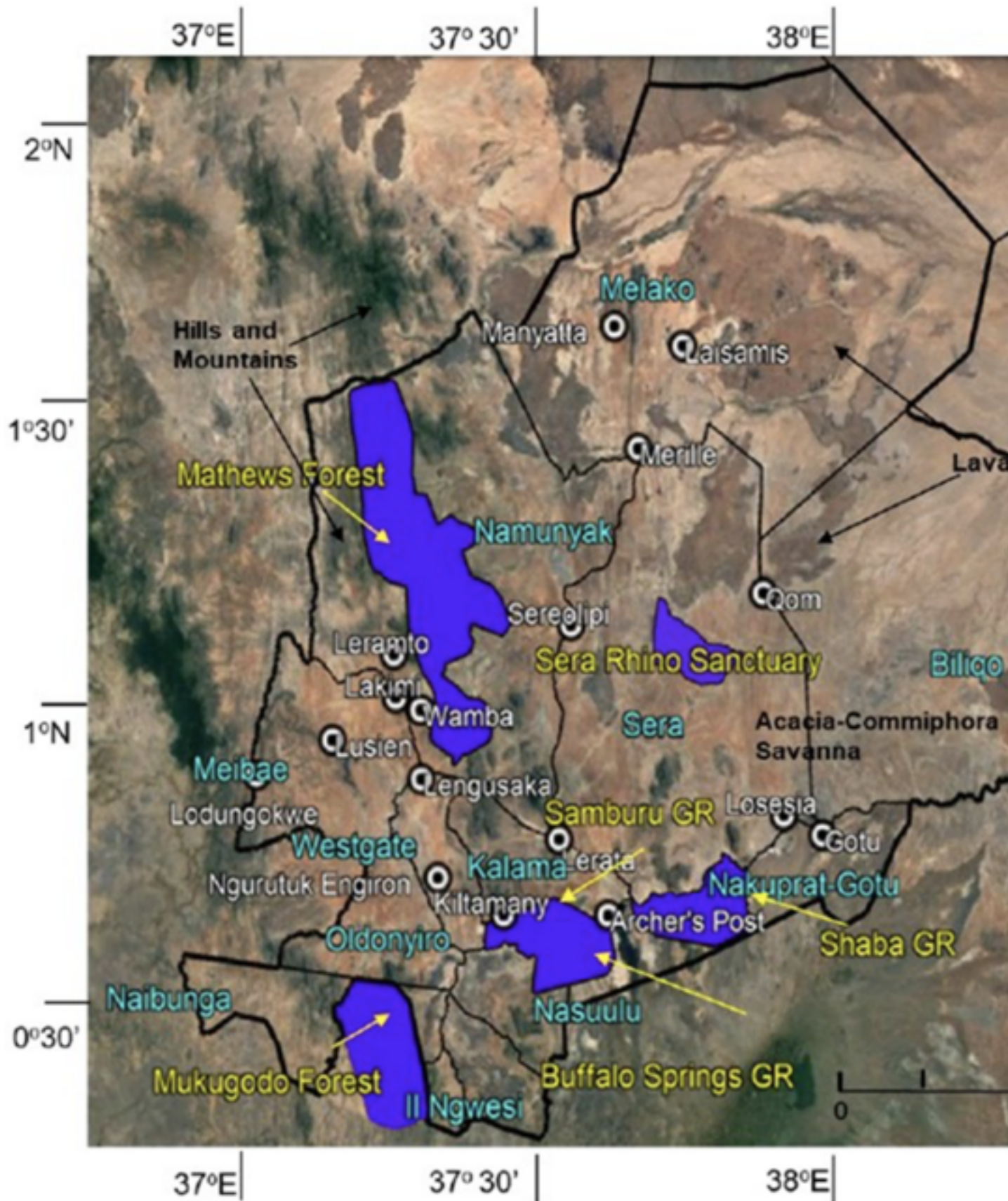
by Simon Counsell, independent researcher and writer

Executive summary

*Research by Simon Counsell and Survival International into a carbon offset scheme on Indigenous land in northern Kenya raises major questions about the credibility of the project's claims, as well as about the potential impact on the rights and livelihoods of the Indigenous pastoralist peoples to whom this land is home. To read the full report, click here: https://assets.survivalinternational.org/documents/2466/Blood_Carbon_Report.pdf?_gl=1*1ct1dc0*_ga_VBQT0CYZ12*MTY5NDg5OTY0OC4xLjEuMTY5NDg5OTY3NS4wLjAuMA...*

The Northern Rangelands Trust (NRT) claims that its Northern Kenya Grassland Carbon Project (NKCP) is “the world's largest soil carbon removal project to date and the first project generating carbon credits reliant on modified livestock grazing practices”. The project covers half of the four million hectares now included within NRT’s grouping of ‘Conservancies’ – areas which are notionally being managed for the benefit of wildlife as well as local people. Thirteen more-or-less contiguous conservancies are involved in the project (see map, Figure 1).

Figure 1: The project location



Note that the area outlined in red on the right hand map, which is generated using a shapefile provided by the project, appears to include some conservancies in the north which have not been part of the carbon project to date.

The area has more than 100,000 inhabitants, including indigenous Samburu, Maasai, Borana, and Rendille people. All are pastoralists, whose way of life is inseparably bound up with their livestock – principally cattle, but also camels, sheep and goats. Grazing typically follows local and regional rainfall, sometimes involving migration routes that may extend hundreds of kilometers. Grazing patterns are traditionally dictated by elders according to long-standing sets of rules, allowances and sanctions.

The project, which started in January 2013, is based on the notion that replacing what it calls the traditional ‘unplanned’ grazing with ‘planned rotational grazing’ will allow vegetation in the area to (re)grow more prolifically. This in turn, the project claims, would result in greater storage of carbon in the conservancies’ soils - averaging around three-quarters of a tonne of additional carbon per hectare per year. Thus the project would allegedly generate around 1.5 millions of tonnes of extra carbon ‘storage’ per year, producing around 41 million net tonnes of carbon credits for sale over a 30-year project period. The gross value of these could be around US\$300 million – US\$500 million, but potentially much more.

It is Project #1468 in the Verra registry. The Verra system is supposed to ensure that carbon offset projects generate real, credible and permanent emissions reductions. Verra says that it uses a “rigorous set of rules and requirements” to verify that emissions reductions (or additional carbon storage) are “actually occurring”.

The project is an example of a so-called ‘nature-based solution’, wherein conservation programmes are funded through the sale of carbon credits to polluting companies, generating extra revenue to both expand and intensify the preservation or ‘restoration’ of land for wildlife. The project has been described by the European Commission as the model on which it intends to base a forthcoming large funding programme for conservation projects in Africa called ‘NaturAfrica’.

In its first crediting period (2013-2016), the project generated 3.2 million carbon credits. By January 2022, all of these had been sold. The exact total gross value of these sales is not known, but is likely to have been between US\$21 million and US\$45 million. Most were sold in large blocks, including 180,000 to Netflix and 90,000 to Meta Platforms (formerly Facebook). A second batch of credits, for 2017-2020, was claimed by the project in April 2022; although no verification report of these had been published by the end of January 2023, another 3.5 million credits were verified, and the credits started to be issued in December 2022. By February 2023, 1.3 million of these had been sold, mostly again in very large (and anonymous) blocks.

This assessment of the Northern Kenya Grassland Carbon Project raises many questions about the credibility of the offsets being generated as well as the likely impact of it on the area’s indigenous peoples. The report finds that:

Impacts on communities: The project relies on major changes to the way in which the area's indigenous pastoralists graze their animals – breaking down the long-standing traditional systems of gada and mpaka, for example, exercised respectively by the Borana and Samburu people, and replacing them with a collectivized, centrally controlled system more akin to commercial ranching. As well as being culturally destructive, this could also serve to endanger livelihoods and food security, by requiring livestock to remain inside the project area and disrupting or preventing migrations following rains during seasonal droughts (which are worsening).

Additionality: The project does not present a credible case for its carbon additionality. It is based on a presumption that the traditional forms of grazing were causing degradation of soils and that only the carbon project could remedy this. But the case that the area was being degraded through 'unplanned grazing' is not supported with any empirical evidence, and indeed the project ignores that the 'unplanned grazing' is in fact subject to traditional forms of governance which have sustained pastoralism within broadly sustainable limits for many centuries. Rather than showing that the project was additional because there was no other way of financing the intended changes to grazing regimes, it chose to show that its additionality lay in the fact that there were many barriers to achieving what was wanted by the project, and that it was least like what had happened in the past. This method of demonstrating additionality has the highly perverse effect of incentivising an approach (centralized, rigidly planned grazing within prescribed geographical areas) that is in fact strongly both contrary to the cultural norms of the areas' indigenous pastoralists, and also potentially highly dangerous to people and the environment.

There is no empirical evidence drawn from direct assessment or data that the project's purported 'planned rotational grazing' is either a/ actually occurring across most of the project area or b/ actually any better for soil carbon accumulation than the traditional pattern of pastoralist land management. On the other hand, there is evidence that prevalent traditional grazing is not strongly correlated with either vegetation changes or the variable levels of soil carbon.

Baselines: As with additionality, the baseline for the project (i.e, what is claimed would have happened in the project's absence) is merely drawn from a presumption that the traditional forms of grazing are causing degradation of soils, and would continue to do so, without this being based on any empirical evidence. The limited information provided by the project purporting to show a decline in vegetation quality prior to the project does not in fact show this at all. Evidence presented by NRT indicates that, if anything, the quality of vegetation has declined since the project started; if, as the project asserts, vegetation cover is correlated with soil carbon, this would suggest that soil carbon in much of the area is in fact also declining.

Leakage: There are major issues with carbon 'leakage' from the project, particularly in the form of livestock moving off-project. The project purports to be able to quantify how many 'livestock days' are spent out of the project area, but analysis of the monitoring data on which these claims are based – especially the monthly grazing reports – show that

these are for the most part wholly inadequate for such a purpose. Many are entirely lacking in credible information about where livestock are at any given point in time, with little or no information about where large number of livestock have moved to. The quantification of leakage is in fact little more than guesswork. Related to this issue, it is clear from both the livestock reports and other project documentation, that the project has no meaningful control over its boundaries, which is in fundamental non-compliance with the methodology (VM00032) under which the project was developed. The validation and previous verification audits scrutinized this issue but wrongly accepted the project's reassurances that it has mechanisms to detect and monitor movements of livestock off-project. In reality, as interviews with residents during a site visit by the author in 2022 confirmed, there is no such mechanism; the 1,000-kilometre project boundary is highly porous, and almost impossible to monitor in any meaningful way. Even though it proved impossible for the project to demonstrate that it complied with this most basic eligibility conditions to be a VCS carbon offset project, it was nevertheless both validated and verified, and the eligibility question was simply delayed to some future time and for a later verifier to deal with.

The containment of livestock within proscribed boundaries is, as the project itself admits, anyway contrary to the long-established traditional grazing patterns which can include short- and long-term, long-distance migrations. These can be essential for survival of both livestock and people, especially during times of drought.

Project monitoring: Some of the issues above are related to the project's fundamental inability to monitor key aspects of the purported implementation of planned rotational grazing. Some of the calculations used to estimate the project's claimed additional storage of carbon were based on monitoring information that was entirely unfit for the purpose. The critically important periodic reports on grazing activities submitted by each of the 13 participating conservancies (which were available to the first verification period's verifiers) are generally extremely poor in quality. They lack essential or credible information about the numbers of animals present, their location, and their movements. For the periods of both the first and second verification, the grazing reports and maps are almost entirely worthless as a means of assessing even whether 'planned rotational grazing' has been implemented, let alone its outcomes. They indicate very strongly that the project could not properly monitor its boundaries, let alone control them. They strongly contradict the project's claim that leakage of livestock out of the project area was 'negligible'. They strongly suggest that the project was not complying with the methodology requirement to be able to control its boundaries, even if the appearance of being able to monitor them improved slightly in recent years. They strongly suggest that the evidence necessary to demonstrate that 'Bunched Herd Planned Rotational grazing' was actually taking place was largely lacking. More widely, the project depends entirely on remote sensing of proxy indicators of soil carbon (i.e., an index of vegetation cover) rather than direct measurement of soil carbon, and then manipulation of that data through further algorithms/models. The steps involved in this, on the project's admission, contain very large margins of error and inaccuracy. There are very strong reasons to question whether the grazing reports being generated by the project could be correlated with the vegetation change maps derived from satellite images.

Inspection of the originals of the livestock maps (rather than the barely intelligible small versions shown in the project monitoring report), shows enormous and important discrepancies compared to the satellite-derived vegetation maps.

Permanence: Even if the project were actually resulting in any real additional storage of carbon in the project area's soil – which is at best highly questionable – it is doubtful that it will remain there for very long. All the data points to long-term climate-related changes in weather patterns, and particular increased length and severity of droughts, across most of the project area. This will result in declines in vegetation and soil carbon storage. Although the project in principle acknowledges this, it dismisses such concerns by pointing to some hoped-for increases in grazing availability due to the project's own activities. However, there is no empirical evidence presented to suggest that these have had any sustained success or can in any way compensate for the long-term negative effects of climate change.

Consultation, free prior and informed consent, and grievances: To date (including the Second Monitoring Report) there is wholly unconvincing evidence presented that NRT has properly informed communities about the project, let alone received their free prior and informed consent to it. We note that this was a matter of concern in both the validation and first period verification, and that the concerns about this largely remained unresolved. Provision of information about the project has, at best, been limited to a very small numbers of people, mostly those associated with Conservancy bodies (such as the Boards), and for the most part only long after the project had already advanced. There is no evidence that adequate information was provided in Kiswahili, Samburu, or other local languages. The project's response to the auditors' questions about consultation during the first verification assessment suggests that there was almost no meaningful provision of information – and hence no possibility of obtaining any form of consent. The same applies to the years 2017-2020 as covered in the second verification period. It is clear from our own investigations that, to date, very few people in the project area – including even those on the Boards of Conservancies – have a clear understanding of what the project is about, nor their roles, responsibilities and supposed benefits from it. Contrary to Verra's current requirements, there is no mechanism for grievances over the project (as opposed to employment grievances, as referred to by NRT in the Project Document). NRT may not, as they claim, have received any complaints during the second verification period, but this could simply be because a/ almost no-one knew of the project during that period and b/ there was no complaint mechanism. There have certainly been serious complaints recently, including at least one conservancy formally withdrawing from the project.

Legal basis of the project: There are very serious issues relating to the legal basis of the project and the way it has been implemented. At least half of the project area consists of Trust Lands, which are subject to the terms of the Community Lands Act (CLA) 2016. This places responsibilities and obligations on any bodies seeking to carry out activities on Trust Lands, and mandates a central role for County governments in holding the lands in trust until such time as they are formally registered by communities. As yet, none of

the Trust lands in the project area have been registered (and community members believe that NRT is obstructing their land registration claims). There is no evidence that NRT has complied with various important requirements of the Community Land Act 2016 in its implementation of the carbon project. The very legal basis of the establishment by NRT of conservancies in Trust Lands has been challenged through a constitutional petition presented on behalf of communities within the carbon project area, and others, at the Isiolo Environment and Land Court in September 2021, a case which is still in process.

The basis of NRT's rights to 'own' and trade carbon from the respective lands: In addition to questions about the legality of some of the Conservancies, and apparent non-compliances with the CLA, there are serious doubts about the basis on which NRT has obtained the rights to trade the carbon putatively stored in the soils of the Conservancies. A formal agreement to this effect was not signed between NRT and the Conservancies until June 2021 – eight and half year after the project started, and entirely after the period covered by first and second verifications. In other words, even setting aside (non-) compliance with the CLA 2016, NRT did not have a clear contractual right to sell the carbon during this period.

Distribution of benefits, and outcomes: We have serious concerns about how the funds generated through carbon sales are being distributed. Whilst the project claims that the 30% of the total funds to be distributed to the Conservancies are for purposes which the 'communities' themselves determine, this largely proves not to be the case. 20% of the Conservancies' portion has to be spent on NRT's prescribed grazing practices (which, as above, is contrary to cultural norms) and rangers. Another 20% is distributed to conservancies for purposes which have not been specified. The remaining 60% of the Conservancies' portion of the funds is distributed at the discretion of NRT, through a largely opaque process, which community leaders in the project area believe is used to exert control over communities and to promote NRT's own priorities.

The project's validation and verification: Far from having undergone "rigorous" assessment, numerous fundamental problems with the project were not properly addressed during its validation and the subsequent verification of its first claimed 3.2 million tonnes of carbon storage.

Conclusion

NRT has not provided any convincing evidence that they properly informed communities about the project, let alone received their free prior and informed consent to it. It is clear from our own investigations that, to date, very few people in the project area have a clear understanding of what the project is about, nor their roles, responsibilities and supposed benefits from it.

The basic premise of the project, that it can enforce 'planned rotational grazing' within specified geographical areas runs fundamentally against the traditional indigenous pastoralism of the area, is conceptually seriously misguided, potentially dangerous and probably doomed to fail. It is based on a long colonial prejudice that sees pastoralists as incapable of managing their own environment and constantly destroying it by overgrazing. We believe that the project's claim to

be permanently storing quantifiable amounts of additional carbon in the soils of northern Kenya is highly implausible. We believe that the project has no solid basis of additionality, lacks a credible baseline, and suffers from unquantifiable leakage. The project has not empirically demonstrated that it is actually achieving any real additional soil carbon storage. The project's legal basis, including whether NRT has the right to obtain some or all of the traded carbon, and compliance with applicable laws, especially the Community Lands Act 2016, are highly questionable. One of the implications of this is that project funds so far retained by NRT should probably have reverted to the relevant communities.

*Simon Counsell is independent researcher and writer collaborating on this report with Cultural Survival.

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GIVING A PLATFORM TO INDIGENOUS WATER PROTECTORS: THE FIFTH MNI KI WAKAN SUMMIT UNITED INDIGENOUS WATER PROTECTORS FROM ACROSS THE GLOBE

Amelia Schafer,* September 12, 2023

Republished from Cultural Survival, September 12, 2023, <https://www.culturalsurvival.org/news/giving-platform-indigenous-water-protectors-fifth-mni-ki-wakan-summit-united-indigenous-water>. This story is co-published by the *Rapid City Journal* and *ICT*, a news partnership that covers Indigenous communities in the South Dakota area.

What started as an idea from Dakota and Lakota elders has now entered its fifth year. The annual Mni Ki Wakan (MKW) Summit has grown to unite Indigenous water specialists from around the globe.

This year's theme was Indigenous water justice and dismantling water colonialism. By the end of the 19th century, the U.S. had reallocated all Indigenous waters to non-Native settler-colonists. Every bit of the rights we have within the U.S. now had to be fought for through the U.S. justice system by grassroots Indigenous movements fighting injustice," said Wakinyan LaPointe, Sicangu Lakota and the summit co-convener.

The summit also served as a safe space for Madeline McKeague, Kanaka Maoli (Native Hawaiian), who is grieving from the destruction of the Lahaina wildfires.

"I think I've been telling a few people here that it's so nice always to be around Indigenous people, but especially when we're kind of going through a crisis, because no one can have the same empathy for colonization that other Indigenous people have," McKeague said. "Maybe the information is new, but none of the feelings are."

During the two-and-a-half-day summit from Aug. 15-17, Indigenous water protectors, water department managers, scientists and innovators discussed and collaborated. Presenters came from Chile, New Zealand, Canada and Hawai'i to discuss water rights issues facing their different communities.

“Indigenous peoples are excluded from the decision-making processes, from the agenda setting, and from the resources of those water rights,” LaPointe said. “And so what we’re also about is disrupting that global narrative of water colonialism, not just at the global level, but from the national and local level, and the only way to do that is just to consistently come together.”

As the advocacy specialist for the Council for Native Hawaiian Advancement, McKeague came from Hawaii to discuss the Red Hill Underground Fuel Facility with Sharde Mersberg, also Native Hawaiian, of the Sierra Club.

The Red Hill facility, which was built in Honolulu in 1943, has begun to degrade and leak into the nearby aquifer, contaminating drinking water supplies.

“We have had some of the worst contaminations over the past few years because the more time that has passed, the worse the tanks have gotten. They further degraded, and little to nothing had been done about it while it continued to poison the waters and poison the lands,” McKeague said. The ideal solution, McKeague said, would be to decommission the fuel facility rather than repurpose it.

Given the recent wildfires in Lahaina, McKeague also had to tweak her presentation to include information about the cause of the fires and its colonial roots.

Lahaina used to be the capital of Hawaii and a very important location for Native Hawaiians, McKeague said. What used to be wetlands is now overrun with hotels and plantations, causing the land to dry and become arid.

On a local level, presentations included a discussion by the Black Hills Clean Water Alliance on mining claims in the sacred Black Hills and treaty obligations. The alliance reported that 20 percent of the Black Hills is claimed by mining companies and said that number is only going to increase.

“That’s an important detail not just for Indigenous people but for all South Dakotans,” LaPointe said.

Presenters discussed the implications of climate change, rising sea levels and other elements that impact Indigenous communities globally.

The summit ended Thursday with a water ceremony.

*Amelia Schafer is the Indigenous Affairs reporter for *ICT* and the *Rapid City Journal*. She is of Wampanoag and Montauk-Brothertown Indian Nation descent. She is based in Rapid City. Follow her on Twitter @ameliaschafers or reach her by email at amelia@ictnews.org

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THE PUSH TO DIG UP RARE EARTH MATERIALS IN THE BLACK HILLS

The demand for critical raw materials imperils the environment and the communities that live near the Devil's Tower in Wyoming.

Tatyana Novikova*

Republished from *Foreign Policy in Focus (FPIC)* November 13, 2023, <https://fpif.org/the-push-to-dig-up-rare-earth-materials-in-the-black-hills>.

Bear Lodge Mountain, Devil's Tower, and the entire Northern Black Hills in Wyoming may soon shift from being a center of tourism and Native culture to mining and the industrial production of rare earth elements (REE). The Bear Lodge mining project, which had been shelved for almost a decade, is in the process of being revitalized because of the increasing demand for REE.

A Canadian firm, Rare Earth Resources, has begun a demonstration plant near Upton, WY, to prove a new critical mineral extraction technology. If successful, it could pave the way for commercial REE mining in the Northern Black Hills.

While REE are associated with clean energy, will industrial mining and extraction be environmentally clean enough for the sensitive, unique ecosystem of that region and the local communities that live there?

Corporate Plans

The Black Hills National Forest straddles two states, South Dakota and Wyoming. The 100,000 acres of the Northern Black Hills in Wyoming contain the famous Devils Tower, a huge stone formation that attracts rock climbers from around the world. About 15 miles southeast of this natural monument, the Wyoming affiliate of Canadian Rare Earth Elements wants to establish the large-scale commercial mining of rare earth materials.

In November, the company announced that it would build an essential part of its planned complex, an experimental hydrometallurgical plant in Upton. As the company's CEO commented in early October, the paperwork with the Department of Energy needs just one more signature. The plant would process a 1,000-ton ore sample already mined from the Bear Lodge site. In addition to a plant for rare earth oxide extraction, the complex would include a physical upgrade plant, a water reclamation facility, open pit mines, and sediment ponds near Bull Hill.

The company is counting on the support of Wyoming to move forward with the Bear Lodge project because it refers to it as a "mining-friendly state with a good infrastructure with low-cost power and a ready workforce." The company also expects that its new technology will successfully extract 10 rare earth minerals, including neodymium, praseodymium, cerium, lanthanum, and gadolinium. Two independent laboratory tests in Germany confirmed the feasibility of this extraction.

The people who live in the area as well as the visitors who flock to the region do not necessarily share the company's optimism. The locals have different uses for the landscape and what lies beneath, including fresh water. The Bear Lodge site is now used for logging, grazing, farming, hunting, camping, and other activities. According to the U.S. National Park Service, more than 20 Northern Plains tribes have cultural affiliations with Devils Tower and its environs and use the site to fast, pray, and worship. If permitted, the mine and the physical upgrade plant will pump some 74 gallons of local drinking water per minute for rock crushing and screening. According to the Nuclear Regulatory Commission (NRC), the demonstration hydrometallurgical plant would use 1-5 gallons per minute of Upton municipal water seven days a week, 24 hours a day.

Unfrozen Project

The Bear Lodge project has long been controversial. The Canadian company began the approval process almost a decade ago. At that time, the project included all the same core elements at both the mining site near Bull Hill and the Upton site, although some minor changes were made. In mid-January 2016, the public was invited to comment on the Draft Environmental Impact Statement. However, by the end of January 2016, without waiting for the completion of the public comment period, the company suspended the regulatory process. The company's attorney characterized the continuation of the hearing process as a "costly and unnecessary use of the resources."

The suspension might have resulted from other factors. During the regulatory process, the U.S. Forest Service invited the company to identify alternatives that could mitigate some of the major adverse environmental impacts of the project. The Forest Service was concerned that the company, in establishing a commercial open-pit mine on the headwaters of major rivers, would divert the surface water, dig new channels, plug springs and carry out mining operations that could alter water balance and quality. Another obstacle was the response from indigenous people opposed to mining at a sacred site.

This year, Rare Earth Resources began to actively revive the project under the label of a unique hydrometallurgical experiment to extract rare earth materials with fewer steps and less waste. According to its CEO Brent Berg, it will be done on a demonstration scale for the first time in the world. Perhaps that's why he characterized it as a \$44 million bet, half of which is paid by the Department of Energy. The company plans to finance the other part by selling shares. At the end of July, the NRC issued a Finding of No Significant Impact (FONSI) for the Upton Plant project. This happened despite Berg's estimate that REE mining and processing is "much more challenging than perhaps other mineral commodities." FONSI concerns mainly the radiological impacts of the Upton Plant associated with hazardous radionuclides—thorium, radium, and radon—that are by-products of the process. At the same time, the NRC's assessment makes only general comments about the environmental and public health impacts and mitigating measures, saying nothing about the specifics of technological means and sometimes referring to applying "the best available technology."

Proper Consideration?

The Bear Lodge project is still a long way off because all National Environmental Policy Act processes will have to be restarted, even if the pilot project at the demonstration plant is successful. Despite the NRC conclusion of no significant impacts, the Upton plant will likely release radioactive materials, for instance radon during ore processing. The company promises to reduce the amount via filters, scrubbers, and dust control. According to physics professor Andrew Johnson of Spearfish, SD, this will alleviate the amount of radioactive gas released, but it will be difficult to eliminate all the airborne radon. He notes that it is important for the public to know “what amounts will be released, what effects it will have on people and ecosystems downwind, and what monitoring systems will be in place.”

A pilot project, meanwhile, is easier to portray as environmentally harmless because of its lower scale. Commercial mining and production—which will follow the same processes as the pilot project—would have more significant and dire consequences for the environment, including radioactivity.

Julie Santella, a grassroots activist from South Dakota’s Southern Black Hills, believes that because “the proposed plant in Upton sits in both the Cheyenne and Belle Fourche River watersheds”, the radioactive contamination, caused by byproducts of the extraction process “would impact two major and important water systems for the Black Hills.”

In 2016, the Forest Service identified, among other things, that the Bear Lodge project is associated with possible environmental impacts on stream channels, in-stream flows, and water quality. It could also have an impact on cultural resources determined to be “at risk” and public safety related to exposure to radioactive or hazardous elements from dust or ingesting meat or contaminants in water.

Indigenous peoples, who will be the most disadvantaged by the project, have said “no” even before the return of Rare Earth Resources. Santella is concerned that the decision-makers do not have consent from the people and nations to move forward with this project, which is a violation of the Laramie treaties and a violation of UN agreements protecting Indigenous people’s right of free, prior, and informed consent for any projects that impact their lands, waters, and well-being. She doesn’t believe that the appropriate communities were consulted before the issuance of the FONSI.

The Rosebud Sioux Tribe, according to the Native Sun News, is “adamantly opposed” to this project as well as to any “exploration, drilling, fracking, or mineral extraction from within the ancestral homeland of the Lakota Nation” where the current project is located.

The Black Hills Clean Water Alliance states that people in the Black Hills don’t want new mining or toxic sites and will continue to oppose them.

*Tatyana Novikova reports on issues of nuclear power and sustainable energy in the United States, Russia, Belarus, and the EU.



CHALLENGING MINING CORPORATIONS AT THE INTERNATIONAL LEVEL

What can you do when you've run out of options at the local and national levels?

John Feffer*

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If a mining operation is polluting the land—or a corporation is threatening to start digging in the near future—concerned citizens can try to protect their community with a number of strategies at the local and national level. To stop the pollution or address human rights abuses connected to the mining, activists can go through the courts. They can work with local politicians to stop the mining with legislation. They can go the consumer route and launch a boycott. But what happens when these strategies fail to stop the mining project?

One additional option is to take the fight to the international level. If the company is headquartered in a member of the Organization of Economic Cooperation and Development—or operating in an OECD-adhering state—activists can lodge a complaint based on a violation of the OECD guidelines on corporate conduct.

The OECD is a club of the world's 38 most prosperous states. It was founded in 1961, but its origins can be traced to the institutions that administered the Marshall Plan of post-war recovery assistance that the United States extended to Europe. Today, it is headquartered in France, and it has an operating budget of over \$400 million. In addition to the United States, European countries, Commonwealth states like Canada, Australia and New Zealand, and East Asian tigers like Japan and South Korea, the OECD has extended membership to Latin America (Chile, Colombia, Costa Rica) and the Middle East (Turkey, Israel). There are no OECD members in Africa, South Asia, or Southeast Asia. However, 13 additional countries—Argentina, Brazil, Bulgaria, Croatia, Egypt, Jordan, Kazakhstan, Morocco, Peru, Romania, Tunisia, Ukraine, and Uruguay—adhere to the OECD guidelines for multinational enterprises.

In June 2023, the OECD issued an updated version of its “OECD Guidelines for Multinational Enterprises on Responsible Business Conduct.” The guidelines apply to all corporations operating throughout the OECD space but also all companies headquartered in an OECD country.

“The OECD guidelines are recommendations from the 51 OECD-adhering governments to companies on responsible business conduct,” explains Katharine Booth, a researcher and policy advisor at OECD Watch. “The recommendations to companies are not binding. Companies are not required to comply with the standards in the OECD guidelines, but increasingly they should. Responsible business conduct is not new. It’s now embedded.” To lodge a complaint against a multinational enterprise like a mining company, an organization must go through the National Contact Point (NCP) that each OECD member is required to

establish.

“Canada’s NCP was established in 2000 and since then there have been 19 cases brought against Canadian mining companies,” relates Catherine Coumans, the research coordinator and Asia-Pacific program coordinator at MiningWatch Canada. “Between 2001 and 2012, MiningWatch Canada brought and supported seven cases against Canadian mining companies. But after the case we brought in 2012, we made a definitive decision not to support any more mining cases through the Canadian NCP because we’d become convinced that bringing the case to the Canadian NCP was very likely to deepen the harm experienced by the complainants.” The track record of the Canadian NCP was so bad, in fact, that a complaint was officially filed against it for a recent case it handled, one of only two such complaints brought against NCPs in the OECD system.

Meanwhile, in Australia, activists continue to try to hold Lynas Rare Earth Ltd. responsible for over 1.5 million tons of radioactive waste it has produced in Malaysia. The largest rare earth producer outside of China, Lynas mines rare earth ore in Western Australia, which it transports to a secondary processing plant in Malaysia. Activists and Australian environmental groups are thinking about filing a complaint against Lynas through the Australian NCP for leaving radioactive waste in an unsafe and below-standard waste dump in a coastal peat swamp near its Kuantan plant, reneging on its original license condition to remove this waste from Malaysia.

“It may be wishful thinking to get Lynas to come to the table, let alone agree to our demands, but we have to try out the OECD complaint process,” says Lee Tan, a statistician and a social researcher who leads the Aid/Watch campaign Stop Lynas. “It’s important to raise such issues in the international arena, because Lynas depends on reputation to sell its rare earth since it claims to be a greener and more sustainable producer than China.”

These three researchers and activists came together in June to discuss the benefits and drawbacks of working through the OECD grievance mechanism. Do the revised guidelines make it easier for activists to challenge corporations that violate the OECD standards? Are some NCPs better than others? And what other international avenues can activists pursue?

Updated Guidelines

The OECD guidelines on corporate conduct were first published in 1976. They were updated in 2000 to cover the National Contact Points. They were updated again in 2011 to include standards on human rights and due diligence to harmonize with the UN Guiding Principles on Business and Human Rights.

Katharine Booth works at OECD Watch, a global network of over 130 civil society organizations in 50 countries based in Amsterdam. It focuses on corporate accountability and on helping civil society navigate the OECD system of guidelines and NCPs.

With its latest update, the guidelines still “cover human rights, employment, environment, disclosure, competition,” she explains, “but the issues covered in those chapters have been even further expanded. Most importantly, the guidelines recognize value chain

responsibility. That means it covers both upstream and downstream due diligence and impact: not only what happens in the factory but also in relation to sales.”

“The standards really have been strengthened in terms of climate and environment,” Booth notes. “Also, other things like animal welfare has been included. The OECD guidelines were already a leading standard on responsible business conduct. But they’ve been updated to provide more responsibilities for companies to meet. So, now, because the Paris Agreement is cited, companies should aim for net zero admissions. They should have transition plans and implement mitigation targets.”

The guidelines set out some of the impacts that companies can have in terms of the environment, and “that includes biodiversity loss, land degradation, ecosystem harm, deforestation, and water, air and land pollution,” she continues. The guidelines also reference “just transition” both in terms of energy transition and pathways for workers in a digital transition.

“The standards have also been strengthened in terms of meaningful stakeholder engagement,” she adds. “Companies should engage in two-way, good faith engagement with stakeholders’ views. This engagement should be accessible, appropriate, and safe, and companies should also remove barriers to engagement. The guidelines also pay special attention to marginalized or vulnerable groups at heightened risk of harm. Companies should also promote a safe space to raise concerns. OECD Watch is happy with the general references to harms against people, generally human rights defenders, in terms of preventing and refraining from reprisals against these people.”

Where the update falls down is around the NCPs. “We pushed for requirements that the NCPs should make determinations, rather than just have the option to make a determination, but that really hasn’t been put into the guidelines,” Booth concludes.

What the NCPs Do

There are over 50 NCPs, one in each of the countries that abide by the OECD guidelines, and they have two functions. “The first is to promote the guidelines,” Booth explains. “And the second is to handle complaints against companies that have allegedly not met the standards in the guidelines. Companies are not required to participate in NCP processes. It’s a voluntary process. Even if a complaint is accepted by an NCP, it is still up to the company whether to participate in mediation.” Anyone who has a connection to the purported breach of standards can file a complaint.

Next, the NCP makes a preliminary assessment of whether the complaint should proceed. “Often some NCPs set too high a bar, in OECD Watch’s opinion,” she adds. “But the updated guidelines make clear that the bar should be low for a complaint to proceed. It just should be essentially substantiated and be material to the OECD guidelines.”

If the complaint makes it to the next stage, an NCP will offer its good offices, which in most cases means mediation. The NCP does this internally or hires a consultant. This process can

take a year or more. “The last stage is the final statement and follow up,” Booth says. “If the parties resolve the issues in mediation, they will reach an agreement and the NCP will essentially provide as much detail as it can legally provide on that agreement subject to confidentiality. But if the parties don’t reach an agreement, the NCP will issue a final statement. The quality and content of the final statement varies between NCPs. Some NCPs will provide minimal information and won’t comment on the issues raised in the final statement. Other NCPs will actually make a determination of a company’s compliance or noncompliance with the guidelines.”

Because these determinations are not judicial—and therefore not binding—the NCPs cannot enforce their implementation.

Booth enumerates the strengths and weaknesses of the process. “In general, they’re cheaper and faster,” she says. “The timeline for an NCP complaint is supposed to be about a year. Most often it is longer than a year, especially if extensive mediation is involved. Some complaints will go for two years. But some of the lawsuits we’re seeing—for example, in France with the due diligence law—have been going on for several years now.” The process is also less adversarial. “We’re not talking about judges here,” she notes. “We’re not talking about courtrooms. The complainant and the company are face to face in a room (or, increasingly, via Zoom). The aim is to find common ground on the issues raised in the dispute and reach an agreement.”

Because the process is non-judicial, it isn’t restricted to monetary or non-monetary compensation. “Complainants might want the company to acknowledge the harm that they’ve caused or make an apology,” she adds. “In many complaints, the complainant seeks improved internal due diligence processes, such as improved human rights policies.”

Another advantage is that the process opens a line of communication. “You can speak directly with the company concerned,” she continues. “It can be a platform for long-term engagement between the parties involved and sometimes other stakeholders such as shareholders.”

Booth does acknowledge limitations, such as the voluntary nature of the process and the agreements’ lack of enforceability. “Also, many complaints are rejected at the initial assessment stage,” she notes. “Some NCPs set too high bar at the initial assessment stage, which closes the door to any sort of discussion happening between the parties.”

The performance of NCPs indeed varies greatly. “OECD Watch does NCP evaluations,” she explains. “On our website you can see which NCPs are stronger or more effective than others. An effective NCP has certain features.” For example, it will be more independent from government trade commissions, it will maintain a low bar for its initial assessment, and it will conduct its own investigations or contract an outside firm to research the case. Some NCPs have improved their performance, as in Australia following an independent review in 2017 that took place after a formal complaint was filed.

At the same time, NCPs are not well-funded. Shortage of staff and staff turnover also

undermine their efficacy. And NCPs vary in terms of where they are housed and who serve as staff. “Most NCPs are staffed by bureaucrats and there is no stakeholder oversight,” Booth observes. But others, like in Australia and the Netherlands, have more effective structures with representatives from NGOs, trade unions, and business plus external experts.” Most NCPs are also subject to changes if government changes hands after elections. More sobering still is the rarity of actual agreements. “Very, very few agreements happen,” she concludes. “In 2022, there was only one agreement reached between a company and a community or NGO complainant. So, agreements are very rare. And remedy is certainly not guaranteed.”

The Canadian NCP

MiningWatch Canada stopped bringing complaints to the OECD mechanism in 2012. But it has continued to engage with the Canadian NCP by filing briefs and recommending reforms. “In 2021 we supported a substantial submission complaint brought by OECD Watch against the Canadian NCP to the investment committee of the OECD,” explains Catherine Coumans. “This is only the second time that such a complaint has been brought against an NCP.”

As a result of this engagement with the OECD, MiningWatch Canada has concluded that “the Canadian NCP, among others, is not independent of political interference,” Coumans continues. “It does not carry out investigations, does not make findings of fact although it sometimes appears to in ways that actually harm notifiers, and does not ensure the provision of remedy for those harmed. It can offer its good offices for mediation but does so very rarely. It is protective of corporate reputations but not those of notifiers.”

She points out that the Canadian NCP had a number of opportunities to reform itself. In 2005, for instance, a parliamentary committee reviewed the operations of Canada’s NCP and concluded that there was a need to “strengthen the rules and the mandate of the Canadian NCP to enable it to respond to complaints promptly, to undertake proper investigations, and to recommend appropriate measures against companies found to be acting in violation of the OECD guidelines.” Coumans notes that “the NCP at that time did not do that, and unfortunately it still does not.”

A 2016 report from MiningWatch Canada, OECD Watch, and Above Ground concluded that the Canadian NCP lacked independence and was opaque. “The process involves unjustified delays,” the report continues.

The NCP applies a high threshold for accepting complaints. The NCP does not make findings on whether the companies have breached the guidelines. The government penalty for companies that don’t participate has proven to be ineffective in promoting compliance with the OECD guidelines for multinational enterprises. The process rarely concludes with an agreement or recommendations and there are no effective follow-up procedures in place. And in over 15 years at that point of existence the NCP had consistently failed to provide complainants with effective remedy.

In 2018, the United Nations Working Group on Business and Human Rights was equally

scathing:

The NCP was perceived by stakeholders as potentially not fully independent, given that it was housed within a ministry that was responsible for promoting overseas trade and investment. Stakeholders also noted that the NCP had no external advisory or oversight body. It was highlighted to the working group that the lack of confidence of civil society in the national contact point was apparent, which might have limited the numbers of cases brought before it.

One year later, a peer review report recommended that the Canadian NCP include civil society as a social partner along with the social partners along with the business community and labor. “The NCP has not yet responded to this simple recommendation,” Coumans notes.

The Sakto Case

In 2016, the Bruno Manser Fund, an NGO based in Switzerland that works to preserve rainforests, filed a complaint with the Canadian NCP against an Ottawa-based group called the Sakto Group, a real estate and investment holding company. Sakto maintains close ties both to Canadian politicians in Ottawa and to the family of the governor of the Malaysian state of Sarawak.

In October 2016, the Canadian NCP agreed to accept the case for good offices. The Bruno Manser Fund (BMF) also agreed to participate in the NCP’s mediation. However, after providing that draft initial assessment, the NCP became unresponsive to BMF for many months. Finally, in March 2017, the NCP informed both parties that it intended to close the case without providing any reasons. Shortly after that, BMF went public with the case for the first time.

“In July 2017, without consulting BMF, the NCP published a final statement that placed blame for closing the case on both BMF, for allegedly breaching confidentiality, and on the Sakto group,” Catherine Coumans recalls. The NCP’s statement criticized Sakto for “involving a member of parliament during the confidential NCP assessment process, [its] aggressive challenge of the NCP’s jurisdiction, [and its] legal counsel making submissions to the government of Canada’s Deputy Minister of Justice.”

Almost a year later, “the Canadian NCP removed the first published final statement and replaced it with a new one,” she continues. “The May 2018 final statement removes all mention of the breach of confidentiality and the pressure exerted on the NCP by Sakto and its lawyers and political allies. But it does mention what the NCP calls a breach of confidentiality by BMF, implying that this was the sole reason for rejecting the complaint.”

Even the OECD investment committee took the Canadian government to task in its September 2022 response to a substantiated submission brought over its handling of this case, finding that the Canadian NCP was not fully transparent, that it lacked predictability, and was not fully compatible with OECD procedures. “The response also took seriously OECD Watch’s concern that Canada’s biased handling of the Sakto complaint may have resulted in harm to the Bruno Manser Fund,” Coumans relates. “The committee recommended that the Canadian government address this concern by following up with the parties and taking any appropriate measure within its mandate to mitigate any adverse effects.”

But the Canadian NCP has not followed up or “changed its final statement on the case of May 2018 to remove its blatant bias against the Bruno Manser Fund,” she reports. “Clearly this case exemplifies how engaging the Canadian NCP can harm a complainant. We repeatedly noticed how complainants would have been better off not having brought a case at all. The NCP’s dismissal of most cases was widely interpreted, for example by the media or by socially responsible investors, as evidence that there was no substance to the complaint itself.”

She adds that “the Sakto group has used the NCP complaint mechanism in the legal case to say, ‘Look, it got thrown out in Canada. You see: these people have no grounds to stand on plus you can’t trust them because they breached confidentiality.’ So, the NCP actually deeply harmed the Bruno Manser Fund in their legal case.”

Preparing a Potential Complaint

The Lynas corporation mines rare earth elements in Western Australia and then ships the ore 6,000 kilometers to Malaysia for processing. At both the points of extraction and processing, the production has considerable environmental impacts.

Near the Malaysian port of Kuantan, which also happens to be Lee Tan’s hometown, the processing has created huge piles of radioactive and otherwise contaminated waste. “In Malaysia,” Tan reports, “law enforcement for environmental protection is rather limited and technically they do not have the capacity to deal with this rather complex and massive quantity of waste. By the end of this year, we will have something like 1.6 million tons if not more of the radioactive waste plus several more million tons of the nonradioactive but hazardous waste.”

Originally, Lynas agreed to remove waste from its Malaysian plant. Now, however, it wants to construct a permanent waste disposal facility for it. “I’ve been very busy collecting expert opinions on the lack of suitability of this particular location for the permanent disposal of this waste,” Tan continues. “Malaysia is a wet, tropical country where the rainfall in a day can be more than two meters. That’s a lot of rain! Even in semi-arid environments in the sparsely populated Australian outback, this kind of radioactive waste dump has been rejected for scientific and technical reason. Yet in the wet tropical country of Malaysia, in a peat swamp close to densely populated coastal settlements, tourist resorts, and the South China Sea, the proposal has been accepted. We are appealing that decision, but we are not hopeful.”

The area around the waste facility is rather densely populated. “Children are playing in the estuary where Lynas wastewater is channeled,” Tan adds. “There are still remnants of a very large, beautiful peat mangrove, which is a very important fishing ground for the local people. Much of the shellfish comes from the mangrove, and the pollutants will also affect the quality of the shellfish that local people still consume. It does not help when Lynas claims that its operation causes zero harm.”

For the moment, Malaysian and Australian activists are still pursuing legal avenues, particularly in Malaysia around the approval process for the waste dump. “In terms of the OECD complaint,” Tan reports, “the harm was clearly established with the amount of radioactive waste

that's been produced, the manner in which this waste has been handled over the last 10 years, and the inappropriate location of the waste dump."

Another source of complaint is the lack of transparency. The public can only gain access to the environmental impact assessment for one hour at the Malaysian Department of Environment. "We're talking about volumes of documents that are highly technical and yet we have no easy access to it," Tan explains. "In Australia, all the EIAs are published online and you can download them."

Then there's the issue of radioactivity. "Under international principles for radioactive waste there must be a justification of benefit for the waste to be stored in a particular location," she adds. Since Lynas received a 12-year tax break from the Malaysian government, it has not paid any corporate tax. Moreover, Lynas has maintained a double standard on this issue because it operates according to much stricter regulations in Australia for its radioactive waste. "Lynas is pushing pollution into a developing country with less political will and capability to tackle these kinds of issues," she notes.

"Our ultimate goal," she adds, "is to revert back to the original license condition where Lynas is required to remove the radioactive waste. In fact, Lynas has signed two legal undertakings in Malaysia that it would remove the radioactive waste if there is no suitable site available for the waste in Malaysia. We have an engineer, a geo-hydrologist, and a waste specialist on our side to provide expert opinions, which we will use when we have exhausted all legal avenues in Malaysia to challenge the approval for the radioactive waste dump. We will also seek rehabilitation and clean-up by the company."

AidWatch Australia plans to work with other groups when it eventually brings a complaint to the Australian NCP, something that OECD Watch also recommends. "There are so many flaws with NCPs that, more often than not, the case will fail to reach an agreement," Katharine Booth explains. "So, the complaint should not rest on its own, and the NGO filing the complaint should also be targeting the media."

Catherine Coumans also has recommendations about how to approach the Australian NCP. "I would talk to them about confidentiality," she says. "People need to be able to campaign to protect themselves. What kind of restrictions would confidentiality put on you, your group, and others that might get involved? Ask them if they would hire a group to do an independent report on the issues that you're raising. And would they make a statement of fact? Would they actually come out and say that the guidelines were breached?"

Although the OECD process is non-judicial and non-binding, Tan and others hope to compel Lynas to come to the table to avoid damage to its reputation. "I had experience with a NCP complaint when I worked for the Australian Conservation Foundation many years ago," she recalls. "It was a different kind of complaint, and we didn't get very far with that. We're not expecting huge outcome from this one either. But we have no choice but to try."

Other Options

The OECD is not the only place where civil society organizations can go if they've exhausted all the options at a national level.

"There are complaint mechanisms in development banks, if the harm is caused by a development bank," Katharine Booth relates, "Increasingly there are also legislative initiatives such as the French and German supply chain laws. Australia and the UK have modern slavery laws, though they are quite limited. The EU is going to hopefully introduce a due diligence law this or next year, which will be extra-territorial, so it will extend beyond the EU's borders. This will also hopefully provide some sort of enforcement mechanism for companies that fail to conduct adequate due diligence. But while the scope of these initiatives is really broad, there will still be gaps. There are always gaps. And the NCPs can often fill that gap."

Canada, too, has tabled legislation that, if passed, would "require Canadian-based companies to carry out human rights and environmental due diligence," Catherine Coumans notes. "It provides access to our courts for people who've been harmed by Canadian-based companies operating overseas." In this legislation, the OECD guidelines are one of the referenced standards. "So, the stronger the standards are the better," she adds, though she notes that the problem with the OECD is not the standards but the NCPs.

*John Feffer is the director of Foreign Policy In Focus. This article is part of the new Global Just Transition project.



ANCHORAGE PLEDGES PERMANENT HOUSING AMID RECORD HOMELESS DEATHS EXPERTS SAY HOMELESSNESS DOES NOT DISCRIMINATE; IT IMPACTS PEOPLE IN ALL AGE BRACKETS, ALL BACKGROUNDS, ALL WALKS OF LIFE

Joaqlin Estus

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Anchorage, Alaska — So far this year 49 homeless people have died on city streets, more than twice as many as all of 2022. That's according to the Anchorage Daily News, which is tracking outdoor deaths of individuals with no fixed address.

The 49 included two people who used wheelchairs who died after heavy snowstorms hit the area in what is already expected to be a tough cold season.

The federal count of homeless people reached 580,000 last year, according to the Associated Press. In the Lower 48, cities are cracking down on homeless encampments. At

the same time, some homeless Native people in the West have been targets of widespread Medicaid scams. At least two tribes have declared public health emergencies, the Blackfeet Nation of Montana and Navajo Nation in the Southwest.

In Anchorage, Alaska's largest city, about 43 percent of its homeless people are Alaska Native, despite them being only 12 percent of the population.

Melanie Skin, Inupiaq and Cherokee, gets a monthly Social Security disability check but it isn't enough to cover rent and living expenses. She stays in a tent most nights or sleeps on the streets.

That's bad enough but the hardest thing about being unhoused, she said, is, "I have a two-year-old son and I cannot see him at all. I gave him to his dad when he was six months, and ever since I gave my son to his dad, I never see him. So it's been really tough for me."

Experts say homelessness does not discriminate; it impacts people in all age brackets, all backgrounds, all walks of life. Skin's advice for anyone who finds themselves in her situation?

"Master yourselves and keep positive. Keep your head up. Don't let anybody take advantage of you, or bully you ... If you're addicted to a drug or alcohol or anything, I advise people to stop and go to treatment, get better and continue going towards your future," Skin said.

Her friend Tony Kahutak, Alutiiq, is sometimes able to pay rent despite not having a steady job. He does day labor when he can get to the job site; he doesn't have a car.

"It's been pretty much an up-and-down roller coaster for me having a place to stay, because the food industry got hit the hardest when the pandemic came. And so I pretty much lost my job and everything else ever since then. But I've been bouncing back and forth ... it's just a hit or miss pretty much."

Skin and Kahutak are among an estimated 3,856 unhoused people in Anchorage as of the end of October. Hundreds were put out on the streets when the city last spring closed a 500-person shelter. That brought the city's supply of beds for emergency shelter to 524.

"We're just really in a situation right now where we would just really need more shelter beds, more emergency shelter beds," said Robin Dempsey, chief executive officer of Catholic Social Services, an agency that runs a number of programs for the unhoused. Those include low barrier shelters, where sobriety is not a requirement, a shelter for women who have children or are pregnant, as well as a center that connects people with resources.

“One of the things that's happened is that over the years, especially since Covid, we've seen the number of people experiencing homelessness grow,” Dempsey said. “We've had much fewer vacancies. The rental rates are much higher, so getting into housing has been particularly difficult for people as well.”

Gabe Layman, CEO of Cook Inlet Housing Authority, said things are even “worse than they seem.”

“We have seen an increasing amount of visible homelessness in recent years, but Anchorage's unhoused population is not fully represented by those who are chronically unhoused. We also have overcrowding; we have people who are couch surfing. We have plenty of invisible homelessness as well,” Layman said."

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**NCAI VOTE TO EXCLUDE STATE RECOGNIZED NATIONS FAILS
PROPOSED CONSTITUTIONAL AMENDMENTS TO EXCLUDE STATE
RECOGNIZED TRIBES FROM VOTING MEMBERSHIP OF THE NATIONAL
CONGRESS OF AMERICAN INDIANS FAILED *CORRECTION**

Nika Bartoo-Smith

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During a contentious week at the 80th annual National Congress of American Indians conference, members took a vote on two constitutional amendments that would exclude state-recognized nations from voting membership. Both proposed constitutional amendments failed.

If the amendments had passed, state-recognized nations could still be members of NCAI, but they would not be able to vote on important issues, such as presidential elections.

In the election Thursday morning, both proposed constitutional amendments failed — a win for the 24 tribes who would have been automatically excluded from voting membership if the amendment had succeeded.

Proposal one: to amend NCAI to limit membership to federally recognized tribes was rejected, with 55.67 percent against and 44.3 percent of voters in favor, according to real time reporting by indianz.

Proposal two: to amend NCAI to limit individual membership and leadership positions to citizens of federally recognized tribes was also rejected with 56.1 percent against and 43 percent of voters in favor, according to real time reporting by *Indianz*.

At least two-thirds of the votes were needed in order for the proposed amendments to pass. Also on Thursday, members elected Mark Macarro, chairman of the Pechanga Band of Indians, as NCAI's newest president elect.

For the principal chief of the tribal nation whose homelands the meeting is taking place on, the outcome of the vote was especially meaningful.

"We were thrilled when we learned that NCAI would be held here in New Orleans — couldn't wait to share our rich culture, food, music and traditions with you," said Lora Ann Chaisson, principal chief of the United Houma Nation, during the deliberation period on Tuesday. "Imagine my shock and surprise and sadness when I learned that tribes from miles away are coming to our ancestral homelands to tell us, the United Houma Nation, a host tribe, that not only are we not a tribe, but that we are not even Indian people."

The amendments

The first proposed amendment, sponsored by the Eastern Band of Cherokee and the Shawnee Tribe, would require all member nations to be included on the annual list published in the Federal Register, as specified under the Federally Recognized Tribes List Act in order to be eligible for voting membership. It specifies that state-recognized nations would be eligible for membership, but would not have the ability to vote.

The second proposed amendment, sponsored by the Ute Indian Tribe, would require all individual members to be members of a nation included on the list of federally recognized Native nations to be eligible for voting membership. It would also mean that to qualify for an official nomination, an individual must be part of a federally recognized nation.

Marshall Pierite, the Chairman and CEO of the Tunica-Biloxi Tribe of Louisiana, competed against two other candidates in the National Congress of American Indians presidential elections. Pierite did not win in the elections — instead Mark Macarro, the Chairman of the Pechanga Band of Indians became the newest NCAI president elect. In a speech on Tuesday, he spoke out against the proposed constitutional amendments. "Our purpose is to secure for ourselves and our descendents the rights and benefits, the traditional laws of our people to which we are entitled as sovereign nations. The proposed amendment offends this founding principle of NCAI," he said in his speech. (Photo Courtesy of Eddie Sherman)

State versus federal recognition — what does it mean?

Sovereignty is not determined or bestowed by the U.S. government. Tribal nations determine their own sovereignty — and that has existed for each tribe since time immemorial. However, the federal government determines federal recognition of a tribal nation's sovereign status — through a byzantine process that excludes some.

To date, there are 574 federally recognized Native nations. As of 2019, there were 66 state recognized Native nations across 13 states, according to the National Conference of State Legislatures.

For the 574 federally recognized nations, this means the federal government, through the Bureau of Indian Affairs, has recognized their sovereign rights to govern themselves and engage in government-to-government relations with the United States government, according to the Bureau of Indian Affairs website.

Gaining federal recognition is a complicated process. The federal government — which attempted to ethnically cleanse these nations through genocide and assimilation — requires that each nation “prove” to be who they say they are by providing documentation, largely from non-Native historians because many nations relied on oral histories. Relocation also impacted many nation's ability to document and prove that they have remained a nation, despite every effort by the federal government to assimilate them.

In the 1700s and 1800s, federal recognition was achieved through treaties with the U.S. government. In 1934, the U.S. government passed the Indian Reorganization Act, which encouraged tribal nations to set up governments molded in the image of the federal government and required federal government approval of tribal constitutions.

Starting in the late 1970s, the Department of Interior issued the Federal Acknowledgement Process, which outlined a process to handle requests for federal recognition. In the 1990s, Congress enacted the Federally Recognized Indian Tribes List Act — which established the list that proponents of the proposed NCAI constitutional amendments would like to rely on to dictate voting membership eligibility.

The federal government has outlined three pathways for federal recognition: tribes can become federally recognized by Congress, by administrative procedures under the Federal Acknowledgement Process or by a U.S. Supreme Court decision. Nations previously “terminated” by the federal government may only be restored by Congress.

From 1953 to 1964, the federal government set out on a rampage of detrimental termination policies — the intent was to assimilate Native Americans into “mainstream” society. Termination ended federal recognition of 109 nations across the U.S.

Today, some of the “terminated” nations are now state recognized.

State recognition is granted by state legislatures, which benefits these nations by acknowledging their histories and cultures. State tribal recognition acknowledges a Native nation’s existence within a certain state, but does not guarantee any services. State recognized tribes are not eligible for the basic services promised in treaties that the federal government is obligated to provide in exchange for the land that is today called the United States, such as federal funding and Indian Health Services.

The lead up

In the days leading up to the historic vote, a handful of tribal leaders from nations across the country have issued public statements through social media, and published as opinion pieces in various news organizations.

In a piece published in ICT written by Robert Williams Jr., Lumbee, said he believes supporters of the proposed amendments are furthering colonization. He pointed to the founding principles of NCAI which state: “NCAI was established in 1944 in response to the termination and assimilation policies the US government forced upon tribal governments in contradiction of their treaty rights and status as sovereign nations. To this day, protecting these inherent and legal rights remains the primary focus of NCAI.”

Those principals align with the United Nations Declaration on the Rights of Indigenous Peoples. Williams claims the amendments are directly in opposition both NCAI’s founding principles and UNDRIP.

“But as NCAI heads into its annual meeting highlighting its 80 years of existence, the organization seems to be forgetting its origin, mission, and purpose,” Williams wrote. “The organization that educates about the perils of assimilation and termination is now poised to support – and lead – the eradication of state-recognized tribes.”

In a joint guest opinion piece published in *Native News Online*, Ben Barnes, chief of the Shawnee Tribe, and Michele Hicks, principal chief of the Eastern Band of Cherokee Indians, urged NCAI members to vote “yes” on the proposed amendments.

In the piece, Barnes and Hicks write about their concerns regarding “fake tribes.” They argue passing these amendments would help with the alleged issue.

“Under the current NCAI Constitution, ‘tribes’ proven to have no Native ancestry have the same voice and voting power as those tribes who have existed since time immemorial,” the pair wrote. “The proposed amendments would ensure only groups included on the Federally Recognized Indian Tribe List Act would have the ability to vote in the organization.”

Conversations about the proposed amendments continued at the annual NCAI convention itself.

On Tuesday, NCAI members took to the stage to speak either for or against the proposed amendments.

According to sources on the ground, more tribal leaders spoke out in opposition to the proposed amendments than those in support.

“A vote in favor of this amendment is a vote in favor of tearing each other down,” Chaisson said during a speech on Tuesday. “Tribes who are disparaging other tribes are taking a page straight out of colonialism. This is a white man's way of doing things and it's not right.”

Tribal leaders from both state- and federally recognized nations spoke up in opposition to the proposed amendments.

Frank Ettawageshik, former chairman of Little Traverse Bay Bands of Odawa Indians and current executive director at United Tribes of Michigan, mentioned in his speech how he was once chairman of a nation during its fight for federal recognition.

“When NCAI was formed, there were not federally recognized tribes and state-recognized tribes. There were Indians,” Ettawageshik said in his speech. “And we all were fighting together, we all were working together. This system that has come into place since then is one that is working to divide us.”

Speaking in support of the proposed amendments was Ute Indian Tribe Chairman Julius Murray.

“We are federally recognized for a reason,” he told the assembly. “We fought these wars while you guys sat on the sideline and waited for the dust to settle, for you guys to come out of the woodworks to start being Indians.”

In a video shared on Twitter, the crowd erupts in boos following this line.

“Well, get some federal recognition,” Murray responds. “There’s a process.”

According to reports from sources on the ground, the speeches during the deliberations led to high emotions and even physical altercations in the hallway.

NCAI’s new president

Also on the table at this week’s annual meeting was the election of a new NCAI president. On Thursday, with 50.31 percent of the vote, Mark Macarro, chairman of the Pechanga Band of Indians became the newest NCAI president elect.

Cheryl Andrews-Maltais, chairwoman of the Wampanoag Tribe of Gay Head (Aquinnah); Macarro, and; Marshall Pierite, chairman and CEO of the Tunica-Biloxi Tribe of Louisiana competed for the honorable position.

Given the contentious constitutional amendments on the table, each candidate took a stance on the issue.

Pierite has made it clear that he strongly opposed the amendments.

“We can not pretend that sovereignty is held by only federally recognized tribes. The Tunica-Biloxi Tribe was sovereign long before 1981 and so are the state-recognized tribes that this amendment would disqualify from voting membership,” Pierite said during a comment period on Tuesday. “My heart is very heavy this morning because I feel burdened with all the ancestors that walked before us. The ancestors that sacrificed blood, sweat and tears to get where we are today.”

In an interview with Underscore News and ICT, Pierite called on those in support of the proposed amendments to look at the history of NCAI, and the role the organization has played in helping many nations gain federal recognition.

Andrews-Maltais falls perhaps somewhere in the middle.

When asked about the proposed amendments during a panel discussion at NCAI on Tuesday, Andrews-Maltais appeared to support part of the amendment language while opposing other parts, according to reporting from Indianz.com.

“I would prefer if we at NCAI could move this discussion away from this particular meeting because it is such an important discussion that we need to have and I think that we need

to have a deliberate process through which we evaluate what is the intended goal by this action and make sure that we are all on the same page with what the long- and short-term impacts and implications will be, and maybe put a task force together representative of all of these different perspectives to really hash it out and have those difficult conversations because they are hard conversations,” Andrews-Maltais said in an interview with ICT Broadcast.

Sitting on the other end of the spectrum is Macarro, who has expressed support for the proposed amendment.

“NCAI is a Congress, we're not a trade association per se. As a Congress we're a deliberative political body advocating the collective interests of sovereign tribal nations to Congress, the administration and the White House,” Macarro said in an interview with *ICT Broadcast*. “In this circle of sovereigns, there is a rub when at least 24 state and non-federally-recognized tribes sit in parity with sovereign, federally recognized tribal nations.”

Though the two proposed constitutional amendments failed, the issue is likely to come up again with Macarro as president of the organization.

*Correction: This story has been updated to clarify that the Chinook Indian Nation is not a state-recognized tribe. The tribe's status was incorrect in an earlier version of this story.

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MAINTAINING THE CIRCLE: CULTURE IN PLACE OF RACE IS THE KEY TO ACHIEVING DIVERSITY

Stephen M. Sachs*

This writing was prepared for the Southwest Popular/American Culture Association Meeting Albuquerque, NM, February 21-24, 2024. It is an updated and expanded version of an Op-ed in the last issue of *IPJ*.

Now that the U.S. Supreme Court has struck down any use of race as a factor in achieving diversity in education or for other purposes in *Students for Fair Admissions, Inc. V. President and Fellows of Harvard College*,¹ it is time to focus on culture as the best means of achieving diversity. Differences in culture involve differences in experience, and different ways of seeing. That is precisely what diversity involves. It is necessary for providing well-rounded education, achieving a just society, and for realizing *E Pluribus Unum*: unity in diversity.

Culture should not be confused with race. Where race simply involves identifying people by skin color or an extremely broad general background, culture is particular to experience and way of seeing. People who are Black - of a general and often distant African origin - encompass persons of many distinct cultures. The child of parents from Nigeria, who are upper middle-class dwellers of New York City, are of a different culture from the African American of a poor family

living on the South side of Chicago, and one of a low-income farm family in rural Mississippi, though there may be some experiences that they may all share to different degrees.

The same is the case with Native Americans. Each Indian nation has a different culture, and after the experience of colonial genocide, even on reservation there often are numerous cultural groups within each nation. Now, with the vast majority of Indians living off reservation with many of their children raised there, a wide range of cultural experience now exists across Indigenous America.

This point about culture was made before the Supreme Court in the oral argument in *Brackeen v. Haaland*,² in which a strong majority of justices upheld the Indian Child Welfare Act (ICWA), in June 2023. Justice Kavanaugh had expressed concern that the act was racist in providing that if a family to take a removed Indian Child on its reservation could not be found, then the next choice was to find a foster parent or adopting family on another Indian reservation. Kavanaugh said, "Congress couldn't give a preference for white families for white children, for black families for black children, for Latino families for Latino children, for Asian families for Asian children."³ Council defending ICWA pointed out that the provision was not racial, but cultural, as there were numerous Indian reservations of what had been a single or closely related people. It allowed, for example, if a foster parent could not be found on one Lakota reservation, one could be found on one of the other Lakota reservations. To correct Kavanaugh, if one were dealing with a child who happened to be White, one would not attempt to place them with a White family as such, but rather with one of their own culture. An example, is trying to place a Ukrainian child now in the U.S., who had no relative available. One would first look for a good Ukrainian family. If one were not available, then it would be proper to look for a family of a similar culture, perhaps Belorussian.

Culture involves many factors. Some of these involve ethnic background or religion, but within these there are subcultures, family and individual variations. Socio-economic status and geography, among many others, are also factors to be considered. Ultimately, culture varies with the person - their experience and reaction to it - which can often be taken into account in a complex process of making diversity decisions. An important point in decision making about diversity is in reading the individual essays of applicants. This is the one place the Supreme Court majority allowed consideration of race in overturning its general use in admissions in *Students for Fair Admissions, Inc.* Reading those essays will usually indicate specifics of culture, especially if admissions and hiring personnel make known that cultural difference is a factor being considered. Other information concerning culture can be discerned in other parts of the admissions and hiring process, including in interviews, if decision makers clearly make culture a concern in the process,

The first purpose in making admissions and other decisions to achieve diversity is to broaden the understanding and thinking of each person involved, leading to better decision making, individually and collectively. The ultimate purpose is to achieve people understanding and respecting each other - despite differences of views - making effective democracy and a peaceful, harmonious, society a reality. This is something that we very much need in the current era.

This approach to diversity is central to Indigenous cultures.⁴ Moreover, the current concern in the mainstream with achieving diversity has arisen partly from American Indian influence throughout the entire history of European-Indian interaction.⁵ The traditional Indigenous approach to diversity is based on mutual respect following from the realization that all beings, indeed all that is, are related. To actualize diversity a number of crucial skills are necessary that are often lacking in current mainstream attempts to achieve it.⁶ These begin with respectful, careful, empathetic, supportive listening to each person to understand their concerns and reinforce their participation in the dialogue. Too often today, people do not listen to and understand each other and engage in attacking each other on the points they agree on, instead of finding common ground while illuminating the points on which they disagree. This is necessary to include everyone's concerns, so far as possible, in any decision, making it a better course of action. Further, it is important to speak supportively to one another to build and maintain trust in each other and in the process. Finally, good facilitating is necessary to guide the discussion, keeping it focused and participants acting respectfully and supportively. This usually means having a fine facilitator, but once participants are skilled in the process anyone can assist in facilitating if discussion becomes bogged down or off track.

Where good process has been used in public meetings and on workplace teams with diverse participants meaningful discussion and very good decisions have almost always emerged. By contrast, recent clashes on U.S. college campuses over the Israeli-Hamas conflict and relating to other issues over which there are major splits indicate⁷ it is not enough to achieve the ends of diversity just by bringing together people of differing views and experiences. That often leads to conflict, at least in the short to medium run.

To achieve the full potential of diversity, we have to educate people to understand its purposes, to have mutual respect and to learn and apply the skills necessary for good dialogue. When this is the case, interaction produces a most positive synergy. The full potential of diversity includes achieving equality. While some efforts at the inclusiveness that underly diversity have been genuine, there are complaints that too many others have been limited to tokenism.⁸ That is insufficient. However, tokenism can be a step toward inclusiveness and equality if those finding themselves tokens use their position strategically and do not become coopted. Vine Deloria indicated this in saying in a general session at a meeting of the Western Social Science Association that it was not a bad thing being a 'token Indian,' if one remembered who one was. As the sole Native on the board of what later became the National Museum of the American Indian, Deloria saw that a leverage moment existed in a board meeting just before a press conference launching an important exhibit opening. This enabled him to force the appointment of more Indians to the board, under threat of his embarrassing the board with a statement at the Press conference, with other Native leaders prepared to publicly support his statement. That began the turnover of board members that soon brought Native people into the majority, setting the stage for the eventual development of the National Museum.⁹

Acknowledgement

Thanks to Professor Victor Wallis for helpful comments relating to the writing of this paper.

Notes

1. *Students for Fair Admissions, Inc. V. President and Fellows of Harvard College*, October 2022 term No. 20-1199.
2. in *Bracken v. Haaland*, U.S. Supreme Court No. 21-376 (2022).
3. Both an audio recording and a transcript of the oral argument are available at: https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-376_k536.pdf, with the cited discussion on p. 32.
4. Stephen M. Sachs, et al, *Honoring the Circle: Ongoing Learning from American Indians on Politics and Society* (Cardiff by the Sea: Waterside Productions, 2021), Vol I, Ch. 1; and LaDonna Harris, Stephen M. Sachs, Barbara Morris, et al, *Recreating the Circle: The Renewal of American Indian Self-Determination* (Albuquerque: University of New Mexico Press, 2011), Ch. 1 and 4.
5. Sachs, et al, *Honoring the Circle*, Vol. I and II.
6. Stephen M. Sachs, "Building Trust in in Democratic Organizations," *Psychology*, Vol. 31, No. 2, 1994; Sachs, et al, *Honoring the Circle*, Vol. II, Ch. 5, and Harris, Sachs and Morris, *Recreating the Circle*, Chapter 4, Section 1 concerning the process used by the Comanche Nation to return to inclusive participatory governance.
7. For example see, Rachel Treisman and Elissa Nadworny, "U.S. students are clashing over the Israel-Hamas war. What can colleges do?" *Weekend Edition Sunday*, NPR, October 14, 2023, <https://www.npr.org/2023/10/14/1205809697/israel-gaza-college-campus-protests-statements>; and Johanna Alonso, Ryan Quinn, Katherine Knott and Susan H. Greenberg, "A Day of Tension and Protests on Campus: Days after the Hamas terror attacks on Israeli civilians, pro-Palestinian and pro-Israeli groups of college students clashed on campuses across the U.S.," *Inside Higher Ed*, October 13, 2023, <https://www.insidehighered.com/news/students/free-speech/2023/10/13/tension-over-israel-hamas-war-grows-college-campuses>.
8. For example see, Walter Benn Michaels, *The Trouble with Diversity: How We Learned to Love Identity and Ignore Inequality* (New York: Metropolitan Books, 2006).
9. The author attended the session, likely in 2006, in which Deloria made the statement. It was in answer to an Indian academic's complaint that he found himself limited by being a token. Deloria's response was recorded by this author in, "Power and Sovereignty: The Changing Realities of American Indian Nations," paper presented at the 2006 Annual Meeting of the American Political Science Association, August 30th-September 3, 2006. An up dated version of that paper was given at the 2008 Western Social Science Meeting and included in *Proceedings of 2008 Western Social Science Association Meeting American Indian Studies Section, Indigenous Policy*, Vol. XIX, No. 2, summer 2008.

*Stephen Sachs is the Senior Editor and Chair of the Editorial Board of *IPJ*. An applied

philosopher with home in Political Science, he has long been active as researcher, writer and academic activist in Indigenous affairs. Officially, he is Professor Emeritus of Political Science, Indiana University-Indianapolis.

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TRAIN MAYA PARTITIONS THE YUCATAN PENINSULA AND MAYA PEOPLES FROM EACH OTHER AND THEIR LANDS

Kala Hunter*

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The \$20 billion Maya Train project in the Yucatan Peninsula of Mexico has sparked division among locals, who, while eager for the promised economic benefits and increased tourism revenue, are also deeply concerned about the environmental destruction that will come with the railroad's construction. The four-year megaproject has eschewed Environmental Impact Assessments and ignored scientists who say the railroad and the trainline will have harmful environmental consequences. It has created contention among the Maya people, as well as university students, farmers, engineers, and biologists who worry about temporary versus long-term economic growth.

Meanwhile, the railroad is ripping through jungles and farmland. All of this is transpiring in the shadows of a region that has a painful history of colonialism and conquest, which has deeply affected Maya communities. "Right now, we are experiencing a new invasion," says Alvaro Mena, a Maya leader of a seed-keeping and territorial defense group, Ka Kuxtal. "This is a historic moment in the Yucatan Peninsula. It is one of the worst [atrocities] against the Mayan People."

According to a study examining the territorial rights of the 14,900,000 Indigenous people in Mexico, there have been three other recent cases of dispossession and displacement: the Mining Law of 2005, the energy reform of 2013, and the National Water Law in 2015. Nearly 120 years after the Maya Wars, or "Caste Wars," ended, the Mexican government is rolling full steam ahead with its 1,550 km rail line that will carry passengers and cargo throughout 5 states at speeds ranging from 120-160 km per hour. The train has six different lines with a projected 15-18 stops, and a missing Environmental Impact Assessment.

Maya University Students Weigh In

At the Universidad Intercultural Maya de Quintana Roo, Maya students are taught about sustainable development and about Maya heritage, in which the Maya Peoples had a reciprocal relationship with the environment. "No environmental impact study was done at the beginning of the construction," says Daisee Juarez, a

student at the university. “Disturbing the jungle will impact ecosystems and displace species. Once you impact one area it affects another, creating a chain reaction of ecological issues across the region.”

The lack of environmental impact studies, specifically for Line 5, which runs from Tulum to Bacalar in the state of Quintana Roo, caught the attention of the Supreme Court back in December. On February 8, a district judge of the First Court of Yucatan definitively suspended this section of the railroad. In a statement, he said that “the removal or destruction of the flora of the land in question should not be done in the areas that are outside the surface in which the change of land use in forest lands.

The railroad was announced by President Andrés Manuel López Obrador in 2018 at the start of his six-year presidential term as a way to bring economic development to all regions of the peninsula. Currently, locals and tourists travel to other cities, cenotes, or one of the dozens of discovered archeological sites in this region by plane or automobile.

President López Obrador insists that this train is an economic necessity. “This is an act of justice because this region has been the most abandoned,” he told Bloomberg. The train has been declared an interest of national security so as to protect it from outside interests and speed up construction. Gelmi Francisca May Mis, another student at the university, is torn about the train because of its immediate economic promise and long-term environmental and ecological consequences. “[The train] is not benefitting society as a whole,” May Mis says, adding that when farmers give their land away for the train’s construction, “farmers lose heritage for future generations. They see [economic benefits] because of [increased] tourism, but they will have to find another job in the future.”

So far, 11,000 jobs have been created to construct the six rail line sections, according to Fonatur, the government entity managing the operations and logistics of the project. The megaproject’s budget has increased nearly three-fold over the past five years from \$8 billion USD in 2019 to \$14 billion in 2022, to \$20 billion today. Felipe Leonardo Contreras, a classmate of Juárez and Mis May, believes the train is a good idea. “The train will be advantageous for rural communicates to communicate more quickly with open markets and routes for tourism and facilitate communication,” he argues.

Geology Can’t Be Ignored

Outside of the university, the railroad has caused a flare-up of emotion from local engineers and biologists, as well as U.S. scientists. “We should all worry about building a train near a cenote,” says Jorge Manuel Mezquita Garma, an engineer from Mexico’s National Council of Engineers. The geology of the Yucatan is laced

with limestone at the surface. Its permeable nature means it can easily break down; when limestone caves in, a cenote is born. Cenotes are revered by the Maya and are considered spiritual places.

Northwestern University professor and environmental scientist, Patricia Beadows, a cenote and cave explorer, has spent decades studying the Yucatan's aquifer and underground network of cenotes. She fears that the structural integrity of the limestone cannot withstand the railroad and the trains running on it, and that collapse is not a matter of if, but when. "A collapse will happen," Beadows says.

Regardless of cultural or economic arguments, the Maya Train is taking an irrevocable toll on a sensitive ecological terrain. Due to the interconnected karst system, a spill of hydrocarbon or other cargo that the train will carry could be catastrophic for any living species in water, including coral reefs in the Caribbean. "The train line that is five kilometers from the coast only gives a two to three-day grace period before hydrocarbon is pumped on to the Mesoamerican reef system," Beadows says.

Upon discovering archaeological remains and running into geology that cannot withstand the impact of the train, seven modifications have been made to its route and construction, according to Fonatur.

"The train has been modified for subterranean aquifer issues," says Jimenez Perez. "We acknowledge that not enough has been done." Despite the Supreme Court's ruling and warnings from scientists, the project managers under President López Obrador's orders are going forward with construction and working to create a suspended cable bridge, which will go above ground near cenotes and are intended to help safeguard jaguar caves.

Jimenez Perez said there is no data on animal deaths from the construction process. He and his colleague at Fonatur, Amada Aime Rivero Dumani, say there will be safe crossing routes above the train line for animals. "We will demand the government to implement simple and effective passing of fauna for both highways and trains," says Luis Gonzalo Vidana Espejo, who has worked on a range of biology projects throughout the region. He is concerned for the well being of animals with existing roads and says that the rail line needs to have passage for them. While the train's route and construction has already compromised existing forest, Fonatur promises expanded protected ecological zones such as Calakmul II and Nuevo Uxmal.

There would be an extension of a current protected area Calakmul II (15,062 hectares) and Nuevo Uxmal (2,230 hectares) and an estimated mitigation of 392 million tons of CO₂ to be offset by 2030 from these expanded forest conservation

areas where trees absorb the greenhouse gas. “Our goal is to reduce the environmental impact,” say Jimenez Perez and Rivero Dumaní.

Guadalupe Sanchez Gama, the general secretary of Sustainable Development and Climate Change Foundation, wants to see environmental solutions that are more localized. “Rather than making a blanket environmental assessment for all of the Mexican region, it would be more beneficial to do it by station and sections of the train, considering there are different populations and impacts,” says Gama.

Who Really Benefits?

The Maya Train also has local journalists and farming cooperatives concerned. Farming cooperatives, known as ejidos, have reportedly been paid to give up the land for the train. Ejidos were formed after the Mexican Revolution of 1917. Local journalist Juan Rodriguez has reported on these issues for the past 17 years. He sees the train as a temporary economic surplus that does not serve locals, but instead serves tourists. “The train is not for us,” Rodriguez explains. “There is a short-term benefit for money and employment opportunities. In the long term I fear this project will not benefit us.”

The Commissioner of Sacsan Co-op, Juan Manuel Juarez Campos, wants economic development. He wants the train to have a stop in his area of Chetumal, and not simply pass by the town. “I fear the train will simply pass by near my ejido organization without stopping to attract tourists,” says Campos. “We need ecotourism development in this area. We have lots of cultural diversity here at the crossroads of Chetumal and Campeche.” Fonatur says that they did reach out to people to get opinions on where the train should go. “The Maya Train is difficult and complex because the President says how it will be,” Campos says.

Mezquita said it will cost 100 pesos to ride a single line of the train, equivalent to a few staple grocery items. Train fare for the entire length of the rail will be 600 pesos. All locals can ride the trains for free on Sundays, Fonatur says. “We’re providing internet and housing for people near these stations,” says Jimenez Perez. “We are not compensating Maya People for this train, but they are getting recognition by using their name in the train.”

Mena thinks naming this train with the word Maya is wrong. “It doesn’t have anything to do with Maya other than territories that they are stealing,” he says. “It’s important to recognize that these Indigenous communities are disempowered and not able to confront this type of invasion because the social, economic, and political conditions prevent us from mobilizing. It is not easy for the outside world to recognize the resistance process taking place at the local community level.”

“As a fellow Indigenous person, I am hopeful for the President’s grand vision,” says Jimenez Perez. Fonatur expects the first train to embark in July 2023.

*Kala Hunter is an environmental journalist.

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WHAT HAPPENS NOW? INDIGENOUS NATIONS PREPARE FOR INCREASED MOBILIZATION OF EDUCATION ABOUT ICWA AND ITS VITALITY FOR NATIVE CHILDREN IN COMING DEBATES

Camilla Lindschouw*

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Nearly a month after the Supreme Court upheld the constitutionality of the Indian Child Welfare Act (ICWA) in *Haaland v. Brackeen*, reflections regarding the meaning of the decision and its future impact for Indigenous children and their families and communities, and the Native American reality nationwide, were considered in an expert panel discussion organized by the Global Alliance for Behavioral Health and Social Justice.

The ruling, which was received largely favorably among Indigenous Nations, took many by surprise.

Melissa Tehee (Cherokee), an associate professor of psychology at Utah State University and Director of the American Indian Support Project, described her initial reaction to the judgment: “I was very apprehensive of celebrating much until I had had the chance to really dig into [the final judgment]. I thought, there has to be a catch somewhere, because, historically, the Supreme Court has started to whittle away Tribal sovereignty every time a case relating to Tribal sovereignty in any way came before them. It took me a few days to feel really good about [the decision].”

Princess Couyancy (Yavapai-Apache), who has experience with child protection cases, shared similar feelings. “I couldn’t believe that we had won, considering the Supreme Court’s actions historically. What we need to do now is figure out what we do with this position; we now know our seat is at the table, so we must now figure out how we best prepare our communities to become strong advocates,” she said.

A key takeaway from the 7-2 decision is that it is not a ruling on the substance of the Indian Child Welfare Act’s alleged violation of the Equal Protection Clause, a central argument championed by the State of Texas, many adoption attorneys, and the other plaintiffs in *Haaland v. Brackeen*. The majority decision, written by Justice Amy Coney Barrett, established that none of the parties had suffered race-based harm that could be addressed before the Court, and therefore the merits of the challenge were not to be adjudicated on by the Court.

A prior adoption case involving the Brackeens was used as a springboard to challenge the constitutionality of the Indian Child Welfare Act in *Haaland v. Brackeen*, including the alleged violation of the Equal Protection Clause on the basis of race. The 2017 case involved a Navajo and Cherokee boy whom the Brackeens, a white family, had been fostering since 2016 and were petitioning to adopt.

Under the provisions of ICWA, the Navajo Nation was given the preferential opportunity to place the boy with a Navajo family. The Brackeens appealed, leading the prospective Navajo family to back out of the adoption following their legal challenge. While the Brackeens were ultimately allowed to proceed with the adoption, their argument that they had suffered race-based harm in the process would serve as the basis for the 2023 challenge.

Alyssa Mercado, an attorney practicing Indian and Child Law, commented: “When it came to the question of standing [regarding the legal argument of unconstitutional race-based preferences], it was very technical. Rather than getting into the merits of the Equal Protection Clause as we have feared, [this decision] reserves it for a future fight...[this judgment] really is an accomplishment, but it is not a complete victory. There is a lot of work to be done.”

Couyancy added that such technicality creates a gap between the courts’ decisions and the actual effect such decisions will have in the communities. “Unfortunately, what is understood legally and what [the average] person’s understanding is does not always bridge together,” she said. “So, we need to figure out how we [can] best prepare people to be ready to engage in these discussions as they are so technical and legal.”

Some of the work to be done includes mobilizing educational resources beyond just the people who directly encounter the Indian Child Welfare Act in their work (judges, attorneys, social workers, and the like), but also spreading awareness and ultimately changing the narrative among the general public about child protection cases. Mercado referenced the Supreme Court’s decision in *Adoptive Couple v. Baby Girl* (2013), which held that several sections of ICWA do not apply in voluntary adoption cases and in cases where the parent objecting to the termination of parental rights is a non-custodian.

“One of the ways that [*Adoptive Couple v. Baby Girl*] was spun in the media in favor of the adoptive couple was emphasizing the sad circumstances: ‘look at this child caught in the middle of this federal regulation; [ICWA] prevented [us] from making a stable and permanent home with this adoptive couple.’ One of the big failures of this case is communication. The media lacked the portrait of how the baby girl was given back to her father for two years after the state proceedings and then removed on the basis of the 2013 Supreme Court decision,” Mercado said. “If your average professional becomes more educated of what child protection cases look like and how they can sometimes last for years...we will find more support amongst everyone for these children who are caught in ugly circumstances.”

Couyancy contributed a personal experience about the potential misapplication of child protection under ICWA. “We are fighting to keep [our children] at home, so we need healthy

families,” she said. “People need to understand what it means to be a Native American child. At one point [my family] had a non-Native social worker come into our home and she adopted the opinion that us children needed to be removed because we did not have our own beds and our dad did not make enough money. We were not living up to standards of non-Native living. But I did not know what it meant to be poor in non-Native terms, because my parents always made sure I had all that I needed. Sometimes not understanding the population is just as devastating as not understanding the technicalities [of ICWA].”

Tehee concurred, adding that “there have been a lot of stereotypes of [reservations] being these depleted places where people are poor and the lifestyle is inadequate. I would never give up my family for more money. [On the reservations], families come together and you have a lot of people providing different things. There are too many issues of being disconnected from your culture, whatever your culture is. [We need to spread awareness] on what we know about the damages to these people separated from their culture, communities and families.”

Mercado shared a common misconception applied by judges and attorneys. “Often in state courts, when you do not have practitioners and judges familiar with reservations, the judge wants to put the child in a home with the best economic resources, which is often white families. They are applying their bias, and oftentimes financial reasons are used as a cover for that bias. For example, one judge once ruled that due to only a wood burning stove in a house, the child in question had to be removed due to the lack of a gas supply. But so what with no gas? That is very common in rural areas,” Mercado said.

In his concurring opinion of the majority judgment in *Haaland v. Brackeen*, Justice Neil Gorsuch arguably makes the case for the need for increased awareness about Native American history, sovereignty, culture, and rights.

Gorsuch wrote: “The Indian Child Welfare Act did not emerge from a vacuum. It came as a direct response to the mass removal of Indian children from their families during the 1950s, 1960s, and 1970s by state officials and private parties. That practice, in turn, was only the latest iteration of a much older policy of removing Indian children from their families...In all its many forms, the dissolution of the Indian family has had devastating effects on children and parents alike. It has also presented an existential threat to the continued vitality of Tribes—something many federal and state officials over the years saw as a feature, not as a flaw...In enacting ICWA, Congress [recognized] that there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children.

“Often, Native American Tribes have come to this Court seeking justice only to leave with bowed heads and empty hands. But that is not because this Court has no justice to offer them. Our Constitution [promises Native American Tribes] sovereignty for as long as they wish to keep it. And it secures that promise by divesting states and authority over Indian affairs and by giving the federal government certain significant (but limited and enumerated) powers aimed at building a lasting peace.

“In adopting the Indian Child Welfare Act, Congress exercised that lawful authority to secure the right of Indian parents to raise their families as they please; the right of Indian children to grow in their culture; and the right of Indian communities to resist fading into the twilight of history. All of that is in keeping with the Constitution’s original design.”

Couyancy concluded the panel with a plea for young Native Americans amidst the devastating effects that decades of assimilation policies have had on their communities: “For any child growing up, the white savior trope tends to be a narrative given to us. We are never going to be non-Native, and we don't want to be. But with us never going to be non-Native, it puts in the minds of some young people that they are never going to make the standard of being human. We are not non-Native, but we are not allowed to be Native anymore, either. Our reservations are the only place we have. So go home and find your roots there, your ancestry there, and your pride there.”

Several resources are available to individuals seeking to gather a greater understanding of ICWA and its context as well as to professionals who encounter Native children and families in their work. These resources are also of great importance to individuals living close to reservations.

***National Indian Child Welfare Association (NICWA)** offers resources for service providers who encounter cases involving Native children and where the Indian Child Welfare Act’s provisions apply. NICWA offers online and in-person training sessions, workshops, and courses as well as additional resources on their website: <https://www.nicwa.org/service-providers/>.*

***National Child Welfare Workforce Institute (NCWWI)** has a resource library (<https://ncwwi.org/tribal-child-welfare/>) of video and written educational, learning, and training material on Tribal child welfare geared toward professionals, Native Americans, and anyone seeking to gather a greater understanding of the Indian Child Welfare Act’s context and child protection. Materials include resources developed by Indigenous Nations in the U.S. and Canada on community engagement and capacity building on issues related to ICWA, including healthy families, ICWA advocacy, and trauma, among others.*

Child Welfare Capacity Building Center for Tribes collects resources from and for Tribes on child welfare and protection to strengthen the understanding of child welfare for Tribal leaders and professionals as a means to protect and safeguard Indigenous communities and enhance Tribal sovereignty.

Their website (<https://tribalinformationexchange.org/index.php/icwa/>) includes legal resources, tool kits, and webinars as a way to exchange knowledge among Tribes, professionals, and Indian child protection advocates.

* Camilla Lindschouw is a Cultural Survival Intern.

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**NEW NATIVE MENTORING PROGRAM BUILDS LIFETIME BONDS
A SOUTH DAKOTA BRANCH OF FRIENDS OF THE CHILDREN PAIRS PAID,
FULL-TIME PROFESSIONAL MENTORS WITH THOUSANDS OF AT-RISK
CHILDREN TO HELP THEM GROW INTO STABLE TEENAGERS AND
EVENTUALLY SUCCESSFUL, WELL-ROUNDED ADULTS**

Bart Pfankuch

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When Coleman Eagle Elk first met a boy he expects to mentor from youth to adulthood, he used an ancient indigenous instrument to find common ground through song.

Eagle Elk met the 5-year-old boy and his mother at their home, then took the child to the Rapid City offices of the Friends of the Children. The new non-profit organization in western South Dakota pairs professional adult mentors with Native American children who have suffered trauma or abuse in their families.

Once at the office, Eagle Elk sat with the boy and played a ceremonial Native American bass drum while singing songs and building a bridge of trust, support and friendship that could last a lifetime.

“I set the big drum up and I told him that I’m your relative, your ‘Leksi,’” recalled Eagle Elk, 31. “I told him that the drum is not just a piece of wood with rawhide on it, but that there’s a spirit in there, so we’ll be able to be open and honest with each other.”

Eagle Elk, who has several years of experience counseling at-risk children, said he felt an immediate connection with the boy and believes the bond was mutual. And it all began with the two-person drum circle during their inaugural meeting.

“Being able to touch that cultural hunger that we as Native people have since birth, I saw his spirit light up,” Eagle Elk said. “I heard his little voice beneath the loud drum. And while it was quiet, we were able to make that connection that some Native youth in Rapid City don’t have access to.”

New South Dakota chapter, new goals

The Friends of the Children He Sapa is the newest branch of the national organization, based in Oregon, which for nearly three decades has paired paid, full-time professional mentors

with thousands of at-risk children to help them grow into stable teenagers and eventually successful, well-rounded adults.

The organization, funded largely by major charities and foundations from across the U.S., boasts a strong record of success.

Data show that more than 8 in 10 earn a high school diploma or equivalency, 93 percent remain outside the juvenile justice system and 98 percent do not become parents in their teen years. Historical results also show that 92 percent of participants go on to higher education, the military or into the workforce.

A Harvard University study of the organization found that for each dollar invested in a mentee, the community benefits by \$7 in saved social costs and that each child who completes the program saves the local community \$900,000 in justice system, health care and teen parenting costs.

The South Dakota organization is the first Friends of the Children chapter to focus specifically on children in a specific cultural group, in this case indigenous boys and girls from Rapid City and the Pine Ridge Indian Reservation.

But like all chapters, the South Dakota group employs and trains salaried mentors to spend a minimum of four years with mentees and up to 12 years or more in many cases, meeting for several hours a week with the child in their school, home and at shared activities.

The need is great in South Dakota, where Native American children trail their majority white peers by significant margins in almost every educational metric, including academic achievement in math, English and science as well as in chronic absenteeism and disciplinary issues, according to state Department of Education data. Indigenous families also suffer disproportionate levels of poverty, substance abuse and low life expectancy.

The South Dakota Friends chapter was born out of \$2 million in donations the organization received in 2022 from King Philanthropies and #startsmall, two national charities.

A model for indigenous communities

The larger, long-term goal of Friends of the Children is to use the fledgling Rapid City chapter as a model for how to bring the program to more Indigenous populations in South Dakota or other states.

Tasha Fridia-Mousseau, director of tribal programs for the national Friends program, said the organization has helped many Indigenous youth in the past but has recently made it a greater focus, especially with the launch of the South Dakota program.

“Part of the move had to do with really understanding that this was an underserved population,” Fridia-Mousseau said. “We wanted to really use cultural identity as a protective factor.”

Since launching in South Dakota, Fridia-Mousseau said the organization has received interest in developing the program in other tribal nations across the county and in other parts of the state, including in Sioux Falls.

“We have seen a lot of interest from other tribes in South Dakota and other tribal nations,” she said. “Our goal is that we want every child who needs a friend to have one because we’re limited only by our imagination and our funding.”

Plans to expand in South Dakota

The South Dakota chapter launched in August 2022 and has since hired a staff of 10, five of whom are mentors who will each develop relationships with four children.

Valeriah Big Eagle, executive director of the South Dakota Friends chapter, led the launch of the group in 2022 and now focuses on growing its reach and the number of children enrolled.

Big Eagle is a member of the Ihanktonwan Oyate who has a doctorate in educational leadership from the University of South Dakota. Big Eagle, who lives in Rapid City with her husband and three children, was named a 2020 fellow by the Bush Foundation.

The children enrolled in the program are recommended for admission by teachers and school administrators. After parents agree to the program parameters, the children are then matched with a mentor who is trained in child development, trauma counseling and relationship building. In South Dakota, they also learn about Native American cultural awareness.

Children are selected at ages 4-6 and are chosen based on the greatest need for outside intervention and the highest likelihood of finding success within the program, Big Eagle said.

The mentors, referred to as “friends,” or “relatives” within the South Dakota program, are paid a living wage of \$45,000 to \$50,000 a year and agree to spend three to four years minimum mentoring their assigned children.

Mentors are expected to spend 14 to 16 hours a month with their mentees while also maintaining close ties to the families of the children. In addition to mentoring the youth, the mentors are trained to aid families in times of crisis.

For example, Friends of the Children representatives recently provided the family of a South Dakota mentee with counseling and cultural support after an incident of sexual abuse occurred within the extended family, Big Eagle said.

Many community partnerships

The Friends group has developed formal partnerships with many local and regional education and community entities, including school systems in Rapid City and Pine Ridge as well as the Oglala Sioux Tribe, Rural America Initiatives, Youth & Family Services and the Great Plains Tribal Leaders Health Board. The group recently inked a partnership with the Children's Home Society of the Black Hills, Big Eagle said.

The South Dakota Friends chapter is currently operating out of office space in an industrial park in northwest Rapid City. It also has a satellite office on the Pine Ridge Indian Reservation, though Big Eagle said the group is starting the process to find permanent space for its offices and educational facilities.

The local chapter is fully funded for its first year, 50 percent for year two and 25 percent for year three, Big Eagle said. Between local fundraising efforts and with support from the national organization, Big Eagle said she hopes the group can reach that goal and as a result, hire four new mentors and add 32 new mentees each year.

While the national group takes a two-generation approach to mentoring, the South Dakota chapter sees its mission as multi-generational. Mentors here work to strengthen families that include children, parents and grandparents, and can even positively influence future generations, Big Eagle said.

All Friends of the Children mentors receive training in CPR, first aid, sexual abuse awareness and other skills they may need to help children and families.

South Dakota mentors also receive training by Native elder Richard Two Dogs to understand and share Native American culture with the children and their families as a way to strengthen their identity, which Big Eagle said is one step toward reducing the impacts of historical trauma.

Big Eagle said generational trauma among Lakota and other American Indian tribes results from a variety of historical and ongoing hardships, from the relocation to remote

reservations, to the taking of lands and rationing of foods, to the forced assimilation in boarding schools that sought to eliminate Native language, culture and identity.

Those traumas have led some Native Americans to escapism and other negative behaviors, such as substance abuse, physical and mental abuse of family members, or gambling and other unhealthy vices, Big Eagle said.

Breaking the cycle of poverty and trauma

Friends of the Children will try to break the generational cycles of poverty and trauma by not only helping children and families succeed with “feet in two worlds” but also by infusing mentor-mentee relationships with culture and pride.

“We know that many people, especially students, don’t have access to cultural assets, such as our elders or sacred sites, our Lakota naming ceremonies, our traditions, our language,” Big Eagle said. “We’re really being intentional about providing those cultural opportunities for the youth and their families.”

One of the elemental components of raising cultural identity is the Lakota naming ceremony in which individuals take on a Native American name in addition to their names given at birth, Big Eagle said. All mentors and mentees will receive Lakota names as part of the new relationships, she said.

“Whenever they are provided with that foundational Lakota culture, such as the naming ceremony, where they receive the name and the eagle plume because within that are spirits that can help us in our lives,” Big Eagle said. “It helps establish their identity as a Lakota person and provides a connection for them. We’re reconstituting that kinship system that has been lost and our way of life, and remembering who we are and where we come from. And part of that is strengthening that cultural identity.”

The program also emphasizes a developmental approach that focuses on the “whole child,” which is aimed at preparing mentees for success while giving them the skills and strength to overcome life challenges that will certainly arrive.

“Holistically, you’re talking about improving the physical, mental, emotional and spiritual well-being of these children,” she said.

A 'quiet boy' with untapped potential

Eagle Elk is still new to the Friends of the Children mentoring process. But as a father himself, he knows how much influence a mentor can have on aiding the development of the mind, soul and body of a child.

“He’s a real quiet young boy, which a lot of our Native boys are. But when you find something that sparks them, like the drum, it’s always going to bring them out of their shyness and bring them out in a positive way,” he said. “He’s real competitive, and he likes to race, throw a ball or play air hockey, so bringing that competitiveness out in him and finding where he can thrive in society, it’s a really cool thing to see.”

The Friends program requires mentors to visit children at their home and to spend time with them and their families, who are made fully aware of the program and its expectations. Mentors also go to school and sit in class with their mentees, and arrange for outside activities to help the children learn and grow outside the home and school.

In South Dakota, mentor Isaiah Weasel Bear, a basketball fan, has organized two free basketball camps for Native youths in western South Dakota from kindergarten to 12th grade. They will be held on two days in late October at the King Center on the School of Mines campus in Rapid City. The camps will be led by Mines basketball player Alejandro Rama, a Native American member of the college team.

During a recent visit, Eagle Elk and his mentee worked on learning the alphabet, writing their names and practicing counting skills. Eagle Elk said the boy stopped counting at 10, but with minor encouragement, showed that he could count well beyond that.

“We’re breaking barriers he thinks he has, but which he really doesn’t,” he said.

Eagle Elk said that he struggled in his own educational journey due to limited opportunities to learn by doing rather than by reading or being told what to do. Eagle Elk said hands-on learning is one educational concept he expects to bring forward in his mentorships.

“Take fixing a fence, which is something I can relate to,” said Eagle Elk, who grew up with horses and ranching on the Rosebud Sioux Indian Reservation. “If the barbed wire is all messed up or torn down, you can show me once, and then I can carry on and fix another 100 miles of fence. But if it’s just written down, some people might struggle with that.”

Positive domino effect in families and communities

Big Eagle and Eagle Elk are both confident that by spending quality “highly intentional” time with children and young adults in the program, they will lay the groundwork for each mentee to find the strength and willingness to help others during their lifetimes.

“For me as a mentor, that’s the goal, not only to help this youth in their life and to help their family but to help them be able to help others in a bigger scale throughout their life,” Eagle Elk said. “There can be a positive domino effect throughout his life by helping each and every person become a better version of themselves.”

In some cases, children and young adults simply need the opportunity to grow as individuals and then gain the understanding that they can help others achieve success and fulfillment in life, Eagle Elk said.

“We always have room to grow and to become a better version of ourselves and sometimes that means helping others because in our culture, you always want to help somebody so they become the better version of whatever they are trying to be in life.”

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INTER-AMERICAN COMMISSION ON HUMAN RIGHTS UPHOLDS THE ONONDAGA NATION’S RIGHT TO CHALLENGE ILLEGAL LAND ACQUISITION

Camilla Lindschouw*

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<https://www.culturalsurvival.org/news/inter-american-commission-human-rights-upholds-onondaga-nations-right-challenge-illegal-land>.

For centuries, the Onondaga Nation has fought against violations of their treaty-guaranteed right to free use and enjoyment of their ancestral lands. Between 1788 and 1794, the Onondaga Nation, as a member of the Haudenosaunee Confederacy, signed three treaties with the United States Government affirming the Onondaga Nation’s sovereignty, including that of their land, alongside a pledge to ensure the protection of this land.

Despite the existence of these treaties, New York State illegally claimed more than 2 million acres of land between 1788 and 1822 for the purpose of selling it for profit to non-Indigenous landowners. The illegally claimed land encompasses ancestral Onondaga territory from Syracuse and Onondaga Lake to the eastern shore of Lake Ontario, Binghamton to the south, and Watertown to the north.

The Onondaga Nation historically has adopted a diplomatic approach with colonizing settlers in matters of land claims, opting to work together to protect the land and its waters. In the

wake of numerous prior Indigenous land claims rejected by the Supreme Court and many years of discussion in the Confederacy's longhouse regarding the Onondagas' pursuit to have their land rights upheld on a state and federal level, the Onondaga Nation sued the State of New York in 2005 to challenge the state's illegal land acquisitions. The *Onondaga Nation v. The State of New York* asked for the Onondaga Nation's right to be heard in decision-making processes affecting their homeland and livelihood, and for the Federal District Court of Northern New York to issue a declaratory judgment conceding that New York State knowingly took Onondaga land illegally, thereby ruling the transactions void.

General counsel Joseph Heath, who has represented the Onondaga Nation for more than 40 years, explained the impetus for the suit: "We're careful not to call [this lawsuit] a land claim. It's a land rights action. The distinction is that [the Onondaga Nation] have never intended to take land away from innocent settlers. They clearly need land back. What [the Onondaga Nation] said is that we have a right to be heard, particularly [about] environmental decisions throughout our homeland. They enjoyed 2 and a half million acres right in the middle of New York, and now they're down to less than 8,000."

The lawsuit was the culmination of rapid and reckless corporate pollution of the Onondaga Nation's land, air, and rivers, which has threatened the livelihood and ancestral food sources of Onondaga citizens and compromised the environment for all inhabitants. Four corporations were named as defendants alongside the State of New York: Honeywell International, Inc, Clarke Concrete Company, Hansen Aggregates, and Trigen Syracuse Energy Corporation. The corporations have dumped toxic waste into lakes and rivers, mined in ancestral and historical sites, and contributed to air pollution from the burning of coal and plastic, among other violations.

Despite treaty guarantees and severe environmental degradation to the detriment of past, current, and future generations of the Onondaga Nation and their settler-neighbors, the Federal District Court ruled in favor of the State of New York, dismissing the lawsuit on the grounds that respecting the Onondaga Nation's treaty-guaranteed rights would cause too much disruption for the people of New York. After several unsuccessful appeals, the Onondaga Nation had exhausted all domestic legal remedies, ultimately enabling the filing of a petition with the Inter-American Commission on Human Rights (IACHR) in 2014. The petition accused the United States of three human rights violations of international law, as well as having a court system that does not enable any remedy for violating Indigenous treaty rights.

The Doctrine of Christian Discovery, which became established in U.S.-Indian Law in *Johnson v. McIntosh* (1823), is central to the legal justification of the continuous enabling of dispossessing Indigenous Peoples of their lands. In *Johnson v. McIntosh*, it was decided that "discovery gave an exclusive right to extinguish the Indian title of occupancy, either by purchase or by conquest," acknowledging as a principle the legal right to successors of European colonizers to acquire Native Peoples' lands. The extreme interpretation of this decision, which is frequently deployed, argues that the U.S. Government is under no obligation to respect the rights of Indigenous Nations, as they are simply holders of the right to occupancy and not holders of land ownership.

Heath explained, “We're saying the Doctrine of Christian Discovery is a human rights violation. The U.S. can't say that they're entitled to Indigenous Peoples' land because they're a superior culture. We're also saying that the other problem in U.S.-Indian law is they have concocted this theory of plenary power, which actually means absolute power. That is, the United States says that they can violate any treaty at will with no remedy for the Nations. It is colonial law. It is unacceptable.”

A direct consequence of plenary power and the Doctrine of Christian Discovery is that the U.S. legal system offers no legal remedy or reparations for Indigenous Nations whose treaty-guaranteed rights are violated. Many land claim and land action cases are sought to be resolved through monetary compensation, but, Heath said, "reparations for Indigenous people, at least for Onondaga, doesn't mean money. It means land.”

In its defense to the IACHR petition, the U.S. cited several Supreme Court cases that have rejected previous land actions or claims by Indigenous Nations, either based on an alleged statute of limitations or because of the argument that ceding the land would be too disruptive to the non-Indigenous settlers currently residing in their ancestral territories.

In July 2023, the IACHR declared the Onondaga Nation's petition admissible as a matter to be adjudicated on by the Commission. This ruling paves the way for the Nation's right to pursue claims against the U.S. Government and the State of New York for the illegal and unjust dispossession of Onondaga land nearly two centuries ago under international law—the furthest any Native American Nation has come with land actions on the international legal stage. “Indigenous Nations have said far longer than I've been working for them, going back at least 100 years, ‘We don't belong in the U.S. courts. We're not U.S. citizens. We belong in international court,’” Heath said.

Sid Hill, *Tadodaho* (Chief) of the Onondaga Nation and head of the council overseeing the Haudenosaunee Confederacy, said in a press release after the ruling: “The passage of time does not diminish our determination to protect our people and regain our land which has sustained us for millennia... Our view of life is linked to the core belief [that] we must act to honor those seven generations in the past and serve those seven generations into the future. In this case, justice has certainly been delayed. We hope it will not be denied.”

While the IACHR's admission of the petition is considered a victory for the Onondaga Nation, Heath noted that the Commission's future ruling on the merits of the petition will be legally non-binding, and the U.S. Government is well aware of it. “We know that the IACHR does not have a legal mandatory power. What it has is a moral power. It will be a very significant moral victory when the U.S. is properly labeled a human rights violator, not only as it applies to Onondaga, but as it applies to the 600 or so Indigenous Nations around the country whose lands they have stolen by other trickery and deception,” Heath said.

In the interim, the Onondaga Nation will be filing additional observations to which the U.S. Government will be able to respond. “We have a very strong direct attack on the Doctrine

of Christian Discovery, on plenary power, and on *Johnson v. McIntosh*...I don't see that the U.S. courts are going to come to grips with their own failures, particularly this current U.S. Supreme Court,” Heath said.

Since the admissibility ruling, the Onondaga Nation has seen a few positive developments in their centuries-long struggle with the State of New York. Previously, Onondaga citizens were routinely ticketed by the state environmental agency for hunting and gathering beyond the small reservation they have been confined to, despite the pollution of their waters by corporations. “Because of 30 years of work, we have forced the environmental agency to stop doing that. We're beginning to get them to recognize that Onondaga has a treaty right to fish and hunt and gather throughout their original territory,” Heath said.

Additionally, the State of New York and the federal government have agreed to return 1,000 acres to the Onondaga Nation. The land includes the polluted headwater area that distributes toxins throughout Onondaga territory, which means the Nation will now be able to begin work on reversing the destruction of a once pristine and traditional fishing ground. “These 1,000 acres of very pristine land with 6 waterfalls will be a place for the children to fish and for women and others to gather medicinal plants and to reconnect with their home,” Heath said.

* Camilla Lindschouw is an intern at Cultural Survival.

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**16TH ANNIVERSARY OF THE UN DECLARATION ON THE RIGHTS OF
INDIGENOUS PEOPLES:
SEEDING THE GENERATIONAL LEGACY OF THE INTERNATIONAL
INDIGENOUS RIGHTS MOVEMENT**

Wakinyan LaPointe*

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On September 13, 2007, 144 member states of the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples. Among them, Australia, Canada, New Zealand, and the United States voted against the Declaration before eventually adopting it. This hard won victory came at the heels of over three decades of international rights advocacy, marches, negotiations, and movements by Indigenous Peoples. This international Indigenous rights movement was not solely a political movement; it was a spiritual and cultural movement that ultimately disrupted the global status quo and colonial norms of States that for too long had ignored the existence of Indigenous Peoples. The changes to international law led by Indigenous Peoples would ripple out for decades to come and create positive impacts for other marginalized peoples.

During the 1970s, Elders mandated rising Indigenous leaders to “take their treaties to the UN.” These young Indigenous leaders journeyed to the United Nations with a vision given to

them by their Elders, and in turn, they changed the world. Today, the next generation of Indigenous leadership is stepping into the helm of the international Indigenous rights movement. The steps and milestones achieved by Indigenous leaders since the 1970s laid the foundation for future generations to go even further. For over three decades, Indigenous human rights strategies, policies, principles, and organizing methodologies were forged through the efforts, trials, and tribulations of Indigenous Peoples from the grassroots to the international level.

Roxanne Dunbar-Ortiz, in “How Indigenous Peoples Wound up at the United Nations,” from the book “The Hidden 1970s,” writes about how the American Indian Movement (AIM) took over the Bureau of Indian Affairs and the Wounded Knee Occupation and stood against the injustice of the federal government, creating the catalyst for the international Indigenous movement through the support of Geneva-based UN actors who heeded Indigenous calls to action. Dunbar-Ortiz explains how the American Indian Movement convened Indigenous Peoples throughout the world to strategize treaties and their rights in the UN, writing, “Out of the deliberations, the International Indian Treaty Council was born, with a mandate to establish an office at the United Nations and to explore the avenues for linking up with the international human rights agenda.” Grassroots Indigenous movements played a central role that gave stamina, longevity, and heart to the movement that realized the UN Declaration on the Rights of Indigenous Peoples in 2007.

Sheryl Lightfoot, author of “Global Indigenous Politics: A Subtle Revolution,” shines a light on the Indigenous leaders that came together at that time:

“In 1974, a group of more than 5,000 Elders and traditional leaders representing 98 Indigenous nations from 9 countries gathered at Standing Rock Reservation in Lakota territory, what is now commonly known as South Dakota, U.S.A. These elders and leaders decided to take their treaty issues to the international level, especially the UN, and so they officially founded the International Indian Treaty Council (IITC) as their organizational vehicle. With founders that included AIM members Russell Means (Lakota), Bill Means (Lakota), and Vernon and Clyde Bellecourt (Anishinaabe), the IITC is sometimes known as the 'diplomatic arm of AIM.' Later in 1974, the IITC established an office in New York, right across the street from the United Nations.”

There is so much more to this global history than Lightfoot's article can fully relate. It is clear that Indigenous communities held a central role in the development of their own human rights. Too often, Western legal discourse attributes rights development as the sole prerogative of legal experts and scientists. As we have seen throughout history, civil, political, cultural, economic, and human rights were brought to the fore by communities who stood up to injustice. This is to say, every Indigenous person holds an important role in the realization of their rights and the protection of the natural world.

What did the global Indigenous rights movement achieve with the UN Declaration on the Rights of Indigenous Peoples?

- The recognition of Indigenous Peoples' collective human rights. Prior to the Declaration, Indigenous Peoples were codified as “minorities” and “individuals” entitled

to assimilative, State-centric human rights. The recognition of Indigenous Peoples' collective human rights brought greater specificity to the rights of other diverse groups of minorities and ethnicities.

- A first of its kind, international stakeholder dialogical process whereby Indigenous Peoples had direct participation alongside member states in the drafting of the UN Declaration on the Rights of Indigenous Peoples. Previously, member states would draft international law among themselves. The newly formed Indigenous participatory human rights process emerged as a formula for other UN stakeholder processes focused on drafting instruments and divisions seeking to recognize the inherent rights of marginalized groups.
- The recognition of Indigenous Peoples' right to self-determination of their social, economic, and political status; in other words, the right to determine their own futures.
- Codification of the right to Free, Prior and Informed Consent (FPIC), which obliges States to consult with Indigenous Peoples on any infrastructure projects concerning their lands, waters, and natural resources.
- Development of international Indigenous human rights strategies, policies, and organizing methodologies that offered a foundation for future generations of Indigenous Peoples. One program dedicated to transferring this knowledge is the UN Office of the High Commissioner for Human Rights (OHCHR) Indigenous Fellowship Programme. Established during the first International Decade of the World's Indigenous Peoples (1995-2004), this program provides training for Indigenous Peoples on strategizing within the UN System.
- The recognition of a greater breadth of Indigenous human rights, and therefore a mechanism of redress for a broader spectrum of human rights issues particular to Indigenous Peoples through UN mechanisms and special procedures.

In 2022, the Committee on the Elimination of Discrimination Against Women adopted General Recommendation No. 39. This outlined specific guidance on the rights and protections for Indigenous women and girls, which previously was absent from the Convention. The Committee will conduct procedures for monitoring State compliance, investigating complaints,

and developing human rights reports integrating data concerning the rights of Indigenous women and girls in the future.

Personal reflection: Where do we go from here?

In April 2023, I was selected to join the United Nations Office of the High Commissioner for Human Rights Indigenous Fellowship Programme (IFP). The purpose of the program was to position Indigenous human rights defenders to strategically employ UN mechanisms, instruments, and international law for the purpose of advancing Indigenous Peoples' human rights. The IFP culminated with the 16th Session of the Expert Mechanism on the Rights of Indigenous Peoples from July 17-21. On July 15-16, the Indigenous Peoples Caucus held a two-day preparatory meeting at the World Council of Churches in Geneva, Switzerland. There, Indigenous Peoples proposed human rights recommendations that were emblematic of Indigenous calls to action during the 1970s.

During the two-day Indigenous Peoples Caucus preparatory meeting, Indigenous Peoples proffered recommendations on enhanced participation. They identified that a necessary next step was to go beyond their current status as recognized UN observers, and instead that Indigenous Peoples need to be on equal footing with member states. Some proposed they be called "permanent observers," while others recommended "governments" or "Nations." The recommendations of today's activists reflect the hopes of those who came before them in the 1970s, that Indigenous self-determination, sovereignty, and political status within the UN system would be fully recognized. The comments also brought to the fore that many of the goals of the movements that emerged in the 1970s remain unmet. Indigenous Peoples do not want to be recognized as a domestic unit of States; they demand to be on equal or greater footing in political status and recognized as critical to the survival of the natural world, to paraphrase James Anaya in "International Human Rights and Indigenous Peoples."

The work of the international Indigenous rights movement that arose in the 1970s is far from over. As I write this, escalating global warming and the effects of climate change, resource scarcity, and ecological destruction are driving States and multinational corporations increasingly to target the territories and waters of Indigenous Peoples. Concurrently, the work of our predecessors is being succeeded by generational leaders. What might this mean for the future?

- According to Sheryl Lightfoot in "Global Indigenous Politics: A Subtle Revolution," during the final moments of the drafting of the Declaration, member states devolved the Indigenous right to self-determination as 'aspirational,' rather than inherent, consequently leaving much work to be done for future generations in strengthening precepts of Indigenous self-determination.
- Treaties signed by Indigenous Nations and States continue to be seen as domestic matters. Indigenous Peoples are still vying for their treaties to be acknowledged as international instruments that reaffirm Indigenous nationhood. There is much work to be done on this front.
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- From July 6-14, 2023, the Assemblies of Member States of the World Intellectual Property Organization decided that the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) will, during the next budgetary biennium in 2024-2025, in a member state-driven process, continue its work on the protection of genetic resources (GRs), Traditional Knowledge (TK), and traditional cultural expressions (TCEs) with the objective of finalizing an agreement on an international legal instrument, without prejudging the nature of outcomes relating to intellectual property, which will ensure the balanced and effective protection of TK and TCEs. Indigenous Peoples are working to include precepts of the Declaration and Indigenous intellectual property rights in the forthcoming legal instrument.
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- There is a greater need for UN, philanthropic, and institutional investment into Indigenous participation across a greater spectrum of UN forums. Indigenous Peoples engage the Expert Mechanism on the Rights of Indigenous Peoples and the UN Permanent Forum on Indigenous Peoples on a consistent basis. Additionally, it is important for Indigenous voices to hold States accountable at Universal Periodic Reviews, the UN Forum on Business and Human Rights, and other UN mechanisms and forums and to engage UN Treaty Committees and Special Procedures.
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- The mandate of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) to conduct country engagement is underutilized by Indigenous Peoples. Under the country engagement mandate, EMRIP receives and reviews complaints from Indigenous Peoples, and may decide to send independent experts from to the country named in the complaint to investigate and monitor human rights compliance.
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- There is a global opportunity for partnership building among Indigenous Peoples. Building transnational Indigenous partnerships and giving legitimacy to Indigenous-led forums on human rights is a critical step to informing international law through a unified approach.
- Others have recommended that by utilizing the Declaration across the UN System, there will be greater recognition of it as customary law, similar to how the Universal Declaration on Human Rights is accepted as binding customary law among member states. There is an opportunity for Indigenous Peoples to elevate the Declaration through their efforts, innovation, and creativity.

I would be remiss to leave out a polarizing topic among Indigenous Peoples within the UN. Some have explored the theory of heading towards a UN treaty on the rights of Indigenous Peoples. However, like the discussions held in the 1970s during the formative stages of Indigenous rights, I have learned that this would come with great challenges. Member states are less likely to oblige themselves to a legally binding treaty on Indigenous Peoples' human rights. Furthermore, others have speculated that member states would limit the number of rights they embody, suggesting it would pale in comparison to the broad spectrum of rights outlined in the Declaration. More notably, scholars have stated a treaty is not needed since combining the Declaration with existing UN treaties would legally obligate member states to uphold Indigenous Peoples' human rights. However, I leave this topic here to Indigenous Peoples in case it inspires some new thought, alternative innovations, and possibly an argument for or greater clarity

among the international Indigenous community on a treaty. Perhaps a more modern treaty on the rights of Indigenous Peoples may become more relevant as Indigenous territories are increasingly targeted under the escalating environmental crisis. Or it may be that someday, the Declaration will have risen without a shadow of a doubt to the level of customary law.

I hope that the points I have outlined here will provide some semblance of a blueprint, clarity, and food for thought on this 16th Anniversary of the Declaration on the Rights of Indigenous Peoples. In the past, I have advocated for Indigenous Peoples' human rights at the UN World Conference on Indigenous Peoples (2014), the Permanent Forum on Indigenous Issues (2014-2023), the Expert Mechanism on the Rights of Indigenous Peoples (2019, 2023), and other UN forums. While there, I have met young Indigenous leaders who seek to honor the efforts and voices of those who came before them. My goal with this article is to uplift the plight of the next generation of Indigenous leaders by consolidating some of the points of Indigenous human rights demands, organization, and exploration that have persisted throughout the decades.

As global environmental issues escalate, Indigenous Peoples will continue to transform international law by expanding international human rights strategies, policies, and organizational approaches capable of withstanding and overcoming key challenges. Our predecessors and Elders have cleared a path, bringing forth the Declaration on the Rights of Indigenous Peoples and equipping future generations with the tools and knowledge to open new entryways to liberation, Indigenous sovereignty, and the advancement of self-determination.

*Wakinyan LaPointe is a Sicangu Lakota citizen of the Rosebud Sioux Tribe. Mr. LaPointe is a Ph.D. student and holds a master's degree in Nonprofit Management. He is a Co-convenor of the MKW Indigenous Water Decade (mnikiwakan.org) and an alumnus of the United Nations Indigenous Fellowship Programme '23.

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END OF BC RESERVES?

Russ Diabo*

This [the letter below from the BC Ministry of Indigenous Relations Assistant Deputy Minister] is what was proposed in the 1969 White Paper on Indian Policy!

No Aboriginal Title Land Registry like in Australia?

This fits with the 9 Modern Treaties in BC, Self-Government Agreements, Land Codes and Delegated Taxation Authority.

A template for the rest of Canada, once the rest of the provinces get on board?

BC gov't is "proposing to bring forward legislation for gov't's consideration to enable First Nations, that are recognized as legal entities under federal law, to acquire, hold, & DISPOSE OF LAND & register their interests in the Land Title Office."

Two charts related federal charts are available from Rus Diabo, rdiabo@rogers.com.

Ministry of Indigenous Relations Assistant Deputy Minister Mailing Address: Website:
www.gov.bc.ca/irr, December 12, 2023 Ref. 60323

Dear First Nations Leaders:

The Province is committed to implement and meet the objectives of the United Nations Declaration on the Rights of Indigenous Peoples supported by the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act). Currently, First Nations who are Indian Act bands, and other federally recognized First Nation entities, are unable to register land in the Province's Land Title Office in the name of their First Nation and have had to rely on proxies to hold land. First Nations have long called for a solution – from any level of government – to remove this discriminatory barrier to ownership of land.

With support and guidance from First Nations, the Ministry of Indigenous Relations and Reconciliation (MIRR) and Ministry of Water, Land and Resource Stewardship (WLRS) are proposing to bring forward legislation for government's consideration to enable First Nations, that are recognized as legal entities under federal law, to acquire, hold, and dispose of land and register their interests in the Land Title Office. The proposed legislative amendments will enable those First Nations to hold lands in their own name while the Province and First Nations work to implement the Declaration Act.

The proposed legislative changes will enable Indian Act bands and other federally recognized First Nations communities to have the choice to register land interests in their own First Nations name. First Nations could hold land in their own First Nations name or register interests in the Land Title Office through alternative arrangements (e.g., corporations, societies, and proxies). These changes are intended to also reduce the administrative barriers First Nations face when seeking to register land.

MIRR and WLRS invite you or your representative to participate in consultation and cooperation with the Province to further develop the proposal and inform the potential development of legislation.

We are eager to hear your views. Introductory engagement sessions will be held in a virtual format. To accommodate scheduling, the session will repeat and be held on December 18, 2023, at 11:00 a.m., January 8, 2024, at 3:00 p.m., January 10, 2024, at 8:30 a.m., and January 12, 2024, at 2:30 p.m. Pacific Standard Time. Each session will be identical, and it is not necessary to attend more than one. The sessions will be approximately one and a half hours in length. This will include an opportunity for you

to share your initial thoughts, as well as information on how to engage further. Additional sessions may be held later in January.

If you would like to attend one of these sessions, or wish to provide comments, please email Colleen.Gellein@gov.bc.ca. Please note that any comments you would like brought forward for government's consideration must be provided by January 31, 2024.

In conjunction with the engagement sessions, the Province will be publishing further information on our public webpages in the near future. Please let Colleen know if you'd like to be alerted when the information is available, and we can direct you to it.

We appreciate your input on this important initiative and look forward to our continued work together.

Sincerely,



Carolyn Kamper

Assistant Deputy Minister Assistant Deputy Minister Negotiations and
Regional Operations Reconciliation, Lands and Natural Division Resource
Policy

Colin Ward

Ministry of Indigenous Relations and Ministry of Water, Land and Resource
Reconciliation Stewardship

*Russell Diabo is a First Nations Policy Analyst, rdiabo@rogers.com, Cell: (613) 296-011.

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HOW ILLEGAL MINING AND LOGGING IN THE PERUVIAN AMAZON ARE EXPOSING INDIGENOUS COMMUNITIES TO THE RISK OF MODERN SLAVERY

Between Neglect and Exploitation:

Four Case Studies of Indigenous Communities in the Peruvian Amazon

Dr. Marta Furlan*

Republished from Cultural Survival. August 8, 2023,
<https://www.culturalsurvival.org/news/how-illegal-mining-and-logging-peruvian-amazon-are-exposing-indigenous-communities-risk-modern>.

According to the International Labor Organization (ILO), the International Organization for Migration (IOM), and Walk Free, 49.6 million people worldwide are trapped into various forms of modern slavery, including 27.6 million in forced labor and 22 million in forced marriages. Factors such as poverty, COVID-19, the climate crisis, armed conflicts, and forced displacements are among the most prominent causes for these staggering figures.

In Peru, slavery has a long history, with numerous groups (such as Indigenous Peoples, African people, and individuals of Chinese descent) systematically subjected to trafficking, exploitation, and enslavement. Today, despite the efforts made by the government to combat the phenomenon, modern slavery continues to be prevalent throughout the country.

Driven by these considerations, the organizations Free the Slaves, an international NGO working to end the conditions that contribute to modern slavery, and Onampitsite Noshankaye Tzinani (ONOTZI), a Peruvian NGO working to promote the well being and development of Indigenous communities, conducted a research project to better illuminate the reality of modern slavery among Peru's Indigenous communities. Following extensive fieldwork among four Indigenous communities in the Peruvian Amazon's regions of Ucayali and Huánuco, the report found that Indigenous people are becoming increasingly vulnerable to modern slavery due to a series of multidimensional, interconnected vulnerabilities.

The Road to Exploitation and Slavery

Over the years, illegal activities of mining and logging have dramatically increased throughout Peru, where they are facilitated by the state's failure to adequately regulate and monitor the extractivist industry. As Indigenous communities live in the territories that display the highest abundance of natural resources, their paths have inevitably crossed with those of illegal extractivist companies. To make things work, Indigenous territories lack clear demarcation, which contributes to the overlap between extractive concessions and the Indigenous lands. In this situation of widespread exploitation, Indigenous community leaders who attempt to oppose resource extraction and advocate for the protection of their ancestral territories face threats and assassinations.

Unregulated and unmonitored by the state, illegal logging has been contributing in devastating ways to deforestation in the Amazon (from 2001 to 2019, the country lost 2,433,314

hectares of Amazon forests to deforestation). For its part, illegal mining has been contributing to the contamination of water sources through the use and release of the mercury used to separate gold from rock fragments. Mercury is a highly toxic mineral that can spread over vast territories and generate severe health consequences even among persons living thousands of kilometers from mining areas.

As a result of these illegal extractivist activities that destroy the surrounding environment, exacerbate the effects of climate change, and contribute to the degradation of the existing ecosystem, Indigenous people have found themselves progressively deprived of their traditional livelihoods. As they lose their means of sustenance, they become more easily prey to ruthless traffickers, eager to exploit them for their own material profit.

These dynamics, however, do not occur in a vacuum. Rather, they are nurtured by pre-existing vulnerabilities that have traditionally affected Indigenous people in Peru:

- **Economic Need.** Due to a precarious local economy, structural discrimination against Indigenous communities in the labor market, and traditional state neglect, poverty is chronic among Indigenous people. The residents of all four communities where the research was conducted range from being poor to extremely poor. This ultimately forces many people (especially among youngsters) to accept jobs in informal and unregulated sectors, where the likelihood of exploitation is high. Another means to which residents have sometimes resorted to break the cycle of poverty is the sale or rent of land to illegal miners. The lack of alternative job opportunities also drives youth into hazardous extractivist industries, which falsely promise a decent living. Due to the widespread poverty, finally, many children are forced by their families to take part in agricultural work and contribute to the family's financial survival.
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- **Limited Education:** The existing school system is highly inadequate in Indigenous areas, as it fails to guarantee access to bilingual intercultural education. As a result, Indigenous children are excluded from the opportunities that a good education opens to their counterparts in non-Indigenous territories later in life. Commonly, students do not advance onto secondary education, with discrimination being a primary factor identified as inhibiting children and adolescents to pursue further education in bigger towns or cities. Work responsibilities of children from poor households also contribute to higher rates of early school dropout.
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- **Gender-based Violence:** The widespread occurrence of gender-based violence couples with economic insecurity to create an environment conducive to early and forced marriages, which have become normalized among local households. Forced marriages at a young age have also become increasingly accepted in a context in which childhood is brief and children engaged in labor are pressured into getting married and having children since the age of 12 or 13.

- **Healthcare:** Indigenous communities are forced to deal with a lack of medicine and the state's failure to provide medical services that are regular, adequate, and tailored to various populations (language, culture, distances).
- **Geographical remoteness.** The communities' remote location represents an obstacle to their opportunities for development. Moreover, their remote location limits the communities' capacity to access legal mechanisms, justice, and victim's protection services, leaving them more vulnerable to modern slavery and less likely to find ways to exit exploitation.
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- **State Neglect:** The lack of governmental support and oversight has created a reality where Indigenous communities are de facto abandoned to themselves, with no support and protection from the central authorities.

Favored by the intersection of these multidimensional vulnerabilities, diverse modalities of modern slavery were identified in the Indigenous communities studied: the commercial sexual exploitation of children, labor exploitation of children in coca leaf cultivation, and forced child marriage. Indicators of trafficking for sexual exploitation and for forced labor were also identified among adults in illegal mining, logging, and drug trafficking.

Recommendations

The report calls on the Peruvian government and civil society stakeholders, among others, to implement various recommendations relating to prevention, protection, prosecution, and partnerships. Some of the recommendations include:

Prevention:

- Ensure that Indigenous communities have equal access to essential public services.
- Implement policies that promote climate change resilience through environmental protection and regulations on environmentally degrading industries.
- Implement culturally appropriate programs preventing human trafficking and modern slavery in Indigenous communities.

Protection:

- Address gender-based violence, especially child marriage and the commercial sexual exploitation of children, in indigenous communities of the Amazon through a comprehensive approach.
- Rescue, rehabilitate, and reintegrate trafficked persons living in sites where exploitation is prevalent.

- Guarantee human rights for environmental defenders and indigenous communities at-risk of violence.

Prosecution:

- Establish mechanisms in indigenous communities to report and register human trafficking and modern slavery cases.
- Strengthen the rule of law and human rights accountability through investigations and prosecutions of corruption cases related to human trafficking and other forms of exploitation.

Partnerships:

- Conduct studies and establish data collection systems to capture the diverse forms of exploitation affecting indigenous persons in rural and urban areas.
- Guarantee indigenous communities' participation in national and regional coordination efforts against human trafficking, modern slavery, and gender-based violence.

Links to the full report (English: <https://freetheslaves.net/wp-content/uploads/2023/04/Between-Neglect-and-Exploitation.pdf>) (Español and Ashaninka: <https://www.culturalsurvival.org/news/how-illegal-mining-and-logging-peruvian-amazon-are-exposing-indigenous-communities-risk-modern>)

Links to the Executive Summary (English: <https://freetheslaves.net/wp-content/uploads/2023/04/Between-Neglect-and-Exploitation-Executive-Summary.pdf>) (Español and Ashaninka: <https://www.culturalsurvival.org/news/how-illegal-mining-and-logging-peruvian-amazon-are-exposing-indigenous-communities-risk-modern>)

*Dr. Marta Furlan is associated with Free the Slaves.

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## **DECOLONIZING AND INDIGENIZING MEDIA TO UPLIFT INDIGENOUS PEOPLES' VOICES IN ASIA**

Dev Kumar Sunuwar\*

Republished from Cultural Survival, September 8, 2023, <https://www.culturalsurvival.org/news/decolonizing-and-indigenizing-media-uplift-indigenous-peoples-voices-asia>.

Media has become as ubiquitous as the air we breathe. From entertainment to keeping up with the news and getting connected with the world, we consume a multitude of media every day. However, despite the abundance of media outlets, the coverage of Indigenous Peoples' issues remains extremely limited. If Indigenous Peoples' issues are covered at all, they are not always properly or positively portrayed. Thus, there is a need to decolonize and Indigenize the media, concluded the Asian Indigenous journalists who gathered recently in Chiangmai, Thailand.

On August 25-27, 2023, Indigenous broadcasters and communicators from the Philippines, Thailand, Nepal, India, Bangladesh, Cambodia, and Malaysia participated in a regional exchange of Indigenous journalists organized by the Asia Indigenous Peoples Pact to discuss the access, voice, and representation of Indigenous Peoples in media in the Asian context

As in many places around the world, the media in Asia is largely controlled by dominant groups and strongly influenced by political parties. As a result, Indigenous Peoples have low representation, especially in decision-making roles, which further minimizes their ability to influence content. In addition to these barriers, content and programming in Indigenous languages across all platforms—newspapers, radio, TV, online, and even social media—is limited.

“Colonialism still exists and has an ongoing impact on Indigenous Peoples. The colonial power now is not a foreign country...Indigenous Peoples are now neo-colonized by the dominant group within a nation-state. Therefore, there is a need to decolonize and Indigenize the media to challenge and dismantle the colonial frameworks that have historically shaped media representation and narratives about Indigenous Peoples,” said Colin Nicholas, Executive Director of the Center for Orang Asli Concerns, Malaysia.

The concept of decolonizing media includes the notion that media outlets should have better representation of Indigenous journalists, who would provide different, comprehensive, and more accurate coverage of Indigenous Peoples rather than merely reporting on death and destruction. Similarly, Indigenizing media is a process of creating a space where Indigenous Peoples have greater access and meaningful participation, their voices are heard, and there is adequate coverage of their issues from their perspectives.

Recently, Indigenous Peoples in Asia have been asserting their rights to their own media, as their cultures, needs, and aspirations are not reflected in the mainstream media. They call it “Indigenous media,” which can be any form of media of, for, and by Indigenous Peoples with content that is produced, controlled, and centered around Indigenous Peoples’ perspectives and amplifies the voices and stories of Indigenous Peoples.

Two-thirds of the world’s 476 million Indigenous people live in Asia. However, Indigenous Peoples in many parts of Asia have faced long histories of systematic marginalization, colonization, and exclusion from dominant societies and media. Kimi Colney, an Indigenous journalist from Mizoram, India, cited the example of the Mizos People in northeast India, who have “one of the highest literacy rates (91 percent, higher than the national average of 75 percent in India), but the stereotypes of Mizos, mainly ethnic conflicts, have been around for a long time in media.”

Over the past few decades, Indigenous Peoples in Asia have adapted media technologies to meet their own socio-political and cultural needs, establishing media in their own languages in their communities, by and for their people. Indigenous Media Network in Thailand, East Mojo in Mizoram, India, Indigenous Television in Nepal, and Radyo Sagada in the Philippines are a few

examples of media outlets whose initiatives have focused on dismantling media-based stereotypes against Indigenous Peoples. Indigenous journalists working for these outlets are trying to ensure that Indigenous cultural and linguistic diversities are properly represented in the media and that Indigenous issues and stories are told in a culturally accurate, appropriate manner.

Indigenous Peoples are also using different forms of media, from community radio and television to films, online sites, and social media, to challenge the mainstream narratives while also bringing their human rights violations to the attention of international communities and hopefully influencing the socio-political agenda. Undoubtedly, Indigenous media can help reduce the marginalization and misinterpretation of Indigenous voices. Indigenous Peoples have been using media to voice their concerns, even in circumstances where Indigenous journalists have had to work under threats, intimidation, and violence perpetrated by government agents.

“In the Philippines, we are currently living in a situation that is very difficult with a government that is very hostile to Indigenous Peoples,” said Gwendolyn Gaongen, station manager of Radyo Sagada 104.7 FM, the first-ever community radio station in Cordillera, Philippines, and one of Cultural Survival’s Indigenous Community Media Fund grant partners. “Despite such challenges, we Indigenous Peoples established the Indigenous community radio in our own defense, genuinely being a voice of voiceless Indigenous communities of Sagada and Mt. Province since 2010.”

According to the results of “Are Indigenous voices being heard?,” a global study on the state of Indigenous community broadcasting in 19 countries conducted by the Indigenous Media Caucus, “There has been tremendous progress globally in terms of access to media, information, and connectivity, which has substantially increased the voices and participation, and also has strengthened the use of Indigenous languages and philosophies. But Indigenous media has been threatened by antagonistic attitudes by both government and commercial agents.” The Indigenous Media Caucus is a united group of Indigenous media practitioners and communicators founded to coordinate advocacy efforts and to bring problems faced by Indigenous media and journalists to the international level.

Indigenous Peoples have been excluded from accessing media for many reasons, including their geographical location, languages, legal barriers, and lack of awareness of the human rights to freedom of expression and right to media as enshrined in Article 16 of the UN Declaration on the Rights of Indigenous Peoples, which affirms that Indigenous Peoples have the “right to establish their own media in their own language and to have access to all forms of non-Indigenous media without discrimination.”

The media are powerful and essential tools for education, information, and sharing knowledge and for voicing concerns and experiences. Access and participation in the media are essential, but making the best use of the media requires skill and technical capacity. “We no longer can rely on the existing TV channels, radio stations, networks, or newspaper or online publishers to tell our stories accurately and in a timely fashion. We must do it ourselves because the media shapes the public's perception of Indigenous Peoples. For this cause, we [are working together] to build the necessary skills to engage with the media. That is what this regional



exchange is for,” said Nina Sangma, an Indigenous rights advocate and Communications Program Coordinator at the Asia Indigenous Peoples Pact.

\* Dev Kumar Sunuwar (Koĩts-Sunuwar) is a member of the Cultural Survival Staff),

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## MEDIA NOTES

University of Arizona Press listings can be obtained from the University of Arizona Press, 355 S. Euclid Ave., Suite 103, Tucson, AZ 85701, phone/fax (800) 426-3797, <http://www.uapress.arizona.edu/>. Among the recent titles is Wendy Shelly Greyeyes, *A History of Navajo Education: Disentangling Our Sovereign Body*.

Offerings from the University of Hawaii can be obtained from University of Hawai’i Press, 1840 Kolawalu St., Honolulu, HI 96822 (808)956-8255, [uhpbooks@hawaii.edu](mailto:uhpbooks@hawaii.edu), <http://www.uhpress.hawaii.edu>.

Recent offerings from the University of New Mexico Press can be obtained from the University of New Mexico Press, MSC04 2820, 1 University of New Mexico, Albuquerque NM 87131-0001 (505)272-7777 or (800)249-7737, <http://www.unmpress.com/>.

University of Nebraska Press offerings include can be obtained from University of Nebraska Press, 1111 Lincoln Mall, Lincoln, NE 68588 (800)755-1105, [pressmail@uni.edu](mailto:pressmail@uni.edu), [www.nebraskapress.unl.edu](http://www.nebraskapress.unl.edu).

Offerings from the University of Oklahoma Pres can be obtained from the University of Oklahoma Press, Attn: Order Department, 2800 Venture Drive, Norman, OK 73069-8218, [www.oupres.com](http://www.oupres.com).

Offerings from the University of Alaska Press can be obtained from University of Alaska Press: [www.alaska.edu/uapress](http://www.alaska.edu/uapress).

Books from University of Pennsylvania Press include: Edited by Joe Baker and Laura Igoe, *Never Broken: Visualizing Lenape Histories* (96 Pages for \$29.99); **Pinky Hota**, *The Violence of Recognition: Adivasi Indigeneity and Anti-Dalitness in India* (240 Pages for \$32.50 paper and Ebook, \$120 cloth), all plus \$5 first item, \$2 each additional, from University of Pennsylvania Press, [www.pennpress.org](http://www.pennpress.org).

Offerings from the University of Kansas Press can be obtained from: [WWW.kansaspress.ku.edu](http://WWW.kansaspress.ku.edu).

Books from the University Press of Colorado can be obtained from <https://upcolorado.com/university-press-of-colorado>.

Publications from University of Minnesota Press can be obtained from <https://www.upress.umn.edu>.

University of Chicago publications can be obtained from order at: [www.press.uchicago.org](http://www.press.uchicago.org). Among the recent titles are: Lydia Moland, "*Lydia Maria Child: A Radical American Life* (560 pp. for \$35 cloth); and Kevin Lane, *The Inca* (208 pp. for \$25 cloth); and Megan E. O'Neil, *The Inca* (296 pp. for \$25 cloth).

University of British Columbia Press can be obtained from <https://www.ubcpres.ca/indigenous-studies-catalogue>.

Volumes from Athabasca University Press can be obtained from: <https://www.ubcpres.ca/an-ethnohistorian-in-ruperts-land>.

Edited by Raymond Foxworth and Steve Dubb, *Invisible No More: Voices from Native America* is 320 pp. for \$35 paper, \$34.99 Ebook from Island Press, <https://islandpress.org/books/invisible-no-more>.

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Ph.D. Dissertations from Universities Around the World on Topics Relating to Indians in the Americas, Compiled from *Dissertation Abstracts*

Jonathon Erlen, Ph.D., History of Medicine Librarian, Health Sciences Library System
University of Pittsburgh, erlen@pitt.edu

and

Jay Toth, M.A., Professor of Anthropology, SUNY Fredonia, jtoth@atlanticbb.net

IPJ hosts a regularly updated data base of American Indian related Ph.D. from 2006 – the present. The dissertation coverage includes all languages and is international in scope as far as Dissertation Abstracts covers. This includes most European universities, South African universities, and a few in the Far East. They do not cover all the universities in the world, but do a pretty good job covering first world universities. There is no coverage of Latin American universities' dissertations. The data base is updated in each Winter and Summer issue of *IPJ*, and sometimes between issues. Since ProQuest, the proviser of the lists of dissertations from which Jonathan and Jay find Indigenous dissertations, no longer goes by months/years there will be titles from various years added in the updates.

Dissertation abstracts Data Base 2006 – the present:
<http://indigenouspolicy.org/index.php/ipj/thesis>

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Useful Web Sites

Environmental Web Sites

Indigenous Environmental Network serves as an Indigenous voice on environmental issues, at: <http://www.ienearth.org/>.

For weekly reports on climate related developments with an archive of past reports go to Inside Climate News: <https://us2.campaign-archive.com>.

UN NGO Climate Change Caucus, with numerous task forces, is at: <http://climatecaucus.net>.

The Seeding Sovereignty Collective is at seedingsovereignty.org.

On the Frontlines of Climate Change: A global forum for indigenous peoples, small islands and vulnerable communities can be subscribed to at: <http://www.climatefrontlines.org/lists/?p=subscribe>. See postings on the website at: <http://www.climatefrontlines.org/en-GB/node/148>.

350.org works around the world on climate change related issues, at: www.350.org.

Greenpeace engages on many environmental concerns, at: greenpeace.org/usa/ and greenpeace.org/.

Friends of the Earth is involved world wide in environmental advocacy, at: foei.org.

The **Union of Concerned Scientists (UCS)** works on a variety of environmental, as well as other, issues, at: www.ucsusa.org.

Environmental Action is active on numerous environmental issues, at: environmental-action.org.

Environment America works on environmental issues in the U.S. at: <https://environmentamerica.webaction.org>.

Food and Water Watch is active on a variety of issues relating to water and food, at: <https://www.foodandwaterwatch.org> and <https://secure.foodandwaterwatch.org>.

The Wilderness Society works on environmental issues, particularly concerning preserving "wild places." at: wilderness.org.

Ocean River Institute works on river and other water issues, at: oceanriver.org.

The National Wildlife Federation, at: nwf.org, and **The National Wildlife Federation Action Fund**, at: <https://online.nwf.org/site/SPageNavigator/ActionCenter>, are concerned with environmental issues involving wildlife in the U.S.

Climate Frontlines is a global forum for indigenous peoples, small islands and vulnerable communities, running discussions, conferences and field projects: <http://www.climatefrontlines.org/>

The Nuclear Information and Resource Service includes in its work nuclear environmental issues, at: nirs.org.

The National Parks Conservation Association (NPCA) includes in its concerns environmental issues relating to U.S. national parks, at: npca.org and <https://secure.npca.org/>

Earth Policy Institute, dedicated to building a sustainable future as well as providing a plan of how to get from here to there: www.earthpolicy.org.

Wiser Earth lists more than 10,700 environmental and environmental justice organizations at: <http://www.wiserearth.org/organization/>

Earthwatch, the world's largest environmental volunteer organization, founded in 1971, works globally to help the people of the planet volunteer realize a sustainable environment: <http://www.earthwatch.org/>.

Avaaz.org works internationally on environmental and peace and justice issues: <http://www.avaaz.org>.

The Environmental Defense Fund works on a variety of environmental issues and policy, including global warming induced climate change, primarily in the U.S.: <http://edf.org>.

Earthjustice focuses on environmental issues and action: <http://action.earthjustice.org>.

The Sierra Club works on environmental issues in the United States: <http://action.sierraclub.org>.

SaveOurEnvironemnt.org, a coalition of environmental organizations acting politically in the U.S.: http://ga3.org/campaign/0908_endangered_species/xuninw84p7m8mxxm.

The **National Resources Defense Council** works on a variety of environmental issues in the U.S.: [NRhttp://www.nrdconline.org/](http://www.nrdconline.org/)

Care 2 is concerned about a variety of issues, including the environment: <http://www.care2.com/>.

Rainmakers Oceania studies possibilities for restoring the natural environment and

humanity's rightful place in it, at: <http://rainmakers-ozeania.com/0annexanchorc/about-rainmakers.html>.

Oxfam America's interactive website: <http://adapt.oxfamamerica.org> shows how social vulnerability and climate variability impact each county in the U.S. Southwest region. The methodology exposes how social vulnerability, not science, determines the human risk to climate change

Green Ships, in fall 2008, was asking Congress to act to speed the development of new energy efficient ships that can take thousands of trucks off Atlantic and Pacific Coast highways, moving freight up and down the costs with far less carbon emissions and more cheaply: <http://www.greenships.org>.

Carbon Fund Blog carries climate change news, links to green blogs, and a green resource list, at: <http://carbonfund.blogspot.com/2008/03/sky-is-falling.html>. Carbon Fund is certifying carbon free products at: <http://www.carbonfund.org/site/pages/businesses/category/CarbonFree>.

Grist carries environmental news and commentary: <http://www.grist.org/news/>,

Green Inc. is a new blog from *The New York Times* devoted to energy and the environment at: greeninc.blogs.nytimes.com.

Planting Peace is, "A Resource Center for news and activities that seek to build a powerful coalition to bring about cooperation and synergy between the peace movement, the climate crisis movement, and the organic community." Their web site includes extensive links to organizations, articles, videos and books that make the connections, at: <http://organicconsumers.org/plantingpeace/index.cfm>, Planting Peace is sponsored by the **Organic Consumers Association:** <http://organicconsumers.org/>.

The Global Climate Change Campaign: <http://www.globalclimatecampaign.org/>.

The **Audubon Society** reports on and works on issues focused on birds, at: audubon.org.

Peace & Security Funding Index: An Analysis of Global Foundation Grantmaking is available at: <http://peaceandsecurityindex.org>.

Oxfam America's interactive website: <http://adapt.oxfamamerica.org> shows how social vulnerability and climate variability impact each county in the U.S. Southwest region. The methodology exposes how social vulnerability, not science, determines the human risk to climate change.

The center for defense information now carries **regular reports on Global Warming & International Security** at: <http://www.cdi.org>.

American Indian and International Indigenous Web Sites

[National Congress of American Indians](#), ncaipress@NCAI.org, <http://www.ncai.org>, or 202-466-7767

[Native American Contractors Association](#), 202-758-2676, <http://nativecontractors.org>

[National Indian Health Board](#), 202-507-4071, <https://www.nihb.org>

[National Council on Urban Indian Health](#), 202-544-0344, <https://www.ncuih.org/index>

[National Indian Education Association](#), 202-544-7290, <http://www.niea.org>

[National American Indian Housing Council](#), 202-789-1754, <http://naihc.net>

[National Indian Child Welfare Association](#), 503-222-4044, <https://www.nicwa.org>

[Self-Governance Communication & Education Tribal Consortium](#), 918-302-0252, <https://www.tribalselfgov.org/about-sgce/staff/>."

CELANEN: A Journal of Indigenous Governance was launched, this winter, by the Indigenous Governance Program at the University of Victoria, at: <http://web.uvic.ca/igov/research/journal/index.htm>. CELANEN (pronounced CHEL-LANG-GEN) is a Saanich word for "our birthright, our ancestry, sovereignty" and sets the tone for this annual publication containing articles, poetry, and commentary. The first issue is dedicated to Art Tsaqwassupp Thompson (Ditidaht), who donated his artwork entitled "new beginnings" for use by the Indigenous Governance Program.

Native Research Network is now at: www.nativeresearchnetwork.org. Its vision statement is: "A leadership community of American Indian, Alaska Native, Kanaka Maoli, and Canadian Aboriginal persons promoting integrity and excellence in research". Its mission is "To provide a pro-active network of American Indian, Alaska Native, Kanaka Maoli, and Canadian Aboriginal persons to promote and advocate for high quality research that is collaborative, supportive and builds capacity, and to promote an environment for research that operates on the principles of integrity, respect, trust, ethics, cooperation and open communication in multidisciplinary fields". The Native Research Network (NRN) provides networking and mentoring opportunities, a forum to share research expertise, sponsorship of research events, assistance to communities and tribes, and enhanced research communication. The NRN places a special emphasis on ensuring that research with Indigenous people is conducted in a culturally sensitive and respectful manner. Its Member List serve: NRN@lists.apa.org.

The National Indian Housing Council offers a number of reports at: <http://www.naihc.indian.com/>.

The American Journal of Indigenous Studies is a quarterly journal by the American Scholarly Research Association (ASRA), at: www.ASRAresearch.or.

The Enduring Legacies Native Cases Initiative began in 2006 as a partnership between The Evergreen State College, Northwest Indian College, Salish Kootenai College, and Grays Harbor College. Our goal is to develop and widely disseminate culturally relevant curriculum and teaching resources in the form of case studies on key issues in Indian Country: <http://nativecases.evergreen.edu/about.html>.

The American Indian Studies Consortium is at:
<http://www.cic.uiuc.edu/programs/AmericanIndianStudiesConsortium/>.

Some news sources that have been useful in putting the issues of Indigenous Policy together are:

For reports of U.S. government legislation, agency action, and court decisions: **Hobbs, Straus, Dean and Walker, LLP**, 2120 L Street NW, Suite 700, Washington, DC 20037,
<http://www.hobbsstraus.com>.

Indian Country Today: <http://www.indiancountry.com/index.cfm?key=15>.

News from Indian Country: <http://www.indiancountrynews.com/>.

The Navajo Times: <http://www.navajotimes.com/>.

IndianZ.com: <http://www.indianz.com>.

Pechanga Net: <http://www.pechanga.net/NativeNews.html>

The Lakota People's Law Project reports and announces Native activist events, including concerning the environment, largely by E-mail. They are at: <https://lakotalaw.org>.

Survival International: <http://www.survival-international.org/>.

Cultural Survival: <http://209.200.101.189/publications/win/>, or <http://www.cs.org/>.

Censored (in Indian Country): <http://bsnorrell.blogspot.com/>.

ArizonaNativeNet is a virtual university outreach and distance learning telecommunications center devoted to the higher educational needs of Native Nations in Arizona, the United States and the world through the utilization of the worldwide web and the knowledge-based and technical resources and expertise of the University of Arizona, providing resources for Native Nations nation-building, at: www.arizonanativenet.com

The Forum for 'friends of Peoples close to Nature' is a movement of groups and individuals, concerned with the survival of Tribal peoples and their culture, in particular hunter-gatherers: <http://ipwp.org/how.html>.

Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education), with lists of projects and publications, and reports of numerous Indigenous meetings: <http://www.tebtebba.org/>.

Andre Cramblit (andrekar@ncidc.org) has begun a new Native news blog continuing his former Native list serve to provide information pertinent to the American Indian community. The blog contains news of interest to Native Americans, Hawaiian Natives and Alaskan Natives. It is a briefing of items that he comes across that are of broad interest to American Indians. News and action requests are posted as are the occasional humorous entry. The newsletter is designed to inform you, make you think and keep a pipeline of information that is outside the mainstream media. "I try and post to it as often as my schedule permits I scan a wide range of sources on the net to get a different perspective on Native issues and try not to post stuff that is already posted on multiple sources such as websites or other lists". **To subscribe to go to:** <http://andrekaruk.posterous.com/>.

Sacred Places Convention For Indigenous Peoples provides resources for protecting sacred places world wide. Including, news, journals, books and publishing online Weekly News and providing an E-mail list serve, as well as holding conferences. For information go to: <http://www.indigenouspeoplesissues.com>.

Mark Trahant Blog, Trahant Reports, is at:
http://www.marktrahant.org/marktrahant.org/Mark_Trahant.html.

Friends Committee on National Legislation (FCNL) on Indigenous events and issues, and has an E-mail/on-line monthly Native American related Congressional report with other reports and

links: <https://www.fcnl.org/>.

Native News On Line: <https://nativenewsonline.net>.

Tribal Business News: <https://tribalbusinessnews.com>.

Common Dreams has many environmental articles and a few Indigenous articles: <https://www.commondreams.org/>.

UANativeNet, formerly Arizona NativeNet, is a resource of topics relevant to tribal nations and Indigenous Peoples, particularly on matters of law and governance.

The Harvard Project on American Indian Economic Development offers a number of reports and its “**Honoring Indian Nations**” at: http://www.ksg.harvard.edu/hpaied/res_main.htm.

The Seventh generation Fund online Media Center: www.7genfund.org

Native Earthworks Preservation, an organization committed to preserving American Indian sacred sites, is at: <http://nativeearthworkspreservation.org/>.

Indianz.Com has posted Version 2.0 of the Federal Recognition Database, an online version of the Acknowledgment Decision Compilation (ADC), a record of documents that the Bureau of Indian Affairs has on file for dozens of groups that have made it through the federal recognition process. The ADC contains over 750 MB of documents -- up from over 600MB in version 1.2 -- that were scanned in and cataloged by the agency's Office of Federal Acknowledgment. The new version includes has additional documents and is easier to use. It is available at: <http://www.indianz.com/adc20/adc20.html>.

Tribal Link has an online blog at: <http://triballinknewsonline.blogspot.com>.

NC Commission of Indian Affairs Website is at: <https://ncadmin.nc.gov/about-doa/doa-division-indian-affairs>.

Restoration Magazine, National Indigenous Women’s Resource Center, is at: <https://rm.niwrc.org/>.

Lakota Times is posted weekly at: <https://www.lakotacountrytimes.com/>.

The National Indian Education Association: <http://www.niea.org/>.

Cry of the Native Refugee web site, <http://cryofthenativerefugee.com>, is dedicated to “The True Native American History.”

First Peoples World Wide, focuses "on funding local development projects in Indigenous communities all over the world while creating bridges between our communities and corporations, governments, academics, NGOs and investors in their regions. We facilitate the use of traditional Indigenous knowledge in solving today’s challenges, including climate change, food security, medicine, governance and sustainable development:" <http://firstpeoples.org>.

The **RaceProject has a Facebook Page** that is a forum for the dissemination and discussion of contemporary Race and Politics issues. It includes a continuing archive of news stories, editorial opinion, audio, video and pointed exchanges between academics, graduate students and members of the lay-public. Those interested can visit and sign up to the page at: <http://www.facebook.com/RaceProject>.

Talisha Keats reports on **FormsPal.com**: "It's a dedicated organization that works to better support our communities and every individual regardless of their gender, age, nationality, or religion by providing free high-quality legal templates and information online: FormsPal.com."

Rainmakers Ozeania studies possibilities for restoring the natural environment and humanity's rightful place in it, at: <http://rainmakers-ozania.com/0annexanchorc/about-rainmakers.html>.

Oxfam America's interactive website: <http://adapt.oxfamamerica.org> shows how social vulnerability and climate variability impact each county in the U.S. Southwest region. The methodology exposes how social vulnerability, not science, determines the human risk to climate change.

The International Institute for Indigenous Resource Management is at: <http://tinyurl.com/yaykznz>.

The **Newberry Library** received a grant in August, 2007, from the National Endowment for the Humanities to fund "**Indians of the Midwest and Contemporary Issues.**" The **McNickle Center will construct this multimedia website designed to marry the Library's rich collections on Native American history with state-of-the art interactive web capabilities to reveal the cultural and historical roots of controversial issues involving Native Americans today.** These include conflicts over gaming and casinos, fishing and hunting rights, the disposition of Indian artifacts and archeological sites, and the use of Indian images in the media. In addition to historical collections, the site will also feature interviews with contemporary Native Americans, interactive maps, links to tribal and other websites, and social networking. For more information contact Céline Swicegood, swicegoodc@newberry.org.

The site www.pressdisplay.com **has scanned and searchable versions of thousands of newspapers daily from around the world.** These are not truncated "online versions". You can view the actual pages of the paper published for that day. There are also 100's of US papers included daily. The service also allows you to set search terms or search particular papers daily. The service will also translate papers into English.

Native Voice Network (NVN: www.NativeVoiceNetwork.org), is a national alliance of Organizations interested in collaborative advocacy on issues impacting Native people locally and nationally.

The Northern California Indian Development Council has a web-based archive of traditional images and sounds at: <http://www.ncidc.org/>.

Resource sites in the Indian Child Welfare Act (ICWA): **National Indian Child Welfare Association:** <http://www.nicwa.org>, offers include publications, a library, information packets, policy information and research. NICWA's Publication Catalog is at: [Http://www.nicwa.org/resources/catalog/index.asp](http://www.nicwa.org/resources/catalog/index.asp) Information Packets are at: <http://www.nicwa.org/resources/infopackets/index.asp>. Online ICWA Courses are at: <http://www.nicwa.org/services/icwa/index.asp>. *The Indian Child Welfare Act: An Examination of State Compliance*, from the Casey Foundation is at: <http://www.casey.org/Resources/Publications/NICWAComplianceInArizona.htm>. Tribal Court Clearinghouse ICWA Pages, with a brief review of ICWA and links to many valuable resources including Federal agencies and Native organizations. <http://www.tribal-institute.org/lists/icwa.htm>. Other resource sources are: the Indian Law Resource Center: www.indianlaw.org, the National Indian Justice Center: www.nijc.indian.com. Other sites can be found through internet search engines such as Google. Some research web sites for ICWA include: http://www.calindian.org/legalcenter_icwa.htm, <http://www.narf.org/nill/resources/indianchildwelfare.htm>, <http://www.tribal-institute.org/lists/icwa.htm>, <http://www.nicwa.org/library/library.htm>, <http://www.nationalcasa.org/JudgesPage/Newsletter-4-04.htm>, http://www.dlncoalition.org/dln_issues/2003_icwareolution.htm, <http://www.helpstartshere.org/Default.aspx?PageID=401>, http://cbexpress.acf.hhs.gov/articles.cfm?section_id=2&issue_id=2001-0, <http://thomas.loc.gov/cgi-bin/query/z?i104:I04296:i104HUGHES.html>, <http://nccrest.edreform.net/resource/13704>, <http://www.naicja.org>, <http://www.tribal-institute.org/>.

Tribal College Journal (TCJ) provides to news related to American Indian higher education: tribalcollegejournal.org.

American Indian Graduate Center: <http://www.aigcs.org>.

The Minneapolis American Indian Center's Native Path To Wellness Project of the Golden Eagle Program has developed a publication, *Intergenerational Activities from a Native American Perspective* that has been accepted by Penn State for their Intergenerational Web site: <http://intergenerational.cas.psu.edu/Global.html>.

The *Indigenous Nations and Peoples Law, Legal Scholarship Journal* has recently been created on line by the Social Science Research Network, with sponsorship by the Center for Indigenous Law, Governance & Citizenship at Syracuse University College of Law. Subscription to the journal is free, by clicking on: <http://hq.ssrn.com/>.

The **National Council Of Urban Indian Health** is at: <http://www.ncuih.org/>.

A web site dedicated to tribal finance, www.tribalfinance.org.

Lessons In Tribal Sovereignty, at: <http://sorrel.humboldt.edu/~gol/kellogg/intro.html>, features *Welcome to American Indian Issues: An Introductory and Curricular Guide for Educators*. The

contents were made possible by the American Indian Civics Project (AICP), a project initially funded by the W.K. Kellogg Foundation's Native American Higher Education Initiative. The primary goal of the AICP is to provide educators with the tools to educate secondary students - Indian and non-Native alike - about the historical and contemporary political, economic, and social characteristics of sovereign tribal nations throughout the United States.

The Columbia River Inter-Tribal Fish Commission (CRITFC) has a blog as part of its Celilo Legacy project, serving as a clearinghouse for public discourse, information, events, activities, and memorials. The blog is accessible by going to www.critfc.org and clicking on the "Celilo Legacy blog" image, or by simply entering: www.critfc.org/celilo.

The **Coeur d'Alene Tribe** of Idaho has **Rezcast, a Web site of Native affairs and culture** at: www.rezkast.com.

A listing of the different Alaska Native groups' values and other traditional information is on the **Alaska Native Knowledge website** at: www.ankn.uaf.edu.

Red Nation Web Television: www.rednation.com.

A list of Indigenous Language Conferences is kept at the **Teaching Indigenous Languages** web site at Northern Arizona University: <http://www2.nau.edu/jar/Conf.html>.

Friends Committee on National Legislation (FCNL) is activist on Indigenous issues and produces a monthly Native Congressional legislative report with reference to other relevant events, at: <http://www.fcnl.org>.

UNESCO Interactive Atlas of the World's Languages in Danger is at <http://www.unesco.org/culture/ich/index.php?pg=00206>. For a detailed cautionary note about the usefulness of the UNESCO Atlas, see Peter K. Austin's comments. He is the Marit Rausing chair in field linguistics and director of linguistics at SOAS in the UK: http://blogs.usyd.edu.au/elac/2009/02/unescos_atlas_of_the_worlds_la_1.ht

The **Council of Elders, the governing authority of the Government Katalla-Chilkat Tlingit** (provisional government): Kaliakh Nation (Region XVII) has initiated a **web site in order to expose crimes against humanity committed upon the original inhabitants of Alaska**, at: <http://www.katalla-chilkat-tlingit.com/>.

An interactive website, www.cherokee.org/allotment, focuses on the **Allotment Era in Cherokee History during the period from 1887 to 1934**, when Congress divided American Indian reservation lands into privately owned parcels that could be (and widely were) sold to non Indians, threatening tribal existence.

The **Blue Lake Rancheria** of California launched a web site, Fall 2007, featuring the nation's history, philosophy, economic enterprise, community involvement, and other topics, with many links. One purpose of the site is to make tribal operations transparent. It is at: www.bluelakerancheria-nsn.gov.

UN Secretariat of the Permanent Forum on Indigenous Issues: www.un.org/indigenous, The newsletter **Message Stick** highlighting the activities of the **United Nations Permanent Forum on Indigenous Issues (UNPFII)** and its Secretariat 05 is available at: http://www.un.org/esa/socdev/unpfii/news/quarterlynewsle_home1.htm.

Indigenous Rights Quarterly can be accessed at: <http://www.aitpn.org/irq.htm>.

The **SIRGE Coalition is a coalition of Indigenous Peoples and leaders, who, along with our allies, champion a just transition to a low-carbon economy. **Members of the Coalition include Cultural Survival** (<https://www.culturalsurvival.org>), **First Peoples Worldwide** (<https://www.colorado.edu/program/fpw/>), **Batani Foundation** (<https://www.colorado.edu/program/fpw/>), **Earthworks** (<https://www.colorado.edu/program/fpw/>), and **the Society for Threatened Peoples** (<https://www.gfbv.ch/en/>).*

NGO Society for Threatened Peoples International, in consultative status to the United Nations ECOSOC, and in participatory status with the Council of Europe, Indigenous Peoples Department, USA: <http://www.gfbv.de>.

The **Unrepresented Nations and Peoples Organization (UNPO)**: <http://www.unpo.org/>.

The **Native Studies Research Network**, UK, University of East Anglia, Norwich is at: <http://www.nsrn-uk.org/>.

The **World Indigenous Higher Education Consortium (WINHEC)** and its Journal are online at: <http://www.win-hec.org/>. (See the Ongoing Activities Section for more on WINHEC). The WINHEC site includes links to other Indigenous organizations and institutions.

A link on Latin American Indigenous Peoples:

<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/LACEXT/0..contentMDK:20505834~menuPK:258559~pagePK:146736~piPK:226340~theSitePK:258554,00.html>

The **Asian Indigenous and Tribal Peoples Network** produces occasional papers and reports at: <http://www.aitpn.org/Issues/II-08-07.htm>.

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ANNOUNCEMENTS

The Department of Native American Studies at the University of Oklahoma invites applications for two different faculty searches:

Department Chair of Native American Studies (Associate or Full Professor)-
<https://apply.interfolio.com/131602>

Open-Rank (Assistant, Associate, or Full) Indigenous Sovereignty and Governance Professor-
<https://apply.interfolio.com/132820>

We hope that you and/or your contacts will consider applying, and we appreciate your assistance with spreading the word.

Here are some key details about both positions just in case you have not seen this call for applications:

We seek a scholar holding a Ph.D. in Native American and Indigenous Studies or a relevant field.

In addition, the successful candidates will have: (1) a strong record of research/creative activity productivity; (2) commitment to student mentoring; (3) excellence in graduate and undergraduate teaching and learning; and (4) evidence of applied expertise through collaborative community engagement with Native Nations and Native American communities.

We will start reviewing applications by **November 28, 2023**.

Please share widely and thank you for your consideration.

If you have any questions, you can contact me as the Search Committee Chair at farinaking@ou.edu or the OU Native American Studies Department at nas@ou.edu.

Ahéhee'! Thank you for your consideration.

Best wishes,
Farina King

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**Forthcoming Book on Native American Baseball Players
Seeks Biographers for Players**

Greetings:

Along with Rob Daugherty of Jay, Oklahoma, I am co-editor of a forthcoming book on Native American Ballplayers, to be published by the nonprofit Society for American Baseball Research (SABR), in 2025.

We have a very strong start on the book but are looking for a few more contributors to write article for the book. This could provide an opportunity for any faculty member or student to help augment a resume – and, hopefully, be an enjoyable pursuit in itself.

The book will largely be built around player biographies (2000-4000 words) on Native Americans who have played baseball at the major-league level. Most of these have been written but we are currently looking for biographers for four recent players:

Brandon Bailey - Houston Astros 2020

Dallas Beeler - Chicago Cubs 2014-15

Jacoby Ellsbury – Boston Red Sox 2007-13; New York Yankees 2014-2017

Wyatt Teregas - Cleveland Indians 2009; Pittsburgh Pirates 2011

We are also VERY open to essays on topics related to Native Americans and baseball. We've got a dozen or so in the works, but are very open to new ideas.

SABR is a nonprofit organization founded in 1971, with over 7000 members.

If you, or anyone at your institution, would like to learn more about what we are seeking, please get in touch.

Thank you!

Bill Nowlin

Bill.Nowlin@rounder.com

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