

Southeast Indigenous Peoples universally seek peace through dialogue, negotiation, and resolution to the disputed jurisdiction and associated conflict over human interaction with our ecosystems, upon which we depend for opportunities for food, shelter, health, and education. The US refuses to dialogue with southeast Indigenous Peoples on this matter and has not responded to this same southeast Indigenous Peoples' Center request to the UPR in 2010.

The peace process is not a "recognition" process. The peace process cannot involve the US Bureau of Indian Affairs (BIA), with its long history and current policy of allotting indigenous rights, obligations, and blessings to developers who pretend to allot it to Indigenous Peoples in US currency, which is quickly transferred away from Indigenous Peoples.

The US today has no coherent indigenous policy, agency, diplomatic office or measures to relate with Indigenous Peoples on 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 Constitution, as well as disregard of modern international human rights instruments. We again invite the US to work with Indigenous Peoples to establish an International Human Rights Institution. In 1871<sup>i</sup> the US unilaterally outlawed US treaties with Indigenous Peoples ["Indian Nations"], declaring the era of "Assimilation" which grew into US Termination Policies<sup>ii</sup> and continues to this day interpreted by many Indigenous Peoples as the Era of Extermination.

Today the USBIA violates international human rights instruments as BIA works 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. Thus the US violates UDHR, ICESCR, ICCPR, ICERD, CAT, CEDAW, CRC, CRPD, ICRMW, CTOC, DRIP and other HR instruments by preventing the political participation of Indigenous Peoples in accordance with our own culture and traditions. The US on April 20, 2015 recommended IPs not subject to the BIA not participate in UNPFII. US relies on its BIA to act as a paramilitary organization controlling Indigenous Peoples' cultural, social, economic, and political participation.

Southeast Indigenous Peoples today suffer from lack of safe food, shelter, healthcare (spiritual), and education. Some Southeast Natives are physically attacked by US chauvinistic forces. Most Southeast Peoples are hindered from cultural practices and are persecuted when identified as indigenous while the US merchandises our culture (see attachment on mascot hate speech).

The US can end development-related conflict by working 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 negotiating with Indigenous Peoples for access to our ecosystems providing food, housing, healthcare (including spiritual), and education for all Peoples, including us. It violates all international standards to withhold from Indigenous Peoples' access to our ecosystems that provide essential food, safety, shelter, and community for our Peoples. The current corrupt US Congress that controls the BIA paramilitary 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 when we should be directly accessing our resources and governing ourselves without interference in our domestic affairs.

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 in accordance with UNDP development guidelines<sup>iii</sup> when implementing HR standards, to end arbitrary detentions<sup>iv</sup>, including the removal of indigenous children, and to promote multilateral dialogue to enforce Original Nations' treaties, including the US as stakeholder.

We ask: Why won't the US engage in the peace processes with southeast and other Indigenous Peoples to end the conflict that prevents southeast Indigenous Peoples from accessing 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 and legal instruments to assert our right to participate in environmental planning and economic development.*
2. *Safe access to land, water, and education.*
3. *Safety from violence.* \*

For the 2014 UPR we add:

4. Enter optional protocol for DRIP compliance review and implement WCIP outcome document with Indigenous Peoples to work for peaceful transitions to enforcement of original nations' laws respecting human rights including sustainable development to mitigate, restore, avoid, and survive climate change and other ecological disasters.

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\*See attached factsheet on Mascot hate-speech.

<sup>i</sup> US Indian Appropriation Act of 1871. March 3, 1871.

<sup>ii</sup> 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.

<sup>iii</sup> "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>

<sup>iv</sup> "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)