

House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Hearing  
on  
The Rights of Indigenous Peoples in the Americas

Friday, November 20, 2020 - 10:00am  
Virtual via Cisco WebEx

Statement of Brian Keane  
Board Chair  
Land is Life

Thank you Representative McGovern, Representative Smith, Representative Haaland, Chairman Grijalva, Representative Jackson-Lee, Representative Johnson

It is both an honor and a privilege to be given the opportunity to present testimony to the Tom Lantos Human Rights Commission.

As you have heard from my colleagues - throughout the Americas, indigenous peoples are under assault. They are being forcibly evicted from their territories and deprived of their resources. Their livelihoods are being decimated. They are labelled, by governments, as terrorists for speaking up about the abuses their communities suffer; they are threatened, targeted for violence, assassinated.

Companies, including American companies, engage in the activities that are at the heart of this assault: mining, oil extraction, industrial agriculture, logging and large-scale megaprojects like dams and roads. In carrying out these projects, these companies are often supported by policies of oppression, a country's military, or paramilitary groups.

This situation is not unique to the Americas. Indigenous peoples around the world are confronting the same threats and abuses, often perpetrated by the same actors.

Despite this pattern of assault, indigenous peoples continue to contribute tremendously to global development, to global food security, and conflict resolution. Indigenous peoples are on the frontlines in efforts to protect forests and other critical ecosystems, to safeguard biological diversity, to adapt to and mitigate the impacts of global climate change. They have a pivotal role to play in creating a more peaceful, just and sustainable world and the Biden/Harris Administration, as well as the incoming Congress, should take the necessary actions to engage them as equals in this endeavor.

The state of affairs for indigenous peoples in the Americas - for indigenous peoples around the world - is crisis. It is my hope that the 117<sup>th</sup> Congress will create a Working Group on Indigenous Peoples to cooperate with the Biden/Harris Administration to take the type of bold and visionary actions that are

necessary to address this crisis, and to put in to practice the ideals expressed in the United Nations Declaration on the Rights of Indigenous Peoples, both at home and abroad.

It is in this spirit that I offer the following ambitious, yet practical, recommendations:

I have divided my recommendations in to three groupings: And many of my recommendations do not only apply to the Americas, as this is a global issue and the way that the United States Government can have an impact is by making systemic changes.

**First, we must continue to reform United States Foreign Assistance. The United States should be implementing a development model that is based on human rights, a model that –with regard to indigenous peoples, recognizes and respects their right to Self Determination, and embraces a standard of Free, Prior and Informed Consent.**

Indigenous peoples are not simply passive recipients of development, they are active participants, with their own visions of what development looks like. Their traditional knowledge, their ways of living, and their land and resource management strategies are vital to building resilient societies, ensuring global food security and enhancing sustainable economies, and they should be engaged as partners - through their own social, political and legal institutions - in the development process.

1. President Biden should nominate a Secretary of State, and leaders at the United States Agency for International Development (USAID), Millennium Challenge Corporation (MCC), and US Development Finance Corporation (DFC) who will demonstrate a commitment to promoting, defending and advancing the rights of indigenous peoples around the world.
2. Ensure full implementation of USAID's Policy on Promoting the Rights and Interests of Indigenous Peoples (PRO-IP Policy).
3. Mandate that the policy be implemented in large, regional projects like Power Africa, Prosper Africa and the Central Africa Regional Program for the Environment (CARPE).
4. Develop similar policies for every government Agency and Department that is involved in foreign assistance, including the military, so that every tax-payer funded program or project that impacts the lives, territories, resources and/or livelihoods of indigenous peoples respects their right to self-determination, adheres to the principal of Free, Prior and Informed Consent, and engages them as partners in project design, implementation, monitoring and evaluation.
5. Significantly increase USAID funding for the self-determined development of indigenous peoples; prioritizing the legalization of their land and resource rights, strengthening their traditional institutions, and supporting their traditional livelihoods.
6. Use the convening power of USAID to initiate a process, with the governments of the Amazon basin and Gran Chaco, with the aim of creating intangible zones and buffer zones to ensure the protection of Indigenous Peoples Living in Voluntary Isolation.
7. Use the voice and vote of the United States to strengthen implementation of the World Bank and regional development banks' indigenous peoples policies.
8. Initiate a process within the African Development Bank to develop a policy on indigenous peoples.

**Second, the Biden/Harris administration should meaningfully reengage international human rights mechanisms and international political fora to ensure respect for and protection of indigenous peoples' rights in the United States and around the world.**

1. Fully participate in the United Nations Human Rights Council and all of the UN Human Rights Treaty Bodies.
2. Engage, and support the work of United Nations bodies that address indigenous peoples' rights: UN Permanent Forum on Indigenous Issues, the UN Expert Mechanism on the Rights of Indigenous Peoples, the UN Special Rapporteur on the Rights of Indigenous Peoples, and; provide funding for the UN Voluntary Fund for Indigenous Peoples.
3. Ratify International Labour Organization (ILO) Convention 169, the UN Convention on the Rights of the Child, and the UN Convention on the Elimination of Discrimination Against Women (CEDAW).
4. Recognize and support the American Declaration on the Rights of Indigenous Peoples
5. Make indigenous peoples' issues a standing agenda item at the UN Security Council

**Third, the United States must get its own house in order. The current Administration has done real harm to the relationship between the US government and indigenous peoples in the United States. The Biden/Harris administration and the 117<sup>th</sup> Congress must work to restore government to government relations with Tribes, honor its treaty and trust obligations, and promote Tribal sovereignty and self-determination.**

In its first 100 days in office, the Biden/Harris Administration should strive to:

1. Draft a National Action Plan for implementation of the UNDRIP.
2. Halt all energy and infrastructure development, including the seismic permitting and lease sales in the Arctic National Wildlife Refuge, and secure permanent protection for the Coastal Plain of the Refuge.
3. Secure permanent protection for Mauna Kea, Bears Ears National Monument, and Grand Staircase- Escalante National Monument.
4. Resume annual White House Tribal Nations Conferences, as were held during the Obama/Biden Administration.
5. Re-engage and revitalize the Trilateral Working Group on Violence Against Indigenous Women and Girls (US, Canada, Mexico).
6. Appoint a Native American as Secretary of the Interior.
7. Pardon and free Leonard Peltier

Thank You  
Brian Keane  
Board Chair  
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