

# THE 2nd DECLARATION FOR HEALTH, LIFE AND DEFENSE OF OUR LANDS, RIGHTS AND FUTURE GENERATIONS

April 29<sup>th</sup>, 2012 Chickaloon Native Village, Alaska

We, Indigenous women from North America, Latin America, the Arctic and the Pacific, gathered April 27th - 29th, 2012 at the 2nd INTERNATIONAL INDIGENOUS WOMEN'S ENVIRONMENTAL AND REPRODUCTIVE HEALTH SYMPOSIUM, at the Yah Ne Dah Ah Tribal School, Chickaloon Native Village in Alaska.

We express our heartfelt thanks to the Native Village of Chickaloon and the Ya Ne Dah Ah Tribal School for their warm hospitality. We heard their stories, songs and language and learned about the devastating environmental, cultural, and social impacts of coal mining by the US Navy in Chickaloon traditional lands from 1914 to 1922. We stand in strong solidarity with Chickaloon Village's current fight to prevent new coal mining in their traditional lands which would drastically impact the health of the children, the environment and Community as a whole.

We thank the UN Permanent Forum on Indigenous Issues for recognizing the 1st International Indigenous Women's Symposium on Environmental and Reproductive Health at its 10<sup>th</sup> session, and receiving the report of the 2nd Symposium at this session. We also thank the UN Special Rapporteur on the Rights of Indigenous Peoples James Anaya for visiting the 2<sup>nd</sup> Symposium in conjunction with his US Country Visit on April 28<sup>th</sup>, 2012, and for his commitment to include the concerns expressed by participants his report to the UN Human Rights Council.

We have shared our stories and the experiences of our Peoples. We express our collective outrage that current federal and international laws permit industry, military and all levels of government to knowingly produce, release, store, transport, export, import and dump hazardous chemicals and radioactive materials, and expand contaminating activities such as fossil fuel development, hydraulic fracturing, uranium mining and milling, introduction of genetically modified seeds and animals, bio-fuel production and high-pesticide agriculture.

As Indigenous mothers and grandmothers, youth and elders, traditional healers, tribal leaders, human rights and environmental activists, we express our profound concern for the life and health of our communities, children, ecosystems and Mother Earth due to the proliferation of environmental toxins.

In response, we affirm, and reaffirm, the following:

1) We steadfastly reaffirm the 1st "DECLARATION FOR HEALTH, LIFE AND DEFENSE OF OUR LANDS, RIGHTS AND FUTURE GENERATIONS" adopted by consensus at the International Indigenous Women's Symposium in Alamo, California on July 1st, 2010. This can be found at <http://www.nativeyouthsexualhealth.com/july12010.pdf>

2) We acknowledge the sacredness of the life-giving force of our birthing places. Many are under attack from toxic contamination, extractive industries and other industrial processes. These include salmon spawning, caribou and moose birthing places, as well as women's wombs.

- 3) Our health and well-being, lands and resources including air and water, languages, cultures, traditional foods and subsistence, sovereignty and self-determination, life and security of person, free prior and informed consent and the transmission of traditional knowledge and teachings to our future generations are inherent and inalienable human rights. They are affirmed in the UN Declaration on the Rights of Indigenous Peoples and other international standards, and must be upheld, respected and fully implemented by States, UN bodies, corporations and Indigenous Peoples of the world.
- 4) Our bodies are sacred places that must be protected, honored and kept free of harmful contaminants so that new generations of our Nations are born strong and healthy. The right to self-determination for Indigenous Peoples includes our Indigenous identities, our sexualities and our reproductive health for the future of our Nations.
- 5) The detrimental health effects of toxic contaminants on Indigenous women are well documented, and are affirmed through testimonies presented in this Symposium. These include high levels of toxics in Indigenous women's breast milk, placental cord blood, blood serum and body fat infertility, miscarriages, premature births, premature menopause, early menses, reproductive system cancers, decreased lactation and inability to produce healthy children. This causes severe psychological, relational, emotional and economic damage to mothers, families and communities.
- 6) Environmental toxins also have severe negative impacts on the health and development of our children and unborn generations. Many toxic chemicals impair the endocrine and immune systems in utero, affecting health and reproductive capacity of future generations. The intellectual and neurological development of our children are also affected, impacting their ability to retain and pass on our culture, ceremonies, stories, languages and songs.
- 7) The individual and collective impacts of intergenerational trauma and the legacy of removal and violence are passed on to future generations. Intergenerational trauma amplifies and reinforces impacts of extractive industry, military and environmental degradation in our communities. Addressing intergenerational trauma is a core component of rebuilding reproductive health for our communities.
- 8) Environmental contaminants causing disease, birth defects and death are deliberately released into the environment because they are toxic to living things (i.e. pesticides), or as a result of industrial or military processes that are judged by States and corporations to pose an "acceptable risk" and "allowable harm." States and corporations deny "provable" impacts despite the clear evidence that they cause a range of serious health and reproductive impacts which disproportionately affect Indigenous women and children. This constitutes "environmental violence" by States and corporations and must be identified as such by Indigenous Peoples and human rights bodies.
- 9) Environmental contamination infringes on the cultural practices of Indigenous Peoples including women's coming of age, rites of passage and other ceremonies for the continuation of life. The use of pesticides on materials used for baskets and cradle boards has resulted in increased rates of cancer for basket makers. Plants, herbs, and traditional medicines vital to Indigenous Peoples' maternal and child health are often outlawed, prohibited, contaminated or are becoming extinct.
- 10) Land privatization, corporatization and militarization divides our collective land bases, facilitating resource extraction, displacement, forced removal and environmental contamination, impacting Indigenous women's economic, cultural and social practices and reproductive health.

11) We recognize the links between our concerns and struggles. Coal mining contaminates water and decimates fish, wildlife and traditional medicines. Burning coal is also a primary source of mercury emissions and climate change, affecting Indigenous communities globally. Pesticides used in Mexico and other countries contaminate Indigenous communities at the source of exposure, and then enters the environment and food chain, traveling to the Arctic and concentrating in traditional food, bodies, and breast milk. Likewise, introduction of extractive industries near our communities often results in increased levels of sexual exploitation and violence for our Indigenous women and girls.

12) We will continue to use our own languages and ways of knowing. Our understandings cannot always be expressed in the language of modern science and law. Our Peoples, especially our traditional knowledge holders, spiritual leaders and elders are the experts. We affirm their teachings that we are now in a time that will determine our survival, depending on the choices we make.

13) We affirm the use of our own Indigenous justice and legal systems, including Treaty-Based justice systems to hold those accountable for environmental violence.

14) We recognize the importance of continuing to educate our own Peoples and communities about the links between reproductive health, environmental contaminants and their human rights as affirmed in the UN Declaration, Nation-to-Nation Treaties and other international standards. When Indigenous communities understand these links, they become active participants in resisting environmental violence and violations of their rights.

15) We firmly denounce the continued impunity of States and corporations for the environmental violence they carry out or permit affecting Indigenous Peoples ecosystems, traditional foods, health, well-being and ways of life.

16) While we recognize the impacts and tragedies that have occurred as a result of environmental violence, we also celebrate our struggles, victories and our continued strength, resilience and resistance.

Based on these shared understandings, we adopt by consensus this 2nd DECLARATION for the Health, Survival and Defense of OUR LANDS, OUR RIGHTS and our FUTURE GENERATIONS and make the following recommendations:

That Indigenous Peoples, Nations and Communities:

- 1) Identify and document the disproportionate impacts of environmental toxins on Indigenous women and children as "environmental violence" for which States and corporations can be held accountable.
- 2) Provide community capacity-building and training linking reproductive and environmental health and human rights.
- 3) Maintain, support, strengthen and assert traditional systems of law, community organization, decision-making, leadership and representation.

That States and their subsidiary governments (Territories, provinces/states, municipal etc.):

- 1) Fully implement and uphold, without qualification, the UN Declaration on the Rights of Indigenous Peoples, including Article 29 regarding the right of Indigenous Peoples to the protection of their

environments and the State obligation to ensure free prior and informed consent regarding hazardous materials. We also call for the full and unqualified implementation of Articles 23 and 24 affirming our collective rights to health and use of traditional medicines.

- 2) Eliminate the production and use of pesticides, industrial chemicals and toxic by-products that disrupt the endocrine system, affect learning and neurological development, cause cancers and other illnesses, undermine women's reproductive and maternal health, contaminate lands, waters and traditional food sources and affect any aspect of the health and development of our future generations.
- 3) Take responsibility for effective and immediate clean-up of contaminated sites created by activities which they permitted or approved in collaboration and coordination with impacted Indigenous Peoples.
- 4) Implement programs to restore the health of Indigenous Peoples, including women and children who have been negatively impacted by environmental toxins, including their export and import in collaboration and coordination with the affected Indigenous Peoples including Indigenous women.
- 5) Immediately cease the practice of exporting and importing banned pesticides, toxic wastes and other chemicals in particular from the United States. .
- 6) Implement and mandate culturally relevant gender based analysis in all impact statements regarding mining and other industries, also ensuring FPIC.
- 7) Recognize the knowledge and practices of Indigenous women's health, birthing, traditional midwifery, and the use of Indigenous medicinal knowledge on equal footing with other health systems and methods, and the right of Indigenous healers to protect and use this knowledge as they so choose.
- 8) Prosecute companies and hold military accountable for the full extent of their violations to the rights of Indigenous Peoples pertaining to the contamination of lands, territories and resources, and respect Indigenous Peoples' legal and judicial systems in accordance with Article 27 of the UN Declaration in their efforts to hold government and corporations accountable.
- 9) We call in particular upon Canada and the United States to implement the recommendations made in 2007, 2008 and 2012 by the UN Committee on the Elimination of Racial Discrimination (CERD) calling upon them to take appropriate legislative measures to prevent the transnational corporations they license from negatively impacting the rights of Indigenous outside Canada and the United States.

Recommendations to the United Nations System and International processes:

- 1) That the Permanent Forum 11<sup>th</sup> session in its half-day session on food sovereignty consider the direct links between food sovereignty, environmental violence and reproductive health and the specific impacts to Indigenous women, children and unborn generations.
- 2) That the World Conference on Indigenous Peoples address reproductive and environmental health, and receive the report of the 3rd symposium to be held in 2014 in the autonomous region of Nicaragua.
- 3) That effective, transparent international mechanisms be established to ensure accountability, redress and restitution with the full participation of affected Indigenous Peoples and for UN Human rights bodies to dedicate particular attention to the matter of environmental violence.

4) That the World Conference on Sustainable Development (Rio + 20, 2012) reaffirm the “precautionary approach as an alternative to the models of “risk assessment” and “management” of toxic chemicals and pesticides, and recognize and support sustainable agricultural methods and practices used traditionally by Indigenous Peoples.

5) That UN Conventions and national laws which permit the export, transport and import of banned pesticides, wastes and other toxics without the free, prior and informed consent of the Indigenous Peoples and communities who may be impacted be immediately reviewed and revised

6) That the United Nations, its agencies and members ensure that Human Rights principles and standards are mainstreamed in all international standard-setting processes addressing environment and development, including the United Nations Declaration on the Rights of Indigenous Peoples.

7) That the UN Permanent Forum on Indigenous Issues, the UN Special Rapporteur on the Rights of Indigenous Peoples and other UN bodies and mechanisms focus attention and collect information from Indigenous Peoples, in particular Indigenous women, on the links between environmental contamination and reproductive health and recommend effective solutions and remedies at the international level.

8) We endorse the “Indigenous Mothers Against Mercury” open letter’s recommendations calling for strong language in the new legally-binding International Treaty on Mercury, to “halt emissions of mercury into the environment from all sources, including the burning of coal,” and “to ensure the full, formal and effective participation of Indigenous Peoples, including Indigenous women.” We also recommend that the Permanent Forum at its 11th session call upon States and the UN Environmental Program to incorporate the recognition of Indigenous Peoples and in the operative text of the Treaty.

### Cross Cutting

1) We recommend that States, UN agencies and Indigenous Peoples affirm and utilize the Precautionary Principle, recognizing Indigenous Peoples’ traditional knowledge about the effects of chronic pollution as well as the social stressors caused by development and industry that impact and divide communities. These include increased mental health concerns, violence against Indigenous women, children, and families, sexually transmitted infections including HIV, incarceration, child removal and suicide.

2) We reiterate our support for a moratorium on new fossil fuel exploration, processing and extraction, as the first step towards the full phase-out of fossil fuels with a just transition to sustainable energy and the protection of our Peoples and ecosystems from the devastating impacts of climate change.

3) We call upon Indigenous, National and International processes to respect the traditional knowledge of Indigenous women regarding sustainable development, environmental protection, cultural practices, food production and health and to include their full and effective participation as leaders and experts in all levels of decision-making on these matters.

### Conclusion

We commit to continue our work and fulfill our responsibilities to our children and the generations still to come. We commit to reclaim our wellness as Indigenous women and Peoples. We reaffirm that our children have a right to be born healthy and to live in a clean environment, and that in order to heal our Peoples and Mother Earth, we have to continue to heal ourselves, tell our stories and be who we are.

“We are like a strong river that rises and falls, is always connected and will never stop flowing.”

Affirmed by consensus of the participants in the Symposium on April 29th, 2012:

1. Alice Skenandore – Midwife, Wise Women Gathering Place, LCO Ojibwe, Wisconsin, USA
2. Alyssa Macy – International Indian Treaty Council, Warm Spring Tribe, Oregon , USA
3. Andrea Carmen - International Indian Treaty Council, Yaqui Nation, Mexico, USA
4. Aurelia Espinoza Buitimea – Traditional healer, curandera and midwife, Jittoa Bat Natika Weria, Yaqui Nation, Sonora Mexico
5. Blanch Okboak – Teller Traditional Council, Inupiat, Alaska
6. Brandy Standifer – Village of Tyonek Tribal Member, Tyonek, Alaska
7. Camille Gemmill – Youth Representative, Gwich'in Nation, Alaska
8. Charlotte Jane Kava - Inupiat, St. Lawrence Island, Native Village of Savoonga, Alaska
9. Danika Littlechild – International Indian Treaty Council, Ermineskin Cree Nation, Canada
10. Donna Miranda-Begay – Chairwoman, Tubatulabal Tribe, California, USA
11. Edda Moreno – Centro para la Autonomía y Desarrollo de los Pueblos Miskitu, Nicaragua
12. Elvia Beltran Villeda - Red Indigena de Turismo de México, Pueblo Hnahnú, Mexico
13. Emily (Funny) Murray – Elim Students Against Uranium, Inupiaq, Elim, Alaska
14. Erin Konsmo - Native Youth Sexual Health Network, Metis Nation, Canada
15. Enei Begay – Black Mesa Water Coalition, Dine, Arizona, USA
16. Faith Gemmill - California Indian Environmental Alliance, International Indian Treaty Council, REDOIL, Arctic Village, Gwich'in, Alaska and Pit River, Wintu California, USA
17. Faustina Buitimea Gotogopicio – Traditional healer, curandera, Yaqui Nation, Sonora Mexico
18. Harriett Penayah – Elder, Native Village of Savoonga, St. Lawrence Island, Yupik, Alaska
19. Hinewirangi Kohu –Te Rau Aroha, Maori Women’s Centers, Aotearoa (New Zealand)
20. Jackie Warledo - International Indian Treaty Council, Seminole Nation of Oklahoma, USA
21. Janet Mitchell – Inupiaq, Kivalina City Council, Alaska
22. Janet Daniels – Elder, Chickaloon Native Village, Chickaloon, Alaska
23. Jeannette Corbiere Lavel – Native Women’s Association of Canada, Anishnabe Nation, Canada
24. Native Youth Sexual Health Network, Mohawk Nation, USA and Canada
25. Judy Hughes – National Aboriginal Health Organization, Metis Nation, Canada
26. Julia Dorris – Traditional Council of Kalskag, Yupik, Alaska
27. Kandi Mossett – Indigenous Environmental Network, Fort Berthold Indian Reservation, USA
28. Kari L. Shaginoff - International Indian Treaty Council, Ya Ne Dah Ah Tribal School, Chickaloon, Alaska
29. Karla Brollier – Alaska Community Action on Toxics, Ahtna-Cantwell, Alaska
30. Kathy Sanchez – Tewa Women United, San Ildefonso Pueblo, New Mexico, USA
31. Lisa Wade – Chickaloon Village Health Director, Chickaloon, Alaska
32. Manuela Victoria Barrientos Carbajal – Chirapaq, Community of Hualia, Peru
33. Maria Berenice Sandez Lozada – Di sunga a Nana Shimjai, Nahua-Otomi, Mexico
34. Marian Naranjo - Honor Our Pueblo Existence, Santa Clara Pueblo, New Mexico, USA
35. Martha Itta - Inupiaq, Tribal Administrator, Native Village of Nuiqsut, Alaska
36. Maudilia López Cardona - Frente de Defensa Miguelense, Mam Maya, Guatemala

37. Melina Laboucan-Massimo – Lubicon Cree First Nation, Canada
38. Monique Sonoquie - California Indian Basket Weavers Alliance, Chumash, California, USA
39. Norma Chickalusion – Village of Tyonek Tribal Member, Tyonek, Alaska
40. Patricia Wade – Editor Chickaloon News, Chickaloon, Alaska
41. Pauline Kohler – Aleknagik Traditional Council, Yupik, Alaska
42. Penny Westing – Chickaloon Village Traditional Council Secretary, Chickaloon, Alaska
43. Princess Lucaj – Gwich'in Steering Committee, Gwich'in, Alaska
44. Rita Blumenstein – Traditional Healer, Yupik, Chefnak, Alaska
45. Rosemary Ahtuangularuk – Inupaiq, Native Villate of Nuiqsut, Alaska
46. Samantha Englishoe – Alaska Community Action on Toxics, Tlingit, Gwichin
47. Sewa Carmen – Chickaloon Village Youth Representative, Chickaloon, Alaska
48. Shawna Larson – Chickaloon Village Traditional Council Member, Chickaloon, Alaska
49. Sondra Stuart – Chickaloon Village Tribal Citizen, Chickaloon, Alaska
50. Susie Booshu – Native Village of Gambell, Yupik, Alaska
51. Viola Waghiyi – Native Village of Savoonga, St. Lawrence Island, Yupik, Alaska
52. Xiomara Ownes – Traditional Healer, Tlingit, Athabascan, Alaska

