Justice for Indigenous Peoples

CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS

2011 annual report
The Indian Law Resource Center provides legal assistance to indigenous peoples of the Americas to combat racism and oppression, to protect their lands and environments, 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.

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 appropriated 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.blueraingallery.com

Cover Art: Twilight Sunset 2001 © Tony Abeyta courtesy www.blueraingallery.com
The President’s Message

The 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, President & Executive Director
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 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
T

IMBISHA SHOSHONE
CHALLENGING PLENARY POWER

his 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 tribe. 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

ome of our most important legal work is to help Indian and Alaska Natives 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 lawsuit 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

n 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 batons.

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.
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 unpunished 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 added world pressure on the United States to fulfill its human rights obligations. Such awareness also leads 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 were 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.
or 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.
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.

“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

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.
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.
indigenous peoples and the environment

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 must 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.

MULTILATERAL DEVELOPMENT BANKS

“In 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

SIXTEEN

REDD+ ENSURING CLIMATE POLICIES RESPECT INDIGENOUS RIGHTS

SEVENTEEN
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

“...all community member—elders, youth, women, men—are fighting for our rights to our lands, and we will continue to do so.”
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MAYA Q’EQCHI’ LAND AND RESOURCE RIGHTS
Barbara joined the staff in June 2009. She is a graduate of the University of California, Berkeley, and a master's in Latin American studies from the University of California, Los Angeles. She is responsible for the Center's administrative and financial matters.

Lisa joined the Center's Montana office in 2007. She received her law degree from the University of Western Ontario in 2006. She has extensive experience in policy advocacy, especially relating to international social justice, climate change, and water. Lisa works on communications and development projects and assisting with office administration. She has more than 15 years of experience in the non-profit sector, primarily with resource conservation, education and arts organizations.

Frank received his J.D. from the University of Colorado in 1997. He is a member of the Bad River Band of Chippewa Indians and the Board of Directors of the Bad River Band of Chippewa Indians. He serves as the assistant to the Executive Director of the National Indian Women's Resource Center.

Lisa Jane Simpson, Policy Analyst

Lisa is a member of the Cherokees of the Cherokee Nation (Cherokee/Delaware), joined the Center's Montana office in 2009. She has more than 20 years of experience in communications and most recently served as Executive Director of Programs and the Board of Directors and coordinates direct mail and special events.

Frank joined the Center's Washington, D.C. office in 2011. Prior to joining the Center, he served as a tribal finance attorney in Portland, Oregon. Frank is a graduate of Harvard, earning his A.B. in 2003 and his J.D. and master of public policy degrees in 2007. He has worked extensively with indigenous peoples in South America, extensively with indigenous peoples in South America, and served on the non-profit sector, primarily with resource conservation, education and arts organizations.

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

—Susan M. Masten, Chairperson

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

GRETHEN GORDON

ASHELEY KOEFLING

DARREN MOODZELEWSKI, JOHN D.B. LEWIS FELLOW

MABEL MURRAY

LINDSEY TRAINER, TERRENCE A. SIDLEY FELLOW

LAUREN WINCHEL

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Gwich’in Tribe—Fort Yukon, AK

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MELANIE BENJAMIN
Nakota—Band of the Delaware—Orama, MN

NORMA BIXBY, TREASURER
Northern Cheyenne—Lame Deer, MT

CAIMELA CURP CHAJON
Maya K'iche’—San Juan Sacatepéquez, Guatemala

GAUShKIBOS
Len-Cepé—Ojibwe—Hayward, WI

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

DARWIN HILL
Tahoe—Seminole Nation—Bassam, NY

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

DARWIN HILL
Tahoe—Seminole Nation—Bassam, NY
## Statement of Financial Position

**as of December 31, 2011**

### Assets

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<tr>
<th>Current Assets</th>
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<th>2010</th>
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<td>Certificates of deposit</td>
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<td>Current grants receivable (net)</td>
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<td>Other receivables</td>
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<td>Prepaid expenses</td>
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| Long-term Grants Receivable (net) | 173,182 |

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<th>Property and Equipment—at Cost</th>
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<td>Net depreciable assets</td>
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<th>Other Assets</th>
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<td>Gar Creek Seminole land/purchase</td>
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<td><strong>Total Other Assets</strong></td>
<td><strong>476,763</strong></td>
<td><strong>477,536</strong></td>
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| **Total Assets** | **$2,379,461** | **$1,712,442** |

### Liabilities and Net Assets

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</tr>
<tr>
<td>Accrued salaries and vacation payable</td>
<td>27,740</td>
<td>32,619</td>
</tr>
<tr>
<td>Payroll taxes payable</td>
<td>4,641</td>
<td>13,566</td>
</tr>
<tr>
<td>Other accrued expenses</td>
<td>248</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td><strong>65,670</strong></td>
<td><strong>64,972</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Net Assets</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>$682,262</td>
<td>$707,116</td>
</tr>
<tr>
<td>Temporarily restricted</td>
<td>$1,580,568</td>
<td>$889,633</td>
</tr>
<tr>
<td>Permanently restricted</td>
<td>$50,961</td>
<td>$50,721</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td><strong>$2,313,791</strong></td>
<td><strong>$1,647,470</strong></td>
</tr>
</tbody>
</table>

| **Total Liabilities and Net Assets** | **$2,379,461** | **$1,712,442** |

## Statement of Activities

**for the year ended December 31, 2011**

### Support and Revenue

<table>
<thead>
<tr>
<th>Category</th>
<th>2011</th>
<th>2010</th>
<th>2011-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$76,022</td>
<td>$93,160</td>
<td>$169,182</td>
</tr>
<tr>
<td>Grants</td>
<td>399,100</td>
<td>176,678</td>
<td>575,778</td>
</tr>
<tr>
<td>Bequests and trusts</td>
<td>6,392</td>
<td>6,392</td>
<td>6,392</td>
</tr>
<tr>
<td>Contract services</td>
<td>150</td>
<td>150</td>
<td>150</td>
</tr>
<tr>
<td>Other</td>
<td>2,767</td>
<td>2,767</td>
<td>2,767</td>
</tr>
<tr>
<td><strong>Total Support</strong></td>
<td><strong>$483,570</strong></td>
<td><strong>$219,678</strong></td>
<td><strong>$693,248</strong></td>
</tr>
<tr>
<td>Realized and unrealized gains on investments</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Released from restrictions</td>
<td>206,103</td>
<td>(159,205)</td>
<td>46,898</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$689,673</strong></td>
<td><strong>$560,473</strong></td>
<td><strong>$1,250,146</strong></td>
</tr>
</tbody>
</table>

### Expenses

<table>
<thead>
<tr>
<th>Category</th>
<th>2011</th>
<th>2010</th>
<th>2011-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program services</td>
<td>955,201</td>
<td>-</td>
<td>955,201</td>
</tr>
<tr>
<td>Management and general</td>
<td>41,136</td>
<td>-</td>
<td>41,136</td>
</tr>
<tr>
<td>Fundraising</td>
<td>194,867</td>
<td>-</td>
<td>194,867</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>1,591,244</strong></td>
<td><strong>-</strong></td>
<td><strong>1,591,244</strong></td>
</tr>
<tr>
<td><strong>Increase (Decrease) in Net Assets</strong></td>
<td><strong>-364,071</strong></td>
<td><strong>749,317</strong></td>
<td><strong>385,246</strong></td>
</tr>
</tbody>
</table>

| Net Assets at Beginning of Year   | **$707,116** | **$889,633** | **$50,721** |
| Net Assets at End of Year         | **$682,262** | **$1,580,568** | **$50,961** |

### Statement of Activities

**for the year ended December 31, 2010**

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2010</th>
<th>2010-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$78,357</td>
<td>$5,026</td>
<td>$83,883</td>
</tr>
<tr>
<td>Grants</td>
<td>783,432</td>
<td>532,285</td>
<td>1,315,717</td>
</tr>
<tr>
<td>Bequests and trusts</td>
<td>6,690</td>
<td>13,500</td>
<td>13,500</td>
</tr>
<tr>
<td>Contract services</td>
<td>4,094</td>
<td>1,679</td>
<td>5,773</td>
</tr>
<tr>
<td>Interest</td>
<td>4,094</td>
<td>1,679</td>
<td>5,773</td>
</tr>
<tr>
<td><strong>Total Support</strong></td>
<td><strong>$1,778,335</strong></td>
<td><strong>(321,385)</strong></td>
<td><strong>1,459,950</strong></td>
</tr>
<tr>
<td>Realized and unrealized gains on investments</td>
<td>-</td>
<td>1,483</td>
<td>-</td>
</tr>
<tr>
<td>Released from restrictions</td>
<td>678,798</td>
<td>(875,358)</td>
<td>16,560</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$1,102,537</strong></td>
<td><strong>(1,156,843)</strong></td>
<td><strong>$239,306</strong></td>
</tr>
</tbody>
</table>

### Expenses

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2010</th>
<th>2010-2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program services</td>
<td>905,544</td>
<td>-</td>
<td>905,544</td>
</tr>
<tr>
<td>Management and general</td>
<td>233,747</td>
<td>-</td>
<td>233,747</td>
</tr>
<tr>
<td>Fundraising</td>
<td>239,216</td>
<td>-</td>
<td>239,216</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$1,378,507</strong></td>
<td><strong>-</strong></td>
<td><strong>1,378,507</strong></td>
</tr>
<tr>
<td><strong>Increase in Net Assets</strong></td>
<td><strong>$851,833</strong></td>
<td><strong>$239,306</strong></td>
<td><strong>1,091,139</strong></td>
</tr>
</tbody>
</table>

| Net Assets at Beginning of Year   | **$354,318** | **$889,633** | **435,315** |
| Net Assets at End of Year         | **$536,151** | **$1,129,948** | **593,803** |
“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

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.

Tony Abeyta

“Living in an urban place adds an element of progressive cultural experience. In a city there is the whole discourse of culture, 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.”

Tony was raised in a small town surrounded by the Navajo and Zuni reservations, with Acoma and Laguna in his 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 at 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 Range, 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.