



INDIGENOUS PEOPLES INDIGENOUS VOICES

Fact Sheet

Right to Water and Indigenous Peoples

Water is an important aspect of indigenous peoples' spirituality and takes the form of many water bodies such as seas, rivers, lakes, rain, snow, fog and clouds and is an inseparable part of their heritage. As well as underpinning their social and economic well-being, indigenous people's relationship with waters, lands and its resources is crucial to cultural vitality and resilience.

Indigenous peoples' right to water are not adequately recognized in national laws and policies. This is largely because indigenous and non-indigenous perspectives of water and its management are vastly different. This creates difficulties as national laws and management plans separate land from water and generally regard water as a resource available for economic gain. As water is predominantly considered only for consumption and its use and regulation is limited and restricted to industries or individuals willing to pay the highest price. This affects indigenous access and usage.

Historically, indigenous peoples have been excluded from water management. The lack of engagement is compounded by the fact that indigenous peoples are marginalized from information pertaining to water institutions, technical information and regulations around water. This has resulted in little to no involvement by indigenous peoples in national consultation processes, and the development of water policies. This often results in indigenous peoples not being well positioned to negotiate enforceable water rights or purchase highly priced water licenses.

Indigenous peoples' right to water is not limited to access to safe drinking water and sanitation but also closely linked to a range of other rights including self-determination, subsistence, health, land and resources and cultural and spiritual practices. The right to water is a human right that is protected in a wide range of international instruments, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR) and the UN Declaration on the Rights of Indigenous Peoples. There is a fundamental link between accessing water and living in dignity. The human right to water is now receiving increased attention and recognition at the national and international levels.

Policies to privatize and individualize water rights creates enormous dangers for indigenous peoples because there is concern that regulations around access to water



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systems have enabled and permitted the abuse of water supplies on which indigenous peoples depend. Climate change, drought, mismanagement and over-allocation of water as well as deforestation, extractive industries, intensive agricultural practices and the use of agro-chemicals has significantly decreased the availability and quality of water resources. This has subsequently caused harmful impacts on lives of indigenous peoples such as disadvantages in health; economy and social well-being; compromised cultural and linguistic diversity and displacement. Other consequences include the loss of significant landscapes and sites of spiritual, historical and cultural importance. Therefore, it is imperative that there is recognition of indigenous peoples' rights to water as through their knowledge and cultural practices, they can contribute to conserving freshwater and oceans for the survival of the world's present and future generations.

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For more information on the tenth session of the United Nations Permanent Forum on Indigenous Issues, please see www.un.org/indigenous.

