

The lawful path to peoples' trade runs through peaceful words and practices shared in good faith dialogue and actions. Guala recognizes governments by the effective participation of their peoples. Exterminators cannot legitimately access areas by exterminating the peoples belonging with these areas, which the UN calls territories. Exterminators of peoples lack authority to negotiate with or on behalf of the exterminated. Indigenous Peoples continue to negotiate our movements in shared areas, managing our gifts with respect for disappeared peoples. Our gifts include territories, resources, life sources, and all that makes our peoples who we are. These realities are integrated into the legal system of Guala Nation, which governs human development, including conflict resolution. Guala Nation calls the HRC and its Members to collaborate with us to uphold the rule of international law in the interest of all peoples' survival

We note that in cycles 1-3 of the UN UPR HRC States recommended ratification and implementation of International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Forms of Discrimination Against Women, and Convention on the Rights of the Child (CRC). This would support ratification and implementation of the remaining 6 core ILO conventions and ILO C169 and all those addressing contamination as well as implementation of ratified instruments. Such peacework is fundamental to realization of the UN Charter and American (ADRIP), and UN Declarations on the Rights of Indigenous Peoples (UNDRIP)ⁱ, which is crucial to save all peoples from extermination.

The Americas need special consideration to ensure independence of tribunals that allow impartial consideration of evidence related to good faith agreements with the pre-existing American governments, with which modern states claim to have agreements for access or use of territories and resources. The UNO or successors could cooperate regionally and show how the UNO made and maintained, in good faith, agreements with all affected peoples that would legalize the UNO's development of uranium, which sits at the apex of the Security Council, in order to create nuclear reactions that globally cause and accelerate GHG, radioactive, and toxic emissions; climate change, biodiversity loss, harm to freshwater, soil and air; ocean acidification, planet overheating, and land, marine, and outer space use changes. Such regional cooperation could inform efforts to uphold the Charter.

While Indigenous Peoples could not access their stolen health resources (including biodiverse families of life) in order to save lives of their citizens suffering from the COVID-19 pandemic, the USA and its UNO was accelerating the extermination of all peoples by secretly expanding the global nuclear industrial complex.ⁱⁱ The USA falsely claims the right to develop Indigenous Peoples' territories and resources. The USA and UNO falsely claim the right to develop uranium in order to create violent and deadly nuclear reactions. Such reactions torture and kill, pushing our Mother Earth past her limits of support to families of life, including humans.

The corrupted Security Council structure and member's dependence on the nuclear industrial complex has increased the UN reliance on financial instruments that facilitate the corporate capture that cripples UN OHCHR's ability to uphold the Charter.

The United Nations Organization (UNO) and its participants have disregarded the rule of law by ignoring long-established rules, norms, and laws governing development and conflict resolution as the UNO moves on territories managed by Indigenous Peoples' governments.ⁱⁱⁱ The UNO promotes and profits from U.S. unilateral coercive measures that block trade, which has been managed by Guala for thousands of years. This prevents achievement of the peace, security, and prosperity that would be an option if the UN Charter and peoples' universal and equal right to self-determination were respected.

The USA 1st and 2nd cycle national reports referred to obscure support for UNDRIP and efforts to control Indigenous Peoples through state legal structures. The USA 3rd cycle national report conflates Indigenous Peoples with US agencies created by the USA to serve the interest of the USA. The US misnomer for these US agencies, 'federally recognized tribes', misrepresents state apparatus as human groups, rather than as the US specially designed, created, and purposed vehicles to unlawfully allocate territories and resources of Indigenous Peoples to the State and its debts. The US concealed the fact that these agencies created by and for the US aren't obliged to serve the interest of Indigenous Peoples. If the means by which Indigenous Peoples can communicate with the USA to stop genocide are known, this should be shared to uphold the Charter.

The UNO has institutionalized the US practices of owning Indigenous Peoples and their territories and resources as state property by assigning, via financial instruments, the territories and resources of living and exterminated peoples to exterminating states, too many of which are not accountable to any people but are, rather, just a political shell for shadowy corporations and their cartels. Though details were previously shared, the HRC has supported these financial instruments' efforts to codify Indigenous Peoples as state property by allowing WBG and IMF to use our stolen wealth to promote WBG and IMF formalization of claims absent the protections of Indigenous Peoples' legal systems, which have existed since time immemorial. These anarchistic financial practices leveraged by US and UNO fascist structures denigrate both the purity of Water and viability of distinct Waters (including those running through humans), which most effectively heal ecological harm and generate social protections.

This theft and misuse of our wealth^{iv} has increased infectious disease^v and the contributing non-communicable disease factors related to contamination,^{vi} undermining the Charter. The UNO has developed its financial instruments into institutions of slavery that require Indigenous Peoples to continually labor without consent, protection from our own governments, remuneration, nor opportunities to manage conditions, in order to remedy the harm continually done by UNO-managed financial instruments, to which the UNO has assigned Indigenous Peoples to be managed to extermination. This is modeled after US development strategies and cartel structures. The UNO and its Members can uphold the Charter by divesting from apartheid systems, i.e., the nuclear industrial complex, and by investing in Buen Vivir models for peace, security, and sustainable prosperity.

Organizations that uphold the Charter would require states to support peoples' development of National Human Rights Institutions (NHRIs)^{vii} instead of forcefully financializing peoples' wealth into UN financial instruments. To learn if UNDP's 'Right to Healthy Environment' tools are helpful, a Charter-respecting organization would dialogue with Indigenous Peoples' governments through institutionalized protocols, procedures, processes, and mechanisms. Guale Nation's wealth comes from our management of economic institutions that have sustainably provided goods and services since time immemorial without transient money exporting our wealth. If Indigenous Peoples protected by Guale choose money, we need the safety, time, and peaceful space to decide, plan and develop structures that maintain our primary ecological economies while integrating any new secondary financial economy. Indigenous Peoples protected by Guale face extermination because of forced financialization, which serves the nuclear industrial complex and prevents participatory governance.

An organization that lives by the UN Charter will develop capacity to communicate with peoples represented by non-state governments in order to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples.

Lawful governments recognize that prosperity comes from peoples' respectful trade rather than through the unlawful practices of the UNO and its financial instruments. Participation in this trafficking economy and related genocidal structures is unlawful with Guale. If UN peoples wish to peacefully access or affect the peoples protected by Guale, they will respect the rule of law carried by related Waters that cultivate Guale.

In response to Guale Nation (GN) detailing to UN Human Rights Council (HRC) violations of law, UNO and its participants increased human rights abuses and impacts. The UN HRC has prevented implementation of its own documents, including core instruments, Convention on the Elimination of Racial Discrimination, Convention Against Torture, Convention on Genocide, and HRC recommendations on the DRIP, by failing to correct consistent corrupt practices with UN institutional mechanisms that establish perverse rules and norms.

This UNO pattern of undermining the rule of law was seen in the HRC's USA 3rd UPR cycle review, which failed to effectively measure USA progress on previous recommendations based on peoples' inputs. With these exemptions from rule of law, the UNO enabled the US purpose as a cartel State to carry out the World Bank Group (WBG) and International Monetary Fund (IMF) agendas.

This impunity for the USA blocks global efforts to strengthen rule of law, to develop institutions, processes, or procedures for justice or participatory government, including mechanisms focused on the Charter.

All questions posed in the 4th cycle by HRC Members are helpful because they seem to be tailored from formulas applied to all States. However, the HRC ignores the reason that the US is the worst scofflaw in the UN, refusing to ratify and implement core instruments, such as ICESCR: The US has not formed a government capable, in good faith, of making and

maintaining agreements with the original governments, over whose peoples, waters, winds, and lands the US claims UN “sovereignty”, the concept of which arises from the European supremacist religious cult.^{viii}

The Members of HRC of 2019-2021 appeased the US by supporting its efforts to avoid accountability for violations of the rule of law, such as blocking HRC workers from investigating unlawful acts or of blocking vaccine access for Indigenous Peoples who contributed to their creation, by withholding sanctions against the US and its WBG. The UNO subsidizes human rights violations with Indigenous Peoples’ stolen wealth. The HRC did not perform a 4th cycle review of the US. As we have not seen HRC investigate and report why these decisions to exempt a major trafficking Member were made, we imagine reasons why HRC supports impunity. The UNHRC considers disposable the persons and peoples participating effectively in HRC, thus also impeding US peoples who work to promote rule of law.

The HRC’s inaction following previous US aggressions against Indigenous Peoples and their descendants contributed to the US cartel’s expansion of its financial institutions of slavery and its aggression against Indigenous Peoples, our Waters, and those who live with these shared Waters.

Poisoning peoples^{ix} and other families of life and the ecosystems in which we participate does not clear the way for UNO expansion; it increases the areas where the UNO cannot participate. The UN Charter is a good map to the future that recognizes peoples’ equal rights to self-determination. Those wishing to lawfully immigrate to, travel through, or reside with our territories, including marine ecosystems, will apply to our governments. Peoples collectively hold our governments accountable to make them true governments that keep our peoples alive and thriving.

Rather than ending Indigenous Peoples, the UN HRC could end UNO interference with Guale trade, including transactions and standards of exchange. Civilized peoples work peacefully to end these UNO harms to humanity and the ecosystems to which we contribute.

The HRC has failed to stop the illegal development of uranium and of weapons of mass destruction in general. Restoring stolen wealth to Indigenous Peoples through ICESCR implementation is a first step toward healing and ending genocide.

To ensure the survival of peoples that the UNO claims to protect, the UNO could either dissolve or reassemble as an organization capable of upholding the Charter. This or an organization assembled on the basis of principles similar to those in the UN Charter would recognize that Guale Nation governs trade with peoples and ecosystems that it protects. UN Member States and their organizations do not lawfully own, control, or manage Guale Nation or its ecosystems, trade, or the peoples protected by Guale.

For peace to rule, multilateral organizations could respect peoples’ right to mutually consensual trade and stop invading or blockading peoples’ markets. The HRC has thus far failed to uphold the legal instruments that would stop UN organized criminal acts. Another organization might

clarify that UNO ‘global’ agreements should systematically include governments of Indigenous Peoples so those who wish to trade lawfully with Indigenous Peoples could. Light helps us see and remedy problems.

The documented issues in the GN 2010 report (see Annex 1), rejected by 2010 HRC UPR Committee, are worsened today, though the HRC has improved our ability to digitally communicate with HRC. During the COVID-19 pandemic, the UNO excluded governments with solutions. The UN structures struggling to uphold the rule of law against criminal infiltrations collapsed and corporate capture of UNO secretariats was consolidated into senior executive authorities to more ‘efficiently’ serve colonizers. The UNO and its perverse economy during the COVID-19 pandemic blocked and reduced peoples’ access to food, health, shelter, and education options while radically accelerating climate change and other ecological crises with, among other aberrations, secret work to enslave and exterminate peoples globally via the UNFCCC’s 2022 misleading promotion of nuclear weapons manufacturing facilities.

The HRC failed to notify or protect previous or potential reporters on UNO action regarding such nuclear issues, or to study the UN proposals, or to make effective recommendations, or to publicize the nuclear threat so peoples could fight for their right to life. The UNO and its nation-state system fail to remedy the social, cultural, economic, or political problems that UNO caused. The UNO works automatically with its Members to use HRC information to eliminate those who shine light in dark places.

If only to defend UN peoples’ collective right to life, an organization should coalesce to uphold Charter principles that guarantees all peoples’ rights to develop participatory governments that sustain rather than exterminates peoples. Participatory governance is successful apart from the UNO culture that celebrates secrecy, dishonesty, consumption of stolen wealth, and criminality.

By engaging with legal processes and tribunals of governments of Indigenous Peoples, the UNO can allow the HRC to be effective in its work: analyzing the serial harm done to communities and ecosystems of Indigenous Peoples and details of other crimes. Now the HRC has the opportunity to establish for a Charter-respecting organization a new status quo based in the rule of law that sustains life through a just peace.

For Indigenous Peoples fighting to stop the UNO’s genocidal actions, it would help if those wishing to uphold the UN Charter would immediately develop mechanisms for upholding the Charter, and integrate such mechanisms into existing processes and protocols, including national implementation, reporting, and follow-up measures as components that incorporate efforts to end UN Member-caused ecological crises that are swallowing whole peoples and other families of life.

To survive the existential consequences of UNO actions, UN successors could work collectively toward the common goal of peace and learn from peoples how to identify, prioritize, and address our greatest threats to peace with words rather than weapons. Leaders of the UNO empire might live better using words rather than violence and fraud. Successor organizations can

communicate commitments to peace by means of transparent peaceful actions. The ban on uranium development must be respected while weapons of mass destruction and related items must stop travelling with ecosystems protected by Guale Nation for peoples to live well.

A UNO with the capacity to implement UN Charter methods for living well would not exterminate peoples and our food chains in order to clear the way for manufacture of weapons of mass destruction. Because Guale Nation shared details with the UNHRC, Guale failed to protect from UNO aggression Indigenous Peoples and respective citizens and others entitled to our protection. The HRC can learn from past mistakes and develop an organization into a balanced intergovernmental entity that upholds the rule of law.

UNO participants and entities might develop institutions that decolonize, upholding the rule of law in their own lands to provide for their own peoples, and thus, end international crime. UNO participants might end the UNO empire, respect the peoples they claim to represent, and support peoples' reciprocal agreements recognizing their neighbors' tribunals and laws for mutually beneficial trade. HRC or its successors might facilitate the review of nation-state actions by engaging with the legal processes and tribunals in the interest of peace, justice, and humankind's survival. To propose inclusion of peoples, ecosystems, and Waters that comprise Guale in international endeavors, the HRC or its successors must find a way to enforce guarantees that all governments will live by Charter principles and protect all life that is protected by Guale.

Guale Nation pursues peace by respecting and protecting our Waters, which ensure our spiritual, social, cultural, economic, and political rights. If an organization wishes to uphold the Charter principles, Guale Nation is open to addressing the need for an international system to measure and promote progress of a post-colonial world toward the realization of such, which are also set forth in core UN international and OAS regional instruments. When the UNO stops undermining the Charter and stops exterminating Indigenous Peoples, Guale can recover from colonial harm and contribute more effectively to international peace and security.

ⁱ Charter Articles 1, 55, and 56 are detailed in the Declaration on the Rights of Indigenous Peoples, implementation of which are called for repeatedly HRC Members in the 1st and 2nd cycle recommendations.

ⁱⁱ USA State Department. (2023, December 23). Declaration to Triple Nuclear Energy. <https://2021-2025.state.gov/declaration-to-triple-nuclear-energy>

ⁱⁱⁱ Organization of American States. General Assembly. (2016). *American declaration on the rights of indigenous peoples*. Organization of American States. Section Four (Articles XX-XXIV). <https://www.oas.org/en/sare/documents/decamind.pdf>

^{iv} WHO stole health resources from Indigenous Peoples while torturing and murdering members and descendants of Indigenous Peoples by denying us access to the benefit of these stolen resources, most notably during the COVID-19 pandemic.

^v This violates Article 10 of the Protocol of San Salvador: "Everyone shall have the right to health, understood to mean the enjoyment of the highest level of physical, mental and social well-being. In order to ensure the exercise of the right to health, the States Parties agree to recognize health as a public good and, particularly, to adopt the following measures to ensure that right: a) Primary health care, that is, essential health care made available to all individuals and families in the community; b) Extension of the benefits of health services to all individuals subject to the State's jurisdiction; c) Universal immunization against the principal infectious diseases; d) Prevention and treatment of endemic, occupational and other diseases; e) Education of the population on the prevention and treatment of health problems, and, f) Satisfaction of the health needs of the highest risk groups and of those

whose poverty makes them the most vulnerable.”

^{vi} This violates UNDRIP Article 29 “1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.”

ADRIP “Article XIX.

Right to protection of a healthy environment

1. Indigenous peoples have the right to live in harmony with nature and to a healthy, safe, and sustainable environment, essential conditions for the full enjoyment of the rights to life and to their spirituality, cosmovision, and collective well-being.

2. Indigenous peoples have the right to conserve, restore, and protect the environment and to manage their lands, territories and resources in a sustainable way.

3. Indigenous peoples have the right to be protected against the introduction, abandonment, dispersion, transit, indiscriminate use, or deposit of any harmful substance that could adversely affect indigenous communities, lands, territories and resources.

4. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programs for indigenous peoples for such conservation and protection, without discrimination.”

^{vii} For example, despite recommendations to USA to establish national human rights institution(s) during the 1st, 2nd, and 3rd cycles, in between the 2nd and 4th cycles the HRC did not, as it has with other Members, use all UN offices to achieve this progress, despite the grave warnings that rule of law was under immediate threat on multiple fronts where the USA operates, including with all peoples and territories affected by the WBG institution of slavery. The HRC regularly invites reports on the USA and then, through the UNO, makes the reporters disappear.

^{viii} This violates the Charter, ILO C169, ADRIP, and UN DRIP “Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.”

^{ix} This prevents implementation of the, the World Conference on Human Rights (1993), which calls States to repeal existing laws and regulations and remove customs and practices which discriminate against and cause harm to the girl child. UN General Assembly, World Conference on Human Rights, A/RES/48/121, UN General Assembly, 20 December 1993, <https://www.refworld.org/legal/resolution/unga/1993/9416>

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