

**Testimony of the Tribal Council of the Community of Akiak, Alaska, to the Secretary of State Hillary Clinton and the Office of the High Commissioner on Human Rights of the United Nations on the United Nations Universal Periodic Review Process and the United States review in 2010.**

The Akiak Native Community, a Tribal Council in existence since time immemorial, incorporated under the United States Indian Reorganization Act of 1934, then amended in 1936, Recognized by the Secretary of the Interior through a publication of the United States Federal Register October, 1990 by Assistant Secretary of the Interior Ada Deer.

Living in harmony with each other, our fish and game, water, air, land and our Creator is the culture and tradition of our Tribe. The Council also promotes community peace by identifying and working towards correcting the challenges in Akiak that cause community unrest and uneasiness due to the foreign laws and regulations that are of foreign aspect and not laws of our ancestors that have negative impact on our way of life. These laws, customs and, traditions that our ancestors have used are not written; instead they are passed down from the minds of the elders to the next generation, which is ongoing from generation to generation. The laws, customs, and traditions of our ancestors, unlike the laws of the western civilization, promote unity and harmony for our people.

The Treaty of Cession of 1867 which involves the alleged sale of Alaska by Russia to the United States of America and related documents between Russia and the United States of America pertaining to the Treaty be investigated by the Office of the High Commissioner on Human Rights of the UN, and by the United Nations Human Rights Council on the grounds but not limited to the following;

\* Some early missionaries presenting that certain cultural & traditional practices such as Native Dancing and Ceremonies were demonic, convincing our Indigenous People to stop practicing these customary and traditional events. A lot of unwritten laws, traditional & cultural practices have been lost with the passing of our elders that otherwise would have been passed down to the next generation. Early immigrants of a different race taught non cultural & traditional practices of the indigenous people, thus starting events of westernization on the Indigenous People of Alaska. The arrival of pilgrims to this land brought dysfunction in the form of the western culture which has lead our identity, language, customs and traditions to the brink of extinction. The indigenous people were and still are devastated by the disease, culture and traditions forcibly induced to the indigenous people by some early immigrants.

\* The United States Department of Interior Bureau of Indian Affairs (BIA) day schools implemented of assimilating of our Indigenous People through English only education policies, capital punishment was used on those that spoke the Yupiaq language in the classroom. The practices used by certain early educators initiated the rapid loss of our language and culture. After elementary schooling young people were sent to boarding schools operated by BIA, that taught English only and in most cases these schools were at least 1000 (one thousand) miles from their villages. The slow loss of our identity leads in to the slow loss of our language and the rise in the suicides, domestic violence and the abuse of alcohol & drugs.

\* The Alaska Statehood Act of 1959 only allowed, fluent English speaking people to vote during the process. A majority of the Indigenous People of Akiak weren't fluent in English and only a few individuals had completed high school, therefore a majority of the residents of Akiak weren't allowed to take place in the democratic process that is required in order for Alaska to become a part of the United States of America. A recent court ruling has required the State of Alaska Division of Elections provide qualified translators during elections in predominant native speaking communities.


\* Indigenous Children were put in non native foster homes, for alleged child endangerment violation laws of the of the foreign government that had been forced on their parents and taught to live in a western culture, devastating the ability for the child to gain the knowledge that might have been transferred from the elders furthering the loss of our identity, language, culture, and traditions.

\* The Alaska Native Claims Settlement Act (ANCSA) was passed by the US Congress and signed into law on December 18, 1971 by United States President Richard M. Nixon without a vote from the Indigenous People and Governments of Alaska creating western style corporations. Shares of Stock were issued to those that were born on or before December 18, 1971 leaving out generations of indigenous children with a lack of identity, culture and tradition. Section 4(b) of this Act extinguishes Hunting and Fishing rights of Aboriginal People in Alaska. Tribes were deemed nonexistent at this time yet evidence shows tribal existence since time immemorial. A mere 44 million acres of land was given to western style native corporations that were structured to fail under Fee Simple Conveyances. In the court case; State of Alaska vs. Venetie the United States 9th Circuit Court of Appeals ruled that Indian Country didn't exist in Alaska and that the State of Alaska had jurisdiction on all ANCSA Lands.

Alaska National Interest Land Conservation Act (ANILCA) was intended to restore the hunting, fishing, and gathering rights of indigenous people extinguished by 4(b) of ANCSA but falling short of it's intention the Act created National Parks, Refuges, and Reserves on Indigenous Gathering Lands, then enacting regulations that prohibit the subsisting of Indigenous People on ancestral grounds to feed their families. Title VIII of this Act created a "Rural Preference" clause stating that Tribal Communities were considered "rural" until they reached a population of 10,000 (ten thousand) residents. The Office of Subsistence Management through it's Federal Subsistence Board which is composed of a majority of regional directors employed under the United States Federal Government and only 1(one) seat on the seven (7) member board is designated for subsistence users, manages federal lands in Alaska. Indigenous Gatherers were and still are harassed and threatened by the United States Fish & Wildlife Service and the State of Alaska Department of Fish and Game Enforcement Division for subsisting off the land and the waters, which has and still is a practice of the Indigenous People of Alaska. Indigenous People from the Akiak Tribe have been cited and arrested by both the United States Fish & Wildlife and the State of Alaska Fish & Game personnel for trying to feed their families under indigenous ancestral practices that continue to this day in our ancestral air, lands and water. Foreign western laws and regulations do not match our management styles that have been practiced by our indigenous people for thousands of years.

The high rates of incurable disease, suicides, alcohol abuse and deaths, drug abuse, domestic violence's, high rate of incarceration, the rapid erosion of our language and identity has lead the Tribal Council for the Akiak Native Community to set aside its' pride to plead for assistance in regaining our rights that were deeded to us by our ancestors.

The Tribal Council for the Community of Akiak through its elders, the help of our creator and the Indigenous Governmental rights passed down from our Ancestors request U.S. Secretary of State Hillary Clinton produce a fair and truthful summary to the United Nations Human Rights Council on the United Nations Universal Periodic Review on



of Akiak on our concerns and God given rights that have been detrimental by the misinterpretation of the Treaty of Cessions by the United States of America.

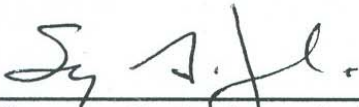
**We have been made "outlaws" in our own homeland that is deeded to us by; unwritten ancestral laws and by; being the first inhabitants of Alaska. We should not have to live under laws of a different culture and civilization that were acted on without the consent of the Indigenous People. The rights of the Indigenous Tribal Council and the rights of the Indigenous Tribal Members of Akiak must be restored to its fullest extent from past and present violations of the human nature as described above.**

Unanimously passed and approved during a duly called meeting of the Tribal Council for the Akiak Native Community on March 13, 2010



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**Ivan M. Ivan, Chief**



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**Sammy G. Jackson I., Vice Chief**



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**Michael P. Williams Sr., Secretary / Treasurer**



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**Moses Owen, Council Member**



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**James S. Nicolai, Council Member**