



**United States' Compliance with the International Covenant on Civil and Political Rights
Suggested List of Issues to Country Report Task Force on the United States¹
107th Session of the Human Rights Committee, Geneva 11-28 March 2013**

**Submitted December 28, 2012 by the International Indian Treaty Council and the United Confederacy
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¹ Human Rights Committee, *Consideration of reports and country situations in the absence of a report*,
<http://www2.ohchr.org/english/bodies/hrc/hrcs107.htm> (last visited December 16, 2012)

² IITC also acknowledges with appreciation the significant contributions of Chief Gary Harrison, Chairman, Chickaloon Village Traditional Council, Chickaloon Native Village, Alaska; Dennis Pu'uhonua B. K. Kanahela, Head Representative, Nation of Hawai'i; June L. Lorenzo, Laguna Pueblo/Dine; and The National Native American Boarding School Healing Coalition in the content of this submission

I. INTRODUCTION

“Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States”

--- Preamble, UN Declaration on the Rights of Indigenous Peoples

The International Indian Treaty Council (IITC) is an organization of Indigenous Peoples from the Americas, the Caribbean and the Pacific working for the Sovereignty and Self Determination of Indigenous Peoples and the recognition and protection of Indigenous Rights, Treaties, Traditional Cultures and Sacred Lands.³ The IITC was founded on the Standing Rock Reservation in South Dakota in 1974. In 1977 the United Nations Economic and Social Council (ECOSOC) was the first Indigenous organization to receive Non-Governmental Organization (NGO) Consultative Status with the UN Economic and Social Council, and in 2011 was the first Indigenous Peoples organization to be upgraded to General Consultative Status.

The United Confederation of Taíno People (UCTP) is a Caribbean Indigenous leadership initiative established in 1998 with a membership spanning the Greater and Lesser Antilles, Puerto Rico (Boriken) and the continental United States. The UCTP is dedicated to the promotion and protection of the human rights, cultural heritage, and spiritual traditions of the Taíno and other Caribbean Indigenous Peoples.

The IITC and its affiliates including the UCTP, Chickaloon Native Village and Nation of Hawaii, welcome the opportunity to address the issues to be raised regarding the review of the United States’ compliance under the International Covenant on Civil and Political Rights (ICCPR). This is the first ICCPR review of the United States to be held since the adoption of the UN Declaration on the Rights of Indigenous Peoples (“The UN Declaration”) by the United Nations General Assembly on September 13th, 2007. The United States, after its initial “no” vote along with only three other States in the General Assembly, became the last country to reverse this position of express its support (although with some very problematic qualifications) on December 19th 2010.

The UN Declaration and the rights it recognizes, which “constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world”, will have a historic significance and impact in the upcoming review of the United States by the Human Rights Committee. The UN Declaration’s recognizes the international standing and character of Treaties concluded with Indigenous Nations, the right to Self-determination as defined under international law, the closely-linked right to Free Prior and Informed Consent affirmed in many articles, rights to land and natural resources, and the framework it provides for implementing collaborative processes for redress and restitution with full participation of impacted Indigenous Peoples. These provisions of UN Declaration are of direct relevance to the implementation of Article 1 of the ICCPR. They can provide a basis for the Committee’s recommendations for next steps and ways forward in the resolution of important and ongoing concerns regarding the policies and actions of the United States and the full enjoyment of the rights enshrined in the Convention by Indigenous Peoples.

³ See Annex for a partial list of IITC’s affiliated Nations, Peoples and organizations based in the United States, Alaska, Hawaii and Puerto Rico

II. ARTICLE 1: THE RIGHT OF ALL PEOPLES TO SELF-DETERMINATION

A. Issue Summary:

1. Although the United States Congress unilaterally ended Treaty-making with Indigenous Nations in 1871, the over 600 preexisting Treaties remain in effect and contain obligations which are legally binding upon the United States. The US Constitution's reference to Treaties as "the Supreme Law of the Land" includes and encompasses US obligations under Treaties entered into in good faith with the original Indigenous Nations. The "duty of protection" by the US toward the Indians created by many Treaties has been undermined by another principle, as noted by the Committee in its last review: the "plenary power" of the United States Congress which has been interpreted as the power to make unilateral decisions about the lands, resources and political status of Indigenous Peoples without their consent and, in many cases, in direct abrogation of legal obligations enshrined in Treaties.⁴ To date, despite the ongoing claims of Treaty violations by the Indigenous Treaty partners, there has never been an effective, just and participatory process established in the US based on the principle of Consent (a historic Treaty principle as well as a right recognized in a number of International human rights standards) to resolve conflicts or redress violations of these Nation-to-Nation Treaties in the spirit of partnership.

2. Alaska, Hawaii and Puerto Rico were on the list of non-self-governing territories to be accorded the decolonization process when the *UN Charter* was adopted. Although Alaska and Hawaii were made states of the US in 1959, and Puerto Rico remains a US territory, there are many objections and challenges expressed by the impacted Indigenous Peoples regarding the process that was used by the US to achieve this end. For example, in 1959 during the voting process for Alaska statehood (which was the only option presented on the ballot, which in itself a violation of the designated UN process), significant numbers of Alaska Indigenous Peoples, including many elders, were prohibited from voting by a law requiring the voter to speak and write in English. In addition Alaska Natives required 5 Caucasian persons to guarantee their competence as a voter.⁵

Regarding U.S. territories such as Puerto Rico (Boriken) and the Indigenous Peoples of those territories, since 1972, 30 resolutions and decisions on Puerto Rico have been adopted by the United Nations Committee on decolonization, but in 40 years, very little progress has been made regarding movement in the decolonization process by the United States. The Indigenous People of Puerto Rico are still unable to exercise their right to self-determination under Article 1 of the ICCPR and the United States continues to wield power over their economy. The United States holds congressional authority over the island.

B. Previous Concluding Observations (2006):

The most relevant concluding observations regarding the United States' last periodic review are found in paragraph 37 of CCPR/C/USA/CO/3/Rev.1. The Committee noted with concern the United States policies and laws which extinguish or abrogate the inherent rights of Indigenous Peoples. These include the rights that were affirmed in the Nation-to-Nation Treaties with the US. This is a matter of continuing concern. The US has also failed to address the specific concern expressed by the Committee regarding Indigenous Native Hawaiians in particular, as the Native Hawaiian Government Reorganization Act of 2009 S1011/HR2314 commonly known as the *Akaka Bill* clearly represents. Although, as the Committee noted, the US Congress formally apologized in

⁴ The legal fiction, often upheld in court decisions, that all Treaties between the State and Indian Nations carry with them cession of Indian lands, whether or not they so state, is demonstrated in the case of the Western Shoshone, among others, who entered into a treaty of peace and friendship with the United States, allowing passage by settlers through their lands. This Treaty was so misconstrued by the United States Circuit Court, that this "safe passage" allowed by the Western Shoshone became "gradual encroachment" that resulted over time in the loss of their lands. *Western Shoshone Legal Defense and Education Association v. United States*, 531 F.2nd 495.

⁵ See Alaska state constitution "List of Events" regarding English only voters, repealed in 1970. Meanwhile, the military was allowed to vote in local elections in Alaska regardless of the fact that they were mostly residents from other states or countries. Information provided by Traditional Chief and Chairman Gary Harrison, Chickaloon Village Alaska Native (2012).

1993 (US Public Law 103-150) for the illegal overthrow of the Sovereign Hawaiian Kingdom, it has done nothing to restore or rectify the Sovereign status of Hawaii. The stated goal of the Akaka bill is to provide for federal recognition of Indigenous Hawaiians in the context of the US system, again deciding the identity and political status of the Hawaiian People. This is far from the definition of self-determination under ICCPR Article 1, and is being promoted without the consent or agreement of most Indigenous Hawaiians.⁶

C. US Government Report:

See generally Part II, Section 2, paragraphs 9 to 31 of the US Government Report regarding Article 1, titled "American Indians and Alaska Natives". The United States Periodic report is misleading in many instances, including their references only to "recognized tribes." While Alaska Natives and Native Hawaiians are mentioned in the Report in a limited way, terminated and unrecognized "Tribes" (Indigenous Peoples and Nations) are not mentioned in the United States' Periodic Reports. The Committee has previously expressed concern over the hundreds of Tribes that were terminated under the US Dawes Act, and later, from 1953 to 1968, under the Termination Policy of the Congress. Many of these continue to seek recognition and have their status, lands and rights restored. When the United States expressed its qualified support for the UN Declaration in December 2010 one of the most notable qualifications was the US' intent to implement its provisions only for "federally recognized tribes". The continued lack of mention of "unrecognized" Indigenous Peoples in its Periodic Report further demonstrates this key aspect of the United States' failure to comply with the International Covenant on Civil and Political Rights Article 1 regarding Indigenous Peoples. This failure of recognition, based in many cases on its own termination policies, constitutes extinguishment. It denies rights to services guaranteed under Treaties (i.e. health and education) and US federal Indian law (i.e. repatriation of ancestral remains and cultural items) as well as their land rights, identity and very existence as Peoples. Unrecognized Indigenous Peoples of U.S. territories, such as the Taíno of Puerto Rico, are further marginalized within the international system as their "home countries" are not full members of the United Nations or the Organization of American States. Their status regarding redress of rights affirmed by international and regional bodies, as well as under US law (such as the Native America Graves Protection and Repatriation Act) remain in limbo.

D. Other UN and Regional Human Rights Bodies Recommendations:

The UN Declaration on the Rights of Indigenous Peoples, including its provisions on Treaties, Agreements and Other Constructive Arrangements, Free Prior and Informed Consent regarding development, relocation, sacred sites, cultural items and legislative measures, has been recognized as a guideline for the interpretation and implementation of international standards to which States are legally obligated, in particular the International Convention for the Elimination of all Forms of Racial Discrimination (ICERD). The role of the Declaration in this regard was specifically affirmed in 2008 in the recommendations of the **Committee on the Elimination of Racial Discrimination** ("CERD", the Treaty Monitoring Body for the ICERD) to the United States, as follows:

*"While noting the position of the State party with regard to the United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295), the Committee finally recommends that the declaration be used as a guide to interpret the State party's obligations under the Convention relating to indigenous peoples."*⁷

In another historic step using the UN Declaration as the "minimum standard", on April 20, 2012, States attending the 14th session of negotiations for the proposed American Declaration on the Rights of Indigenous Peoples in Washington DC adopted by consensus Article XXIII on Treaties, Agreements and other constructive arrangements, which states in paragraph 1:

⁶ Information provided by Pu'uhonua "Bumpy" Kanahale, Spokesperson and Head of State, Nation of Hawaii

⁷ Committee on the Elimination of Racial Discrimination Seventy-second session Geneva, 18 February - 7 March 2008, Concluding observations, United States of America, UN Doc. CERD/C/USA/CO/6, 8 May 2008, para. 29.

“1. Indigenous peoples have the right to the recognition, observance, and enforcement of the treaties, agreements and other constructive arrangements concluded with states and their successors in accordance with their true spirit and intent, in good faith, and to have the same be respected and honored by the States. States shall give due consideration to the understanding of the Indigenous Peoples in regards to treaties, agreements and other constructive arrangements. When disputes cannot be resolved between the parties in relation to such treaties, agreements and other constructive arrangements, these shall be submitted to competent bodies, including regional and international bodies, by the States or indigenous peoples concerned.”

Other important advances have taken place towards the establishment of mechanisms for international redress and restitution, notably the new UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence established by the UN Human Rights Council’s 18th session in September 2011.

E. Recommended Questions:

1. Can the US explain the process it used for decolonization in Alaska and Hawaii in light of Article 1 of the ICCPR and the United Nations Charter process? What is the significance in this regard of the Hawaii Apology bill (1993) specifically recognizing the illegal overthrow and annexing of Hawaii by the United States?
2. Can the US clarify its qualifications in its application of the rights affirmed in the UN Declaration on the Rights of indigenous Peoples, specifically with regards to Self-determination, Free Prior and Informed Consent and application only to “Federally Recognized Tribes” vis a vis its expression of support on December 19th, 2010 and reaffirmed by President Obama on November 1st, 2012?
3. Can the US clarify its position and intention regarding establishment of a mechanism for Treaty implementation, as well as for redress of Treaty violations and resolution of related disputes with the full participation by the Indigenous Nation Treaty partners?

F. Suggested Recommendations:

1. That the HRC call upon the United States to implement the UN Declaration on the Rights of Indigenous Peoples without qualification, use it as a guideline for interpretation and implementation by of the ICCPR regarding Indigenous Peoples, and bring its national policies and laws into conformity with its core principles including self-determination, honoring and enforcing Treaties and Free Prior and Informed Consent
2. That the HRC review and assess the process used by the United States to make Hawaii and Alaska US states and that the US establish a mechanism and process with full and equal participation of the impacted Indigenous Peoples to resolve the situation, including their restoration under article 73 of the UN Charter until a mutually acceptable process for decolonization under a United Nations process can be implemented.
3. That the HRC call upon the United States to implement the UN Special Committee on Decolonization’s (A/AC.109/2012/L.7) to expedite a process that would allow the people of Puerto Rico to fully exercise their inalienable right to self-determination and independence, taking into account the specific situation of the original Indigenous Peoples and their distinct right to self-determination under Article 1.
4. That the HRC recommend that the United States recognize that it does not have the power to unilaterally define Indigenous Peoples, nor to make discretionary determinations of the application of the rights affirmed in the UN Declaration on the Rights of Indigenous Peoples;
5. That the Human Rights Council recommend that the United States implement a just, bi-lateral, fully participatory processes for redress and restitution of rights affirmed in Treaties with respect for their original spirit and intent as understood and interpreted by the Indigenous Peoples and in accordance with the framework contained in the UN Declaration on the Rights of Peoples.
6. That the HRC call upon the United States to implement the OAS Declaration Text Article XXIII, relevant CERD recommendations and other advances in the international arena affirming Treaties as understood and interpreted by Indigenous Peoples.

III. Articles 18 and 27: Rights to Religion, Culture and Language

A. Issue Summary

1. “Respecting that which is sacred to Indigenous Peoples in the United States should be the backbone of protecting Indigenous cultural, religious and spiritual rights under domestic and international law”⁸. There is an urgent need to address the crises facing Indigenous Peoples in many regions of the United States and its territories regarding the ongoing lack of legal protection for their sacred sites, religious practice, culture and spirituality. This includes structures, burial grounds, waterways, objects, sacred items, landscapes and areas essential for the collection of ceremonial and culturally important animal and plant foods and medicines. Desecration, threats and destruction of sacred places and areas of cultural/spiritual significance essential to the religious and cultural practices of Indigenous Peoples continues as a result of urbanization, tourism, extractive industries, industrial development, toxic contamination and laws restricting access. A major concern is the lack of recognition by the US of the right to Free Prior and Informed Consent as affirmed by the UN Declaration on the Rights of Indigenous Peoples, defining it as a much diminished right to mere “consultation”.⁹

The UN Declaration recognizes and affirms the rights of Indigenous Peoples to their cultural, religious, and spiritual practices, to have private access to sacred sites (Articles 11 and 12) as well as to maintain and strengthen their spiritual relationship with their traditionally held lands, territories, waters and coastal seas and other resources (Articles 25). These rights apply equally and without distinction to places found within existing reservation or territorial boundaries and those on lands “traditionally held” to which they have maintained a clear spiritual relationship. The Declaration does not distinguish between rights of “recognized” and “unrecognized” Indigenous Peoples in this regard.

The ability of Indigenous Peoples to protect their sacred sites and places is severely restricted by the U.S. legal regime¹⁰, evidenced by the decision of the US 9th Circuit Court of Appeals upholding the use of snow made from treated sewage effluent on sacred San Francisco Peaks in Arizona, despite extensive testimony opposing this desecration by spiritual and religious leaders from a number of Indigenous Nations. The IITC and over 20 Indigenous Nations have submitted a CERD urgent action citing violations by the U.S. of rights recognized in the UN Declaration regarding this this grave situation, which is still pending. Two of many other examples include:

- Mount Taylor, New Mexico, USA, sacred to Acoma Pueblo, Laguna Pueblo, Zuni Pueblo, Navajo and Hopi, as well as many other Peoples was permanently designated in 2009 as a traditional cultural property under state law but is threatened by prospects for uranium mining which is currently being promoted by US federal energy policy. The designation was overturned in February 2011 in New Mexico District Court after a group of landowners and uranium mining companies sued the state cultural agency and the tribes, claiming the area was too large to be protected as a traditional cultural property and that the designation deprived

⁸ Genia, Erin M. “The Landscape and Language of Indigenous Cultural Rights” 44 Ariz. St. L.J. 653 at 659. “Unlike any other group, Native peoples are left largely unprotected by the Constitution when exercising the fundamental right to freedom of religion. Generally, the government must show a compelling interest when its actions restrict or fail to accommodate religious practices. For infringements on religious practices of Native peoples, however, the Supreme Court held otherwise in *Lyng v. Northwest Indian Cemetery Protective Association* (1988). In *Lyng*, the Court found that... “[w]hatever rights the Indians may have to the use of the area, ... do not divest the Government of its right to use what is, after all, its land.”

⁹ US Dep’t of State Announcement of US Support for the United Nations Declaration on the Rights of Indigenous Peoples (December 10th 2010) available at <http://www.state.gov/documents/organization/153223.pdf>.

¹⁰ Many aspects of the American Indian Religious Freedom Act, the National Historic Preservation Act, the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act, as well as the Native American Graves Repatriation Act (NAGPRA) have not been implemented, or have been severely diminished through jurisprudence and minimal political will. In 2010, the United States Government Accountability Office issued a report finding that “20 years after NAGPRA, key federal officials still have not fully complied with the act for their historical collections acquired on or before NAGPRA’s enactment” (See NATIVE AMERICAN GRAVES AND REPATRIATION 2 Kathy J Bergmann, ed. 2011).

them of property rights. The case was appealed to the New Mexico Supreme Court; the decision, which is due in early 2013, could have wide ranging impacts on how sacred places are treated throughout the United States and US territories.

- Medicine Lake on Mt. Shasta is a water body sacred for healing, spiritual rebirth and protection for the Pit River, Wintu and other Indigenous Nations in Northern California. It has been targeted for many years for geothermal energy development and is currently undergoing hydraulic fracturing over the vehement objection of the impacted Indigenous Nations, who maintain that any industrial development in this area will result in irreparable spiritual and religious harm. Currently Medicine Lake and surrounding lands are controlled by the US government's Bureau of Land Management.
2. The devastating human rights violations against Indigenous children, with ongoing inter-generational impacts on Indigenous cultures and languages resulting from the United States boarding school policies of the 19th and 20th centuries, have never been redressed by the United States. There were almost 500 such schools across the US with the stated intention of "Kill the Indian, Save the Man". Many Indian children were forcibly abducted from their homes by government agents, and were beaten, starved or otherwise brutally abused when they spoke their own languages. Professor Denise Lajimodiere, Chair of the National Native American Boarding School Healing Coalition testified "My mother was locked in a closet because she didn't speak English."¹¹ Based on interviews with survivors she added "People told me about having pins stuck in their tongues and getting their mouths washed out with lye soap if they spoke Indigenous languages." As a direct result, of the approximately 155 Indigenous languages still spoken in the US, it is estimated that 90% will be extinct in 10 years. By 2050, there will be only 20 languages left, of which 90 percent will be facing extinction by 2060.¹²

B. Previous Concluding Observations

In its 2006 examination of the United States under the International Covenant on Civil and Political Rights (ICCPR) the Human Rights Committee (HRC) noted its concern over the "extinguishment" of aboriginal title and violations of the right to decision making by Indigenous Peoples over activities affecting their traditional territories. The HRC recommended that the United States, "... should review its policy towards indigenous peoples as regards the extinguishment of aboriginal rights on the basis of the plenary power of Congress regarding Indian affairs and grant them the same degree of judicial protection that is available to the non-indigenous population. It should take further steps in order to secure the rights of all indigenous peoples under articles 1 and 27 of the Covenant to give them greater influence in decision-making affecting their natural environment and their means of subsistence as well as their own culture." There is no doubt that the actions taken by the US government and its agencies (i.e. the Forest Service) have impeded if not nullified this right.

C. US Government Report

The only substantive discussion regarding sacred sites is on page 187 of the US Report, citing Executive Order 13175 requiring federal agencies to have a process for meaningful input from tribes in the development of certain policies that have tribal implications. The Report also alludes to Executive Order 13007 (1996) on Indian Sacred Sites, which calls on federal land management agencies to "(1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites." These Orders have a limited scope as mechanisms for resolution of outstanding claims or conflicts respecting sacred sites. The US Report only discusses sacred sites in the context of consultation and related legislation. There is no information regarding how the US has progressed in terms of implementation of domestic legislation and/or executive orders, or how they plan to operationalize Free Prior and Informed Consent for Indigenous Peoples regarding activities that may impact sacred sites or cultural use areas.

¹¹ Denise Lajimodiere testimony to the Inter-American Commission on Human Rights October 29th, 2010, report issued by the Native American Boarding School Healing Coalition

¹² Andrea Smith testimony, Ibid

D. Other UN and Regional Human Rights Bodies Recommendations:

In 2008, the CERD also made recommendations to the United States regarding their failure to uphold and consider the rights of Indigenous Peoples concerning the protection of Sacred Sites and areas of cultural importance. In their 2008 examination of the United States' compliance with the ICERD) the CERD Committee voiced concern "... about reports relating to activities, such as nuclear testing, toxic and dangerous waste storage, mining or logging, carried out or planned in areas of spiritual and cultural significance to Native Americans, and about the negative impact that such activities allegedly have on the enjoyment by the affected indigenous peoples of their rights under the Convention (arts. 5 (d) (v), 5 (e) (iv) and 5 (e) (vi))."

*The Committee recommends that the State party take all appropriate measures, in consultation with indigenous peoples concerned and their representatives chosen in accordance with their own procedure, – to ensure that activities carried out in areas of spiritual and cultural significance to Native Americans do not have a negative impact on the enjoyment of their rights under the Convention...*¹³

In 1998, regarding his country visit to the United States, Mr. Abdelfattah Amor, the then Special Rapporteur on Religious Intolerance applied ICCPR Article 18 (the right to practice and manifest religion or belief) to Indigenous Spiritual Practice and land based religion, stating *"As far as Native Americans' access to sacred sites is concerned, this is a fundamental right in the sphere of religion, the exercise of which must be guaranteed in accordance with the above-mentioned provisions of international law on the matter."*¹⁴

E. Recommended Questions

- 1) Given the many deficiencies in federal statutory compliance and recommendations by Treaty Monitoring bodies and UN Rapporteurs, how can the United States be in compliance with its international obligations regarding freedom of religion for Indigenous Peoples, in particular the protection of their sacred places?
- 2) How will the United States provide redress and reparations to Indigenous persons, families, communities and Nations who suffered loss of languages and cultures as a result of the US Boarding School policies?

F. Suggested Recommendations

- 1) That the HRC recommend that the United States strengthen Executive Order 13175 on Consultation and Coordination with Indian Tribal Governments to implement a policy of free, prior and informed consent as established in the UN Declaration (Arts. 19 and 32(2)) and CERD General Recommendation XXIII regarding any activities which may affect sacred sites and places or cultural of religions practices of Indigenous Peoples.
- 2) That the HRC recommend that the US immediately put in place and publicize accessible, effective and timely procedures developed in conjunction with Indigenous Peoples for individual survivors of residential schools as well as impacted families, communities and Nations to seek redress for the abuses they experienced including the loss and language and culture.

¹³ Committee on the Elimination of Racial Discrimination 72nd session Geneva, 18 February - 7 March 2008, Concluding observations, United States of America, UN Doc. CERD/C/USA/CO/6, 8 May 2008, para. 29. Also, CERD General Recommendation XXIII (1997), paragraph 4: "The Committee calls in particular upon States parties to: (d) Ensure that members of indigenous peoples have equal rights in respect of effective participation in public life and that no decisions directly relating to their rights and interests are taken without their informed consent; (e) Ensure that indigenous communities can exercise their rights to practise and revitalize their cultural traditions..."

¹⁴ Report submitted by Mr. Abdelfattah Amor, Special Rapporteur, in accordance with Commission on Human Rights resolution 1998/18, Addendum, Visit to the United States of America, E/CN.4/1999/58/Add.1, 9 December 1998, para. 82.

IV. Annex – List of Affiliates

What follows are the IITC Affiliates based in the United States (partial list):

1. National Native American Prisoners' Rights Coalition
2. White Clay Society/Blackfoot Confederacy (Montana)
3. Indigenous Environmental Network
4. Columbia River Peoples (Washington/Oregon)
5. Rural Coalition Native American Task Force (Minnesota)
6. Yoemem Tekia Foundation, Pascua Yaqui Nation (Arizona)
7. Pit River Tribe (California)
8. Wintu Nation of California
9. Tule River Nation (California)
10. Muwekma Ohlone Nation (California)
11. Coyote Valley Pomo Nation (California)
12. Round Valley Pomo Nation (California)
13. Oklahoma Region Indigenous Environmental Network (Oklahoma)
14. Wanblee Wakpeh Oyate (Pine Ridge, South Dakota)
15. IEN Youth Council
16. Independent Seminole Nation of Florida (Florida)
17. Cactus Valley/Red Willow Springs Big Mountain Sovereign Dineh Community (Arizona)
18. Eagle and Condor Indigenous Peoples' Alliance (Oklahoma)
19. Seminole Sovereignty Protection Initiative (Oklahoma)
20. Mundo Maya (California)
21. Los Angeles Indigenous Peoples Alliance (California)
22. American Indian Treaty Council Information Center (Minnesota)
23. Vallejo Inter-Tribal Council (California)

24. Three Fires Ojibwe Cultural and Education Society (Minnesota)
25. North-South Indigenous Network Against Pesticides
26. Indigenous Women's Initiative for Environmental and Reproductive Health

Alaska:

27. Native Village of Venetie Tribal Government/Arctic Village Traditional Council,
28. Chickaloon Village Traditional Council, Chickaloon Native Village
29. Stevens Village Traditional Council

Hawaii:

30. Nation of Hawaii
31. Aloha First, Hawaii

Puerto Rico (Boriken, Caribbean):

32. United Confederacy of Taino People