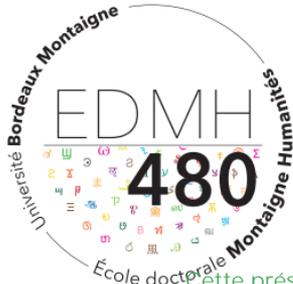


# Extractivisme et Fédéralisme aux Etats-Unis:

## l'Instrumentalisation des Permis Miniers sur les Territoires "Cédés" Ojibwe

Farah BENRAMDANE



# Qui sont les Ojibwe/Chippewa/Anishinaabeg ?



*Carte des tribus membres, Great Lakes Indians Fish and Wildlife Commission (GLIFWC)*

# Statut légal et souveraineté Ojibwe

**Traités :** “This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the Contrary notwithstanding.” (**Article VI de la Constitution** )

# Statut légal et souveraineté Ojibwe

**Souveraineté** : “Several treaties had been entered into by the United States with the Cherokee Nation by which that Nation was acknowledged to be a sovereign nation, and by which the territory occupied by them was guaranteed to them by the United States” (**Worcester v. Georgia, Supreme Court decision 1832, 30**)

## Statut légal et souveraineté Ojibwe

**Droits réservés :** “The right of taking fish at all usual and accustomed places in common with the citizens of the Territory of Washington and the right of erecting temporary buildings for curing them, reserved to the Yakima Indians in the Treaty of 1859, was not a grant of right to the Indians, but a reservation by the Indians of rights already possessed and not granted away by them” **(United States v. Winans, Supreme Court decision 1905, 1)**

# **Demande de permis minier : déroulement**

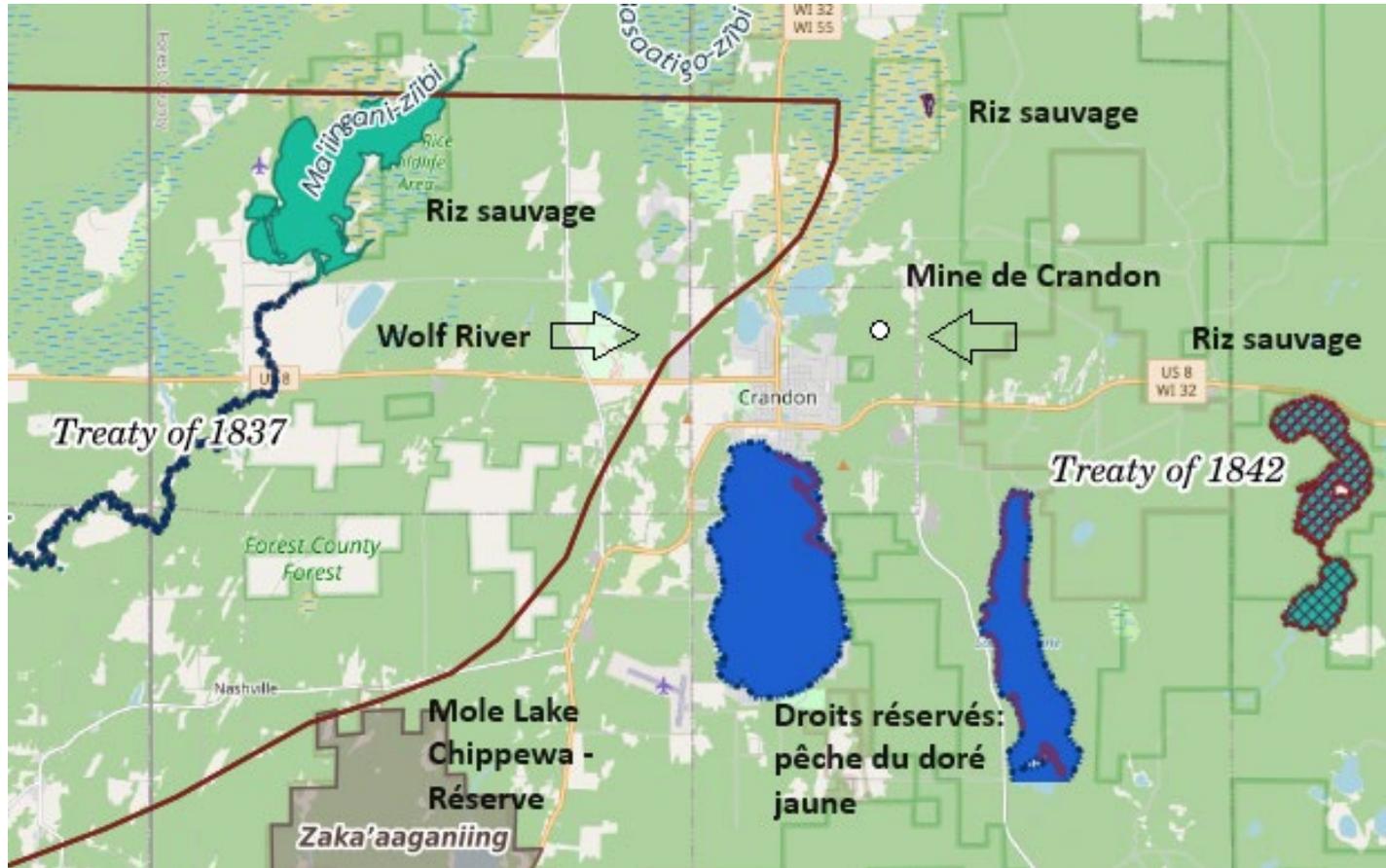
**1ère étape : Etude d'Impact Environnementale (EIE) déposée auprès du Département des Ressources Naturelles (DNR: agence étatique)**

**2ème étape : collaboration du DNR avec l'EPA fédérale et l'EPA étatique, avec l'Agence de Contrôle de la Pollution (PCA) et du U.S. Army Corps of Engineer (ACE).**

**3ème étape : élaboration et publication du rapport des agences, audiences publiques**

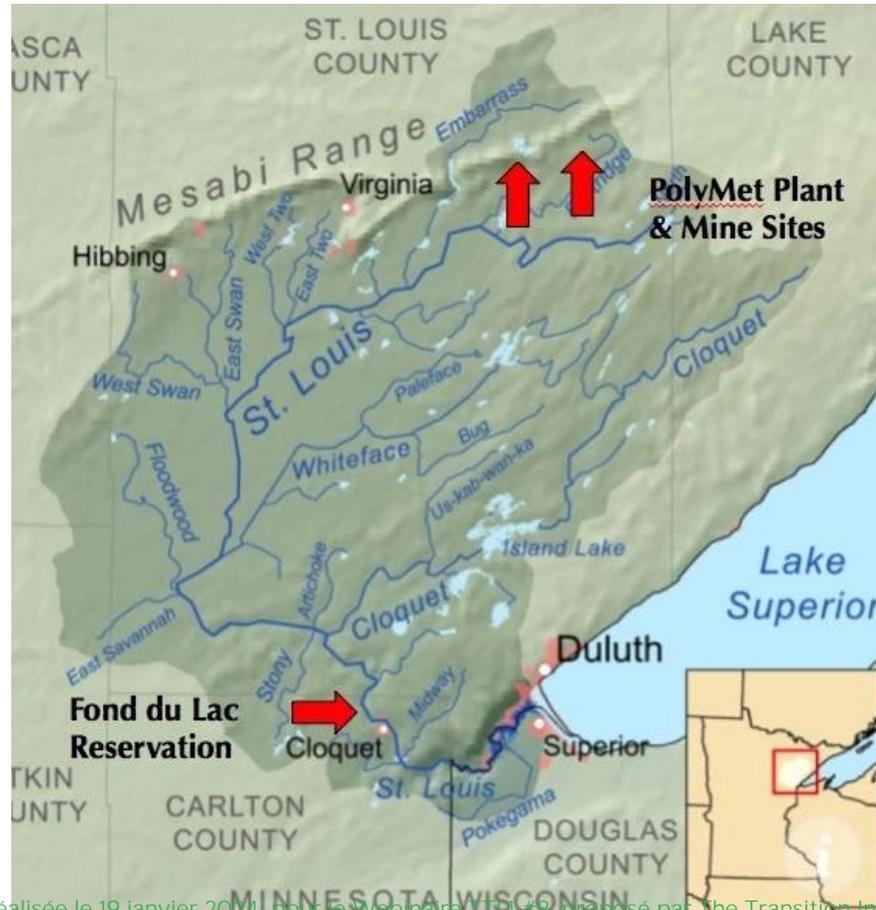
**4ème étape : décision du DNR**

# Mine de Crandon - Projet ExxonMinerals



*Carte des droits réservés GLIFWC*

# Mine Northmet - Projet PolyMet



# Politique, Extractivisme et Souveraineté Autochtone



James Klauser

Directeur du Département d'Administration du Wisconsin  
1986 – 1996

"James Klauser, top aid GOP Gov. Tommy Thompson and a former Capitol lobbyist for Exxon, is the governor's point man on the Indian treaty issue. [...] Klauser, who concedes his former law firm represented Exxon, says Gedicks and his group have been 'buzzing around my head' for years. 'They have all kind of conspiracy theories', he adds. 'Our firm represented the Democratic party once. That doesn't make me a Democrat.' Klauser said the Thompson administration favors only mineral development 'consistent' with state environmental standards.' "

Archives du Wisconsin State Journal, *Treaty Crisis: Cultures in Conflict*, 1990  
<http://www.wisconsinhistory.org/turningpoints/search.asp?id=1115>

# McGirt v. Oklahoma: ou la volonté des États à abolir la souveraineté autochtone

“Oklahoma claims that Congress ended the Creek Reservation during the so-called ‘allotment era’—a period when Congress sought to pressure many tribes to abandon their communal lifestyles and parcel their lands into smaller lots owned by individual tribal members. Missing from the allotment-era agreement with the Creek, see 31 Stat. 862–864, however, is any statute evincing anything like the “present and total surrender of all tribal interests” in the affected lands. And this Court has already rejected the argument that allotments automatically ended reservations.” (**McGirt v. Oklahoma, Supreme Court decision, 2020, 2)**)

# Great Lakes Indian Fish and Wildlife Commission

## Objectifs du GLIFWC

GLIFWC est activement impliqué dans un large éventail d'activités liées aux ressources visant à protéger et à améliorer les ressources naturelles et l'habitat dans les territoires cédés par traité, tout en intégrant une perspective ojibwé dans son travail.

- Affirmer et faire respecter les droits
- Changement climatique
- Application
- Environnement
- Foresterie
- Culture du riz sauvage
- Extractivisme
- Niveaux de mercure des lacs
- Pollution
- Pêche

Informations recueillies et traduites à partir du site du GLIFWC ([www.glifwc.org](http://www.glifwc.org))