



INDIAN LAW
RESOURCE CENTER

JUSTICE
FOR INDIGENOUS PEOPLES

LEADING US FORWARD



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.

We seek 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.

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, our principal goal is the preservation and well-being of Indian and other Native nations and tribes.

The Center was founded and continues to be directed by American Indians. We provide legal assistance without charge, and all our work is driven by the needs and requests of indigenous governments and organizations. In helping them achieve their immediate goals, we strive to establish strategic precedents, realize permanent change, and advance the broader movement toward greater equality and more inclusive societies.



American Indian and indigenous peoples around the globe are coming together, like never before, calling for fairness and equality, for dignity, and for opportunity. We are seizing our chance to influence the societal decisions affecting us and to exercise our right to choose our paths and define our success.

For over 35 years, the Indian Law Resource Center has helped weave together the fabric of this movement. With Indian and Alaska Native nations, we have defined, championed, and advanced new human rights at the international level. We have mounted legal challenges against forces that threatened to bury Indian sovereignty and won justice in national and international legal and policy arenas. We have raised awareness of the systemic inequities and, along the way, changed attitudes that were predicated on ignorance and racism.

Certainly a great deal remains to be done, but the opportunities that are before us today are absolutely immense. Please join us in pursuing this quest for justice for indigenous peoples.

Together we are stronger.

Robert T. Coulter,
President and Executive Director

ENDING VIOLENCE AGAINST WOMEN AND CHILDREN



ALASKA

LISA FRANK is working in her community to create awareness about the issue of domestic violence and to teach young people to respect Native women. She is encouraging other victims to speak out and not to be ashamed of being survivors. "You are not alone," she says.

Lisa Frank could not escape the statistics that plague her Gwich'in community in Alaska. Alaska Native women suffer the highest rates of sexual assault in the United States. In some off-road communities, 100% of Alaska Native women report being a victim of domestic or sexual abuse.

Assaulted as a young woman, Lisa has become an advocate for survivors of sexual assault and domestic violence in order to change the conditions for her daughter. "It's more personal, being a mom to a girl and knowing the odds are high that she'll be assaulted."

The rural isolation of many Alaska Native villages creates unique problems for victims of assault. Many villages are without any law enforcement at all. Lisa says for a lot of women, it's easier to ignore what happened than to seek a prosecution. "Their perpetrator walks free among them, among their own community. It's like nothing happened."

Living free from violence and discrimination is a human right. However, Native women's human rights are severely restricted when living under the threat of violence or actual violence every day. It will take tribes as well as allies outside indigenous communities to bring an end to this epidemic.



SAFE WOMEN, STRONG NATIONS

The Center's Safe Women, Strong Nations project partners with Native women's organizations and Indian and Alaska Native nations to end violence against Native women and children. The project:

RAISES AWARENESS

domestically and internationally to gain strong federal action;

PROVIDES LEGAL ADVICE

to Native women's organizations and Indian nations on ways to restore tribal criminal authority; and

helps Indian and Alaska Native nations and Native women's organizations increase their capacity to **PREVENT VIOLENCE** and to punish violent offenders on their lands.



For decades, violence against Indian and Alaska Native women across the United States has remained at an epidemic level. A 2016 federal report found that four in five Native women experience violence in their lifetime; 56% experience sexual violence. The report confirms that violence against Native women is much more prevalent than previous research indicated.

Statistics define the scale of the problem but do nothing to convey the experience of the epidemic. They tell only part of the story, failing to account for the devastating impacts this violence has on the survivors, Indian families, Native communities, and Indian nations themselves. Nevertheless, the statistics make absolutely clear that violence against Native women is a crisis that cannot wait to be addressed. The time is now!

PARTICIPATING IN THE WORLD COMMUNITY



Today, we are working alongside more than 150 indigenous nations, organizations, and Native women's coalitions to secure major **REFORMS IN THE UNITED NATIONS** system.

Helping Indian leaders initiate, win, and implement the United Nations Declaration on the Rights of Indigenous Peoples has been an important part of the Center's work for more than 35 years. The Declaration is a monumental statement of the rights of Indian and Alaska Native tribes and other indigenous peoples. The right of self-determination, the right to exist as tribes and distinct peoples, the right of tribes to own their land and resources, the right to the enforcement of and respect for treaties, and protection and access to sacred sites are all proclaimed in the Declaration.

To advance the commitments won at the UN World Conference on Indigenous Peoples, we're working to establish an expert body to monitor countries' compliance with the Declaration. Additionally, we want to ensure indigenous governments are always able to participate at the UN to directly assert and defend their rights.

Native nations deserve to take their places as sovereign governments in the world community. For too long, indigenous peoples around the world have been marginalized and subject to unjust and discriminatory legal systems and practices. The World Conference created a platform for implementing the Declaration and provided historic openings for Native nations to reassert their sovereignty and build international support and respect for indigenous governments.



JUSTICE FOR NATIVE COMMUNITIES

Poverty on many Indian reservations and tribal lands is persistent and severe. This is due in large part to discriminatory federal laws that treat tribes as if they have no constitutional rights and make economic development extremely hard for Indian communities.

Generations of U.S. Supreme Court decisions give the federal government almost limitless power over Native nations, including power to control and dispose of all their property and to control all of their tribal affairs. Other decisions limit tribes' ability to levy taxes and enforce laws on their reservations. Such unfair legal rules place enormous burdens on the ability of tribes to promote economic development and to protect and use their resources to benefit their people.

Sustainable economic development requires that tribal nations have at least the same opportunities to protect and preserve their communities that are available to state and local governments. The Center is currently consulting with tribal leaders and gathering information to understand the relationship between poverty in Native communities and the unworkable legal framework that is imposed on them. We hope to use our findings as a basis for further work that would contribute to improvements in both the economic and legal conditions affecting Native tribes.

SECURING LAND RIGHTS

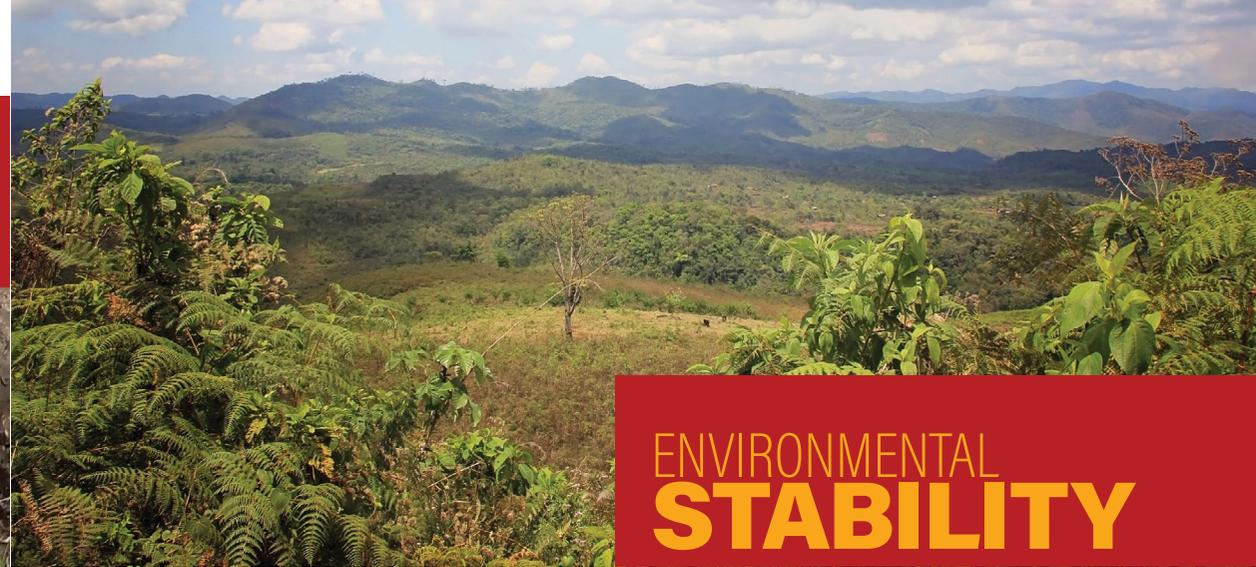
VICENTE POP is an elder and community leader in Agua Caliente Lote 9, a Maya Q'eqchi' community in Guatemala. He has lived in the community his entire life, and at 77 years old he still works in the fields each day. There are many people like Don Vicente in the Maya Q'eqchi' communities — people whose families have, for generations, struggled to preserve the culture of their Mayan heritage and protect the lands they call home.

Land rights, among other human rights, have special relevance in Guatemala, where more than 60% of the population is indigenous, and indigenous peoples have been victims of discriminatory laws and policies since the founding of the modern state. Decades of internal armed conflict deeply scarred the relationship between indigenous peoples and the Guatemalan government. The Agua Caliente community is demonstrating their resilience and determination by continuing to demand their rights. They remain steadfast in their quest to preserve their identity; a core component of which is their land.

Our work with Agua Caliente represents the first time a Maya Q'eqchi' community is using international law to challenge Guatemala's laws and policies violating the collective rights of the Maya Q'eqchi' as a distinct people. If successful, this case will result in a better, fairer legal framework that will help all indigenous communities fighting to control, manage, and benefit from the lands and resources in their territories.



GUATAMALA



ENVIRONMENTAL STABILITY

with the Guatemalan government to take Q'eqchi' lands and have used tactics such as forced evictions, rape, other forms of physical abuse, and even murder to ensure mining operations continue unobstructed.

Across Mexico and Central and South America, indigenous communities face similar pressures from development banks and multinational corporations. These businesses often invest in unsustainable development projects that wreak havoc on the environment and indigenous ways of life. Conflicts arise for a multitude of reasons but mainly because ownership of indigenous lands is often not formally recorded in government records and, as such, isn't legally recognized.

The Center is working alongside the Maya Q'eqchi' communities to help gain legal recognition and respect for their land and resource rights through national and international legal means. We're also pressing major development banks to improve their internal policies and strategies. Respecting indigenous peoples' rights should be at the top of the list of concerns for any company or bank considering financing a major development project. Preserving the integrity of indigenous lands results in stronger communities locally and a more stable climate globally.

In the race to curb global climate change, one remedy has been found to be successful – leaving traditional indigenous lands under the management and care of the indigenous peoples who have lived there for millennia.

Indigenous communities have deep and sacred connections to their lands, which means their interests are typically at odds with big development projects. The Maya Q'eqchi' communities in El Estor, Guatemala, have been fighting to protect their lands for 40 years. International mining companies have been colluding

PROTECTING SACRED SITES



EASTER ISLAND

The **RAPA NUI**'s ability to freely practice cultural traditions and manage sacred sites and natural resources are rights affirmed in the UN Declaration on the Rights of Indigenous Peoples.

In the South Pacific Ocean, a small island measuring 63 square miles is home to one of the most remarkable cultures found anywhere in the world. The Rapa Nui people of Easter Island are known worldwide for creating the iconic, monolithic moai statues; representative of a culture that is wholly distinct from any other Polynesian society and from Chile, the country that claims Easter Island or Rapa Nui as its own territory.

For more than 2,000 years the Rapa Nui were self-sufficient, a culture characterized by a maternal connection to the land and clan-based communal control of ancestral property. Then, in 1888, Rapa Nui was unilaterally annexed by Chile, which proceeded to make decisions that only benefit people on the mainland. Rapa Nui land is taken illegally for public and private development. The Rapa Nui people are blocked from accessing their

sacred sites, and they receive inadequate funding for healthcare and schooling. The Rapa Nui people have become dependent on Chile and are struggling to preserve their culture because they are not permitted to govern themselves.

The Center is working with Rapa Nui clan leaders and representatives to assert their right of self-determination. We are representing them before the Inter-American Commission on Human Rights, and we are helping them garner support within the United Nations to become self-governing. The ability to freely practice cultural traditions and manage sacred sites and natural resources are rights affirmed in the UN Declaration on the Rights of Indigenous Peoples, and we intend to help the Rapa Nui people realize these rights.



TOGETHER WE ARE STRONGER

LEARN MORE about our projects, including our policy work to protect indigenous rights in development finance, our Handbook for Conservationists, and the effort to secure adoption of the American Declaration on the Rights of Indigenous Peoples.

JOIN US to make the appeal for justice clearer, louder, and more powerful. Help us to insist that the contributions and the role of indigenous peoples in the modern world are valued and to build a culture that supports the rights and the voices of indigenous peoples.

SUPPORT THIS WORK by donating to the Indian Law Resource Center.



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CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS