

# **Nemenhah Declaration of Existence as an Indigenous People**

## **Preamble**

Written by:

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*We, Nemenhah, honor and applaud the United Nations Declaration on the Rights of Indigenous People (UNDRIP), adopted in the United Nations General Assembly by General Assembly Resolution 61/295 on 13 September 2007, and the decades of work that have gone into its final acceptance in International Law. Indeed, although there may be some who may posit that, as merely a declaration, UNDRIP is not binding upon the States, we disagree. Because the General Assembly associated and connected their declaration with the United Nations Charter, International Human Rights Law, and the Geneva Convention, it constitutes a clarification of already existing International Law.*

*The right of self determination plays so important a role in UNDRIP that one must consider it one of its very fundamental principles. Self determination is a right that is generally reserved for “persons of international law,” “states” and “nations,” and therefore, UNDRIP must be comprehended as intending the term “indigenous people” to also designate a person of international law. We, as a People, have reviewed the Montevideo Convention on the Rights and Duties of States, 1933, in order to feel justified in declaring ourselves an Indigenous People under UNDRIP. The Montevideo Convention on the Rights and Duties of States of 1933 provides certain qualifications which the United Nations has utilized since that time in determining the existence of a “state.” They are:*

*“The state as a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) a government; and (d) capacity to enter into relations with the other states.”*

*Many scholars have contended that it was the intent of the Colonizing Nations to completely extinguish the First Cultures they encountered when they arrived in the Americas, along with their ancient culture and way of life, or, at the very least, to assimilate them. This is especially true with regard to the purely Nomadic Peoples they encountered. Evidence of this intent is found in the persistent body of Indian Law of the United States and Canada, pertaining to the “civilization of the Indian.” Even today, the “Blood Quanta Doctrine” promulgated and sustained by the U.S. Department of Interior’s Bureau of Indian Affairs, remains as a living indictment of that intent.*

*Although, because of the complete conquest of North, Central and South America by European colonial powers, and although in many places the preservation of our ancient culture, language and identity was punishable by forced relocation of whole populations in foreign regions, and by corporal and even capital punishment in many actual experiences, nevertheless, certain of our progenitors and their descendents have labored against such persecution to preserve our heritage, and to restore it to us in this modern era.*

*We recognize certain of these Holy People as preservers and restorers of our culture and founders of our Indigenous People. One of them was Hinmot Tooyelakekt (Young Chief Joseph), renowned Chief of the Wellamotkin Band of the Shaptin-Speaking People of the Wallowa, Wallula and Wanapum country, and Head and Spiritual Father to all those “Combatant Nez Perces” who sustained and supported him in his leadership during the Nez Perce War with the United States of America. Every person whose blood lineage springs from out of the remnants who survived the Nez Perce War, be that relationship ever so remote, revere and recognize Chief Joseph as their Spiritual Father. His spirit lives within the Nemenhah and we consider ourselves a remnant of his own body.*

*Pawna Tawny, (Grandmother of Chief Phillip ‘Cloudpiler’ Landis), whom the US Nez Perce Census of 1900 documented as an Indigenous Person, was a relation of this same Chief Joseph, as were all the survivors, and children of survivors, of the war period, and she was made a granddaughter of Chief Joseph by the ancient tradition of “Making Family.” It was through this ancient cultural practice that Chief Joseph, right up to the time of his death, continued the work of the restoration and unification of the shattered remnants of his people by the preservation of the doctrine and ceremonial practice which we know as “Spiritual Adoption.” With the election o, Phillip “Cloudpiler” Landis, grandson of Pawna Tawny, the restored Nemenhah People continue Chief Hinmot Tooyelakekt’s instructive actions in this latter day. By this Bona Fide Native American Ceremonial Practice, a permanent population of Nemenhah has been re-established, and will continue to grow, within the traditional territories of the Ancient Nemenhah, as well as in other countries.*

*The leadership of the Wellamotkin Band, which the US Government erroneously deemed the “Wallowa Band,” and “Joseph Band,” was communicated to Hinmot Tooyelakekt when Wellamotkin, his father, transferred the Sacred Bundle to him. Wellamotkin had also received the Sacred Bundle from his ancestors in a sacred manner, and so the custom continues as far back as the memory of the Nemenhah can supply. Through the legacy transmitted to Pawna Tawny, the Principle of the Medicine Bundle has been restored to the People. We declare this tradition as one of the “institutions” cited in UNDRIP that must be guaranteed by the UN Member States. It is by and through it that the Nemenhah culture has been preserved and it is through it that it is continuing to be restored in the modern era.*

*Utilizing only the definition provided by the Montevideo Convention, we, the Nemenhah, declare that we are a Nomadic Indigenous People, comprised of remnants of the Ancient Nemenhah, whose citizens happily and peacefully co-inhabited parts of North, Central and South America with other Indigenous Peoples who dwelt in these traditional lands and territories prior to the European Conquest. Notwithstanding attempts by a conquering nation to extinguish us from off the face of the earth, we continue to have a permanent population.*

*Smohola, whose legacy as the “Hunchback Prophet” of the Wanapum People, was a relation and Mentor of the aforementioned Chief Hinmot Tooyelakekt, as well as many others, including Toohoohoolzote and Wovoka. We revere Smohola as another of our Founding Fathers. He traveled down to the ancestral fathers in the Yucatan, and spent four years with them reaffirming the ancient ways and customs. Smohola became aware of records which recount the history of the Nemenhah and how they originated in the region of Central America associated with the Izapa Culture, a portion of which migrated into North America during what archeologists now call the Late Pre-Classic Period of Mayan History, and from their outposts in North America they continued into the Pacific Islands and into Asia. Sacred Records of this migration and colonization have been recovered and translated which describe and define the ancient territory of the Nemenhah. We believe these Sacred Records to be authentic and the translations to be to be adequate to their purpose. Smohola, began a restoration of the Nemenhah People, through the re-introduction of the Seven Drums and Seven Lodges Ceremonies, culminating in the emergence of the Ghost Dance, which threatened to unite all the Native American Peoples of North America. The United States Government declared war against this Native American Cultural Restoration beginning with the infamous massacre at Wounded Knee Creek, and had nearly extinguished it by the beginning of the twentieth century. Nevertheless, the records were safely hidden and the Nemenhah Culture was not completely extinguished.*

*The Nemenhah national continuity existed in the form of the Anasazi Culture and the Mississippi Woodland Culture, and although the great cities of these two cultures collapsed just prior to the appearance of Europeans in North America, nevertheless, the culture carried on in isolated regions in the Northwest and Midwest and has been preserved to the present era. Through our*

*Sacred Records, we are aware of our ancestral territory. We, therefore, identify our traditional and historical territories as, inter alia, upon the Pacific slope of the Guatemalan Highlands and upon the Yucatan Peninsula, the Colorado River drainage, the Mississippi River drainage, portions of the Olympic Peninsula, the Columbia River drainage and the Siskiyou Wilderness Area. Notwithstanding we do not necessarily possess lands in these areas, the Nemenhah People consider them to be their “Traditional Territories.” **That we are a People and a Culture distinct from that of the nations within whose borders we presently live, and that we still associate ourselves with our traditional lands and territories, is not debatable.***

*In 2003 of the current era, a small remnant of Nemenhah gathered under the direction of Phillip ‘Eapalekthiloom Hemeneot Toohyeloakekt’ Landis, grandson of Pawna Tawny, and according to the ancient tradition, a Mother’s Council was called. They ratified a Constitution and Declaration of Good Faith and Practice of the Numi’Pu Tsu-Peli Chopunish, and therewith established a government for the remnant Society of Healers known as “Nemenhah.” Later, the name of the document was amended to read, “Constitution and Declaration of Good Faith and Practice of the Nemenhah Band and Native American Traditional Organization.” The ratifying of this government satisfied both domestic and international law with regard to the right of self-determination which UNDRIP so clearly emphasizes. Since that time, this government has functioned successfully and through it the restoration initiated by Smohola and Hinmot Tooyelakekt, which was interrupted by the aggression of European invaders, has begun again and goes forward unabated. **The Nemenhah People have a government.***

*In 2003, the Nemenhah began to restore certain of its institutions through affiliation with the Oklevueha Native American Church, and the Great Council of 2003 added “Oklevueha Native American Church of Sanpete” in parenthesis to the Title of the Band Constitution. In 2007, the Oklevueha Native American Church merged with the Sioux Nation Native American Church, Rosebud and Wounded Knee, South Dakota, and thereby connected the Nemenhah with that Nation through constructive arrangements. The Band has since entered into institutional relationships with the Elders of many recognized Tribes and Bands, as well as into a constructive arrangement with the Department of the Interior of the United States Federal Government. In addition, the Band has entered into relations with the State of Missouri through constructive arrangement. **Clearly, the Nemenhah People have indisputable proofs of its ability to enter into relations with other states.***

*Since the creation of the Jewish State, and the emergence of Indigenous Nations in Africa, and in the former USSR, a non-positivist view has emerged among the governments of the world which allows for the preservation of Indigenous Peoples, their customs, tradition, culture, heritage, language, institutions, religion, and so forth, and identifies them as “persons of international law,” giving them certain rights from which they may not be separated, the protection of which rights becomes the responsibility of all the U.N. Member States. The adoption of UNDRIP, as a*

*vital clarification of International Human Rights Law, demonstrates the intent of the governments of all the world and underscores the fact that they are calling for Indigenous Peoples and Groups around the globe to come forward to declare their own existence and to take hold of the rights and privileges offered them as members of an international citizenry and possessors of an international heritage and legacy. This declaration is the official Nemenhah response to that call.*

*Guided by this new determinative spirit, and by the authoritative language of UNDRIP, we make no apology to any government that we have managed to survive in these latter days. We do herewith exercise our right of self-determination and declare our existence as an Indigenous People which calls itself “Nemenhah,” as our grandfathers did before us, and we go forward with the following:*

## **Body of Declaration**

### **Written by the Nemenhah Council on the Creation of a Self-Determinative Declaration, mandated by the Nemenhah Great Council of 2009.**

**We, the Declaration Council of the Nemenhah People**, having been duly commissioned by the Nemenhah Great Council of 2009, by consensus vote of all Nemenhah Lodge, Community and General Council Delegates voting, either in person or by proxy duly assigned, recognize and protect our right to believe in and attempt to make manifest, through our Band Constitution and through our institutions, the Wisdom of the Creator, along with the gifts of our culture, customs, traditions and beliefs, as they are expressed in the sacred utterances and performances of the Sacred Sahaptan Healing Way, given to us by the Creator, and transmitted to us through our honored ancestors through Wyakin, and that these rights can neither be given nor taken away by other persons, peoples, nations or governments.

We affirm the UNITED NATIONS Draft Declaration on the Rights of Indigenous Peoples, (U.N. Subcommittee on Prevention of Discrimination and Protection of Minorities, 1994/45, August 26, 1994). U.N. Doc. E/CN.4/1995/2, E/CN.4/sub.2/1994/56, at 105 (1994), culminating in the adoption by the U.N. General Assembly of U.N. Resolution 61/295 on 13 September 2007. Fundamental to our traditions is the truth that, as a remnant of the Ancient Nemenhah People, and as children of the Creator, we are entitled to the freedoms of thought, religion, education, assembly, opinion, speech, movement, our sacred rights of worship and methods of healing, our traditional lifestyle and security within our historical territories, insofar as that freedom does not prevent others from likewise enjoying the same freedoms, and that the United Nations Declaration on the Rights of Indigenous People (UNDRIP) gives expression to those freedoms in International Law.

By our natural and historic right as an indigenous people, and on the strength of the declaration adopted by the UN General Assembly, we declare the existence of the Nemenhah Band and Native American Traditional Organization, hereinafter referred to as “Nemenhah” or “Nemenhah

People,” as a free and independent Nomadic Indigenous People, and that we have been in continuous existence in our traditional territories since before the arrival of Europeans.

The Nemenhah People honors and concurs with the UN General Assembly in being:

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

*Affirming* that the Nemenhah People, as an indigenous people, is 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 the Nemenhah People, as an indigenous people, in the exercise of their rights, should be free from discrimination of any kind,

*Concerned* that indigenous peoples have suffered historically, and continue to suffer, from 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 Nemenhah People 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 Nemenhah 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,

*Affirming* the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, scientific, academic, social, spiritual and cultural development,

*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 Rights and the International Covenant on Civil and Political Rights, as well as the Vienna Declaration and Programme of Action, affirm the fundamental importance of the right to self-determination of all peoples, by 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 the Nemenhah People in this Declaration will enhance harmonious and cooperative relations between States and the Nemenhah People, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

*Encouraging and relying* on 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 UNDRIP 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 Nemenhah individuals are entitled without discrimination to all human rights recognized in international law, and that the Nemenhah People possess collective

rights which are indispensable for their existence, well-being and integral development as a people,

*Recognizing* also the unique dependency on their native land, water, and endemic wildlife, by which indigenous peoples have sustained themselves through generations of traditional conservation practices and resource management,

*Emphasizing* that sustainable use hunting and harvesting practices are inextricably linked to the physical survival of the Nemenhah People, and that hunting or harvesting practices that deplete wildlife beyond its ability to recover, is not sustainable and therefore is not in the best interest of indigenous peoples, their lands or the conservation of the endemic wildlife,

*Recognizing* that the use of wildlife is inextricably linked to the cultural and spiritual survival of the Nemenhah People,

*Affirming* that traditional sustainable use practices involving the development and storage, and use of all seeds, including heirloom seeds, the harvesting of animals and plants inhabiting their lands, streams, rivers, wetlands, estuaries and coastal seas, which have enabled indigenous peoples to survive, have been a model for the conservation of species,

*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,

*Recognizing and Affirming* that the women, men and children of all peoples should be honored and respected as they were anciently as far back as can be remembered, with all the protection of their human rights and freedoms to practice the diversity of their traditions for the enjoyment, fulfillment and betterment of their families and the greater society; and that they shall not be subjected to any act of physical or cultural genocide, or any other act of violence, including forcibly removing children of the group to another group,

*Understanding* that, in the absence of a clear definition in UNDRIP of the meaning of the term “Indigenous People” or “Indigenous Peoples,” that the United Nations General Assembly intended them to be understood under the context of “International Person,” individually and collectively, and that the definition of “State” contained in the Montevideo Convention on the Rights and Responsibilities of States, 1933 applies also to Indigenous Peoples collectively, and that the understanding of “Person” contained in the body of International Human Rights Law applies to all Indigenous People individually,

*Accordingly*, the Nemenhah People, utilizing the United Nations Declaration on the Rights of Indigenous People, and the Constitution of the Nemenhah Band and Native American Traditional Organization in the preparation of the present declaration, do *solemnly proclaim*, to all peoples, kindreds, and nations, the following Articles as a standard of achievement to be pursued, in the spirit and example set by the United Nations General Assembly in UNDRIP, and as a model for partnership and mutual respect:

## **Article 1**

The Nemenhah People 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 Rights and International Human Rights Law.

## **Article 2**

The Nemenhah People 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 are based on their indigenous origin, identity, genotype, phenotype, culture, traditions, institutions or religion.

## **Article 3**

The Nemenhah People have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, educational, scientific, social, and cultural development.

## **Article 4**

1) The Nemenhah People 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.

2) The Nemenhah People exercise this right through the acquisition of truth through diligent study, observation, prayer, song, dance, guidance from their Ancestors, and through the right application of wisdom and of the gifts of the Creator; through self-determination and self-direction; through the use of all healing methods and materials, and of spiritual guidance for the healing of the body physical and the body spiritual of the individual, family, community, nation, and world, through their participation in Lodge, Community, General and Great Councils, and in the General Assembly of the Band, through their healing practices and activities connected with the Sacred Sahaptan Healing Way, and through the education of others in the Sacred Sahaptan Healing Way, so that all people of good intention may become Ministers of the Sacred Sahaptan Healing Way if they so desire.

a) "Minister of the Sacred Sahaptan Healing Way" means any person who, having declared sacred intention, has requested the "Making of Family" or "Spiritual Adoption" from the Elected Principle/Medicine Chief of the Nemenhah Band, and has been accepted into membership in the Band. That person becomes a Medicine Man or Woman, and Traditional Spiritual Leader of the Nemenhah People.

b) "Sacred Sahaptan Healing Way" means that system of teaching and practice which has been developed and approved by the Peli Council of the Nemenhah Band, under the direction of the Elected Principle/Medicine Chief, for the creation and training of Nemenhah Medicine Men and Women.

## **Article 5**

1) The Nemenhah People 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, educational, scientific, social and cultural life of the state.

2) The Nemenhah People do this through, inter alia, their participation in the Consensus Councils of the Nemenhah and through their civic participation in the nation in which they live.

## **Article 6**

1) Every Nemenhah, as an individual, has the right to a nationality.

a) Nemenhah People are nomadic and live within the borders of many sovereign states, therefore, “nationality” means that they have the right to live within such states and to be considered citizens of such states, notwithstanding they maintain their identity as Indigenous People within such states.

## **Article 7**

1) Nemenhah individuals have the rights to life, physical and mental integrity, liberty and security of person.

2) The Nemenhah People have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of physical or cultural genocide or extinguishment, or any other act of violence, including, inter alia, forcibly removing children of the group to another group.

a) “Physical Genocide” means any program of action intended to destroy a whole national or ethnic group.

b) “Cultural Genocide,” for the purposes of this declaration, means any program of action intended to destroy or extinguish a national or ethnic culture, or to deny to any individual within such national or ethnic culture their right to participate in such ethnic culture. It is considered an act of genocide, understanding that any program of action intended to destroy a national or ethnic culture must understand the intent to destroy the national or ethnic group, or individual within such groups, whose identity arises out of the culture to be destroyed.

## **Article 8**

1) The Nemenhah collectively and as individuals have the right not to be subjected to forced assimilation or destruction of their culture, including, inter alia:

(a) Any action by government agency, or government supported agency, which subjugates, deprives, harms or separates men, women, or children from their families or prevents them from exercising their rights as equal and free individuals, especially where the exercise of such rights involves their culture or traditional institutions.

(b) Any action by government agency, or government supported agency, or any form of legislation designed to define their culture in such a manner as to remove from the Nemenhah

their right of self determination, or to deny them their right to full participation in their culture or traditional institutions.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to 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, either by one individual at a time or by whole populations at once, which has the aim or effect of violating or undermining any of their rights, especially their right to determine the type, kind, nature manner, or scope of their cultural and traditional institutions;

(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**

The Nemenhah People, as individuals and as a collective, 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**

The Nemenhah People shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Nemenhah People concerned and after agreement on just and fair compensation and, where possible, with the option of return.

## **Article 11**

1) The Nemenhah People have the right to practice 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 repatriation into their traditional lands and territories, protection of their archaeological and historical sites, artifacts, designs, ceremonies, technologies and visual and performing arts and literature.

(a) “Revitalize” means to bring back to life, or to restore, a cultural tradition or custom which has been lost or minimized.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to provide redress through effective mechanisms, which may include restitution, developed in conjunction with the Nemenhah People, with respect to their physical, 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) The Nemenhah People 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; their right to the use and control of their plants, minerals and wildlife as objects sacred to their culture and traditions, the right to restitution, developed in conjunction with the Nemenhah; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

(a) “Ceremonial Object” means any “thing,” , inter alia, any object, substance, material, principle, thought, and so forth, that is used in the practice of Bona Fide Nemenhah Ceremony, or in the revitalization and manifestation of their cultural and traditional institutions.

(b) “Bona Fide Nemenhah Ceremony” means any ceremonial practice employed by the Nemenhah People in the exercise of their spiritual and religious traditions, customs and ceremonies, which has been approved by the Elected Principle/Medicine Chief of the Nemenhah People.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to 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 Nemenhah People concerned.

## **Article 13**

1) The Nemenhah People have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, traditional medicines and ceremonial practices, including, inter alia, High Place Ordinances, Sun Dance, Ghost Dance, Stomp Dance, Dedication Dances, Seven Drums Ceremony, Seven Lodges Ceremony, the Celebration of the Luminaries, the Planetary Passages, Ceremonies of Healing, Birth, Marriage, Passage, Constitution, Councils, Economies and so forth, and all other ceremonies pertaining to the practice of their religion and the preservation of their culture and institutions, and to designate and retain their own names for ceremonies, communities, places and persons.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to 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) The Nemenhah People 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) Nemenhah individuals, particularly children, have the right to all levels and forms of education of the State without discrimination, should their parents choose such education. Notwithstanding, Nemenhah families have the right to refuse the forms of education of the State without discrimination, if they so choose.

3) The Nemenhah People shall rely upon States, which have been charged with the responsibility to, in conjunction with the Nemenhah People, take effective measures, in order for Nemenhah 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. Since no state educational system may provide such things, the Nemenhah People shall rely upon States to allow them to provide such education in their own way, without discrimination or persecution.

(a) A State discriminates against the right of Nemenhah families, and persecutes them, when they deny Nemenhah families the right to provide education for their children according to their custom and tradition.

(b) A State engages in the forced relocation and assimilation of Nemenhah children when it denies Nemenhah parents the right to educate their own children according to their custom and tradition.

#### **Article 15**

1) The Nemenhah People have the right to the dignity and diversity of their culture, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to take effective measures, in consultation and cooperation with the Nemenhah People 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) The Nemenhah People 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) The Nemenhah People shall rely upon States, which have been charged with the responsibility to 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) Nemenhah individuals, as well as the Nemenhah People as a collective, have the right to enjoy fully all rights established under applicable international and domestic labor law.
- 2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to, in consultation and cooperation with the Nemenhah People, take specific measures to protect Nemenhah 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 culture, traditions, and their special vulnerability and the importance of education for their empowerment.
- 3) Nemenhah individuals have the right not to be subjected to any discriminatory conditions of labor and, inter alia, employment or salary.

## **Article 18**

- 1) The Nemenhah People 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 decision-making institutions.
  - (a) "Decision making institution," as it pertains to the Nemenhah People, means any Nemenhah government or government organ or auxiliary created by and through the instrumentality of the Nemenhah Constitution.

## **Article 19**

The Nemenhah People shall rely upon States, which have been charged with the responsibility to consult and cooperate in good faith with the Nemenhah People 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) The Nemenhah People have the right to maintain and develop their agricultural, educational, 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.
  - (a) "Subsistence" means those occupations and business enterprises by which Nemenhah individuals earn their living and provide for their families.
  - (b) "Development" means those improvements in occupations and enterprises by which Nemenhah individuals earn their living and provide for their families, and also by which Nemenhah Lodges, Nemenhah Communities, General Councils and Great Councils, provide for the membership of the Nemenhah People as a collective.
  - (c) "Economic activities" means those activities whereby the Nemenhah People work to develop and improve their occupations and business enterprises.

2) The Nemenhah People deprived of their means of subsistence and development are entitled to just and fair redress.

### **Article 21**

1) The Nemenhah People have the right, without discrimination, to the improvement of their agricultural, economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to 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, in accordance with Nemenhah culture, traditions and institutions.

### **Article 22**

1) Particular attention shall be paid to the rights and special needs of Nemenhah elders, women, youth, children and persons with disabilities in the implementation of all aspect of this Declaration.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to take measures, in conjunction with Nemenhah representative institutions, to ensure that Nemenhah elders, women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

### **Article 23**

1) The Nemenhah People have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Nemenhah people have the right to be actively involved in developing and determining health, housing and other economic and social programs affecting them and, as far as possible, to administer such programs through their own institutions.

2) The Nemenhah People have the right to choose, develop, research and implement resources and technologies to protect and improve public and environmental health from and through the impact of the man-made environment, including housing, social, economic, agriculture, renewable and all energy resources and technologies, and resource oriented developments.

3) The Nemenhah People have the right to refuse and avoid State-imposed development, and unfunded development mandates from States, if they conflict with their customs, traditions or institutions.

## Article 24

1) The Nemenhah People have the right to practice their traditional medicines and to maintain their health practices including, but not limited to, the conservation and agriculture of the foods they consider vital to their health and well being, as well as their vital medicinal plants, animals and minerals. Nemenhah individuals also have the right to access without any discrimination to all social and health services.

2) The Nemenhah People have an equal right to the enjoyment of the highest attainable standard of physical and mental health. We shall rely upon the states to take the necessary steps with a view to achieving progressively the full realization of this right.

3) The Nemenhah People have the right to their traditional cures, healings, prophecies, visions, Wyakin (personal revelations and visitations) including, but not limited to, Sacred Ancestral Prayers, ordinances, blessings, covenants, consecrations, drums, shields, dress, pipes, feathers, flags, medicines, materials, methods, modalities, protocols, language, songs, dances, music and the speaking in tongues and the interpretation of tongues, the translation of ancient languages, and so forth, for, it is an inalienable and God-given right of all people to heal and to be healed without restriction from any earthly government. We believe these things to be inalienably connected to attaining the highest standard of physical and mental health possible.

4) The Nemenhah People have the right to practice their Traditional Medicines and all Healing Medicines, and all Modalities of Healing, which are gifts of the Creator, expressed in nature and as the inherent wisdom of all living things reflects and manifests that expression. This is also Wyakin, and it is upon this tradition of the Pre-European-Contact American Indigenous Peoples, and also the teachings of the Ancient Nemenhah that the Nemenhah People do establish and maintain themselves, including, inter alia,

- a) “Nemenhah Medicine Practice” means, a system of primary health care practiced by Nemenhah Medicine Men & Women, Traditional Spiritual Leaders, Peli, Priestly Healers, Priests, Native American Practitioners (NAP), Doctors of Native American Medicine (DNAM), Native American Medicine Doctor (NAMD), and other designations which the Nemenhah People shall deem fit and necessary in accordance with their customs, traditions, and institutions of healing, to prevent, diagnose, treat and manage human, animal, and plant health conditions, injuries and diseases that use education, counseling, biofeedback, neurofeedback, electroencephalogram, electrocardiogram, EAV testing, ultrasound, phlebotomy, injectable natural medicine, clinical laboratory tests and examinations, physical and orificial examinations, physiological function tests, Acupuncture, all forms of Elats Kowat, cupping, Natural Medicine, Drug Therapy (wherever governments determine natural medicine to be Drugs), Over the Counter Drug Therapy (wherever governments determine natural medicine to be OTC Drugs), Homeopathy, homeopathic nosodes, isopathic nosodes, parturition, Topical Medicine, Nemenhah Physical Medicine, therapeutic devices, chelation, barrier devices for contraception, minor surgery, immunotherapeutics, natural immunizations, energy medicine, energy therapy, Reiki, Qi Gong, laying on of stones, laying on of hands, nutritional assessment and counseling, Hypnotherapy, Nemenhah Joint Mobilization and

Neuromuscular Re-education, Mechanotherapy, Naprapathy, Tui-Na, restoration therapy, Iridology, and Dietary Therapy, and such other medicines, devices and modalities as the Nemenhah People shall from time to time approve as Bona Fide Healing Ceremony, Sacrament, or Practice, to support and stimulate the patient's intrinsic healing processes, to heal the sick, and to give relief to the afflicted.

- b) "Nemenhah Physical Medicine" means the therapeutic use of the physical, mechanical, chemical or other properties of air, water, heat, cold, sound, light, including laser, and electromagnetic non-ionizing radiation and of the physical modalities of electrotherapy, microcurrent, magnetic therapy, including but not limited to ultraviolet and infrared light, diathermy, ultrasound, hydrotherapy, massotherapy, massage, joint mobilization and neuromuscular re-education, reflex therapy and therapeutic exercise, as well as the use of sacred objects in expediting and facilitating such properties.
- c) "Nemenhah Joint Mobilization and Neuromuscular Re-education" means the manually administered mechanical treatment of body structures and/or tissues and all tools needed for these purposes, in accordance with Nemenhah principles for the purpose of restoring normal physiological functions of the body by normalizing and balancing the neuromuscular skeletal systems of the body.
- d) "Natural Medicine" means, food, food extracts, vitamins, minerals, amino acids, copalim, essential oils, enzymes, digestive aids, nutraceuticals, glandular substances, bioidentical hormone therapies, peptide therapies, live cell therapies, stem cell therapies, cellular matrix therapies, plant substances, herbal homeopathic preparations, including compounding, oligotherapeutic preparations, gemmotherapeutic preparations, natural antibiotics and topical medicines.
- e) "Homeopathic Preparations" means medicines prepared according to the Nemenhah, accepted homeopathic pharmacopoeias
- f) "Natural Antibiotics" means, antimicrobial, antifungal and antiprotozoal agents that are naturally occurring substances or manufactured substances that are chemically identical to those naturally occurring substances.
- g) "Topical Medicines" means, topical analgesics, anesthetics, scabicides, antifungals, compounded preparations, and antibacterials.

5) The Nemenhah Practitioner may use for diagnostic, preventive and therapeutic purposes Nemenhah medicines, all healing medicines and all therapeutic and clinical modalities taught at any Nemenhah-Approved School, College or University, or all such Schools, Colleges or Universities which the Nemenhah deem equivalent.

6) The Nemenhah People shall have the right to establish, approve and accredit their own Schools, Colleges, and Universities, and to affiliate with other such institutions whose curriculum the Nemenhah deems equivalent.

7) The Nemenhah people have the right to award any and all certificates, diplomas, degrees and all titles appropriate to the expression of their right to their own form of medicine, governed by their own institutions in accordance with their custom and traditions.

8) Nemenhah Medicine Men & Women, Traditional Spiritual Leaders, Peli, Priestly Healers, Priests, Native American Practitioner (NAP), Doctors of Native American Medicine (DNAM), Native American Medicine Doctor (NAMD), or Nemenhah Ministers designated by any other approved titles, shall not be compelled to divulge a confidence or confession made or any information confidentially communicated to them.

## **Article 25**

The Nemenhah People have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, wildlife, agriculture, waters and coastal seas, and other resources, and to uphold their responsibilities to future generations in this regard.

(a) “Traditionally owned lands or territories” means lands and territories within the defined territory of the Ancient Nemenhah, according to the Mentinah Archives, or other records which the Nemenhah People, through its institutions designed for such purposes, shall from time to time approve.

(b) “Otherwise occupied lands and territories” means those lands and territories within the traditionally owned lands or territories, which after having been dispossessed of them, the Nemenhah, as individuals or as a collective, have regained ownership or use of, through purchase, lease or other constructive arrangements.

(c) “Traditionally owned or otherwise occupied and used wildlife, agriculture, waters, and coastal seas and other resources” means wildlife, agriculture, waters and coastal seas, and other resources found upon or within the lands or territories which the Nemenhah have regained through purchase, lease, or through other constructive arrangements.

## **Article 26**

1) The Nemenhah People have the right to own, use, develop and control the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(a) “traditionally owned” means such lands and territories, within the identified nomadic territory of the Nemenhah People, which are owned by the Nemenhah individuals or as a collective.

(b) “or otherwise used or acquired” means lands which Nemenhah People have purchased or leased, or the use of which they have obtained through permit, license, lease, or other constructive agreement from government or from any private person, which lands or territories lie within the defined nomadic territory of the Nemenhah People, or land or territory from which they have been displaced or dispossessed, which they have regained by purchase, lease, by restitution or by other constructive arrangement.

2) The Nemenhah People have the right to own, use, develop and control the lands, agriculture, territories, wildlife, and resources, which lands they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise owned, occupied, and/or acquired.

3) The Nemenhah People shall rely on States which have been charged with the responsibility to give legal recognition and protection to such lands, agriculture, territories, wildlife, and resources referred to in Article 25. We trust that such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the Nemenhah People concerned.

### **Article 27**

The Nemenhah People shall rely upon States, which have been charged with the responsibility to establish and implement, in conjunction with the Nemenhah People concerned, a fair, independent, impartial, open and transparent process, giving due recognition to Nemenhah laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of Nemenhah People pertaining to their lands, agriculture, territories, wildlife, and resources, including those which were traditionally owned or otherwise occupied or used. The Nemenhah shall have the right to participate in this process.

### **Article 28**

1) The Nemenhah People 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, agriculture, territories, wildlife, 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 Nemenhah People 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) The Nemenhah People accept stewardship in the right to the conservation and protection of the environment and the productive capacity of their lands or territories, agriculture, wildlife, and resources. The Nemenhah urge the States to establish and implement assistance programs for indigenous peoples for such conservation and protection, without discrimination or delay.

a) "Conservation and protection" means that the Nemenhah People have the right to manage wildlife through traditional sustainable use conservation practices, in accordance with their customs, traditions and institutions.

b) The Nemenhah People have the right to own, acquire, possess, exhibit, harvest, capture, hunt or export wildlife using traditional sustainable use conservation practices as determined by Nemenhah authorities.

c) These rights extend to the minerals, soil, flora, fauna, streams, rivers, wetlands, estuaries and coastal waters of their traditionally owned, or otherwise acquired, lands and territories.

d) The Nemenhah People shall rely upon the states to facilitate the use of wildlife and take protective measures to ensure that these practices are not infringed upon by special interest groups whose intention is to remove such rights from the Nemenhah People, or to equivocate or prioritize the rights of other species over those of humans.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Nemenhah People without their free, prior and informed consent.

a) “Hazardous materials” means anything stored on Nemenhah lands or territories which, according to Nemenhah authorities, or the disposal of which may harm the land or the occupants thereof.

3) The Nemenhah People shall rely upon States, which have been charged with the responsibility to also take effective measures to ensure, as needed, that programs for monitoring, maintaining, and restoring the health of Nemenhah People, as developed and implemented by the peoples affected by such hazardous materials, are duly implemented, and urge the States to do so in a timely fashion.

### **Article 30**

1) Military activities shall not take place in the lands or territories owned, occupied, or otherwise acquired by the Nemenhah People, unless justified by a relevant compelling public interest or otherwise freely agreed with or requested by the Nemenhah People concerned.

(a) “relevant compelling public interest” means any public interest which the Nemenhah People shall deem relevant to their peace, safety and security in their lands and territories.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to undertake effective consultations with the Nemenhah People concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

### **Article 31**

1) The Nemenhah People 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, all seeds including heirloom and heritage seeds, medicines, agriculture, livestock including heirloom and heritage breeds, knowledge of the properties of fauna and flora, and of minerals, 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) The Nemenhah People shall rely upon States, which have been charged with the responsibility to take effective measures to recognize and protect the exercise of these rights in conjunction and cooperation with the Nemenhah.

## **Article 32**

1) The Nemenhah People have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

a) “Determine” means that the Nemenhah People have the right to make their own priorities and strategies and shall not be compelled to follow those set by others.

2). The Nemenhah People shall rely upon States, which have been charged with the responsibility to 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 or undertaking affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources, and to 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)The Nemenhah People have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of Nemenhah individuals to obtain citizenship in the States in which they live.

a) “Determine” means that the Nemenhah People set up their own institutions for the creation of and administration of their own membership and shall not be compelled to follow those dictated by others.

2) The Nemenhah People have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

## **Article 34**

The Nemenhah People 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.

a) “Promote” means that the Nemenhah People may not be prevented from disseminating information about their institutional structures, customs, traditions, procedures, practices and juridical systems or customs.

## **Article 35**

The Nemenhah People have the right to determine the responsibilities of its membership.

## **Article 36**

1) The Nemenhah People divided by international borders have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic, scientific, academic, public health, environmental health and social purposes, with

their own members, as well as other peoples, across borders.

2) The Nemenhah People shall rely upon States, which have been charged with the responsibility to, in consultation and cooperation with the Nemenhah People, take effective measures to facilitate the exercise and ensure the implementation of this right.

### **Article 37**

1) The Nemenhah People 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 honor and respect such treaties, agreements and other constructive arrangements.

a) "Treaties" means any covenant or contract entered into between the Nemenhah People and Sovereign States.

b) "Agreements" means any meeting of the minds reached between the Nemenhah People and Sovereign States, state agencies, and/or private individuals.

c) "Constructive arrangements" means any covenant, contract, agreement, meeting of the minds, or any other method or manner of coming to an agreement between the Nemenhah People and Sovereign States, state agencies, and/or private individuals.

d) "State," for the purposes of this declaration, means any nation which is a member of the United Nations, or is recognized as a nation by any of the U.N. Member States.

c) "Successors," means any division of any Sovereign State, such as the states of the United States of America for example, which has sovereign power to act in behalf of government or the people of the Sovereign in question, to enter into treaties, agreements, contracts, covenants, or constructive arrangements with the Nemenhah People.

2) Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of the Nemenhah People or any other indigenous peoples contained in treaties, agreements and other constructive arrangements.

### **Article 38**

The Nemenhah People shall rely upon States, which have been charged with the responsibility, in consultation and cooperation with the Nemenhah, to take the appropriate measures, including legislative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous People (UNDRIP).

### **Article 39**

The Nemenhah People 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 UNDRIP.

### **Article 40**

The Nemenhah People have the right to access to and prompt decisions 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 Nemenhah People concerned and international human rights.

#### **Article 41**

The Nemenhah People shall rely upon the organs and specialized agencies of the United Nations system, and that which other intergovernmental organizations contribute, to the full realization of the provisions of UNDRIP through the mobilization, inter alia, of financial cooperation and technical assistance. We trust the good faith of the United Nations, as well as its Member States, its organs and specialized agencies, to see to it that ways and means of ensuring participation of Nemenhah People on issues affecting them shall be established.

#### **Article 42**

The Nemenhah People shall rely upon the United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and also upon the States which have been charged with the responsibility to promote respect for and full application of the provisions of UNDRIP and follow up the effectiveness of it.

#### **Article 43**

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the Nemenhah People of the world.

#### **Article 44**

All the rights and freedoms recognized herein are equally guaranteed to male and female Nemenhah individuals.

#### **Article 45**

Nothing in this Declaration may be construed as diminishing or extinguishing the rights the Nemenhah People 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 dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States, lands and/or territories in which the Nemenhah People may dwell, occupy, or otherwise acquire by purchase, lease, or by other constructive arrangement.

2) The Nemenhah People are a Nomadic Indigenous People and know that they cannot expect the States in which they now dwell to dismember themselves in order that the Nemenhah may be repatriated to their traditionally defined territory. Notwithstanding, when the Nemenhah, either singly or as a collective, repatriate themselves to their traditionally owned lands and territories, by acquiring such lands and territories by legal means of purchase, bequeath, lease, or by some other lawful constructive arrangement, they do so not with an interest in dismembering any sovereign or independent state, but rather, with the sole interest in returning to the lands of their fathers. However, nothing in this Article may be interpreted as diminishing or eliminating the rights of the Nemenhah People in treaties, agreements and other constructive arrangements,

including, inter alia, those contained in UNDRIP.

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 international 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, and respect for human rights, equality, non-discrimination, good governance and good faith.

4) By this Declaration, the Nemenhah People establish their right as a Independent Nomadic Indigenous People to dwell peacefully in the states in which they have been relocated, as also in the lands and territories into which they have repatriated themselves, and to practice and teach the Ancient Sahaptan Healing Way, incorporating the principles contained in the sacred writings of the Ancient Nemenhah, as passed down through the generations, as well as those of other indigenous people around the world, believing that no person stands above another; all people are not merely created equal, but are equal in the sight of the Creator.

**We are Nemenhah and we make an end of speaking!**