

TJRR Fourth Question IPNC IHRAAM

4. Please indicate which measures have been established in the concerned country to memorialize the gross violations of human rights and serious violations of international humanitarian law committed in colonial contexts. If yes, please indicate whether memorialization processes were established in the affected country and /or in the former colonizing power. If such measures were not adopted, please explain why. Please indicate the challenges and opportunities encountered in this regard, whether victims and affected communities have been effectively consulted in the design and implementation of these measures, and whether a gender perspective was adopted.

President Barack Obama signed did not apologize for colonialism or violations of humanitarian law, crimes against humanity or genocide against our peoples since the USA would not want to admit such violations; instead the apology is an appropriate fake gesture that is actually part of a defense appropriations bill. This is insulting since the former name of the Department of War (against Native Americans) was changed to the Bureau of Indian Affairs, part of the historical deception of the status and victimization of Americanized war, theft and dispossession of the territory and resources of Indigenous Peoples. The apology of Barack Obama to Alaska is rejected.

Nothing has been memorialized in the USA on the violation of human rights of Alaska in the context of international obligations to colonialism and in association with international humanitarian law. The USA and the state of Alaska celebrate its illegal 1867 Treaty of Cession and the grave violations creating Alaska as a the 49th state of the United States of America. As a result Alaska continues to struggle for its survival as an “international state of peoples”.

For the first time in history, this last summer, the Portland Courthouse News reported that Alaska is an apartheid racist regime (Article **attached**). Sputnik News reports on Covid-19 issues of Indigenous Peoples in Alaska (Article **attached**).

The originally status is that Indigenous Peoples are outside the Constitution of the United States of America (USA) under the term “Indians not taxed” since we are foreign nations, especially Alaska and Hawaii, who are an independent State of Peoples that are “separate and distinct” foreign nations under article 73 of the Charter of the United Nations and international law. The denial of our appropriate status and recognition means that neither Alaska nor Hawaii have received

restoration or proper restitution or reparations. (See the already attached 2006 Shadow Report to the Human Rights Committee)

Why asks the Special Rapporteur? Recognizing the true status would bear criminal responsibility and obligations that the USA and other diplomats denied to our rights by stating in the decolonization meetings that, “sacred trust responsibility” does not mean ‘sacred trust responsibility’”. The denial that Alaska and Hawaii are not outside the territorial integrity of United States of America and that the USA can claim Article 2 (7) the non-interference principle means they settled nothing.

Francois Hampson made that statement that the USA is standing on nothing in Alaska and Hawaii since it violated the Constitution of the United States of America and its international obligations when annexing both. Alaska and Hawaii are the two strongest Indigenous cases in the world, so strong, they have the right like Palestine, to seek an observer seat on the United Nations General Assembly. This is stated clearly in the last meeting of the Sub-Commission on Human Rights under the former Commission on Human Rights.

There is nothing close to restoring the truth about our history and right of self-determination under international law. The United Nations must correct the wrongs by annulling GA resolution 1469 and by re-instating Alaska and Hawaii on the list of Non-Self-Governing Territories. Everything else is fake history, news or outright lies and deception as the USA and its “white race” and military were granted special privileges in Alaska using doctrines of superiority and apartheid and crimes against humanity.

Creating puppet governments or institutions that violate the international obligations is not acceptable, since a State cannot use its domestic laws of deficiencies to settle international legal obligations. To determine that peoples do not have “legal” rights or that obligations do not exist by the aggressive State attempting to aggrandize its territory is a violation of the law of nations and international law as it developed in the 20th century. USA cannot deny the law, the rules and procedures and thus the “rule of law” (See the sections on puppet governments in the 2006 HRC Shadow Report). Agreements with puppet governments is an agreement with oneself and a violation of the Geneva Conventions