



International Indian Treaty Council
Consejo Internacional de Tratados Indios
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INTERNATIONAL INDIAN TREATY COUNCIL
35th ANNUAL CONFERENCE
USTUPU, KUNA YALA, PANAMA
August 29th – 31st, 2009
“DII BURBA NIKI DII ANMAR SABED BURBA”
“WATER IS SACRED, WATER IS LIFE”

Resolution on the Protection of the Environment and biodiversity: Climate Change, Mining, Oil, Water and Natural Resources: Toxics and Pesticides and the Protection of Sacred Sites and Forests

IITC reaffirms all the resolutions for the Protection of the Environment and Biodiversity: Climate change, mining, oil, water and natural resources: Sacred Sites and forests and against toxics, pesticides, other agrochemicals and heavy metals adopted at previous IITC conferences, and adopts the following:

The IITC recognizes the important and critical concerns of the Sailas (The Supreme authorities) of the Indigenous Peoples of Kuna Yala for the protection of the sacred mountains and lands of Kuna Yala. As the Sailas of Kuna Yala emphasize, the people do not live in or near the mountains because of their sacredness. Disturbing the sacredness of these mountains will create an imbalance affecting their Cosmvision, food sovereignty, sustainability and access to medicinal plants.

“Gold, silver, nickel and all minerals were put there to sustain the earth, the exploitation of these minerals will destroy and create an imbalance of the earth.” (Sr. Leodomiro Paredes Guerrero)

The IITC affirms that Indigenous Peoples’ have the right to define protected and sacred areas that must be respected by the State. On the matter of the protection of the Sacred Areas of Kuna Yala, the Commission calls upon the state of Panama to comply with its laws and policies on protection of protected areas and implementation of the principals of Consultation and Free Prior and Informed Consent.

The IITC will provide their expertise and assist in the filing of these violations with the Inter American Court on Human Rights for Indigenous Peoples’ or any other appropriate International Body.

The IITC calls upon the government of Panama to implement the recommendations of CERD and other International Bodies to monitor transnational corporations and ensure their compliance with the rights of Indigenous Peoples and human rights standards.

The IITC calls upon the government of Panama to halt mining development on or near the Sacred Mountain Areas of Kuna Yala.

The IITC will provide technical assistance and support the efforts the Taíno People of Boriken (Puerto Rico) to be included in the application of the US governments Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act and the Religious Freedom Restoration Act in the United States and its territories.

The IITC supports the call of the Yaqui Peoples of the Rio Yaqui Sonora, Mexico and will continue to work to bring UN Special Rapporteurs on Toxics, Health, Rights of Indigenous Peoples', the Right to Food and relevant others to visit these severely impacted communities.

The IITC supports the call by Indigenous Peoples and will continue efforts to bring the UN Special Rapporteur on the Right to Food and relevant others to Alaska, California and other areas of the United States where Indigenous Nations are impacted by mercury contamination.

The IITC supports the Anchorage Declaration developed at the Indigenous Peoples Global Summit on Climate Change, adopted on April 24, 2009, in Anchorage Alaska. However IITC affirms that certain provisions need to be strengthened. Specifically, under the call for Action, the IITC supports the call upon states to "phase out of fossil fuel development and a moratorium on new fossil fuel developments on or near Indigenous lands and territories. However, IITC further strengthens option A as follows:

The IITC is committed to a moratorium on all new exploration for oil, gas and coal as a first step towards the full phase out of fossil fuel with a just transition to sustainable jobs, energy and environment. We take this position based on our concern over the disproportionate cultural, social, environmental and climate impacts on indigenous Peoples.

The IITC supports the call that Reducing Emissions from Deforestation and Degradation (REDD) must fully recognize the rights of Indigenous Peoples', and implement the principals of Free, Prior, and Informed Consent. IITC further affirms that the forests are sacred and the source of life for many Indigenous Peoples. Therefore forests must not be included in any market-based carbon trading and carbon offset program and REDD should not be included in any clean development mechanisms of the UNFCCC.

Finally, IITC calls upon all States to respect and comply with their human rights obligations in the Conventions and Treaties that they have ratified and adopted, including the UN Declaration on the Rights of Indigenous Peoples', in particular the right

to Free, Prior, and Informed Consent by implementing these standards within their national legal frameworks. The IITC upholds and supports the exercise of the right to the full and effective exercise of the right to Free, Prior and Informed Consent of the Indigenous Peoples' of Panama, Guatemala, Mexico, Aotearoa, United States, Canada, Boriken and all other States in all matters affecting their lands, forests, waters, health, ecosystems and natural environments, spiritual and cultural practices, sacred areas and ways of life.

Adopted by Consensus August 31st, 2009, Ustupu Kuna Yala Panama