



International Indian Treaty Council
Consejo Internacional de Tratados Indios

100 E. Ajo Way
Tucson, AZ 85713

Phone: (520) 833-9797

Fax: (520) 833-9799

Email: info@treatycouncil.org

www.treatycouncil.org

September 9, 2022

FOR IMMEDIATE RELEASE

Contact: Summer Blaze Aubrey,

IITC Staff Attorney, summer@treatycouncil.org

UNITED NATIONS COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (CERD) CONCLUDING OBSERVATIONS HIGHLIGHT MULTIPLE FORMS OF DISCRIMINATION AGAINST INDIGENOUS PEOPLES IN THE UNITED STATES



CERD Review of the United States, August 12, 2022, Geneva. CERD members are on the left side of the room, representatives from the United States government are on the right.

Photo courtesy of UN TV.

On August 30th, the 107th Session of the United Nations Committee on the Elimination of Racial Discrimination (CERD) issued its concluding observations regarding its review of the United States (U.S.) and its compliance with the International Convention on the Elimination of Racial Discrimination (ICERD). The CERD session took place in Geneva Switzerland from August 8 - 30, 2022.

Working for the Rights and Recognition of Indigenous Peoples
Trabajando por el reconocimiento y los derechos de los Pueblos Indígenas

The issues addressed by the CERD's concluding observations included the harmful effects of colonization, ongoing violations of Treaties the U.S. concluded with Indigenous Peoples, lack of U.S. recognition for many Indigenous Peoples, U.S. failure to fully implement free, prior and informed consent, impacts of imposed extractive and infrastructure projects and environmental pollution, and human rights violations against Indigenous Peoples outside the U.S. caused by the activities of U.S. corporations outside the U.S.

The CERD also called on the U.S. to provide adequate funding to combat the crisis of missing and murdered Indigenous persons and violence against Indigenous women and to ensure full implementation of the UN Declaration on the Rights of Indigenous Peoples. In addition to a specific section addressing the rights of Indigenous Peoples, Indigenous Peoples were mentioned throughout the report, and included in sections addressing discrimination in the adult and juvenile justice systems, use of excessive force by law enforcement and child removal by foster care programs. These multiple inclusions reflected an unprecedented level of recognition of the many forms of racial discrimination experienced by Indigenous Peoples in the U.S.

Some of its strongest language, the CERD called the attention of the U.S. government to the UN Declaration on the Rights of Indigenous Peoples as well as recommendations of the UN Human Rights Council that underscore how ***“Indigenous Peoples were victims of colonialism and continue to be victims of its consequences”***.

The CERD called upon the US to ***“Adopt further measures to honor the treaties entered into with Indigenous Peoples and significantly strengthen consultation mechanisms with Indigenous Peoples on the implementation of these treaties, also with a view to settle disputes concerning land rights.”*** It also called upon the U.S. to ***“guarantee, in law and in practice, the principle of free, prior and informed consent, in accordance with the UN Declaration on the Rights of Indigenous Peoples and other relevant international standards.”*** The IITC had encouraged the CERD to address these core issues in its recommendations in both our written and in-person presentations during the review.

In addition, in the CERD's previous concluding observations addressing the U.S. in 2014, the Committee used the term “indigenous peoples” without capitals. However, in its 2022 concluding observations, the CERD used the term ***“Indigenous Peoples”*** with capitals, an unprecedented and very significant advance in the recognition of our international status and standing by this UN Treaty Body.

Summer Blaze Aubrey (Cherokee & Blackfeet), IITC Staff Attorney for Human Rights, participated in the CERD review of U.S., along with Chickaloon Village Chief Gary Harrison, Laguna Pueblo and Diné Attorney, June Lorenzo, and Board member representing the United Confederacy of Taino People, Tai Pelli. She commented on the concluding observations and the very effective and united participation of IITC and the other Indigenous Peoples delegations, stating: *“It wasn't a surprise to me that the concluding observations strongly*

supported Indigenous Peoples and pointed to the multi-faceted ways in which we are discriminated against in the U.S. The Indigenous delegation was strong, and the strength of the delegation shines through in this report.”

International Indian Treaty Council’s previous press release on August 20, 2022, regarding the issues IITC addressed during the review can be found [here](#). The IITC’s written “Shadow Report” to the CERD regarding the U.S. report can be found [here](#).

The CERD’s full report and concluding observations pertaining to the U.S. report, released August 30, 2022, [CERD/C/USA/CO/10-12] can be found [here](#). The press release by the CERD regarding the release of the concluding observations for the United States review can be found [here](#).

###

The International Indian Treaty Council is an organization of Indigenous Peoples from North, Central, South America, the Arctic, Pacific and Caribbean in General Consultative Status with the United Nations Economic and Social Council.