



Tom Lantos Human Rights Commission

The Rights of Indigenous Peoples in the Americas

Friday, November 20, 2020

10:00 a.m. – 12:00 noon

Virtual via Cisco WebEx

As prepared for delivery

Good morning and thank you for joining us for today's Tom Lantos Human Rights Commission hearing on the rights of indigenous peoples in the Americas.

I am joined today by the Commission's co-chair Chris Smith and I want to extend a special welcome to my colleague Deb Haaland who represents New Mexico's 1st district. Congresswoman Haaland is a Laguna Pueblo-American and one of the first two Native American women elected to the House of Representatives. It is especially fitting that she will be co-chairing the hearing this morning.

We have a large panel of excellent witnesses this morning who I look forward to introducing shortly, so my remarks will be brief.

It has been ten years since this Commission last examined the status of the human rights of indigenous peoples in Latin America.

At that time there was already an established international legal framework to protect the rights of indigenous peoples —specifically I.L.O. Convention 169 and the U.N. Declaration on Indigenous Peoples — and important rulings had been issued by the Inter-American human rights system.

The framework was strengthened in 2016 with the welcome adoption of the American Declaration on the Rights of Indigenous Peoples by the OAS General Assembly — the result of decades of advocacy by indigenous communities and their allies throughout the region and

informed by long histories of resistance to encroachment by governments and powerful economic actors.

I have been privileged to meet with indigenous leaders from El Salvador, Guatemala, Honduras, Colombia, Ecuador and elsewhere many times over the years. I never fail to be inspired by their resilience.

Yet as we take stock today, it is hard to conclude that their situation has improved. The guarantees at the international level that are so often a point of reference for human rights advocates seem not to be translating quickly enough into the real gains that are needed on the ground.

Indigenous peoples are still among this hemisphere's most vulnerable communities, still too often marginalized and discriminated. We see this reflected in—

- high rates of poverty;
- poor health outcomes, including high mortality rates, vulnerability to disease, and chronic conditions caused by pollution;
- lack of access to education and other public services;
- food insecurity – in Guatemala, up to 70% of indigenous children are stunted due to malnutrition;
- insecure land rights, including an inability to obtain land titles and a lack of control over the use or protection of natural resources located in their territories – something I've seen first-hand because I have been monitoring the Kofan struggle in Santa Rosa del Guamuéz in Colombia since 2008 and it shows no signs of abating;
- the killing of indigenous social leaders, especially environmental activists – in Colombia, 242 indigenous leaders have been assassinated since the signing of the peace accords in 2016, and Honduras is one of the most dangerous places in the world for indigenous defenders of land and the environment, as we saw in the tragic case of Berta Cáceres;
- destruction of their territories due to illegal logging and mining; and
- vulnerability to the impacts of climate change which is advancing at a frightening pace.

But this sobering list doesn't capture all that is at stake.

The trampling and denial of the rights of indigenous peoples can lead to their actual physical disappearance, or the extinguishing of their language, culture, family structures, and historic millennial ties to land and nature. In other words, their physical or de facto extinction.

In Colombia alone, the U.N. has identified at least 32 indigenous peoples at risk of imminent extinction. And that was before the COVID-19 pandemic hit, which as we will hear today has devastated many indigenous communities throughout Latin America and placed some at even greater risk of extinction.

In a few weeks we will welcome a new administration under the leadership of president-elect Biden and a new congress. I believe we can expect to see increased engagement with Latin America under Biden and thus new opportunities to elevate the voices of indigenous people.

Our objective today is to take stock of some of the major challenges facing indigenous communities in our hemisphere and begin to get some recommendations and proposals on the table.

I believe we need to look both at our bilateral relationships, because the situations faced by indigenous peoples vary by country, and at what more we should be doing in multilateral forums.

We should be looking for opportunities to exercise diplomatic leadership and we should be reviewing our use of foreign assistance.

We should be examining the impact of our trade agreements on indigenous rights and we should be asking if we are making sufficient use of our leverage in multilateral financial institutions.

Some ideas may require legislation. Others may simply depend on having an administration with the political will to move forward. I am eager to hear them all.

Before introducing our witnesses, let me turn to my colleagues for their opening statements.

Thank you.

I will now briefly introduce our witnesses.

Without objection all witness testimonies will be entered into the record.

Also without objection statements from the following organizations will be entered into the record:

- Amnesty International USA
- Center for International Environmental Law, CIEL
- Cultural Survival

Ms. Salazar-López, you may proceed.