



## United South and Eastern Tribes, Inc.

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### **USET Resolution No. 2016:007**

#### **TRIBAL REPRESENTATION ON THE INTERNATIONAL JOINT COMMISSION**

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribal Nations; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribal Nation, as the Board of Directors comprises delegates from the member Nations' leadership; and
- WHEREAS,** the International Joint Commission (Commission) was created in 1909 by the Boundary Waters Treaty between Canada and the United States (U.S.); and
- WHEREAS,** the Commission which rules upon applications and regulates projects affecting boundary or transboundary waters, assists in the protection of the transboundary environment, including the Great Lakes Water Quality Agreement, and alerts the governments to emerging issues along the boundary that may give rise to bilateral disputes; and
- WHEREAS,** the Commission's role is to prevent and resolve disputes, and pursue the common good of both countries as an independent and objective advisor; and
- WHEREAS,** the Commission features more than 20 boards and task forces whose members are drawn from both countries, but there are no representatives of First Nations or federally recognized Tribal Nations at any level or capacity within the Commission; and
- WHEREAS,** First Nations and federally recognized Tribal Nations have inherent rights within their respective territories, have status and rights recognized by Canada and the U.S., respectively, in constitutional provisions, treaties, parliamentary or congressional actions, and case law, and international agreements such as the United Nations Declaration on the Rights of Indigenous Peoples; and
- WHEREAS,** these rights are especially significant and relevant to the mission of the Commission when the international boundary partitions aboriginal territories or present day reserves and reservations, and apply more broadly in transboundary water and air quality initiatives and cooperative actions; and
- WHEREAS,** the U.S. Department of State is the responsible federal agency for U.S. representation on the Commission; and
- WHEREAS,** in the century since the formation of the Commission, the legal and political landscape has evolved in which First Nations and federally recognized Tribal Nations are asserting their rights and regulatory authority, developing resource management capacity, and taking greater control of their natural resources; and

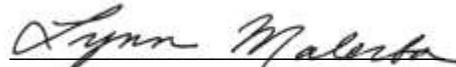
- WHEREAS,** First Nations and federally recognized Tribal Nations are being formally recognized and engaged as partners, regulators, and co-managers to improve the stewardship of ecosystems and vital resources in various, regional, national and international initiatives; and
- WHEREAS,** in December 2010, the United States recognized the rights of its First Peoples through its support of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), whose provisions and principles support and promote the purposes of this resolution; therefore, be it
- RESOLVED** the USET Board of Directors supports the establishment of Tribal representation on International Joint Commission boards and task forces; and be it further
- RESOLVED** the USET Board of Directors supports work to address the lack of International Joint Commission representation on at least four boards that might be of interest to USET member Tribal Nations: (1) International Saint Croix River Watershed Board, (2) International Saint Lawrence River Board of Control, (3) International Cooperation on the Niagara River, and (4) Great Lakes Water Quality Board; and, be it further
- RESOLVED** the USET Board of Directors supports proposing new boards or task forces to address transboundary watersheds or airsheds of significance to USET member Nations to include the Saint John River in Maine and New Brunswick, and a tributary, the Meduxnekeag River.

**CERTIFICATION**

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Choctaw, MS, on October 28, 2015.



Brian Patterson, President  
United South and Eastern Tribes, Inc.



Lynn Malerba, Secretary  
United South and Eastern Tribes, Inc.

*“Because there is strength in Unity”*