

MNI KI WAKAN

2019 Report



Introduction

The third international summit of the Mni Ki Wakan: World Indigenous Peoples' Decade of Water was conducted at Rapid City, South Dakota, USA, on August 13-15, 2019. The historic gathering occurred at the eastern foothills of the Black Hills, a geological anomaly and an almost 100-square mile island of pine tree-covered mountains, surrounded entirely by a sea of prairie grass. The Black Hills (or He Sapa in the Lakota language) holds great spiritual and cultural significance to multiple indigenous nations, including the Lakota, Dakota and Nakota peoples known as the Oceti Sakowin (the Seven Council Fires).

In 1868, the Lakota were party to the signing of the Treaty of Fort Laramie. It specified that the area west of the Missouri River in present-day South Dakota, to the Big Horn Mountain range of Wyoming, and additional land in adjoining states be "set apart for the absolute and undisturbed use and occupation" of the Lakota. However, when gold was discovered in the Black Hills, the U.S. government violated the treaty and took control of the region. In 1980, the U.S. Supreme Court ruled that the Black Hills was illegally taken and awarded the Lakota monetary compensation. The Lakota refused the settlement demanding, instead, the return of the Black Hills.

Today, four of the major drinking water aquifers in the Black Hills are under threat of irreparable contamination. In the 1950s thru early 1970s, the Black Hills experienced an unprecedented level of uranium mining and milling. From that time, 169 mines and contaminated land and water were simply abandoned by these companies to the south and west of the Mount Rushmore national monument, purportedly the Shrine of Democracy. In recent time, eleven uranium companies have emerged to express interest and take preliminary steps to mine in the Black Hills.

Atop this recurring incursion into the Black Hills, two gold mining companies are presently conducting exploration in the interior of the Black Hills, again. One of the companies received a state-approved exploration permit and a temporary water permit to explore on private land, near a site central to Lakota culture and creation story called "Pe' Sla." The second exploration site is on public forest land controlled by the federal government.

Although "Pe' Sla" has since been purchased by members of the Oceti Sakowin, it is important to note here a formal letter dated August 21, 2012, which James Anaya, former United Nations Special Rapporteur on the rights of indigenous peoples, had submitted to the federal and state governments expressing his concern about this specific site's then prospective sale. In his letter about Pe' Sla and "relevant international standards that are applicable to the issues brought forth by the situation," he highlighted Article 32 of the United Nations Declaration on the Rights of Indigenous Peoples, which states that indigenous peoples be consulted "through their own representative institutions in order to obtain their free and

informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploration of mineral, water or other resources.”

Beyond the Black Hills, Lakota people and allies continue to actively resist, through demonstration and litigation, the Keystone XL pipeline company’s current and escalating effort to lay hundreds of miles of underground oil pipeline across the eastern part of 1868 treaty land, thereby endangering ecosystems, drinking water sources, and public health. Although an earlier, unified front to protect the water and stop the Dakota Access Pipeline from crossing the Missouri River at Standing Rock had failed, the courageous efforts of indigenous peoples and allies from around the world to protect the water continues to happen.

It was with this backdrop that more than one hundred people participated in the *Mni Ki Wakan Indigenous Peoples’ Decade of Water* summit.

The following *Mni Ki Wakan* Report is developed from the guiding input, consensus, and innovations of participant stakeholders during the *Mni Ki Wakan: World Indigenous Peoples Decade of Water*, August 13-15, 2019. Indigenous peoples, youth, allies, NGOs, and global actors from diverse tribal nations, First Nations, Innu of the Boreal Forest (sub-arctic), Iwis, and communities from the United States, Canada, Aotearoa (New Zealand), participated in the 3rd *Mni Ki Wakan*. Each participant stakeholder contributed to the development of this report dedicated to indigenous inherent human rights centered on water (Declaration on the Rights of Indigenous Peoples), important areas, and its future.

During the opening of the summit, a framework for *innovation* was presented by *Mni Ki Wakan* Co-Conveners, describing *innovation as new, untried, and unprecedented action*. This framework of innovation was used participants organizing themselves into *innovation circles* (groups of 5-8), following critical presentations by indigenous peoples and youth. Innovation circles integrated information from key plenaries provided by indigenous presenters into their collective innovations and ideas. Guiding input from each interactive dialogue is provided below in each session.

At the 3rd *Mni Ki Wakan*, participants integrated information provided by key indigenous presenters across diverse thematic areas of water management, restoration, protection, and conservation through indigenous worldviews. These included: water quality monitoring; food sovereignty; biodiversity and ecosystems; water policy and decision-making; *Indigenous Water Justice* using the Declaration on the Rights of Indigenous Peoples; indigenous youth; *Navajo Water Project* on water infrastructure and indigenous worldview; indigenous knowledge; and self-determination.

Participant stakeholders were asked a series of questions from August 13-15 that were designed to enable the full participation and utilization of the collective knowledge, wisdom, and intelligence of indigenous peoples, youth, and allies.

The innovations of indigenous peoples, youth, and allies provide the strategic vision and guiding framework of Mni Ki Wakan. Building off previous years, partnerships and key relationships since the inaugural Mni Ki Wakan have increasingly amplified indigenous voices on water utilizing these guiding innovations at the United Nations Permanent Forum on Indigenous Issues in New York (2016-Present), the UN Expert Mechanism on the Rights of Indigenous Peoples (2019), and regional indigenous communities.

Mni Ki Wakan has provided access to diverse indigenous water approaches and information through multiple mediums, while building partnerships that increase the confluence and circulation of indigenous water approaches. Journeying to Canada, New York, USA, Geneva, Switzerland, California, South Dakota, North Dakota, Minnesota, as team members strengthen efforts in their regions, Mni Ki Wakan works towards unprecedented cohesion of global indigenous cooperation on water. The guiding input developed by the global indigenous community is a blueprint for the work of Mni Ki Wakan.

Participant responses from *Day 1-2* are presented following the introduction. On *Day 3*, innovations building on preceding dialogues that occurred were developed by the global indigenous community and given preference, indicating its immediacy, short-term, mid-term, and long-range characteristics. Almost every dialogue followed an integral plenary by indigenous leaders working on diverse areas of indigenous water governance and innovation. A common consensus emerged that indigenous water governance is still expanding and evolving. Participants consensus revolved around *Indigenous knowledge* as the first and foremost means of indigenous water protection, restoration, and conservation. This document is supported by previous Mni Ki Wakan reports, and interventions made at the United Nations.

SESSIONS

Each question comprises a session occurring in the following order throughout the summit. Participant comments are distinguished by semicolons. Videos and audio of sessions may be provided on mnikiwakan.org

Day 1, Interactive Dialogue, Question 1

Following Victor Douville's keynote presentation on *Lakota Water Culture & Its Practice in Today's Society*; An understanding of how indigenous knowledge can apply to water protection, restoration, and conservation.

What New & Unprecedented insight & perspectives emerge from & go beyond this presentation? Participants organized themselves into innovation circles providing guiding input.

Continue to be vocal, develop & change policy; implement tribal water codes; world indigenous youth conference on education about water; connecting astronomy to the scientific knowledge.

Knowing more about the doctrine of discovery as it impacts us; This is reality, our water systems cannot sustain the impact of oil, gas, and agriculture. Connect with scientists, leaders, grant writers to develop solutions.

Combining oral traditional knowledge and matching scientific research (alignment); Importance of understanding treaties and traditional knowledge, how treaties help maintain that power using it to our advantage; Understanding your origin stories-can be used as proof in courts, etc. Pinpointing certain things. E.g.: white buffalo calf woman; Put together a registry of water issues, forming an alliance throughout the world.

The importance of oral tradition and transmission in order to provide native existence; the governments are not consulting the native people who have lived here; using astronomy to document and understand the history of nations (72-year intervals). The history and memory of the land matters, and how to recover the importance of that memory; human induced climate change and the cycles of nature (creator driven); gathering stories from traditional knowledge keepers.

Creation story similarities are re-affirming and are all rooted in water; we need more indigenous-led research, to date the stories especially; translating and getting down indigenous knowledge body and create database from all tribes; cultural change that values indigenous body of knowledge and doesn't prioritize western and white empirical knowledge; recognize rights of nature and reciprocal relationships with nature; using social media tech in ethical way to counteract unjust uses; lesson was the war and chaos and damage from natural human made climate change; if something provides for us and doesn't have a voice, they still deserve their own rights.

Advocate for the recognition of water as a living being; weaving a collective voice among indigenous peoples across the world and other water protectors and those affected, increasing credibility and strength of voice; recording and collecting data around the life giving capacities of water; provide detailed information to the youth (elementary schools).

“Wherever there is a poison, there is medicine close by”; develop and change policy i.e., implementation of tribal water code; outreach to public education at schools emphasizing treaty rights: past, present, future. Get youth involved to sustain culture, language, natural resources, livelihood.

Winter's Doctrine comprises ground and surface water, reference *Agua Caliente*; tribes need to unite for the future-create and fund our own "legal team" on a national basis; tribes need to respond to notices for comments.

Day 1, Interactive Dialogue, Question 2

Following Kelsey Leonard's Presentation on *Indigenous Water Justice*.

If our success was completely guaranteed, what bold steps might we choose to continue the self-determination and advancement of indigenous water justice?

Using chart paper, indigenous peoples, youth, and allies organized themselves into innovation circles where each member provided guiding input to the aforementioned question.

Frame a process that starts with cultural knowledge, traditional views on water, your own water, own territory. Passing language on to youth (placing language); Local knowledge and wisdom in language; give water back its identity, rights, and land; end colonial laws related to water; Native voice respected in policy processes.

Utilize water codes; traditional decision-making processes, natural law; hereditary rights to water, educating the youth; watershed school (treaty rights, holistic teachings, spirituality, history of water, etc.); Nation-to-Nation water unity.

Aggressively implement indigenous rights and values. We are all tributaries to the great water; stronger partnerships with agencies that share our values.

Where can I personally leverage and practice the most sovereignty? On what levels can we assert our sovereignty that has the most leverage and generational impact? Individual, kinship, governance, policy, and international; see nature as a classroom, to see its autonomy; indigenous education systems; teaching young people about self-determination.

Document the water impact and its relationship with people; document how it is used for the economy; water has more uses and more rights to be protected; it is a lot of work to increase access; Our treaties: how do we translate them to use in our communities? How do we interpret them fluidly over time? create fluid indigenous law systems; Six Nations: relevant and accessible to indigenous youth! Who are the people who can do the translating work around UNDRIP (United Nations Declaration on the Rights of Indigenous Peoples).

Bringing voices of indigenous youth; what funds can we access to enable knowledge transfer about treaties, UNDRIP, etc.? is there a way to hold and access this frame? A framework? Being mindful of how we use international law; assert *indigenous jurisdiction*.

Implement tribal water codes and get the state out of issuing permits within the exterior boundaries of the nation; get indigenous peoples into seats of power federally, state level, etc., to protect all waters, supported by a group of traditional water knowledge i.e. meetings like this. And those that support them (volunteers, civil society).

Add another authorized purpose to the Pick Sloan Act (Missouri River Basin) to rebuild indigenous economies impacted by dams; demolish the dams to allow the water to find balance again; stop upstream pollution of indigenous water systems; actively vote people out of power if they don't support this work, i.e. government corporations; have an annual day and or week without water, i.e., a mni wiconi day and week: "water is life."

Anyone on earth should have to come to indigenous nations to obtain water permits; indigenous values would be integrated into all socioeconomical, political, spiritual, and indigenous life ways; earth jurisprudence for all relatives (trees, animals, rocks, water, etc.); equity-based decision-making; clean water is assured for future generations.

Inherent sovereignty: federally recognized, state recognized, not recognized; land held in trust: take out of trust ownership of land to tribe; take away approval authority from federal and state government.

Day 2, Interactive Dialogue, Question 3

Following Emma Robbins' Navajo Water Project presentation, participant stakeholders responded to a follow-up question.

What is important to you about this situation? What did you hear that is critical to our dialogue about the sacredness of water? Using chart paper, participants organized themselves into innovation circles, providing guiding input to the aforementioned question.

In 2019, people still don't have access to clean water; Re-recognizing water and the land being our original teacher (s); education is crucial: adaptability, synergizing knowledge systems, reviving purpose of water, creation stories (sacredness, recognizing, and maintaining).

Importance of contextualizing challenges and solutions associated (e.g. in intertribal settings); Community engagement strategies: Importance of consulting, consent with community before moving forward, importance in knowing and understanding and respecting different ways of working with water (dependent on spirituality, traditional knowledge, etc.). Critical in working with water is working and learning with elders in the community you are living in; wise practices vs best practices; importance of reciprocity to the land.

Sanctity of water (Indigenous view); we have right to water but do not have access to it due to corporations, newer companies, ag-business, who profit from water; Utilize a bottom up approach from family and community; Understand depletion vs. availability infrastructure (Colorado river, Rio Grande).

There is a need to prioritize the conversation around water justice and health in our tribal governments; What is the colonial historical connection behind our water issues? There is a pattern across our nations, globally; Reframing our processes by reframing the language and narrative we use; access to clean water infrastructure, taking for granted by non-Indian folks.

The waters are all connected, and know no surface level borders, it is not just about indigenous peoples, it is about all our relations. How long before contamination reaches your water source?; indigenous systems are at the heart of self-determination, e.g. changing language on forms and surveys as ways to change systems and processes to reflect the traditional governance and needs in our communities; Recognizing a need for non-indigenous folks to take ownership over their contributions to ongoing environmental racism in our communities.

It was good to hear about progress in solving the problems of clean water access; this has provided a network of people who have the common goal of protecting water for now and for the future; being able to connect oral tradition with modern sciences; government needs to open up truth about climate change and the needed protection of water; gives us the tools to work through the courts to achieve water protection and solutions to climate change.

Water is available but poisoned (arsenic, etc. Blue-green algae); there is urgency for action; the magnitude of the challenge is daunting-time and money; sovereignty is ignored; in some places there is no water due to dams; water knowledge exists and can be applied; Establishing an open dialogue about it; Oglallala Aquifer is in jeopardy; new technologies can assist in cleaning potable water.

Day 3, Question 4

Following Co-Creations of Indigenous Water Quality Tools by Dawn Hill, Makasa Looking Horse, Karissa John (Mohawk, Iroquois)

What is your major learning or insight that you have gained from this presentation?

How clean is my nation's water, why does my community go into a boil water advisory in the Bow Valley?; Ability to make water sensors cheap, so more tests can be done; Water can be cleaned and tested affordably with new technology; The health of the environment is scientifically correlated to the mental health of our youth.

Indigenous involvement to solve water and environmental issues and problems. Not depending entirely on western science; There is culture and water, but no protections from Canadian government for tribal regulations: water codes, drinking water, standards and enforcement of violations; That more grants need to be created to fund education and remediation projects on all indigenous lands to assure clean water. That youth and elders share knowledge of past practices and future hopes; The youth are feeling as though they have no future with water being polluted, the suicide rate is high.

Indigenous led research and response intrinsically focuses on communities and empowering communities, indigenous etc.; to create, generate, and monitor, the issue and solution; water issues affect every aspect of life and requires input from a wide range of experts.

Some youth are unaware of safe or not so safe water, their youth are taking steps on raising awareness such as the short films; how polluted water ways are and how little people are aware of it. How much more we need to be informed.

There is a need to create accurate water testing tools and accessible frameworks for integrating the data so that everyone can use them; I didn't know that in Canada there are a lot of communities with water contamination that can't be touched; that we must all have water contamination that we don't know and that we all need to begin test the water and must of all get youth involved; study on the health effects through blood and breastmilk testing is so incredible!

Youths role in moving forward and the connections and mental influence is very important and I had not thought about that but it is true that it is scary as a youth to think about the statistics; Major learning: while there is a mountain of challenges to overcome, there are incredibly viable solutions available to implement. The technology and we have intelligence at our disposal in the form of academics, elders, allies, and sustainable decisions are infinite. The right balance of both ways of learning are instrumental to our success; Mohawks are powerful; women led research team will be successful and impactful.

Day 3, Question 5, Interactive Dialogue

Following Wizipan Garriot (REDCO) and Sean Sherman's (Sioux Chef) presentation on Food Sovereignty & Water.

What Unprecedented opportunities can we see for the future food sovereignty and water? Using chart paper, participants convened in innovation circles providing guiding input to the thematic area and question, integrating key information from the presentation.

Create a circle: knowledge, education, economic stream; jobs for youth (immersion in indigenous knowledge, sustain funds by bringing funders from outside);

community education, permitting self and tribal empowerment of traditional knowledge, indigenous wisdom, stimulating financial growth.

Hemp revolution, with companion indigenous plants; through interconnection refined and re-introduce native plants in ecosystems and farming practices; re-find and re-introduce previous lost farming practices; hold sovereignty of water, establish controls over industrial practices that affect water quality (also earth and air); questioning and redesigning water and sanitation cycles, compost toilets!

Improved health and vitality from nutrient rich foods and stepping away from processed foods; improved health of the land; increased jobs and connectedness with nature; transforming waste products into food added value cascades; reconnecting with language traditional values of food and medicinal plants and animals; transforming low quality foods into high quality opportunity to teach and reach out to others completing natures cycle.

Reintroducing and reclaiming heirlooms seeds; bringing back the independence of living off the land; relearning how to dry meat and produce; recognize the spirit of water; document best practices; decolonize ourselves; get away from dependency; learning oral history from the elders.

Reclaiming and remembering; elders and cultural knowledge; sharing knowledge via technology-communities and global outreach; remembering and getting to know the land-landmarks and trails (H2O sources) and trade routes, ecosystems; climate change-indigenous science by indigenous peoples for indigenous peoples.

Stricter for oil and uranium mining projects to protect our water resources; develop codes that focus on conservation and enforcement (physical infrastructure, tribal law and order code enforcement).

Food: tribal farming network-100% local; food hub-processing and packaging; recommendation to federal agency (USDA) for natural foods-locally and nationally; community education and campaigns: public awareness, school food and water, media, integrating cultural aspects

Opportunity for tribal members to engage in self-determination by being able to have food sovereignty; elders leading community garden with teaching seed, saving, preserving where food came from; Community gardens and greenhouse community canning projects.

Community gardens and free seeds; help for elders; utilizing vertical gardening, aquaponics, for sustenance, solar panels for power-all done with respect; what ways can big ag be phased out. More families to engage in growing and preserving food.

Innovations

The following innovations were rated by participant stakeholders using preferential marks for each innovation. The level of preference indicates which innovations the global indigenous community has given immediacy to, reserving the option to utilize others at any point in time. Innovations without asterisks do not exclude it from being activated and operationalized sooner and maintain the option of doing so.

Day 3, Question 6, Interactive Dialogue

What innovative actions & untried efforts if started today will enable us to reach an unprecedented level of clean & healthy water in the future? What connections must we create? Using chart paper, participant stakeholders organized themselves into innovation circles providing guiding input and developing strategic action items of Mni Ki Wakan. Participant stakeholders developed innovations to guide the work of Mni Ki Wakan integrating summit information.

Comments with 14 preferential marks, are: Absolute unification of all indigenous peoples.

The comment with 12 preferential marks, is: Creating a worldwide water society to protect the water.

The comment with 11 preferential marks, is: Water advocacy agency involving all indigenous nations, all of turtle island.

Comments with 8 preferential marks, are: establish personhood for water rights resulting in healthy water; Taking things that have been thrown away and using it again (to save environment and water).

Comments with 7 preferential marks, are: Connect to higher self, to our true self-we are all connected to people, land, and water, united consciousness.

Comments with 6 preferential marks, are: Heal trauma: historical, culture, community, individual; Understand and reawaken traditional water knowledge; Create hashtag to reach optimal impact connecting and sharing each other's struggles and win through social media: #mnikiwakan.

Comments with 5 preferential marks, are: tribally driven research: capacity building training, tribal colleges, data that is user friendly and accessible; Showing up for each other and creating global allies

Comments with 4 preferential marks, are: Water codes, Mni Ki Wakan. Based on spiritual and natural law; unified body of laws; watershed districts (local) (community). Permitting boards. I.e. Animals free, not concentrated areas. Not confined; Recognizing all forms of support from different background and foundation with common goals (reaching out).

Comments with 3 preferential marks, are: Nation-wide alliance; establish filtering wetlands; create new ecosystems; How to reach masses that don't understand? To change their mindsets as currently, they are the majority!; Being connected to land and water.

Comments with 2 preferential marks, are: Giving thanks: gratitude, ceremony, and education; being proactive, encouraging disillusioned to vote; infrastructure-pipes rusted; relationship building: allies and opposition; No dumping in water; Your awakening will send ripples of life that will change the world; being proactive, encouraging disillusioned to vote; infrastructure-pipes rusted; water boards; Popularize the vision through social media (educate the world); Forest, grassland, preservation, restoration;

Comments with 1 preferential mark, are: Restorative justice program; Implement and enforce tribal water codes; Encourage and take action; Creating indigenous water laws; Networking with water testing here that can do it cheaper and posting results with explanations and definitions of contaminants (similar to 23 and me); supporting education; traditional knowledge, and support; funding for higher education opportunities; systems of healing-talking circles-meditation; reprogramming ourselves to think good thoughts; Creator; Communities and treaty actions for survival; Break our dependencies-state, education; Sovereignty, reclaim our ways of survival; Actions: outlaw plastic bags, prevent contamination, fracking; Native people in positions of leadership at all levels; Connecting: political-policy, grassroots, protectors.

Remaining comments, are: Protect all water; Teach all populations to protect water; Exposing companies; Protect the source by canoe; Make the old ways new ways; Guardian program; Stop fluoride treatment of our waters, ensure natural mineral content and health of water; Move to a human centered system rather than capitalist-focused; Sustainability (food, water, development, energy is possible): traditional knowledge (i.e. agriculture practices, plant, water), responsibility to future generations, policy of indigenous lead, ethical science driven not by corporate interests and politics but by indigenous knowledge and values.

Understanding and owning our roles and responsibilities; What is clean and healthy water? Spring water; sharing helpful information to help communities' water; Powerful allies; past to environment (generations of wisdom); youth participation; accept technology as a tool to assist in water work; Truth and reparations. What are reparations for us as indigenous peoples?

Redefine and restore water rights leading to water protectors having legal standing; Wakanyeja: Bill of Rights; children restore, foundation, life, relationship; water education, curriculum, community; Taking control of our water; Water codes and food codes; Jurisdiction over water through water codes: ground and surface, defining water usage from an indigenous perspective; Each community should have their own codes.

Create economic models for water cost; Upcycling; Making equipment; Water as our teacher and our classroom; Using more language of life in our action; Saturate corporate headquarters with literature, educate employees; Ethical green energy technology, windmills, solar panels; Bring action HQ, the "head" of snake; Hemp requires less or no pesticides, fertilizers, restores soil; Continue with dam removal.