

NATIONS UNIES
HAUT COMMISSARIAT DES NATIONS UNIES
AUX DROITS DE L'HOMME

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

Mandate of the Special Rapporteur on the rights of indigenous peoples

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Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights of indigenous peoples pursuant to Human Rights Council resolution 15/14.

In this connection, I would like to bring to the urgent attention of your Excellency's Government the information received regarding **the imminent demolition by the United States Army War College of one of the last standing structures connected to the former Carlisle Indian Industrial School, a site of deep historical significance to indigenous peoples throughout the country**. As you are aware, the broader issue of Indian boarding schools in the United States and the continued legacies of these schools in the lives of indigenous peoples is an issue that I am examining in my report on the situation of indigenous peoples in the United States, which I will present to the Human Rights Council on 18 September 2012.

According to the information received:

The Carlisle Indian Industrial School, established in 1879 in Carlisle, Pennsylvania, was the first boarding school to house Native American children outside of their reservation homelands as part of an official Government boarding school policy carried out for some 100 years, across the United States. The Carlisle Indian school is a symbol of the boarding school policy of the late 19th and early 20th centuries which sought to forcibly assimilate indigenous children, with ongoing devastating intergenerational effects on indigenous peoples.

A major component of the education imparted at the Carlisle Indian School consisted of agricultural training where students were sent to nearby farms to work and also received classes and were also housed at the school's farmhouse. After the school closed in 1918, the premises were reclaimed by the U.S. Army as part of the Carlisle Barracks. The school was subsequently designated as a National Historic Landmark, however such designation applied only to certain buildings within the historic campus, and not the farmhouse. A 1985 Historic Survey affirmed the exclusion of the farmhouse because it considered it to have

been used only in a “peripheral way” during the operation of the school. However, the information received states that the farmhouse was actively used for housing and educational purposes, in particular for the “Outing Program” where indigenous students stayed at the farmhouse and received agricultural courses.

Recently, the U.S. Army War College, located at the Carlisle Barracks, announced its plans to raze the farmhouse in order to make way for four new housing units for its personnel. The demolition is scheduled to occur in August or September of 2012. This announcement prompted strong objections by the descendants of former Carlisle Indian School students and Native Americans across the country.

The information received indicates that a major obstacle in protecting the farmhouse from demolition is the fact that the farmhouse is not included in the National Register of Historic Places. The National Historic Preservation Act requires federal agencies to consult with the appropriate State Historic Preservation Officer, with involvement of the public and other interested parties, in relation to activities affecting places listed on the National Register as a historic place, in order to assess the impacts of its undertaking and devise ways to avoid, minimize or mitigate adverse effects. Because the farmhouse is not listed as a historic place, the War College apparently is taking the position that does not have to consult with the relevant state historic preservation agency, nor with interested indigenous peoples, before proceeding with its proposed housing project.

Descendants of students of the Carlisle Indian School have requested that the Army College not demolish the historic farmhouse, or that at the very least it postpones the demolition of the building until after a symposium to take place in October 2012, entitled “Carlisle, PA: Site of Indigenous Histories, Memories, and Reclamations”. The symposium would gather descendants and relatives of Carlisle school students, and according to the information received, will provide them an opportunity to visit this site of deep historical significance.

In light of the information contained in this communication, I urge your Excellency’s Government take whatever measures are necessary to ensure that any demolition of the structure mentioned above does not take place without consultations with the concerned indigenous peoples and individuals. Furthermore, I would be interested in knowing your Excellency’s Government’s views on the accuracy of the information contained in this letter, and I would be grateful to receive any additional information your Government may deem relevant. In particular, I would like to obtain information on the following questions:

1. Has the Army War College considered any alternatives to the construction of the housing units for its personnel that would not require demolition of the farmhouse?
2. Have any consultations been carried out with indigenous peoples or individuals about the proposed demolition of the farmhouse?

3. What consideration has been given to the concerns expressed by the indigenous descendants and relatives of students of the Carlisle Indian Industrial School over the demolition of the farmhouse?

4. What consideration has been given by the relevant state or federal agencies to include the farmhouse at the old Carlisle Indian School into the National Register of Historic Places?

I undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the report I will submit to the Human Rights Council for its consideration.

While waiting for your response, I urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. I also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

Please accept, Excellency, the assurances of my highest consideration.

James Anaya
Special Rapporteur on the rights of indigenous peoples