



# International Indian Treaty Council

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## FOR IMMEDIATE RELEASE

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## FINAL CONCLUSIONS AND RECOMMENDATIONS ON UNITED STATES ISSUED BY THE UNITED NATIONS HUMAN RIGHTS COMMITTEE CALL FOR MEASURES TO PROTECT SACRED AREAS

**Geneva, Switzerland, March 31, 2014:** On Friday, March 28, 2014, the 110<sup>th</sup> session of the United Nations (UN) Human Rights Committee (HRC) issued its Concluding Observations on the United States (US) compliance with the International Covenant on Civil and Political Rights (ICCPR). The 11-page document covers a broad range of issues presented during the review of the US.

In addition to specific recommendations addressing the cultural rights of Indigenous Peoples under Article 27 of the Covenant, other recommendations addressed issues such as racial disparities in the criminal justice system and racial profiling which directly impact the lives and rights of Indigenous Peoples in the US. The HRC also expressed concern about disproportionate levels of violence against Indigenous women in the US.

“We are encouraged that the Human Rights Committee expressed concern over the desecration, contamination and denial of access to sacred areas in response to many cases and examples presented by Indigenous Peoples and called upon the US to achieve the standard of Free, Prior and Informed Consent when it comes to protection of these sacred areas,” stated Danika Littlechild, International Indian Treaty Council (IITC) Legal Counsel, who attended the session in Geneva. “This demonstrates that the Committee applied the standards set out in International Law and used the UN Declaration on the Rights of Indigenous Peoples as a lens through which the legal obligations of the US under the ICCPR must be understood.”

The IITC submitted an Indigenous Peoples Consolidated Alternative Report for the HRC’s review of the US in September 2013 and provided updates in February of 2014. These are available, along with the US country report, other Alternative Reports and the Committee’s Concluding Observations regarding the US, on the Human Rights Committee web site: <http://www2.ohchr.org/english/bodies/hrc/>. The Indigenous Peoples’ Consolidated Alternative Report is also available on IITC’s web site: [www.treatycouncil.org](http://www.treatycouncil.org).

Twenty-eight Indigenous Nations, Tribes, Treaty Councils, organizations, community groups and Traditional Cultural Societies were co-submitters or contributors to the Indigenous Peoples Consolidated Alternative Report. HRC members asked the US a series of questions based on a number of cases and examples presented in the report addressing the lack of protection by the US for Indigenous Peoples’ sacred areas, religious and cultural practices, and its consistent failure to implement the right to Free, Prior and Informed Consent.

The Concluding Observations addressing the US reflect the HRC’s concerns regarding the critical violations presented by Indigenous Peoples: *“The Committee is concerned about the insufficient measures being taken to protect the sacred areas of indigenous peoples against desecration, contamination and destruction as a result of urbanization, extractive industries, industrial development, tourism and toxic contamination. It is also concerned about restricted access of indigenous people to sacred areas essential for preservation of their religious, cultural and spiritual practices and the insufficiency of consultation conducted with indigenous peoples on matters of interest to their communities”* (paragraph 25).

The HRC called upon the US to *“Strengthen and expand existing mechanisms mandated to monitor the implementation of human rights at federal, state, local and tribal levels”* (paragraph 4) and *“take measures to assist tribal authorities in their efforts to address domestic violence against Native American women”* (paragraph 16).

However, other important issues raised by Indigenous Peoples and Nations in the Consolidated Alternative Report and other submissions, such as the rights of unrecognized Indigenous Peoples, violations of Treaty rights, and decolonization of insular areas and former territories in accordance with Article 1 of ICCPR, were not addressed in the Committee’s conclusions and recommendations.

ICCPR is a multilateral legally binding Human Rights Treaty adopted by the UN General Assembly on December 16, 1966. The US is one of 167 State parties which have ratified the Covenant. All State parties are required to undergo periodic reviews by the HRC assessing their compliance with the Covenant, usually every 4 - 6 years. The next step will be to promote implementation and follow up for the Committee’s recommendations to the US.

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