



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PSP-09-021

TITLE: Protection of the Health and Human Rights of Present and Future Generations through Ratification and Implementation by the United States of the Stockholm Convention on Persistent Organic Pollutants

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the conservation of Tribal resources and promotion and preservation of Tribal member's health, welfare and human rights is a priority for all Tribes; and

WHEREAS, research has demonstrated that Tribes and Alaska Native Peoples are at higher risk from certain substances that are toxic, persistent and bioaccumulate in the environment, the food web and in the human body, known as Persistent Organic Pollutants (POPs); and

WHEREAS, scientists around the world have recognized the detrimental health and environmental effects of substances which are toxic, persistent and bioaccumulative, including those that are deliberately released into the environment and food chain such as certain pesticides, as well those which are unintentional industrial by-products, such as dioxin; and

WHEREAS, Arctic Indigenous Peoples suffer levels of POPs contamination in blood and breast milk that are among the highest of any population on earth, even though these chemicals have never been produced in the Arctic; and

WHEREAS, this recognition inspired the negotiations of the United Nations Stockholm Convention on Persistent Organic Pollutants, as noted in the Preamble and must now motivate the Convention's strong implementation to eliminate global production and exposure to these extremely harmful chemicals; and

WHEREAS, the vast majority of countries around the world have already ratified the Stockholm Convention and are directly involved in the ongoing international negotiations for its effective implementation; and

WHEREAS, the United States is one of the few countries which have not yet ratified this Convention, which can help to safeguard the health and well-being of the global environment and of Indigenous Peoples of the Arctic and other regions; and

WHEREAS, NCAI is concerned about the elevated impact and greater health risks that POPs contamination may have upon all Tribal nations, and recognizes that due to their land- and ocean-based subsistence cultures, all Native peoples have higher exposure rates and are at higher risk as compared to non-native populations; and

WHEREAS, the United Nations Declaration on the Rights of Indigenous Peoples (Article 29, Paragraph 2) declares that: “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;” and

WHEREAS, the production, use, and transport of persistent and harmful chemicals including POPs violates a range of human rights for Indigenous Peoples in the US and around the world. Many of these rights are protected under international laws and conventions, including: The Rights of the Child; Right to Free Prior Informed Consent; Cultural Rights; The Rights to Be Free from All Forms of Racism and Racial Discrimination; and the Right of All Peoples Not to be Deprived of Their Own Means of Subsistence.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby respectfully call upon the United States Senate to swiftly ratify the Stockholm Convention and to undertake comprehensive reform of all necessary federal legislation to ensure its implementation; and

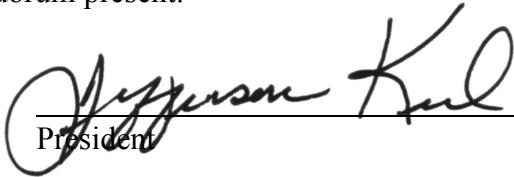
BE IT FURTHER RESOLVED, that the NCAI calls upon the United States to fully support implementation language that advances elimination (without exemptions) of additional bioaccumulative and toxic POPs chemicals that pose a threat to Indigenous Peoples’ subsistence and health, as well to as the global environment; and

BE IT FURTHER RESOLVED, that the NCAI calls upon the United States government to undertake the effective implementation of this International Convention in full cooperation and consultation with impacted Indigenous Peoples and Tribes, and to involve them in all aspects of relevant decision-making which affects their health, well being, subsistence rights, lands and ecosystems; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2009 Annual Session of the National Congress of American Indians, held at the Palm Springs Convention Center in Palm Springs, California on October 11-16, 2009, with a quorum present.



President

ATTEST:



Recording Secretary