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UN human rights expert calls on US to consult with indigenous people over land sale



James Anaya, Special Rapporteur on the rights of indigenous peoples. UN Photo/Paulo Filgueiras

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A United Nations independent expert today called on the United States Government and authorities in the state of South Dakota to start consultations with indigenous people on a land sale that will affect a site of spiritual significance to them.

Five tracts of land in the Black Hills area in South Dakota are scheduled to be auctioned on Saturday. The tracts lie within a site sacred to the Lakota, Dakota and Nakota peoples, known as Pe' Sla, said the UN Special Rapporteur on the rights of indigenous peoples, James Anaya, in a [news release](#) issued by the Office of the UN High Commissioner for Human Rights ([OHCHR](#)).

According to Mr. Anaya, the indigenous communities are concerned that the sale of the land will result in restrictions to their access and the use of Pe' Sla for ceremonial purposes. They are also concerned that it may lead to a road development project that would diminish the cultural and spiritual integrity of their sacred site.

“I call on all concerned parties to engage in a process of consultation to find ways in which to resolve these concerns,” Mr. Anaya said. “I believe such dialogue is necessary in order to help heal the historical injustices endured by the Lakota, Dakota and Nakota peoples and to allow them to maintain their cultures and traditional practices for future generations.”

In 1868, the US Government signed the Treaty of Fort Laramie with these indigenous groups which reserved their rights to the Black Hills. However, the discovery of gold in the area led to a Congressional Act in 1877 that passed ownership of the Black Hills to the US. The Lakota, Dakota and Nakota peoples have since then sought to recover the Black Hills.

“The views and concerns of the Lakota, Dakota and Nakota peoples need to be considered regarding any private or Government activity that would affect their right to continue to maintain their traditional cultural and ceremonial practices associated with Pe' Sla,” Mr. Anaya stressed.

Mr. Anaya stated that protecting the rights of indigenous peoples to access culturally and spiritually significant areas for them is one of the main issues that was brought to his attention during his official visit to the country three months ago.

The Special Rapporteur is scheduled to present an official report to the Geneva-based UN Human Rights Council on his visit in the upcoming weeks. Independent experts, or special rapporteurs, are appointed by the Council to examine and report back, in an unpaid capacity, on specific human rights themes.

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