



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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REFERENCE: CERD/EWUAP/101<sup>st</sup> Session/2020/USA/JP/ks

7 August 2020

Excellency,

I write to inform you that in the course of its 101st session, the Committee on the Elimination of Racial Discrimination received information concerning the situation of Gwich'in indigenous peoples in Alaska, in the United States of America. The Committee has since considered this information under its early warning and urgent action procedure.

The information received by the Committee alleges that the planned oil and gas development in the Coastal Plain of the Arctic National Wildlife Refuge in Alaska is conducted without the free, prior and informed consent of and adequate consultation with Gwich'in indigenous peoples, despite the serious harm such extractive activities could allegedly cause.

The information received also alleges that the oil and gas development in the Coastal Plain would infringe the enjoyment of human rights by Gwich'in indigenous peoples, in particular by significantly reducing their traditional source of food, the caribou, encroaching on the sacred site of the Coastal plain, increasing health risks due to environmental degradation, including air pollution, and by increasing the risk of violence against indigenous women due to the arrival of extractive industry workers.

The information further alleges that the oil and gas development in the Coastal Plain would exacerbate the already disproportionate impact of climate change on indigenous peoples, in particular in Alaska. Moreover, the information alleges that the domestic remedies available to indigenous peoples do not provide a legal basis for addressing the underlying cause of structural discrimination.

His Excellency Mr. Andrew Bremberg  
Ambassador  
Permanent Representative of United States of America  
to the United Nations Office  
Geneva  
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The Committee recalls its general recommendation No. 23 (1997) on the rights of indigenous peoples and its previous concluding observations (CERD/C/USA/CO/7-9).

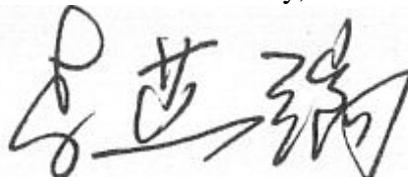
Accordingly and on the basis of the information received, the Committee would like to request the State party to provide information on the status of the proposal to develop oil and gas in the Coastal Plain as well as on the measures taken to:

- (a) Guarantee the respect of the right to consultation and to free, prior and informed consent of the Gwich'in indigenous peoples regarding the project of oil and gas development in the Coastal Plain;
- (b) Effectively protect the sacred sites of indigenous peoples, in particular in the Coastal Plain;
- (c) Prevent and combat violence against indigenous women, in particular in Alaska, and in specially within the context of the extractive industry;
- (d) Assess and mitigate the impact on climate change of the proposal for oil and gas development in the Coastal Plain, in particular on indigenous peoples in Alaska;
- (e) Ensure effective remedies against instances of racial discrimination, including in the context of extractive industries.

In accordance with Article 9(1) of the Convention and article 65 of its Rules of Procedure, the Committee would be grateful to receive a response to the above allegations and concrete measures taken in this regard before 30 October 2020. The Committee notes that the State party's periodic report is overdue since 20 November 2017, and encourages the State party to submit its periodic report without further delay.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of the United States of America, with a view to assisting it to implement the Convention effectively.

Yours sincerely,



Yanduan Li  
Chair

Committee on the Elimination of Racial Discrimination