The National Congress of American Indians
Resolution #SD-15-074

TITLE: Supporting the International Repatriation Project of the Association on American Indian Affairs

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, respect for tribal sovereignty is a fundamental principle of federal law and policy; and

WHEREAS, Indigenous communities are victims of human rights violations whereby their ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony are or have been exhumed, excavated, stolen, exchanged, studied, or taken under duress without the free, prior and informed consent of Indigenous Peoples and moved beyond their boundaries and, specifically, beyond the boundaries of the United States; and

WHEREAS, this human rights violation is perpetuated through the continued possession, display, study, or profit from our ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony; and

WHEREAS, the United States has a government-to-government relationship with Indian tribes and U.S. Congress has long-acknowledged the right of Native Nations to repatriation their human remains, funerary objects, sacred objects, and objects of cultural patrimony through legislation, such as the Archaeological Resources Protection Act (ARPA), the National Museum of the American Indian Act (NMAI Act), and the Native American Graves Protection and Repatriation Act (NAGPRA); and
WHEREAS, the U.N. Declaration on the Rights of Indigenous Peoples has been signed by all nation-states of the U.N. and it supports international repatriation in Article 12 which states: "States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with Indigenous peoples concerned;" and

WHEREAS, Indigenous Americans are experiencing difficulty locating their ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony in international repositories due to various reasons, such as misidentification, no listed cultural affiliation, lack of available records from international repositories to American Indian and Alaska Native governments; and no presently existing centralized notification system; and

WHEREAS, the APCG and all of Indian Country have prioritized the need of the investigation and implementation of legal protections to ensure the repatriation of all ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony that are currently held in repositories worldwide in a fashion consistent with tribal sovereignty and self-determination; and

WHEREAS, the APCG supports the International Repatriation Project of the Association on American Indian Affairs (AAIA), which is advised by the Working Group on International Repatriation.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) hereby supports its member Pueblos and other Indigenous Peoples in their efforts to repatriate from international repositories; and

BE IT FURTHER RESOLVED, the NCAI requests that the United States, particularly the State Department of the United States and its embassies, the members of the United States Congress and other United States governmental bodies, makes itself available to assist American Indians/Alaska Natives/Native Hawaiians (collectively, "Native Nations") when requested in international repatriations and that the United States government take immediate action after consultation with Native Nations to ensure that international repatriation is addressed domestically and abroad; and

BE IT FURTHER RESOLVED, the NCAI will urge its member Pueblos to invoke government-to-government relationships with foreign nations in international repatriation in furtherance of their sovereign rights as Native Nations; and

BE IT FURTHER RESOLVED, that the NCAI requests the President of the United States call upon Congress to specifically address international repatriation issues in consultation with AIAN tribal governments; and

BE IT FURTHER RESOLVED, the NCAI will support the International Repatriation Project of the AAIA and its Working Group on International Repatriation in their efforts to assist and facilitate international repatriations in partnership with Native Nations and requests that the APCG member Pueblos also support the work of the AAIA; 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 2015 Annual Session of the National Congress of American Indians, held at the Town and Country Resort, San Diego, CA, October 18-23, 2015, with a quorum present.

ATTEST:

Brian Cladoosby, President

Aaron Payment, Recording Secretary