



OUR MISSION

The Indian Law Resource Center provides legal assistance to indigenous peoples of the Americas to combat racism and oppression, to protect their lands and environment, to protect their cultures and ways of life, to achieve sustainable economic development and genuine self-government, and to realize their other human rights.

The Indian Law Resource Center seeks to overcome the grave problems that threaten Native peoples by advancing the rule of law, by establishing national and international legal standards that preserve their human rights and dignity, and by challenging the governments of the world to accord justice and equality before the law to all indigenous peoples of the Americas.

Untitled 2012 ©Tony Abeyta courtesy www.blucraingallery.com



OUR PURPOSE & GOALS

Indian nations and tribes and other indigenous communities throughout the world are afflicted by poverty, poor health, and discrimination. Many Native communities are subjected to grave human rights abuses. Indian land and natural resources are often expropriated or degraded. When indigenous peoples are deprived of their ways of life and their ties to the earth, they suffer. Many have disappeared completely. Profoundly aware that when any culture ceases to exist, the whole world is diminished irrevocably, the Indian Law Resource Center's principal goal is the preservation and well-being of Indian and other Native nations and tribes.

The Center provides legal assistance to Indian nations and other indigenous peoples in the United States and throughout the Americas at no cost to our clients.

The Center has an international Board of Directors, and it is a Non-Governmental Organization in consultative status with the United Nations Economic and Social Council. The Indian Law Resource Center is a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code. We are funded entirely by grants and contributions from Indian nations, foundations, and individuals. The Center accepts no government support.

Cover Art: *The Day Between the Nights* 2011 ©Tony Abeyta courtesy www.blucraingallery.com

PRESIDENT'S MESSAGE

T

he Indian Law Resource Center has been hard at work in this country and in Central and South America putting into action the UN Declaration on the Rights of Indigenous Peoples. Across the United States, we see tribal governments seizing the Declaration and using it creatively to protect their lands and resources, and especially their rights to cultural and sacred sites. Indian peoples in other countries are doing even more to make the Declaration part of the law of their countries. We celebrate these efforts while understanding there is more work to be done.

After more than 30 years of seeking recognition and support for the Declaration, our efforts are now focused on implementation. The Center has launched a series of training events across the United States to help Native leaders and advocates learn more about using the Declaration to correct injustices in present law. We are also working to build partnerships and support to transform the principles articulated in the Declaration into law. The promises described in the Declaration will only become a reality when Native leaders come together and offer proposals for what should replace unjust laws. The Center is advising leaders and sharing our proposals as a starting point for discussion about reforming federal Indian law.

In addition, the Center has had a strong year in our efforts to protect Native women. In October, 2011, the Center and partner organizations testified in the first-ever thematic hearing before the Inter-American Commission on Human Rights about violence against Native women in the United States. We also launched a video series to create awareness about this epidemic of violence. More than 20,000 people have viewed the videos, and advocates across the country are sharing the resources during presentations and training events.

Beyond the United States, we made major strides in our efforts to help Maya Q'eqchi' indigenous communities in Guatemala. They have been fighting for their land rights for more than 40 years. In February, 2011, Guatemala's highest court issued a precedent-setting decision in our favor. When Guatemala did not comply with the ruling, we filed a petition with the Inter-American Commission on Human Rights to protect the Maya land and to assure the safety of the community members, leaders, and local counsel. We will continue to press this human rights case to stop the destruction and theft of Indian lands and resources.

As you will read in our annual report, there is great momentum and tangible change in the area of human rights. I am grateful for your individual donations and for the generosity and support of partners such as the Ford Foundation, Lannan Foundation, The Libra Foundation, U.S. Human Rights Fund, Charles Stewart Mott Foundation, The Atlantic Philanthropies, and Overbrook Foundation. We also thank Indian nations such as the Tonawanda Seneca Nation and others who have been very generous with financial support.

The momentum continues to build and we are doing our best to leverage the rare opportunities before us. Please join us in this journey. Your donations make it possible for us to do this important work.

We are grateful to you all.

Robert T. Coulter





LAW REFORM

IMPLEMENTING THE UN DECLARATION AND REWRITING FEDERAL LAW

Federal law concerning Indian and Alaska Native nations is terribly unjust and out of keeping with the Constitution and basic American values. We are seeking to change this sad reality by creating a fair and principled framework of law concerning the rights of Native Americans. This framework would be consistent with the United States Constitution and Indian treaties, and with American concepts of fairness and modern principles of international human rights law. Our long-term goal is to reform—through political, judicial, and administrative processes—the present discriminatory laws affecting Natives in the United States.

In December, 2010, President Barack Obama announced the United States' support for the UN Declaration on the Rights of Indigenous Peoples. The decision opened up a rare opportunity for Native nations to correct injustices in present law such as the taking of Indian lands and property without compensation; the violation of treaty obligations; the stripping of inherent tribal governmental powers; the elimination of long-standing hunting and fishing rights; the mismanagement of tribal trust funds by the federal government; and the unjustifiable level of federal control over tribal lands and resources.

We conferred with tribal leaders and colleagues across the country to create a plan for implementing the Declaration. We developed a plan for holding briefing sessions for tribal leaders, for informing tribal leaders about possibilities for legal and policy change, for informing lawyers and government officials about the Declaration and about the need for legal change, and for developing a national campaign for legal and policy change led by Native tribes. The Center held a series of briefings in 2011 to help tribal leaders and advocates understand how the Declaration can help reform federal Indian law.

We have completed a final round of edits to our law reform book, *General Principles of Law and Commentaries Concerning Native Lands*. The Indian Land Tenure Foundation is taking steps to publish the work. These General Principles cover the topics of self-determination, the doctrine of discovery, aboriginal title, the power of the federal government to take Native lands, the plenary power doctrine, and the taxation of tribally held lands. These draft principles form a consistent framework of legal rules that would overcome the truly unfair and discriminatory rules that now are applied to Native nations.

“The UN Declaration on the Rights of Indigenous Peoples will help us to protect our lands and rights for future generations. It will help us in our efforts for reconciliation and to bring justice, peace, and respect to all the people living within our homeland.”

—Darwin Hill,
Board Member, Basom, NY

TIMBISHA SHOSHONE

CHALLENGING PLENARY POWER

This complex federal litigation, *Timbisha Shoshone Tribe v. Salazar*, challenges the plenary power rule, which is one of the fundamental barriers to equal treatment under the law for indigenous nations and individuals in the United States. The Center filed the lawsuit on behalf of the Timbisha Shoshone Tribe in June, 2010. The suit seeks to invalidate an act of Congress that confiscates millions of dollars from Western Shoshone tribes and calls for it to be distributed to individuals who are not necessarily members of the tribes. The tribes would receive no compensation at all. The question is whether property owned by tribes is protected by the Fifth Amendment. We have devoted much time to this litigation, because it is test litigation intended to establish for the first time that Indian nations have a constitutional right to their property and money protected by the Fifth Amendment, just as other people in this country do.

A successful lawsuit could prevent Congress from freely taking or controlling Indian property and funds. Tribes could have much greater ability to manage their affairs if they could stop unjustified government control and confiscation of their property.

In February of 2011, our request for an injunction to halt government action was denied, and in March the Court dismissed the case. We appealed, and an expedited appeal was granted, but the government managed to get arguments delayed until mid-November. We expect to continue pressing this case for months or years to come.

MOHAWK NATION

Some of our most important legal work is to help Indian and Alaska Native nations protect—and sometimes regain—their homelands.

The Mohawk Nation and other nations of the Haudenosaunee, or Six Nations Confederacy, have been fighting for many generations to recover a part of their homelands in New York State that were taken from them in violation of federal law. Our work on behalf of the Mohawk Nation includes a major law suit to recover lands and compensation. In 2011, we briefed and argued against a renewed motion to dismiss by the State of New York and other defendants. The case had been stayed while the federal district court waited for the court of appeals to decide other cases that were expected to set controlling precedent. The court of appeals made its decisions, and we are arguing that those adverse decisions do not apply because of the factual differences of the Mohawk claim. We are awaiting a decision on that motion. The Mohawk Nation continues to collaborate with the other Mohawk governments in the hope that an agreed-upon resolution of the claims can be achieved. We remain willing and ready to revive settlement negotiations if that becomes an option.

RAPA NUI

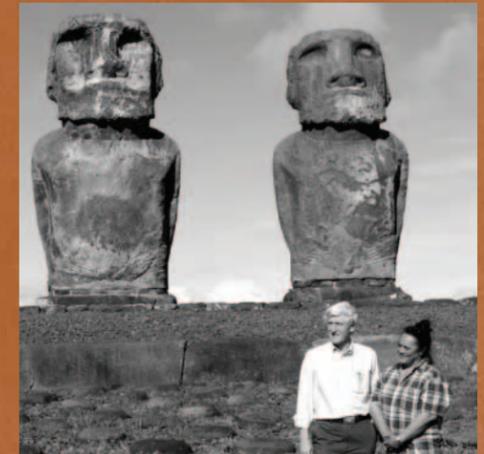
In February, 2011, the Center sought and won international help to protect the Native people of Rapa Nui, commonly known as Easter Island, a colony of Chile. The Inter-American Commission on Human Rights issued an order to protect 32 Rapa Nui clans who are trying to recover their ancestral lands.

Clan members had begun reoccupying their illegally taken lands in 2010 to call attention to the need for serious and constructive dialogue on issues of self-government and protection of their sacred sites. Clashes between Chilean police and clan members became increasingly violent and life threatening. Several Rapa Nui people were seriously injured during attempts to evict the Rapa Nui from their lands; clan members were shot with pellets and beaten with rifles.

The Rapa Nui people have had a hostile relationship with Chile dating back to 1888, when they signed a “treaty” with Chile resulting in the island and its inhabitants being treated as the property of Chile. The Rapa Nui people were unlawfully confined to a small area; the remainder of the island was leased out to private enterprises. During the years the Rapa Nui were interned, which lasted until 1966, Chile ignored the clans’ land ownership and sold their lands to private companies and developers.

The island of Rapa Nui attracts tens of thousands of visitors each year who come to see the iconic stone figures that have made the island famous. Rather than harmonize development with the local Native culture, Chilean policies disregard harm to the environment and ignore the rights of the Rapa Nui people. Some of the island’s archeological sites, which have deep cultural and spiritual significance for the Rapa Nui, have been disrupted to make way for projects such as parking lots and restrooms.

In August, the Center sent a team of lawyers to meet with Rapa Nui leaders about their land rights and right of self-determination. We continue to advise them, and we are conducting research on important issues raised by the Rapa Nui people.



Robert Coulter and Erity Teave, Executive Director on Human Rights for the Rapa Nui Parliament, visit the moai on Rapa Nui Island.



Robert Coulter and Leonardo Crippa lead a discussion on protecting Rapa Nui rights.

SAFE WOMEN, STRONG NATIONS



UN Special Rapporteur on Violence Against Women Rashida Manjoo speaks to an audience at the Qualla Boundary of the Eastern Band of the Cherokee Nation.



The Center, along with partner organizations, held a thematic hearing before the Inter-American Commission on Human Rights.

The right to be safe from violence is a human right many take for granted—but not Native women, who are more than twice as likely to be sexually assaulted and stalked than other women in this country. One in three will be raped, six in ten will be physically assaulted in her lifetime, and the murder rate for Native women on some reservations is ten times the national average.

United States law has unjustly limited the ability of tribes to protect Native women from violence and to provide them with meaningful remedies. This violence is linked to the removal of tribal criminal authority over non-Indians, who commit 88% of all violent crimes against Native women, and to other systemic legal barriers, which create jurisdictional confusion about which government—federal, tribal, or state—has authority to respond to, investigate, and prosecute crimes. Shamefully, such crimes often go unprosecuted by federal or state authorities charged with doing so. Studies show that U.S. attorneys declined to prosecute 50% of all Indian country matters referred to them, 67% of which involved sexual abuse and related matters. U.S. law also generally limits the sentencing authority of tribal courts to no more than a year of jail, no matter the crime.

Our project seeks to end these epidemic rates of violence by raising awareness—domestically and internationally—to gain strong federal action; by providing legal advice to Native women's organizations and Native nations on ways to restore and strengthen tribal authority; and by increasing the capacity of tribes to prevent crimes and punish violent offenders on their lands.

Our staff has written and spoken widely to raise awareness about this human rights crisis. We also worked with Native filmmaker Ryan Red Corn to produce hard-hitting videos about violence against Native women that educate and urge people to take action. Our video, "To the Indigenous Woman," is being used by Native and other women's advocacy groups to raise awareness throughout the country, on Capitol Hill, and in Canada.

Our work to raise international awareness about domestic and sexual violence in Indian country and Alaska Native villages adds world pressure on the United States to fulfill its human rights obligations. Such awareness also adds support to our work with the National Congress of American Indians Task Force on Violence Against Native Women, the National Indigenous Women's Resource Center, and others to reform federal law and policies to restore safety to Native women and communities and strengthen Native nations.

The Center has had three key successes in our work to end violence against Native women.

First, along with the National Congress of American Indians Task Force on Violence Against Native Women, we helped organize a visit by Rashida Manjoo, UN Special Rapporteur on Violence Against Women, to the Eastern Band of the Cherokee Nation during her visit to the United States. We are pleased that Ms. Manjoo's report to the UN Human Rights Council and UN General Assembly recommended that, to protect Native women from violence and ensure their access to justice, the United States reconsider legal barriers, including limitations on the criminal authority of tribes.

Second, we requested and organized a thematic hearing on violence against Native women before the Inter-American Commission on Human Rights—a first of its kind with the Organization of American States. We hope the hearing puts added pressure on the United States to take action and results in further study by the Commission's Special Rapporteur on the Rights of Women.

Third, the United States' Fourth Periodic Report to the UN Human Rights Committee regarding its obligations under the International Covenant on Civil and Political Rights included matters suggested by the Center and expressly makes combating violence against Native women a high priority.

For more information please visit our website, WWW.INDIANLAW.ORG/SAFEWOMEN.

Untitled 2009 ©Tony Aboyta courtesy www.blucraigallery.com



WINNING HUMAN RIGHTS

“We see widespread violations of indigenous rights in the Americas, making the need for a strong American Declaration more pressing than ever. It would protect human rights as well as the right of self-determination, treaty rights, and the right to lands and resources.”

—Armstrong Wiggins
Director, Washington, D.C. Office

For more than 30 years, we have helped Indian and Alaska Native peoples win recognition of their human rights, including the right to exist as distinct peoples and cultures; the right to be free from discrimination and forced assimilation; the right of self-determination, and other essential rights.

Much of our work has focused on the creation of international human rights standards for indigenous peoples through the United Nations and the Organization of American States (OAS). We spent more than 30 years working for the adoption of the UN Declaration on the Rights of Indigenous Peoples, which was adopted by the UN General Assembly in 2007. In 2010, New Zealand, Canada and the United States added their endorsement of the UN Declaration. This means there is now worldwide recognition that indigenous peoples have a permanent right to exist as peoples, nations, cultures and societies.

We are also working for the adoption of the American Declaration on the Rights of Indigenous Peoples by the OAS. We believe an American Declaration can strengthen and help to encourage actual implementation of the rights in the UN Declaration. The American Declaration would affirm the right of self-determination and rights to education, health, self-government, culture, lands, territories, and natural resources, and would include provisions that address the particular situation of indigenous peoples in the Americas.

This work is more important than ever as global initiatives are threatening indigenous rights on a massive scale. The World Bank and United Nations have funded several projects designed to provide climate change solutions, but these projects raise the threat of violations of indigenous peoples' land and natural resources rights. The UN and American Declarations could be used to address these threats and establish a framework to protect indigenous rights from potential violations.

The Vice President of the Navajo Nation is working to host an OAS negotiation session on the draft American Declaration in Navajo territory, and we are helping him to do that. We continue to campaign to win United States support for the American Declaration and we are pressing federal officials to re-engage and take a leadership role in the OAS negotiations on the American Declaration.

Sanctuary 2010 ©Tony Abeyta courtesy www.blueraingallery.com



PROTECTING ALASKA'S RIVERS

“Protecting the watersheds is one of the most critical issues for northern indigenous peoples. The waterways are the lifeline of Alaska Natives and Canadian First Nations. The Center’s work is instrumental in this effort.”

—Dacho Alexander,
Board Member, Fort Yukon, AK

The Center has a long history of environmental advocacy in Alaska. The Center works with the Yukon River Inter-Tribal Watershed Council (YRITWC), an international organization with nonprofit status in the United States and Societal Status in Canada. YRITWC is a coalition of 70 sovereign Alaska Native and Canadian First Nation governments, all of which share an interest in restoring and protecting the Yukon River watershed from pollution. The Yukon River is over 2,200 miles long and drains an area twice the size of California. Activities and discharges in the watershed are believed to be contributing to the declining quality of the river and the health of the Native people in the region. To support monitoring of the river, we are working with YRITWC on a report examining how Alaska Native and Canadian First Nations fit within the overall environmental jurisdictional scheme, the challenges created by this scheme, and the primary entities within each government—federal, state, territorial, or Native nations—that address environmental protection and conservation issues in the watershed. The paper is intended to offer preliminary recommendations that these Native nations might consider to ensure that environmental emergencies and legal violations in the watershed are addressed promptly and effectively by the appropriate governmental entities.

The Center has also worked with the Kuskokwim River Watershed Council (KRWC), a coalition of Native villages from throughout that region. We look forward to continuing our work with KRWC to protect the Kuskokwim River watershed in the coming year.

HANDBOOK FOR CONSERVATIONISTS

Indian tribes own and manage 95 million acres of land in the United States. For the 566 federally recognized Indian tribes and Alaska Native villages that steward these lands, few issues are more important than protecting and maintaining the quality and integrity of these ecosystems. Native communities and the conservation community are natural allies in protecting the environment. Yet most conservationists have little or no knowledge about Indian or Alaska Native tribes and communities and their lands, resources, and legal rights. Environmental conservation programs have historically ignored this extremely important area.

We are working to close this knowledge gap by creating a written resource that will provide a useful summary of legal, political, and practical information about Indian and Alaska Native peoples for conservationists working where Indian and Alaska Native interests may be involved. Our Conservationists’ Handbook will provide general guidance to conservation professionals, lawyers, funders, students, and others on how to work effectively with tribes or on Native lands. It will include practical information on federal Indian law and summarize complex legal issues such as land ownership in Indian country.



Better collaboration between Indian nations and the conservationist community can improve conservation efforts.



FORT BELKNAP RESERVATION

PROTECTING WATER QUALITY

The Center continues to provide legal representation to the Assiniboine and Gros Ventre Tribes in Montana to address the environmental devastation caused by two cyanide heap-leach gold mines adjacent to the Fort Belknap Indian Reservation. In the 16 years we've been working with the Tribes, we helped them shut down the Zortman and Landusky mines and demand the complete reclamation of the open-pit mines. Although the mines have been closed and most reclamation is done, the work continues.

Our strategy has shifted from litigation to cooperation. The Center is providing legal assistance and helping the Tribes coordinate with state and federal agencies to monitor the progress of the reclamation efforts and resolve the remaining water quality issues. While we continue to realize significant progress with regard to the water quality issues, pollution often exceeds state water-quality standards. We are committed to working with the Tribes not only to help clean up past contamination, but also to ensure their ability to protect their lands from future environmental threats.

Untitled 2012 ©Tony Abeyta courtesy www.blueraingallery.com



MULTILATERAL DEVELOPMENT BANKS

INDIGENOUS PEOPLES AND THE ENVIRONMENT

“All World Bank lending must respect the rights of indigenous peoples as recognized in the United Nations Declaration on the Rights of Indigenous Peoples.”

—Efren Diego Domingo,
Maya Q’anjob’al people,
Guatemala

Indigenous communities, lands, and environments often are affected adversely by projects financed by multilateral development banks (MDBs), such as the World Bank, the International Finance Corporation (IFC) and the Inter-American Development Bank. These MDB projects are often developed and implemented without the participation or consent of the local community that will be impacted. This is particularly true for Indian peoples in Mexico and Central and South America. The Center continues to play a leadership role in advocating for the creation of legal rules to control unsustainable and environmentally damaging development financed by MDBs.

We believe that MDBs are obligated to respect international law and particularly to promote and respect human rights. For example, we participated in the IFC process for reviewing and revising its policies relating to human rights. We successfully argued that the United Nations Declaration on the Rights of Indigenous Peoples should be reflected in IFC policies. The Center’s recommendations were confirmed and are now a part of policy requirements. This is a critical step in protecting the well-being of indigenous peoples.

The World Bank has created a new line of lending that doesn’t have to comply with environmental and human rights safeguards. If this policy becomes a larger trend it would be devastating for the human rights of indigenous peoples and other communities. We submitted written objections to this proposal and alerted our indigenous colleagues throughout the Americas and allies worldwide. Through our efforts, over 200 letters of concern were sent to Bank officials from indigenous leaders and activists.

REDD+

ENSURING CLIMATE POLICIES RESPECT INDIGENOUS RIGHTS

In 2011, the Center expanded its work to address climate change policies that may have unintended consequences for indigenous communities. As part of global climate negotiations, the world’s leaders recognized that deforestation is one of the leading causes of climate change, and launched a program to protect forests in developing countries. REDD+, which stands for Reducing Emissions from Deforestation and Forest Degradation, allows developed countries, like the United States or France, to get credits toward reducing their greenhouse gas emissions by paying developing countries, like Mexico and Indonesia, to conserve their forests.

A large percentage of REDD+ projects, however, are targeting indigenous peoples’ lands due to the fact that indigenous peoples own or live within much of the world’s remaining forests. Because indigenous peoples often lack legal land titles, their lands are vulnerable to takeover by governments, conservation groups, or private investors who wish to receive money through a REDD+ program. We’ve already seen indigenous communities violently expelled from their lands, or swindled by land speculators into signing away access to their forest resources through REDD+ projects. If REDD+ initiatives do not have strong policies preventing this type of abuse, violations will only get worse as more money is invested in REDD+.

The World Bank and the United Nations’ UN-REDD Programme are two of the key institutions implementing REDD+ projects. Both institutions are currently in the process of developing their internal policies and regulations to govern REDD+ projects. Unfortunately, draft policy proposals have not contained effective protections for the rights of indigenous peoples. For this reason, the Center has been pushing both institutions to adopt safeguards that are consistent with the UN Declaration on the Rights of Indigenous Peoples. In our advocacy, we have made it clear that the World Bank and UN-REDD must ensure that no REDD+ project violates the rights of indigenous peoples, including their full ownership rights to land and natural resources and their right to self-determination.

To make sure that institutions implementing REDD+ initiatives respect the rights of indigenous peoples, and to help communities fight for their rights, the Center is preparing a guide on REDD+ and indigenous peoples. The guide suggests policies and rules that the World Bank and UN-REDD should adopt to prevent the violation of indigenous peoples’ rights. It will also help prepare communities facing REDD+ projects to more successfully advocate for their rights.



REDD+ initiatives pose significant risks for indigenous peoples’ livelihoods and rights. Kaieteur Falls, Potaro-Siparuni, Guyana (above); Wapichan village of Isherton, South Rupununi, Guyana (below).



MAYA Q'EQCHI'

LAND AND RESOURCE RIGHTS

The Indian Law Resource Center is providing legal support to Maya Q'eqchi' communities in Guatemala that have been fighting for their lands and rights to subsurface resources for more than 40 years. Because of rich deposits of nickel in the Maya Q'eqchi' territory, the communities have faced efforts by government agencies and nickel mine security forces to evict them from their lands. The Maya Q'eqchi' cultural and spiritual beliefs are deeply rooted to the land they have traditionally possessed, and the lands are critical for their physical, economic, and cultural survival.

In February, 2011, the Constitutional Court of Guatemala, the country's highest court, issued a precedent-setting decision by siding with our client, the Agua Caliente community, recognizing its property rights and questioning the legality of nickel mining permits and activities on its traditional lands. According to the Court, the government's failure to register and title indigenous lands violates Agua Caliente's land rights and rights to equality before the law, as well as the right of self-determination.

Unfortunately, the government did not comply with the Constitutional Court's decision. Having exhausted Guatemala's domestic remedies, the Agua Caliente community decided to file an international case. In August, 2011, the Center filed a petition with the Inter-American Commission on Human Rights concerning the violation of the Agua Caliente community's rights to property, self-government, due process of law, and judicial protection by the state of Guatemala.

We remain concerned about the safety of the community members, community leaders, and local counsel. We are working with the Inter-American Commission to keep protective measures in place to safeguard our clients.

“All community member—elders, youth, women, men—are fighting for our rights to our lands, and we will continue to do so.”

—Rodrigo Tot,
Agua Caliente President

Pueblo Labrynth 2009 © Tony Abeyta courtesy www.blueraingallery.com



STAFF



ROBERT T. COULTER, EXECUTIVE DIRECTOR

Robert, a member of the Citizen Potawatomi Nation, is an attorney with more than 40 years of experience in the field of Indian law. He founded the Center in 1978 with the goal of assisting Indian and Alaska Native nations in protecting their lands, resources and human rights. He is an author of many articles in the field of Indian law and human rights. He received his bachelor's degree from Williams College and a law degree from Columbia University.



ARMSTRONG A. WIGGINS,
DIRECTOR OF THE WASHINGTON, D.C. OFFICE

Armstrong is a Miskito Indian from Nicaragua and has been with the Center since 1981. He was a political prisoner during the Somoza and Sandinista regimes because of his leadership in promoting human rights in Nicaragua. He has more than 30 years experience working in the field of human rights. He directs the Washington, D.C. office and much of the international human rights work of the Center, managing the Mexico and Central and South America Program.



BARBARA ANTHONY, DIRECTOR OF DEVELOPMENT

Barbara joined the staff in June, 2009. She was a graduate of the University of Missouri and of the College of William and Mary Planned Giving Institute. Barbara left the Center in September, 2011 to work with the Yellowstone Park Foundation. She passed away recently, and her death is a profound loss for us and all those who knew Barbara and her work.



ETHEL BILLIE BRANCH, ATTORNEY

Ethel joined the Washington, D.C. office in 2011. Prior to joining the Center, she served as a tribal finance associate in Portland, Oregon. Ethel is a graduate of Harvard, earning her A.B. in 2001 and her J.D. and a Master of Public Policy degree in 2008. She was born and raised on the Navajo Nation, where she is an enrolled member.



KIRSTEN MATOY CARLSON, ATTORNEY

Kirsten, of Cherokee descent, joined the Center's Montana office in 2007. She received her law degree in 2003 and her Ph.D. in Political Science in 2007, both from the University of Michigan. Kirsten resigned in June, 2011 to join the faculty at Wayne State University Law School.



LEONARDO CRIPPA, SENIOR ATTORNEY

Leonardo, a Kolla Indian from Jujuy, Argentina, joined the Center's Washington, D.C. office in 2005. He received his law degree from Universidad Nacional de Tucumán in Argentina and a Master's of Law degree from American University Washington College of Law in 2008. He previously worked at the Center for Justice and International Law on human rights cases within the Inter-American system.



HESTER M. DILLON, DIRECTOR OF DEVELOPMENT

Hester, a member of the Cherokee Nation, joined the Center in April, 2012. She received bachelors' degrees in Native American Studies and English from the University of Montana, and a law degree from the University of Arizona. Since graduating from law school in 2005, she has worked for and with tribal governments and individuals on fund raising to strengthen Native communities and as an attorney for the *Keepseagle* settlement.



KARLA GENERAL, ATTORNEY

Karla (Kawenniiostha) joined the Center in October, 2010 and works in the Washington, D.C. office. Karla is deer clan and a citizen of the Mohawk Nation from northern New York. She earned her J.D. and Master's degree in Sociology from Syracuse University College of Law and the Maxwell School in May, 2010.



GRETCHEN GORDON, POLICY ANALYST

Gretchen joined the Center's Washington, D.C. office in 2012. She has extensive experience in policy advocacy, especially relating to international social and environmental justice issues. More recently her work has focused on energy, development and climate policy and its impacts on the human rights of indigenous peoples in the Americas. She has a J.D. and a Master's in Latin American Studies from the University of California, Berkeley.



PHILOMENA KEBEC, ATTORNEY

Philomena, a member of the Bad River Band of Chippewa Indians, joined the Center in 2010. She received her J.D. from the University of Minnesota in 2008. Philomena resigned in September, 2011 to work for the Bad River Band where she fights against proposed mines that would pollute the tribe's land and water.



LISA MYAYA,
COMMUNICATIONS & DEVELOPMENT ASSISTANT

Lisa joined the Center's Montana office in 2007. She works on communications and development projects and assists with office administration. She has more than 15 years of experience in the non-profit sector, primarily with resource conservation, education and arts organizations.



FRAN OWENS,
DIRECTOR OF FINANCE & ADMINISTRATION

Fran joined the Center in January, 2012 and is responsible for the Center's administrative and financial matters. She received her A.S. in Computer Science and Accounting from Keystone College, her B.S. in Accounting from Wilkes University, and her M.B.A. in Finance from the University of Scranton.



MARILYN RICHARDSON,
ASSISTANT TO THE DIRECTOR

Marilyn, a member of the Chippewa Tribe, joined the Center's Montana office in 1996. She works closely with the development staff, serves as the assistant to the Board of Directors and coordinates direct mail and special events.



BO SCOTT,
DIRECTOR OF FINANCE & ADMINISTRATION

Bo served from October, 2010 to May, 2011. He received his B.S. in Accounting from the University of Great Falls. He is currently pursuing a Master's in Business Administration from the University of Montana.



LUCY RAIN SIMPSON, SENIOR ATTORNEY

Lucy, a member of the Navajo Nation, joined the Center's Montana office in 2004. She received her J.D. from the University of Colorado in 1998. Lucy resigned in April, 2011 to become the executive director of the National Indigenous Women's Resource Center.



GINNY UNDERWOOD,
DIRECTOR OF COMMUNICATIONS

Ginny, a member of the Comanche Nation, joined the Center in 2009. She has more than 19 years of experience in the field of communications and most recently served as Executive Director of Programs and Strategic Initiatives for the communication arm of The United Methodist Church. She received her B.A. in Mass Communications from Oklahoma City University.



LORENA VACA, PROGRAM ASSISTANT

Lorena, originally from Ecuador, joined the Washington, D.C. staff in November, 2010. She has worked extensively with indigenous peoples in South America, gaining strong field experience working on climate issues in Guyana. She holds a B.A. in Government and International Politics from George Mason University.



JANA L. WALKER, SENIOR ATTORNEY

Jana, a citizen of the Cherokee Nation (Cherokee/Loyal Shawnee/Delaware), joined the Center's Montana office in April, 2011. Prior to joining the Center, she spent more than 24 years in private practice working with tribes and tribal entities in the field of Indian law. Jana received her bachelor's degree in Nursing from the University of Oklahoma and J.D. cum laude from the University of New Mexico School of Law.

“Your donation to the Indian Law Resource Center is not simply a donation—it’s your role in helping the Center realize it’s mission to provide legal assistance to indigenous peoples of the Americas.”

—Susan M. Masten, Chairperson

BOARD

SUSAN M. MASTEN, CHAIRPERSON
Yurok Tribe—Hoopa, CA

ROBERT T. COULTER, PRESIDENT
Citizen Potawatomi Nation—Helena, MT

DACHO ALEXANDER
Gwich’in Tribe—Fort Yukon, AK

MICHELLE ALLEN
Albany, CA

MARTIN AVERY
Navajo Nation—Coyote Canyon, NM

MELANIE BENJAMIN
Mille Lacs Band of Ojibwe—Onamia, MN

NORMA BIXBY, TREASURER
Northern Cheyenne—Lame Deer, MT

CARMELA CURUP CHAJON
Maya Kaqchikel—San Juan Sacatepéquez,
Guatemala

GAIASHKIBOS
Lac Courte Oreilles Chippewa—Hayward, WI

TERRI HENRY, SECRETARY
Eastern Band of Cherokee Indians—Cherokee, NC

DARWIN HILL
Tonawanda Seneca Nation—Basom, NY



Susan Masten



The Center is committed to fostering interest in the fields of Indian law and human rights through our internship program.

INTERNS

NICOLLE ALLEN

KAYLEIGH BROWN

JUANITA CABRERA-LOPEZ

JOHANNA FONSECA

GRETCHEN GORDON

ASHLEY HOEFLING

DARREN MODZELEWSKI, JOHN D.B. LEWIS FELLOW

MARIEL MURRAY

LINDSEY TRAINOR, TERRENCE A. SIDLEY FELLOW

LAUREN WINKLER



CONTRIBUTORS

FOUNDATIONS

Pauline Allen Endowment
The Atlantic Philanthropies
Baker Brook Foundation
The Bay & Paul Foundations
Fanwood Foundation / West
Ford Foundation
Goerlich Family Foundation
Lannan Foundation
The Libra Foundation
Mitsubishi Corporation Foundation for
the Americas
Montana Community Foundation
Charles Stewart Mott Foundation
OneFamily Foundation
Overbrook Foundation
Moving Mountains Fund of the Peace
Development Fund
Stillwaters Fund of Tides Foundation
(Penny Cabot)
Swift Foundation
Winky Foundation
U.S. Human Rights Fund

INDIAN NATIONS

Ak-Chin Indian Community
Barona Band of Mission Indians
Cow Creek Band of the
Umpqua Tribe of Indians
Gwichyaa Zhee Gwich'in Tribal Government
Lenape Indian Tribe of Delaware in
memory of Alonzo 'Two Feathers' Coker
Sherwood Valley Rancheria
Sisseton-Wahpeton Oyate
Swinomish Indian Tribal Community
Tonawanda Seneca Nation
Yavapai-Prescott Indian Tribe

ORGANIZATIONS

Combined Federal Campaign
Human & Civil Rights Organizations
of America
JustGive.org
Maryland Charity Campaign
Montana State Employees Combined
Giving Campaign
National Indian Gaming Association
Network for Good
New York City Transit Authority
Partners For A Better World
PG&E Corporation
United Airlines
United Way of Central New York
United Way of New York City
United Way of the National Capital Area
Wells Fargo Community Support
Campaign

MAJOR DONORS

Anonymous (5)
Laura L. Ava & Foimai R. Tesimale
Hans & Jutta Bertram-Nothnagel
Norma Bixby
Marlyne Gentry in memory of
Mary Gentry Wauneka
Laurie Goldstein
Michael Hirschhorn & Jimena Martinez
Nion McEvoy
Donal & Diana Mullineaux
Ralph Nader
Andrea & Christina Reams
in honor of the Rapa Nui people
Nicholas & Shelley Robinson
Charles L. Rohrbaugh
in memory of Catherine H. Yates
Aliza I. Shapiro
Jean Sidley in memory of Terry Sidley

INDIVIDUALS

Anonymous (28)
Janis Alcorn
Dacho Alexander
Michelle, Clayton & Nicolle Allen
Christopher Amato & Diana Hernandez
Bob Anderson
Alfred A. & Edwina Beaver
Randi Becker
Vertis Clinton Belcher
John Bell & Jomarie Meade
Melanie Benjamin
Henry Bilenchi
Stan & Glenda Bradshaw
Bob & Debbie Brown
Raymond & Joyce Brown
Leslie Brownrigg
Clifton J. Buck-Kauffman
in honor of Rapa Nui people
Dan & Jane Bucks
Sidney Burgess
Mitchell L. Bush, Jr.
William Calloway
Lois M. Chalmers & Walter W. Hill, Jr.
David Chambers & Sigrid Gentile-Chambers
Julius Chambers
Roger Clark & Amelia Boss
Murray Cohen & Myrna Moran
David Collins
Catherine Coulter & R.J. Bootzin
John Crawford & Cindy Coulter
Martha H. Cremer
Scott Crichton
Shellee Davis
Lucy Dayton & Mark O'Keefe
Gary Deason in memory of Vine Deloria, Jr.
Kenneth Deer
Barbara Deloria in memory of Vine Deloria, Jr.
Paul Destler
Jewel & Virendra Dhuru
Gary Divis & Catherine Lott Divis
Richard Donahue
Karen Denham Downen in memory of
Katheryn Miley & Frederic Charles Denham
Gladwyn d'Souza

Wendy Eaton in memory of Black Cloud
Marcia Eidel
Mary Felegy in honor of Rapa Nui people
Carol Ferguson in honor of Santiago
Ventura Morales
Rev. Arturo Max Fernandez & Irene Fernandez
Joel Freedman, Cinnamon Productions,
Inc. in memory of Bruce Kessler
Paul Frye
gaiashkibos in memory of Wasaygishig
(Mr. Louis T. Barber)
Gary Garriott & Valerie Lamont
Duff & Marion Gerrish
Leila Goldes in memory of Joseph Goldes
Mary Clare Gubbins in memory of
Shelton Davis
Hurst & Ann Hannum
Louis R. Hellwig
Marina Henriquez in honor of Nahuat Pipil
Terri Henry
Darwin & Janet Hill
Krys Holmes & the Bad Girls Book Club
& Philanthropic Society
Jane-Sue Huff in memory & honor of
Grandmother Ollie Napyne
Barbara Hunter
Scott Ito
Adam Jacobs in honor of Rapa Nui people
Inge & Marge Jacobson
Tony Jewett & Joan Miles
Connie & Gregory Johnson
James Johnson
Roderic Johnson & Carol Williams
David Kairys & Antje Mattheus
Stan & Holly Kaleczyc in memory of Ray Peck
Arlene Kato in honor of Rapa Nui people
Christine Kaufmann & Pat Kemp
Philomena Matus Kebec
Kim Kennedy White
Pat Kohler, Sr.
Ira Kurzban in honor of Tim Coulter
Lois Kuter
Celinda Lake
Eric Large
Jodi Lasseter in honor of Chief Kokoi
Polly Laurelchild-Hertig

Richard M. Leventhal
Gordon Levin
Ronald & Judith Libertus
Kalen Lipe
Lucy Lippard
Robert Low, Jr. & Linda Low in honor of
Tim Coulter
Dick Ludington
Melody Kapilaloah MacKenzie
Catharine MacKinnon in honor of Tim Coulter
Beverly Magley
Ken Margolis
Hoeroa Robert Marumarua
in honor of Rapa Nui people
Susan Masten
Carole McAllister
Edwin R. McCullough
Linda Jansen McWilliams in memory of
Dorothy J. Burke
Timothy & Elizabeth Moore
Colin H. W. Morgan in support of the
Hitorangi Clan
Mark Munger & Katherine Bourne
Shayda Edwards Naficy
Bob Nichol & Phyllis Bock in memory of
John Bock
Nancy & Alan Nicholson
Aliza Organick in memory of Ida Gail Organick
Rebecca S. Oyer Meyers in memory of
John Oyer
David & Katheryn Padilla
Melissane Parm Schrems
Eva & John Petosky
Christopher Pezzola
Bernard Pomerance
Michael & Christine Pope
Tagi Qolouvaki
Quintana Galleries
Alan Rabinowitz
Deborah Rand
Catherine Betty Ransom
Victor & Joan Reiman in memory of
Charles Reiman
Paul Richards
Mark Rifkin
Barnaby Rintz

Roger & Olive Robison
Kirk Rosenbaum
Jon Roush & Joyce Chinn
David Rubinstein
Arnold Saiki & Otto in honor of
Rapa Nui people
Gayle Sandholm
Galit Sarfaty & Adam Saunders
Deborah Schaaf
Geraldine Schaaf
Michael Schechtman & Holly Bander
Lisa Schmidt
James W. Schmitt
Elisabeth Schneeberger
Martha Scott
Mark Sethre
Ellen Shatter
Jennifer Sidley in memory of Terry Sidley
Leonard & Elaine Simon
Tim Speyer
Bob & Anne Staffanson
Nancy Stearns
Doug A. Sternberg
Milton Takei
Jane Poitras Tchilekwiwusse
Thomas Trauger in honor of Tim Coulter
Stephen Trimble
Ginny & John Underwood
Angelos & Elizabeth Vamvakas
Jana Walker in memory of
Eddy Levi 'Tehi' Secondine
Rosemary Waltzer in honor of
Rapa Nui people
David Weissbrodt & Patricia Schaffer
Tisa Wenger
Susan White
Bonnie & Barry Willdorf
Clifton & Doris Woest in memory & honor
of Louis Charlo, Iwo Jima hero
Margaret Woo
Shannon Work
Forrest Wade Young in memory of Huke
Atan Hua'ai & in honor of Rapa Nui people
Hugh & Karen Zackheim
Lisa Zellinger

STATEMENTS OF FINANCIAL POSITION

for the year ended December 31, 2011

ASSETS

	2011	2010
CURRENT ASSETS		
Cash and cash equivalents	\$790,178	\$730,880
Certificates of deposit	49,995	149,995
Current grants receivable (net)	850,000	299,311
Other receivables	2,485	1,425
Prepaid expenses	6,549	15,907
Total current assets	1,699,207	1,197,518
LONG-TERM GRANTS RECEIVABLE (NET)	173,182	-
PROPERTY AND EQUIPMENT—AT COST		
Net depreciable assets	30,309	37,388
OTHER ASSETS		
Deposits	1,325	1,325
Gar Creek Seminole land purchase	420,269	420,269
Investments, restricted	34,626	33,180
Restricted cash	20,543	22,762
Total other assets	476,763	477,536
TOTAL ASSETS	\$2,379,461	\$1,712,442

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES		
Accounts payable	\$32,991	\$18,787
Accrued salaries and vacation payable	27,740	32,619
Payroll taxes payable	4,691	13,566
Other accrued expenses	248	-
Total current liabilities	65,670	64,972
NET ASSETS		
Unrestricted	682,262	707,116
Temporarily restricted	1,580,568	889,633
Permanently restricted	50,961	50,721
TOTAL NET ASSETS	2,313,791	1,647,470
TOTAL LIABILITIES AND NET ASSETS	\$2,379,461	\$1,712,442

STATEMENT OF ACTIVITIES for the year ended December 31, 2011

	UNRESTRICTED	TEMPORARILY RESTRICTED	PERMANENTLY RESTRICTED	TOTAL 2011
SUPPORT AND REVENUE				
Contributions	\$76,022	\$9,045	\$240	\$85,307
Grants	393,500	1,716,678	-	2,110,178
Bequests and trusts	6,382	-	-	6,382
Contract services	50	-	-	50
Interest	2,606	1,022	-	3,628
Other	2,767	-	-	2,767
Realized and unrealized gains on investments	-	693	-	693
Released from restrictions	1,036,503	(1,036,503)	-	-
Total support and revenue	1,517,830	690,935	240	2,209,005
EXPENSES				
Program services	935,201	-	-	935,201
Management and general	412,596	-	-	412,596
Fund raising	194,887	-	-	194,887
Total expenses	1,542,684	-	-	1,542,684
Increase (decrease) in net assets	(24,854)	690,935	240	666,321
NET ASSETS AT BEGINNING OF YEAR	707,116	889,633	50,721	1,647,470
NET ASSETS AT END OF YEAR	\$682,262	\$1,580,568	\$50,961	\$2,313,791

STATEMENT OF ACTIVITIES for the year ended December 31, 2010

	UNRESTRICTED	TEMPORARILY RESTRICTED	PERMANENTLY RESTRICTED	TOTAL 2010
SUPPORT AND REVENUE				
Contributions	\$78,357	\$5,026	\$2,482	\$85,865
Grants	783,432	532,285	-	1,315,717
Bequests and trusts	6,690	-	-	6,690
Contract services	-	13,500	-	13,500
Interest	4,094	1,679	-	5,773
Other	30,404	-	-	30,404
Realized and unrealized gains on investments	-	1,483	-	1,483
Released from restrictions	875,358	(875,358)	-	-
Total support and revenue	1,778,335	(321,385)	2,482	1,459,432
EXPENSES				
Program services	960,544	-	-	960,544
Management and general	225,747	-	-	225,747
Fund raising	239,216	-	-	239,216
Total expenses	1,425,507	-	-	1,425,507
Increase in net assets	352,828	(321,385)	2,482	33,925
NET ASSETS AT BEGINNING OF YEAR	354,288	1,211,018	48,239	1,613,545
NET ASSETS AT END OF YEAR	\$707,116	\$889,633	\$50,721	\$1,647,470



TONY ABEYTA

Tony Abeyta was raised in Gallup, New Mexico, of Navajo and Anglo descent. He creates a powerful range of contemporary paintings. He explores different mediums such as oil and sand paintings, and abstract mixed media pieces incorporating encaustic wax, copper, and printmaking. His individual style incorporates bold colors, rich textures, and representations of Navajo deities.

“I was raised in a small town surrounded by the Navajo and Zuni reservations, with Acoma and Laguna in my backyard. Route 66 and the railroad both ran through town. There was always a sense that there were other places to be, and I left Gallup at 16 to study art in Santa Fe, New Mexico, at The Institute of American Indian Art.

School was important, as was a license to travel to many great places. A few of the places Tony’s travels have taken him are: The Maryland Institute of Art in Baltimore; Lacoste School of Art in southern France; SACI in Florence, Italy; Chicago Art Institute; Haystack School in Bangor, Maine; and NYU in New York City. Currently, Tony works and keeps a studio in both Santa Fe and Chicago, where he lives with his son Gabriel.

“Living in an urban place adds an element of progressive cultural experience. In a city there is the whole discourse of cultures, thinking, music, and international art. I consider myself a regionalist, accepting that much of what I do is tied to a Native culture and place. I find that art is constantly moving, reinventing, and affected by the changes in our culture. It’s great to feel part of that in some way.”

Tony works in both oil paintings and large scale drawings, and is creating a new series of large three-dimensional sculptures as well. “I try to diversify as an artist. There are certainly many directions I take as a painter. I am concurrently working on large new modernist landscapes, abstract biomechanical charcoal and ink wash drawings, colorful deity paintings with abrupt textures and paint, as well as sculpture.”

“I consider myself a regionalist, accepting that much of what I do is tied to a Native culture and place. I find that art is constantly moving, reinventing, and affected by the changes in our culture. It’s great to feel part of that in some way.”

—Tony Abeyta



Untitled 2009 © Tony Abeyta courtesy www.blueraingallery.com

MAIN OFFICE

602 N. Ewing Street
Helena, MT 59601
406.449.2006
mt@indianlaw.org

WASHINGTON, DC OFFICE

601 E Street, S.E.
Washington, DC 20003
202.547.2800
dcoffice@indianlaw.org

WWW.INDIANLAW.ORG

FIND US ON 

INDIAN LAW RESOURCE CENTER
CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS