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Indigenous Women File OECD Specific Instance Against Credit Suisse for Rights Violations Regarding Pipeline Financing

Joint press release in collaboration with Divest Invest Protect and The Women's Earth and Climate Action Network (WECAN) International

SAN FRANCISCO BAY AREA, California (January 30, 2020) – [Divest Invest Protect \(DIP\)](#), [the Women's Earth and Climate Action Network \(WECAN\) International](#), and [the Indigenous Peoples Law and Policy \(IPLP\) Program at the University of Arizona](#) are announcing the filing of a "Specific Instance" with the Organization for Economic Co-operation and Development (OECD) regarding Credit Suisse and adverse impacts to Indigenous peoples and environment through continued corporate finance to firms that built the Dakota Access Pipeline (DAPL) and Bayou Bridge Pipeline (BBP).

The filing by Indigenous women, comes after an almost two year period of WECAN and DIP exchanges with Credit Suisse involving letters, two in-person meetings with Credit Suisse representatives, ongoing correspondence to share information of violations and adverse impacts, and further documentation at the 2018 Credit Suisse Annual General Meeting in Zurich, Switzerland.

Indigenous women have maintained good faith dialogue with Credit Suisse, however, due to a lack of action by Credit Suisse, they are lodging an OECD Specific Instance in hopes that it will act as a catalyst for action towards civil dialogue, justice, remedy, and human rights accountability.

While Credit Suisse has recently signed the global [Principles for Responsible Banking](#), a set of principles to align financial institutions' business strategy with society's goals, the bank continues to heavily finance the fossil fuel industry, which adversely impacts the rights of Indigenous peoples, and is driving the climate crisis. Since the signing of the Paris Climate Agreement, Credit Suisse has spent more than [\\$57 billion funding the fossil fuel life cycle](#), and is one of Europe's top ten financiers of extreme fossil fuels.

The OECD Guidelines are the only government-backed international instrument on responsible business conduct with a built-in grievance mechanism, referred to as a "Specific Instance." Under this mechanism, representatives in OECD member countries (or National Contact Points) provide a platform for mediation and engagement that is compatible with OECD policies as well as assistance to stakeholders to help find a resolution for issues arising from the alleged non-observance of the Guidelines. Recently, [the Society for Threatened Peoples \(STP\) and Credit Suisse concluded a mediation process](#) via the OECD, which led to Credit Suisse incorporating the protection of Indigenous communities' rights into its internal guidelines on project financing.

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This filing is also supported by the Indigenous Human Rights Defenders and Corporate Accountability Program at the University of Arizona and the International Human Rights Clinic at Western New England University School of Law.

Members of the media are encouraged to reach out with any questions and interview requests for Michelle Cook or Osprey Orielle Lake.

"The OECD Specific Instance prepared and filed by indigenous women will bring much-needed attention to the structural failures of the financial industry to adhere and align with indigenous people's human rights. We are confident that our filing and engagement will expose the dangerous loopholes that allow banks and businesses to act with impunity over our cultural survival, climate, and futures. The financial sector must listen to the movements of indigenous peoples, and guarantee that human rights and indigenous peoples rights to free, prior, and informed consent will be respected and protected throughout their supply chains, in all their business relationships irrespective of the type of finance or financial product the banks have provided." **Michelle Cook, Dine' (Navajo) human rights lawyer, Founder of 'Divest Invest Protect' and Co-Director of the Indigenous Women's Divestment Delegations**

"I am Native to my land. I love my land and all I want to do is protect it for my great grandchildren, why is that so wrong? Stop fossil fuel corporations from destroying the land and water now, Mni Wiconi." **LaDonna Brave Bull Allard, Ta Maka Waste Win-Her Good Earth Woman, Lakota Historian, Genealogist and Water Protector, member of the Standing Rock Sioux**

"I am descended from Sitting Bull's band. In 2014 prior to the construction of the Dakota Access Pipeline (DAPL) our Tribal Council informed the company that wanted to build DAPL, that they would not and could not consent to the construction of this pipeline. The danger was too close and an oil spill would be disastrous for our eight communities on Standing Rock. We immediately put a call out to the world. We asked people to come and stand with us. For nearly seven months my family and I camped along the Cannonball River with thousands of others who came to support us. During that time my four children and I witnessed firsthand the extreme and brutal human rights abuses that were committed against our people and others in our homelands. These human rights abuses included: private security contractors using attack dogs on unarmed people (including myself), being terrorized by low flying aircraft that circled our camps 24 hours a day, to shooting our horses and people by law enforcement. My Tribal Government explicitly said no to DAPL. Our communities on Standing Rock said no to DAPL. There was no Free, Prior or Informed Consent as required under International Law in accordance with the U.N. Declaration on the Rights of Indigenous Peoples. It is time to hold the decision makers, government officials and financial institutions ACCOUNTABLE. It is time for them to answer to the people in my community, the very people affected by their funding of DAPL." **Wašté Wi Yellow Lodge-Young, Lakota/Dakota, Standing Rock Nation**

"In the pursuit of justice and climate mitigation, WECAN International is calling for financial institutions engaged in fossil fuel extraction and development projects to stop business as usual given egregious violations against Indigenous peoples and their lands as we face the unprecedented challenge of a world plunging into climate chaos. Credit Suisse needs to listen to Indigenous women and adhere to their demands, which are founded on requests for basic respect for obtaining Free, Prior and Informed Consent (FPIC) of Indigenous communities, as required under international law. It is far past time for financial institutions to be held accountable for both project level and corporate level financing, and the OECD filing is a pivotal contribution to the ongoing global struggle to respect FPIC and to transition off of fossil fuels. Now is the time for banks to move toward a just and sustainable future for all where the rights of Indigenous people are upheld and we protect our climate and communities." **Osprey Orielle Lake, Executive Director of the Women's Earth and Climate Action Network (WECAN) and Co-Director of the Indigenous Women's Divestment Delegations**

For a photo to accompany the press release please click here.



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