

Southeast Indigenous Peoples' Center Reports to Universal Periodic Review Board concerning the US and Southeast Indigenous Peoples' Rights

Southeast indigenous Peoples strive to overcome US opposition to our goals to gain access to safe food and shelter, health care and education for our Peoples. The Southeast Indigenous Peoples' Center reports to the UPR the condition of indigenous Peoples in Southeast North America as a starting point for examining US human rights record.

Southeast indigenous Peoples suffer from lack of food, housing, healthcare, and education. Some Southeast Natives are physically attacked by US chauvinistic forces. Most Southeast Natives are hindered from cultural practices and are persecuted when identified as indigenous at the same moment the US merchandises our culture. We ask the US to work toward the empowerment and not the elimination of indigenous Peoples in the Southeast.

We also call on the US to share in the benefits of developments made on our lands. We need access to health care, housing, and education in order to survive in the world the US built around us without our free and prior informed consent. We call on the US to restore our rights to our indigenous economy and to provide us with food until we can live on the fruits and fish of a healthy land. We demand the means of cultural and physical survival that are already available to most non-Natives and some Natives.

The US made it illegal for indigenous Peoples to exist in the Southeast and continues to propagate the notion that all Natives were removed from the Southeast. The US removal of southeast indigenous Peoples remains a failure. We are still here caring for the waters, winds, and lands of our ancestors, as our Creator intended. Southeast indigenous Peoples' human rights can be protected if we have the power to manage our waters, winds, and lands.

We face drought, erosion, increased impact from storms, and displacement because of climate change. Our customs, dependent on the land, are changing in response to Mother Earth's changes. We call on the US to stop working against southeast indigenous Peoples and give us the power to stop and reverse climate change. We need a working relationship with the US to formulate and implement solutions based on indigenous knowledge. The US prevents southeast indigenous Peoples from participating in dialogue or planning for the resolution of our climate crisis.

The actions of the US are not governed by international, indigenous, or even US law, but rather by the inclinations of political parties, leaderships, or administrations, which change with the seasons. Though the US Constitution says it will deal with "Indian Tribes" as nations, it does not negotiate with indigenous Peoples, whom we can infer the framers of the US Constitution described with their epithetical misnomer, "Indian," as nations. Instead the US treats indigenous Peoples as another minority group to be dealt with by human service agencies as ethnicities or cultural groups. US "states," which parallel provincial governments, are encouraged by the US to set up councils to manage relations with ethnicities and include indigenous Peoples and their governments, courts, and legal systems on the same level with immigrant minorities. An example of this can be found in Alabama, Georgia, Kentucky, South Carolina, and Tennessee. Mississippi and West Virginia provincial governments have no organ addressing the existence of indigenous Peoples. US policies of emphasizing borders that cross indigenous lands prevent the US from developing coherent strategies for relating with indigenous Peoples. This leaves indigenous Peoples confronting a maze of local, provincial, and national bureaus, agencies, departments, services, and corporations when attempting to address indigenous issues such as climate change, national security, immigration, ecosystem integrity, energy, cultural heritage, education, health, shelter, and food opportunities.

The US Bureau of Indian Affairs will not communicate with indigenous Peoples who have no treaties or contracts with the US as “Indian Tribes”. This Bureau will not accept any complaints about systematic crimes against indigenous Peoples. This Bureau will not accept any requests from indigenous Peoples to work with the US on climate change, national security, immigration, ecosystem integrity, energy, cultural heritage, education, health, shelter, food, or any other indigenous issues.

The US State department will not communicate with indigenous Peoples. The US State department will not accept any complaints about the systematic kidnapping, rape, torture, assault, imprisonment, murder or any other crimes against indigenous Peoples. The US State department will not accept any requests from indigenous Peoples to work with the US on climate change national security, immigration, ecosystem integrity, energy, cultural heritage, education, health, shelter, food, or any other issues. The US State Department never has and says it never will negotiate treaties with female indigenous leaders.

The US Environmental Protection Agency doesn't "work outside the realm" of federally recognized tribes. The EPA doesn't work with indigenous Peoples on climate change, renewable energy initiatives or any other environmental issues unless they have agreed to cede land, aboriginal title, or sovereignty to the US. To protect indigenous human rights the US should break with its present policy and begin working on climate change with indigenous Peoples without any stipulation or condition, including the stipulation that the IPs must subordinate themselves and surrender sovereignty to the US.

Thus the US has no coherent indigenous policy, agency, or diplomatic office or measures to relate with indigenous Peoples on any threats facing nations today, especially the threat of climate change. SIPC was forced to contact a score of US departments, services, and agencies to try to gather information about how indigenous Peoples can work with the US to the benefit of all Peoples living in indigenous lands.

The US claims jurisdiction over indigenous lands of the southeast Turtle Island absent acquisition of the land through definitive legal warfare, legitimate treaties, or legal contracts. Honoring contracts, formal arrangements, grants, and treaties with both the US and the European powers that predated the US are a point for beginning dialogue with indigenous Peoples about environmental and human rights. The US violates our human rights in an effort to exterminate the true aboriginal title holders of the land which the US has mortgaged to the world community.

We ask to work with southeast indigenous Peoples on human rights issues by providing:

1. Resources to implement climate change mitigation measures
2. Safe access to land, water, and education.
3. Safety from violence.
4. Legal instruments to assert our right to participate in environmental planning and economic development.