

## U.N. panel backs Shoshone in dispute over rights to land

*The Shoshone are in the right in this instance although it is not a matter of racial discrimination. The Federal Government is just trying to steal land. It is theft, plain and simple.*

The New Mexican (AP)  
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A United Nations' anti-racism panel Friday said it had evidence the U.S. government was working with industry to ride roughshod over the rights of an American Indian tribe by exploiting its ancestral land in the western United States.

The U.N. Committee on the Elimination of Racial Discrimination ruled that the United States was failing to respect an international anti-discrimination treaty, to which it became a party in 1994.

Organizations defending the rights of the Western Shoshone hailed the decision as a victory, but the U.S. mission to the U.N. and other international organizations in Geneva had no immediate response to the decision, an official said.

"Maybe this will make the United States start looking at itself and at the problem of discrimination, and make it start to look at us as people instead of subhumans," said Western Shoshone delegate Bernice Lalo. "We feel the decision will be helpful by opening the door. We will continue this struggle to give our children a better chance."

The panel of independent experts said it had received "credible information alleging that the Western Shoshone indigenous people are being denied their traditional rights to land."

The committee of 18 independent experts said it was concerned that the U.S. government's position is based on processes "which did not comply with contemporary human rights norms, principles and standards that govern determination of indigenous property rights."

The committee said it was particularly concerned about reported legislative efforts to privatize Western Shoshone ancestral lands for transfer to multinational mining industries and energy developers, federal efforts to open a nuclear waste dump and the reported resumption of underground nuclear testing on Western Shoshone ancestral lands.

The panel said it also was worried about reported intimidation of the Western Shoshone people by U.S. authorities, through the imposition of grazing fees, trespassing and collection notices, the impounding horses and livestock, restrictions on fishing and hunting as well as arrests.

The committee was also unhappy that the conduct or planning of all these activities was done without consulting and despite the protests of the Western Shoshone people.

Western Shoshone rights to the land \_ some 60 million acres stretching across Nevada, Idaho, Utah and California \_ were recognized by the United States in 1863 by the Treaty of Ruby Valley.

However, the U.S. Supreme Court ruled in 1979 that the treaty gave the U.S. government trusteeship over tribal lands and it now claims them as "public" or federal lands.

But some Shoshone have kept up the fight, even after a majority of their fellow tribe members voted to accept a government settlement that has grown to \$145 million.

Jim Manley, a spokesman for bill proponent Democratic Senator Harry Reid of Nevada, said last month that the tribe had twice had voted decisively in favor of the settlement.

The U.N. committee said in August that the U.S. government should respond to the tribe's argument that the U.S. policy of "gradual encroachment" amounted to racism against an indigenous people.

The committee says it "regretted" the United States had failed to meet the Dec. 31, 2005, deadline to answer a list of questions and had not considered it necessary to appear before the panel to discuss the matter.

The U.S. government initially failed to submit the information because it believed the case of the Western Shoshone is "an old one" and that the U.N. panel was not competent to hear it. However, the committee said the United States had since agreed to respond to the list of issues, though it did not say when.

The committee oversees global compliance with the 1969 International Convention on the Elimination of All Forms of Racial Discrimination. All countries that have signed the treaty are meant to submit regular reports showing how they respect it.

There are an estimated 10,000 Western Shoshone people. Supporting the claims in Geneva were the Western Shoshone Defence Project, the Western Shoshone National Council and the rights organization Oxfam America.