

EXECUTIVE SUMMARY OF THE FINDINGS OF THE INTERNATIONAL PEOPLES TRIBUNAL ON LEONARD PELTIER

1. This is the first session of the International Peoples Tribunal on Leonard Peltier. This Tribunal is a proceeding in democracy, justice, and human rights. The case of Leonard Peltier goes beyond his oppression. Leonard Peltier has become an icon for the oppression and injustices practiced by the United States historically and persistently upon Indigenous Peoples. Justice for Leonard Peltier can begin a healing process long overdue between Indigenous Peoples and the United States of America. This Tribunal is a proceeding by those not in power doing justice when those in power are incapable or unwilling to do justice.
2. This International Peoples Tribunal focused on the following key issues:
 - (1) What was the historical relationship between the US and the Dakota, Lakota, and Nakota People?
 - (2) Who has jurisdiction on the Pine Ridge Reservation in the US?
 - (3) Can the US Congress override a treaty obligation, using its Plenary Power?
 - (4) Has the Fort Laramie Treaties of 1851 and 1868 or Lakota Traditional Laws been violated during the period of 1868 to present, including the 1973 Wounded Knee stance, the 1975 Pine Ridge Shootout, and the subsequent trials on both of these incidents?
 - (5) Have any International Human Rights standards been violated during the pre-trial, extradition, detention, trial process, and incarceration of Leonard Peltier?

After hearing witnesses, and reviewing submitted exhibits, the Tribunal has made the following preliminary findings and conclusions.

I. EGREGIOUS US GOVERNMENTAL MISCONDUCT AND ABUSE OF POWER

1. Historical and Continuing Genocide of Indigenous People in the US through US Governmental Direct Actions, Law, and Policies
2. US Governmental Corruption in the US Legal System
3. Deliberate Withholding of Exculpatory Evidence and the Use of Manufactured and Perjured Testimony
 - A. 1973 Wounded Knee Trials
 - B. 1977 Trial of Leonard Peltier
4. Extradition of Leonard Peltier from Canada to US
5. 1977 Trial of Leonard Peltier
6. Appeals of Leonard Peltier—1978, 1984, 1986 and 1993
7. Denial of Parole by Federal Bureau of Prisons

II. CONSTITUTIONAL VIOLATIONS

1. Violations of the Ft. Laramie Treaty of 1851 and 1868
2. Webster-Ashburton Treaty (1842)

3. Fundamental Right of Due Process
4. Right to a Fair and Impartial Jury of His Peers
5. Sixth Amendment Right Regarding Compulsory Processes
6. Religious Land Use and Institutionalized Persons Act (2000)
7. Free Exercise and Establishment Clause

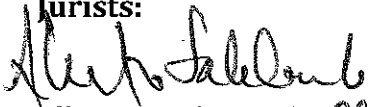
III. VIOLATIONS OF INTERNATIONAL LAW

1. Violations of the Ft. Laramie Treaty of 1851 and 1868
2. United Nations Declaration on the Rights of Indigenous Peoples (2007)
3. United Nations International Convention on the Elimination of All Forms Racial Discrimination (ICERD) (signed 1966; ratified 1994)
4. United Nations International Covenant on Civil and Political Rights (ICCPR) (signed 1977; ratified 1992)
5. Universal Declaration on Human Rights (1948)
6. Webster-Ashburton Treaty (1842)

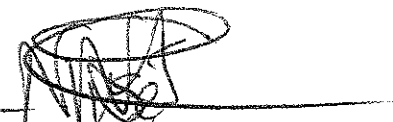
IV. CONCLUSIONS

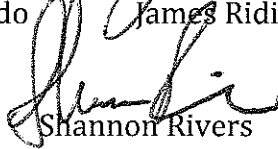
1. Immediate Freedom for Leonard Peltier
 - A. New and Fair Trial Consistent with Due Process
 - B. Executive Clemency
 - C. Compassionate Release
2. Appointment, by the President of the United States, of Independent Counsel to Review and Prosecute All Murders, Assaults, and Acts of Intimidation by all Perpetrators, including the Federal Bureau of Investigations (FBI), against the Lakota Oyate of the Pine Ridge Indian Reservation.
3. Restoration of Criminal Jurisdiction in Indian Country – Overturn the Major Crimes Act of 1885, and its Associated Amendments, and the Suquamish v. Oliphant (1978) Decision
4. Repeal the Doctrine of Discovery, Plenary Power Doctrine, and other Extra-Constitutional Fictions by the Supreme Court
5. Admission of Guilt and Systemic Change from the Federal Bureau of Investigations (FBI) for their Crimes against the Lakota Oyate and other Indigenous Peoples in the United States. In order for the Lakota Oyate to begin the healing process, the FBI must begin with a Statement of Remorse to the Oglala Lakota Oyate of the Pine Ridge Indian Reservation.
6. Our further findings include Environmental Injustices which must result in ending Environmental Racism on Indigenous lands in the United States.
7. Tribunal participants recommend this document be submitted to National Congress of American Indians (NCAI).

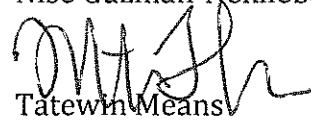
Jurists:


Alberto Saldamando


James Riding In


Nise Guzman-Nekheba


Shannon Rivers


Tatewin Means

Submission Date:
October 4, 2013