



United South and Eastern Tribes, Inc.

Nashville, TN Office:

711 Stewarts Ferry Pike, Suite 100
Nashville, TN 37214
Phone: (615) 872-7900
Fax: (615) 872-7417

Washington, DC Office:

400 North Capitol Street, Suite 585
Washington, D.C., 20001
Phone: (202) 624-3550
Fax: (202) 393-5218

USET Resolution No. 2015:007

SUPPORT FOR THE INTERNATIONAL REPATRIATION OF ANCESTRAL REMAINS AND CULTURAL ITEMS

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** USET member Tribes, other Native Nations, and Indigenous communities globally are facing a human rights violation whereby Indigenous Ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony ("cultural items") were exhumed, excavated, stolen, exchanged, studied, taken under duress, or otherwise acquired without the free, prior, and informed consent of Native Nations and moved beyond the boundaries of Native Nations and the United States; and
- WHEREAS,** an estimated one million Indigenous Ancestral remains and cultural items are believed to exist in international repositories and private collections; and
- WHEREAS,** this human rights violation is perpetuated through the continued possession, display, study, analysis, and profit from Indigenous Ancestral remains and cultural items; and
- WHEREAS,** the retention of Indigenous ancestral remains and cultural items in international repositories and private collections impedes the continuation of cultural, traditional, and religious practices threatening the ability of Indigenous Peoples to continue as a culturally distinct Peoples; and
- WHEREAS,** National support for repatriation of Native American Ancestral remains and cultural items has been supported by the United States Congress in the Archaeological Resources Protection Act (ARPA), National Museum of the American Indian Act (NMAI Act), the Native American Graves Protection and Repatriation Act (NAGPRA), and other legislation; and
- WHEREAS,** the United Nations Declaration on the Rights of Indigenous Peoples has been endorsed by all member nations of the United Nations and it supports international repatriation in Article 12, which states:
- 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; and*

- WHEREAS,** the United Nations General Assembly adopted by consensus on September 22, 2014, the Outcome Document of the High-Level Plenary Meeting of the General Assembly during the World Conference on Indigenous Peoples (A/69/L.1) and supported international repatriation in Article 27, which states:
- We affirm and recognize the importance of indigenous peoples' religious and cultural sites and of providing access to and repatriation of their ceremonial objects and human remains in accordance with the ends of the United Nations Declaration on the Rights of Indigenous Peoples. We commit ourselves to developing, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national and international levels; and*
- WHEREAS,** Native Nations are experiencing difficulty locating Ancestral remains and cultural items in the control or possession of international government or private parties due to various reasons, such as misidentification, no listed cultural affiliation, lack of available records from international repositories to Native Nations, and no presently existing centralized notification system to Native Nations; and
- WHEREAS,** the control, possession, and/or acquisition of Ancestral remains and cultural items without free, prior, and informed consent is a violation of our traditional laws and beliefs, which perpetuates additional violations, such as the looting of our graves and sacred places, sale and transfer of our Ancestral remains and cultural items, and the public degradation and disrespect of our Peoples; and
- WHEREAS,** USET and the national community of Native Nations have prioritized the need for the implementation of legal protections to ensure the repatriation of all Ancestral remains and cultural items, particularly those stolen, taken under duress, exhumed, excavated, exchanged, studied, and otherwise residing in the possession or control of international government or private parties, regardless of how such remains or items are acquired; and
- WHEREAS,** the Association on American Indian Affairs' (AAIA) International Repatriation Project is informed by the Working Group on International Repatriation, and is composed of Native Nations, Tribal members, and others interested in international repatriation efforts; 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 encourages each of its member Tribes to appoint an appropriate representative to join the Working Group on International Repatriation; and, be it further
- RESOLVED** the USET Board of Directors urges its member Tribes to pass legislation on international repatriation; and, be it further

“Because there is strength in Unity”

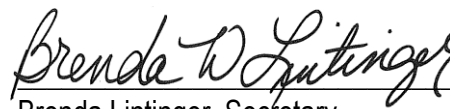
- RESOLVED** USET and its member Tribes will call upon the United States government, the State Department, the United States Department of Interior, United States embassies, the United States executive branch, the United States President, and United States Congress to address all means to support the repatriation of Native American Ancestral remains and cultural items from beyond United States borders; and, be it further
- RESOLVED** USET will urge the United Nations to convene a special session on Indigenous international repatriation, as well as implement a formalized Working Group or Subcommittee comprised of Indigenous Peoples to investigate this human rights issue; and, be it further
- RESOLVED** USET and its member Tribes find the control, possession, and/or acquisition of our Ancestral remains to be illegal and that we will continue to advocate for the protection of Ancestral remains and cultural items, including, but not limited to their repatriation; and, be it further
- RESOLVED** USET and its member Tribes respect and support the last wishes of the individual, family, community and Native Nation to the right of burial without desecration; and, be it further
- RESOLVED** that international, national, and traditional norms mandate that our Ancestors be respected, as well as our living Peoples, and we will continue to work to advocate on behalf of our member tribes to address international repatriation, ensure the proper education of the international community about our Native Nations, and return our Ancestral remains and cultural items back to their Peoples.

CERTIFICATION

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Verona, NY on Thursday, December 4, 2014.



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



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”