



**A RESOLUTION OF THE TRIBAL COUNCIL OF THE DELAWARE TRIBE OF INDIANS ENDORSING THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES AND THE REPATRIATION OF DELAWARE ANCESTORS AND CULTURAL PROPERTIES FROM EUROPE**

**RESOLUTION 2018-02**

*Drafted by DTHPO Special Assistant Larry Heady, at the request of Tribal Council Member Dr. Nicky Kay Michael*

**WHEREAS**, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and

**WHEREAS**, as early as 1923 and 1925, Haudenosaunee and Māori Chiefs and elders sought to establish within the League of Nations international conventions to protect the rights and uphold the treaties of sovereign Indigenous Nations; and

**WHEREAS**, on September 13, 2007, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was established and adopted by the United Nations General Assembly, by a majority of 144 nation-states in favor thereof, including the one-time European colonizing nation-states of England, France, Spain, Holland, Sweden, and Germany; and

**WHEREAS**, on December 16, 2010, during the second White House Tribal Nations Conference President Barack Obama declared that the United States would "lend its support" to the United Nations Declaration on the Rights of Indigenous Peoples; and

**WHEREAS**, several of the signatory European nation-states have in the past desecrated Native American graves, treated as mere objects of scientific curiosity and unlawfully taken possession of our deceased Ancestors, funerary objects, sacred objects, objects of cultural patrimony, and kèkwì kèlamapisun (wampum belts) and trafficked in the same; and

**WHEREAS**, Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples states the following:

- 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.*

**WHEREAS**, the United Nations Declaration on the Rights of Indigenous Peoples is the only international convention to establish and require of its signatory states the repatriation of "ceremonial objects and human remains."

**NOW THEREFORE BE IT RESOLVED**, that the Delaware Tribe of Indians—first among Indigenous Nations within the territorial limits of the United States of America—does hereby adopt and declare its support for the United Nations Declaration on the Rights of Indigenous Peoples; and

**NOW BE IT FURTHER RESOLVED**, pursuant to Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby request, require, and demand the repatriation of its deceased Ancestors, grave goods and funerary objects, sacred objects, objects of cultural patrimony, and kèkwi kèlamapisun (wampum belts) that are currently in the possession of the various European nation-states, their colleges, universities, museums and other institutions, and private collections.

#### CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 23<sup>rd</sup> day of JANUARY 2018 with a vote of 6 yes, 0 no, and of 0 abstaining.

  
Chet Brooks, Chief

  
Attested by: Charles Randall, Secretary

