

To interested parties, those seeking right relations, and Indigenous Community members of Guelph,

On July 7th, 2024 a coalition of grassroots local Indigenous community members, the Guelph Indigenous Community Council, leadership of the Minisnoodok Ogichidaa Council, the Ghost Warriors Society Against Indigenous Identity Fraud, recognized Elders from the Mississauga's of the Credit, several Community Organizations, Ally and neighbouring Dignitary Witnesses took part in a ceremonial gathering to address long standing abuses of power and grievances that have gone on unaddressed for many years.

Through the observance of authentic customs and traditions, supported by genuine Indigenous culture and ceremony bearers, the observance of the pipe, water, and wampum ceremony; we called upon the rest of creation to come in, witness and be present within our ceremony. We also called upon the spirit of correction, our original governing practices, our ancestors, and the ancestors of this land. We offered medicine where there is trouble and offered the medicines to one another as our ancestors have done before us.

After this, we facilitated a protected Indigenous only component of the ceremony, where Guelph Indigenous community members took turns sharing their truths. We centred genuine Indigenous voices who have lived in the Guelph community for many years who either by birth, choice, school, or by way of Residential School, the 60's Scoop, or the current and ongoing system of native child captivity who all share in common lived realities and a deepening concern for the collective state of being within the community. We heard from an array of voices that have not been listened to and/or affirmed in their experiences over the years. In a safe and protected space prioritizing room for healing and redress, we shared in truth because we understand this to be part of the requirement for reconciliation.

Once the Indigenous only component was completed, we invited Jan Sherman, Alisha Arnold, Bruce Weaver, as well as our guests to the ceremony as visitors and facilitated the return of the locks from the sacred fire, the community's sacred bundle, as well as the community's provisional dish - in that order.

Proceeding with the retrieval component of the ceremony, we observed two sets of locks set down to our collective dismay. These locks were used to secure the sacred fire site at Royal City Park. One set had been retrieved voluntarily by way of the Peace Pipe on June 23rd, and duly witnessed by community members. And one that had been replaced due to City staff being told untruths, that somehow the sacred fire location was left without being secure or cared for after the first set had been retrieved.

For those convened, we affirmed that the first set retrieved on June 23rd was petitioned for to safeguard the locks until the transfer process was complete and was voluntarily given over to correct a breach in the transfer process that had been ongoing since January 2024. These first set of locks themselves were turned over in an unlocked fashion. The second set was liberated from the prevention of accessing the sacred fire for the ceremony on the 7th and a clear violation of the very protocols these so-called firekeepers have invoked. City Staff, although communicating they were not interfering, made the call to replace the locks without seeking clarification. Not to mention an upholding of colonial dominance over procedures that also have nothing really to do with City Staff or settlers at large, given that notice for use of the fire was given 2 weeks in advance when the first set of keys were voluntarily retrieved.

Once received voluntarily, the community bundle was acknowledged and the presentation of the tobacco pouch given to "walk with the community" from the previous bundle keeper Jan Sherman in 2019 was returned and placed upon the bundle to convey that the tobacco had been honoured. It was clarified that every seven years, the bundle was to be passed to another keeper, to which these instructions were not followed. Written instructions were passed as to the bundle's contents and if any additions were made over the many years since it was first passed over to Jan Sherman. Alisha Arnold, originally groomed to be the next bundle keeper and who also holds a signatory role within the agreement to the community's provisional dish, was acknowledged as being the only honourable participant in the discussions leading up to the ceremony.

In addressing the community's provisional dish, we provided information to everyone about how it began as a response to the Truth and Reconciliation Commission's 94 Calls to Action in 2015. In its establishment there were 7 areas of community responsibility that prioritized where provisions were meant to flow. This included mens work and eventually created the direction for the sacred fire. In this way, the sacred fire itself, community bundle and other community tools are inextricably linked to the community's provisional dish and vice versa.

Indigenous community members were not made aware of the existence of many of these tools, what resources flowed through them, or really how they came to be.

During this open part of ceremony, there were witnessed efforts made by the First Nations Metis Inuit / Mixed Ancestry Circle of Guelph, (minus the former member Carol Tyler), to show up to return the community tools they had previously amassed, save for the shared access to the community fire that was held chiefly by Bruce Weaver a forlorn member of the Mohawks of the Bay of Quinte and a dedicated United Empire Loyalist, and Sel Mullins who Bruce appointed as head fire keeper of Guelph. Jan Sherman and Alisha Arnold voluntarily returned their components of the community tools to which they were thanked for their years of service to the Guelph Indigenous Community. In due course it is expected the members will formalize their departure in writing at the Guelph Community Foundation wherein the provisional dish is held.

During the ceremony we also observed the identification of verifiably Indigenous community members who have lived in Guelph all their lives, who have also been harmed but who are ready to advance and restore these community tools for their originally intended purposes. These community members were recognized and affirmed as the next caretakers of the community's provisional dish.

We also asked for allies, community caregivers and visiting dignitaries to stand and witness this passing over. During which time we conveyed the strengthening of our Indigenous-led coalition of mutual aid, friendship, and protection. Together we will continue to build relations, including community members who are verifiably Indigenous, support the autonomy and self determination of Indigenous peoples to collectively advance on meeting our interrelated needs in a way that also deepens our bioregional kinship for future generations.

Afterwards the ceremony concluded with a feast of traditional foods and a giveaway.

As we move forward together

The ceremony on July 7th due in part to the Indigenous Relations Framework Team at the City of Guelph and sabotage was significantly delayed as the sacred fire locks had been changed by the city parks just prior to the ceremony. We would like to express our displeasure in missing an important moment to connect in and build relations with the invited guests who had to leave early due to time constraints. We had good food and gifts to giveaway for everyone and regret not being able to share in the part of the ceremony we were most looking forward to, which is the visiting and visioning part of the space we are still holding. To interfere with these parts of the ceremony demonstrated dishonouring the very teachings on which these community tools, sacred bundle and fireplace were founded upon and signals that more interference is likely to occur.

Since asking to clarify their interference on July 7th, City staff have indicated the sacred fire is city property, they intend to continue to secure the locks, and that they will be establishing a booking system for Indigenous users to access through policy changes founded on a framework that has yet to be adopted. It should also be noted that the former group members have had a steady influence in informing said framework. City Staff working on this framework have also been engaged on several occasions over the past few months and years to hear concerns about Indigenous identity theft, and about the self appointed Guelph Firekeepers who have continuously gatekept and prohibited community access.

Their response to these concerns of the Indigenous community was one of 'non-interference' & that the community must find its path to reconcile these issues.

We urge the city staff to take meaningful steps towards reparations and avoid going further down the path of arbitrary decision-making that advances a deeply rooted colonial agenda, further forcing assimilative and discriminatory actions towards verifiably Indigenous community members. Nonetheless, choices were made to interfere with the passing of the torch that has been in development for many moons now. To remain clear, our ceremony to retrieve the community's tools was peacefully conducted and successful.

The irony is that the original code on the sacred fire locks was 94 94 – harkening back to the Truth and Reconciliation Commissions 94 calls to Action. This code, easy to remember and share, was continually withheld and used to dictate which teachings and community members were allowed to access space to take care of themselves and their family members. The spirit and intent of the 94 Calls to Action were to turn things around so that the legacy of Residential schools could be remediated. These Calls to Action were not intended to inhibit Indigenous Peoples from advancing on their own self determination and while this group has been empowered, they have done just that.

As an emerging community council, we are signalling a time of turning around the actions of individuals posing as Elders, and narratives they have cultivated that have caused deep harms to restore our collective place within the community. We will now turn our efforts towards rebuilding, growing, including, learning:

- . To protect the human rights, citizenship and holistic well-being of the Guelph Indigenous community.
- . Create & ensure a safe place for the Guelph Indigenous Community to meet, learn, collaborate and socialize.
- . To ensure that the Truth & Reconciliation Calls to Action & UNDRIP are actively being implemented to improve the lives of the Guelph Indigenous Community.
- . To create and establish respectful and meaningful communications that support inclusive Indigenous relationships with organizations, businesses & allies.
- . Establish communications & relationships with Guelph local resources for the Indigenous community.
- . Advocate for cultural resources & resource people.
- . To create and establish a land-based community learning space that will include Guelph Indigenous peoples, businesses & artists.

We are not discouraged or dissuaded in our collective endeavour to ensure the legacy of exclusion and abuse of power is upended and there is equitable, fair access and inclusion for verifiably Indigenous peoples within the community to collectively and autonomously thrive and advance. As urban Indigenous peoples we also have inalienable and inherent collective responsibilities to uphold and fundamental human rights we are responding to at this time.

Our community should no longer be subject to false representation. Nor can we continue to politely tolerate inappropriate behaviour for undertaking the necessary steps to initiate the transition we are achieving. We have determined that to continue to leave our community behind in accessing basic life line services, access to opportunities to meaningfully connect, learn and thrive will no longer be quietly tolerated. To be denied our humanity and agency to utilize these tools in ways that prioritize verifiably Indigenous peoples, genuine culture bearers, helpers who can walk with our communities most vulnerable, and ensure Indigenous children are being taught and guided in ways that are genuine and culturally appropriate is a serious affront to the spirit and intent of the Truth and Reconciliation's 94 Calls to Action.

While we have heard from voices who were ready to move forward to create room for those who may not be ready yet or feel it is safe to rejoin a communal setting or for whose preference is remain to autonomous, we understand that there is a lot of work to do to create safe and protected spaces away from exploitation, discrimination, favouritism, and false teachings. We also understand the capacity required to build lasting and meaningful relationships that are based on equity, inclusion and respect for the diverse nations that exist within our community, as well as the obligations to cultivate right relations with the treaty lands in which we now call home.

As we take on these next steps, we are safeguarding our efforts from further sabotage and continued interference so that we may achieve the goal of restoring and redistributing community tools for collective use and benefit. Allies and witnesses can ensure this by continuing to bear witness to behaviours of individuals that falsely identify and take up leadership positions within our community. We encourage onlookers to this process to be mindful in how they are engaging in second hand information or passing on information without the facts. This is a primary way in which the former First Nations Metis Inuit / Mixed Ancestry Circle of Guelph have utilized their influence and what must now come to an end.

In closing, we know that Guelph has languished behind many surrounding communities in areas of the Truth and Reconciliation Calls to Action and the present day treatment of Indigenous children. Many communities have already secured facilities, safe spaces, programming, services, and land based spaces to educate children, access to healing, wellbeing, and stewardship activities. All because verifiably Indigenous voices have pushed for and acted upon these calls to action and that the law has clarified that Indigenous Peoples have the jurisdiction when it comes to how children are being raised up as the next generation.





We fully anticipate that our concerted efforts on July 7th will be enough to turn over a long and painful chapter of exclusion and ambiguity in our community's story. That there will be enough room created, should further interference be checked, for the verifiably Indigenous community to advance. We are very pleased and thankful our efforts have been heard by creation and the spirit of life itself, by community members, witnesses and allies alike. Thank you for your interest, attention and understanding in these matters.

In the spirit of Truth, Reconciliation,

Non-Interference and Protection,

Minisoodok Ogicidaa Council

Guelph Indigenous Community Council



**UNITED NATIONS
DECLARATION ON
THE RIGHTS OF
INDIGENOUS
PEOPLES**



United Nations



UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES



United Nations



Resolution adopted by the General Assembly on 13 September 2007

*[without reference to a Main Committee (A/61/L.67
and Add.1)]*


61/295. United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

Taking note of the recommendation of the Human Rights Council contained in its resolution 1/2 of 29 June 2006¹, by which the Council adopted the text of the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling its resolution 61/178 of 20 December 2006, by which it decided to defer consideration of and action on the Declaration to allow time for further consultations thereon, and also decided to conclude its consideration before the end of the sixty-first session of the General Assembly,

1 See Official Records of the General Assembly, Sixty-first Session, Supplement No. 53 (A/61/53), part one, chap. II, sect. A.



Adopts the United Nations Declaration on the Rights of Indigenous Peoples as contained in the annex to the present resolution.

*107th plenary meeting
13 September 2007*

Annex


United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and good faith in the fulfilment of the obligations assumed by States in accordance with the Charter,

Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

Affirming also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,



Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

Recognizing also the urgent need to respect and promote the rights of indigenous peoples




affirmed in treaties, agreements and other constructive arrangements with States,

Welcoming the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring to an end all forms of discrimination and oppression wherever they occur,

Convinced that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

Recognizing that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

Emphasizing the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social progress and development, understanding and friendly relations among nations and peoples of the world,



Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,


Considering that the rights affirmed in treaties, agreements and other constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights² and the International Covenant on Civil and Political Rights,² as well as the Vienna Declaration and Programme of Action,³ affirm the fundamental importance of the right to self-determination of all peoples, by

2 See resolution 2200 A (XXI), annex.

3 A/CONF.157/24 (Part I), chap. III.




virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Bearing in mind that nothing in this Declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law,

Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

Emphasizing that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,



Believing that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,


Recognizing and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

Recognizing that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,

Solemnly proclaims the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

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 Charter of the United Nations, the Universal Declaration of Human Rights⁴ and 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 the exercise of their rights, in particular that 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.

4 Resolution 217 A (III).



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 practise 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, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.


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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, practise, 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 genera-




tions their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. 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 of 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 labour 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 to 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 labour 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 programmes affecting them and, as far as possible, to administer such programmes 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

1. 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 of 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 programmes 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 programmes 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.

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

1. 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

1. 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 honour and re-



spect 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 decision 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 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 in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

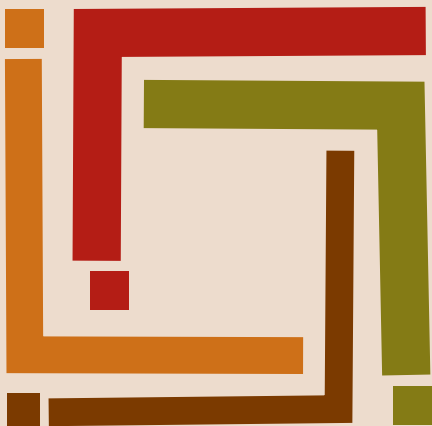
Article 46

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 dismem-



ber 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.



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