



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #ANC-22-008

TITLE: Supporting Rights of Nature

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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 NCAI 2002 Policy Statement calls for the "Protection of our environment, the quality of air, lands, and waters, preservation of healthy habitat for fish and wildlife, and restoration of endangered species"; and

WHEREAS, Article 29 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), of which the NCAI has been actively involved in the drafting and implementing process since at least 1999, declares that "Indigenous peoples have the right to the conservation and protection of the environment"; and

WHEREAS, our authority and ability as Tribal Nations and Indigenous peoples to protect the natural environment is essential to our inherent sovereignty and self-determination; and

WHEREAS, Tribal Nations' authority and ability to protect the natural environment is at risk from the many environmental crises that we face today, including the accelerating rates of species extinction, ecosystem collapse, and global warming; and

WHEREAS, environmental laws, which regulate the use and protection of the natural environment, treat nature and Mother Earth as a non-living entity existing for human use, which can contribute to and accelerate these crises; and

WHEREAS, Indigenous peoples have always recognized Mother Earth as a relative and provider that we must respect and protect; and

WHEREAS, within written law, one of the highest forms of protection is the recognition of legal rights; and

WHEREAS, a growing number of Tribal Nations, including the White Earth Band of Chippewa, the Ho-Chunk Nation, the Ponca Tribe of Oklahoma, the Oneida Nation of Wisconsin, the Yurok Tribe, the Nez Perce Tribe, the San Xavier District of the Tohono O’Odham Nation, and the Menominee Indian Tribe of Wisconsin, as well as the Midwest Alliance of Sovereign Tribes, have advanced and adopted laws and policies which recognize that nature, including species and ecosystems, is a living entity with inherent rights, including rights to exist, flourish, regenerate, evolve, and restoration; and

WHEREAS, Tribal Nations, including the White Earth Band of Chippewa and the Sauk-Suiattle Indian Tribe, are beginning to enforce the rights of nature in tribal courts; and

WHEREAS, to strengthen and expand our authority and ability to protect tribal and treaty rights and the natural environment on tribal and traditional lands, there is growing support within Indian Country for recognizing and protecting the rights of nature.

NOW THEREFORE BE IT RESOLVED, the National Congress of American Indians (NCAI) supports the rights of nature legal framework and the efforts of Tribal Nations to recognize and enforce these rights within tribal law and governance; 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 Mid Year Conference of the National Congress of American Indians, held in Anchorage, Alaska from June 12-16, 2022 with a quorum present.



Fawn Sharp, President

ATTEST:



Stephen Roe Lewis, Recording Secretary