



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-20-056

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TITLE: Calling on the United States and Tribal Nations to take action to support implementation of the UN Declaration on the Rights of Indigenous Peoples

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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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, NCAI was actively involved in the drafting and implementation process of the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) since 1999; and

WHEREAS, the United Nations General Assembly adopted the Declaration on September 13, 2007 and the U.S. formally endorsed the Declaration in 2010; and

WHEREAS, the Declaration is an historic statement of rights intended to guard against the genocide, the theft of lands and resources, the discrimination, and the political exclusion that tribal nations and many other Indigenous Peoples have suffered – and too often continue to suffer today; and

WHEREAS, the Declaration contains the “minimum standards for the survival, dignity and well-being of the Indigenous Peoples of the world”; and

WHEREAS, NCAI believes that implementation of the Declaration by the United Nations, the government of the United States, individual states, and other governments is critical for protecting and furthering the rights of Indigenous Peoples both domestically and internationally; and

WHEREAS, years after the adoption of the Declaration, Indigenous rights are still regularly violated, with Indigenous Peoples in all regions continuing to face atrocities that violate their individual and collective rights; and

WHEREAS, members of NCAI, as Indigenous Nations and individuals, will benefit vastly if the principles of the Declaration are implemented by the United States, the individual states, and other governments; and

WHEREAS, much work remains to be done to implement the Declaration; and

WHEREAS, Indigenous Peoples have the opportunity to set an example for nations, states, and other governments regarding the importance of implementing the Declaration; and

WHEREAS, some Tribal Governments and Native Nations have already begun to set such an example by adopting Resolutions stating various types of support for the Declaration:

NOW THEREFORE BE IT RESOLVED, that NCAI hereby reaffirms its endorsement of the Declaration, and commits to undertaking efforts to encourage implementation of the Declaration through awareness-building and advocacy activities; and

BE IT FURTHER RESOLVED, that NCAI calls on the President of the United States to issue an Executive Order creating a Commission on Implementation of the Declaration on the Rights of Indigenous Peoples that would include federal, tribal, and other experts who would be charged with developing a national action plan to implement the Declaration; and

BE IT FURTHER RESOLVED, that NCAI calls on the President to appoint an Ambassador on Indigenous Affairs to:

- Serve as head of mission and coordinate all U.S. representation in international engagements regarding Indigenous affairs, at the UN, the Organization of American States, and in bilateral and multilateral diplomacy with other national governments;
- Assist in providing tribal nations and others with information about global processes and opportunities to participate at the UN and other international forums;
- Consult with tribal nations consistent with the principles set forth in the Declaration regarding Free, Prior, and Informed Consent, and coordinate with federal departments and agencies regarding positions on Indigenous affairs that the U.S. presents to the UN General Assembly, Human Rights Council, Treaty Bodies (Human Rights Committee, Committee to Eliminate Racial Discrimination), the World Intellectual Property Organization, the UN Educational, Scientific and Cultural Organization, and other bodies; and
- Address Indigenous Peoples' rights to international repatriation of human remains, ceremonial objects, and cultural heritage, through direct negotiation and development of new processes as outlined in the [EMRIP Report on Repatriation \(2020\)](#); and

BE IT FURTHER RESOLVED, that NCAI encourages tribal nations and other Indigenous Peoples to consider reviewing the Declaration with a view to identifying possible localized versions of those Articles of the Declaration that may be appropriate to utilize in tribal law depending on the specific circumstances and needs of individual tribal nations; and

BE IT FURTHER RESOLVED, that NCAI will partner with the Native American Rights Fund and the University of Colorado Law School to disseminate information developed by their Joint Project to Implement the Declaration in the United States, including materials produced in partnership with the UCLA School of Law, which will also be made available on the Joint Project website: <https://un-declaration.narf.org>; 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 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary