



GOVERNMENTS IN THE AMERICAS MUST HONOUR THEIR COMMITMENTS TO RESPECT THE HUMAN RIGHTS OF INDIGENOUS PEOPLES: AMNESTY LAUNCHES GLOBAL CAMPAIGN ON EMBLEMATIC LAND RIGHTS STRUGGLE IN CANADA.

*“The damage that this [dam] is going to do,
I don’t even know how to explain it,”*

Georges Desjarlais, West Moberly First Nations, British Columbia, Canada

A massive hydro-electric dam currently under construction in the province of British Columbia, Canada illustrates the persistent gap between rhetoric and reality when it comes to the protection of the human rights of Indigenous peoples in the Americas.

Today, Amnesty International is launching an international campaign to stop the construction of Site C dam, which, if built, will deprive Indigenous peoples in the Peace Valley region of British Columbia of access to lands and waters vital to their cultures and livelihoods.

The federal government of Canada and the provincial government of British Columbia approved construction of the Site C dam without the consent of directly affected Indigenous peoples. Canadian government officials have openly acknowledged that the decision-making process leading to the approval of construction never considered whether building the dam was compatible with legal protections for Indigenous rights under the Canadian Constitution or with an historic treaty between the Canadian state and First Nations in the region. Construction has gone ahead despite the fact that the West Moberly and Prophet River First Nations are currently challenging the Site C dam in court.

“It’s not enough for countries to say that they respect the rights of Indigenous peoples,” says Erika Guevara Rojas, Americas Regional Director for Amnesty International. “Governments must act to uphold these rights. Anything else is a continuation of the same patterns of racism and discrimination that has led to centuries of impoverishment and dispossession for Indigenous peoples throughout the Americas.”

The construction of the Site C dam is particularly concerning because widespread oil and gas development, and other resource extraction activities in northeast British Columbia have already greatly reduced the lands still available for Indigenous peoples to conduct ceremonies, harvest food for their families or teach their children about their cultures and traditions.

The campaign digest released today quotes Chief Roland Willson of the West Moberly First Nations who states, ““We’ve never said no to the production of energy. We’ve said, let’s protect the valley. It’s the last piece of our backyard that’s relatively untouched.”

“Unfortunately, the Site C dam is only one emblematic case of broader pattern of human rights violations of indigenous peoples rights throughout the Americas”, said Erika Guevara Rosas.

In 2011 Amnesty International published a brief called [“Sacrificing Rights in the Name of Development”](#) that documented the harm that has been done throughout the Americas by the false and dangerous dichotomy of “development vs. Indigenous peoples’ rights.” The brief noted that Indigenous peoples are routinely expected to bear the social, economic and environmental impacts of resource development projects designed to benefit other sectors of the economy. Furthermore, when Indigenous communities organize themselves to demand respect for their rights, the state and other actors often accused them of blocking the growth of the entire country.

This regional pattern documented in 2011 has not improve today. The last five year have seen enormous strides in recognition of Indigenous rights by governments and corporations alike. However, as illustrated by the example of the Site C dam in Canada, the approval of highly destructive resource development projects against the wishes of affected Indigenous communities is still, unfortunately, a regional trend.

In June, Member States of the Organization of American States approved a new regional human rights instrument, the **American Declaration on the Rights of Indigenous Peoples**. States had explicitly agreed that the American Declaration should be understood and interpreted as one that would builds on the minimum global standards affirmed in the 2007 United Nations Declaration on the Rights of Indigenous Peoples from 2007. The new regional declaration reaffirms the requirement of free, prior and informed consent in respect to legislative or administrative measures that affect Indigenous peoples, as well as projects affecting their land and resources.

The reinforcement of the standard of free, prior and informed consent in the American Declaration stands in contrast to the fact that that most countries in the region still have not incorporated free, prior and informed consent in national laws. In Peru, for example, the law only guarantees a right to “consultation” and even with that lower standard, there are serious concerns about its implementation.

“Indigenous peoples in the Americas have struggled long and hard for recognition of their rights. Many human rights defenders paid with their lives to achieve the current degree of rights recognition. However, the gap between recognition and implementation is still huge” said Erika Guevara Rosas.

Amnesty International documented in 2015/16 human rights violations Indigenous Peoples – including attacks, excessive use of force and killings –, threatening their rights over their land, territory and natural resources, their culture and even their own existence. Poverty, exclusion, inequality and discrimination continued to affect thousands, including in Argentina, Bolivia, Canada, Chile, Colombia, Mexico, Paraguay and Peru. State and non-state actors – including businesses and landowners – continued to forcibly displace Indigenous Peoples from their own lands in the pursuit of economic development.

Development projects, including by the extractive industry, saw Indigenous Peoples repeatedly denied meaningful consultation and free, prior and informed consent, which threatened their culture and environment and led to the forced displacement of entire communities.

International human rights standards provide a crucial alternative by emphasizing the importance of Indigenous peoples’ participation in all decisions affecting their lives and futures. Standards such as

free, prior and informed consent provide both a protection against decisions that would cause further harm to already marginalized communities and a foundation for Indigenous peoples to pursue economic development according to their own needs and values.

Entrenched discrimination towards Indigenous people in the Americas has not been adequately addressed. Indigenous peoples are still overrepresented among people living in poverty in the region. There has been little redress for centuries of dispossession and marginalization. Without concrete measures to restore self-sufficiency for Indigenous communities, the power imbalances that typically characterize negotiations between Indigenous peoples and business or government will persist and there will be no room for genuine processes of consultation and consent.

Amnesty's new brief on the Site C dam in British Columbia, Canada follows high profile commitments by the federal government to uphold the human rights of Indigenous peoples under domestic and international law. Fulfilling these promises would not only make a significant difference in the lives of Indigenous peoples in Canada, it would set a positive example for the Americas and the whole world.

The brief quotes Chief Lynette Tsakoza of the Prophet River First Nation who says, "It is not too late to change course. The damage to the Peace River is not yet irreversible. Stopping Site C is a perfect opportunity to demonstrate to all Canadians that the government takes reconciliation seriously."