

University of Colorado Law School

## Colorado Law Scholarly Commons

---

Indigenous Water Justice Symposium (June 6)

2016

---

6-6-2016

### SLIDES: Synthesis Session: Indigenous Water Symposium

Jason Anthony Robison

Follow this and additional works at: <https://scholar.law.colorado.edu/indigenous-water-justice-symposium>



Part of the [Comparative and Foreign Law Commons](#), [Indigenous, Indian, and Aboriginal Law Commons](#), [Indigenous Studies Commons](#), [Law and Society Commons](#), [Natural Resources and Conservation Commons](#), [Natural Resources Management and Policy Commons](#), [Other International and Area Studies Commons](#), [Social Policy Commons](#), [Transnational Law Commons](#), and the [Water Resource Management Commons](#)

---

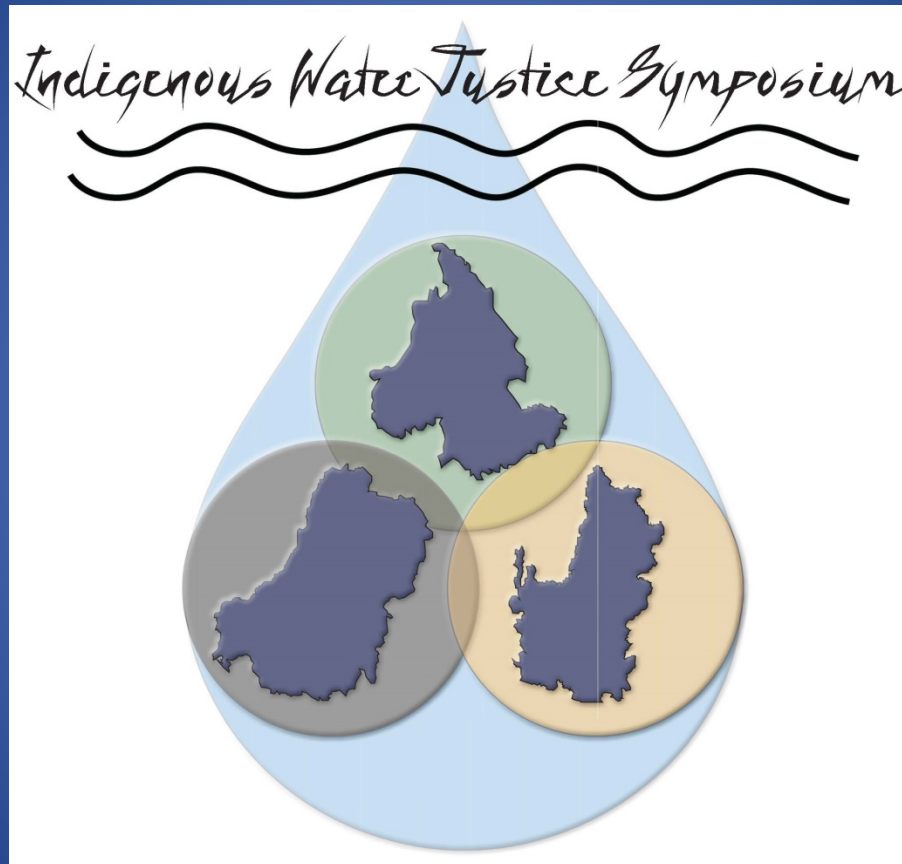
#### Citation Information

Robison, Jason Anthony, "SLIDES: Synthesis Session: Indigenous Water Symposium" (2016). *Indigenous Water Justice Symposium (June 6)*.

<https://scholar.law.colorado.edu/indigenous-water-justice-symposium/7>

Reproduced with permission of the Getches-Wilkinson Center for Natural Resources, Energy, and the Environment (formerly the Natural Resources Law Center) at the University of Colorado Law School.

# Synthesis Session



Jason Anthony Robison  
Assistant Professor of Law  
University of Wyoming

IWJ Symposium  
Univ. of Colorado Law School  
June 6, 2016



United Nations

United Nations  
**DECLARATION**  
on the **RIGHTS**  
of **INDIGENOUS**  
**PEOPLES**



# UN Declaration of the Rights of Indigenous Peoples

## *Article 26*

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

# UN Declaration of the Rights of Indigenous Peoples

## *Article 29*

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

# UN Declaration of the Rights of Indigenous Peoples

## *Article 27*

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

# UN Declaration of the Rights of Indigenous Peoples

## *Article 28*

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

# UN Declaration of the Rights of Indigenous Peoples

## *Article 32*

2. States shall consult and cooperate in good faith with the indigenous peoples concerned 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 exploitation of mineral, water or other resources.



# UN Declaration of the Rights of Indigenous Peoples

## *Article 11*

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

# UN Declaration of the Rights of Indigenous Peoples

## *Article 25*

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

	<b>Colorado River Basin</b>	<b>Columbia River Basin</b>	<b>Murray-Darling Basin</b>
<b>Distributional Justice</b>			
<b>Procedural Justice</b>			
<b>Cultural Justice</b>			

## Common Ground

What do you see as key commonalities in the water justice issues facing Indigenous peoples in the three basins? Consider these issues at the basinwide, confederated, and/or local levels, and feel free to mention both the issues themselves as well as their underlying causes. Please hold back on discussing solutions for now.

# Remedies & Models

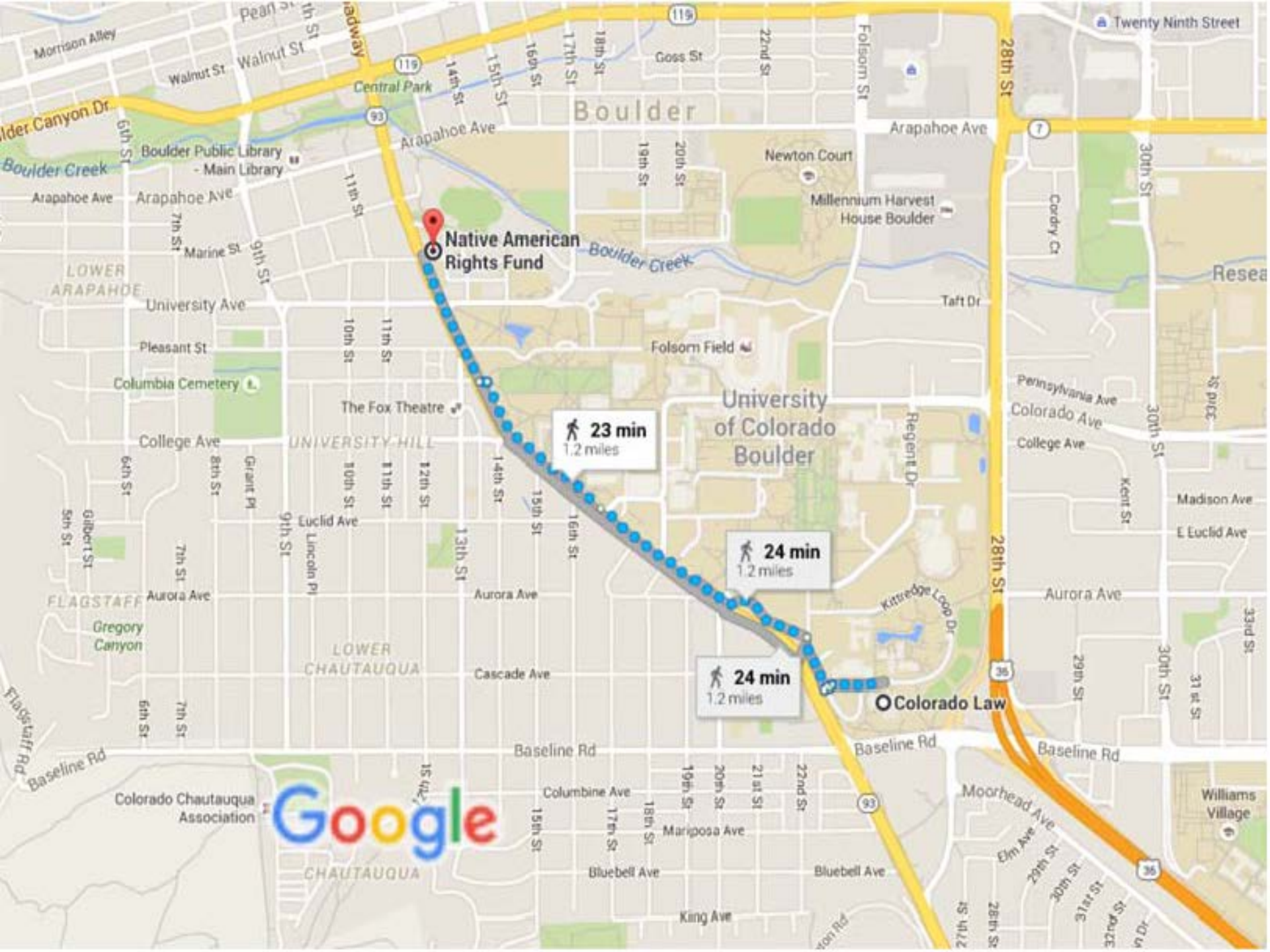
To what extent do approaches for addressing Indigenous water justice issues that have been developed in one basin seem like useful models for other basins? Consider this subject at the basinwide, confederated, and/or local levels, and feel free to mention ways existing approaches do not seem like a fit elsewhere.

# Priorities & Next Steps

Given what has been said about common challenges and remedies/models, what do you consider top priorities for which immediate action is needed, and how exactly can people and organizations involved with this event help facilitate these next steps? Consider these subjects at the basinwide, confederated, and/or local levels, and think broadly about the different types of efforts that may be pursued.

# GWC Conference & Interim Sessions

- NARF Interim Session
  - Tuesday, June 7, 10:00 a.m.-Noon.
  - NARF's Boulder office.
- Waterkeeper Alliance Session
  - Wednesday, June 8, 10:00 a.m.-Noon.
  - CU Law School, Room 330.
- IWJ Conference Session
  - Thursday, June 9, 3:15-5:00 p.m.
  - CU Law School, First Floor.



**Native American Rights Fund**

**University of Colorado Boulder**

**Colorado Law**

**23 min**  
1.2 miles

**24 min**  
1.2 miles

**24 min**  
1.2 miles

**Google**

CHAUTAQUA