

**Indian Council of South America  
Indigenous Peoples and Nations Coalition  
Koani Foundation, International Council For Human Rights**

Human Rights Council  
16th Session 28 February - 25 March 2011  
Item 6 UPR General Debate Friday 18 March  
Ambassador Ronald Barnes

Mr/Madame Chair,

We congratulate the United States of America for cooperating in your first examination of your human rights record for the Universal Periodic Review of the Human Rights Council.

Our delegation noted in its Shadow Report by the Indigenous Peoples and Nations Coalition, the Koani Foundation and the International Council For Human rights and supported by CISA and other international Non-Governmental Organizations the violations of the Constitution of the United States of America and the international law obligations with regard to the right to self-determination of Alaska and Hawaii, both Non-Self-Governing Territories and formerly free and independent peoples that were denied their right to consent to the annexation as the 49<sup>th</sup> and 50<sup>th</sup> States of the United States of America respectively.

In this regard we highlight paragraph 92.199 *End the violation of the rights of Indigenous Peoples* and 92.215 *Put an end to its actions against the realization of the rights of peoples to a healthy environment, peace, development and self-determination*.

When calling on other States to address violations of so-called democracy and the rule of law, we find it particularly selective to accept paragraph 92.96 *Take appropriate legislative and practical measure to prevent racial bias in the criminal justice system* then deny outright paragraph 92.154 *End the unjust incarceration of the political prisoners, including Leonard Peltier and Mumia Abu-Jamal* to deny justice for political prisoners. In this same light, your conditional acceptance of 92.178 *Ensure the enjoyment of the right to vote both by persons deprived of their liberty and of persons who have completed their prison sentences* demonstrates the manner and method of which you choose to politicize your obligation, especially since Alaska, Hawaii and other States are illegally annexed into the United States of America in violation of the Constitution of the United States of America and international law obligations.

Alaska and Hawaii remain violations that the international community must address, if not the regional groups and States that refuse to address these flagrant violations of international law in the name of them being "complex issues" when some of these States decolonized, demonstrates the crass politicization and selectively that this Council needs to address. Lastly, the so-called "town hall" meeting was scripted and a political show that demonstrated your manipulation of democracy and the rule of law, reducing your stance to rank double standards, politicization and selectivity in implementing your international human rights obligations. I thank you Mr. Chair.