

RESOLUTION

WHEREAS, the Nez Perce Tribal General Council has been empowered to act for and on behalf of the Nez Perce Tribe, pursuant to the Revised Constitution and By-Laws, adopted by the General Council of the Nez Perce Tribe, on May 6, 1961 and approved by the Acting Commissioner of Indian Affairs on June 27, 1961; and

WHEREAS, the Nez Perce, or Nimíipuu, have always believed that rivers are alive, including the Snake River, and have long strived to live in harmony with river ecosystems, treating them with respect and care;

WHEREAS, the Nez Perce Tribe relies upon a healthy Snake River in order to fully exercise its rights to fish; conduct cultural, religious, and spiritual activities; and to otherwise enjoy a fulfilling relationship with the River;

WHEREAS, the Snake River and all the species that it supports, particularly salmon, have long been central to the stories, legends, ceremonies, and very identity of the Nez Perce Tribe;

WHEREAS, salmon once spawned by the millions in the Snake River, but now their very existence is in jeopardy due to an onslaught of harms, such as water pollution, over-diversion, and damming, with resulting salmon declines impacting the entire web of life, from eagles and bears to orcas to humans;

WHEREAS, the underlying driver behind the degradation of the Snake River is the legal system's overarching treatment of Nature as mere human property, to be exploited for short-term economic gains, rather than treating Nature as a life-giving entity with its own rights;

WHEREAS, in order to restore a deep and respectful relationship with Nature, a growing number of governments have formally recognized the Rights of Nature, including in Ecuador, Bolivia, Uganda, and numerous U.S. communities, and with countries such as New Zealand and Colombia recognizing the rights of particular rivers;

WHEREAS, several tribal nations have also officially recognized the Rights of Nature, including the Ponca Nation; Ho-Chunk Nation; and the White Earth Band of the Ojibwe, which recognized the rights of manoomin ("wild rice");

WHEREAS, the Nez Perce Tribe wishes to harmonize its own legal system with its longstanding belief that the Snake River is alive, including by recognizing the River as a subject of rights, with the ultimate goal of ensuring that the Nez Perce thrive in harmony with a healthy Snake River;

NOW THEREFORE, BE IT RESOLVED, that the Nez Perce Tribe recognizes that the Snake River is a living entity that possesses fundamental rights, in accordance with longstanding Nez Perce tribal beliefs and practices.

NOW THEREFORE, BE IT RESOLVED, that the Snake River and all the life it supports possess the following fundamental rights, at minimum: the right to exist, the right to flourish, the right to evolve, the right to flow, the right to regenerate, and the right to restoration.

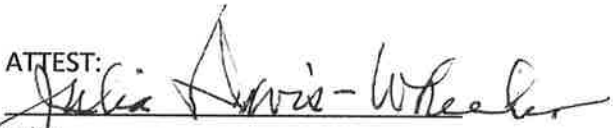
NOW THEREFORE, BE IT RESOLVED, that the Nez Perce Tribe recognizes that as a living entity that possesses fundamental rights, the Snake River shall be represented by legal guardians whose duty it is to act on behalf of the rights and interests of the Snake River.

THEREFORE, BE IT FURTHER RESOLVED, that the Nez Perce Tribal General Council requests that the Nez Perce Tribal Executive Committee act in accordance with the fundamental rights of the Snake River and consider the passage of laws that advance the Snake River's fundamental rights.

CERTIFICATION

The foregoing resolution was duly adopted by the Nez Perce Tribe General Council Meeting in the Spring General Council in regular session June 18, 19, 20, 2020 at the Pi-Nee-Waus Community Center, Lapwai, Idaho; A quorum of its Members being present and voting.

BY: 
Shirley Allman, Secretary

ATTEST: 
Julie Davis-Wheeler, Chairman