

I. Original Nations' laws supersede US law

II. Reporting Organization(s)

We are Yamasi People (YP), a Muskogean Indigenous People in the southeast on the coast of Turtle Island (North America) roughly between Daytona and Charleston and inland in the autumn roughly between Orlando and Augusta. Yamasi are a free and independent Indigenous People, governed and protected by the constitution and laws of Guale Nation. Yamasi are not "Indian" and at no time have been consensually affiliated with the US Bureau of Indian Affairs. We have myriad reasons to believe the US employs fraud to appropriate the identities of Yamasi People, however, Yamasi People are not subsidiaries of US corporations. YP have documented many Indigenous issues brought to us by many Indigenous Peoples and their representatives. Yamasi People are first and foremost a human entity with collectively held rights and obligations.

III. Issue Summary: Corporate accountability

'Indian law' is a US sophistry to justify its argument to the international community that European immigrants' corporations should govern original nations on Turtle Island. 'Indian law' is an apartheid construct that applies different rules, penalties, taxes, and obligations to citizens based on their ancestry.

Yamasi are not subordinate to the US and not governed by "Indian Law." However, the US has continued to impose on Indigenous Peoples its Bureau of Indian Affairs, which works well with international organized crime organizations colonizing Yamasi and other Indigenous Peoples, who are raped, trafficked, impregnated, and enslaved as humans, for profit, by BIA-financed criminals. Many Indigenous Peoples, displaced to the US because of destructive US policies that promote exploitation of Indigenous Peoples worldwide, also suffer in a similar manner to Yamasi People, and like Yamasi, the US refuses to communicate with them as Indigenous Peoples because the US will only communicate with corporations ('Indian Nations') involved with the US Bureau of Indian Affairs (BIA).

The US continues to maintain the pretense of a country with laws, claiming that the US misinterpretation of church doctrine in European Vatican letters has created a legal device that can be applied to Indigenous Peoples of the Americas. This discrimination based on ancestry of original nations is the US' primary basis for dispossessing, defrauding, and attacking Indigenous Peoples, including YP, in the continued US war of aggression to appropriate the natural blessings of Indigenous Peoples, including YP.

Southeast IPs, including YP, are traditionally led by women and do not have agreements with the US for an end to violence, a safe place to live, health care, education, food, access to healthy ecosystems to provide these blessings because of the US commitment not to negotiate with female indigenous leaders.

Because of US misogyny, based on well-documented European traditions, the US does not have data and studies on YP and other Indigenous Peoples. Because the US will not communicate with YP and other IPs outside of the USBIA, the US lack understanding and respect for matrilineal cultures and other structural differences in IP societies from around the world. The US refusal to enter into dialogue with YP and other IPs prevents the US from working effectively with IPs to address: lack of access to healthy ecosystem, apartheid trafficking, corruption, pollution, safety, education, low-intensity conflict and other

violence affecting IPs living with Yamasi lands. Thus, the US does not in practice recognize that we have the right, as humans, not to be raped, kidnapped, trafficked, removed, enslaved, and murdered.

The US prevents YP and other IPs of the Americas from politically participating in indigenous governments. Additionally, the US employs terrorism, trafficking our youth away from us by paying and/or protecting whoever claims our identities as casino beneficiaries.

The US does not recognize us as 'family members' when we care for our children. The US does not recognize that right of indigenous extended family system to care for children. Of course under international law, we have original title and jurisdiction of this land and US law does not apply to our children, who are not necessarily US citizens. While we work internationally to address this, Yamasi and other IPs need to keep our children with us through any non-violent method possible to us. We have brought these issues to the Special Rapporteur RIP.

IV. Concluding Observations.

We need legal means of addressing the US aggression of naming Yamasi and other IPs as "Indians," assigning them "Indian numbers," and paying criminals who abuse us with the help of casino accounts. "Indian" accounts should not be kept secret from indigenous citizens who are assigned as beneficiaries of these accounts. The US should not be forcibly enrolling indigenous citizens and entire Indigenous Peoples in its organized crime agency, the BIA, which promotes casinos and the transnational criminal corporations that profit from and control them. This US policy of exploiting Indigenous Peoples of the Americas by enrolling indigenous citizens, without their knowledge or consent, as beneficiaries in BIA casino scams, promotes the trafficking of humans, drugs, weapons, and conflict minerals that accompanies this money trafficking scam. The US could learn more about this and work with Indigenous Peoples against transnational organized crime corporations trafficking money, humans, drugs, weapons, and conflict minerals by beginning to communicate with Indigenous Peoples.

However, it is current US policy not to communicate with Indigenous Peoples. Yamasi People have repeatedly attempted to communicate with the US. As the US does not have any way of learning about the issues affecting Indigenous Peoples in the Southeast, such as YP, it cannot begin to address them. The US policy of only communicating with those 'Indians' the US considers to be controllable leaders of 'dependent Indian nations' has resulted in the systematic rape, kidnapping, incarceration, enslavement, torture, arson, and murder of YP and other IPs of the Americas in the southeast. It may also affect Indigenous Peoples of Africa and Asia, however, Yamasi have only documented this systematic assault on the rights of Indigenous Peoples of the Americas. The US cultivated ignorance of the problem and US determination not to communicate with Indigenous Peoples who are independent of the US and its criminal agency, the US BIA, demonstrates the US continued determination to promote the systematic rape, kidnapping, incarceration enslavement, torture, arson, and murder of indigenous citizens and destruction of Indigenous Peoples, lands, winds and waters.

Yamasi People and hundreds of other Indigenous Peoples of the Americas cannot identify characteristics of the US that qualify it as a country with a government respecting the rule of law.

The US acts as a rouge nation using terror via arbitrary assertions of military power on IPs to systematically rape, kidnap, incarcerate, enslave, torture, burn, and murder. Yamasi People and other Indigenous Peoples do not recognize the US as a country. The US does not respect its own constitution or the constitutions of original nations governing Indigenous Peoples. We are at an impasse and there is more conflict ahead as the US refuses to get help for its addiction to consumption and destruction, which Europe enables. Today the international community can work with Indigenous Peoples of the Americas to help the US grow into an entity that respects the rule of law.

V. U.S. Government Report

In the US' 2008 report it did not respond to the issues of IPs governed by their original nations. The US only shares its own statistics on IPs and excludes the data on Indigenous Peoples independent of the US and its organized crime agency, the US BIA. Because the US does not communicate with Indigenous Peoples, it cannot even begin to address the problems raised here.

VI. Legal Framework

ICERD is built on a human rights framework that guarantees non-discrimination, accountability, and public participation in decision-making. The US prevents Indigenous Peoples from participating politically because it undermines the authority of original nations accountable to Indigenous Peoples, based on the ancestry of the original nations. Because the original nations governing where the US occupies are led by those of indigenous American descent, the US corporation attacks Indigenous Peoples voting for leaders of original nations. Because Indigenous Peoples are from a non-European culture, economy, religion, ethnicity, nationality, the US teaches the European myth of 'race' and tries to indoctrinate Indigenous Peoples with the belief that 'race' exists and that Indigenous Peoples and their government are not of the same 'race' as the US government, and are therefore inferior and original nations' laws do not apply, or they may apply to certain 'races' if certain indigenous leaders will cede certain rights. Thus every element of US apartheid 'Indian law' violates ICERD in relegating those of indigenous American ancestry to a separate legal system that deprives us of our right to govern ourselves and participate politically in our village and our world, and thus prevents us from accessing healthy food, water, education, shelter, and health opportunities.

VII. The CERD Committee General Comments

The CERD's General Recommendation 35 against Racist hate speech should cause the US to immediately desist in paying elementary, middle, high and tertiary schools to use Native mascots. Specifically this hate speech is directed against Yamasi People and other Indigenous Peoples in the US paying Florida State University to use the ancestor of many Yamasi, Osceola, as a mascot, and calling him "Indian" and "Seminole" when that is not who he called himself, while his cultural, biological, and/or national descendants cannot are prohibited by the US from attending college. These epithets and renationalization come from US-sponsored hate speech.

VIII. Other UN Body Recommendations

The 13th Session, Permanent Forum on Indigenous Issues reinforced many past recommendations calling for dialogue by recommending specifically to the US that it enter into dialogue with Yamasi People and other Indigenous Peoples addressing the human rights violations resulting from fraud and corruption.

IX. Recommended Questions

- 1. How is the US planning to communicate with Indigenous Peoples, in accordance with the UNUDHR, as explicated in the DRIP, to peacefully negotiate a settlement to the US occupation of the lands of original nations governing Indigenous Peoples, especially those IPs who do not recognize the US, its 'BIA,' its international organized crime casino racket, or its apartheid "Indian Law" system as governing them?**
- 2. How does the US plan to work with Indigenous Peoples independent of the US to address international organized crime?**
- 3. How does the US plan to stop the systematic ecosystem poisoning, physical assault, torture, psychological abuse, rape, kidnapping, productive and reproductive slavery, incarceration, trafficking, of Indigenous Peoples, especially Yamasi People?**

X. Suggested Recommendations

- 1. Immediately prioritize dialogue with Indigenous Peoples with the US state department as a part of US plans for peace, ending the US refusal to negotiate treaties with female indigenous leaders and the systematic exclusion of Indigenous Peoples with traditions of female leadership from political participation, especially prioritizing dialogue for the protection of children.**
- 2. End the use of apartheid 'Indian law,' use of Natives as mascots, forced affiliation of Indigenous Peoples with US criminal agency: BIA.**
- 3. Promote the climate change mitigation efforts of all Indigenous Peoples protecting ecosystems where the US occupies.**

We report to CERD, not to resolve the jurisdictional dispute, but to ensure that human rights mechanisms are respected by the US, including the requirement for the US to enter into non-violent dialogue to resolve the jurisdictional dispute. We want the US war of aggression to stop.

We would like the US, through its BIA agency, to stop facilitating the trafficking of Yamasi women and children and other IPs of the Americas, by ending the practice of paying traffickers who claim the identity of indigenous children. We need the US to stop claiming jurisdiction over indigenous citizens' bodies by naming us "Indians." If the US will stop pretending like we are governed by "Indian law" the trafficking will stop.