# **MAZINA'IGAN**

# (DRAFT) ALLIANCE TREATY AGREEMENT (Alliance Between

Nations)(Alliance of the Maamaawiino Anishinaabeg Nation)

# MAAMAWIINO ANISHINAABEG NATION (AKA CHIPPEWA)

Note to delegates: This is **YOUr** opportunity to shape the course for your next seven generations. This is YOUR document. PLEASE DAGA add, change, or discuss this.

> Color kev: Black = Original wording **Red = Discussion point Green = Changes** Blue = Notes Protections for traditional activities

#### **PREAMBLE**

We, the Anishinaabeg Nation, the original people, have formed powerful Alliances Treaty Agreements (Alliance Between Nations) Alliance invokes feelings of a not solid or perhaps binding commitment. Such as we feel is necessary for moving forward as one in a good way (Consensus) with other nations throughout history. Anishinaabeg will form future Alliances and Treaties Agreements (Alliance Between Nations) to reunify the many people of the Maamawiino Anishinaabeg Nation, protect the Rights of Nature, uphold our treaty responsibilities, preserve our Sovereignty, enrich our culture, and achieve and maintain a desirable measure of prosperity. We honor this Alliance Treaty/Agreement (Alliance Between Nations) and protect the governance of the Maamawiino Anishinaabeg Nation. We enjoy freedom while acknowledging humility, gratitude, the goodness, aid, and guidance of the Universe's Creator (Gizhemanidoo/Ke-che-mun-e-do), who permits us to do so.

# ORIGIN

As taught in our Creation story, human beings were the last in the order of creation. Our Creator prepared the Earth with a great abundance and diversity of life to sustain us and keep our Ancestors well. Our Creator taught us to respect all life as it is necessary to sustain us while recognizing our humble role as caretakers and fully realizing our responsibilities to protect our good environment.

# MINO BIMAADIZIWIN (LIVING THE GOOD LIFE)

Maamawiino Anishinaabeg of Anishinaabe Akiing of the federally recognized Sovereign Nations have a form of government. We have freedom, live under just laws, and have self-determination and self-sufficiency. We honor the sanctity of the individual, the preservation of all living beings, and the principles governing our environment and inherent Sovereignty. We also pledge to honor Mino Bimaadiziwin for all generations.

We share the love of our people and our children. We speak for the people and those who cannot speak for themselves. Gichi Manido gave us rights and responsibilities for the good of all Maamawiino Anishinaabeg, encompassing the beauty of omaa ayaaying (the underground and the above-ground beings), gizhigoon, (the surroundings, the sky, water, and Earth). We recognize that we are a distinct society that will preserve our innate right to govern within the traditional cultural values and language, ceremonies, customs, traditions, and the protection of all living beings. Directed by our philosophy of respect and caring for the Earth, we pledge to protect the fundamental values of the distinct Maamawiino Anishinaabeg identity. We have existed in time and immemorial as a separate, unique, and distinct People and will continue.

Our people have a tremendous responsibility to protect Anishinaabe Akiing in terms of rights of nature and human rights. The rights of nature have proven to be congruent with the various indigenous traditions of living in harmony with nature. We are one with Anishinaabe Akiing. There is the recognition that all life and ecosystems are intertwined. All forms of nature have the right to exist, persist, maintain, and regenerate the vital cycles. Maamawiino Anishinaabeg is responsible for ensuring, asserting, and upholding the rights of nature on behalf of all ecosystems.

Anishinaabe philosophy guides our actions and daily lives, which is the concept of Mino Bimaadiziwin, which means "the good life." Living Mino Bimaadiziwin means we must be a "good person" to live a good life. It signifies that we strive to do everything in a good way. Such character traits as kindness, respect, humility, honesty, patience, peacefulness, quietness, acceptance of others, generosity, helpfulness, and caring for Anishinaabe Akiing can be cultivated, transformed into action, and eventually become our essence.

Mino Bimaadiziwin helps us maintain a sense of responsibility and duty toward ourselves, our community, and Anishinaabe Akiing. Therefore, to honor our spirits and ancestors, we must respect and preserve our lands and way of life for Aanikoobijiigan (all generations, past, present, and future). We must strive against the exploitation of ourselves and our villages.

The life of Anishinaabe Akiing is inseparable from the life of Maamawiino Anishinaabeg. All life is interconnected; our actions and laws must reflect what is good for the whole. No one can own Anishinaabe Akiing; nature is not considered property under the law; nature has inalienable rights just as humans do. According to the "Rights of Nature" doctrine, an ecosystem is entitled to legal personhood status and, as such, has the right to defend itself in a court of law against harms, including environmental degradation caused by a specific development project or climate change.

When we maintain our ecological integrity, we can live sustainably and support critical needs for food, fresh water, decent shelter, and ways of making a living. The suppression of hunting, fishing, and gathering rights has significantly impacted our sustainability. Nevertheless, there are ceremonial ways of thanking nature for the sacrifice.

Treaties Constrained made Forced upon our people by the U.S. Government (Prairie du Chien Treaty) July 29, 1829 1826 (Signed by Fond du Lac, Leech Lake, Mille Lac, Sandy Lake and others); The Treaty with the Chippewa July 29, 1837 (signed by Mille

Lac, Fond du Lac) ,the Treaty with the Chippewa (Treaty of La Pointe) October 4, 1842 (Signed by Fond du Lac, Mille Lac, and others); and the Treaty with the Chippewa (Treaty of La Pointe) September 30, 1854 (signed by Bois Forte, Fond du Lac, Grand Portage, and others) affirm our Sovereign Nation status to uphold our right to live our way of life through eternity. We assert that we retain all Treaty rights and any and all rights not explicitly ceded.

# **IZHITWAAWIN I - PURPOSE OF THE ALLIANCE TREATY AGREEMENT**

To realize that we are all Anishinaabeg together, and together we are stronger.

To recognize that Alliances are relationships, and relationships are about people.

To recognize that entering into treaties and agreements between nations is an act of Sovereignty.

To revitalize and live under our Creator's principles, culture, and ways.

To live together and nurture each other culturally and spiritually.

To keep our interrelated world alive by honoring and respecting the interrelationship between us and "all our relations," including but not limited to, to be specified in later Izhitwaawin animals, plants, and Mother Earth.

# **IZHITWAAWIN II - PARTIES TO THE ALLIANCE TREATY AGREEMENT**

We, the undersigned, who have historically and still do, inhabit the boundaries of Turtle Island/North America, on and off-reservation, include but are not limited to Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Sandy Lake, and White Earth, the Chippewa bloodline, are parties to this Treaty, along with other nations.

# **IZHITWAAWIN III – INCLUSION**

We agree that any (Annisinaabe Chippewa) Native people of Turtle Island may become signatories to this Treaty Agreement if they agree to its terms, for the purpose of strengthening our political, social, and economic power.

# IZHITWAAWIN IV - DECLARATION OF SOVEREIGNTY AND SOVEREIGN RIGHTS

We agree to preserve and protect our Sovereignty. Specify how Legal Teams, Dedicated council, Group of Knowledgeable (people/delegates). As the Maamawiino Anishinaabeg Nation, we declare our Inherent Sovereignty as distinct, independent, and politically unique people. We endorse the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). We declare that our traditional governments existed centuries before the United States and its Constitution, and those governments were, and are, based on notions of equality, freedom, fair representation, and justice. Maamawiino Anishinaabeg have inherent Sovereignty, a supreme power from which a people derive their social, political, and economic governance. Nothing shall prohibit the citizens from pursuing their inherent right to govern themselves. Citizens retain the right to organize local government, adopt their constitution, exercise rights included explicitly in their treaties, and adopt local rules, regulations, ordinances, and legislation that are

<u>consistent with our values and beliefs in do not diminish the Alliance Treaty Agreement</u>
Further review needed by delegates will circle back as enumerated in this document.

# **IZHITWAAWIN V - SELF DETERMINATION**

We agree to perpetuate economic development using fiscally responsible decision-making. Clarify (fiscally responsible decision-making): Does this mean low pay in high return or sufficient pay in quality return? We aim to maximize and create sustainable Tribal economic benefits through collaboration with federal agencies while seeking other sources not highly dependent on federal funds. We affirm our right to self-determination to freely determine our economic development while understanding that many federal funds are due to us under the United States' obligations in the treaties. We endorse UNDRIP to address our economy and other issues and challenges identified in this Alliance Treaty Agreement.

# IZHITWAAWIN VI - EXTERNAL GOVERNMENTAL RELATIONSHIPS

We acknowledge: Remove This document is an inherent declaration of acknowledgment, and therefore, this wording feels redundant and unnecessary.

<u>Section 1</u> The Alliance <u>Treaty Agreement</u> shall continue to carry on Anishinaabe Izhitwaawin (belief, custom, practice, and religion).

Section 2 The Alliance Treaty Agreement may authorize using tribal powers our sovereign rights to enter into Treaties (Alliance) Agreements with other Turtle Island Nations (North American Indian Tribes), including cross-border treaties with the First Nations in Canada.

<u>Section 3</u> The Alliance acknowledges the legal and political relationship between the original applicable Chippewa and the United States of America treaties.

<u>Section 4</u> We The Alliance acknowledge that the state government shall provide essential services established under law through collaboration and negotiated as partners with the government and its citizens.

# IZHITWAAWIN VII - CULTURE

We agree to preserve and protect the and practices of all aspects of our respective cultures, including but not limited to customs, language, harvesting, hunting, beliefs, songs, ceremonies, Odoodeman, and spirituality, as a means to embody our values and beliefs and to honor, recognize, and revitalize the time-immemorial relationship we have with Mother Earth.

# **IZHITWAAWIN VIII - ODOODEMAN**

We recognize Odoodeman are the center of our identity and culture, symbolize ancestral lines, and are spiritual guides. The Alliance Treaty/Agreement shall not prohibit any citizen from belonging to one of the original Odoodeman or any derivative.

# IZHITWAAWIN IX VIII- EDUCATION

We agree to protect and preserve the right of each signed nation to embody all the teachings we have received from our Creator, to transfer intergenerational knowledge to the younger and future generations, and to share impart knowledge amongst our respective Nations as they see fit.

#### IZHITWAAWIN-X IX - RIGHTS OF CITIZENS

We, the Maamawiino Anishinaabeg Nation, endorse the United Nations Declaration on the Rights of Indigenous People (UNDRIP). (See Appendix 1) Add the legal language that we will follow the current revisions of UNDRIP.

We recognize that the "State" (U.S. Government) has an obligation to take the appropriate measures, including legislation, to achieve the rights of Indigenous people outlined in this Declaration.

We agree that when we consult and collaborate with the U.S. government or its agencies, we will advocate for our rights as Indigenous people, as stated in UNDRIP.

# IZHITWAAWIN XI X- RIGHTS OF CHILDREN

We The Alliance affirm that our children hold the future of our continued existence. Our children have the right to have their general and specific needs to thrive, develop, and survive met, including, but not limited to, clean water, clean food, air, and shelter. They have a right to freedom of expression, their views respected, and their best interests always considered. Our children have a right to nationality, name, and access to information about themselves. If possible, our children have the right to live in a family environment or alternative care and have contact with both parents. All our children have the right to be free of violence directed at them and free from exposure to violence in their home, and a right to education, leisure, arts, cultural resources, language, and ceremonies. Our children have the right to social well-being, community inclusion, and overall health, including but not limited to health care security, mental health, and spiritual health. These protections will extend to our children suffering economically, sexually, or other forms of exploitation.

# IZHITWAAWIN XII XI- TREATY AND RESERVED RIGHTS

We, as Sovereign nations of this Alliance, we affirm that in our many Treaties with the U.S. government, the Maamawiino Anishinaabeg Nation retains all rights and responsibilities mewinzha wayeshkad gii-majiseg biinish ko moogomong (long ago in the beginning (when) it began up to now) inherently retained by our Ancestors. The treaties preserved our rights, including, but not limited to, hunting, fishing, and gathering. Our inherent rights give us the natural authority to maintain our original language, teachings, customs, ceremonies, and care for our lands. We retain all Reserved Rights of the Maamawiino Anishinaabeg Nation that have not been expressly ceded (granted by us) by a Treaty.

# IZHITWAAWIN XIII XII- RIGHTS OF NATURE.

We affirm that our first responsibility is to protect Anishinaabe Akiing in a natural state, manage and utilize our abundant gifts in a good way, and agree that:

<u>Section 1</u> The inherent Rights of Nature are preserved and protected equally. Nature, including all Anishinaabe Akiing, plant life, water, air space, surface, subsurface, and every living soul and creature, have inherent rights to exist, flourish, and regenerate its cycles and naturally evolve without human-caused disruption.

<u>Section 2</u> In addition to honoring Mino Bimaadiziwin, we respect the Maamawiino Anishinaabe clan system, which represents the foundational support for the laws of nature. The odoodeman deserves the same reverence and respect we would give another human being.

Section 3 The odoodeman are our spiritual helpers. Animals are known to have spirits who interact with humankind, often to guide people or offer their wisdom and other gifts. They are celestial, sentient beings in Anishinaabe Akiing miinawaa Ishpiming. Therefore, within the structure of our doodem system, animals have a right to exist. We are taught to honor our doodem, including treating them with kindness and protecting them.

#### IZHITWAAWIN XIV XIII- AMENDMENTS

We agree that a simple majority of the Maamawiino Anishinaabeg Nation voters can amend the Alliance Treaty Agreement.

The signatories of the Alliance Treaty Agreement may engage in the Izitwaawins individually or collectively when and how they think it best to meet the needs of their citizens.

# **Appendix 1**

# The United Nations Declaration on the Rights of Indigenous People (UNDRIP)

**Article 1.** Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the following:

- 1. Charter of the United Nations
- 2. Universal Declaration of Human Rights.
- 3. International Human Rights Law.

**Article 2.** Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in exercising their rights, in particular, based on their indigenous origin or identity.

**Article 3.** Indigenous peoples have the right to self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social, and cultural development.

**Article 4.** Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

**Article 5.** Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social, and cultural institutions while retaining their right to participate fully, if they so choose, in the political, economic, social, and cultural life of the State.

**Article 6.** Every indigenous individual has the right to a nationality.

#### Article 7.

- 1. Indigenous individuals have the rights to life, physical and mental integrity, liberty, and security of person.
- 2. Indigenous peoples have the collective right to live in freedom, peace, and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

#### Article 8.

- 1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
- 2. States shall provide effective mechanisms for prevention of and redress for:
  - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples or of their cultural values or ethnic identities;
  - (b) Any action which has the aim or effect of dispossessing them of their lands, territories, or Resources;
  - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
  - (d) Any form of forced assimilation or integration;
  - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

**Article 9.** Indigenous peoples and individuals have the right to belong to an indigenous community or nation in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

**Article 10.** Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior, and informed consent of the indigenous

peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

#### Article 11.

- 1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artifacts, designs, ceremonies, technologies, and visual and performing arts and literature.
- 2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious, and spiritual property taken without their free, prior, and informed consent or in violation of their laws, traditions, and customs

#### Article 12.

- 1. Indigenous peoples have the right to manifest, practice, develop, and teach their spiritual and religious traditions, customs, and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- 2. 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.

#### Article 13.

- 1. Indigenous peoples have the right to revitalize, use, develop, and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems, and literatures, and to designate and retain their own names for communities, places, and persons.
- States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal, and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

#### Article 14.

- 1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- 2. Indigenous individuals, particularly children, have the right to all levels and forms of education in the State without discrimination.
- 3. States shall, in conjunction with indigenous peoples, take effective measures in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

# Article 15.

- 1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories, and aspirations, which shall be appropriately reflected in education and public information.
- 2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding, and good relations among indigenous peoples and all other segments of society.

# Article 16.

- 1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
- 2. States shall take effective measures to ensure that State-owned media duly reflect indigenous

cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

#### Article 17.

- 1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labor law.
- 2. States shall, in consultation and cooperation with indigenous peoples, take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
- 3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labor and, inter alia, employment or salary

**Article 18.** Indigenous peoples have the right to participate in decision-making in matters which would affect their rights through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

**Article 19.** States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them.

#### Article 20.

- 1. Indigenous peoples have the right to maintain and develop their political, economic, and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
- 2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

#### Article 21.

- 1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health, and social security.
- 2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children, and persons with disabilities.

# Article 22.

- 1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children, and persons with disabilities in the implementation of this Declaration.
- 2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

**Article 23.** Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing, and other economic and social programs affecting them and, as far as possible, to administer such programs through their own institutions.

#### Article 24.

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals, and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

**Article 25.** Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas, and other resources and to uphold their responsibilities to future generations in this regard.

#### Article 26.

- 1. Indigenous peoples have the right to the lands, territories, and resources which they have traditionally owned, occupied, or otherwise used or acquired.
- 2. Indigenous peoples have the right to own, use, develop, and control the lands, territories, and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
- 3. States shall give legal recognition and protection to these lands, territories, and resources. Such recognition shall be conducted with due respect to the customs, traditions, and land tenure systems of the indigenous peoples concerned.

**Article 27.** States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open, and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs, and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories, and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

#### Article 28.

- Indigenous peoples have the right to redress by means that can include restitution or, when
  this is not possible, just, fair, and equitable compensation for the lands, territories, and
  resources which they have traditionally owned or otherwise occupied or used, and which
  have been confiscated, taken, occupied, used or damaged without their free, prior and
  informed consent.
- 2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories, and resources equal in quality, size, and legal status or monetary compensation or other appropriate redress.

#### Article 29.

- 1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programs for indigenous peoples for such conservation and protection without discrimination.
- 2. 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.
- 3. States shall also take effective measures to ensure, as needed, that programs for monitoring, maintaining, and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

#### Article 30.

- 1. Military activities shall not take place in the lands or territories of indigenous peoples unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.
- 2. States shall undertake effective consultations with the indigenous peoples concerned through appropriate procedures and, in particular, through their representative institutions, prior to using their lands or territories for military activities.

#### Article 31.

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural

heritage, traditional knowledge, and traditional cultural expressions, as well as the manifestations of their sciences, technologies, and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

- 2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.
- 3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural, or spiritual impact.

#### Article 32.

- 1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
- 2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
- 3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural, or spiritual impact.

#### Article 33.

- 1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
- 2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

**Article 34.** Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices, and, in the cases where they exist, juridical systems or customs in accordance with international human rights standards.

**Article 35.** Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

#### Article 36.

- Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations, and cooperation, including activities for spiritual, cultural, political, economic, and social purposes, with their own members as well as other peoples across borders.
- 2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

#### Article 37.

- Indigenous peoples have the right to the recognition, observance, and enforcement of treaties, agreements, and other constructive arrangements concluded with States or their successors and to have States honor and respect such treaties, agreements, and other constructive arrangements.
- 2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements, and other constructive arrangements.

**Article 38.** States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

**Article 39.** Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation for the enjoyment of the rights contained in this Declaration.

**Article 40.** Indigenous peoples have the right to access to and prompt decisions through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules, and legal systems of the indigenous peoples concerned and international human rights.

**Article 41.** The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring the participation of indigenous peoples on issues affecting them shall be established.

**Article 42.** The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

**Article 43.** The rights recognized herein constitute the minimum standards for the survival, dignity, and well-being of the indigenous peoples of the world.

**Article 44.** All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

**Article 45.** Nothing may be construed as diminishing or extinguishing our citizens' rights now or may acquire in the future.

# Article 46.

- 1. Nothing in this Declaration may be interpreted as implying for any State, people, group, or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.
- 2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.
- 3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good Governance, and good faith.