

Repudiating the Doctrine of Discovery: Some references and resources

Prepared by Canadian Friends Service Committee
March 2013

Introduction:

The following information is provided by the Quaker Aboriginal Affairs Committee of Canadian Friends Service Committee to help provide Friends with further context and understanding of the Doctrine of Discovery through the views of Indigenous peoples, courts, international bodies, and faith groups (including Quakers) who have made statements repudiating it.

If your Meeting needs more information or assistance as it considers the statement, please contact Jennifer Preston at Jennifer@quakerservice.ca or leave a message at 416-920-5213.

1. Various relevant quotes

“European explorers considered that **by virtue of the "principle of discovery"** they were at liberty to claim territory in North America on behalf of their sovereigns ... While it is difficult to rationalize that view from a modern perspective, the history is clear.”

~ *Tsilhqot'in Nation v. British Columbia*, 2012 BCCA 285, para. 166

“Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere.”

~ *International Convention on the Elimination of All Forms of Racial Discrimination*, preamble.

“... the colonial-era doctrine of discovery, when coupled with related doctrines of conquest and European racial superiority, was a driving force for atrocities committed against indigenous peoples on a global scale, with the consequences continuing to be felt. ... [T]he international community, especially through the United Nations system, had expressed strong rejection of the legal doctrines and social attitudes that perpetuated discrimination and disregard for indigenous peoples and their rights, and many developments over the past several decades, especially the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, represented that rejection.”

~ Human Rights Council, *Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya*, UN Doc. A/HRC/21/47 (6 July 2012), para. 5.

“... most people are simply unaware that this blatantly racist European colonial-era legal doctrine continues to be used by courts and policy makers in the West's most advanced nation-states to deny indigenous peoples their basic human rights guaranteed under principles of modern international law. The contemporary global movement for indigenous peoples' human rights is a direct response

to the anxieties and distress caused by these types of dehumanizing legal principles adhered to by "civilized" states around the world today."

~ Robert A. Williams, Jr., *Savage Anxieties: The Invention of Western Civilization* (New York: Palgrave Macmillan, 2012), at 228.

2. Joint statement from the UN Permanent Forum on Indigenous Issues 2012:

Speaker: National Chief Shawn A-in-chut Atleo

Joint Statement of Assembly of First Nations; Chiefs of Ontario; Grand Council of the Crees (Eeyou Istchee); Amnesty International; **Canadian Friends Service Committee (Quakers)**; Union of BC Indian Chiefs; Native Women's Association of Canada; National Association of Friendship Centres; Treaty 4 First Nations; Amistie internationale Canada francophone.

The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress (article 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)

In addressing the medieval "doctrine of discovery", we wish to begin by highlighting the *UN Declaration on the Rights of Indigenous Peoples* (UNDRIP). As a consensus, universal international human rights instrument, the realization of UNDRIP is crucial to the survival, dignity, security and well-being of Indigenous peoples worldwide. UNDRIP unequivocally affirms:

"... all doctrines, policies and practices based on 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"

Similar rejection of doctrines of superiority is found in the *International Convention on the Elimination of All Forms of Racial Discrimination* and in the 2001 Durban *Declaration* on racism and racial discrimination. As recently as September 2011, the UN Human Rights Council by consensus "condemned" doctrines of superiority "as incompatible with democracy and transparent and accountable governance".

As with the discredited notion of "terra nullius", the doctrine of "discovery" was used to legitimize the colonization of Indigenous peoples in different regions of the world. It was used to dehumanize, exploit and subjugate Indigenous peoples and dispossess them of their most basic rights.

Central to the survival of Indigenous peoples everywhere is the issue of land and resources. Based on such fictitious and racist doctrines as "discovery" and "terra nullius", European nations were relentless in their determination to seize and control indigenous lands. Papal bulls, such as *Dum Diversas* (1452) and *Romanus Pontifex* (1455) called for non-Christian peoples to be invaded, captured, vanquished, subdued, reduced to perpetual slavery, and to have their possessions and property seized by Christian monarchs. Such ideology led to practices that continue unabated in the form of modern day laws and policies of successor States.

The consequences of the past wrongs regarding the taking of Indigenous lands and resources are visible worldwide, through debilitating impoverishment and suffering endured by Indigenous peoples. In Canada, the Royal Commission on Aboriginal Peoples concluded in its 1996 Report:

"Without adequate lands and resources, Aboriginal nations ... will be *pushed to the edge of economic, cultural and political extinction.*"

In *Mabo v. State of Queensland*, in rejecting the doctrine of "terra nullius" in relation to Indigenous peoples, Mr. Justice Brennan ruled in 1992:

If it were permissible in past centuries to keep the common law in step with international law, it is imperative in today's world that the common law should neither be nor be seen to be frozen in an age of racial discrimination.

In regard to the doctrine of "discovery", the same condemnation must now take place within States. While churches have begun to repudiate this racist doctrine, States around the world have not.

Leading cases in Canada, such as *St. Catherines Milling and Lumber Company v. The Queen*, have relied upon early U.S. Supreme Court cases such as *Johnson v. McIntosh* that are based on the "discovery" doctrine. Yet, in these and other significant legal cases, the Indigenous peoples affected were not included as direct parties. Such breaches of natural justice serve to further discredit these rulings and the doctrine on which they are based.

As in many countries worldwide, Canada's laws and policies constitute a continuing misinterpretation of international law relating to the doctrine of "discovery" – as well as a denial of the full and effective application of UNDRIP. Such actions by Canada and other States adversely affect Indigenous peoples globally. They are reneging on their international obligations to respect, protect and fulfil Indigenous peoples' human rights.

In the Indigenous context, UNDRIP and other international human rights law are increasingly being relied upon by domestic human rights commissions and courts, as well as by international and regional bodies. Therefore, it is inevitable that the claims and justifications for State sovereignty over indigenous lands, resources and governance will need to be increasingly challenged and rectified.

We recommend the Permanent Forum on Indigenous Issues (PFII) take concrete measures towards redressing past wrongs. Recommendations include that the PFII:

1. *Request* States, in conjunction with Indigenous peoples, to examine State history, laws, practices and policies and report on their reliance of doctrines of superiority, including "discovery", as the foundation of State claims of sovereignty over Indigenous peoples and their lands and resources. States should complete and provide their reports by the 12th Session of the PFII.
2. *Urge* States, in conjunction with Indigenous peoples, to establish national plans of evaluation and work, with clear timelines and priorities, to eradicate from existing laws and policies any remnants of doctrines of superiority, including "discovery", as a basis for the assumed sovereignty over Indigenous peoples and their lands and resources. States should report regularly on the progress of their work to their national legislatures and to the PFII.

3. From World Intellectual Property Organization, "Indigenous Peoples' Rights to Genetic Resources and Traditional Knowledge"

Statement by Professor James Anaya, Special Rapporteur on the rights of indigenous peoples, 23rd sess., Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, Indigenous Panel, 4 February 2013, <http://unsr.jamesanaya.org/statements/statement-indigenous-peoples-rights-to-genetic-resources-and-traditional-knowledge>:

The principle of state sovereignty and the right to property were fundamental building blocks of the international legal system during the classical era. As we are all aware, the process of European colonization placed indigenous peoples' territories and resources under the hegemony and control of the European colonizers. International law of this period essentially served to legitimize the colonial patterns, and the principle of sovereignty and the right to property were imbued with meanings towards this end.

The concept of sovereignty came to be designed so as to only apply to political communities sufficiently similar to the European state model. Consequently, indigenous peoples' societies were deemed not to be states, or other polities, with sovereign rights.

Likewise property rights theories of the era professed that only land used in ways sufficiently similar to European style agriculture could result in property rights to land and resources. It was thus held that indigenous peoples' cultures had not improved on the land in a manner required to acquire property rights to the land.

These aspects of classical international law, which held that indigenous peoples could neither hold sovereign or property rights to resources, are corollaries of the doctrine of terra nullius, under which land occupied only by indigenous peoples was regarded as vacant.

In the colonial period, not much attention was paid to traditional knowledge generated by indigenous societies, or to genetic resources situated in their territories or held by them. Still, it is worth noting that the first intellectual property and related regimes originate from the colonial and early-post colonial era, along with the concept of the public domain.

From an indigenous peoples' rights perspective, it is interesting to compare the notion of the public domain with the terra nullius doctrine. The latter doctrine suggests that indigenous peoples hold no rights to resources due to the fact that their collective land use does not sufficiently improve on the land. For its part, the notion of the public domain led to the understanding that indigenous peoples' collective way of gradually generating knowledge often does not result in rights to that knowledge, as the knowledge is deemed to not sufficiently add to the existing, already publically available, bulk of knowledge. In both instances, it is hence the way in which indigenous peoples' cultures differ from those of non-indigenous peoples that disqualify them from rights to resources or traditional knowledge.

Recall the comparison I made earlier between the notion of the public domain and the terra nullius doctrine. As I stated, generally speaking, these two concepts often resulted in lack of recognition of rights of indigenous peoples, because indigenous land use and ways to generate knowledge are culturally different compared to the practices of those that created the law. But as I have noted,

contemporary international law prohibits discrimination against indigenous peoples' because of the particularities of their cultures. Thus, the terra nullius and similar doctrines have been rejected as inherently discriminatory. The right to non-discrimination provides that indigenous peoples must have the same possibility, not only formally but also in fact, to establish, like others can, property rights to lands and natural resources. The general principles that have resulted in reformation of property rights law pertaining to indigenous peoples' lands and resources are not less relevant in the context of traditional knowledge. The same basic arguments that have resulted in the rejection of the terra nullius doctrine also speak for a reformation of the understanding of the public domain, as it applies to indigenous knowledge.

4. Quaker minutes:

a. Minute of the Indian Committee of the Philadelphia Yearly Meeting of the Religious Society of Friends

On this day, September 19, 2009, the Philadelphia Yearly Meeting Indian Committee, renounces the Doctrine of Discovery, the doctrine at the foundation of the colonization of Indigenous lands, including the lands of Pennsylvania. We find this doctrine to be fundamentally inconsistent with the teaching of Jesus, with our understanding of the inherent rights that individuals and peoples have received from God, and inconsistent with Quaker testimonies of Peace, Equality, and Integrity. In like spiritual discernment, we now affirm and support the 2007 United Nations Declaration of the Rights of Indigenous Peoples.

Further, the Indian Committee of Philadelphia Yearly Meeting conveys to the Peace and Concerns Standing Committee, this disavowal. Appreciating that under this discovery doctrine English, Canadians, and Americans, including Friends, settled in the lands of Indigenous peoples, removed them from their homelands, broke treaties made with these peoples, and aided in multiple ways in the destruction of their sacred cultures, languages, and spiritual practices, the Indian Committee believes that for us to continue to remain silent would be tantamount to our giving continuing approval to these abusive acts of theft and cultural genocide. We request thus that Peace and Concerns Standing Committee support us in urging Philadelphia Yearly Meeting to minute a disavowal of any claimed validity of the Doctrine of Discovery. We request also that Peace and Concerns Standing Committee support us in urging Philadelphia Yearly Meeting to minute its endorsement of the 2007 United Nations Declaration of the Rights of Indigenous Peoples, thus adding our Quaker voice to those urging the United States to endorse the United Nations Declaration of the Rights of Indigenous Peoples. (Currently only the US, Canada, and New Zealand have voted “No” to the endorsement of this UN declaration! These countries are also primary inheritors of the philosophy and practices of the Doctrine.)

It is the hope and aspiration of the Indian Committee that Philadelphia Yearly Meeting, may officially convey these expressions of Quaker concerns to other Yearly Meetings of North America, including Canada Yearly Meeting, to New Zealand Yearly Meeting, and to Britain Yearly Meeting for their consideration and their determination of means to disavow historical practices based on the Doctrine of Discovery. In so doing Quaker witness may become consistent with our beliefs in peace, nonviolence, and reverence for that of God in all persons.

It is the hope and aspiration of the Indian Committee that each monthly meeting within Philadelphia Yearly Meeting be encouraged to reflect upon Quaker historic and present kindnesses, injustices, and ignorance vis a vis Indigenous Peoples, that Philadelphia Yearly Meeting encourage all Friends within Friends General Conference to cultivate joyful and meaningful relationships between Friends and Native Peoples of their region and of North America and to support them in their ongoing quest for survival, respect, and inherent sovereignty.

These above actions would put the Religious Society of Friends on record supporting Indigenous Peoples' calls for revocation of historic Royal Charters and Papal Bulls and make official our rejection of the Doctrine of Discovery. Such actions would also acknowledge and make visible to ourselves and to others that our past practices, done in the context and mentality of the times, were in error and contributed to sequelae of spiritual and cultural genocide of Indigenous peoples. Such actions would also serve as a continuing reminder of our need to support and to lead in practices of healing and restorative justice, to walk faithfully with our Native brothers and sisters as they seek healing and justice in the 21st century, including standing with them against the continuation of judicial and legal injustices being perpetrated today, the foundation for which continues to be The Doctrine of Discovery.

(Inspired by the actions of the Episcopal Church of the United States, July, 2009)

b. A Minute Adopted By The Indian Affairs Committee Baltimore Yearly Meeting, Religious Society of Friends, summer 2010

As a matter of principle and conscience, certain papal bulls and English and other European charters that endorse and enshrine claims of appropriation and domination should be rescinded. Likewise, the 600 year old "Doctrine of Discovery," which permitted colonization in places unclaimed by any other European Christian nations, should be repudiated. In this matter, we follow the lead of U.S. Indian scholars and of indigenous activists from many countries such as Peru who actively pursue these ends.

We acknowledge that Quakers benefited from the Doctrine of Discovery when William Penn was given tribal lands by the King.

We greatly regret that inherent rights of tribal sovereignty and land were diminished to a "privilege" of occupancy. And we recognize that even that practice was abridged and ignored at the convenience of the federal government and private landseekers.

We believe the public should be made aware that an 1823 Supreme Court case, based on the discovery doctrine, codified a policy that was cited as recently as 2005 to dismiss Indian land rights. And the public should be made aware that the discovery doctrine also provides a convoluted rationale for our government's continuing and complete power over tribes.

We believe it is appropriate for religious groups to call public attention to (a) assumptions and presumptions permeating our thinking and (b) witting and unwitting acquiescence by people today to the notion that to the victor goes the spoils--permanently.

We support efforts by Quakers, Episcopalians, Unitarians, and other faith groups to raise the consciousness of decision-makers in order to change policy.

c. Butternuts Monthly Meeting of the Religious Society of Friends (New York Yearly Meeting)

At its regular meeting for worship with a concern for business held on June 6, 2010, approved the following minute. The meeting requested that this be forwarded to the clerk of Indian Affairs Committee of New York Yearly Meeting and to the Butternuts Quarterly meeting (which meets in September 2010.)

Butternuts Monthly Meeting joins Syracuse Friends Meeting in approving the following minute to support the United Nations Declaration of the Rights of Indigenous Peoples and to repudiate the Doctrine of Discovery.

"We seek to live in a just peace with our fellow human beings, both as individuals and as peoples. We call on the U.S. Senate to ratify the United Nations Declaration of the Rights of Indigenous Peoples so that it becomes the law of the land in the United States of America .

We repudiate the Doctrine of Discovery. We cannot accept that the Doctrine of Discovery was ever a true authority for forced takings of persons and land. It is false for the United States to assert the Doctrine of Discovery to compel a jurisdiction over indigenous peoples or their land.

We honor the inalienable rights that sustain the existence of indigenous peoples. An indigenous people has rights to their homeland, water, spiritual practices, language, cultural practices and self-government. An indigenous people has the right to make decisions and conduct international relations on their own behalf."

The Meeting asks the Peace and Social Action Committee to inform Sybil Perry, Clerk of the Indian Affairs Committee, NYYM, of this action.

Daphne Mason, clerk

d. Cobscook Monthly Meeting of the Religious Society of Friends (Maine, New England Yearly Meeting)

Cobscook Monthly Meeting of the Religious Society of Friends joins with our sisters and brothers of Faith to recognize the injustices that have been and continue to be perpetrated against Indigenous Peoples everywhere. As was first initiated by the Episcopal Church of the United States in July 2009 and has since been supported by the Indian Committee of the Philadelphia Yearly Meeting of the Religious Society of Friends, New York Yearly Meeting Indian Affairs Committee, Syracuse Monthly Meeting, Butternuts Monthly Meeting, and others, we repudiate the Doctrine of Discovery and call upon others to do the same.

The impact of the Doctrine of Discovery on the lives of Indigenous Peoples in what we now know as the United States cannot be overstated. As the Doctrine of Discovery website

(www.doctrineofdiscovery.org) states, “Papal Bulls of the 15th century gave Christian explorers the right to claim lands they ‘discovered’ and lay claim to those lands for their Christian Monarchs. Any land that was not inhabited by Christians was available to be ‘discovered’, claimed, and exploited. If the ‘pagan’ inhabitants could be converted, they might be spared. If not, they could be enslaved or killed.” This Doctrine has legitimized the confiscation of Indigenous lands and the immoral treatment of Indigenous Peoples for approximately 600 years.

As was noted by the Indian Committee of the Philadelphia Yearly Meeting, “under this discovery doctrine, English, Canadians, and Americans, including Friends, settled in the lands of Indigenous Peoples, removed them from their homelands, broke treaties made with these peoples, [and] aided in multiple ways in the destruction of their sacred cultures, languages, and spiritual practices.” We, too, see the repudiation of the Doctrine of Discovery as providing a path “toward reconciliation and healing justice between Native and non-Native peoples.” Cobscook Friends Meeting House sits on the coastal waters of Eastern Maine and is on land that was once tribal territory of the Passamaquoddy Indians. We recognize that Western Europeans, which included early Quakers, perpetrated grave injustices against Indigenous Peoples.

As Minuted by the Indian Committee of Philadelphia Yearly Meeting, “We find this doctrine to be fundamentally inconsistent with the teaching of Jesus, with our understanding of the inherent rights that individuals and peoples have received from God, and inconsistent with Quaker testimonies of Peace, Equality, and Integrity.” Cobscook Friends resoundingly believe that these Friends “speak our minds.” In like spiritual discernment, we affirm and support the 2007 United Nations Declaration of the Rights of Indigenous Peoples. Our faith and our belief that there is that of God in everyone necessitate our joining “this evolving path to peace, justice, and an earth restored.”

4. From the World Council of Churches:

Statement on Indigenous Peoples and the Doctrine of Discovery

1. Three hundred to five hundred million Indigenous Peoples live in over 72 countries around the world and they comprise at least 5,000 distinct peoplesⁱ. Indigenous Peoples have the oldest living cultures in the world. Many Indigenous Peoples still maintain their traditional governance structures. However, their ways of life, identities, wellbeing, and very existence are threatened by the continuing effects of colonization and national policies, regulations, and laws that attempt to force them to assimilate into majoritarian societies. A fundamental historical basis and legal precedent for these policies and laws is the Doctrine of Discovery, the idea that Christians enjoy a moral and legal right based solely on their religious identity to invade and seize indigenous lands and to dominate Indigenous Peoples.

2. Around the world, Indigenous Peoples are over represented in all factors of disadvantage. In most Indigenous communities people live in poverty without clean water, necessary infrastructure, and adequate health care, education, employment, and housing. Many Indigenous communities still suffer the effects of dispossession, forced removals from homelands and families, inter-generational trauma, and racism, the effects of which are manifested in social welfare issues such as alcohol and drug problems, violence, and social breakdown. Basic health outcomes dramatize the disparity in well-being between Indigenous Peoples and European descendants. The life expectancy among Aboriginal Peoples in Australia, for example, is less than that of non-Indigenous Australiansⁱⁱ; in the

United States, life expectancy for Native Americans ranges from two to twenty years less than the national averageⁱⁱⁱ; in Canada, Aboriginal peoples have an estimated life expectancy of about 6-8 years below that of the non-Aboriginal population^{iv}. Infant mortality levels in Mexico are 50% higher in states with a high concentration of Indigenous residents than in non-indigenous states^v; in Ecuador, Uganda and Brazil, infant mortality among Indigenous Peoples is more than twice that of the population as a whole^{vi}; in India, infant mortality for Indigenous Peoples is nearly three times that of the general population^{vii}.

3. The patterns of domination and oppression that continue to afflict Indigenous Peoples today throughout the world are found in numerous historical documents such as papal bulls, royal charters, and court rulings. For example, the church documents *dum Diversas* (1452) and *Romanus Pontifex* (1455) called for non-Christian peoples to be invaded, captured, vanquished, subdued, reduced to perpetual slavery, and to have their possessions and property seized by Christian monarchs. Collectively, these and other concepts form a paradigm or pattern of domination that is still being used against Indigenous Peoples.

4. Following the above patterns of thought and behavior, Christopher Columbus was instructed, for example, to “discover and conquer,” “subdue,” and “acquire” distant lands, and in 1493 Pope Alexander VI called for non-Christian “barbarous nations” to be subjugated and proselytized for the “propagation of the Christian empire.” Three years later, England’s King Henry VII followed the pattern of domination by instructing John Cabot and his sons to locate, subdue and take possession of the “islands, countries, regions, of the heathens and infidels . . . unknown to Christian people.”

5. Thereafter, for example, English, Portuguese, and Spanish colonization in Australia, the Americas, and New Zealand, proceeded under the Doctrine of Discovery as Europeans attempted to conquer and convert Indigenous Peoples. In 1513, Spain drafted a legal document that was required to be read to Indigenous Peoples before “just war” could commence. The *Requerimiento* informed Indigenous Peoples that their lands had been donated to Spain and that they had to submit to the Crown and Christianity or they would be attacked and enslaved.

6. In 1823, the U.S. Supreme Court used the same pattern and paradigm of domination to claim in the ruling *Johnson & Graham’s Lessee v. M’Intosh* that the United States as the successor to various “potentates” had the “ultimate dominion” or “ultimate title” (right of territorial domination) over all lands within the claimed boundaries of the United States. The Court said that as a result of the documents mentioned above, authorizing “Christian people” to “discover” and possess the lands of “heathens,” the Indians were therefore left with a mere “right of occupancy;” an occupancy that, according to the Court was subject to the “ultimate title” or “absolute title” of the United States. The *Johnson* case has been cited repeatedly by Australian, Canadian, New Zealand, and United States courts, and the Doctrine of Discovery has been held by all these countries to have granted European settler societies plenary power (domination) over Indigenous Peoples, legal title to their lands, and resulted in diminished sovereign, commercial, and international rights for Indigenous Peoples and governments. Europeans believed this was proper based on their ethnocentric, racial, and religious attitudes that they and their cultures, religions, and governments were superior to non-Christian European peoples.

7. Consequently, the current situation of Indigenous Peoples around the world is the result of a linear program of “legal” precedent, originating with the Doctrine of Discovery and codified in contemporary national laws and policies. The Doctrine mandated Christian European countries to

attack, enslave, and kill the Indigenous Peoples they encountered and to acquire all of their assets. The Doctrine remains the law in various ways in almost all settler societies around the world today.

8. The enormity of this application of international law and the theft of the rights and assets of Indigenous Peoples have led Indigenous activists to work to educate the world about this situation and to galvanize opposition to the Doctrine. Many Christian churches have studied the pernicious Doctrine, have repudiated it, and are working to ameliorate the legal, economic, and social effects of this international framework. Starting in 2007, for example, with the Episcopal Diocese of Maine and followed by the Episcopal Diocese of Central New York in 2008, and in 2010 with the Philadelphia Yearly Meeting of the Religious Society of Friends, individual churches began adopting resolutions and minutes repudiating the Doctrine. In 2009, at its 76th General Convention, the Episcopal Church adopted resolution D035 - "Repudiate the Doctrine of Discovery." In 2010, the General Synod of the Anglican Church of Canada adopted resolution A086 - "Repudiate the Doctrine of Discovery." In 2011, various Unitarian Universalist churches and Quaker organizations are adopting and considering adopting resolutions and minutes repudiating the Doctrine.

9. This issue has also been brought to the forefront of world attention by Indigenous Peoples working with international bodies. The Doctrine of Discovery will be the theme for the 11th session of the United Nations Permanent Forum on Indigenous Issues in 2012.

The WCC Executive Committee, meeting in February 2012, therefore:

1. **Expresses** solidarity with the Indigenous Peoples of the world and supports the rights of Indigenous Peoples to live in and retain their traditional lands and territories, to maintain and enrich their cultures, and to ensure that their traditions are strengthened and passed on for generations to come; and we repudiate and denounce the Doctrine of Discovery as fundamentally opposed to the Gospel of Jesus Christ and as a violation of the inherent human rights that all individuals and peoples have received from God;

2. **Urges** the governments and nation states of the world to dismantle the legal structures and policies based on the Doctrine of Discovery and dominance, and to better empower and enable Indigenous Peoples to identify their own aspirations and issues of concern and fully involve them, after sufficient and prior consultation, in creating and implementing solutions that recognize and respect the collective rights of Indigenous Peoples to exercise self-determination and self-governance;

3. **Requests** the governments and states of the world to ensure that their policies, regulations, and laws that affect Indigenous Peoples comply with international conventions and, in particular, conform to the United Nations Declaration on the Rights of Indigenous Peoples and the International Labour Organization's Convention 169;

4. **Calls** on each WCC member church to reflect upon its own national and church history and to encourage all member parishes and congregations to seek a greater understanding of the issues facing Indigenous Peoples, to support Indigenous Peoples in their ongoing efforts to exercise their inherent sovereignty and fundamental human rights, to continue to raise awareness about the issues facing Indigenous Peoples, and to develop advocacy campaigns to support the rights, aspirations, and needs of Indigenous Peoples;

5. **Encourages** WCC member churches to support the continued development of theological reflections by Indigenous Peoples which promote Indigenous visions of full, good, and abundant life and which strengthen their own spiritual and theological reflections.

ⁱ Hymowitz, S., Dikkers, I and Anderson, A. (2003). Study Guide: the Rights of Indigenous Peoples. University of Minnesota Human Rights Center. Retrieved from <http://www1.umn.edu/humanrts/edumat/studyguides/indigenous.html>

ⁱⁱ Australian Institute of Health and Welfare. (2011). Retrieved from <http://www.aihw.gov.au/indigenous-life-expectancy/>

ⁱⁱⁱ United States Indian Health Service (2006). Facts on Indian Health Disparities. Retrieved from info.ihs.gov/files/disparitiesfacts-Jan2006.pdf

^{iv} Tjemka, M. 2002. Statistics Canada, cat. no. 82-003.

^v Birdsall, N., De La Torre, A., & Menezes, R. (2007). Fair Growth: Economic Policies for Latin America's Poor and Middle Income Majority. Center for Global Development.

^{vi} World Health Organization. 2007. Health of Indigenous Peoples: Fact Sheet No 236. Retrieved from <http://www.who.int/mediacentre/factsheets/fs326/en/index.html>

^{vii} World Health Organization. 2007. Health of Indigenous Peoples: Fact Sheet No 236. Retrieved from <http://www.who.int/mediacentre/factsheets/fs326/en/index.html>