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Southeast Indigenous Peoples' Center (SIPC) researches, monitors, and reports on food, housing, health, and education solutions while advocating for Southeast community strengthening, environmental, educational, health, and cultural centers. SIPC has participated in the UN PFII and other UN mechanisms since 2009.

Southeast Indigenous Peoples' Center Explores Need for Agreements for Use and Access to Blessings Protected by Southeast Indigenous Peoples

Southeast Indigenous Peoples' Center has contacted more than 40 southeast Indigenous Peoples surviving the latest colonial ruler in our lands. All Southeast Indigenous Peoples we have contacted or heard about from other Indigenous Peoples continue to seek a realistic, practical, peaceful, and productive agreement with the US to end the US' access and use of natural blessings we protect, without a valid agreement. Southeast Indigenous Peoples universally seek dialogue, negotiation, and resolution to the disputed jurisdiction and associated violence over human interaction with our ecosystems, upon which we depend for food, housing, healthcare, and education. The US refuses to dialogue with southeast Indigenous Peoples on this matter and has not responded to this same southeast Indigenous Peoples' request to the UPR in 2010.

The peace process is not a "recognition" process. The peace process cannot involve the USBIA, with its long history and current policy of allotting indigenous rights, obligations, and blessings back to Indigenous Peoples in monetary forms, which are quickly transferred away from Indigenous Peoples. The US has a long history and ongoing policy of not treating Indigenous Peoples as full citizens under US law. The US has a current policy of continuing to wage wars of aggression against Indigenous Peoples to acquire our blessings and monetize them as US resources that generate revenue for the US by selling them to corporations.

II. LEGAL FRAMEWORK

The US today has no coherent indigenous policy, agency, diplomatic office or measures to relate with Indigenous Peoples on any threats facing nations today, especially the threat of climate change because of the US disregard for the constitutions of Original Nations and of the newcomer US as well as disregard of modern international human rights instruments. The US determination to rename Original Nations governed by Indigenous Peoples as "Indians" dependent on the US and thus under the domestic supervision of the US Bureau of Indian Affairs is grounded in racial, political, religious, cultural, and economic prejudice in favor of European individualism and hierarchy and against indigenous collectivism and traditional structures

governing our lands where the US has set up shop and declared itself open for business outside of indigenous laws.

The US is governed by an international framework that prohibits it from unilaterally waging its war of aggression against Indigenous Peoples in the southeast because the US presumes us to be inherently inferior to the European powers who founded the UN and who told the US that we were the property of the USⁱ when Europe created the US with the Treaty of Paris (1783) and thus created the US Bureau of Indian Affairs (BIA) to remove us from our homelands, which the UN founders and the US considered to be European lands ceded to the US. The US BIA evolved (1798) from the European practice of “allotting” Indigenous Peoples’ collectively held land to individual households organized in a European manner. The US BIA, modeled on the UK’s British Indian Department, was created as part of the US War Department in 1789 in Washington DC, focusing on “Indian Trade,” US expansion (1806-13) and was then formalized 1824-32 in the lands of the Original Nations of the Southeast for the signal purpose of removingⁱⁱ or exterminating southeast Indigenous Peoples. The US creation of the USBIA and its removal of Indigenous Peoples from our lands, was a violation of the constitutions of Original Nations and of the newcomer USⁱⁱⁱ. In 1871^{iv} the US unilaterally outlawed US treaties with Indigenous Peoples [“Indian Nations”], declaring the era of “Assimilation” which grew into US Termination Policies^v and continues to this day interpreted by many Indigenous Peoples as the Era of Extermination.

Today the USBIA violates all international human rights instruments as it is designed to destroy the collective rights and identity of Indigenous Peoples. The US will not negotiate with original nations for use or access to our blessings and will not even dialogue with Indigenous Peoples who are not organized according to USBIA regulations and who do not interfere with the US myth of “dependent” original nation status subordinate to the newcomer US. Thus the US violates ICESCR ICCPR ICERD CAT CEDAW CRC CRPD ICRMW by preventing the political participation of Indigenous Peoples in accordance with our own culture and traditions.

The USBIA violates HR instruments by forcing Indigenous Peoples into a corrupt hard currency system that monetizes our natural blessings and allots the benefits of these blessings, against our wishes, to newcomers who privatize the “resources,” thus impoverishing Indigenous Peoples and newcomer Peoples. The USBIA casino racket forces Indigenous Peoples to allow the US to allot our blessings to these international crime organizations, with or without our knowledge, through lawyers, lobbyists, and US “congress members^{vi}” who promise to give our People access to our own ecosystems providing food, housing healthcare (including spiritual), and education in exchange for development schemes leaving us with more debt than equity in the European hard currency system. This recalls the Jacksonian genocidal legislation of 1828 that made it illegal for Indigenous Peoples to meet unless discussing the cession of land to European powers^{vii}. The US prevents Indigenous Peoples political participation outside of the USBIA allotment system that promotes the cession of land through confusing technicalities and fraud rackets to newcomers. The rise in systematic violence against indigenous women and children associated with the Jacksonian genocide^{viii} and the dawn of the assimilation era^{ix} is also associated with the casino era^x. The US declaration that Indigenous Peoples do not exist outside of their USBIA extermination agency violates our rights to safety from violence and political participation.

The US must enter into peace negotiations with Indigenous Peoples and original nations irrespective of its congressional mandates because US congress cannot presume to pass laws regarding foreign nations, nor can it approve or modify agreements not yet pursued or made by any party. Indigenous Peoples can survive through practice of our own indigenous economy with the protection of our own indigenous legal cannon and prayers.

III. U.S. COMPLIANCE WITH ITS INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

The US has done nothing SIPC knows of to enter into dialogue with southeast Indigenous Peoples, beyond referring us to the BIA in attached letters. To the contrary, the US has engaged in its old practice of creating conflict among Indigenous Peoples to call the Indigenous Peoples receiving some services through the USBIA to attack those Indigenous Peoples receiving no services. The US tells the Indigenous Peoples receiving USBIA services that they will receive fewer services if more Indigenous Peoples are served by the USBIA. Thus the US has increased violence against Indigenous Peoples. This practice of the US paying Indigenous Peoples and Indigenous Peoples' Organizations, such as the National Congress of American Indians and other "NGOs" to promote the US agenda of eliminating Indigenous Peoples has increased the suffering and reduced the political participation of all Indigenous Peoples worldwide.

Southeast indigenous Peoples today suffer from lack of safe food, housing, healthcare (including spiritual), 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 (see attachment on mascot hate speech).

III. CONCLUSION

The US must recognize that it does not have the right, in accordance with international law, to presume that Indigenous Peoples have ceded any rights or responsibilities to peacefully protect our Peoples and the ecosystems we are part of. While the US is coming to this recognition of the limitation of its powers, it must pursue peace with Indigenous Peoples, wholly independent and apart from land claims, or any "recognition" process or other domestication scheme. This US corrupt practice of paying Indigenous leaders and organizations to attack Indigenous Peoples who are not yet classed by the USBIA as "dependent" by the US must end. The US must allow southeast and other Indigenous Peoples to access and protect the benefits of our land for future generations of our Peoples with collective identity (or 'title' in European) and negotiate this access in accordance with the government and traditions of each Indigenous People.

We ask the US to work toward the empowerment and not the elimination of indigenous Peoples in the Southeast. In order to comply with the constitutions of Original Nations and of the newcomer US as well as the UN UDHR, Charter, DRIP, CERD, CRC, DHRD CEDAW, Kyoto Protocol, Vienna Convention, Geneva Conventions, Law of the Sea, Convention against Transnational Organized Crime, Convention against Corruption, Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Counter-Terrorism Convention, and a host of other international agreements, the US must enter into dialogue and multilateral negotiations to come to agreement with the original 'title'-holders and Indigenous Peoples of the land the US occupies, accesses, and uses without agreement. Because of the prejudiced involvement of European powers, which facilitated the invention of the US in the Southeast,

Original Nations' rights have not been recognized by the United Nations and its members, especially the US. We call on the UN to overcome its past prejudices, consider the benefits of incorporating indigenous jurisprudence, knowledge, responsible stewardship, and rule of law in the UN and work multilaterally to end the continued violent aggression by the US seeking to appropriate by force our lands, Peoples, and other natural blessings.

The US can end development-related conflict with work toward peace and reconciliation with stakeholders and surviving descendants of the illegally trafficked, imprisoned, and enslaved Peoples; work with Indigenous Peoples, Original Nations, and newcomer Peoples to: increase the progressive nature of all tax systems where the US seeks to govern, reform the US penal system to conform to modern HR instruments, end violence against women and children, develop energy plans and targets to expand access to modern energy services including through renewable energy and collectively held and stewarded access to natural blessings, end monopolies by private companies, especially those involving themselves with collectively managed and stewarded natural blessings.

The UPR should recommend that the US end its war of aggression against Indigenous Peoples by immediately ending the relationship between the USBIA extermination agency and US negotiation with Indigenous Peoples for access to our ecosystems providing food, housing, healthcare (including spiritual), and education. It violates all international standards to coerce Indigenous Peoples into forfeiting our independence in order to get food, safety, shelter, and community for our Peoples. A reformed non-violent USBIA could remain an option for those interested, but forcing Indigenous Peoples to involve themselves with this corrupt agency and the corrupt US Congress that controls it forces Indigenous Peoples to mortgage their Peoples and ecosystems for bribes to work toward a proposed affiliation with this USBIA that provides inferior services to Indigenous Peoples.

SIPC also call on the US to share in the benefits of developments made on our lands. We need access to health care (including spiritual), 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 newcomers, irrespective to our orientation to the US Bureau of Indian Affairs, which excludes the vast majority of southeast Indigenous Peoples.

We ask the UPR committee to invite the US to work with Indigenous Peoples and Original Nations surviving US occupation to end development-related conflict, especially in the Southeast. The UPR can do this by holding the US to UNDP development guidelines^{xi} when implementing HR standards, to end arbitrary detentions^{xiii}, including the removal of indigenous children, to promote multilateral dialogue to enforce Original Nations' treaties, including the US as stakeholder.

We ask the UPR committee to recommend that the US engage in peace processes with southeast and other Indigenous Peoples to end the violence that prevents southeast Indigenous Peoples from accessing the blessings of our land that provide for our food, health, education, and shelter, among other things.

We refer again to our request to the UPR in 2010, which the US has refused to even discuss with Indigenous Peoples:

We ask the US 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.*

ⁱ The American Holocaust: Columbus and the Conquest of the New World (New York: Oxford University Press, 1992)

ⁱⁱ *Annual report of the commissioner of Indian affairs*, for the year 1891

ⁱⁱⁱ The US Supreme Court interpreted the constitution of Original Nation's and the newcomer US as equally binding in *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832).

^{iv} US Indian Appropriation Act of 1871. March 3, 1871.

^v Olivero, J. (2009). Indian self-determination act. In H. Greene, & S. Gabbidon (Eds.), *Encyclopedia of race and crime*. (pp. 383-385). Thousand Oaks, CA: SAGE Publications, Inc.

^{vi} BIA latest recognition proposal is blow to CT tribes. By: Ana Radelat | May 22, 2014. Connecticut News Project, Inc. <http://ctmirror.org/bia-latest-recognition-proposal-is-blow-to-ct-tribes/>

Gabe Galanda: Jack Abramoff's playbook still being deployed. Monday, June 23, 2014.

<http://www.indianz.com/News/2014/014138.asp>

^{vii} "They Made Us Many Promises": The American Indian Experience 1524 to the Present, 2nd Edition. (2002)

^{viii} The American Holocaust: Columbus and the Conquest of the New World (New York: Oxford University Press, 1992) p 121. "The same Andrew Jackson who—after his Presidency was over—still was recommending that American troops specifically seek out and systematically kill Indian women and children who were in hiding, in order to complete their extermination: to do otherwise, he wrote, was equivalent to pursuing "a wolf in the hammocks without knowing first where her den and whelps were."

^{ix} American Indian Education: A History. Jon Allan Reyhner~Jeanne M. Oyawin Eder. Published by University of Oklahoma Press (2006)

^x A-HRC-21-47-Add1_en, Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya Addendum The situation of indigenous peoples in the United States of America: Report on need for US legislation to protect indigenous women did not even investigate or document the violence against southeast indigenous women reported to the SRIP, but focused exclusively on women labeled "Indian" by the USBIA extermination agency, a great number of whom were directly impacted by the USBIA casino racket, corruption schemes, and "tribal" debt scenarios.

^{xi} "UNDP's Social and Environmental Standards" especially standard 6.

<http://www.undp.org/content/dam/undp/library/corporate/Social-and-Environmental-Policies-and-Procedures/UNDPs-Social-and-Environmental-Standards-ENGLISH.pdf>

^{xii} "John Marshall has made his decision; now let him enforce it!" This derives from Jackson's consideration on the case in a letter to John Coffee, "...the decision of the Supreme Court has fell still born, and they find that they

cannot coerce Georgia to yield to its mandate," (that is, the Court's opinion because it had no power to enforce its edict)