### NARCIP COMPACT

(North American Regional Council of Indigenous Peoples)

### PREAMBLE

I. Over the millinia our peoples have lived as free human beings until the recent colonization and subsequent establishment of state governments by Britain and France and their successors in our territories. We hold that the continual and expanding colonization of our peoples and territories by the States of Canada and the United States to be self evident—the resistance to which is essential for the survival of our respective nations. It is to the regeneration of our nations as co-existing peoples with the United States and Canada and other peoples of the World that we dedicate ourselves and our posterity.

## II. Declaration of Principles:

- 1. All peoples have the right to self determination. By virtue of that right Indigenous peoples may freely determine their political status and freely pursue their economic, social and cultural development.
- 2. The term Indigenous Peoples refers to a people
- a) whose ancestors lived in a territory before the entry of a colonizing population which colonizing nation has created a new state or states or extended the jurisdiction of an existing state or states to include the territory, and
- b) who continue to live as a people in the territory and who do not control the national government of the state or states within which they live.
- 3. Methods by which the right of self-determiation can be realized is

by the free determination of an Indigenous People to establish their political independence, to dissolve their group political identity and assimilate into another nation or state, or to associate their territory and institution with one ormore states in a manner involving free association, regional autonomy, home rule, common wealth, or associate statehood as self governing units. Indigenous People may freely determine to enter into such relationships and to alter those relationships after they have been established.

- 4. Each Indigenous People has the right to determine the persons or groups of persons who are included within its population.
- 5. Each Indigenous People has the right to determine the form, structure and authority of its institutions of self-determination. Those institutions, their decisions and the laws, customs or practices of the Indigenous Peoples shall be recognized on the basis of equality and nondiscrimination.
- 6. Indigenous Peoples are entitled to the lands and natural resources sufficient to their needs and wants and to the protection of the extent of use in areas where the use of land is shared in a compatable manner with others, and to those parts of their traditional lands which have never been transferred out of their control by processes involving their consent.
- 7. The land rights of an Indigenous People include surface and subsurface rights, full rights to interior and coastal waters and rights to adequate and exclusive Coastal economic zones.
- 8. All Indigenous Peoples may, for their own purposes, freely use and dispose of their natural wealth and resources, without prejudice to any obligations arising out of international economic cooperation, based on the principle of mutual benefit and international law. In no case may a people be deprived of its own means of subsistance.
- 9. Where an Indigenous People have an economy reliant in whole or part

on hunting, fishing, herding, gathering or cultivation, they have the right to the territory and waters used and needed for these pursuits.

- 10. The cultures of the Indigenous Peoples are part of the cultural heritage of himankind.
- 11. The primary responsibility for the for the protection and development of the cultures and religions of the Indigenous Peoples lies with the Indigenous Peoples.
- 12. The Indigenous Peoples have the right to define and fully control the care and education of their children according to their own customs, including the full right to determine the language or languages of instruction.

### III. Mutual Aid and Support

Signators to this compact do extend their mutual commitments of aid and support to each other for the following purposes:

- 1. In the spirit of common defense against all threats to the peace and security of North American Indigenous Peoples
- 2. To ensure the economic advancement and stability of North American Indigenous Peoples
- 3. To ensure the strengthening of indigenous, political, social, economic and cultural institutions
- 4. To ensure the achievement of indigenous self determination and the preservation of human rights.
- 5. To ensure mutural cooperation and development of knowledge through shared technology, ideas and information.

# IV. North American Regional Indigenous Council (NARIC)

1. To advance the purposes of this compact there shall be established a North American Regional Council of Indigenous Peoples in affiliation with the WCIP with the specif8c purpose to ensure unity among the Indigenous

Indigenous Peoples in North America, and to strengthen indigenous political and cultural institutions in North America. The North American Regional Indigenous Council shall be dedicated to abolishing the possibility of the use of physical and cultural genocide and ethnocide; combating recism; ensuring political economic and social justice to Indigenous Peoples; and to establishing and strengthening the concepts of indigenous and cultural rights based upon the principle of equality among Indigenous Peoples and the people of nations elsewhere around the world.

### 2. Membership:

A member, within the meaning of this compact, shall be defined as an Indigenous People located within the geographical limits of North America who occupy or claim a specific territory and have formed a governing authority or isntitution which exercise specific powers originating from the Indigenous people whose objectives are to achieve economic self sufficiency and to attain self-determination. Members shall be represented as politically distinct peoples through an instrument of governance.

### 3. Admission to membership

Membership in the organization is open to Indigenous Peoples within the meaning of this compact. The admission of any Indigenous People to membership in the organization shall be initially determined by the Central Council based on representations and a filed credentials petition submitted to the Council. Each provisional admission shall be considered for ratification by the next General Assembly.

### 4. Privileges of Membership

A member of the organization shall act in accordance with the principles of the present Compact and shall be entitled to:

a) Participate through their chosen representatives or delegates in the General Assembly, the Central Council and any other specialized organs of the NARIC;

- b) receive communications, documents or other information acquired or generated by the organs of NARIC;
- c) receive support or assistance from the membership as a shole following a formal request and a decision of the Central Council, General Assembly or Specialized organ as provided herein.
- d) cast votes on any matter concerning the membership as a whole
- e) have access to diplomatic association to the World Council of Indigenous Peoples as provided herein.

f)

### 5. Representation of Members

A member of the organization whall be represented through the following procedure:

- a) Where the Central Council initially determines and the General Assembly formally declares that an Indigenous populations has a definable institution(s) of governance established and representative of an indigenous people through their own custom. Each Indigenous population shall select a principle delegate and members of a delegation according to their custom or internal laws. The principle delegate and members of the delegation shall be registered and certified by the Cental Council record of which sahll be maintained by the NARIC Secretariat.
- b) Where an Indigenous People has no permanent institution of governance the Central Council may recognize a provisional political organization, society or other definable organization to function as an "observer Delegate" as provided herein.

### 6. Membership Status

a) Membership with <u>Voting Delecate</u> status to the General Assembly.

Privileges of this status include the right to sit on the Central Council

- b) Membership with Observer Delegate status to the General Assembly. Privileges of this status include the right to sit in on the General Assembly Plenary Sessions, speak to the General Assembly but without voting rights. Observer delegates have the right to sit in on all committees, commission meeting during a session of the General Assembly with voting rights only during the committee or commission session. An Observer delegate may hold a position within a specialized organ and exercise the power of the vote provided that the Voting Delegates seated within the specialized organ agree.
- c) Membership with <u>Provisional Information Delegate</u> status to the General Assembly. This form of membership provides the right to receive information from the NARIC Secretariat on any subject relevant to the public work of the organs of NARIC. This status may be elevated upon approval of a, formal petition by the General Assembly. Provisional Information Delegates may make written submissions to any NARIC organ.

### 7. Suspension of Members

ization of NARIC.

A member of the organization which has violated the principles contained in the present compact may be suspended from the exercise of the rights and privileges of membership by the General Assembly, upon recommendation of the Central Council. The exercise of these rights and privileges may be similarly restored by the membership of the General Assembly by a 2/3 majority vote upon recommendation of the Central Council.

#### V. NARIC ORGANS

### 1. Principle Organs

There are established as the principle organs of the organization, a

General Assembly, a Central Council, a Secretariat and such further organs as may be established by the General Assembly including committees, commissions or other specialized organs.

# VI. General Assembly

### 1. Definition

The General Assembly shall consist of all recognized members of the organization at a meeting duly called and convened.

### 2. Powers

# The General Assembly:

- a) may consider and debate any matter within the scope of the organization:
- b) may make recommendations to members, inter-tribal organizations, state governments and to international organization or agencies;
- c) shall direct the making and conduct of inquiries, reports and studies for General Assembly use or for other international organizations, or members;
- d) shall consider and direct any affilliation of the organization with other international organization;
- e) shall received and consider reports, inquiries or studies from the Secretariat, other organs of the NARIC and members.
- f) shall provide general direction to the Secretariat in its functions;
- g) shall exercise all powers necessary to conduct its affairs, including the power to receive and expend funds and consider and approve the overall budget of the organization.

# Voting .

Each member shall have a delegation headed by a principle who shall cast one vote.

 General Assembly shall resolve the matter or delegate the matter at its discretion.

### 5. Procedure

The General Assembly shall meet in regular session once every two years for a term of no less than 14 days.

- a) Special or extraordinary general assemblies may be called by the Central Council upon the request of 20 members. Such extraordinary sessions may be conducted for a minimum of 3 days and extended according to rulings of the members.
- b) The General Assembly shall adopt its own rules of procedure.
- c) The General Assembly shall select its chief officer at each regular General Assembly session.
- d) The chief shall be selected on the basis of a predetermined rotation system. .
- f) Sessions shall be convened on or near Indigenous territory.

# 6. Subordinant Organs or Agencies

The General Assembly may establish such subordinant organs as it deems necessary for the performance of its functions.

# VII. Central Council

## l. Definition

The Central Council shall consist of 15 members including the General Assembly chief and fourteen voting delegates from the General Assembly. Each of the 14 Central Council seats shall be occupied on the basis of a rotational system representing 14 pre-determined geographical districts (7 in the North and 7 in the South). The definition of districts and the order of rotation will be defined by the General Assembly.

### 2. Powers

The Central Committee shall have exclusive more to the

existance of a state of emergency which permits members to invoke provision of this compact. The Central Committee shall define the measures necessary to carry out relevant provisions of the present compact. On matters other than a soate of emergency, the Central Council shall provide direction for the continuing operation of the NARIC in those specific areas not formerly addressed by the General Assembly. The Central Committee shall define the financial needs of NARIC and formalize procedures for ensuring the organization's financial stability—subject to approval of the General Assembly.

### 3. Voting

- a) Each member shall have a delegation headed by a principle who shall cast one vote.
- b) Decisions of the Central Council on all matters shall be made by an affirmative vote of eight delegates unless the Council itself requires a greater number on any specific subject.
- c) The President of the Central Council shall cast a single vote in event of a tie only.

#### 4. Procedures

- a) The Central Council shall function continuously.
- b) The Central Council shall have a President, Vice President and Secretary-Treasurer, who shall be elected for a term of three years. The Chief of the General Assembly shall sit on the Central Council, but shall not be eligible to assume a Central Council officer chair.
- c) The Central Council shall designate the Chieg of the General Council Assembly as the North American Regional Delegate to the World Council of Indigenous Peoples' Executive Council, the President of the Central Council as second Delegate, and the Counselor General as the third Delegate. Additional delegates may be added at the

discretion of the Central Council.

- d) The Central Council shall conduct a minimum of two session of three days duration each year.
- e) The Central Council shall hold its meetings within indigenous territories hosted by an NARIC member.
- f) The Central Council may establish specialized subordinant organs necessary for the performance of its functions.
- g) All members of the NARIC not sitting as members of the Central Council may participate in Central Council sessions, without voting rights, but speak to any question of direct relevance to their concerns.

## VIII. Secretariat

### 1. Composition

The Secretariat shall be headed by a Counselor General and supported by such personnel as may be required. The Counselor General shall be appointed for a five year term by a majority vote of the General Assembly upon the recommendation of the Central Council. The Counselor General shall serve as administrator and Executor of NARIC General Assembly and Central Council directives and policy.

#### 2. Duties and Powers

The Secretariat shall undertake all administrative and executor functions including, but not limited to, organizational and financial management, publication and distribution of information, preparation of documents, reports and studies, organization of meetings or sessions of the General Assembly, Central Council and suborinate organs, and maintaining records of the membership.

### 3. Duties of the Counselor General

The Counselor General shall represent the Secretariat at all General Assembly Sessions, Central Council Sessions and sessions of all other

organs and shall carry out or cause to be carried out all directives or functions authorized by these organs. The Counselor General shall prepare and publish an annual report to the General Assembly on the actions and work of the NARIC.

### 4. Conduct of the Secretariat

In the performance of their duties, the Counselor General and subordinate personnel shall not seek or receive direction or instructions from any other authority which is external to the organization. They shall not engage in any action which may reflect negatively on their positions as diplomatic officials.

### 5. Secretariat Personnel

The Secretariat personnel shall be appointed by the Counselor General under rules established by the General Assembly. Appropriate and competent personnel may be permanently assigned, as required, to any organ of the NARIC.

### IX. Financial or In-Kind Transfer Committment

1. Each member shall be assessed a membership contribution equal to % of one per cent of the members' previous gross national budget every two years to defray the cost of operating the NARIC. All members shall pay the costs to maintain their delegations at their place of origin and when participating in NARIC business unless exceptions are established by the General Assembly.

### X. Secretariat Headquarters

1. The Secretariat shall be headquartered on indigenous territory in a location convenient for the conduct of the business of NARIC.

### XI. District Organizations

1. Nothing in this compact shall preclude the formation of District
Organizations of members or the continuing operation of other inter-tribal

organizations.

### XII. Tribal Government Organizations in Consultation

1. There shall be established lines of communications between NARIC, tribal associations, specialized tribal organizations and tribal government organizations through their certification as: in consultative status or restricted observer status. Certification shall be granted with the apprval of the General Assembly, the Central Council or any specialized organ as prescrubed bt eacy organ.

### XIII. Incorporation

1. The NARIC shall be incorporated by the Indigenous Government which agrees to locate the Secretariat Headquarters within their territory. The Secretariat shall prepare all necessary documents for incorporation.

### XIV. Amendments

- 1. Amendments to the present compact shall become affective for all members of the organization when they have been submitted to the Secretariat and duly distributed to members three months before the next General Assembly and subsequently adopted by a vots of 2/3 of the members of the General Assembly, and ratified in accordance with their customary or constitutional precesses by 2/3 of the member governments.
- 2. Special Constitutional Assembly:

This compact is subject to review by a Special General Assembly called for the specific purpose ten years following ratification held at a date and place fixed by a 2/3 vote of the members of the General Assembly.

### XV. Ratification

1. 1. This compact shall come into force upon the date that forty five

(45) indigenous governments ratify this present instrument in accordance with

their customary or constitutional processes. All ratified compacts

shall be filed with the National Congress of American Indians in Washington,

Motion by JOM/NEC member Madam Chairman - I more that the Chair be directed to Inform CINA administration, C/VA stand, CIRI band and JA that Sharm Elisha is the lawful Chairman of this Committee.

# WORLD COUNCIL OF INDIGENOUS PEOPLES



# CONSEIL MONDIAL DE PEUPLES INDIGENES

### CONSEJO MUNDIAL DE PUEBLOS INDIGENAS

12 December 1986

Rudy Ryser Center for World Indigenous Study Box 911 Snoqualmie, WA 98065

Dear Rudy,

After a decade of experience at the international level, it is apparent that Indigenous issues have received greater attention. At this point, an assessment of our involvement as a North American Region within the World Council of Indigenous Peoples is necessary.

Upon initial scrutiny, it is clear there is a lack of cooperative or concerted effort by the Indigenous peoples and nations within North America to pool resources and coordinate activities towards the goal of Indigenous self-determination worldwide.

While we will be recipients of this collective effort, it is also our responsibility to address the desperate plight faced by our Indigenous brothers and sisters in other parts of the world.

In this connection, we are recommending the creation of a broadly based North American Region of WCIP which can serve as an actionoriented human rights advocacy and political body.

Because of your commitment to the rights of Indigenous peoples, we are personally calling upon your assistance and involvement in establishing a forum which can accommodate our efforts in a collective manner. A number of individuals have already committed themselves to this endeavour.

.../2

While not wanting to pre-determine the end result of such an initiative, we have taken the liberty of drafting the enclosed discussion paper. This paper can form the basis for the initial deliberations of an interim committee. The committee will organize the founding meeting proposed for June 1987 to coincide with the International Indigenous Education Conference at Vancouver.

We look forward to receiving your comments on the paper and any suggestions you may have.

Yours for Indigenous Freedom,

Grand Chief George Manuel

WCIP Ambassador

Founding President, WCIP

Clem Chartier

President, WCIP

Enc1.

/mm

### NORTH AMERICAN REGION OF THE WORLD COUNCIL OF INDIGENOUS PEOPLES

There is a void at the national and international levels within North America in terms of a broadly based and active Indigenous membership with respect to pressing issues facing Indigenous peoples globally. The North American Region of the World Council of Indigenous Peoples must be further developed to fill that gap.

The membership of this body can be composed of interested, concerned and committed individuals, organizations, communities, nations or peoples.

One of the primary objectives will be the adherence to and promotion of the right of Indigenous peoples to self-determination, based on Indigenous ideology.

Another primary objective will be the protection and promotion of the human rights of Indigenous peoples, with particular emphasis on the right to life, regardless of the ideology of the government violating that right.

Liaison and cooperation with other Indigenous peoples, nations and organizations operating upon similar principles will be another objective, whether or not they are in armed struggle or resistance.

The proposed region may strive to carry out the following functions:

- 1. The establishment of a separate unit that would deal with developmental aid and projects in parts of the world where the Indigenous peoples are suffering the most, including South and Central America and the Pacific/Southeast Asia regions.
- 2. The establishment of a unit that will act as a research and documentation centre. A quarterly publication could also be undertaken.
- 3. The research and documentation centre can be attached to or at least service a lobbyist/advocacy centre on human and political rights. This agency or unit would be charged with developing the strategies and presentations to be undertaken and made at U.N. human rights forums and other international meetings.

These various agencies do not necessarily have to be physically located in one place. Through a cooperative effort, existing facilities or initiatives of potential members could be utilized. However, for purposes of co-ordination, a small secretariat could be established in a strategic location.

It is necessary that an interim committee be established. A founding meeting is proposed for June, 1987 to coincide with the International Indigenous Education Conference in Vancouver.

# **PROTOCOL**

# For Organizing the North American Region

(J-6072085-0030)

Ι

The Indigenous Nations and Peoples of North America, being desirous of solidarity amongst themselves, agree to unite in order to advance and implement the following principles:

- 1. That Self-determination be ensured for all Indigenous Nations and Peoples.
- 2. That Indigenous cultural rights be based on the equal right to self— determination among Indigenous Nations and Peoples and between themselves and other Nations and Peoples, and;
- 3. That full control by Indigenous Nations and Peoples be secured over their mutually agreed traditional territories of the Earth.

# II

The Indigenous Nations and Peoples of North America agree to convene plenary meetings as required to direct their common endeavers in pursuit of the above principles, and agree to be guided by the principles of consensus and mutual respect in reaching these goals.

This Protocol shall be open to all Indigenous Nations and Peoples of North America, or their representative bodies.

July 20, 1985 Vancouver, Canada

# **ADDENDUM**

(Formation of the North American Technical Working Group.)

- 1. The North American Region, in accordance with the <u>Protocol for Organizing the North American Region</u>, agrees to establish a Technical Working Group to facilitate the timely exchange of information amongst the Indigenous Nations and Peoples of North America and to prepare proposals for common action.
- 2. The Technical Working Group shall be open to the participation of any Indigenous Nation, People or representative body adhering to the Protocol.
- 3. The Technical Working Group shall be the depository of notices of adherence to the Protocol, and shall communicate such notices to the Indigenous Nations and Peoples of North America and to other international Indigenous bodies.
- 4. The Technical Working Group shall convene as soon as possible to address the following items and notify adherents to the Protocol of its recommendations:
  - a) Representation of the North American Region to the World Council of Indigenous Peoples.
  - b) Ways and means of resolving outstanding issues amongst the Indigenous Nations and Peoples of North America, and in particular with respect to the mutual agreement of traditional territories.
  - c) Receipt and preparation of additional agenda items for consideration of the North American Region.

# Technical Working Group Membership:

MR. RUDY RYSER Mr. Dave Monture Mr. Marc LeClair Murdoch Mr. Robert Groves

National Congress of American Indians Assembly of First Nations Metis National Council Ms. Anita Gordon Prarie Treaty Nations Alliance Native Council of Canada DRAFT

MAY 1982 1 Insucres Sy NA Ind heaver in Inderence 18 July 1982

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Privileges of this status include the right to sit on the Central Council

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### 3. Voting

Each member shall have a delegation headed by a principle who shall cast one vote.

4. Resolution of Disputes Regarding Delegates

In the case of dispute regarding the credentials of a member, the

General Assembly shall resolve the matter or delegate the matter at its discretion.

#### 5. Procedure

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### Voting

- a) Each member shall have a delegation headed by a principle who shall cast one vote.
- b) Decisions of the Central Council on all matters shall be made by an affirmative vote of eight delegates unless the Council itself requires a greater number on any specific subject.
- c) The President of the Central Council shall cast a single vote in event of a tie only.

### 4. Procedures

- a) The Central Council shall function continuously.
- b) The Central Council shall have a President, Vice President and Secretary-Treasurer, who shall be elected for a term of three years. The Chief of the General Assembly shall sit on the Central Council, but shall not be eligible to assume a Central Council officer chair.
- c) The Central Council shall designate the Chieg of the General Council Assembly as the North American Regional Delegate to the World Council of Indigenous Peoples' Executive Council, the President of the Central Council as second Delegate, and the Counselor General as the third Delegate. Additional delegates may be added at the

discretion of the Central Council'.

- d) The Central Council shall conduct a minimum of two session of three days duration each year.
- e) The Central Council shall hold its meetings within indigenous territories hosted by an NARIC member.
- f) The Central Council may establish specialized subordinant organs necessary for the performance of its functions.
- g) All members of the NARIC not sitting as members of the Central Council may participate in Central Council sessions, without voting rights, but speak to any question of direct relevance to their concerns.

### VIII. Secretariat

### 1. Composition

The Secretariat shall be headed by a Counselor General and supported by such personnel as may be required. The Counselor General shall be appointed for a five year term by a majority vote of the General Assembly upon the recommendation of the Central Council. The Counselor General shall serve as administrator and Executor of NARIC General Assembly and Central Council directives and policy.

#### 2. Duties and Powers

The Secretariat shall undertake all administrative and executor functions including, but not limited to, organizational and financial management, publication and distribution of information, preparation of documents, reports and studies, organization of meetings or sessions of the General Assembly, Central Council and suborinate organs, and maintaining records of the membership.

### 3. Duties of the Counselor General

The Counselor General shall represent the Secretariat at all General Assembly Sessions, Central Council Sessions and sessions of all other

organs and shall carry out or cause to be carried out all directives or functions authorized by these organs. The Courselor General shall prepare and publish an annual report to the General Assembly on the actions and work of the NARIC.

### 4. Conduct of the Secretariat

In the performance of their duties, the Counselor General and subordinate personnel shall not seek or receive direction or instructions from any other authority which is external to the organization. They shall not engage in any action which may reflect negatively on their positions as diplomatic officials.

### 5. Secretariat Personnel

The Secretariat personnel shall be appointed by the Counselor General under rules established by the General Assembly. Appropriate and competent personnel may be permanently assigned, as required, to any organ of the NARIC.

# IX. Financial or In-Kind Transfer Committment

1. Each member shall be assessed a membership contribution equal to of one per cent of the members' previous gross national budget every two years to defray the cost of operating the NARIC. All members shall pay the costs to maintain their delegations at their place of origin and when participating in NARIC business unless exceptions are established by the General Assembly.

# X. Secretariat Headquarters

1. The Secretariat shall be headquartered on indigenous territory in a location convenient for the conduct of the business of NARIC.

# XI. <u>District Organizations</u>

1. Nothing in this compact shall preclude the formation of District
Organizations of members or the continuing operation of other inter-tribal

organizations.

# XII. Tribal Government Organizations in Consultation

1. There shall be established lines of communications between NARIC, tribal associations, specialized tribal organizations and tribal government organizations through their certification as: in consultative status or restricted observer status. Certification shall be granted with the apprval of the General Assembly, the Central Council or any specialized organ as prescrubed bt eacy organ.

## XIII. Incorporation

1. The NARIC shall be incorporated by the Indigenous Government which agrees to locate the Secretariat Headquarters within their territory. The Secretariat shall prepare all necessary documents for incorporation.

### XIV. Amendments

- 1. Amendments to the present compact shall become affective for all members of the organization when they have been submitted to the Secretariat and duly distributed to members three months before the next General Assembly and subsequently adopted by a vots of 2/3 of the members of the General Assembly, and ratified in accordance with their customary or constitutional precesses by 2/3 of the member governments.
- 2. Special Constitutional Assembly:

This compact is subject to review by a Special General Assembly called for the specific purpose ten years following ratification held at a date and place fixed by a 2/3 vote of the members of the General Assembly.

### XV. Ratification

1. 1. This compact shall come into force upon the date that forty five (45) indigenous governments ratify this present instrument in accordance with their customary or constitutional processes. All ratified compacts shall be filed with the National Congress of American Indians in Washington, D.C. which shall serve as the interim Secretariat.