



# International Indian Treaty Council

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## **Standing Rock Human and Treaty Rights Violations to continue by Presidential Executive Order**

**Standing Rock Sioux Reservation, North Dakota, United States:** The International Indian Treaty Council (IITC) supports the statement by the [Standing Rock Sioux Tribe \(SRST\)](#) rejecting today's United States (US) President's Executive Order and Presidential Memorandum to expedite the review and approval of the Dakota Access Pipeline (DAPL) and other pipelines. The President's Memorandums call for the elimination of obstacles to the construction of the DAPL and Keystone XL Pipeline which was blocked when President Obama denied its permit in November 2015.

The President's Memorandum on the DAPL called upon the Assistant Secretary of the Army to "consider to the extent permitted by law...whether to withdraw the Notice of Intent to Prepare an Environmental Impact Statement dated January 18<sup>th</sup>, 2017" which was considered as a significant advance by the SRST in its long standing struggle to protect its Treaty Rights, water and sacred places by halting DAPL construction along its current route. These actions by the President do not override the December 4<sup>th</sup> 2016 Army Corps of Engineers decision to conduct the EIS, to be completed with the SRST's active participation, and to consider alternate routes before the permit can be approved.

IITC asserts that the President does not have the authority to violate the US Constitution which states that "Treaties are the supreme law of the land". The 1851 and 1868 Treaties between the "Great Sioux Nation" (Lakota, Dakota and Nakota) and the US require these Indigenous Nations' consent before incursions take place on their Treaty lands. The President's Executive Order and Memorandums fail to acknowledge these nation-to-nation legally-binding obligations.

IITC is currently in Standing Rock accompanying Mr. Pavel Sulyandziga, member of the United Nations (UN) Working Group on the issue of Human Rights, Transnational Corporations and other Business Enterprises. This UN Expert was invited by SRST Chairman Dave Archambault II to collect information about the range of human and Treaty rights violations resulting from the construction of DAPL and the excessive force used by law enforcement as well as private security personnel. IITC Executive Director Andrea Carmen, IITC Board members William Means and Roberto Borrero, and youth representative Victor Lopez-Carmen are accompanied in Standing Rock by representatives of the American Civil Liberties Union. From January 22–24, IITC and ACLU coordinated a human rights training and a UN hearing as well as a visit by the UN Expert to the Sacred Stone and Oceti Sakowin camps to collect additional testimonies. A total of 56 testimonies were presented to Mr. Sulyandziga for submission to the UN Working Group. The on-site events were attended by more than 200 participants. Over 50,000 visited the Facebook live-stream of the training and hearing.

Jamil Dakwar, Director of ACLU Human Rights Program, along with Andrea Carmen, will remain in Standing Rock this week as international human rights observers. Addressing the President's actions, Dakwar stated: "Trump's decision to give the go-ahead for the Dakota Access Pipeline is a slap in the face to Native Americans and a blatant disregard for their rights. By law they are entitled to water rights and deserve to be treated with dignity and respect, not sacrificed for political expediency and profit-making."

Reflecting today on his historic visit, Mr. Sulyandziga stated: "I would like to express my gratitude to the Standing Rock Sioux Tribe for the invitation to monitor the situation on the ground. According to the UN Guiding Principles on Business and Human Rights, States should pay special attention to groups with a heightened risk of human rights violations. In the case of Indigenous Peoples, this means that they have to obtain their Free, Prior and Informed Consent whenever a project may substantially affect their territories and livelihood, as set out in the UN Declaration on the Rights of Indigenous Peoples."

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*The International Indian Treaty Council is an organization of Indigenous Peoples from North, Central, South America, the Arctic, Pacific and Caribbean in General Consultative Status with the United Nations Economic and Social Council*