



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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29 April 2022

Excellency,

I write to inform you that in the course of its 106th session, the Committee considered additional information received under its early warning and urgent action procedure, related to the situation of the Anishinaabe indigenous peoples in Minnesota, in the United States of America, in relation to the expansion of a tar sands pipeline (“Line3”).

The Committee would like to thank the State party for its reply dated 16 November 2021 in response to the Committee’s letter of 25 August 2021. It takes note of the information provided by your Government with regard to the allegations set out in the Committee’s previous letter. It regrets, however, that some of the allegations raised were not addressed in the State party’s letter. Some of the information provided remains general, in particular in relation to allegations of violence against indigenous women and of excessive use of force by members of the police and private security companies against peaceful protestors, especially those belonging to the Anishinaabe communities.

Based on the reply submitted by your Government and on new information received since then, the Committee would like to request the State party to provide information on the measures adopted to: a) consider suspending the activities of the Line 3 pipeline until free, prior and informed consent is granted by the affected Anishinaabe indigenous peoples, following the full and adequate discharge of the duty to consult; b) evaluate carrying out an environmental impact assessment that considers the impact of the Line 3 pipeline in formal consultation with the affected indigenous peoples; c) effectively prevent and duly investigate the further allegations of sexual assault and harassment of Anishinaabe indigenous women, reportedly attributed to the workers of Line 3, as well as the allegations of arrests, racial profiling, and excessive use of force, including alleged incidents of the intentional infliction of pain, against persons from the Anishinaabe communities by law enforcement officials and private security companies; d) ensure that Indigenous Peoples have access to effective and prompt judicial and other remedies to seek protection for their rights.

Her Excellency Ms. Bathsheba Nell Crocker
Permanent Representative of the United States of America
to the United Nations Office
Geneva
Email: GenevaUSmission@state.gov



The Committee would like to inform the State party that the above-mentioned issues will be discussed during the presentation of its combined tenth to twelfth periodic reports, which will take place at the 107th session of the Committee (Geneva, 8 to 30 August 2022).

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 ensuring the effective implementation of the Convention.

Yours sincerely,

A handwritten signature in blue ink, reading "Verene Shepherd".

Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination