

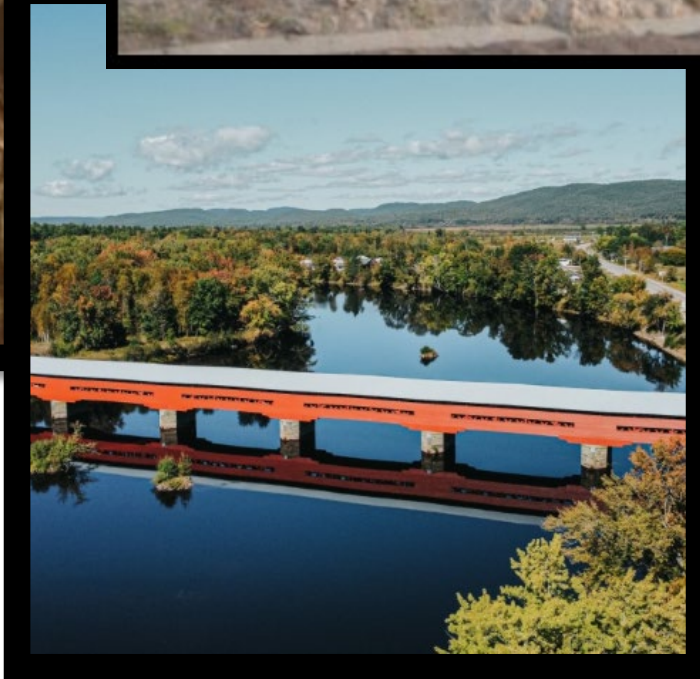
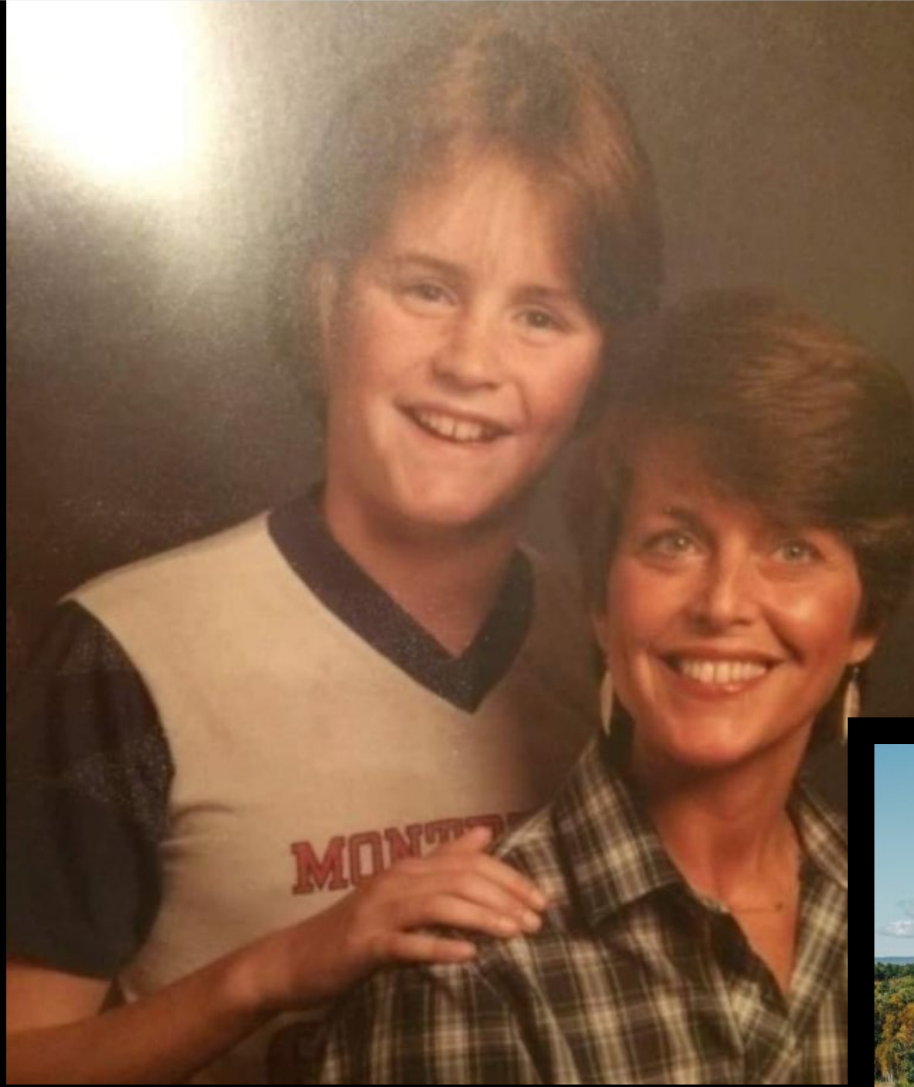
Restoring Access to Water: the long road

The Rio Yaqui: a case study / caso #13.001 IACHR

Presented by James Hopkins, Associate Clinical Professor, Indigenous Peoples Law and Policy Program (IPLP), James E. Rogers College of Law, University of Arizona, Tucson, AZ USA



Commission for Environmental Cooperation
Joint Public Advisory Committee
Oaxaca, Mexico
November 29, 2023



The American Indian in Western Legal Thought

THE DISCOURSES OF CONQUEST

Robert A. Williams, Jr.

A short summary of me

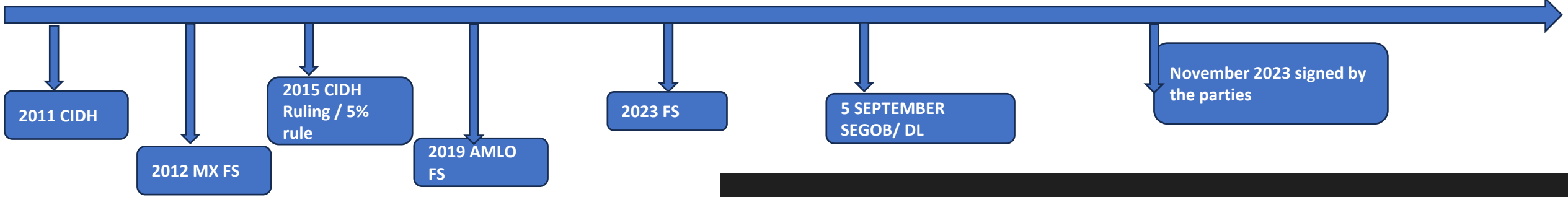
Summary of the Rio Yaqui case

- *Tribu Yaqui v. Mexico*, CIDH, Washington D.C.
- The case pursued a claim for loss of land, water, culture, life, liberty and security and to be free from discrimination based on Yaqui identity, Yaqui customary law, and socio-economic status.
- The case addressed, identified, and interwove:
 - (a) the political conflicts over Yaqui land, water, and natural resources development with
 - (b) on going cartel violence, environmental devastation, toxicology, air and water pollution, high Yaqui infant mortality, and the denial of basic services.

Politics, conflicts, land, water, environment, public health, public safety: layered



IACHR timeline



Friendly Settlement and the Rio Yaqui case

- “FS” is resolution mechanism to an on going case. IACHR oversees and implements the terms.
- This is a settlement claim for loss of Yaqui land, water, culture, life, liberty and security, and to be free from discrimination based on Yaqui identity and socio-economic status.
- It has been a rolling, complicated, case with big ups and downs:
 - (a) the political conflicts over Yaqui land, water, and natural resources development (Aquaducto Independencia, Gasoducto IENOVA);
 - (b) The on going cartel violence, environmental devastation, toxicology, air and water pollution, high Yaqui infant mortality, and the denial of basic services.

Mexico commits to a “New Deal”: reparations and restitution via the Yaqui Justice Plan

- 5,200 square kilometers are put into trust with Yaqui title;
- Delivery of the Yaqui canal (aqueduct);
- Infrastructure to include a hospital, schools, and a university;
- Financial and technical support for Yaqui enterprises (i.e. farming);
- Specific capital dollars that target water delivery;
- Recognition of the Rio Yaqui basin as a binational basin;
- Recognition of the Pascua Yaqui Tribe as a beneficiary (signatory);
- Recognition of Yaqui reserved rights to the Yaqui territory (shared not given).

Passage by land to CALIFORNIA
Discovered by Father Eusebius
Francis Kino a Jesuit;
between the Years 1698, & 1701.
containing likewise the
New Missions of the Jesuits.

Father Kino's Map 1698





The Rio Yaqui Basin

- Upper
- Middle
- Lower

Extant Status:

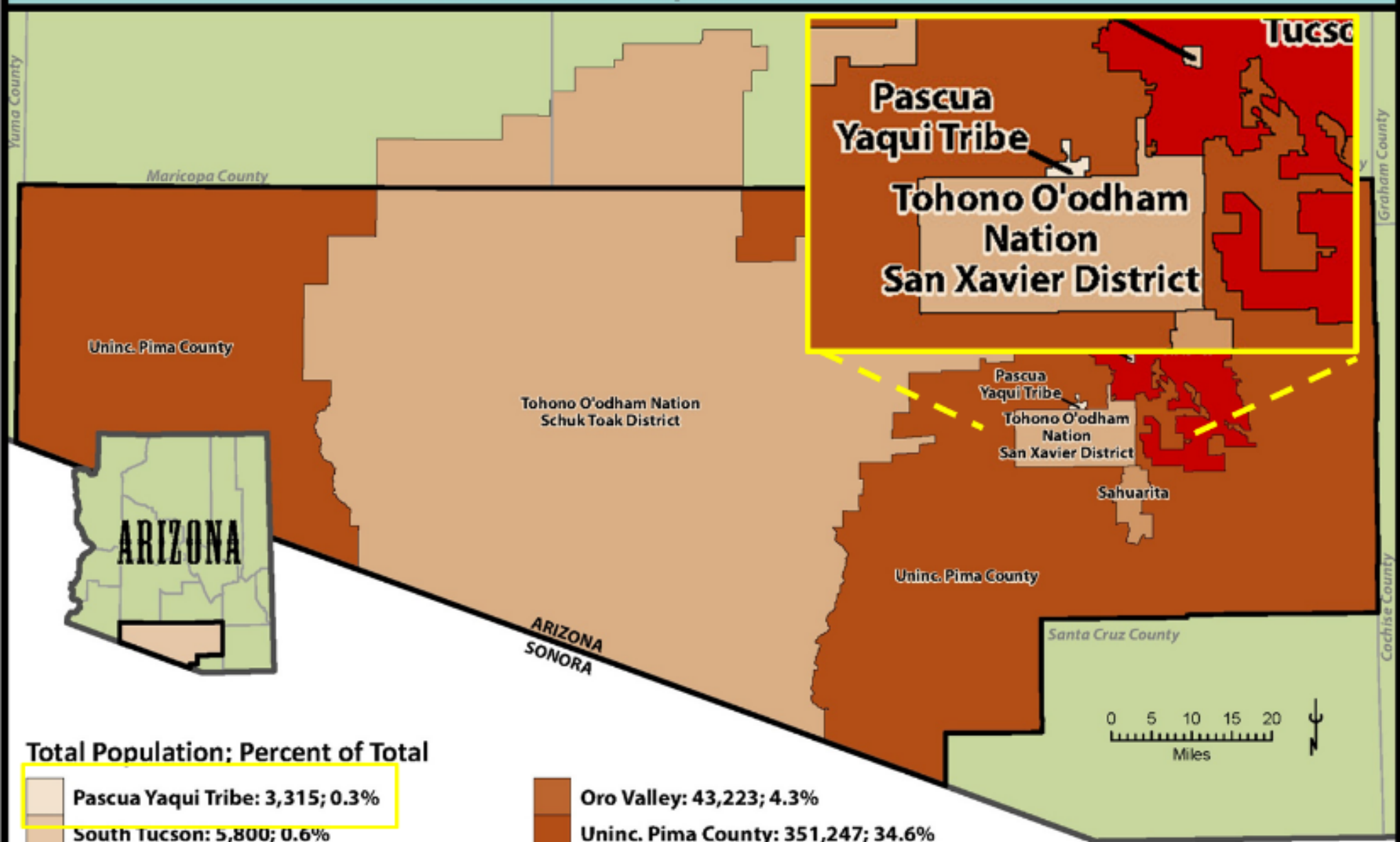
Upper (U.S.A.)
Lower (Mexico)

Pueblo Bacum. Son.

H

EPESC
YERET





Total Population: Percent of Total

	Pascua Yaqui Tribe: 3,315; 0.3%		Oro Valley: 43,223; 4.3%
	South Tucson: 5,800; 0.6%		Uninc. Pima County: 351,247; 34.6%
	Tohono O'odham Nation Total: 9,545; 0.9%		Tucson: 543,959; 53.6%
	Sahuarita: 23,190; 2.3%		Pima County Total: 1,014,023
	Marana: 33,744; 3.3%		

The information included on this map has been compiled from a variety of sources and is subject to change without notice. Pima Association of Governments makes no representation or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information.



The Rio Yaqui Basin and the Yaqui indigenous peoples (U.S. – Mexico)

Eight Yaqui Pueblos in the Yaqui Delta



© 2017 Google


Las Pitahayas

Huinbis

Pótam

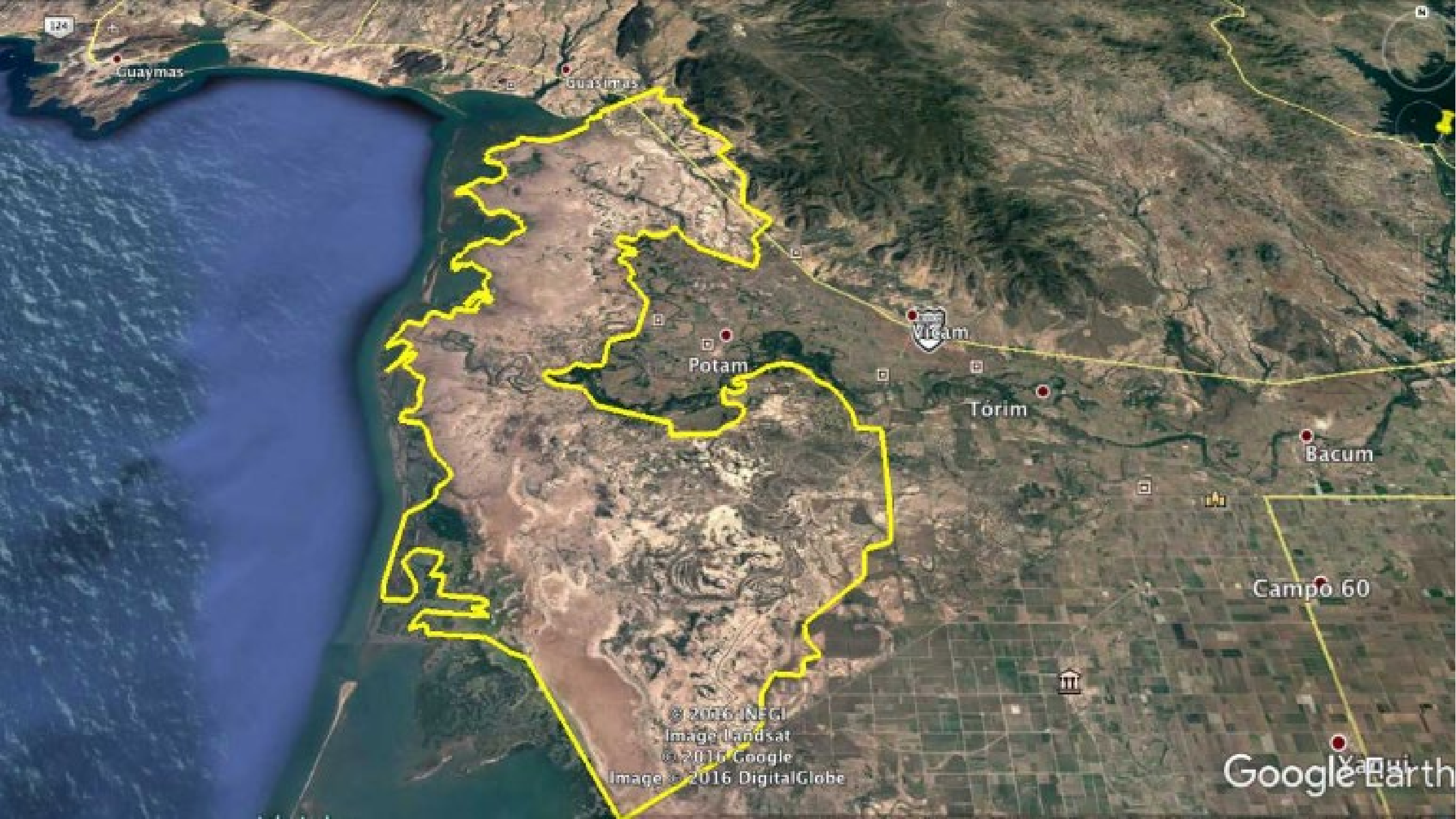
Siuti

 **Gulf of California**
27.653225, -110.608982



3D
+
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↑





124

Guaymas

Guaymas

Potam

Viam

Torim

Bacum

Campo 60

Yajui

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Image Landsat
© 2016 Google
Image © 2016 DigitalGlobe

Google Earth



Loma de Guamuchil

Loma de Bacum

Bacum

Torim

Vicam

Potam

Guasimas

Pueblo Yaqui

Campo 60

Yaqui

Image Landsat

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Isla Lobos

Google Earth

28°09'16.18" N 109°53'50.06" W elev 424 ft eye alt 43.20 mi



Desertification Outline

Desertification of the Rio Yaqui Delta in Sonora Mexico. Outlined in yellow, approximately 876 square kilometers of the Rio Yaqui Delta region have been lost to desertification due to upstream dams and diversions on the Rio Yaqui that have resulted in salt water intrusion 30 kilometers inland from the Pacific Ocean.

Image Landsat
 © 2016 Google
 Image © 2016 DigitalGlobe
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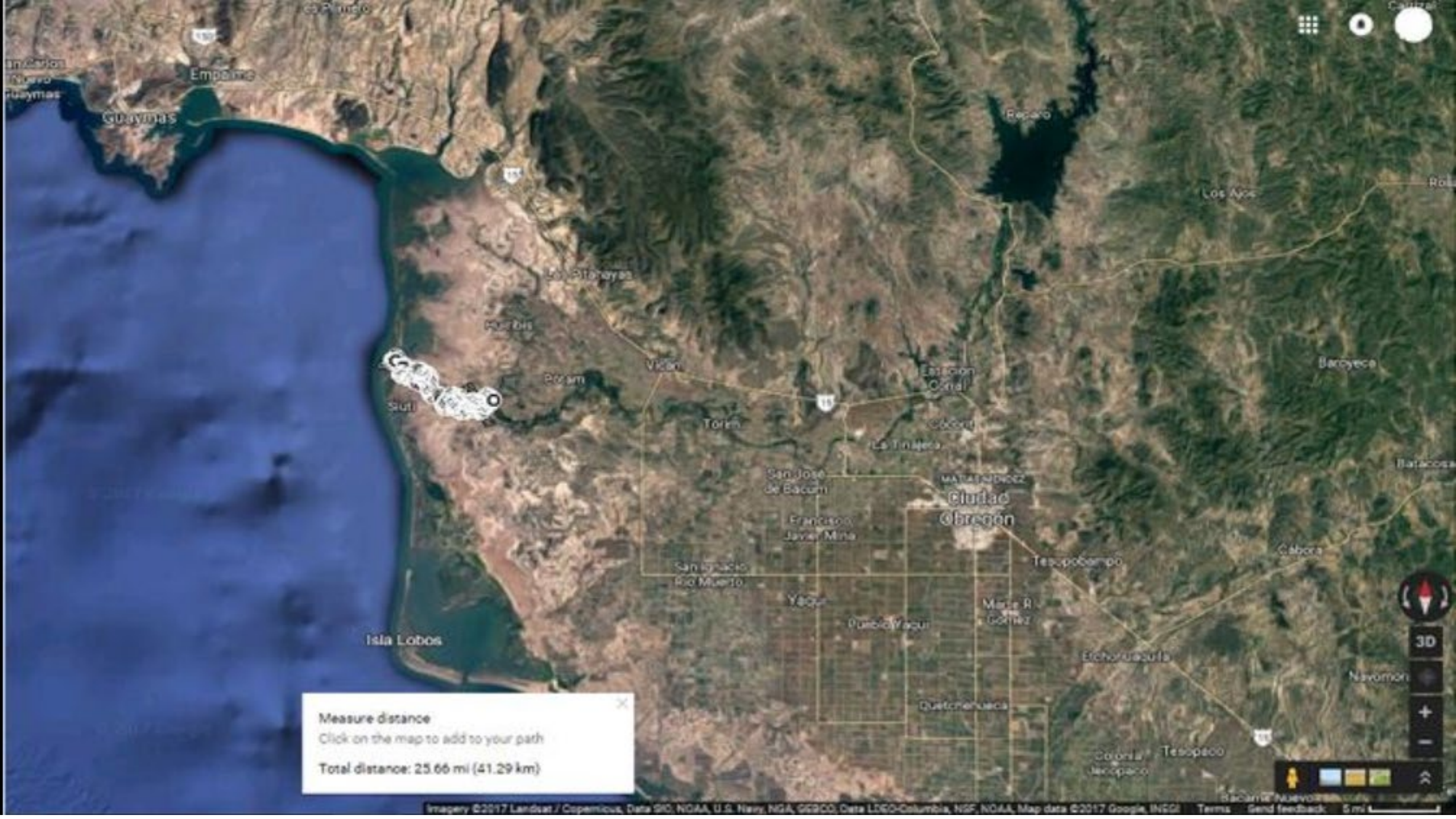
Google Earth

27°28'11.08" N 110°29'55.56" W elev -5 ft eye alt 11.48 mi

3.48 mi



Carretera Federal Guaymas - Culiacán



Measure distance
Click on the map to add to your path
Total distance: 25.66 mi (41.29 km)



<https://youtu.be/zi6lrN9nGvU>

Niños viendo fumigar



Rio Yaqui: no water no river

