

Roxanna Altholz:

Hello. And welcome to Borderlines, a show about global problems in a world fragmented by national borders. This is part two in a four-part series of special Borderlines episodes featuring Berkeley Law guest hosts Professor Laurel E. Fletcher, and myself, Professor Roxanna Altholz. We shine a spotlight on human rights champions, all guest speakers in our 2023 Human Rights Practice Workshop, where leading practitioners working in a variety of institutional settings share their struggles against corruption and impunity, the relationship between law and social justice and the future of human rights movements. So Natali, welcome to Borderlines. I'm so happy that you could join us today.

Natali Segovia:

Thanks so much for having me.

Roxanna Altholz:

Natali Segovia is an international human rights lawyer with extensive experience both in criminal defense work and in federal Indian law. She is a litigator and an advocate whose current work focuses on the protection of the earth and the rights of indigenous people and original nations affected by forced displacement, desecration of sacred lands and human rights violations as a result of extractive industry and mass development projects. And your work really focuses -- that could be a description for what's happening in the world -- but your work focuses on those issues in the United States. Natali's currently the Legal Director of the Water Protector Legal Collective, which is a legal nonprofit.

You have your law degree from Arizona State University with a concentration in international law and federal Indian law, and then dual undergraduate degrees in Latin American Studies and Political Science from Columbia University. So I'm really excited to talk with you today. I was hoping we could start with the Water Protector Legal Collective's origin story because it is established in a really specific set of circumstances that I think is going to identify many themes that we want to explore today. So could you tell us a little bit about the Water Collective's origin story?

Natali Segovia:

Sure. Thanks so much, Roxanna, and allianchu. My name is Natali Segovia. I have the honor of serving as the Legal Director of the Water Protector Legal Collective which began at Standing Rock, really grew out of the legal tent that was set up in support of water protectors and land defenders at Standing Rock. So these are indigenous peoples and their allies that were at Standing Rock that want to protect the water and future generation's access to that water and to ancestral lands that were on Lakota, Dakota and Nakota territories that would be impacted by the crossing of the Dakota Access Pipeline through those territories. There's a constitutional law case that went up to the Supreme Court in the 1980s about whether or not the United States had illegally seized land from the Lakota, Dakota, Nakota or Great Sioux Nation. And the case did actually find that the Black Hills and a great part of the Great Sioux Nation's land that had been subject to treaty between the Great Sioux Nation and the United States had in fact been taken by the United States.

And because we couch everything in terms of property law and Rights of Earth within the United States, I think our legal framework is based on that property foundation and contractual foundations, rather than looking at what would be a proper reparation for breaking a treaty of that proportion between nations, a government to government treaty. What the United States came back with was a judgment and they said, "Well, we'll give you money," and the Great Sioux Nation has continued to say, "No, the Black Hills are not for sale," and so that money is currently sitting in the US Treasury.

This is the backstory behind the Dakota Access Pipeline and why so many indigenous peoples, not just Lakota, Dakota, Nakota and Great Sioux Nation folks, went out to Standing Rock. I mean, Standing Rock was this pivotal moment within the indigenous rights movement internationally where people came together to stand as indigenous peoples and their allies to say, "This has to stop. The earth will stop giving at a certain point. We're at that point and the Dakota Access Pipeline is going to make our water unsafe," because it was crossing under Lake Oahe, which was the primary source of water for the reservation. So Dakota Access Pipeline was built, it's a mile off of the reservations and off of unceded territory. So that unceded territory was something that was a huge part of why this was a struggle for land, for ancestral lands, for water, for future generations and also just a historical struggle in general. So there were attorneys that flocked along with so many other supporters that flocked to Standing Rock, and many of those attorneys, there were two indigenous women that set up the legal tent, I believe one of them was an attorney, the other one was a law student at the time. And then from there, the legal tent grew. They had different shifts with attorneys coming in and out from different parts of the country.

And out of that effort, the Water Protector Legal Collective came and was formed in October of 2016 and brought some of the first cases, specifically asking for preliminary injunction. There've been other legal organizations that have also been involved in Standing Rock litigation, namely Earth Justice was also one of the organizations that brought some of the early preliminary injunction cases. I know Big Fire Law as well was counsel for the Cheyenne River Tribe, but really all asking for very similar things: to stop the Dakota Access Pipeline. And then in the case of the Water Protective Legal Collective, really stop the excessive use of force against water protectors. So what we had seen at Standing Rock was a massive deployment of private security forces of law enforcement out of Morton County Sheriff's Department or Sheriff's Office, but also a joint task force, and at multiple times during Standing Rock, which we generally refer to as having started camp in early 2016 and then extending all the way out to February 2017 when people left camp. So we've been fortunate to grow on that history.

It's a very difficult and storied history. And in 2019, we shifted out of North Dakota and are headquartered now in New Mexico. And our mission has really expanded to not just do the movement defense of water protectors that are being criminalized by the state in which we saw at Standing Rock, there were 800 criminal charges of water protectors, 800 criminal cases and about seven federal defendants. So we coordinated a lot of the legal defense for those 800 cases and once those wrapped up, moved up to New Mexico. So that's where we're at now, but we do work nationally and internationally and really focus on the protection, as you mentioned, of indigenous peoples and original nations, and the earth and climate justice movements.

Roxanna Altholz:

I want to definitely hear more about criminalization of water protectors in the United States, but I wanted to ask you about that moment of solidarity that resistance to the Dakota Access Pipeline inspired. You're a Quechua woman, I understand that you grew up mostly in Peru with strong ties to Colombia also. What did it mean to be in that place and to have these ties and connections that are transnational and building resistance to this particular development project?

Natali Segovia:

I was born and raised in New York actually, but have spent extensive parts of my life pretty much every year in Peru and in the mountains where my family's from, in Cusco and the Sacred Valley. But one of the things that I see and have seen since Standing Rock has also been the unification of indigenous movements around the world, right now at the Water Protector Legal Collective, we are working in

community with Pua Case who's one of the elders or Kupuna of the Protect Mauna Kea Movement. And in conversations with her, she's mentioned how it was a network of elder women in particular that were some of the movers and shakers behind the organization of the first camp at Standing Rock, so LaDonna Allard, who has since passed on, who was one of the founders of Sacred Stone Camp, and then also Joye Braun, who just recently passed as well.

But I think we see both women and youth in particular standing up and coming out of the woodwork and realizing that both elders and youth have a multi-generational effort and multinational effort to protect the water, protect the earth, protect something that is sacred beyond just ourselves, but for future generations. And I think for me, in my own traditions and also understanding my own role as a Quechua a woman, as a human, that we have the obligation, not just the rights, but really the obligations to the earth and to protect. And so for me, the legal work that we do comes straight out of that obligation, but I think that many people that came to Standing Rock and that go to different or have been to different front lines, feel that obligation of protection and feel that obligation of standing in solidarity with one another and being together, and also understanding that we're part of this global community that is now coming together and realizing that we are a sinking ship and we're going to sink or swim together.

I think that's become more urgent right in the climate disruption that we've been seeing across the world. I lived abroad for a couple of years, and Standing Rock was happening right at the cusp of when I returned. So unfortunately I wasn't there in person and did a lot of organizing outside of Standing Rock, but it wasn't lost upon me really the broad impact because there were people that went to Standing Rock from all nations. I mean, there's photos from Standing Rock that we have at WPLC that show the row of flags that entered as people would enter the reservation and the Standing Rock territory.

And having been back since, because we do have active litigation still around Standing Rock for use of excessive force from Morton County Sheriff's Department against water protectors -- seeing the space now at Standing Rock and seeing what it was via social media -- I mean, it was one of the first moments too where social media really erupted, I think, in a way that brought international attention and US media attention to an area that would be forgotten or not known about whatsoever. And I think it's one of the things that we've seen is the powerful rise of social media and being able to communicate and educate the general public and make people aware that these are things that happen. They've been happening for centuries, we just didn't have the benefit of Instagram and Facebook and other forms of social media to really make us aware of them in the past.

Roxanna Altholz:

Definitely cultural erasure is not as possible today-

Natali Segovia:

Absolutely.

Roxanna Altholz:

... as it was centuries ago. I wanted to go back to this image of multi nations, the image of the flags that you mentioned and part of Standing Rock coalesced around this idea or this protection afforded by international law of Free, Prior and Informed Consent. And so I wondered if you could explain a little more about what that means and to what extent you've seen that international protection carry significance in the United States, even though it's not incorporated into domestic law necessarily.

Natali Segovia:

So the UN Declaration of the Rights of Indigenous Peoples was passed in 2007, and although it was passed in 2007 in the United Nations, it was a 30-year project. And there's this incredible book by Charmaine White Face called *In the Light of Justice*, and it talks about... Sorry, I might've misspoken the title, but it's a book about the foundations of the UN Declaration and how there was also some co-option actually by the UN process of actually creating the document itself and indigenous activists working internationally since the 1970s to really bring this about. A lot of the language that indigenous peoples had drafted got left out of the Declaration, but the final product is still heralded as this incredible expansive document, which it is -- to what we have now, it is one of the most, or if not the most, expansive document that has been put in place within the international system to protect the rights of indigenous peoples.

But one of the main rights enunciated in the Declaration is the right to Free, Prior and Informed Consent. And within the US regulatory system as well as the majority of other countries, the US was not a signatory. It was one of the four countries that actually did not sign the Declaration early on, and then much later issued some support I believe in 2010. But along with, I think, Canada, New Zealand and Australia being other countries, and all of those countries have large indigenous or aboriginal populations.

Roxanna Altholz:

Correct.

Natali Segovia:

So it's not by chance that these were the countries that decided not to support the Declaration, although we've seen generally within the United States, this repudiation of giving up any amount of our national sovereignty to buy into the UN or to an international system and be accountable to other nations even though we were part of the League of Nations and part of the establishment of the United Nations in the first place, so a little bit of a double standard there as we've seen in decades past.

But one of the things within the US regulatory system for indigenous peoples, there are protections under the National Environmental Protection Act and other regulatory schemes that allow for consultation. And consultation is a requirement whenever historical, cultural or ancestral sites would be impacted by development or government infrastructure or any kind of corporate structure or extractive project. And similarly, the Clean Air Act, the Clean Water Act and other kind of regulatory laws, but the shortcomings of that is part of why the Free, Prior and Informed Consent is such an important aspect and is something that indigenous activists across the United States and across the world are bringing up over and over again now as an expansion of that consultation requirement. Because it's very easy for me to say, "You know what Roxanna, would you like it if I built this pipeline in your backyard?"

And you could say "No," and it's still checking the box of consultation. But the consent part of Free, Prior and Informed Consent is a completely different and much more expansive standard, so under that international standard, there has to be meaningful consultation. And what does meaningful consultation mean? I mean, I think that's still subject to a lot of current litigation and discussion in the international community and within even active litigation within the United States.

Roxanna Altholz:

I've even heard with my experience with indigenous communities in Latin America that stories about how the consultation standard is being used as a way to go into communities. It's not just a neutral

standard, but it's actually being used by powerful actors including the extractive sector to go into communities. Do you think that's also a dynamic that plays out here in the United States? Obviously, consent is a higher standard, but it isn't just that it's a higher standard, why it's important it's that consultation and just consultation without that added protection could actually lead to harm.

Natali Segovia:

Absolutely. I think one of the unfortunate things that we've seen too is that there are oftentimes when the broader community may be at odds with those that are tribal representatives or governments. We've seen it in Latin America with the Wayuu communities in Colombia where they might speak to one chief, but it's a matriarchal society, and if someone is talking to the wrong person, there's a possibility for that consultation to not have even be adequate or effective, or even have taken into account the customs and traditions and practices of those indigenous communities that are being, quote, unquote, "consulted." And I think within the United States, which has led to loss of land and has led to forced displacement due to extractive industries and mining in particular in a lot of places, but also infrastructure.

And I think in the US there's been something very similar where you might have a pro-industry or pro-corporate extractive project, or there might be a corporation that is willing to provide some benefits, supposed benefits at least in the short term, maybe a payout, maybe something that will encourage families that often don't have access to water or don't have access to the basic necessities of life, and you're offering them a \$10,000 check or \$5,000 check, which ultimately won't go that far, but for them in the now, it's something that might be appealing and that could lead to providing some kind of consent via consultation. But truly, I think there are deficiencies within that. We've seen it over and over again. And also within the US frameworks, there is not sufficient protection for what is cultural protections, what are sacred sites or ancestral sites that without access to those specific sites and locations and areas, it could be absolutely devastating for an entire culture or an entire community, or an entire peoples.

So in the case, for instance, of Oak Flat in Arizona, this was over 20 years of community from the different bands of Apache, White Mountain Apache in particular and Apache Stronghold, preventing congressional testimony, going to Congress for over 20 years in opposition to Resolution Copper, bringing in a copper mine into Oak Flat. And then really with the swipe of a pen, seeing a land transfer of public lands into private hands where, and this was done under Senator John McCain, and I think it was on page 1,300 or something of a 3000-page Defense Spending Bill, and it was a midnight rider added at the very last minute and signed over to Resolution Copper, undoing decades of community advocacy and community work in opposition to the copper mine at Oak Flat. So I think we see things like this regularly if we're paying attention, but it's not something that we hear about often if we're not.

Roxanna Altholz:

And so you have a domestic system that has gaps and deficiencies in comparison to the international protections. How do you leverage the international protections? How do you, in your work at the Collective leverage the corpus, the international, often human rights law and the institutions of protections that are available both internationally through the UN, but also regionally in the inter-American system? Is it helpful and how is it helpful?

Natali Segovia:

I think one of the ways that the US legal system and the US legal education prepares us as litigators in particular is it reinforces this adversarial system where winning is the end goal, but for indigenous peoples and for those that have fought for rights for so long, sometimes losing is also a win. I mean, we see that with some of the cases that changed the public sentiment, but lost in the Supreme Court. This was, I think, part of what we saw at the civil rights movement. I mean, we saw separate but equal being overturned eventually, but really seeing things that were enshrined in law and created in law that were not in line with some of the things that civil society has been asking for. And I think that as part of the work that we do and that we try to honor is the people that we work with and the people that we represent.

And I think it's a little bit different than the way that we're taught in law to function. It's more of a community-based lawyering approach where trying to shift the transactional nature of the law into something that is relational, drawing from those indigenous methodologies and practices that we come from, but also understanding that we've been losing, if we're going to put it in terms of winning and losing, we've been losing for generations. Indigenous peoples all over the world have lost for centuries. I mean, loss of land, loss of sovereignty, loss of self-determination, loss of culture, loss of identity, loss of language. There's a reclaiming of language and a reclaiming of identities and a reclaiming of ancestral lands and a recognition of histories, and so much that's being uncovered now, the boarding schools, that enduring legacy of boarding schools which led to so much of that cultural genocide, truly of that loss of identity and loss of culture and loss of an understanding of self that came from those pieces being eradicated from children, entire generations, it's a lost generation. And then how do you pass that on to the next generation?

So I think bearing that in mind, when we take up legal cases, there are many times when I think in civil rights work in particular around the country, we hear from civil rights practitioners an unwillingness to bring cases for fear of creating bad law. And it's a very difficult thing to weigh because on the one hand, as legal practitioners, as lawyers, we want to not create harm and not create these terrible new precedents that could be used against other communities. But then there's also, how do we respect the wishes of people that we are representing that also have a very strong feeling that part of winning in the long term might also include a loss in the short term, but it might also create more conversation in the public and understanding that this can't go on?

I mean, there's cases that are still good law from the 1970s. I mean, one of the foundational seminal cases of federal Indian law is *Johnson v. McIntosh* from the early 1820s, and it's a property case, but basically establishes that the United States had a property interest in lands that were "an extinguished aboriginal title" as they put it. So there is this extinguishment of indigenous rights from the jump, and so now we have... Those are the challenges that we're facing and that are seemingly insurmountable, but if we bring in the international human rights frameworks, yes, they're aspirational. Yes, they might not necessarily be binding in the way that we are taught within the legal education and academia.

You have to use binding law, binding precedent. This is what you rely on. And I've had lawyers that have been very resistant to using international human rights frameworks within domestic litigation or in US courts because they say, "Well, it's not going to win," but maybe we're asking the wrong question. It shouldn't be, what do we need to win? But how can we present something that's also representative of the interests of the people that we are representing and elevating the conversation beyond just the court system?

Roxanna Altholz:

There's a narrowing in the United States of our understanding of justice as something that can only be delivered by a court. And at the same time, for many marginalized communities or disenfranchised



communities, the kind of justice that courts can deliver is manifestly inadequate and unsatisfying. So how do we as advocates think long-term with just for this conversation, litigation strategy? So you begin to open up some of those very cramped notions of what justice means, and that's really, really difficult. I wanted to go back to something you said when you mentioned the United Nations Declaration on the Rights of Indigenous Peoples, which as you mentioned, was adopted by the UN General Assembly in 2007 by 143 states, and there were four states that voted against, Australia, Canada, New Zealand, and the United States. What was the United States' concerns with that declaration? Where do you see the biggest tensions between the protections afforded and established by that declaration and US law?

Natali Segovia:

So I think this goes back to how do you use international law within, the last question that you asked me, within the US. And I'll just add to that because I think it's tied to this. The Supremacy Clause of the Constitution gives international law a place within the US framework, and it talks about the role of treaties and international law as the supreme law of the land in addition to the Constitution. So I think one of the things that we try to, and I think that's the hook for a lot of the litigation and use of international law within US legal briefs, but I think one of the things that we've seen, which you're mentioning right now -- the largest tension stems from that lack of understanding and that the crux of the issue is sovereignty.

I think that the United States has respected its own sovereignty and really hasn't wanted to cede any of that power to the international system, but also to other countries, and in the case of tribal nations or indigenous peoples to other tribal governments. So it was created within the US similar to other countries like New Zealand, Canada is this government to government relationship with tribes or tribal nations. Within the US there's a little bit over 500 federally recognized tribes. There's many, many, many that are not federally recognized. Federal recognition is a whole other topic on itself-

Roxanna Altholz:

A whole other podcast.

Natali Segovia:

... but I think when the United States saw that self-determination was one of the articles or one of the things talked about expansively within the United Nations Declaration on the Rights of Indigenous Peoples, I think it makes the US and any settler country, we'll call it that, a superseding nation that was created on top of an indigenous nation or nations very anxious because it means that it would be recognizing that indigenous peoples have the right to freely determine their cultural, political and economic governance within the international system.

Within the UN Declaration, they specifically limited it to the boundaries of the nation state within which those indigenous peoples reside, so I think that that was the limitation that was really pushed for by the United States in great part and why they were so opposed in great part to the UN DRIP being passed, and also their staunch resistance. And if you look at the, I think it was Obama that issued a proclamation about the UN DRIP afterwards, either 2008 or 2010, but it's very hedged in its wording. And I think a huge part of that is because we have this US federal Indian law framework that is nation to nation, government to government, but tribal nations are, quote, "domestic dependent nations."

So there's this paternalistic, patriarchal father-child sort of relationship between the US government being the father to take care of the tribal nations in trust and perpetuity. And when I think about trusts, and I'm not a wills and estates lawyer, but when we think about these things in law school and we're

taught this in law school, you think about a trust as something that eventually will probably end, especially if the person comes of age. So I'm still wondering, when are tribal nations going to come of age and when is this trust relationship going to end? But there's no end in sight, and that's something that is just built into the legal system within the US framework.

Roxanna Altholz:

Does UN DRIP, the Declaration challenge that particular formulation of relationships-

Natali Segovia:

Yes.

Roxanna Altholz:

... in the self-determination provisions, but in other ways also?

Natali Segovia:

I'm thinking about the ICCPR and other international treaties that have been more expansive in terms of self-determination. So I honestly don't think that UN DRIP challenges it as much as those-

Roxanna Altholz:

It's a high standard -

Natali Segovia:

... exactly. And I think that they really hedged a lot of their language as well, which was something that in the book by Charmaine White Face, she really talks about how the earlier drafts of the Declaration were completely kind of let go because there were and there are indigenous peoples and activists since the '70s that have been moving towards actual sovereignty in many different ways, including language, including culture, including self-governance. So I do think that there are a lot of things within the Declaration that are challenging for the United States to really want to give additional power to. But in spite of the shortcomings, I do think it's a good political tool. I think it's a good aspirational tool that we can use in whether it's legal advocacy or within our writing within US courts.

Roxanna Altholz:

So I wanted to return to some of the human rights violations that you see taking place in the United States, particularly what you mentioned regarding the criminalization of water protectors. Globally, we see this increasing danger and risk that indigenous peoples in particular face of harassment and displacement and violence because so often they are in the front lines of protecting environments and traditional ways of being. And so I wanted to ask you, to what extent do you see criminalization of water protectors in the United States to be a separate phenomena or to be very similar to what you see happening globally?

Natali Segovia:

I think American exceptionalism has always been part of how the US has moved forward in the way that we've done things here. And looking at how the US has maybe done things with the law here as well, there might be a sense of, "Well, we're exempt from human rights violations. We are the city on the



shining hill, and we have this intact human rights record." I think for any human rights attorney like yourself and so many others that are paying attention to these issues on a daily basis, I think we could really say with full certainty that that's not actually the case. Guantanamo is still open, just to cite a quick example. But I think in terms of indigenous peoples and some of the struggles for ancestral lands and water and the protection of water and the protection of the earth, I think that it's in line with a lot of what we're seeing, the criminalization and sheer violence that has been used against water protectors, land defenders, human rights defenders across the world.

So in that way, I think that American exceptionalism hasn't been the case. However, I think that the US has done it differently in some ways, and I'm thinking about the movie Super Size Me right now. I mean, it seems like that. It seems like we have what we're seeing, I mean, with Standing Rock, 800 criminal cases coming out of what was mostly peaceful protest and prayerful protest. I mean, it's astounding. When this was brought up to the UN system and brought up to Special Rapporteurs, there was a report on the use of private security forces, TigerSwan in particular, by Energy Transfer Partners, the company behind the Dakota Access Pipeline. And many of those that were employed by TigerSwan and ETP were former military that had PTSD that have returned from wars and have been in situations where they were asked to engage with an enemy and enemy combatants.

And in the leak of documents that happened in 2016 from TigerSwan records by The Intercept, we saw WhatsApp messages that talked about water protectors as jihadists and referred to the water protector movement as insurgents. And what we've seen over and over again, we saw it also at Line 3 in Minnesota with the employment by these corporations of contractors or people that are within their organizations that have had training in places like Liberia, places in Africa, places in South America that have faced insurgency, that have faced pirates and really the treatment of human rights defenders, water protectors, land defenders, anyone that's willing to be on a front line in protection of the water and the earth, and to do that pretty much at any cost via nonviolent direct action mainly. We've seen them just very willing to employ these people, first off, which brings a mentality to the corporation and to the tactics that the corporations use against anybody that would resist or that would oppose these projects.

But then you also see lawfare, and we've seen the broad criminalization through state apparatuses. In Line 3, we saw the funding of prosecution of water protectors by Enbridge, the company behind Line 3. And it's a model that I think the different corporations that are involved in extractive industry have learned from each other and are continuing to learn from each other. One thing we know is that Sheriff Kirchmeier, who was the sheriff of Morton County, I think he still is, after Standing Rock did a speaking tour across the country to other sheriff's departments, particularly in areas that are energy sensitive, telling them, "This is how you deal with insurgents." So I think that there is part of a mentality across the board in corporations, but then you also have the lawfare of bringing prosecution, bringing SLAPP suits -- so, Strategic Lawsuits Against Public Participation -- suits are usually meant to cripple a smaller organization or an individual that the lawsuit is brought against, so we saw this in the case of Standing Rock.

ETP brought a case against Greenpeace and several other organizations in, I want to say 2017 in federal district court. It was dismissed, basically the court said it was a frivolous lawsuit. But part of the case that ETP brought against Greenpeace was that Greenpeace was funding indigenous water protectors and training them in direct action and making it possible for people to be in opposition to the Dakota Access Pipeline, all things which were not true, but that they brought anyway. And of course, these SLAPP suits really engage time and effort and expense in terms of the defense of these SLAPP suits, and so even WPLC, we received a third party subpoena in the SLAPP suit related to the... When the federal

litigation was dismissed, they turned around and refiled in state, so now there's pending state litigation in North Dakota, so that is still ongoing.

But we see this over and over again, and we've seen it now with also really prolonged sentences. So in the case of environmental activist, Jessica Reznicek, who was also at the Dakota Access Pipeline, she created property damage of the pipeline infrastructure that was probably valued in the millions, maybe one to three million. So usually within the criminal defense or just defense system that would be considered property damage or sabotage at worst, but certainly not domestic terrorism. And she was charged with... At sentencing, the prosecutor asked the judge to apply domestic terrorism sentencing enhancement, which took her time in custody in prison from three years to over eight years. So she's currently serving out that time, but we've seen also that the law, whether it's the judges and the prosecutors and just generally the legal system also really coming down very, very harshly on water protectors in the US.

Roxanna Altholz:

So to wrap up, I wanted to end on a look towards the future, and where do you see your organization and the different movements in the United States successfully leveraging international law, international human rights law in defense of tribal sovereignty?

Natali Segovia:

That's a wonderful question to end on. One of the things that I draw a lot of strength from is the people that we represent and the people that have been doing this much longer than I have. There are elders in their communities that just recognize that what's at stake is so far beyond ourselves and so far beyond our limited time on earth, that we have the ability to plant a seed and hope that future generations will carry it forward. So one of the things that I firmly believe in is that we each have the ability to take on the mantle of human rights protection, whatever our role in society, whatever it is that we're doing, and really carry that forward with us. And I do think that there is the ability to change the fabric of the law. I mean, the fabric of the law, I do think of it as tapestry. It's something that we've woven over time for centuries, and my people in Peru are weavers.

We weave, we're known for tapestries. And I think that, that is something that when we think about how the law has been constructed over centuries, it's been constructed carefully and it's been constructed in a way that was intentional, but it's also changed, and that means that you can unweave and you can re-weave, can create new tapestry from old fabric. And I think that we have that possibility of doing that within the US, and part of it is understanding that maybe the notions that we have now or have held for a long time might not be suitable for the world that we want to create or the world that we need to live in as a result of our own actions as humans, where the earth is at a breaking point and is saying, "I can't do this anymore and you'll have to figure out how to do this differently and help me do it."

So I think that that's where we are at, not just at WPLC, but in all the human rights organizations and environmental organizations that we work with and community partners that we work with, and indigenous peoples, and Black and Latino and Latina communities that we work with. These are the things that we're talking about of how can we respect the earth and also plant that seed for future generations. Part of it is looking at the aspirational, part of it is bringing in those things and understanding that we've been doing it in a certain way and it hasn't been working, so how can we do things differently? And I think part of it is a collective shift of consciousness, of understanding that

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collectively we're responsible for the fabric of the law, and if that's our collective responsibility, then we have a collective ability to also shift it.

Roxanna Altholz:

That's such a wonderful way to end because I often think of the law as an instrument to maintain the status quo and the status quo is unsustainable, and so will the law... We think about, will our political leaders be able to rise to this particular moment and give us the vision and the leadership that the earth is calling for? But yeah, is the law also going to be able to rise to this moment and help create a world that is more sustainable than the one we have? Thank you so much, Natali. I really appreciate your time and your work, and we will continue to follow your activities, the Collective. Thank you so much.

Natali Segovia:

Thank you so much. Yupaichani.

Roxanna Altholz:

Thank you for listening to this special episode of Borderlines, Part 2 of the Human Rights Practice Workshop Series. Don't miss any episodes, be sure to subscribe to Borderlines.