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Statement on the Dakota Access Pipeline (North Dakota, USA) by Mr. Alvaro Pop Ac, Chair of the Permanent Forum on Indigenous Issues, and Dr. Dalee Dorrough and Chief Edward John, Expert Members of the Permanent Forum on Indigenous Issues.

Grand Chief Edward John has just spent three days (Oct. 29-31, 2016) in the Oceti Sakowin Camp and surrounding area at the invitation of the Standing Rock Sioux Tribal Chairman, David Archambault.

During his visit, Grand Chief Edward John met with members of the Sioux nation and with law enforcement officers stationed in Morton County sheriff's office. The office confirmed that some 412 people have been arrested, 9% of whom are from Standing Rock, including Standing Rock Sioux Tribal Chairman Dave Archambault.

As Expert Members of the Permanent Forum, we reiterate our deep concerns expressed in our statement on 31 August 2016 over the proposed pipeline construction route. We also have concerns that some 380 cultural and sacred sites along the pipeline route have been destroyed by work associated with the clearing for the pipeline. Further, numerous individuals have confirmed that there has been little consultation by the federal government related to the DAPL project.

The rights of the Sioux peoples are recognized and affirmed in their treaties, agreements and other constructive arrangements with the United States, in various court decisions, in the US Constitution and in international human rights instruments. Despite such recognition, their rights are being violated by decisions made with respect to the pipeline project traversing un-ceded Sioux territory.

Despite the call of the Obama administration to the company to hold the construction of the DAPL, we understand the construction is proceeding on a 24-hour work day basis, seven days a week. The company's decision to proceed with right of way clearing and construction has put the Standing Rock Sioux in a difficult and untenable situation.

The total lack of presence and action by the United States government, at the federal level, is a concern that must be addressed. We remind the United States of their ratification of the International Covenant on Civil and Political Rights as well as the 2010 public pronouncement of support for the UN Declaration on the Rights of Indigenous Peoples and their 22 September 2014 reiteration of commitment to the UN Declaration at the World Conference on Indigenous Peoples. We call on the United States to take urgent action on the alarming situation in North Dakota, including the criminalization of indigenous peoples in their peaceful attempts to safeguards their human rights and fundamental rights.

We understand the Standing Rock Sioux have transmitted urgent human rights appeals to four Human Rights Mandate Holders, jointly with the International Indian Treaty Council, on 19 August 2016 and 4 September 2016. We fully support this action and urge the respective Special Rapporteurs to take this matter up immediately and furthermore, to implore the United States to take concrete action on an urgent basis. We further recommend and respectfully request that the UN Committee on Elimination of



Racial Discrimination consider undertaking an Early Warning and Urgent Action procedure on the basis of information reflected in the report and statement of Chief Edward John.

Furthermore, we urge the Government to support the UN Special Rapporteur on the Rights of Indigenous Peoples on her visit to Standing Rock on an urgent and priority basis to examine this difficult situation related to the Sioux's struggle to protect their lands, waters, sacred sites and territories. We underscore the fact that their Treaties, court decisions and other agreements guarantee significant rights – rights that are seemingly being thrown to the wind by the US government.

We urge the US Government to take urgent action and protect the traditional lands and sacred sites of the Standing Rock Sioux and uphold their human rights commitments, including under the UN Declaration on the Rights of Indigenous Peoples.