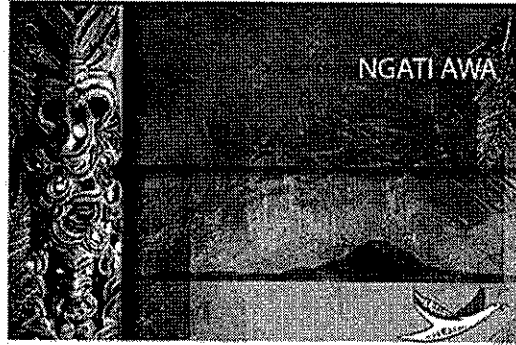


United League of Indigenous Nations Treaty (draft)



UNITED LEAGUE OF INDIGENOUS NATIONS TREATY - DRAFT

PREAMBLE

We the Indigenous Nations and Peoples of the Pacific Rim hereby pledge mutual recognition of our inherent rights and power to govern ourselves and our ancestral homelands and traditional territories. Each signatory nation, having provided evidence that their respective governing body has taken action in accordance with their own custom, law and or tradition to knowingly agree to and adopt the terms of this treaty, hereby establishes the political, social, cultural and economic relations contemplated herein.

PRINCIPLES

Recognizing each other as self-governing indigenous nations, we subscribe to the following principles:

1. The Creator has made us part of and inseparable from the natural world around us. This truth binds us together and gives rise to a shared commitment to care for, conserve and protect the land, water and animal life within our usual, customary and traditional territories.
2. Our inherent customary rights to self-governance and self-determination have existed since time immemorial, have been bestowed by the Creator and are defined in accordance with our own laws, values, customs and mores.
3. Political, social, cultural and economic relationships between our indigenous nations have existed since a time immemorial and our right to continue such relationships are inseparable from our inherent indigenous rights of nationhood.
4. No other political jurisdiction, including nation states and their governmental agencies or subdivisions, possess governmental power over any of our indigenous nations, our people and our usual, customary and traditional territories, except in accordance with the freely expressed wishes of such indigenous nation.
5. Our inherent, aboriginal control and enjoyment of our territories includes our collective rights over the environment consisting of the air, lands, inland waters, oceans, seas, sea ice, flora, fauna and all other surface and sub-surface resources.



6. Our indigenous rights include all traditional and ecological knowledge derived from our contact with our lands for time immemorial, the exercise of conservation practices, traditional ceremonies, medicinal and healing practices and all other expressions of art and culture.

GOALS

This Treaty is for the purpose of achieving the following goals:

1. To establish a supportive bond between each signatory indigenous nation in order to secure and promote, through political, social, cultural and economic unity, the rights of all our peoples and for the well-being of all our future generations.
2. To establish a foundation for the exercise of contemporary indigenous nation sovereignty, without regard to existing or future international boundaries, for the following purposes: (a) protecting our cultural properties, including but not limited to sacred songs, signs and symbols, traditional ecological knowledge and other forms of intellectual property rights by jointly asserting the principle that our own indigenous laws and customs regarding our cultural properties are prior and paramount to the application of any other sovereign's laws or jurisdiction including international bodies and agencies, (b) protecting our indigenous lands from environmental destruction through asserting our rights of political representation as indigenous nations before all national and international bodies that have been charged, through international treaties, agreements and conventions with environmental protection responsibilities, (c) engaging in mutually beneficial trade and commerce between indigenous nations and the economic enterprises owned and operated collectively by indigenous peoples and by individual citizens of our indigenous nations, and, (d) Preserving and protecting the human rights of our indigenous people from such evils as involuntary servitude, human trafficking, etc..
3. To develop an effective and meaningful process to promote communication and cooperation between the indigenous nations on all other common issues, concerns, pursuits, and initiatives.
4. To ensure that scholarly exchanges and joint study on strategies of self-determination are undertaken by indigenous scholars.

MUTUAL COVENANTS

We, the signatory indigenous nations, are committed to providing the following mutual aid and assistance, to the best of our ability and in accordance with our own prior and paramount indigenous laws, customs and traditions:

1. Exchanging economic, legal, political, traditional and technical knowledge regarding the protection of indigenous cultural properties.
2. Collaborating on research on environmental issues that impact indigenous homelands including baseline studies and socio-economic assessments that consider the cultural, social and sustainable uses of indigenous peoples' territories and resources.
3. Participating in trade and commerce missions to lay a foundation for business relations and the development of an international, integrated indigenous economy, and

Each signatory indigenous nation shall:

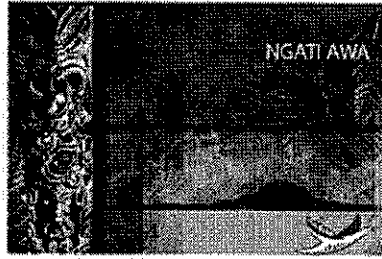
1. Appoint a coordinator or responsible official for Treaty matters;
2. Identify and establish an inter-Nation (i.e., US, Canada, NZ, etc.) coordination office and communication network to assist in assembling data, information, knowledge and research needed to effectively address substantial issues of common concern (i.e., NCAI, AFN, etc.);
3. Coordinate statements of policy and information on Treaty matters, especially information to be disseminated to the media;
4. Participate in periodic reviews and strategy planning sessions as needed.

RATIFICATION

This Treaty shall “come into force” when formally ratified, in accordance with their customary or constitutional processes, by two or more of the indigenous nations residing within the various nation states of the Pacific Rim. Following the coming into force of the Treaty, any other indigenous nation may ratify this Treaty at their pleasure provided that there are no objections by the indigenous nations already signatory to this Treaty. Each ratifying indigenous nation may attach explanations or clarifications expressing different meanings associated with the provisions of the Treaty through a Statement of Understandings. These Reservations of Understandings shall become a part of this Treaty and receive full respect by other ratifying Nations.

EXPLANATORY NOTE:

The proposed “United League of Indigenous Nations Treaty”, is a proposal of the Special Committee on Indigenous Nations Relationships of the National Congress of American Indians (USA). This October 6, 2006 draft was prepared by a drafting committee convened initially at the 2004 Annual Conference of the NCAI in Fort Lauderdale, Florida. The Fort Lauderdale draft was subsequently modified and amended by a special “treaty drafting committee” that met on the Tulalip Indian Reservation, USA, on August 10-11, 2006 and was comprised of NCAI Special Committee co-chair, Alan Parker, AFN Special Assistant to the National Chief, Sheldon Cardinal, Mataatua Assembly delegate, Graham Smith (Maori) and the following US tribal representatives; Terry Williams and Preston Hardiston, Tulalip, Jeffrey Thomas, Puyallup and Celine Volger, Cowlitz. This 2nd draft was subsequently presented for discussion at the 2006 Annual Conference of the NCAI in Sacramento, CA and further modified and amended. The NCAI Executive Committee has now charged the Special Committee on Indigenous Nation Relationships with the task of convening a special meeting on this draft of interested parties and US tribal representatives before the end of this calendar year (2006) The purpose of this special meeting is to provide an opportunity for broad based participation by US tribal nation representatives in a detailed discussion of this draft, consideration of additional amendments to the draft by such representatives prior to finalization and the development of a Treaty Ratification and Implementation Plan.



UNITED LEAGUE OF INDIGENOUS NATIONS TREATY

The Lummi Indian Nation Governing Council is pleased to extend an invitation to US Indian Tribal Nations and First Nations of Canada to meet on July 31 – August 1, 2007, to consider the draft Treaty of Indigenous Nations. The National Congress of American Indians, Special Committee on Indigenous Nation Relationships -- working with the Assembly of First Nations and the Ngati Awa Tribe of Aotearoa, New Zealand -- collaborated on the development of this proposed treaty.

The meeting will be conducted in conjunction with the “Paddle to Lummi,” a gathering of traditional canoes from over 60 tribal nations of the Salish Sea (Puget Sound/Victoria Straights/Straight of Juan de Fuca).

After the welcome ceremonies marking the end of the Paddle to Lummi 2007 Tribal Journey on July 30, the Lummi Indian Business Council will host a gathering of indigenous nation political leadership to discuss the treaty.

Representation: All interested parties are welcome. Official delegates of Indigenous Nations bearing credentials signed by the Nation’s authorized official will be issued a credentialed delegate’s identification for voting privileges.

UNITED LEAGUE OF INDIGENOUS NATIONS TREATY

Proposed Agenda:

JULY 31 – 9:00 AM – 12:00 NOON

- Welcome and Introductions: Opening Prayers

- **Background and Purpose for Treaty:**
 - The Treaty is intended to lead to the establishment of a United League of Indigenous Nations as a political and cultural network to unite indigenous nations around issues of trade, climate change, cultural property rights, human rights and border crossing.

 - The Confederated Tribes of the Umatilla Indian Reservation initiated this effort by introducing a resolution to create a task force to study the idea of a treaty with indigenous nations of the Pacific Rim in the spring of 2004. Subsequently, the NCAI established a special committee on indigenous nation relationships and charged it with the mandate of the Umatilla Tribes resolution. The committee met with other NCAI tribal delegates and then with Maori and First Nation officials over the next several years. Their ideas were incorporated into a draft treaty that was approved by the special committee during the most recent annual meeting of the NCAI in the fall of 2006. This draft is attached to our invitation.

- **De-Colonizing The Political Identity of Indigenous Nations – Indigenous Nation Treaty-making:**
 - The domestic laws of the United States, Canada and New Zealand have followed the political formula of US Justice John Marshall developed in the lead case of *Johnson v. MacIntosh*, (1824) wherein, based on his analysis of international law and the import of the so-called “discovery doctrine,” he defined US Indian tribes as “domestic, dependent nations.” Yet, all of these states have entered into treaties, nation-to-nation agreements with the indigenous nations residing within their political borders.

 - The NCAI Special Committee on Indigenous Nation Relationships determined that, from the perspective of US Tribal Nation representatives and legal scholars, the laws of participating indigenous nations define their own relationships with other indigenous nations -- the laws of former colonial nations do not define those relationships. To the extent the indigenous nations may be bound by international laws that have been formulated and promulgated without their participation, such laws cannot be regarded as binding on the ability of indigenous nations to enter into nation-to-nation agreements with each other for their mutual benefit.

UNITED LEAGUE OF INDIGENOUS NATIONS TREATY

JULY 31 -- 1:30 PM – 5:00 PM

● Concurrent Breakout Sessions

- Cultural Properties -- The Treaty as a political alliance to assert the primacy of indigenous nation law regarding the definition of rights to the cultural properties, sacred objects and traditional knowledge base of each indigenous nation.
- Climate Change -- The Treaty as an alliance to unify our concerns over the impacts of climate change on our traditional homeland and to seek independent representation of these concerns before international bodies considering the regulation of climate change causing agents.
- Trade and Commerce -- The Treaty as a structure to facilitate and regulate inter-tribal and inter-indigenous-nation trade and commerce: An economic alliance for mutual support and benefit in the pursuit of indigenous nation self-sufficiency and sustainability.
- Border Crossings -- The Treaty as a political alliance to unify our positions and efforts regarding border crossing rights and responsibilities.

AUGUST 1 – 9:00 AM – 12:00 NOON

- Summary and reports on discussions in concurrent breakout sessions from previous afternoon.
- What is our Vision for our future as individual indigenous nations struggling for survival within a dominant society that is often hostile to our existence? Is there a common vision? How can the Treaty serve to advance that common vision?

1:30 pm – 5:30 pm

- What are the next steps?

Adjourn

Contact Information

Alan Parker at (360) 867-5075 or parkeral@evergreen.edu
Jewell James at (360) 384-2337 or jewellj@lummi-nsn.gov



LUMMI INDIAN BUSINESS COUNCIL

2616 KWINA ROAD • BELLINGHAM, WASHINGTON 98226 • (360) 384-1489

RE: Invitation to Meeting: "Treaty of Indigenous Nations" - July 31, 2007

Dear Tribal Leader;

I am pleased to extend this invitation on behalf of the Lummi Indian Nation to a meeting to discuss the proposed treaty of Indigenous Nations that has been developed by the National Congress of American Indians, representatives of First Nations, and tribal leaders. The Lummi Indian Business Council met to discuss the proposed treaty on May 29, 2007, with Professor Alan Parker, who serves as co-chair of NCAI Special Committee on Indigenous Nations Relationships. The Council agreed to support the treaty proposal and to host a special meeting of U.S. tribal nations and First Nations of Canada to discuss and possibly adopt the treaty. The meeting is scheduled to be conducted at the Lummi Tribal Headquarters July 31 to August 2, 2007.

The Lummi Indian Nation has a long history of involvement in indigenous nation relationships and we have sent delegates to meet with other Indigenous Nations throughout the Western Hemisphere. We also sent delegates to a special meeting to discuss the NCAI proposed treaty with Maori leaders on December 2-3, 2005. The treaty is intended to serve as a structure for political, cultural and trading alliances among and between indigenous nations in order to advance their mutual interests. We are mindful of advances in communication and information technologies that greatly facilitate the ability to communicate directly with other indigenous nations throughout the world. We believe that the time may be right to move ahead with the vision of an international alliance of indigenous nations that has been the dream of many generations of our people. I sincerely hope that you will share this interest to represent your tribal nation in this important meeting.

If you have questions about the meeting or accommodations, please contact the Lummi Nation Policy Director, Jewell James at (360) 384-1489 or jewellj@lummi-nsn.gov <<mailto:jewellj@lummi-nsn.gov>>, or Professor Alan Parker (Grand Chippewa Cree) at (360) 867-8669 or parker@evergreen.edu <<mailto:parker@evergreen.edu>>.

Sincerely,

Evelyn Jefferson

Evelyn Jefferson, Chairwoman
Lummi Indian Business Council