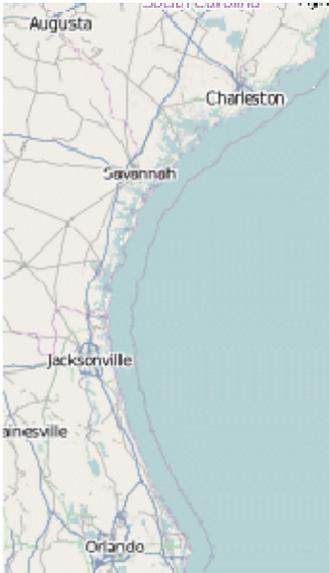


## **Guale Nation Report to Universal Periodic Review Committee of the Human UN Rights Council concerning Human Rights Impacts of US Occupation**

For millennia the Guale Nation, an indigenous Nation of Yamasi People in southeast North America, and our previous coastal cultures have been nurturing and nourished by the ecosystems extending in an approximately 160-mile radius from Sapelo Island. Our survival still depends on the health of the winds, waters, lands, and fires of this area<sup>1</sup>. However, Great Grandmother Earth and the multitude of Peoples now living with her in this area suffer from US military enforcement of colonial policies that poison the place and the populace.



Approximately 10 million persons<sup>2</sup> live with Guale Nation (GN) lands, a large portion of which is or was formerly wetlands. Today GN lands, like the rest of the North American Southeast, are projected to lose more precipitation due to climate change than any other part of North America<sup>3</sup>. 28% of Greenhouse Gases (GHG) are produced in transportation. More than 96% of the energy presently used in transportation comes from oil and the transportation sector consumes about two-thirds of all petroleum used. These GHG are the most difficult to capture and store.<sup>4</sup> Nevertheless, the US occupation government distributed cash incentives within the last year to encourage those driving through GN lands to buy gas-burning vehicles instead of discussing with GN government ways to reduce carbon emissions more effectively than this scheme to increase the fuel efficiency of gasburners by less than 100,000 cars by 9 mpg<sup>5</sup>.

Meanwhile the US continues to refuse to discuss solutions to the climate change problems it led the world in creating. Despite repeated GN attempts at dialogue with the US, the US will not cooperate with GN on any strategy or development of sustainable communities so that all may live long and healthy with GN lands.

### **Human Rights abuses of GN citizens and indigenous Peoples**

GN encountered the US as a Yamasi People, recently remnants of the Yamasi Nation, members of the Muskogee Confederacy. For 225 years the US has illegally invaded and occupied Guale and Yamasi lands, illegally waging a war of aggression through illegal means including but not limited to: imprisoning Guale citizens; refusing prisoners access to food, water or medicine; capturing leaders during peace talks; systematically capturing, raping, drugging, sexually abusing, and enslaving GN citizens; poisoning the food supply of the civilian People whose land the US attempts to control; taking and colonizing our children; destroying our Greatgrandmother Earth; looting our graves; degrading our cultural heritage; and desecrating our sacred sites. Although GN invoke the Geneva Convention, UNDRIP, Universal International Convention on the Elimination of All Forms of Racial Discrimination, Universal Declaration of Human Rights, and other international laws in US occupation courts, these international laws, indigenous laws, and US laws are ignored in dealing with indigenous Peoples and the Guale citizens. We ask the UPR committee to explore and stop the US strategy of using rape in its war of aggression to rape GN into submission because it could not win in conventional war and will not negotiate with female leaders of indigenous nations.

The Guale Nation asks the UPR committee to inquire of the US what it needs in order to communicate with GN or mediators so that we can come to the table and discuss peace and an end to the US war of aggression against the Guale Nation. We ask the UPR to ask the US to articulate its justification for its war and war crimes against the Guale Nation. Does the US allege that GN

first attacked the US? Why does the US refuse to negotiate with indigenous Peoples? How can we negotiate a settlement so that the US does not exterminate all Guale citizens? What does the US need in order to discuss peace with GN?

US occupation policies promote increased frequency of environmental destruction, including climate changes: destruction of climate change: heat, drought, erosion, flooding, changes in winds and water currents, increased storm intensity and frequency, and other weather extremes that cause hunger, exposure, dislocation, and possible extinction. Priorities of the colonial power occupying GN endanger all Peoples living with GN lands, and through the effects of climate change, all Peoples worldwide. Our Creator placed indigenous Peoples here for to reflect our Creator's light, promoting productivity, sustainable development, and honest relations between Peoples. The US ignores indigenous knowledge about the needs of our relatives in the winds, waters, and lands of our ancestors, and the needs of indigenous Peoples ourselves. Today the US hunts the original People of the GN to extinction while pretending to the world that we do not exist. However, the US Peoples depending on the US occupation government for survival would benefit from human dialogue with GN and these US Peoples also suffer from the US policy of exterminating indigenous Peoples.

### **Human Rights Abuses of US Peoples**

The US occupation government does not consider the international human rights framework when asserting jurisdiction over GN lands. While the original People of the GN suffer under US occupation, so too do the non-indigenous populace, many of whom are descendants of tribal Peoples from Africa brought here as slaves to replace the dying population of indigenous slaves the US and other colonial governments.

In the US occupation model of government, people who are respected for their wealth and power make decisions for the majority of the people and then take wealth from others in order to promote their ideas for a short-term result at the time of election. This economic system also appears to be heavily influenced by belief in the superiority of the European culture that established these principles of "might makes right." As the US occupying government drowns out the voices of elders through its economic system based on the accumulation of wealth rather than wisdom, it is difficult for those who can demonstrate the destructiveness of a practice to have it reconsidered. Government gaming is a good example of these concepts and methodologies of the US occupation government.

### **Government Gaming**

Despite well-organized grassroots opposition to government gaming by the US Peoples, they are oppressed by the cultural and economic problems tied to gambling. Also, GN wind, water, land, People, and culture suffer from the actions of US Peoples affected by government gaming. Corporations and politicians gaining from short-term gaming revenues silence wise leaders and elders of the US Peoples living with GN lands, just as they did Guale citizens, with force. Although the research clarifies that gaming hurts the community, the US occupation government not only permits gaming, it promotes it as a US virtue of patriotism, targeting the poorest payers<sup>6</sup>. This violates the GN law that prohibits poverty in the midst of plenty.

Gambling also is tied to depression, suicide, and alcoholism<sup>7</sup>. GN seeks to study if the reliance on a hope for a fantastic windfall received as a result of "getting lucky" instead of as a result of working well at their vocation causes folks to doubt that their Creator gave them something special to share with the People, abdicate their own agency, and rely on external powers to shape their lives. Meanwhile Guale concludes that the impacts of government gaming, a direct result of

continued illegal US occupation, have a detrimental effect on the Peoples and cultures of our lands by undermining Gualala values for honesty and productivity.

The US occupation government popularizes the false notion that gain without merit is good. It glorifies the concept that lack of productivity is rewarded—but in fact, this lack of productivity is not actually rewarded. The “lucky winner” is idolized for her sudden and unearned wealth. But the payer is not told the number of people like her who will pay and not win so that one “lucky winner” can be worshiped. These are not fair games of chance in the indigenous sense. This undermines the values that GN promote: honesty and productivity grounded in a right relationship with our Creator. GN continues to seek studies that show that believers in colonial religions are strengthened in a right relationship with their Creator by participating in government gaming.

Further, government gaming attacks the GN tradition of fostering stability among its neighbors through fair trade based on just standards of exchange: the principle that people should exchange things of relatively equal value. US occupation government gaming violates these standards of exchange. Under the US occupation the payer gives the occupation government money, in most incidences it is earned from low-paying labor, and receives, not the promised sudden relief from economic misery, but the title of loser and all the disappointment that comes with it. This encourages the payer to accept injustice the government legitimizes instead of working to change it. The payer sees that the occupation government promotes gambling and concludes this system of taking from people is right and must be the way the system is supposed to work. This makes it easy for the gambling addict to justify dishonesty, theft, and violence. This current status quo fostered by the US occupation makes it difficult for GN to encourage those living with its lands to defend the just standards of exchange that made the GN prosperous for so long.

The US occupation government promotes an adversarial relationship between the government and the Peoples that support it through its requirement that all who go to US schools or ride the US roads participate in government gaming by benefiting or suffering from the degradation of gaming. It promotes the idea that Peoples should fight each other and the government. The gaming premise is like the US occupation government saying, “Give me \$10 and maybe I’ll give you back \$100, 1,000,000 or \$0.” This is not trade. This is not tax. This is a government defrauding of the desperate deluded many to give resources to the elite US occupation government and an idolized individual. It promotes the idea that government in general is the enemy and that you should try to beat it and your neighbors because they are trying to beat you. The transition back to the original governors of the land will be difficult for GN with these pervasive detrimental constructs of adversarial relationship with government and neighbors.

GN government has traditionally pooled resources for winter, for travel, and in preparation of emergencies. It will be difficult to transform the values of these millions of US individuals, most now separated from their own People’s culture, to respect the government as a product of the People collectively created to make us all stronger. Government gaming promotes destructive individualism that undermines GN values calling on us to strengthen our neighbor so that we too will be strong. US occupation government gaming promotes the idea that it is good for many to be poor so a select few can be rich. It is no surprise that violent and property crimes increase with US occupation government gaming.

Government gaming is irresponsible in a culture of colonial consumption and destruction that encourages people to consume and destroy themselves. US Peoples, GN citizens, and other indigenous Peoples will be incarcerated if they try to stop government gaming that promotes addiction, poverty, violence, crime, and prostitution<sup>8</sup>. GN asks the UPR committee to inquire of the US how GN and US could work together to protect GN citizens, indigenous Peoples, and US

Peoples from the evils of colonial gambling and other destructive occupation government mechanisms while developing responsible means of supporting community infrastructure that protects human rights of all Peoples.

### **Alcohol Sales**

There are 793 legal drug distribution centers (liquor stores)<sup>9</sup> with GN lands that pay the US occupation government licensing fees and taxes. The disproportionately high amount of 147 or 40% of South Carolina's 365 liquor stores are with GN lands while 472 or 44% of Florida's drug distribution centers (liquor stores) are with GN lands. Although the US has installed a disproportionately high number of these drug distribution centers with GN lands, it simultaneously provides a disproportionately low amount of treatment centers with GN lands. Too many US Peoples go without treatment. There are no drug treatment programs for indigenous Peoples with GN lands. Drug use may contribute to the destruction of the environment and Guale cultural, burial, and sacred sites. We ask the UPR committee to ask the US for its statistics on the relation of drug use and destruction of indigenous cultural, burial, and sacred sites. We also ask the UPR committee to inquire of the US why it puts so many drug distribution centers in GN lands, what it does with the taxes it collects on the drug sales, and how we could work together to protect GN citizens, indigenous Peoples, and US Peoples from the impacts of drug addiction.

The US occupation targets indigenous Peoples and poor US Peoples for substance abuse by promoting alcohol sales. Alcohol has been related to higher crime rates, more violence, child abuse, spouse abuse, more auto accidents and that violence can be reduced if alcohol sales are reduced<sup>10</sup>. The occupation government is aware of this but appears to want more violence on Guale lands. The US occupation governments could learn from the democratic model of the GN where issues were debated in small groups led by people respected for their wisdom –not for their wealth, until decisions were made by the village through consensus. Over years the effect of new rules would be observed in the adopting village and may be rejected altogether or may spread among the River through similar small democratic meetings led by elders respected for their insight, and eventually brought up to the National level after consensus, not unanimity, had been achieved.

However, under the US occupation government some drug distributors sell both liquor and gaming tickets despite concerted opposition of US Peoples and GN, compounding the regressive nature of the US occupation government tax system by encouraging judgment-impaired payers to buy more lottery tickets and pieces. How is the voice of the drunken lottery loser to be expressed? Since the Guale model of government is not an option, this lottery loser may communicate dissatisfaction about this unfair trade through violent means. We ask the UPR committee to ask the US why it cannot discuss ways GN and US could work together to institute indigenous democratic structures that would allow the poor and oppressed US Peoples to express themselves through non-violent means.

### **Colonial Media**

Colonial media based in the US occupation government economy contributes to silencing the Peoples living with GN lands. Legal drug advertisements in TV, radio, and print media idolize the lottery winner and the drinker of alcohol. The drinker is portrayed as powerful, intelligent, athletic and coordinated, attractive, responsible, generous, fun, financially secure, tough, happy, popular, and respected by colonial society. Gambling media promotes prostitution implying that sex, often women, are part of the winning prize. Meanwhile there is a media blackout of millions of lottery losers and destitute alcoholics living with GN lands. Though the occupation

government claims that US Peoples and even indigenous Peoples have access to the media there is no means for rebuttal of these fallacious concepts promoted by the media.

The occupation media also promotes the idea that indigenous Peoples have vanished or that we are of a status less than colonized beasts. The use of the Native sports mascot demonstrates that non-Native culture is also degraded by the reduction of a human to the condition of a colonized animal. Thus colonial society also suffers from cultural degradation when it consumes and destroys the culture of the Other. The use of Natives as mascots is promoted by the occupation government. The US entity, the State of Florida, raises revenues with GN lands by placing the head of Osceola on a license plate. While GN citizens cannot safely attend the University that uses our ancestor as a mascot, the occupation government appropriates our national heritage as members of the Muskogee Confederacy and enlists colonial media to promote the idea that we should be treated like colonial animals. This occupation government policy of encouraging US Peoples to despise GN citizens and indigenous Peoples continues the colonial tradition of slavery and annihilation of indigenous Peoples and also continues the degradation of both victim and victimizer.

### **Social Impacts**

The disproportionate presence of poverty, alcohol sales, and lottery sales in Gule areas indicate that the US has specifically targeted the lands of the GN, which has continued to assert its rights to maintain its autonomy. Savannah (Chatham county) ranks 7<sup>th</sup> highest among Georgia counties for lottery sales with \$456 per capita spent on lottery and ticket games for a total of \$110,065, 576 spent. Savannah (Chatham county) is rated 16<sup>th</sup> highest out of 159 counties for its crime rate of 13,265 crimes while 23% of its non-indigenous population lives below the poverty level and receives food stamps<sup>11</sup>. President Obama exemplified the destructive US occupation response to this portrait of colonial self-destruction by coming to Savannah to announce more nuclear power plants and more money to dredge up the benthic communities that support GN citizens surrounding this area in order to bring more ships with more foreign goods, including foreign food, for US consumers.

The policies the occupation government promotes oppose GN values for productivity and honesty. The nuclear industry is promoted dishonestly while it targets and disproportionately poisons poor, dark Peoples with GN lands. The US occupation government's dependence on foreign trade allows it to ignore the environmental impacts of colonial policies with GN lands. We ask the UPR committee to ask the US about the human rights violations of Peoples contaminated with radioactive isotopes from nuclear plants and nuclear weapons facilities with GN lands. We ask the UPR committee to ask the US why they cannot discuss with GN indigenous methods of sustainable economic development that would produce goods, including food, with GN lands. We ask the UPR committee to ask the US to articulate why it opposes Gule value for productivity and honesty so much that it wants to destroy GN and its own Peoples living with GN lands. If we can understand why the US behaves the way it opposes Gule values we can effectively work together to protect the human rights of all Peoples living with GN lands.

The short term vision of the US has promoted the tourist industry that contributes to the problems the US occupation government has created in our area by enticing newcomers and tourists without considering long-term costs and the cost of debt to attract the tourists and newcomers. In an effort to promote US-taxed tourism with GN lands, US occupation government showcases Gule respect for benthic communities by promoting to the World Heritage Committee that Gule shell rings be considered World Heritage Sites while the sites are endangered by the US.

In the lands where so many of our ancestors were beaten, raped, and enslaved, GN notes indigenous refugees from the Americas beaten, raped, and enslaved. There are many difficulties for women in reporting abuse as colonial discrimination against women continues. Guale citizens and US Peoples have difficulties reporting rapes to US occupation government recordkeepers. GN asks UPR committee to ask the US for more detailed statistics and better recordkeeping on rapes, better treatment of rape victims, and the opportunity for GN and US to discuss ways our police can more effectively and respectfully gather evidence on rape. We ask the US to explain why its occupation government employs the notoriously misogynist Georgia Bureau of Investigations in processing rape records and cases.

## **Environmental Impacts**

The continuing degradation of the culture caused by US occupation government gaming, government promotion of and profiting from liquor sales, and untreated drug addictions impacts the winds, waters, and lands of the GN by promoting the notion that they, like the Guale, are disposable.

Overfishing and overhunting, combined with wasteful practices associated with colonial cycles of consumption and destruction have made it hard for Guale to subsist. Alien species and development have crowded out indigenous plants that fed and healed us. We have traditionally shared with our neighbors but there is so little left our neighbors living on imported foods do not appreciate our meager offerings. The result is sickness and for all of us.

One example of this is the River that many indigenous Peoples would come from a long way to visit: Godsrive (St Johns River). Many of those Peoples were slaughtered and we don't see them anymore. This River is now being destroyed by toxic dumping and water withdrawal<sup>12</sup>. The toxic chemicals dumped in the water and then withdrawn for drinking water poisons US Peoples, Guale citizens, and other indigenous Peoples. This River once celebrated for its purity struck so many indigenous Peoples with awe for our Creator. Today it strikes fear in our heart as we pray and ponder what evil could destroy our sacred place where we waited and listened for our Creator's direction.

Under the US occupation, nuclear power plants and weapons facilities make the Savannah River, which used to be so pure and full of healthy fish under GN rule, into a nuclear waste dump of radioactive water. Nuclear plants are sited on GN lands to minimize the poison's impact on European descendant communities while maximizing the poison's impact on the descendants of kidnapped Africans and indigenous Peoples. The Savannah River which nourished Yamasi and other indigenous Peoples and which we all nurtured for millennia, is counted as collateral damage in the US occupation of GN lands as the US empowers colonial corporations to consume and destroy our wind, water, land, People, and culture. The US is currently promoting the siting of a new Vogtle plant on the Savannah River to further poison Yamasi and other indigenous communities and destroy sacred, burial, and cultural sites.

The result of US occupation with GN lands hurts Guale citizens, indigenous Peoples, and US Peoples by infusing us with carcinogens such as dioxin, which are dumped in our Rivers and ingested in drinking water. GN citizens, indigenous Peoples, and some US Peoples, especially descendants of the kidnapped and enslaved Africans, are disproportionately affected by lead and mercury in the fish because we depend on it for sustenance. Indigenous children suffer with toxic burns from algae blooms on Godsrive, in which Guale and other indigenous Peoples used to hold purity ceremonies. We ask the UPR committee to gather information from the US about why it plans nuclear plants and toxic dumping to disproportionately hurt indigenous and US-

African Peoples living with GN lands. We ask how the US plans to clean up its toxic and radioactive dumps.

### **Climate Change**

The US violates the human rights of all Peoples living with Guale lands because of its refusal to commit to GN to:

1. Limit Greatgrandmother Earth's warming to 2 degrees Celsius.
2. Stabilize CO2 concentration levels in the range of 300 to 410 ppm globally.
3. Reduce CO2 emissions by 40% with GN lands over the next 4 years (by December 31, 2014), by 84% over the next 16 years (by December 31, 2026), limit per capita carbon generation to 1.08 mt per by 2016.

The US imperils the survival of all Peoples living with GN lands by refusing to discuss with GN ways our governments can commit to:

1. Support for only carbon neutral or carbon negative energy endeavors
2. Civil punitive measures against entities that cause unnecessary carbon positive releases into the atmosphere (fines, revocation of licenses, etc).
3. Protection of life-supporting ecosystems so they can adapt to climate changes.
4. Establishment of enforceable constraints on greenhouse gas emissions: reduction of greenhouse gases (GES/GEI/GHG) carbon dioxide, methane, nitrous oxide, sulphur, hexafluoride and 2 groups of gases: hydrofluorocarbons and perfluorocarbons.
5. Establishment of norms and exploration of methods of returning GES/GEI/GHG and hydrofluorocarbons and perfluorocarbons to the Greatgrandmother Earth.

GN asks the UPR committee to ask the US to discuss with GN ways we can:

1. End the violence and war crimes by US occupation government.
2. Promote adaptation measures to climate change and mitigation of climate change through the development of renewable energy and protection of ecosystems by empowering GN to manage human interaction with GN lands.
3. Work with neighboring indigenous Peoples to create a southeast PHEV Charging Station Network to reduce the transportation carbon emissions of the Southeast's 100 million people and GN's 10 million people.
4. End government gaming and promote treatment for drug (alcohol) and gambling addictions so we can recover our strength together to survive climate change.

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<sup>1</sup> Including the ocean and approximately surrounding counties in Florida: Nassau, Duval, Baker, Columbia, Union, Bradford, Clay, St Johns, Flagler, Putnam, Alachua, Volusia, Lake Seminole; and Georgia: Glynn, McIntosh, Wayne, Long, Liberty, Bryan, Chatham, Columbia, McDuffie, Warren, Hancock, Putnam, Baldwin, Wilkinson, Laurens, Dodge, Ben Hill, Irwin, Coffee, Atkinson, Clinch, Echols, Charlton, Camden, Brantley, Ware, Pierce, Wayne, Brantley, Bacon, Jeff Davis, Wheeler, Telfair, Treutlen, Toombs, Tattnall, Evans, Bulloch, Effingham, Jenkins, Screven, Burke, Emanuel, Candler, Johnson, Washington, Jefferson, Richmond, Glascock, Appling, Montgomery; and South Carolina: Hampton, Jasper, Beaufort, Charleston, Colleton, Bamberg, Allendale, Barnwell, Aiken.

<sup>2</sup> 2000 US Census

<sup>3</sup> p. 21, point #117, Americas Regional Document, by Víctor Pochat through Americas Regional Process received financial support from various institutions, including from the World Bank and the Inter-American Development Bank. ed., Organization of American States. 2009.

<sup>4</sup> Transportation's Role in Climate Change. US Department of Transportation, 2006.

<http://climate.dot.gov/about/transportations-role/overview.html>

<sup>5</sup> <http://www.cars.gov/files/official-information/CARS-Report-to-Congress.pdf> 677,842 vehicles were traded in areas where the US claims jurisdiction and GN estimates less than 100,000 were on vehicles with GN lands.

<sup>6</sup> The 1999 National Gambling Impact Commission stated that 80% of gambling revenue comes from households with incomes of less than \$50,000 a year.

Soaking the Poor: The Incidence of State-sponsored Gambling. Bernard Wasow, 2002: Century Foundation.

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<sup>7</sup> When the Chips are Down: Problem Gaming in America. Rachel Volberg. 2001: Century Press.  
<sup>8</sup> State Lotteries and Crime: The Regressive Revenue Producer Is Linked with a Crime Rate Higher by 3 Percent, by John Mikesell and Maureen A. Pirog-Good © 1990 American Journal of Economics and Sociology.

<sup>9</sup> US Census data

<sup>10</sup> "Broken Bottles: Alcohol, Disorder, and Crime," by John J. DiIulio, Jr. 1996:Brookings Institution.

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<sup>12</sup> Your Guide to Eating Fish Caught in Florida. 2008. Florida Department of Health.

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