The Western Shoshone
An Indigenous Peoples’ Resistance in the United States

Presented at the International Conference on Indigenous Peoples and Extractive Industries
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Our ancestors
The 4 Sacred Things:
The Earth, the Water, the Air, the Sun
Responsibilities:

Our teachings tell us that the Creator placed us here as caretakers of the lands, the animals, all the living things. This is our responsibility.
Federal government currently claims approximately 90% of Newe Sogobi.
US Federal Indian Law – Colonialism Continues based on “Doctrine of Discovery”
The Conceptual “Doctrine of Discovery”

- The doctrine of discovery says that indigenous peoples are uncivilized, non-Christian and child-like in nature, and therefore the “discovering” European nation may place itself in a superior position to the indigenous peoples it encounters. [4]

We challenge this doctrine in all of our work.
A Brief Legal History

• 1863 Treaty of Ruby Valley
• 1934 Indian Reorganization Act
• 1946 Indian Claims Commission
• 1961 Discovery of Carlin Trend
• 1962 ICC Claims Western Shoshone Title Extinguished
• 1973 Trespass Action against the Danns
• 1978 ICC determines valuation Date
• 1979 Interior Accepts ICC money
• 1985 U.S. v. Dann (Supreme Court)
• 2002 Inter-American Commission on Human Rights Final report against U.S.
• 2006 Committee on the Elimination of Racial Discrimination (CERD) decision against U.S.
• 2007 CERD Recommendation to Canada regarding Canadian Mining Companies on Indigenous Lands
Results of Ongoing Colonialism and Discrimination = Shoshone Treated as “Trespassers” and Denied Ability to Protect Their Own Land
Before and After – Round Up
Results in Death
• Western Shoshone Territory is one of the world’s largest gold producing areas.

• The type of mining used is open pit, cyanide heap leach mining, employing dewatering processes of up to 70,000 gallons per minute – for one mine alone.

• Mining on “federal” land is governed by the 1872 Mining Law.
Mining

Before & After
Blast opens new era at Cortez
By ADELLA HARDING - Staff Writer
Friday, January 27, 2006 3:57 PM PST
Companies involved:

- Barrick
- Newmont
- Kennecott/Rio Tinto
- Anglo Gold
- And many others – mostly Canadian, especially junior companies doing exploration
Case in Point: Barrick

- Cortez Gold Mine
- Mt. Tenabo/Horse Canyon (aka Cortez Hills)
- HR 2869 – Company seeks Congressional privatization of land to itself
- Round Ups – Trespass Actions
- Western Shoshone Distribution Bill – U.S. uses individuals to push for money
- Programmatic Agreement
- Social Responsibility
- Shareholder Meetings
- Press Releases
- Dialogue – Collaborative Agreement
- Nov. 2007 – Mt. Tenabo Mine approval given by BLM – Lawsuit filed by impacted communities
- Barrick brings Shoshone witnesses from non-impacted communities to testify in Court against protection in favor of economic benefits (many the same as those U.S. used in Distribution Bill fight)
Tailing Collapse - 2005
Dinabo (Mt. Tenabo)
Mining Plan of Operations Re-Submitted October 2005
Hot Springs - Creation Stories, Spirit Life
Geothermal
Geysers Now - Destroyed
Geothermal Rush

- Nevada – the next “Saudi Arabia” of Geothermal Energy Development.
- No Shoshone involvement.
Legislative Efforts to Privatize Lands to Multinational Corporate and Energy Interests
Challenging the violations

- **Organization of American States**
  - Inter-American Commission on Human Rights
  - Dec. 2002 Final Report Finding U.S. in violation of:
    - Right to Property
    - Right to Due Process
    - Right to Equality Under the Law

- **United Nations**
  - 2006 - CERD Urgent Action Decision – Mining and Mt. Tenabo concerns specifically addressed – Right to Culture and Health.
  - 2008 – CERD reconfirms Urgent Action Decision
Using Recognition of Our Rights in Mining & Other Struggles

- Large Corporations are accountable to the international community
- Even if governments ignore the reality of the situation, you can apply pressure to the companies to either influence governmental reform or change corporate behavior

- Pressure Points
  - Shareholders
    - Shareholder Meetings
  - Public Relations
    - Consistent theme on inherent responsibilities & rights
  - Consumers
    - No Dirty Gold Campaign (www.nodirtygold.org)
Solar Power, instead of Nuclear
Alliance Building
Outreach & Education – Building a Movement
Indigenous Delegations to Western Shoshone land
New Barrick Mine at Mt. Tenabo approved November 2007 – federal court action filed by Shoshone