

# Indigenous Peoples and Nations Coalition (IPNC)

IPNC Intervention

EMRIP 2019

Ambassador Ronald F. Barnes

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The Report on recognition, reparation and reconciliation omits the universal aspect of the right of right of self-determination of peoples omits the universal aspect of the right to self-determination of peoples by ignoring their political status of those recognized under Article 73 of UN Charter (the Declaration of Non-Self-Governing Territories) and in Ga resolutions 1514, 1541 and Article 2 of the UDHR, the Declaration on Friendly Relations and other international instruments. The important aspects of the separate and distinct status from the State administering the Non-Self-Governing Territory, especially those with an independent status that is international in scope. The international status of Alaska, Hawaii, the Lokotas, Nakotas and Dakotas (by admission of the United States of America that the treaties obligations are international) and of others vested with international treaties must be reflected in any United Nations study. The UN reports such Erica Daes 'Land Rights Report' and the Study on Treaties, Agreements and other Constructive Arrangements by Miguel Alfonso Martinez support that the UNDRIP cannot be the sole framework for recognition, reparation and reconciliation without recognizing the proper status of the peoples concerned.

The IEPDEIO Alfred de Zayas declared apartheid in Alaska before he ended his mandate due to the 1823 Johnson v McIntosh and the 1955 Tee-Hit-Ton v United States that instituted the doctrine of superiority and that the land was for the settlement of the white race in Alaska<sup>1</sup>. This is a crime against humanity and genocide. The white race and the United States military created the constitution and voted in Alaska, the fathers and mothers of colonial apartheid in Alaska. There are calls by other Special Procedures to recognize and address Alaska as a subject of international law, in fact, a State cannot use domestic law of its deficiencies to settle and international obligation (this would include other Indigenous with international treaties or status). Professor Alfred de Zayas and a State during the 2<sup>nd</sup> cycle UPR of the USA called for the re-enlistment of Alaska, Hawaii and potentially the enlistment of the Great Sioux Nation, Indigenous of Australia and Canada and others to Article 73 of the United Charter.

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<sup>1</sup> The paragraph reads as follows: The United States Supreme Court instituted doctrines of superiority and racial discrimination in law and policy by the *Tee-Hit-Ton v United States of America* (348 U.S. 272, 1955) making it clear in footnote 18 that "This purpose in acquisition and its effect on land held by the natives [of the Philippines] was distinguished from the settlement of the white race in the United States where the dominant purpose of the whites in America was to occupy the land." Further, the Tee-Hit-Ton judgment relies on the precedent of the *Johnson v McIntosh*, (21 U.S. (8 Wheat.) 543, 1823) case which held that the character and religion of the native inhabitants of America justified "considering them as a people over whom the superior genius of Europe might claim an ascendancy." The denial of the right of self-determination on grounds of racial discrimination and the application of doctrines of superiority constitutes a crime against humanity tantamount to a form of Apartheid.



The "whites" from Switzerland, Germany, United Kingdom, the continental United States and elsewhere created the constitution and the majority died and were buried outside of Alaska after the political theft. The United Nations is complicit and guilty of crimes against humanity.

Since the illegal overthrow of the Hawaiian Kingdom, the United States of America continues to torment, subjugate, dominate and exploit the Kanaka Maoli peoples, including the Kapunas or Elders that are defending the Mauna Kea sacred sights on the big island of Hawaii. They call for solidarity and protection of their original status and a separate and distinct Kingdom and State and their right to their private lands and government that is under occupation. The

The IPNC calls upon the Inuit Circumpolar Council (ICC), the Indigenous World Association (IWA), the International Indian Treaty Council (IITC), or other NGOs not to attempt to diminish the international legal and political status of Alaska or Hawaii through reduced participation or advocacy under the domestic law of the United States of America under the Declaration on the Rights of Indigenous Peoples, or through any form of tacit consent through your participation or tacit acceptance of the Outcome Document of the World Conference Against Racism (for example paragraphs 7, 28 and 29). The majority of Alaska Tribal Governments called for the re-enlistment of Alaska to the list of Non-Self-Governing Territories and its recognition as subjects of international law. We call upon the United States of America and the United Nations to address the illegal annexation of the white race through the military and citizens from the continental United States of America, Switzerland, Germany, United Kingdom and elsewhere.

The USA disingenuously exited the Human Rights Council under the premise of rank hypocrisy criticized other States are committing violations human rights with impunity, while the USA commits genocide, apartheid and other crimes against humanity against Alaska, Hawaii and against other Indigenous Peoples. The best practice is to nullify the 1958 Alaska referendum and GA resolution 1469 in 1959.

The World Intellectual Property Organization (WIPO) is making an agreement with itself by working with selected puppet institutions that have no real representation from peoples. Until you amend the Constitution of WIPO and as recommended by Alfred de Zayas, the former independent Expert on the Promotion of a Democratic and Equitable International Order that the United Nations amend its rules and procedures for all issues relating to Indigenous Peoples, including Alaska and Hawaii who are States of Peoples, you are making an agreement with yourself.

IPNC calls upon EMRIP to do a study on apartheid and other grave crimes committed by States and send a recommendation for the Committee on the Elimination of Racial Discrimination to accept Petition under Article 15 and send them to the appropriate body with admissibility of claims at the General Assembly level.

The apartheid process of Alaska was an attempt to domesticate and compartmentalize states of peoples under apartheid law, that is, the carbon copy apartheid acts in Union of South Africa (South Africa today), South West Africa (Namibia today) and Rhodesia (Zimbabwe today). The apartheid acts include the Indian Reorganization Act (IRA) of 1934 and the creation of puppet governments and chiefs under the racist apartheid regime state of Alaska. A study on puppet governments verses "free political institutions is necessary to address recognition, reconciliation and other measures of restoration. We do not want puppet governments who falsely represent us to make agreements on our behalf.

I thank you Mr./Madame Chair