



OWE AKU INTERNATIONAL JUSTICE PROJECT

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Statement by Kent Lebsock

To summarize the recommendations in the Conference Room Paper we submitted:

Owe Aku International Justice Project with the guidance of the Black Hills Sioux Nation Treaty Council makes the following recommendations:

1. Treaties are international agreements. We call for the creation of an independent international mechanism with enforcement powers to resolve disputes, including treaty disputes, between Indigenous nations and States. Creation should be a priority for the three mandates and 2014 WCIP.
2. We call upon the United Nations Office of Legal Affairs to register and publish all treaties between Indigenous peoples and States in the United Nations Treaty Collection.
3. Non-violating States must take positive action to facilitate respect for the rights of Indigenous peoples including treaty disputes when States fail to uphold their erga omnes obligations (In international law it has been used as a legal term describing obligations owed by states towards the community of states as a whole.)
4. We call upon Indigenous peoples and States to develop educational programs to educate the general public on Indigenous people's treaties.

We reject the idea of being minorities. We are not populations. Who we are is superior to any "minority status." We have the inherent sovereignty of a nation. In the U.S. Constitution, treaties are the supreme law of the land and Indians are excluded from taxation because of our sovereign status. After 56 years of struggle, in 1980 we even got the Supreme Court of the invader nation to decide that our treaties were valid. Still, every day is a day of continuing genocide.

We should have one common goal as Indigenous peoples; an end to the colonization of our people. The Lakota peoples want to go to the World Court as one means to seek justice for the genocide against our people. We want our Black hills back. The sacred seven sites of our people are in these mountains. I don't want to participate in their colonized ways. We want to speak Lakota and follow our natural protocols. We have only had contact for 144 years. Our culture is still in tact, our language is strong. These are the ways we want to bring to the United Nations, not just the rules imposed upon us by colonial invaders. We come here in hopes that you will

join with us. We want to go to the ICJ to find justice for all Indigenous peoples. Please don't stop us.

Our inherent sovereignty is affirmed in our treaties and, even as the Treaty Study says treaties are a good way to get recognition from other nations around the world because they define our relationship. Following the protocols of our relationships and being good relatives is how we as Lakota people live. So we cannot participate in the colonial systems that oppresses us. That's why I'm here; to talk about the treaties. I feel that treaties are the only way to get our cultures and lands back. Our culture is so strong that our ways are going around the world so we are looking for consensus and support from everybody. When Lakota talk, we have to speak in terms of the seven generations to come and this is why we are requesting support.

In response to the opening statement by the Chief of the Indigenous Peoples and Minorities Section when we were asked to be positive, As Lakota people, Mr. Chairperson, it is impossible to give positive examples of constructive, fair or just processes in discussing any of the treaties between Indigenous nations, especially the Lakota Nation, since every treaty has been broken that they made and every domestic attempt by our peoples to find justice within an invading nation has failed. They will tell you we have self-determination because they have installed voting colonial councils on our territories. They will tell you that our treaties are domestic or that they are invalid but those abrogations were, every one of them unilateral and based on racist doctrines denying our people the inherent rights we have as human beings. We hope that we will have the chance to have a strong report from this Seminar