

**UNITED NATIONS
HUMAN RIGHTS COMMISSION
UPR SUBMISSION UNDER GENERAL ASSEMBLY RESOLUTION 60/251**

**:Chief:Nanya-Shaabu:El: ®:©TM, :At-sik-hata :Nation of :Yamassee-Moors
UPR SUBMISSION RE CANADA**

PART I – BACKGROUND

1. The At-sik-hata Nation of Yamassee Moors (<http://sites.google.com/site/atsikhatanation>) is an Indigenous Peoples organization(IPO) [Sovereign, Indigenous & Tribal] internationally recognized by: The United Nations Office of the High Commission on Human Rights(OHCHR), United Nations NGO Branch ; United Nations Permanent Forum on Indigenous Issues(PFII), Organization of American States(OAS), the Government of Canada (<http://svc.summit-americas.org/sites/default/files/2009-2409735-607380-U-20090909-PUPENTAGON.pdf>) and the Province of Alberta <http://www.scribd.com/doc/51689858/Fwd-Fw-Chief-Nanya-Shaabu-El-Notifies-Premier-of-Alberta-Ed-Stelmach-of-Atlan-s-Existence> , in accord with: The United Nations Charter, The United Nations Declaration on the Rights of Indigenous Peoples, 1666 Dekis Treaty of Queen Victoria on the Bargain of 1835, Treaties 1-11, 1778 Articles of Confederation and perpetual union (Canada is considered a colony admitted into the union with the united states of America), Supreme Court of Canada <http://www.scribd.com/doc/52712939/Supreme-Court-Email-and-Fax-Jan-172011>(see U.S. Secretary of State Document Number 06021440-3 of May 22 2006 (<http://naturalcredit.tripod.com>) United States Code Title 28 USC 1360 and whose land includes(but is not limited to) : Georgia, North Carolina, South Carolina, Alabama, Florida and Tennessee. We are the Indigenous/ Autochthonous Peoples of the aforementioned lands with the geographic coordinates: 33° 36' 36" North latitude; -84° 17' 17" West Longitude.

2. In 1535, two Indian Youths told Jacques Cartier about the route to "kanata". They were referring to the village of Stadacona; "kanata" was simply the Huron-Iroquois word for "village" or "settlement." But for want of another name, Cartier used "Canada" to refer not only to Stadacona (the site of present day Quebec City), but also to the entire area subject to its chief, Donnacona. The name was soon applied to a much larger area: maps in 1547 designated everything north of the St. Lawrence River as "Canada." Cartier also called the St. Lawrence River the "rivière de Canada", a name used until the early 1600s. By 1616, although the entire region was known as New France, the area along the great river of Canada and the Gulf of St. Lawrence was still called Canada.

3. Soon explorers and fur traders opened up territory to the west and to the south and the area depicted as "Canada" grew. In the early 1700s, the name referred to all lands in what is now the American Midwest and as far south as the present day Louisiana.

4. The first use of "Canada" as an official name came in 1791 when the Province of Quebec was divided into the colonies of Upper and Lower Canada. In 1841, the two Canadas were again united under one name, the Province of Canada. At the time of Confederation, the new country assumed the name of Canada.

- Source <http://www.pch.gc.ca/pgm/ceem-cced/symb/o5-eng.cfm>

5. Canada since 1778 has always been a part of the united states of America (http://library.stmarys-ca.edu/subjects/integral-liberal-arts/f-h/federalist-papers/Articles_of_Confederation.pdf) ; this fact has been conveniently ignored by both the Canadian and U.S. Governments. Canada gives the impression to the International community that they are advocating, honoring, acknowledging Indigenous Rights, Human rights, and International law domestically, yet ignore this historical fact which has remained unchanged and undisputed.

6. <http://www.aadnc-aandc.gc.ca/eng/1100100028710/1100100028783> - Treaty 6 - Copy of Treaty No. 6 between Her Majesty the Queen and the Plain and Wood Cree Indians and other Tribes of Indians at Fort Carlton, Fort Pitt and Battle River with Adhesions ROGER DUHAMEL, F.R.S.C., QUEEN'S PRINTER AND CONTROLLER OF STATIONERY, OTTAWA, 1964, Cat. No.: R33-0664, IAND Publication No. QS-0574-000-EE-A-1.

7. The legal limbo created by the Dred Scott decision of 1857, coupled with the Jim Crow laws and the Christian Black Codes – 1794, which are still used to this day, has put the descendants of Africans living in America, Canada, the Caribbean, in a stateless position. By comparison, those descendants of Africans who emigrate to Canada and become Canadian citizens or those of African/Caribbean/South American Descent, are in actual fact corporate citizens of the corporation called Canada and are unaware they have waived their right, and cannot claim their Indigenous/Autochthonous heritage upon becoming a Canadian, and if they do claim their Indigenous/Autochthonous heritage they are subject to persecution from the Government of Canada.

North American History – Points of History.

8. Four Letters on American history, Published Nov. 17 1827 No.7 By. Prof. Rafinesque to Dr. J.H. M'Culloh of Baltimore where he states: “ To this day they speak and write of the Red men of America, while there is not a Red Man,(nor never was) in this continent. “ *To this day do they attempt to separate the American languages from all others, while their roots and structure are exactly like many in the Eastern Continent.*” Further “*it is sufficient to mention that there were in America, before Columbus came, nations and tribes of the following complexions: coppered, tawny, olive, dusky, white or pale yellow, dark brown and black; (but none red unless painted) and that all these complexions are also found in Asia, in Polynesia, and in Africa.*” The native American Negroes or black Indians, have been seen in Brazil, Guyana, Caraccas, Popayan, Choco, North California, &c. Some of them, such as the *Aroras* or *Caroras* of Cumana, were black, but with fine features and long hair, like the *Jolofs* and *Gallas* of Africa. **The Negro features belong to the form of the head rather than the colour, since [there] are in Africa, Asia, and Polynesia, black, brown, yellow, olive, coppery, (and even white) Negroes.**

<http://www.sidneyrigdon.com/dbroadhu/PA/Phil1800.htm#011327>

9. 1836 Treaty of Marrakesh provided that Moors (Africans from Morocco Living)were to be treated as equal citizens of the United States of America – which would also include Canada(1778 Articles of Confederation and Perpetual Union), http://avalon.law.yale.edu/19th_century/bar1836t.asp.

10. May 2004 issue of National Geographic call the Olmec “*The Mother culture of Meso-American Civilization.*” Page 71. The Olmecs of today would be mistaken/misnomer: Black, African-America, African – Canadian, Negro; Europeans originally referred to ‘black / negro’ people as “Moors” regardless of what part of the Continent of Africa they were from or wherever they were found on the planet.

11. Indians of the Americas, The Long hope By John Collier(MT760) published by The New American Library Chap.11 The Iroquois and the Cherokee: “ When dealing with Savage Men, as with savage beasts, no question of national honor can arise. Whether to fight, to run away or to employ a ruse, is solely a question of Expediency.”(**The Oxford Dictionary of Current English, p.g 257**

Expedient. 1 a. advantageous, advisable on practical rather than moral grounds; suitable, appropriate. **2** n. Means of achieving an end, resource; **expediency** n.).

12. **Bury my heart at wounded knee by Dee Brown published 1971:** Dee Brown was able to show how the U.S. Government[which would also include Canada as these governments had and continue to have a close a relationship with each other] had consistently employed a pattern of deception and manipulation to wrest ancestral lands from tribe after tribe. “What surprised me most was how much the Indians believed the white man over and over again,” Brown told a newspaper reporter in the early 1970’s. “Their trust in authority was amazing. They just never seemed to believe that anyone could lie.”

13. 1864 – “Professed patriotism may be made the cover for a multitude of sins.” – legislator and historian Robert c. Winthrop; p.g 67.

United Nations Declaration on the Rights of Indigenous Peoples Endorsed by Canada

14. Published on the Canada aboriginal affairs website at: <http://www.aadnc-aandc.gc.ca/eng/1309374807748/1309374897928>. **Q.7 Why did Canada vote against adoption of the UNDRIP?** The concern for Canada centred not on the overarching principles of the UNDRIP, but rather on its actual text. In a statement to explain its vote at the UN General Assembly, Canada expressed its disappointment in voting against a document that it had been an active participant in developing for over 20 years. During that time Canada helped galvanize international efforts towards the development of a declaration that would promote and protect the rights and freedoms of every Indigenous person, as well as to recognize their collective rights around the world.

15. The ability and right of a “ negro” to claim ‘ Indian’ or ‘ Aboriginal’ heritage should not be considered strange or abnormal – considering that Africa is the birthplace of Nubian/Melaninite [MISNOMER: Black, Negro] and all other races come from us. So it is not a matter of proving blood quantum of an Indian, rather it is a fact that no other race existed before us Nubian/Melaninite Peoples [MISNOMER: Black/ Negro / Negroid / Peoples] and by default our blood flows in the veins of all Indigenous Peoples on the planet.

Part II Submissions

16. Canada is a corporation registered in Washington, D.C. ; Canada’s Corporate registry number is: 0000230098 CANADA(SIC)8880. Canada is also a Colony. Canada is also a corporation Sole. Canada is not de- jure but de-facto.

17. The BNA Act was nothing more than the “command orders” from the British Crown to the Governor General(de-facto head of state — <http://www.cbc.ca/news/background/governorgeneral/>) as to how he was to govern the amalgamated colony called Canada. The preamble of the proposed BNA Act, wherein the statements on confederation (formation of a federal union) are found, was not part of the private member’s bill that was passed through the British House of Commons in February 1867. The Act joined the four colonies as one colony. The Governor General, the corporation sole — in essence, the captain of the ship (Canada) was practically an absolute dictator, responsible only to the Crown of Britain through the British Board of Trade (<http://www.detaxcanada.org/kuhl.htm>) . The (British) Interpretations Act, 1889 clarified the fact that “dominion” was synonymous with “colony”.

18. **“Canada”**, for greater certainty, includes the internal waters of Canada and the territorial sea of Canada; **“United States”** means the United States of America; Sovereign rights and jurisdiction of Canada **“statutory declaration” “statutory declaration” means a solemn declaration made pursuant to section 41 of the Canada Evidence Act (see: <http://indigenous9.tripod.com/id12.html>) ; territory”« territoires »“territory” means Yukon, the Northwest Territories and Nunavut; **“Her Majesty”, “His Majesty”, “the Queen”, “the King” or “the Crown” means the Sovereign of the United Kingdom, Canada and Her other Realms and Territories, and Head of the Commonwealth;**
– Section 35.1 of the Canada Interpretation Act.—<http://laws-lois.justice.gc.ca/eng/acts/I-21/page-10.html#h-30>**

19. <http://www.eutimes.net/2011/02/obama-creates-worlds-first-superstate-with-us-canada-merger/>
The United States announcement of this “merger” between these two North American Nations was made February 4th by a posting on the WhiteHouse.Gov website of President Obama and which, in part, says:
The shock and uproar in Canada over their Prime Minister’s, Steven Harper, signing away their sovereignty to the United States is unprecedented, but the same cannot be said of the American people who, according to Canada’s National Post, have not been allowed to know about it, and as we can read from their article titled “The security perimeter imaginarium of Dr. Harper” .

20. <http://mtrial.org/node/133> A short video highlighting "queen" Elizabeth 2 promising to uphold "The Laws of God", which forbid her, parliament, or anyone else from legislating. She has broken this binding contract, and thus the contract is voided, meaning she has no actual authority to bring victimless, legislated charges against anyone. The direct youtube link is: <http://www.youtube.com/embed/oNnyctcE4eQ>

21. <http://www.scribd.com/doc/95182934/ReginavJahVerdictApostilleAHNYM>

29 May 2012 – *Apostille* (Convention de la Haye du October 1961) United Nations Convention on *Regina v. JAH* (Defendant No. T20107746-1) - *Jury Verdict* of May 12 2011.

Kidnapping, Genocide, Apartheid, Rape and violations of International Law by Canada

22. The Kidnapping of :Chief:Nanya-Shaabu:El on October 5 2008 by Alberta Sheriffs based upon an “alleged”(which has never been produced) peace bond of September 8 2009 – http://www.youtube.com/watch?v=L5zMQ6pSoe0&list=UUTNUla_LwThm4qQ-T2V1KIQ&index=115&feature=plcp . The Alberta Court / the Crown (aka Rothschilds Bank of London’s) using coercive, illegal, criminal tactics to force upon :Chief:Nanya-Shaabu:El numerous psychiatric evaluations (8 times – violating the United Nations Convention on cruel and unusual punishment and the United Nations Convention on torture). - <http://www.scribd.com/doc/43686693/2010-2469373-634879-U-20100729-PURACQ>

23. On Nov. 17 2011 :Chief:Nanya-Shaabu:El was attacked outside courtroom(212 – Master Breitkruetz presiding) on Treaty 6 territory [Edmonton, Alberta] and choked out in front of his wife :Diani-Naja:Bey-El and his Mother Merle Henry - <http://www.scribd.com/doc/71261397/Royal-Bank-Served-Filed-Alberta-Court-1111>.

24. On May 31 2012 :Chief:Nanya-Shaabu:El walked out of Edmonton law Courts – on an administrative appearance due to violations by the [judge] of; 1868 Promissory Oaths Act(U.K.), section 337 of Canada criminal code, UNDRIP Art. 1, 2,4,5,7,8,9,10,19,34,, 37,45 - <http://www.scribd.com/doc/92609225/chieffregmailtosusanelainemay32012> . On June 19 2012 – Canada National Aboriginal Day and Canada National Aboriginal Week , :Chief:Nanya-Shaabu:El was kidnapped at gunpoint by Alberta Sheriff’s who did not have an arrest warrant for him. :Chief:Nanya-Shaabu:El was held captive for 4 months. - <http://www.scribd.com/doc/86287258/Atl-an-Turtle-Island-Filed-Motion-to-Quash-3212012> .

25. On or about September 3, 2012, RCMP and Canada Immigration arrived at secured indigenous property – see scribd/ facebook weblink – looking for the Matriarch of :our- :Nation and nearly grabbed :Chief:Nanya-Shaabu:El’s mother(Merle Berrinice Henry), assuming she was our :Matriarch. The RCMP and Canada Immigration proceeded to enter the house on indigenous property – without a search warrant <http://www.scribd.com/doc/59925240/Canada-Census-Sponsered-by-Lockheed-Martin-to-Chief-Nanya-Shaabu-El> .

26. <http://laws-lois.justice.gc.ca/eng/acts/C-45.9/page-1.html#h-3>

HER MAJESTY Marginal note: Binding on Her Majesty 3. This Act is binding on Her Majesty in right of Canada or a province. OFFENCES WITHIN CANADA

Marginal note: Genocide, etc., committed in Canada 4. (1) Every person is guilty of an indictable offence who commits (a) genocide; (b) a crime against humanity; or (c) a war crime. Marginal note: Conspiracy, attempt, etc. (1.1) Every person who conspires or attempts to commit, is an accessory after the fact in relation to, or counsels in relation to, an offence referred to in subsection (1) is guilty of an indictable offence.

Conclusion

27. Canada like its neighbor to the south(The United States of America) is deliberately violating its owns laws(the Canada Criminal Code), Treaties signed with aboriginal peoples / first nations, and International laws it has signed. Not only does Canada resists African-Canadians from claiming their Indigenous, Native American / Indian heritage and persecutes those African-Canadians who do declare and Claim their Indigenous Rights in accord with International Law, Canada persecutes any aboriginal first nations, individually or collectively 4

when they are asserting their Aboriginal/Indigenous rights guaranteed by the United Nations Charter and International Conventions that Canada has endorsed and agreed to obey.

Recommendations:

28. For the Human Rights Council to work in conjunction with the UN CERD to ensure that paragraphs 21 & 22 of the U.N. CERDS recommendations to Canada(March 9 2012: <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.CAN.CO.19-20.pdf>) are actually followed through by Canada. See: UN CERD Report: Canada needs “comprehensive strategy” on Indigenous issues - <http://carolynbennett.liberal.ca/blog/un-cerd-report-canada-needs-comprehensive-strategy-on-indigenous-issues/>
29. For Canada to give full unedited disclosure of full judicial recourse available outside of Canada/ internationally for those Aboriginal /Indigenous peoples who wish to go beyond Canada for redress/justice.
- 30.. For Canada to teach the unbiased education and truthful knowledge of the origins of the Native Americans / Indians in the Americas including ‘Black Indians’, as we have been in existence since before Columbus and are just as much Indigenous / Autochthonous as any other Indigenous Peoples.
31. For the HRC to hold Canada liable, accountable and to compensate, restitute, and answer to the various instruments, treaties and International Law related to the Indigenous Peoples in America(sic), which we Call Great Turtle Island, Atlan, Amexem, Land of the Frogs, Egypt of the West and forthwith correct its failure to honor said documents and its lack of obedience.
32. For Canada to define what jurisdiction it is operating under when dealing with aboriginal/indigenous/autochthonous peoples.
33. For Canada to adopt, assimilate, incorporate and implement the UNDRIP Declaration domestically as well as honor its current convention obligations (UN CERD, UN CHARTER) that it is not and to that the state therein are made aware of the legal responsibility of obedience to the United Nations Declaration on the Rights of Indigenous Peoples.
34. For Canada to teach the unbiased education and truthful knowledge of the origins of the Aboriginal First Nations Peoples as well as [Black] / Nubian Native Americans / [Black] / Nubian Indians in the Americas and the caribbean.
35. For the HRC to hold Canada(and its sub-corporations/provinces) Liable accountable and to compensate, restitute, and answer to the various instruments, treaties and International Law related to the Indigenous Peoples in America(sic), which we Call Great Turtle Island, Atlan, Amexem, Land of the Frogs, Egypt of the West and correct its failure to honor Treaties, International Laws and Conventions.

This Presentment has been Honorably Tendered. U.C.C. § 1-308 All Indigenous Rights Reserved.
UNILOS Art. 19.

:Chief :Nanya-Shaabu:El – U.ND.R.I.P.

:At-sik-hata Nation of Yamasee Moors

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