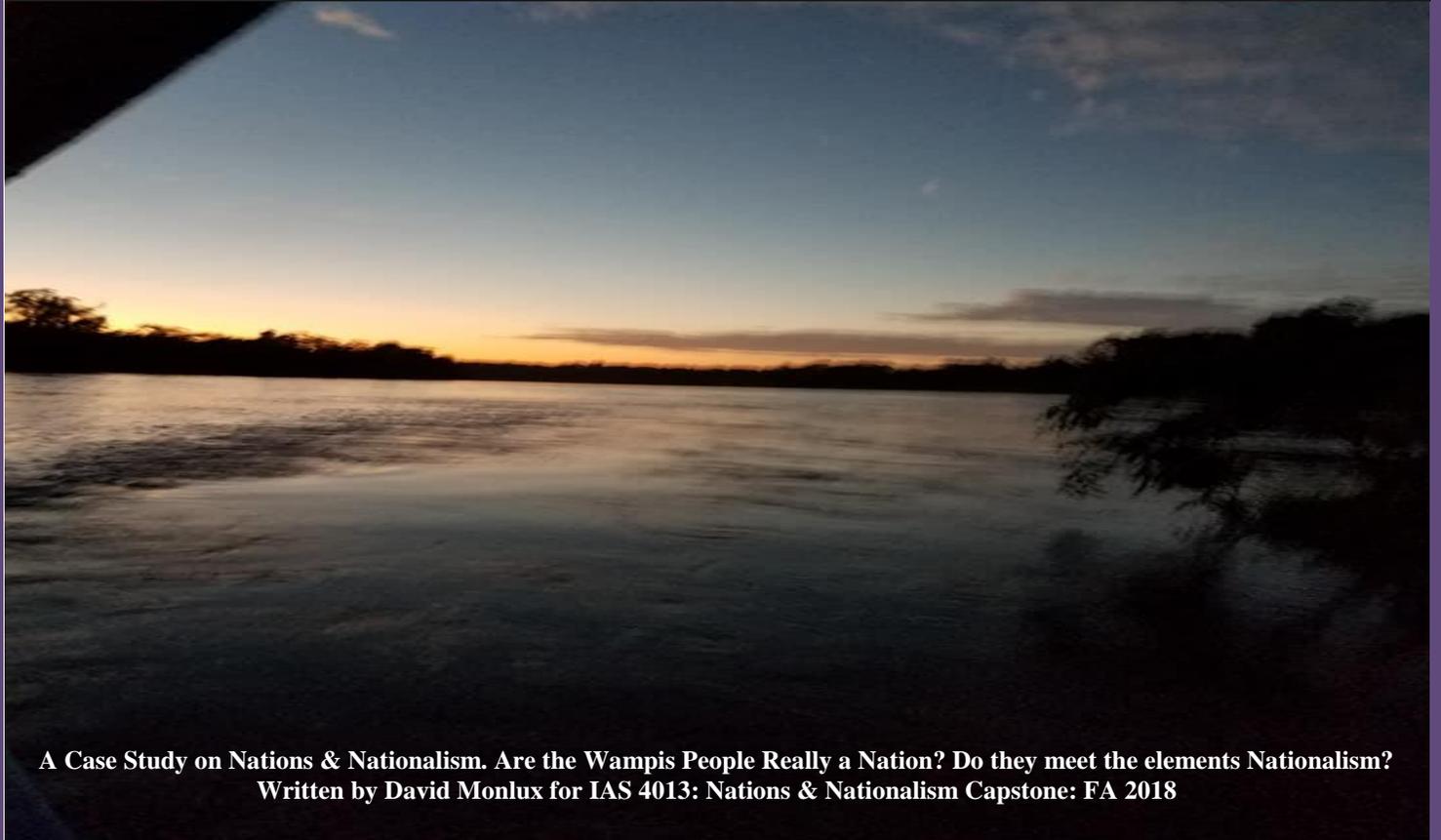


11/12/2018



CATTYWAMPIS STATE OF PERU



A Case Study on Nations & Nationalism. Are the Wampis People Really a Nation? Do they meet the elements Nationalism?
Written by David Monlux for IAS 4013: Nations & Nationalism Capstone: FA 2018

TABLE OF CONTENTS

1: Cover (**CattyWampis State of Peru**)

2: Table of Contents

3-5: Definitions for the purpose of this paper

6: Nation Triangle & Elemental Table of Nationalism

7: Introduction (**Investigating the Wampis/Peru Controversy**)

8-11: Wampis History

12: November 29th, 2015 (**Wampis Independence Day**)

13: Important Maps (**Lay of the Land**)

14-24: Wampis Education System (**ABC's, Learning the Numbers as they go**)

25-30: Wampis Culture, Food, Language & Traditions (**Wampis R Who Wampis R**)

31-32: Wampis Enforcement Patrol Activities (**Axes Down! Trees Up! Time to Play Drill Up?**)

33-37: Wampis/Peruvian Legal Disputes (**Whose Land is it Anyways?**)

38: Facts/Findings of this Nation Case Study (**Swallowing the Cold Ones**)

39: Wampis Comparison to Andorra (**Mountains to Forest, is it Andorra?**)

40: Wampis Comparison to the Chickasaw Nation (**Chickasaw Model of Peace?**)

41: Wampis Comparison to the Mosuo people of China (**Secret Complicity to Save Face?**)

42-47: Evaluation against the Elemental Table of Nationalism & Nation Triangle

48-50: Anderson, Gellner & Smith Philosophical Comparison Check

51-52: Wampis Nation Status Determination (The Verdict)

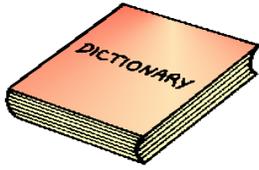
53-62: Works Cited/Sources (**Alphabetical**) & Picture References (**Order of Appearance**)

63-74: Appendix Evidence Attachments & Additional Amazon Rain Forest Photos

75: Wampis Nation in an Amazonian World (**Parody to Barbie Girl in a Barbie World**)

76-?: Thank You Peer Reviewers

This paper contains 35 pages of actual text. The rest are pictures, table of contents, definitions, charts, graphs, works cited, thank you acknowledgements and parody songs.



DEFINITIONS



For the purposes of this paper, unless specifically stated otherwise or used in obvious comparison methods, the following words when referred to in this paper shall always mean:

- 1: Andorra:** A “country” in Europe split and shared between France and Spain.
- 2: Autonomy (A):** An independent group, people or nation with clear and respected control over a territorial area.
- 3: Believed Legitimacy (BL):** A clear established order of rule or claim to property or territory undisputed and recognized in mass by the inhabitants of the land & the international community.
- 4: Chickasaw Nation:** An internal nation of the Chickasaw people within Oklahoma belonging to the federal government of the United States while holding its own internal traditions, customs and membership with limited enforcement power and capabilities.
- 5: Common Wealth:** A nation/country that controls its internal rules and regulations while forfeiting foreign policy guideline decisions to the Kingdom. Examples would be Australia, Canada and Jamaica being Common Wealth of the UK.
- 6: Cultural Society:** The social structure of society relating to the cuisine, love, pop culture and religious influence(s) on a particular area or country.
- 7: Distinct Culture (DC):** The part of a culture that stands out and makes it clear that said person/people are clearly belonging to one nation/culture.
- 8: Elemental Table of Nationalism:** A table chart describing the 30 elements that go into making a nation and create loyalty/strong feelings in favor of a nation.
- 9: Fe Y Alegría:** The main source of schooling within the Wampis Nation.
- 10: Foreign Aid:** Assistance given to foreign countries by a different country.
- 11: Foreign Direct Investment (FDI: Definition taken from International Economy 5th Edition Special Indian Tradition by Oatley. Page 376 in the Glossary):** Form of cross border investment by a corporation or resident based in one country owns assets located in another

country. Usually they are made by multinational companies (oil/mining) and can result in the building, transfer or destruction of infrastructure and factories.

12: Functionality: Ability of a Nation State to provide basic services to its citizens/residents/inhabitants.

13: Globalism (taken from dictionary.cambridge.org): Idea that events in one country can't be separated from those in another and that economic/foreign policy should be planned in an international way.

14: Governmental Body (GB): The formal/official structure that oversees how the judicial & police system work within a given territorial area.

15: Indigenous People: People native to the land, usually in remote areas typically clinging to Eastern traditions and environmental protections who are endangered of dying out while typically being at odds with the occupying government of said claimed area.

16: Local Cuisine (LC): Food/Drink that is local and produced in said area.

17: Love Regulations (LR): The customs, traditions, acceptance and rejection of dating, reproduction and marriage practices within a specific societal area.

18: Mosuo: A group of indigenous people in China who run their own territory with tax exempt status in China while drawing the masses for tourism. This society is also female dominated. To help determine where the Wampis stand in Peru, they will be examined against the Mosuo.

19: Nation State: An independent sovereign country in clear control of a specified area.

20: Nation Triangle: A 5 step triangle resembling a pyramid that explains the 5 stages of a nation consisting of Diplomacy, Cultural Society, Economy, Functionality and Nation State.

21: Nationalism: Patriotism on steroids united around a shared set of values, land and or ideals.

22: Normal Operating Procedures (NOP): The standard way of doing things within a particular territory. Aka how stuff works within a given area.

23: Region: Distinct geographical area.

24: Religious Influence (RI): The combination of ideas, belief, culture and the value sets that arise from them based off self-interest, human decency, myths and the Holy Book(s)/Word(s) of the Supreme deity/ies.

25: Ruling Rules (RR): How laws of the land carry out in practice to the location people are in.

26: Sizeable Population (SP): A large group of people in a particular area.

27: State: An area of a country, like the US has 50 states.

28: Territory: A controlled area by one country without it receiving full rights or attention of said country, like Puerto Rico is to the US or the Colonist that rebelled against the British before creating America.

29: Vatican: An independent country with close ties to Italy and the seat of power for Catholics.

30: Violence Monopolized (VM): Consistent continued dominate control of an area by force.

31: Wampis Nation: The territorial area of the Amazonian Rain Forest between the rivers Kanús (Santiago) & Kankaim (Morona) expanding the border of Ecuador within Peru.

32: Wampis People: An umbrella name for a group of indigenous tribes banding together over the protection/preservation of the Amazon Rain Forest that totals 15,000 people.

33: Water Availability in Mass (WAIM): The access to clean and affordable drinking water for all the people within boundaries of said country/territory.

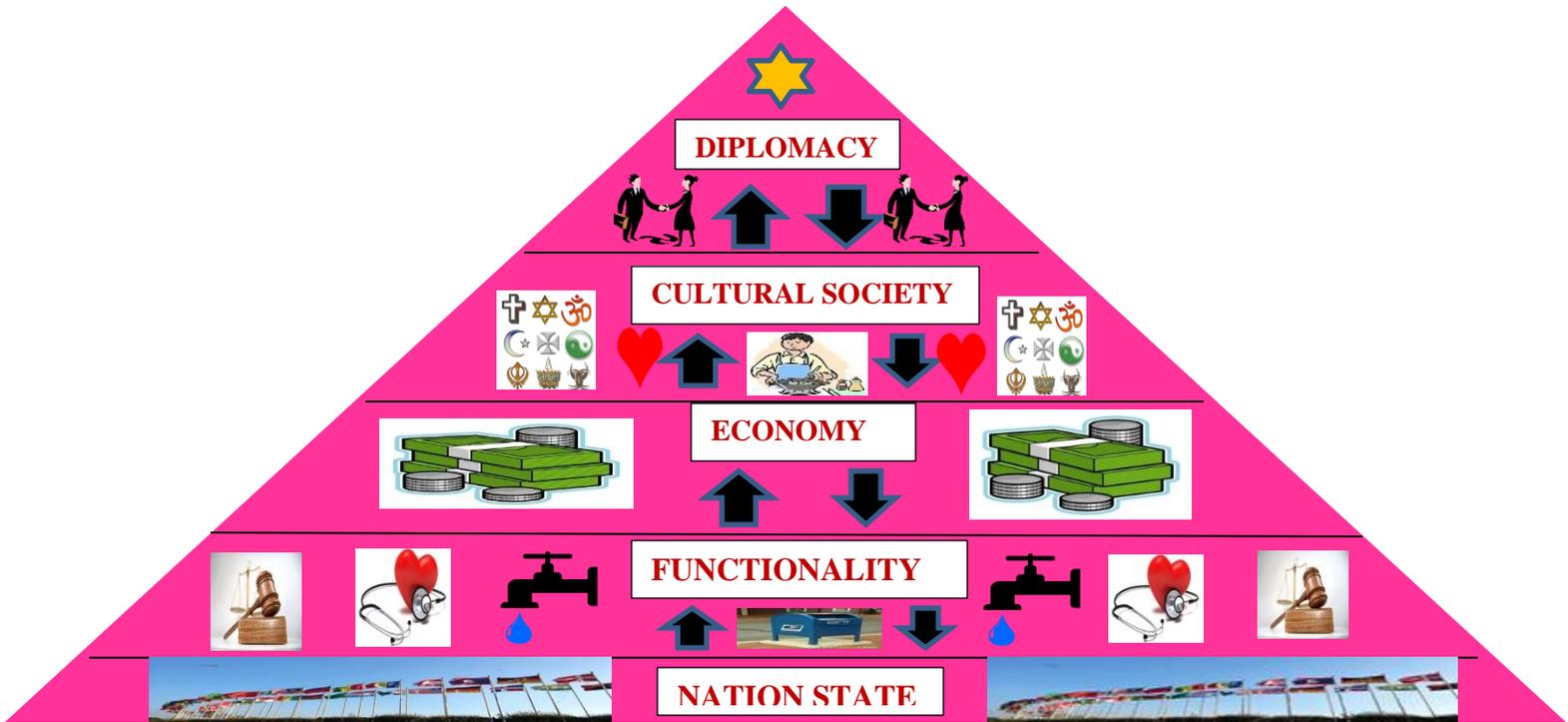
34: Workforce Readiness (WR): Ability of people within a given area to be able to obtain and perform the in demand jobs in said area. It also includes the ability/readiness of people to do jobs from FDI.



END DEFINITONS



NATION TRIANGLE & ELEMENTAL TABLE OF NATIONANLISM



DR Diplomatic Relations	DIPLOMACY					IR International Recognition					
LC Local Cuisine	LR Love Regulations	CULTRAL SOCIETY				RI Religious Influence	SSS Social Societal Structure				
EI Economic Interest	IC Infrastructure Capability	IJA Industry Jobs Available	ECONOMY			JA Job Availability	SC Standard Currency	WR Workforce Readiness			
EA Environmental Awareness	ES Education System	HP Health Programs	JS Justice System	GB Government Body	FUNCTIONALITY		NOP Normal Operating Procedures	PPE Police & Prison Enforcement	PS Postal System	RR Ruling Rules	WAIM Water Availability in Mass
A Autonomy	BL Believed Legitimacy	CA Controlled Airspace	CH Common History	DC Distinct Culture	NATION STATE		FM Formal Military	S Stability	SP Sizeable Population	TC Territorial Control	VM Violence Monopoly

INVESTIGATING THE WAMPIS/PERU CONTROVERSY

Unconquered in the Amazonian Region for over 7,000 years living in relative obscurity, modernization greed has taken over and led to the opposite effect. In today's exploration of the Wampis people, the boat is moving up the river of progress and nationalism toward the storm brewing of separatist pollution. The disputes contained between the Wampis and Peruvian government, previously known to few outside Peru has now been beamed up to the satellite & cloud for people to understand the struggles faced by these indigenous people. Sentiments from the 3 musketeers such as; **“one for all and all for one”** and the words of Spock in the Wrath of Khan **“the needs of the many outweigh the needs of the few”** come to mind in this struggle.

The Wampis claim to be one with the land while preserving it to protect Mother Earth for the needs of the many by forest & river conservation via oxygen and clean drinking water. The Peruvian government quickly points out that the population of the Wampis people is only 15,000. In addition the majority of the resources within the Amazonian region provide 50% of the GDP for Peru while propping up the major businesses in Lima for 10 million people. If the Wampis get their way and shut off exploration, many in the Peruvian government and Lima claim it will cost hundreds of thousands of jobs in Peru along with 50% of the National annual GDP. On November 29th, 2015 the situation changed from darkness to full out storm when the Wampis people declared themselves an independent nation. This powerful storm is still brewing three years later. All aspects of this storm will be explored thru the lens of Nationalism to hopefully determine how the after effects will end along with the necessary cleanup measures.

Paraphrasing Shakespeare **“To be a Nation or NOT to be Nation? That is the Wampis Question.”** Will it end in bloodiness like the French Revolution OR will civility win out? Does greedy Scrooge exist OR will spirits past prevent historical repeats?

WAMPIS HISTORY/HISTORIA

Those who do not learn from history are doomed to repeat it. When history is unresolved or keeps looping a repeat it's like a feeling creeps up before hearing the Black Eyed Peas singing **"Let's burn the roof and then we'll do it again. Let's do it, let's do it."**¹ Unlike the consumer American culture of the present where the future matters more than the past, many people in Peru (especially the Wampis) care about history. To ignore history in this struggle is to be in *La La Land* and leads to an oversimplification (Barbie Girl Parody Song) understanding of the Sovereignty Complexity of Environmental Protection and Preservation over indigenous rights in this struggle. When history repeats itself, a scene from Casablanca comes to mind **"Round Up the Usual Suspects."**² As the usual playbook remedies fail, the elusive Victor Laszlo³ escapes. Below is the progression of the Wampis over time and an informed background to the causes of dispute, in hopes this can move past the usual courses of actions that go down the roads of long scenic routes and attempt to expedite back to the freeway of progress.

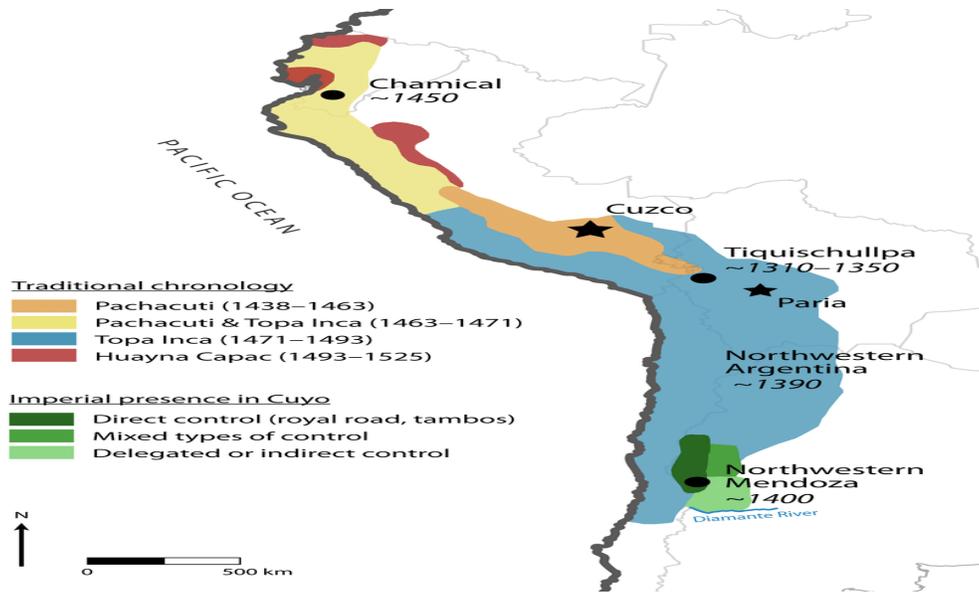
PRE SPANISH CONQUISTADORS-FORMATION OF PERU: Many indigenous groups around the Amazon rose and fell during this time. Over in the Andes the Inca had reached their height 95 years into their reign right before the Spanish Conquistadors would arrive. However despite numerous attempts, the Inca or any other group were never⁴ able to conquer the Wampis and other indigenous tribes within the Amazon Rain Forest during the Incan quest to expand their empire.

¹ Black Eyed Peas, *I Gotta Feeling*

² Casablanca

³ Character in Casablanca

⁴ This was explained to me by my guide at Machu Picchu on the morning of Tuesday June 19th, 2018.



Once the Spanish Conquistadors arrived, they began to colonize most of Latin America and the Andes/Coastal Regions of modern day Peru. The Spanish learned about gold on Wampis land and attempted to conquer the Wampis. The Wampis held strong and kept the Spaniard Conquistadors out of their ancestral land holdings of the Amazon.

PERU FOUNDING-NOV 28TH, 2015: The Wampis were once again left alone until rubber⁵ was discovered. There was another attempt to take over their land in the Amazon which failed, however Peru was able to abstract the resources from the rubber mines. After the rubber minds were abandoned, oil was found and instead of trying to take the land over, Peru sent stealth teams to install pipelines and set up drilling sites with the help of oil companies. From there the pipelines were installed and lack of maintenance over time has led to ruptures and big messes. In addition the Wampis have constantly been dealing with freelance loggers and miners looking to make a quick buck. Unlike many other groups who have been killed, kicked out of their land, forced to move or integrate, the Wampis have remained in their land the entire time.

⁵ Explained to me by Dr. Laurel Smith of the University of Oklahoma during a lecture on the afternoon of Sunday June 17th, 2018 at the Ollantaytambo Ruins in Peru as part of her Contemporary Indigenous Peoples of Peru class.

While remaining in the land, they haven't had complete control of what happens and given their small numbers of 15,000 they haven't been able to patrol the areas frequently. Then 2009 came when the Constitution was amended. (See more detailed info in Whose Land is it Anyways) Based off those amendments, the Wampis would bide their time patiently waiting until 2015 to declare independence, just like their ancestors had been patient with nature for over 7,000 years.

NOV 29TH, 2015-PRESENT: Pollution and Environmental Conservation don't mix.

Taylor Swift sings it perfectly; **“We are never ever, ever getting back together. You go talk to your friends, talk to my friends, talk to me But we are never ever, ever, ever getting back together.”**⁶ Basically the Wampis started single and were brought into a forced union with Peru. On November 29th, 2015 the Wampis declared it over and broke up. Peru is trying to keep firm control of Wampis for the resources and the Wampis stand strong in commitment to protection of the land with anything else being a nonstarter. Like a nasty divorce, Peru is making the Wampis drag this out in multiple hostile courts. (See more in Whose Land is it Anyways for comprehensive details of the legal proceedings) Despite the hostility, the Wampis have received some favorable rulings. Today the Peruvian Courts are hearing the case as it works its way thru the appeals process, but like most pending legal cases it will be questioned given the recently revealed corruption⁷ controversy across all of Peru's Courts. Investigations are still ongoing and expected to be much worse. However to paint this as a one sided story in favor of the Wampis would also be misleading especially since they took eight people hostage⁸ in March 2016 as a form of kidnapping extortion for ransom to receive “compensation” money thru less than honorable means. While unconfirmed/unlikely but possible, there are speculation rumors of the

⁶ Taylor Swift *We are Never Ever Getting Back Together*

⁷ LaSusa Mike: August 9th, 2018: [insightcrime.org *Peru's Judicial Corruption Scandal, Explained*](https://www.insightcrime.org/news/analysis/perus-judicial-corruption-scandal-explained/) <https://www.insightcrime.org/news/analysis/perus-judicial-corruption-scandal-explained/> Accessed: Nov 5th, 2018

⁸ Taj Mitra & Shumaker Lisa: March 7th, 2016: Reuters.com *Amazonian Tribe in Peru Takes Hostages After Oil Spill* <https://www.reuters.com/article/us-peru-environment-idUSKCN0W929C> Accessed Nov 5th, 2018

Wampis intentionally sabotaging the pipelines as claimed by the Pipeline companies and members of the Peruvian government. However the Wampis and International Organizations strongly deny those claims and counter back that the pipeline companies are concerned with profit to the point of deliberately failing to do routine maintenance that causes the pipes to burst to begin with, while leaving the crude mess in the river and forest floor. Regardless of how the pipelines burst and caused the mess along with damage to the Amazon, the Wampis are left living in petroleum while having their drinking water and food no longer safe for consumption. People are suffering in this struggle. Hopefully some form of a mutually followed/enforceable agreement can be made that balances the interest of all parties involved in these nasty proceedings of events being vigorously disputed and distorted on all sides, making it very difficult (not impossible) to obtain accurate records for verification discovery research in this paper.

NOV 29TH, 2015: WAMPIS INDEPENDENCE DAY

DIA DE INDEPENDENCIA PARA WAMPIS



PRESS RELEASE

29th November 2015, Soledad, river Santiago, Perú

The Wampis nation of the Peruvian Amazon declares the creation of the first autonomous indigenous government in Peru to defend the totality of their ancestral territory covering 1.3 million hectares of tropical forest.

The Wampis nation has declared the formation of its autonomous territorial government with the election of the first representatives and the approval and publication of its Statute, the legal framework which they will use to govern the territory. In a historic moment for the indigenous Peoples of Latin America, they issued their first Resolution which declared the totality of their ancestral territory, an area that covers more than 1.3 million hectares, as an integrated territory.

The announcement was made during the first ever Wampis Summit in front of almost 300 representatives from 85 communities. Andres Noningo Sesen, one of the *Waimaku*, or Wampis visionaries, explained why they had reached this decision.

"We have taken this decision partly as a strategy of territorial defence; in response to the efforts to divide us into communities. We will still be Peruvian citizens but this unity will give us the political strength we need to explain our vision to the world and to those companies and governments who only see the gold and oil in our rivers and forests much less the spirit beings of Nunkui and Tsunki, who look after our earth and water. It will also enable us to promote our own vision for our future that we want, a future that is healthy and in harmony with the natural world."

The **Wampis Statute** is built strictly on the obligations of the Peruvian state to respect the rights and autonomy of indigenous peoples and nations. Amongst other principles, the statute requires that any activity that could affect Wampis territory secure the free, prior and informed consent of the Wampis nation.

Their Magna Carta also promotes their own vision of their future. It prioritises their well-being and food security and the promotion of economic alternatives that respect their vision for a healthy and harmonious relationship with the natural world. These include the promotion of small scale fish farming and the production of cocoa and banana.

"We trust that the Peruvian state will support our initiative as it will help them to comply with their own obligations to respect the fundamental rights of indigenous peoples and nations to determine their own future. In addition, our historic decision will help them to meet their commitments to protect the Peruvian Amazon as part of its objective to address global climate change" said Mr Wrays Pérez Ramírez, during his first address after being elected as the first Pamuk, or president, of the Autonomous Territorial Government of the Wampis nation.

At the same time he also added that the event is being held on the eve of COP21 in Paris where the governments of the world will announce their commitments to address climate change and reduce their greenhouse gas emissions. In previous climate conferences the Peruvian government announced its objective to reduce net deforestation to zero by 2020 and their commitment to secure legal recognition of indigenous peoples' ancestral territories that remain without legal security.

"Despite the commitments of the Peruvian government to reduce deforestation and guarantee the legal security of indigenous territories, the State continues to give away our territories to companies exploiting oil and gas, timber and palm oil without any consultation and deforestation continues to grow. While the Peruvian government and other governments are in Paris talking about how to protect tropical forests and reduce contamination, we are taking concrete actions in our territory to contribute to this global goal," said the Pamuk.

The government's first **Resolution** recognises and reaffirms that the territory of the Wampis nation is an integrated territory and establishes the mechanisms for its use and administration. *"Our territory cannot be divided into communities or into water, forest or subsol. It is one territory. This resolution will serve us as a tool to defend our territory which remains untitled and confront the diverse threats that surround us, like the oil lot 116 and the mega dam planned for the Manseriche rapids"* said Alan Encinas Tserem, the PAMUKA AYATKE, the Vice-president of the new Autonomous Government.

The formal declaration is the result of a long process over many years in which the Wampis nation has held over 50 community meetings and 15 general assemblies to elaborate and debate the Statute in addition to conducting anthropological, legal and biological studies that reinforce the creation of the Autonomous Territorial Government.

"Today, we are very happy to have realised our dream. We have united here all the communities of the river Kankaim (Morona) and Kanus (Santiago) to come together and defend our territory. Now, we will be one single force", said local leader, Veronica Sharp.

"This achievement has been realised thanks to the struggles of our historic heroes including Sharian and Tsamaren and our present day leaders who, day after day, have worked tirelessly to defend our territory" said Mr Shapion Noningo Sesen.

Contact for Press:

Spanish
Wrays Perez Ramirez, 00 51 950644330, jempew@gmail.com
Alan Encinas Tserem 00 51 65 812083/816995

English
Conrad Feather, conrad@forestpeoples.org, 0051 994449702

NOTA DE PRENSA

29 de Noviembre 2015, Soledad, río Santiago, Perú

La Nación Wampis de la Amazonia Peruana, declara la conformación del primer gobierno autónomo indígena del Perú para defender la totalidad, de su territorio ancestral que abarca 1.3 millones de hectáreas de bosques tropicales.

La nación Wampis, ha declarado la conformación del Gobierno Territorial Autónomo con la elección del primer gobierno y la aprobación y difusión de su Estatuto, el marco normativo con el cual van a gobernar el territorio. En un momento histórico para los pueblos indígenas del Latino América, han emitido su primera ordenanza, declarando como territorio integral la totalidad de su territorio ancestral de mas de 1.3 millones de hectáreas.

El anuncio se hizo en la primera cumbre Wampis frente a casi 300 representantes de sus 85 comunidades. Andres Noningo Sesen, uno de los *Waimaku* o visionarios Wampis explicó porque han tomado esta decisión:

"Hemos tomado esta decisión en parte como una estrategia de defensa territorial; como respuesta a los esfuerzos de dividirnos por comunidades. Aun seremos ciudadanos Peruanos, pero esta unidad nos dará la fuerza política que necesitamos para explicar nuestra visión al mundo y a los estados y empresas que solamente ven el oro y el petróleo en nuestros ríos y bosques y mucho menos los seres espirituales como Nunkui, la madre de la tierra y Tsunki que cuidan nuestras tierras y aguas. Tambien, nos permite promover la visión propia que tenemos por una vida que nosotros queremos; un futuro sano en armonía con la naturaleza."

El **estatuto** de la nación Wampis, se basa estrictamente en las obligaciones del Estado Peruano a respetar los derechos y la autonomía de los pueblos y naciones indígenas. Entre otros principios, el estatuto requiere que cualquier actividad que pueda afectar el territorio Wampis cuente con el consentimiento, previo, libre e informado de toda la nación.

La magna carta de la nación Wampis, también impulsa la propia visión de su futuro. Esta priorice el bienestar y soberanía alimentaria de la nación y la promoción de alternativas económicas que respeten su visión para una relación sana y armoniosa con la naturaleza, incluyendo la promoción de la piscicultura de pequeña escala y la producción de cacao y plátano.

"Confiamos en que el Estado Peruano apoyará nuestra iniciativa, ello coadyuvará a cumplir con sus obligaciones para respetar los derechos fundamentales de los pueblos y naciones indígenas a determinar su propio futuro. Además, nuestra decisión histórica contribuirá al cumplimiento de sus compromisos asumidos para proteger la Amazonia Peruana como parte de su objetivo para enfrentar el cambio climático" dijo el Sr Wrays Pérez Ramírez, en su primer mensaje luego de haber sido elegido como primer *Pamuk* o Presidente del Gobierno Territorial Autónomo de la nación Wampis .

Así mismo dijo que el evento se realiza en la víspera del COP21 en Paris donde los gobiernos del mundo anunciarán sus compromisos para mitigar el cambio climático y reducir las emisiones de efecto invernadero. En conferencias anteriores, el Perú ya anuncio su meta de reducir la deforestación neta a cero para el 2020 y compromisos para el reconocimiento legal de los territorios indígenas ancestrales aun sin seguridad jurídica.

"A pesar de los compromisos del gobierno Peruano para reducir la deforestación y garantizar la seguridad jurídica de los territorios indígenas, el Estado sigue entregando nuestros territorios a empresas petroleras, forestales y de palma aceitera sin ninguna consulta y la deforestación sigue aumentando. Mientras que el gobierno Peruano y los demás gobiernos están en Paris hablando sobre como se va a proteger los bosques tropicales y reducir la contaminación, nosotros estamos tomando acciones concretas en nuestro territorio y así contribuir a esta meta global" dijo el Pamuk.

La **ordenanza** auto-reconoce y reafirma que el territorio de la nación Wampis es un territorio integral y establece los mecanismos para su uso y administración. *"El territorio no se puede dividir por comunidades ni en agua, bosque o subsuelo, es uno solo. La ordenanza nos servirá como herramienta de defensa para nuestro territorio que aun no esta titulado y para enfrentar las diversas amenazas que nos rodean como la invasión de nuestras comunidades por colonos, el Lote petrolero 116 y la mega represa planificada en el pongo de Manseriche"* dijo Alan Encinas Tserem, el PAMUKA AYATKE o Vicepresidente del nuevo Gobierno Autónomo.

La declaración formal es resultado de un largo proceso de varios años en el cual la nación Wampis ha sostenido mas de 50 reuniones comunales y 15 asambleas generales para elaborar y debatir el Estatuto además de realizar estudios antropológicos, jurídicos y biológicos que sustentan la creación del Gobierno Autónomo Territorial.

"Estamos muy contentos hoy día por haber alcanzado nuestro sueño. Hemos reunido a todas nuestras comunidades del río Kankaim (Morona) y Kanus (Santiago) para uniros y defender nuestro territorio. Ahora vamos a ser una sola unidad", dijo la lideresa Veronica Shirap.

"Este logro se ha alcanzado gracias a las luchas de nuestros sabios héroes históricos como Sharian y Tsamaren y los líderes actuales que día tras día han trabajado arduamente por defender nuestro territorio" dijo el líder destacado, Sr Shapion Noningo Sesen.

Contactos para la prensa:

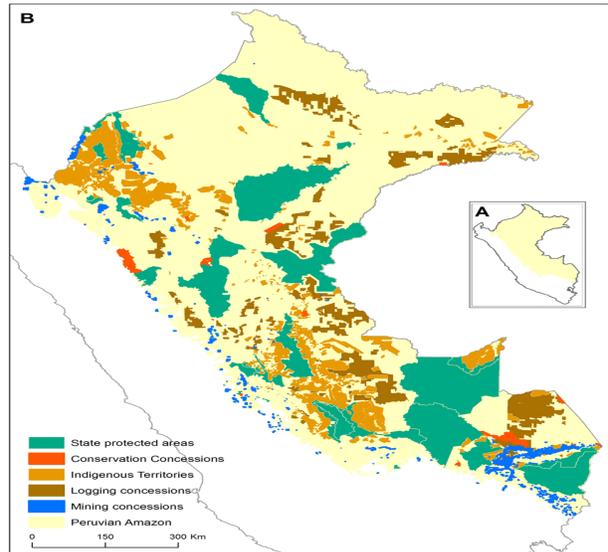
Sr Wrays Perez Ramirez, 00 51 950644330, jempew@gmail.com
Sr Alan Encinas Tserem, 00 51 65 812083/816995



LAY OF THE LAND



MAP OF PERU



REGION & TERRITORY MAP of PERU

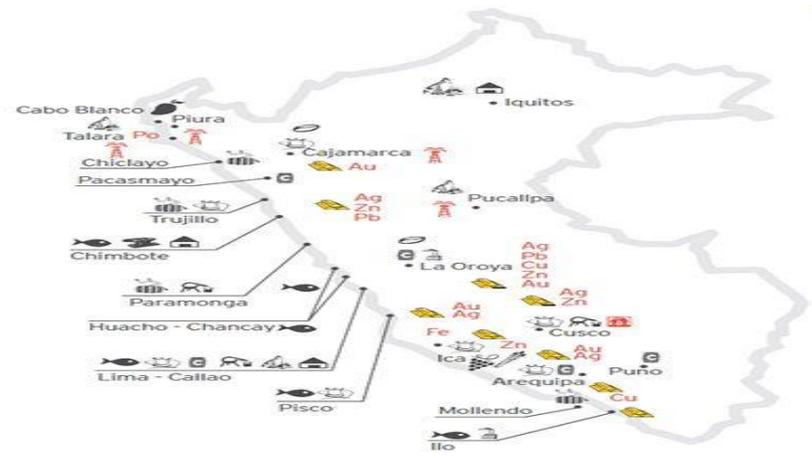


AMAZON RAINFOREST



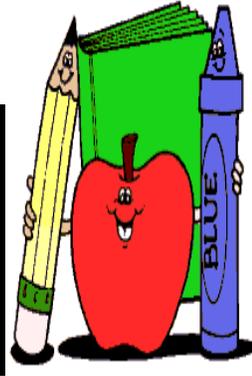
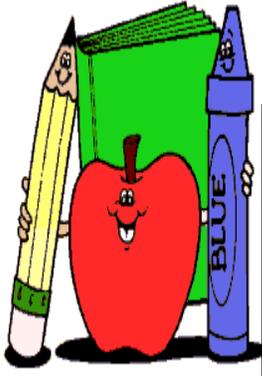
WAMPIS NATION

- Petroleum
 - Gold
 - Silver
 - Copper
 - Natural Gas
 - Zinc
 - Lead
 - Iron
 - Phosphates
 - Sugar Refinery
 - Fishmeal Plant
 - Textile Industry
 - Cement Plant
 - Chemicals Plant
 - Oil Refinery
 - Metals Industry
 - Foundry
 - Metal-Mechanical Plant
 - Asparagus
 - Grapes
 - Mango
 - Coffee
- Source: EY



PERU NATURAL RESOURCES MAP

ABC'S OF THE WAMPIS LEARNING THE NUMBERS AS THEY GO



Many Nations around the World have a combination of options that make up its own education system. The Wampis also have their own education system that is similar yet very different to most systems around the World while overlapping with the Peruvian education system. The Wampis education system consists of tribal traditions outside the classroom, VO Techs, Fe Y Alegría, missionary schools and Peruvian government schools. Despite the efforts and attempts (given the remoteness of the region) it is hard to create uniformity of equality of opportunity for all which does leave many Wampis children behind.⁹ In addition, one function of government is to provide education to its citizens. A Nation case study wouldn't be complete or thoroughly detailed without a review of the education system in both the quality/access. The Three (3) Fe Y Alegría, Missionary & Peruvian Government (Initial/Primary/Secondary/University) Schools are explored/explained below.

Fe Y Alegría was first introduced in Venezuela during 1955 by Padre Vélaz.¹⁰ The concept of Fe Y Alegría is a religious institution (usually Catholic) builds the school and is responsible for maintenance/upkeep. Graduation requirements are daily prayer, a community service project each semester and the academic curriculum adopted by the government of the Country. It is also mandatory that students learn one foreign language. The principle is a priest;

⁹ Unlike the US which has the No Child Left Behind Act, Peru has no such act. One could argue "compulsory" attendance in Peru. Despite the "compulsory" attendance, it isn't as high percentage wise as the US, Western Europe, China or Argentina.

¹⁰ Friends of Fe Y Alegría in the United States: Who We Are: Identity: <https://feylegria.us/who-we-are/identity/> Accessed October 22nd, 2018

the school board is the parents of the kids attending the school and teachers are provided by the government.¹¹ The Wampis Nation additionally requires environmental education, Wampis history and the Wampis Language¹², Spanish and one additional foreign language. The Wampis Nation has three (3) Fe Y Alegría (55, 62 & 74)¹³ schools (escuelas).

Fe Y Alegría 55 provides traditional academic education to secondary students (ages 12-16 in the Peruvian System¹⁴) in the Wampis Nation. School 62 provides traditional academic education to primary (ages 6-12) and secondary students. Both are located in the Peruvian Province of Bagua. 74 (along the river) is a technical training school that teaches boat making, tour guides skills, advanced level of languages, printing, sewing and enforcement skills to go after people polluting the river or illegally (in the opinion, of the Wampis) extracting resources from the land/soil. However admission is competitive and not open to all students violating Peru's compulsory law, leaving many Wampis behind forcing them to look at and seek other forms of schooling/options.

Missionary Schools in the “lungs of the planet”¹⁵ used to be open to all, but over time have come to act like private elite boarding schools within the Wampis Nation. Upon the

¹¹ The structure of Fe Y Alegría was first explained to me by Professors Charles Kenney and Laurel Smith of the University of Oklahoma at the Peyton Center while in a Lima neighborhood district called Canto Grande on Tuesday June 12th, 2018 mid lecture. I then heard it again that same day in a Spanglish presentation at Fe y Alegría 25 in Canto Grande. The schools are named Fe Y Alegría followed by a number. There were 24 other schools at the time this one opened, therefore it was named 25. (For US millennial audiences) Remembering back to Hey Arnold the school system was Public School (P.S. 118) aka the 118th school made within that education system.

¹² **Article 3: Language from the Statute of the Autonomous Territorial Government of the Wampis Nation.** Within Wampis territory it is compulsory to learn the Wampis Language at all schools or be considered illegitimate within the Wampis ancestral land. In practice, missionary schools have been excluded like some private schools in the US that have been exempt from State requirements or don't take federal funding/grants.

¹³ María Prieto's Fund Entreculturas **Amazon School Report: Page 7:** Reference on October 22nd, 2018 from: https://www.entreculturas.org/sites/default/files/documents/AmazonSchool_FullReport.pdf

¹⁴ Justlanded.com *The Main Stages of Education: Education Levels, the School Year, Uniform and Grades: The Peruvian Education System is Divided into Early or Initial Education, Primary Education, Secondary Education and Higher Education. PERU: Secondary Education in Peru:* Accessed October 22nd, 2018: <https://www.justlanded.com/english/Peru/Peru-Guide/Education/The-main-stages-of-education>

¹⁵ “Lungs of the Planet” is a nickname for the Amazon Rainforest, especially areas within the Wampis Nation. The area defined has some of the highest trees per capita of any area in the Amazon Rainforest and the World.

arrival of the missionaries, the bands of tribes previously separate, would start coming together and go from a few hundred isolated people to a combined political organized unison of over 15,000 people today. The two main complaints about missionary schools were gender separation of roles from the western society mindset and the fact that missionary schools were boarding schools which caused separation from the parents making it harder to continue indigenous traditions.¹⁶ Missionary schools were somewhat popular with high attendance until the 1970's when changes in Church practices out of the 1971 Barbados Conference on World Councils of Churches took effect. This led to 3 major changes in Catholic policy.¹⁷ This seemed counterintuitive considering the previous mixes of traditions between local indigenous tribes and Catholic customs throughout Latin America¹⁸ which has cost the Catholics converts within the Wampis Nation. While it led to less converts and some going Pentecostal, it did help the Church achieve its mission of advocating for the poor and being patient to not rush a forced conversion. The mixing of indigenous customs led to a huge growth of Catholicism in Mexico¹⁹ and has been the saving grace of the Catholic Church within Puerto Maldonado²⁰. Among the Amazon Rain Forest, it has led to rapid advances of Pentecostals²¹ within Peru since the 1971 policies from the

¹⁶ This was explained to me by my guide multiple times between June 27th and June 29th, 2018 when I was with the Ese'jea people in part of the Amazonian Region of Peru.

¹⁷ Lecture by Professors Charles Kenney and Laurel Smith of the University of Oklahoma in Cusco, Peru on the morning of June 22nd, 2018. 1: Forbid mixing of indigenous customs with Catholicism. 2: Implement Liberation Theology to advocate for the poor. 3: Send priest to first observe and be patient on conversion.

¹⁸ The tradition is especially high in Mexico as I was both frequently told and observed during the Spring 2017 semester when I was taking classes from both UPAEP & OU in Puebla, Mexico. Of particular memory was a visit in Cholula to a church (organized by University of Oklahoma Professors Marchand & Kenney along with Program Director Armando Garcia) that mixed indigenous customs with Catholic doctrine. Also as I walked the streets of Puebla, I observed many places selling Mary offerings, statues including depictions of Mary as indigenous.

¹⁹ Guthrie Amy & Rocca X Francis: Wall Street Journal Online: Feb 12th, 2016 *The Power of Mexico's Version of the Virgin Mary* Accessed: October 25th, 2018: <https://www.wsj.com/articles/the-power-of-mexicos-version-of-the-virgin-mary-1455294703>

²⁰ Martin San Ines Rome Bureau Chief: Jan 20th, 2018: *Pope's Love Affair with Mary Adds New Chapter Saturday in Peru* Accessed October 25th, 2018: <https://cruxnow.com/pope-in-chile-and-peru/2018/01/20/popes-love-affair-mary-adds-new-chapter-saturday-peru/>

²¹ Pew Research Center Study: October 5th, 2006: In 1970, Pentecostals made up 4.4% of Peru's population. After a targeting effort of indigenous tribes and knocking off the Catholic missionary boarding schools, the Pentecostals

1971 Barbados Conference on World Councils of Churches were implemented. The standardized curriculum of the missionary schools within the Wampis Nation is very academic in nature while lacking vocational training or environmental awareness. In addition they have a high drop rate due to parents fearing loss of local traditions and many students not being able to meet the advanced academic curriculum. The missionary schools act as the elite private schools in the Wampis Nation.

Peruvian Public Education: The Peruvian education system is made up of five (5) main components and multiple substructures in each component after primary. The Five (NOT the Fox News Show) main components are Initial, Primary, Secondary, Vocational/Technical and University. Initial is for children ages 0-5, while Primary is for ages 6-12 (1st-6th grade). Secondary has three (3) components to it consisting of 12-16 year olds (7th-11th grade). In Secondary, the child can do 100% academics, 100% trade learning or a combination of both. The 4th component is Vocational/Technical and the 5th is University. Below is a description of how each works on paper according to the Peruvian Constitution, what happens in practice within Lima/Cusco and the reality short comings with Indigenous Peoples, including the Wampis Nation.

A: Initial is Peru's version of Early Childhood Education. Article 17 of the Peruvian Constitution²² requires it to be made available to all citizens within Peru.

However outside the wealthy districts of Lima, Cusco, Puerto Maldonado and rare

made up 28.1% of the population by the 2005 and have since grown in numbers. Accessed: October 25th, 2018: <http://www.pewforum.org/2006/10/05/overview-pentecostalism-in-latin-america/>

²² Peruvian Constitution: Article 17: **“Early childhood, primary, and secondary education are compulsory. In public schools, education is free.”**

“The State promotes the establishment of schools, wherever people may require them.”

“The State guarantees the eradication of illiteracy. It also encourages bilingual and intercultural education, in accordance with the particular characteristics of each area. It preserves the diverse cultural and linguistic manifestations throughout the country. It promotes national integration.” English Translation accessed from: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

occasional poor neighborhoods in Lima with organizations such as Yancana Huasy²³, there is a lack of access to initial schooling. The Wampis Nation in Peru has zero Initial options, which means Peru is failing to provide on its governing social contract while denying hundreds if not thousands of Wampis children access to early education.²⁴

B: Primary education is ages 6-12 (1st-6th grade). Just like initial education in Peru, it's supposed to be freely available and compulsory as required under Article 17 of Peru's Constitution²⁵. Primary schooling isn't easily accessible in all areas of Peru. The Peruvian State mandated curriculum²⁶ (for those lucky enough with access to attend) consist of Math, Communications²⁷, Art²⁸, Personal Development²⁹, PE, Religious Education³⁰ and Science/Environment.³¹ Primary schools are easily available across the coastal region, Cusco and Puerto Maldonado. Within the rural Andes Region, there might be one school for every 3-4 villages³² which makes it both hard to enforce the compulsory law and create equal access for all. Within the Andes Region (outside Puerto Maldonado) the Peruvian government is quick to

²³ Yancana Huasy is part of the Santa Cruz Congregation located in an area of Lima called San Juan de Lurigancho. It provides free initial and primary schooling for children with developmental/learning disabilities along with low cost services for basic health access to the community at large. On the afternoon of Monday June 11th, 2018 I had the privilege and honor of touring this incredible group and facility while getting to observe the classes. You can access its website (Spanish/Español) at http://www.congregaciondesantacruz.org.pe/?page_id=79 to learn more.

²⁴ No Head Start here.

²⁵ See Footnote 22.

²⁶ Clark Nick: April 6th, 2015: *Education System Profiles: Education in Peru: Primary* Accessed Sunday October 28th, 2018: <https://wenr.wes.org/2015/04/education-in-peru>

²⁷ Public Speaking, Thank You note writing, cultural clue contexts, politeness, handshakes, video making and electronic writing

²⁸ In Lima and the coastal region it is religious and European art. In Cusco it is Andes indigenous art and weaving. In the Amazonian region, it is Amazonian Art.

²⁹ Dances, social equities, Peruvian manners and party host skills.

³⁰ Lima = Roman Catholicism. Andes and the Amazonian Regions = indigenous customs and religion/history.

³¹ Lima = Lip service. Cusco = teaches both science and the environment. Rural Andes & Amazonian Region = Environmental Awareness.

³² During my time in Peru over the American Summer (their Winter) of 2018 Pabel Vivanco (a Peruvian Citizen who grew up in Peru and is a student in attendance at the University of Oklahoma) told my travelling group multiple times how he would have to walk from his village to another village over 30 minutes (both ways) in the Andes Mountains to get to school. He said it was common throughout Peru. In addition during my many tours of different places, when a place had a school they were showing it off and bragging about it whereas other places would give us tours of their village, but never mention the school almost as if they were ashamed/embarrassed not to have one. When schools lack a presence, the people should be angry and the government embarrassed.

point out the Primary school in Infierno (a village outside Puerto Maldonado that literally translates to Hell in English) and the Fe Y Alegría schools scattered across the Wampis Nation. In addition Peru claims to provide the teachers and the food for breakfast/lunch to these schools. What the Peruvian government leaves out is that the Catholic Church built the Fe Y Alegría schools and that the Ese'ejá people³³ after years of promises by the Peruvian government got tired of waiting and built a school themselves. While the Peruvian government provides food for breakfast and lunch, the parents of the children have to hire³⁴ the cook themselves and pay for the gas to power the stove. The vast majority of the teachers at these schools either work for a religious institution, are indigenous themselves or international workers from international organizations creating a further feeling of separation from the rest of Peru. This leads credence to separationist feelings lacking common identity and furthering the calls for a Wampis Nation to promote their own interest instead of being treated like the red headed step child making the cultures incompatible under a Distinct Culture that lacks commonality with Lima.

C: Secondary is compulsory in Peru as well as stated in Article 17 of the Peruvian Constitution³⁵. The curriculum³⁶ is divided into two (2) different waves. The first is general of two (2) years of 7th and 8th grade. During that time everyone takes Art³⁷, Civics³⁸,

³³ Since the 1920's the Peruvian Government had promised to build a school in Infierno. They kept saying next year. In the 1990's in the aftermath of the Shining Path, the Ese'ejá People got fed up and started building the school themselves. By the early 2000's the school was built. Previously for children to attend school, they had to walk 30 miles thru the forest of unpaved paths to Puerto Maldonado. Typically they would start on Sunday afternoon and walk back on Friday after school let out as was explained to me by my guide, who himself endured that walk many times during his youth. The Wampis Nation has been more patient than the Ese'ejá people. Peru is failing its duty under the Social Contract. That failure led the Wampis to REVOKE consent to be governed by Peru.

³⁴ This was explained to me by the head chef on Wednesday June 27th, 2018 during my visit to the school in Infierno. For more information read page 91/110 of my Journey to Peru Travel Journal. More than happy to electronically send a PDF copy upon request.

³⁵ See footnote 22.

³⁶ See footnote 26.

³⁷ See footnote 28.

Communication³⁹, Foreign Language⁴⁰, Indigenous Language⁴¹, PE, Religion⁴², Social Skills⁴³, Spanish and Technology.⁴⁴ After observations of the students in consultation with the parents, the student is enrolled in one (1) of two (2) tracks (Academics/Vocational). On rare occasions a student can be enrolled in both tracks. Upon selection, the student enters the 2nd wave (9th-11th grade).

I: Academic Track consists of Advanced Civics⁴⁵, Advanced Spanish Grammar, Economics, Environmental Studies⁴⁶, Geography, History⁴⁷, Math, Religion⁴⁸ and Science.⁴⁹ In addition the student has a choice of advanced foreign/indigenous language or electives in place of the language. Upon completion, the student typically takes one (1) year of advanced exam prep in an attempt to enter university.

³⁸ Teaching of the political parties/institutions and how to register to vote. In addition those in Lima and the Coastal region learn about the succession line of Peruvian Presidents. Those in Cusco learn about the Andean Indigenous customs and lines while those in the Amazonian Region learn about the oppression from the capital in Lima.

³⁹ See footnote 27.

⁴⁰ In Lima and the Amazonia Region its usually English. In the Coastal Region outside of Lima, its normally replaced with extra time for learning Spanish. In Cusco the time for a Foreign Language is usually cut in half with half going to extra Spanish and the other half going to extra Quechua. In the Andes Mountains and Puerto Maldonado its variable by school.

⁴¹ In Lima, the Coastal Region and Puerto Maldonado the time is usually devoted to extra Spanish grammar. Many schools in Cusco, the Andes Mountains and the Amazonian Region including the Wampis Nation teach subjects in an indigenous language.

⁴² See footnote 30.

⁴³ See footnote 29.

⁴⁴ Teaching of computer programing, machine technology, mechanics and other technology subjects.

⁴⁵ Teaches how to fill out government forms, talk to attorneys, navigate the legal system, how to file for office and how to contact members of the government.

⁴⁶ In Lima and the coastal region the extra hours required for environmental studies is usually added to geography in place of environmental education.

⁴⁷ Peruvian History, Latin American History, European conquer history and World History.

⁴⁸ Catholicism in Lima, the Coastal Region, Cusco and Puerto Maldonado. Variable in the Andes Mountains. Indigenous religions in the Amazonian Regions and the Wampis Nation.

⁴⁹ Standard physics, physical science, chemistry and biology throughout the entire Costal and Mountains region. Astronomy, Astrology, Plant Soil Genetics and Meteorology throughout the Amazonian Region and the Wampis Nation.

II: Vocational Track consists of Communication⁵⁰, Electives, PE, Social Skills and Technology⁵¹. The student also has the choice to continue with Foreign/Indigenous Language or replace that study with additional Electives on top of a one year apprenticeship and certification test to work in said industry. Within Lima, the Coastal Region, Cusco and Puerto Maldonado the vocational training is easily accessible. In the Andes Mountains it isn't impossible for most, however it can be inconvenient by students having to go to a different village in order to access the Vocational track in secondary education. Access drops off substantially in indigenous lands of the Peruvian Amazon Rain Forest. Within the Wampis Nation there is only one (1) secondary vocational training school and The Ese'ejá people only have one (1) secondary vocational training school. Many other indigenous groups don't even have one secondary school as an option unless the parents have money to board the student in a faraway town. Despite the verbal promises of the Peruvian Government and legal requirements of Article 17 of the Peruvian Constitution⁵², access to education is denied to thousands of indigenous children each year. There are also adult vocational training programs that match the vocational track of secondary education in Peru and access to it tends to follow the same pattern.

D: University (for those lucky enough to attend) in Peru is a combination of the UK and US system creating *The Best of Both Worlds*⁵³. For undergraduate work there is usually three (3) years of intensive subject specific study in the UK before obtaining the US equivalent of a Bachelor's degree. In the US, a Bachelor degree typically takes four (4) years to obtain. In Peru every student has two (2) years of general studies followed by three years of specialization taking only courses in their major for a total of five (5) years. Below is a chart to demonstrate.

⁵⁰ Answering Phones, billing codes, responding to emails, social media awareness and common curtesy.

⁵¹ See footnote 44.

⁵² See footnote 22.

⁵³ Line from a Hannah Montana/Miley Cyrus song that perfectly explains the US/UK combo of University in Peru.

Category/Country:	Peru	US	UK
General Education:	2 years	1.33 years (40 credit hours on 120 credit hour scale)	NA
Support & Related:	NA	0.166 years (20 credit hours on 120 credit hour scale)	NA
Major Specific Courses:	3 years	1 year (30 credit hours on 120 credit hour scale)	3 years
Foreign Language:	Included every term in the first two (2) years of general.	Variable/Depends on Degree	Variable/Depends on Degree.
Electives:	NA	1.5 years or less (Up to 45 hours)	NA
Total Link of Time:	5 years	4 years	3 years

Types of University Degrees	
PRE-GRADO (UNDERGRADUATE)	
Bachiller	5+ years of coursework (200 credits)
Licenciado / Titulo Profesional	Bachiller + (thesis, examination or Internship)
POSTGRADO	
Diplomado	24 credits minimum
Magister	2 years of coursework (48 credits) + thesis
Doctor	3 years of coursework (64 credits) + dissertation

© 2015 World Education Services
wenr.wes.org 

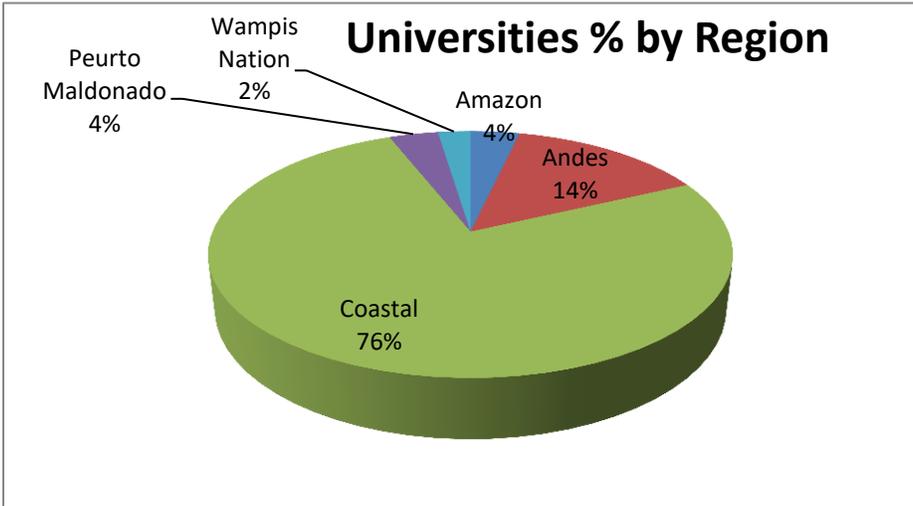
Unlike the US where you can pursue a double major and the UK where you can pursue dual honors (most schools), it is very difficult, unheard of and almost impossible⁵⁴ to pursue more than one (1) degree at the Bachelor level in Peru. While the US or the UK have a holistic person review approach and lower retention standards, most universities in Peru (minus a few prestigious private and for profit private universities) base admission off completing Secondary School followed by scoring high on both the National exam and the specific university placement exam.⁵⁵ Then in order to remain in University, the GPA has to be really high. Peru also has no Associate (unlike the US) Degrees or Minors (unlike the UK/US) available.

⁵⁴ Explained to me on Thursday June 7th, 2018, over lunch, during my visit to Católica (university in Lima) by a student named Carlos. See pages 27-28/110 of my travel journal for more information. More than happy to provide an electronic copy upon request. One exception to this rule is San Ignacio University which had a degree accredited by both the US and Peru. <http://www.usil.edu.pe/en/dual-degree-english-programs/dual-degree-program-san-ignacio-university> It's dual accreditation is similar to Richmond the American International University in London with the degree accredited by both the US/UK. <https://www.richmond.ac.uk/>

⁵⁵ Dr. Bell of Católica explained this on Thursday June 7th, 2018 on a bus ride in Lima from Miraflores to Católica.

Breaking down the results further (combining Between Coastal & Amazon, Between Coastal & Andes, Coastal Andes & Lima with Coastal) while putting Puerto Maldonado into its own category along with the Wampis Nation in a separate category (combining Cusco with the Andes) it changes the effects of higher education (university) access to as follows:

Amazon:	Andes:	Coastal:	Puerto Maldonado:	Wampis Nation:	Total:
3	12	63	3	2	83



WAMPIS R WHO WAMPIS R

*Wampis R Who Wampis R*⁵⁶ **“Remote and obscure. If you're not one of us, then stay away! Cause we protect the loving resources when you've got economic hot-pants on. Yes of course you do, keep tearing up this Nation just like a club and you don't wanna anger us. Got UN on our side. Got those axes falling on our trees. Abandoned mines all across the land. Drinking water oil filled. So Sto-o-p (Stop!)”** While paraphrasing Kesha, it perfectly sums the ongoing dispute between the Wampis and the Peruvian government. In addition it reaffirms the education system where the curriculum being taught across Peru is only uniform on paper, not in practice leading to unique individualism of cliques under different realities. These differences despite the rhetoric claims of being able to compromise and work it out, lead to fundamentally irreconcilable⁵⁷ differences on environmental policies which is at the core of the controversy between the Wampis Nation, the Peruvian Government and resource extraction businesses. The Wampis culture neither matches nor complies with the rest of the culture in Peru. Therefore below it is important to explore the culture while pointing out the differences from the rest of Peru in addition to examining the language and breaking down the important elements of cuisine diet that delight tongues over breaking of bread or leave all parties involved with sour tastes in their mouth during this “civil” land controversy.

⁵⁶ Inspired by the Kesha song We R Who We R the Wampis are a small remote group acting as a clique. The Peruvian government is the bigger rival clique trying to economically provide for the many while endangering the few. Like clubs and groups have an established social order and way of doing things (similar to High School) a battle of ego and will is taking place. UN teachers and interested “parents” like the US government are now coming in as an attempt to mediate the dispute as interested higher powers within Peruvian jurisdiction and local Wampis control who can't maintain the protection of the resources.

⁵⁷ The Wampis want environmental stewardess and preservation while the Peruvian Government wants to keep its GDP numbers up and people happy with office jobs in the capital (Lima) from the companies doing the extractions. The companies want to maximize quarter profits and annual profits and are attempting to get as much as they can. In addition there are struggling Peruvians out of work setting up their own shops (illegal logging/mining operations) in the informal sector (does more harm than the formal sector) East of the Andes as was explained to me by a group called AIDER (<http://www.aider.com.pe/>) in Puerto Maldonado on the evening of Monday June 25th, 2018.

WAMPIS CULTURE is primarily conservationist while the rest of the Peruvian Culture is consumerism from tourist shop sales, adventure tourism to mass markets in Lima and Cusco. The Wampis are for traditional marriage whereas LGBTQ activist and couples are starting to change the culture of major cities within Peru.⁵⁸



In addition family and community is highly valued in the Wampis Nation whereas people get lost with the masses making their own way in the bigger cities all across Peru. Most of Peru has cops they can call or business services and usually specialize in one or two areas, the Wampis have a culture of self-reliance (jack of all traits) from having to make their own nets, start their own schools, enforce the protection of the land themselves and have to work on cleanup efforts of abandoned mines and oil spills in the rivers. The togetherness of the community with the Wampis people is strong like a village raising its own of the community working toward one goal creating a common identity powered by the force being with them, instead of self-interested dream chasers of the bigger cities attempting to enrich themselves at the expense of others.⁵⁹

⁵⁸ This was explained to me by Judith Ravin of the US Embassy in Lima Peru on Friday June 8th, 2018 after the group presentation. The Embassy officially acknowledged the visit on June 12th, 2018 as part of the official record via social media. Also the Flag of Cusco is the same as the LGBTQ flag and Cusco had it first.

⁵⁹ As a politician might sell out their constituents for a bribe, some tribes of the Wampis have been approached to sell rights on the area of land they control to mining companies. Unlike the corrupt politician taking the bribe, the Wampis have refused in the name of the bigger picture. While it might enrich that group, it would damage the other

WAMPIS (HUAMBISA) LANGUAGE: The Huambisa (Wampis in English) language is the language of the Wampis Nation. Below is a chart of their alphabet and the letter sounds.⁶⁰

11/1/2018 Huambisa alphabet, pronunciation and language

Home News Alphabets Phrases Search

Huambisa (Wampís)

Huambisa is a Jivaroan language spoken in northern Peru, mainly along the Santiago and Morona Rivers between Condocanqui Province of the Amazonas Region and the Datem del Marañón Province in the Loreto Region. In 2012 there were about 8,000 speakers of Huambisa, which is also known as Huambiza, Wambiza, Jibaro, Xivaro, Wampis, Melina or Shuar-Huampis.

Huambisa is closely related to Achuar-Shiwiar, a Jivaroan language spoken in Peru and Ecuador.

Huambisa was given official status in the Amazonas Department in 2010, and an alphabet for the language was approved in 2012.

Huambisa alphabet and pronunciation

A a	Ch ch	E e	G g	I i	J j	K k
[a]	[ç]	[e]	[ŋ]	[i]	[j]	[k]
M m	N n	P p	R r	S s	Sh sh	T t
[m]	[n]	[p]	[r]	[s]	[ʃ]	[t]
Ts ts	U u	W w	Y y			
[ts]	[u]	[w]	[j]			

An acute accent (á) is used to mark stress.
Download an alphabet chart for Huambisa (Excel)

EL ALFABETO HUAMBISA

El alfabeto huambisa consta de dieciocho letras. Las palabras del vocabulario aparecen en el orden alfabético que se da a continuación:

a	apa	"padre"
ch	chicham	"palabra"
e	ete	"avispa"
g	tagku	"domesticado"
i	ikam	"bosque, monte"
j	japa	"venado"
k	kanu	"canoas"
m	mama	"yuca"
n	nantu	"luna"
p	pamau	"tapir"
r	kuru	"puerco espín"
s	suku	"canasta"
sh	shaa	"maíz"
t	takat	"trabajo"
ts	tsamau	"plátano maduro"
u	uchi	"niño"
w	week	"curuhuinse"
y	yaa	"estrella"

Estas letras se leen más o menos según la pronunciación castellana, con algunas excepciones que nacen de la fonología huambisa.

- a se pronuncia casi como la o cuando precede a la u y como e cuando precede a la i. Ej.: **tsamau** "plátano maduro"; **akital** "arete".
- e se pronuncia como la e castellana, pero con la lengua en posición para pronunciar la u. Ej.: **etsa** "sol".

The language has been spoken verbally for thousands of years. It wasn't until the 1970's when it started to be written down with a massive Huambisa (Wampis)/Español dictionary translation project was undertaken by the Peruvian government in an attempt at language preservation from the Peruvian Ministry of Culture. Like the Welsh in the UK have their own language but speak English, so do the Wampis people by speaking Wampis (Huambisa). However unlike Wales where the children grow up speaking both Welsh and English side by side, the vast majority of children of the Wampis don't start learning Spanish until entry of Primary School. That is different from Cusco and the Andes where children might grow up learning and speaking both Spanish and Quechua at the same time, which again further divides the culture and values at odds instead of a united community like Switzerland (French, German,

environment. Another way to look at it would be a business polluting a river (cheaper than properly disposing of waste) that provides drinking water. While the company profits, the community suffers.

⁶⁰ To read the 226 page report of the Wampis language including a comprehensive translation dictionary (Español/Huambisa) you can obtain a pdf copy for free (by having an account) from Lulu: <http://www.lulu.com/shop/martha-jakway/vocabulario-huambisa-slp-n-24/ebook/product-18609850.html> The Vocabulario Huambisa: SERIE LINGÜÍSTICA PERUANA N 24 Instituto Lingüístico de Verano: 1st published: 1987. Last updated 2008. Letter Sounds obtained from <https://www.omniglot.com/writing/huambisa.htm#> Accessed November 1st, 2018

Italian & Romansh) despite the language differences. With the Wampis having their own language and not all learning Spanish, it once again makes the Wampis stand out from all other indigenous tribes across Peru who do learn Spanish first in addition to the isolation they face further emphasizing the differences making the Wampis Nation incompatible with the rest of Peru on yet another level beyond values.

WAMPIS CULTURAL FOOD is similar yet different from the cuisine of Peru. Just like Peru is divided into the Coastal, Andes and Amazonian geographical regions (for the most part) the food across Peru can also be broken down by regions. The food regions of Peru are the Northern Coast, the Southern Coast, Lima, the Andes, Selva (Wampis) & Sierra. Below are some photos of the food by different Peruvian regions followed by a chart explaining the foods/drinks of Peru.



Soup typical of the Wampis Nation



CHIFA



Typical dinner in Lima



Selva Region.



Selva Region.



Empanadas: Typical snack in Peru

⁶¹ Chifa is a mix of traditional Chinese and Peruvian Cuisine. It is popular across all of Peru regardless of region. Given recent Chinese investment and mixing of customs it is easily accessible all throughout Peru including the Wampis Nation.

⁶² Specialty prepared rabbit.



Fried mushrooms, sweet potatoes & rice. Andes.



Seafood over noodles. Coastal North & South.



Chicken covered in Nut Oil with Rice. Selva & Sierra.



Japanese influence in Cusco.



Brazil Nut Chicken. Selva & Sierra.



Buffett of Veggies & Meat. Selva & Sierra at community meals.



Rice and Veggies buffet in Selva and Sierra at community meals.



Italian pasta seafood combo in Lima.

As Tex-Mex is no substitute for real Mexican⁶³, the cuisine of Paris is different from the blandness of the UK. The food of the Wampis Nation is a mostly different palette from the rest of Peru creating another separation in the cultures between the Wampis Nation and the rest of Peru. Below is Peruvian food map going into greater detail of popular dishes by region.

⁶³ Teds, Taco Bell & Taco Bueno might seem like it, however spend a Semester in Puebla Mexico and one will most likely come back a Mexican Food Snob and anything short of real Mexican is an imposter that taste terrible upon hindsight comparison .



Mapa gastronómico del Perú



Gastronomic map of Peru

COSTA NORTE North Coast

Tumbes, Piura, Lambayeque y La Libertad

- Se reconoce por algunos rasgos muy marcados que tienen que ver con su producción agropecuaria.
- Destacan la cocina de res, yuca, camotes, zarandaja, mani y algarrobo.
- Los plátanos son utilizados en la preparación de platos como el seco de chavelo, la malarrabia, los cocupes y los chifles.
- Para adobar, el ingrediente obligado es la chicha de jora.
- Se encuentran marcadas preferencias culinarias de acuerdo a los estratos sociales y económicos.

Chinguirito (especie de ceviche a base de carne seca, salada y deshilachada de pez guitarra y sazónada con limón, pimienta, cebolla y ajimolido) Y Sudado (pescado al vapor).

Chinguirito (a kind of ceviche of dried meat of Shovelnose guitarfish that is salted, frayed and seasoned with lemon, pepper, onion) and Sudado (steamed fish).

It is recognized by some very strong characteristics as their agriculture and livestock production.

- It emphasizes the corned beef, manioc, sweet potatoes, Zarandaja bean, peanuts and carob.
- Bananas are used in dishes such as seco de chavelo, malarrabia, cocupes and chifles.
- To marinate the required ingredient is jora chicha.
- There are marked culinary preferences according to social and economic strata.

SELVA Jungle

Loreto, Ucayali, San Martín y Madre de Dios

- Utilización de carnes de animales capturados mediante la caza.
- Entre éstos tenemos: Venado, huangana, sajino, tapir o sachavaca, armadillo o carachupa, picuro o majaz, añuje, etc.
- Se preparan de diversas formas: Asados, sancochados, en sopas, fritos, etc.
- El Juane es una comida que se aprecia en toda la región, al igual que los platos hechos a base de plátano.
- Sus caudalosos ríos proveen peces como el paiche el más grande de los ríos amazónicos. El cual llega a pesar 180 kg. de deliciosa carne blanca.

• The meat used is from hunted animals. Such as: deer, tapir and armadillo, añuje, etc. Can be cooked roasted, boiled, in soups, fried, etc.

- Juane is a meal that can be seen throughout the region, the same with meals made from banana.
- Its rivers provide fish like the paiche that can weigh 180 kg (being one of the world's largest freshwater fish) with a delicious white meat.

PERÚ

Debido a la influencia de los Andes y la corriente de Humboldt, Perú no presenta un clima exclusivamente tropical como otros países ecuatoriales sino una serie de microclimas, desde zonas de habituales nevadas hasta selvas tropicales, lo que influye además en la diversidad de especies que se pueden encontrar.

Tiene condiciones adecuadas para el cultivo de frutas y verduras durante todo el año. Asimismo, la corriente de Humboldt permite una gran variedad de peces y mariscos, siendo uno de los principales países pesqueros del mundo.

The influence of the Andes and the Humboldt Current makes that Peru does not present an exclusively tropical climate as other equatorial countries but a series of microclimates from areas of normal snowfall to tropical forests, which also influences the diversity of species that can be found.

Peru has suitable conditions for growing fruits and vegetables throughout the year and the Humboldt Current allows a variety of fish and shellfish, being one of the main fishing countries in the world.

SIERRA Sierra

Cajamarca, Amazonas, Ancash, Junín, Pasco, Huancavelica, Apurímac, Ayacucho, Cusco y Puno.

Los Andes fueron el más grande centro de domesticación de plantas del mundo antiguo, con especies nativas como el maíz, tubérculos, gramíneas, fruta, leguminosas, frutos secos y una multitud de hierbas aromáticas.

Se conserva la tradición culinaria prehispánica.

- Preparación de chupes (sopas), guisos (la carapulcras es considerado el tipo de guiso peruano más antiguo).
- Las formas de procesar alimentos: salar el pescado, tostar el maíz (la cancha salada es hasta hoy el "piqueo" peruano más simple y popular) o pelar los granos y secarlos (obteniendo mote).

The ancient peoples of the Andes such as the Incas have practiced irrigation techniques for over 6,000 years, terracing has been a common practice with native species such as maize, tubers, grasses, fruit, leguminous, nuts and a multitude of aromatic herbs. Pre-Hispanic culinary tradition is preserved. Preparation of chupes (soups), stews (the carapulcras is considered the oldest type of Peruvian stew). The forms of food processing: salting the fish, roasted corn (salted corn is until today the most simple and popular Peruvian "nibbling") or peeling the beans and drying them (getting mote).

Lima



Suspiro limeño, mazamorra morada, arroz con leche, turrón de doña pepa y picarones.

Suspiro limeño, Mazamorra morada, rice pudding, Turrón de Doña Pepa and Picarones.

Chicha morada, cerveza y el peruano pisco sour.

Chicha morada, Beer and the renowned Pisco sour.

Cocina criolla: Causa limeña, Tamal, aji de gallina, Papa rellena, pollo a la brasa, escabeche, carapulcras y sancochado.

Creole cuisine: Lima causa, Tamale, Aji de gallina, Stuffed potato, Grilled chicken, Escabeche, Carapulcras and Sancochado.

Pescados y frutos de mar: Tiradito, parihuela, arroz con mariscos, pescados a la chorrillana, conchitas a la parmesana, choritos a la chalcaca y jalea mixta.

Fish and seafood: Tiradito, Parihuela, Rice with shellfish, Chorrillana fish, Parmesan conchitas, Chalcaca mussels and Mixed jalea.

Carnes: Seco de cabrito, (que suele acompañarse con frijoles o tamales verdes), Seco de chavelo y arroz con pato.

Meats: Seco of goatling (which is usually accompanied with beans or green tamales), Seco de chavelo and Rice with duck.

Yucas fritas, conchitas a la parmesana, chifles, jalea mixta y causa en lapa.

Fried yuca, Parmesan conchitas, Banana chips, Mixed jalea and Causa en lapa.

Ensalada de chonta.

Chonta salad.

Patarashca (pescado envuelto en hojas de plátano y asado al fuego).

Patarashca (fish wrapped in banana leaves and roasted in the fire).

Juanes (masa de arroz cocida al pallito con trozos de gallina, envuelta en hojas de bijao).

Juanes (cooked rice dough with hen and wrapped in bijao leaves).

Caldo de carachama (pescado carachama con plátanos y cilantro).

Carachama soup (carachama fish with bananas and coriander).

Asado de Picuro (roedor, de carne muy sabrosa).

Roast picuro (rodent with a very tasty meat).

Apichado de chanco (presas de cerdo dorado guisadas con mani molido y maíz).

Apichado (chunks of pork stewed with ground peanuts and corn).

Uvachado (macerado de uvas).

Uvachado (macerated grapes).

Chapo (plátano cocinado en agua y leche).

Chapo (banana cooked in water and milk).

Vinos y Sidras artesanales, Chicha de maíz y de quinua.

Wines and traditional ciders, maize drink and quinoa.

Chuchuhuasi.

Chuchuhuasi.

Inchicapi (pollo, mani molido, cilantro y yuca).

Inchicapi (chicken, ground peanuts, coriander and cassava)

Hualipachupe o chupe de gallina cusqueño.

Hualipachupe or Chupe Cusqueño of hen.

Puka picante (cerdo y papas sancochados con aderezo de aji colorado y beterraga).

Spicy puka (pork and potatoes cooked with red pepper dressing and beetroot).

Chodo con queso andino, ensalada de choclo, Mote con chicharrón, cancha, humitas y el Inchicapi (yuca sancochada acompañada con salsa de mani, aji y cilantro).

Chodo with Andean cheese, corn salad, Mote with chicharrones, cancha, tamale and Inchicapi (boiled cassava with peanut sauce, chili and coriander)

Rocoto relleno, soltero de queso, cocopa y chicharrones.

Stuffed rocoto, Soltero cheese, cocopa and chicharrones.

Adobo picantes (de cerdo o res, cordero o pato) Locro (guiso de carne de res o cordero), Chupe de camarones y malaya frita.

Spicy marinade (with pork or beef, lamb or duck) Locro (stew of beef or lamb), Chupe shrimp and Fried malaya.

Cuy chactado.

Cuy chactado.

Olan[®]
Cocina tradicional Peruana



COSTA SUR South coast

Ica, Arequipa, Moquegua, Tacna



Variedades de panes, panecillos y biscochos.

Varieties of breads, rolls and biscuits.



AXES DOWN! TREES UP!



TIME TO PLAY IS THE DRILL UP?



Bad boys, bad boys⁶⁴ whatcha gonna do, whatcha gonna do when the Wampis come for you?⁶⁵ As cities/towns develop their own police force and private companies hire security guards to keep people safe or out, the Wampis have formed their own enforcement/monitoring network. The purpose of this network is to go after illegal mining/logging/drilling practices on their land while documenting the “atrocities” (in the opinion of the Wampis while the Peruvian Government downplays them) that have happened and currently are happening. One such example is/was the 2016 Mayuriaga oil spill. Below is a photo⁶⁶ of the after affects and one lucky area getting cleaned up.



⁶⁴ Drillers, Loggers, Miners and Polluters in the opinion of the Wampis.

⁶⁵ Play on words paraphrase of *Bad Boys Inner Circle* by Ian Lewis. With many people illegally mining, polluting the rivers, drilling oil and cutting down trees, the Wampis have begun their own enforcement network in an attempt to preserve the drinking water and the pristine beauty of the Amazon Rainforest.

⁶⁶ The Guardian July 4th, 2017 Wampis Nation Photo Essay Contest: <https://www.theguardian.com/global-development/2017/jul/04/politicians-only-see-gold-and-oil-in-our-lands-the-wampis-nation-of-peru-photo-essay#comments>

During Spanish Conquistador attempts for the gold and Incan attempts for the land, the Wampis stayed together to protect their land. Despite rubber being discovered, the Wampis maintained territorial control. Now with creatures dying, the food supply being manipulated from sick poisoned animals from oil contamination and trees undercut by loggers the Wampis with assistance from International Organizations and Indigenous Rights groups have started monitoring and documenting the damage. In addition they chase away individuals illegally mining/logging. While the Wampis can legally perform arrest and have temporary detention, all arrest they make have to be turned over to the Peruvian Police and Prosecutor, who usually dismiss the case or decline to file charges. Typically this means the incentive is money and the risk is only a few days in jail while the Wampis have to deal with the after affect pollution. As much as the Wampis would like to keep all the trees up, stop the drilling and get miners to put the axes down, short of their own enforcement and cooperation from the Peruvian government or becoming their own independent nation, it will not happen. This is why the next section will explore the legality of the land. In hopes of people respecting the land or rejecting offers to buy it from them, the Wampis standing on principle **“Don’t Stop Believing and were born to sign the river blues”** (in the words of Journey) in the importance of the environment and their struggle to live out their life with the ancestors on their spiritual homeland.

WHOSE LAND IS IT ANYWAY?

The November 29th, 2015 press release of Wampis Independence was no coincidence or random chance, but rather methodically and meticulously planned dating back to 2009 after the Peruvian Constitution was amended. From the seven amendments that took effect (70, 71, 89,) ⁶⁷ (162, 190, 191 & 193.6) ⁶⁸ changing the Articles and the Fourth Final & Transitory Provision ⁶⁹ that transpired legally within Peru. These eight (8) amended provisions from the 2009 Peruvian Constitution created the legal justification roadmap of events that would unfold leading up to Nov 29th, 2015 when the Wampis People using self-determination would declare themselves a Nation. After passage in 2009 a massive Free Trade deal ⁷⁰ was reached ⁷¹ with the United States.

⁶⁷ Chapter 3: Property: Article 70: “No one shall be deprived of his property, except, exclusively, on grounds of national security or public need determined by law, **and upon cash payment of the appraised value, which must include compensation for potential damages. Proceedings may be instituted before the Judiciary to challenge the property value established by the State in the expropriatory procedure.**”

Chapter 3: Property: Article 71: “With respect to property, foreign nationals, whether they are persons or corporate entities, fall under the same conditions as Peruvians. Therefore, they may in no instance invoke exception or diplomatic protection. **However, within a distance of fifty kilometers from the borders, foreigners may not acquire or possess under any title, directly or indirectly, mines, lands, woods, water, fuel, or energy sources, whether individually or in partnership, under penalty of losing that so acquired right to the State.**”

Chapter VI: Article 89: “**The rural and native communities have legal existence and are corporate entities. They are autonomous in their organization, community work, and the use and free disposal of their lands, as well as in the economic and administrative aspects.**” English Translation accessed on November 8th, 2018 from: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

⁶⁸ Chapter XI: Article 162: “It is the duty of the Office of the Ombudsman **to defend the constitutional & fundamental rights of the person and the community**, and to ensure the enforcement of the state administration duties, as well as the provision of public services to citizens.

Chapter XVI: Decentralization: Article 190: “**Two or more contiguous departments may become a region by conducting a referendum.**”

Chapter XVI: Decentralization: Article 191: “**Regional governments enjoy political, economic, and administrative autonomy on pertinent matters within their jurisdiction.**”

Chapter XVI: Decentralization: Article 193.6: “**The property and revenue of regional governments are the following: 6: Resources resulting from natural resource royalties (canon).**” English Translation accessed on November 8th, 2018 from: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

⁶⁹ “**Rules concerning the rights and freedoms recognized by this Constitution are construed in accordance with the Universal Declaration of Human Rights and the international treaties and agreements regarding those rights that have been ratified by Peru.**” English Translation accessed on November 8th, 2018 from: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

⁷⁰ Peru Trade Promotion Agreement (PETPA, aka Peru FTA) <https://www.cbp.gov/trade/free-trade-agreements/peru> Accessed/Viewed on November 8th, 2018

⁷¹ Lööv Balzani Jacob & Da Silva Chantal: May 4th, 2017 The Guardian : *Peru's First Autonomous Indigenous Government Wins Major Victory Taking on Oil Companies* <https://www.independent.co.uk/news/world/americas/peru-indigenous-tribe-amazon-protect-land-oil-drilling-land-a7716321.html> Accessed Thursday November 8th, 2018

Prior to that deal, the US lost out on the Cell Phone market⁷² in Peru by legislation that prevented and prosecuted US officials bribing foreign officials even it was the cost of doing business in said country. After the deal was made, the Peruvian Government granted the right to American oil companies to start drilling⁷³ in the Amazon Rain Forest to which large amounts of the concessions overlapped the Wampis Nation. The Wampis joining with thousands of other indigenous people gathered at Devils Curve to protest⁷⁴ and block transport. During that protest there were casualties⁷⁵ which resulted in being nicknamed the “Bagua Massacre”. The Wampis then regrouped and looked at their options under the Peruvian Constitution and like manna from heaven, the Wampis people now had legal standing to fight back for their land given the recent changes in the law. In accordance with Peruvian Constitution Article 70, the Wampis people were neither notified nor compensated for their land, therefore the Peruvian government granting the rights to the oil company for drilling on Wampis land was an illegal move under law to begin with. Part (not all) of the drilling concession land freely given by the Peruvian Government was within 50 km of the border(s)⁷⁶ to other countries. While the concession would help Peru’s economic numbers and via Foreign Direct Investment (FDI) bring more money back to the US, it wasn’t a national security threat and the Peruvian defense of the emergency clause was invalidated making the concessions an illegal move.

⁷² This was explained to me on Friday June 8th, 2018 during both a lecture by Dr. Charles Kenney of the University of Oklahoma during a lecture in Miraflores followed by a visit to the US Embassy in Lima that Afternoon where it was repeated.

⁷³ While not obviously and directly stated in the deal, it was a wink wink, nod nod type of thing vaguely justified. The best way to explain it is a scene from the first Incredibles Movie. Dash is in the office and his mom comes in. A video plays by the teacher and the teacher says “**There is no tack on my stool before he moves and after he moves there is a tack. Coincidence, I think NOT!**” <https://www.youtube.com/watch?v=Tfn3NbM1q68> Basically a beautifully written loophole in the agreement where everyone involved knows but cover is provided for outsiders.

⁷⁴ See link in Footnote 71. It was a long article that covered a lot.

⁷⁵ 32 people (23 police officers and 9 indigenous protestors) along with hundreds of civilians and protestors injured. It also disrupted commerce and travel across the region for a while given the length of the key blockade protest standoff.

⁷⁶ Depends on specific area of the concessions if its just one or more than one country being within 50 km of the border.

In addition between 2009 and the November 29th, 2105 Summit resulting in the press release, the Wampis held 50 community meetings and 15 general assemblies to discuss the issue⁷⁷ for protection of the environment via the goal of autonomy.⁷⁸ In doing so no previous objections were made to their community meetings in which Nation status was on the agenda and submitted to the Peruvian State. During the Summit this allowed the Wampis Nation to take advantage of Peruvian Constitution Article 190 to become a region without objection in complying with representation of over 300 representatives from 85 different communities acting as the umbrella group coming up with the common name of Wampis. In regards to environmental regulation within Peru, a Region is similar to a Nation. When this happened, the 4th Final Transitory Provision of the Peruvian Constitution became a viable legal option because both the Universal Declaration of Human Rights and the UN Declaration on the Rights of Indigenous People had been signed and ratified by Peru without reservations tacked on thus having Peru consent to a higher international authority eroding its own courts and sovereignty just like the Wampis lost Sovereignty under semi⁷⁹ Peruvian “Occupation” over time. This process led up to November 29th, 2015 press release of the Wampis.

Since November 29th, 2015: After the Wampis Declaration, the Peruvian government attempted to revoke the status claiming the Wampis had zero grounds to do so, were clearly Peruvian Citizens and that Peru rightfully controlled the land. In a rare move, the Office of the Ombudsman actually did its job and stood up to the Peruvian government as it was

⁷⁷ Included proper notification to the Peruvian Government Authorities and numerous studies completed.

⁷⁸ Forrest Peoples Program: November 30th, 2015: Global Research.ca *Wampis Nation of Peruvian Amazon Declares Creation of First Autonomous Indigenous Government in Peru* <https://www.globalresearch.ca/wampis-nation-of-peruvian-amazon-declares-creation-of-first-autonomous-indigenous-government-in-peru/5492400>
Accessed: November 8th, 2018

⁷⁹ The Wampis were never actually conquered but over time many Wampis claimed Peruvian citizenship and accepted bare minimum aid/benefits from Peru while at the same time still claiming Sovereignty trying to have it both ways by maintaining the cake and eating it to.

Constitutionally required to do under Article 162 to defend the Wampis Community. The office claimed that the Wampis people had legal grounds for their Nation declaration while reminding the Peruvian government of its legal signatory status obligations to the United Nations. In doing so this allowed the courts to intervene and gave the Wampis standing. The first true/real legal test for the Wampis in the Autonomous Nation dispute came on March 28th, 2017 in the 4th District Constitutional Court in Lima. The dispute specifically looked at oil drilling block 116. To everyone's surprise, the court ruled in favor of the Wampis Nation forcing the oil companies drilling to stop. In addition that court ruling also forced both private companies and the Peruvian government to obtain permission from the Wampis Nation for all future additional drilling.⁸⁰ The court also ruled that if there were any future disagreements that the Peruvian Government and Wampis Nation couldn't solve with mutual voluntarily agreement, that the Peruvian government could sue the Wampis nation in the name of economic activity within the Peruvian Courts and that the Wampis Nation in this ruling was forever submitting itself to be legally bound by the Peruvian Court Systems along with Peru Court orders at any level automatically overriding any Wampis Nation Courts that might arise in the future. Following the ruling, came May 4th, 2017 when officials of the Wampis Nation formally submitted themselves to the Peruvian Congress to formalize their Nation Status request from their November 29th, 2015 declaration.⁸¹ In response the Peruvian Government has publically promised to appeal the March 2017 ruling to Peru's Supreme Court, and is still within the Statute of Limitations to do under both Peruvian Law and the Court ruling allowing for appeals on this matter.

⁸⁰ Fraser J Babra Catholic News Services: April 5th, 2017: National Catholic Report Online: *Peruvian Court: Indigenous Communities Must be Consulted Before Drilling* <https://www.ncronline.org/blogs/eco-catholic/peruvian-court-indigenous-communities-must-be-consulted-drilling> Accessed November 8th, 2018

⁸¹ Carrillo Kathia: May 2nd, 2017: nacionwampis.com (Article is in Spanish/Español)" Notificamos al Estado Peruano Sobre Nuestro Gobierno Territorial Autónomo (We Notify Peru of our Autonomous Government) <http://nacionwampis.com/notificamos-al-estado-peruano-sobre-nuestro-gobierno-territorial-autonomo/> Accessed: November 8th, 2018

APPEAL ARGUMENTS EXPECTED TO BE MADE: Peru plans to argue that in the eyes of the international community and tradition that the land is Peruvian soil. They will argue that the Wampis committed themselves to the jurisdiction of Peruvian Courts and have accepted aid and benefits thus being loyal to the governing social contract. The Wampis will probably counter back by saying they were never formally conquered and that illegal occupation/leases are taking place. In addition while they will admit to receiving the occasional aid benefits they will claim that it is in the form of foreign aid and their submission to the courts was under duress and forced. In addition they will argue that the Peruvian government has failed to provide schools and many (not all) of the benefits promised within the Peruvian Constitution. The Wampis will claim the Peruvian government used unnecessary force against them and remind the court that it is bound to the Universal Declaration of Human Rights and Deceleration of the Rights of Indigenous Peoples. Peru will counter those claims by bringing up the blockades and violent deaths in addition to the hostages taking and claiming they were trying to prevent another Shining Path uprising followed by showing the pictures of the officers killed in the line of duty. Peru will argue necessary economic interest and the domino effect to follow if the court upholds the ruling because the mining, drilling and logging accounts for 50% of Peru's GDP. It would cost millions of people their jobs to satisfy a small group of 15,000 people. The Peruvian Government will claim the Representative who signed those treaties without reservations tacked on was immediately fired despite his action being protected which forced the Peruvian Congress to ratify it against the will of over 90% of Peruvians. Assuming the pending corruption⁸² doesn't halt all existing appeals, it will be interesting to see the Peruvian Supreme Court ruling.

⁸² See Footnote 7



MOUNTAINS TO FOREST, IS IT ANDORRA?



It's a bird, it's a plane, it's NOT Andorra. (Small remote Mountain area bordering Spain and France) While it might be tempting at first glance to say a small group of people in a remote area share a similar model, upon further examination they do not. Just like the Wampis were never formally conquered like Andorra and are looking for autonomy as Andorra achieved, the Wampis are very different. The first difference is that the Wampis only have a dispute with Peru granting companies permission whereas Andorra is shared between France and Spain. The second difference is peaceful neighbors of respecting Andorra's land whereas the Peruvian government doesn't respect the claim to lands of the Wampis. The third difference has been the Wampis are active in the UN and OAS whereas Andorra is hands off the UN and the EU. The fourth difference is that Andorra has embraced modernization and development whereas the Wampis have only embraced limited technology. The fifth is that Andorra is welcoming of visitors and tourism with a thriving economy where as the Wampis are often remote and visiting them is difficult. The last difference is the population size of 15,000 Wampis compared to 75,000 Andorrans. Therefore for future developments, the Andorra Model is NOT a suitable comparison to go forward with of potential models for the Wampis in Peru.

CHICKSAW MODEL OF PEACE?

While there are some differences between the Chickasaw and the Wampis, there are also many similarities. The Chickasaw had their own independent nation for a while along with their own language and alphabet. Both faced outsider oppression in many different ways. While the Wampis tried to remain remote, the Chickasaw embraced trade and outsider communication while the Wampis did not. However unlike the Wampis who maintained their control of the land, the Chickasaw were “voluntarily forced” to move⁸³ despite a ruling to the contrary in Worcester v Georgia⁸⁴ to which the Cherokee would later learn was a big psych by the US Government just as the Peruvian government has made promises to the Wampis people to only go psych and not deliver on them. The differences since that time have been legal activism by the Chickasaw and a willingness to modernize. Despite the past where the Wampis haven’t done much, they are now starting to organize, become active, embrace parts (not all of it) of modernization and advocate for themselves. They have learned how to navigate the Peruvian Courts and claim separatist nation status while also claiming to be Peruvian at the same time. Within the US, the Chickasaw are given special status and protection along with protected lands and court standings. This could be a potential model for the Wampis to strive for.



⁸³ “John Marshall has made his decision; Now let him enforce it.” US President Andrew Jackson 1832.

⁸⁴ Worcester V Georgia Oyez, www.oyez.org/cases/1789-1850/31us515. Accessed Nov 9th, 2018

SECRET COMPLICITY TO SAVE FACE?

Despite numerous attempts by China over the years to expand its territories and holdings from expansion of islands in the South China Sea and to reunify Taiwan, one group left alone in relative obscurity are the Mosuo people inside China. Like the Wampis they were never actually conquered and left to do their own thing. The Mosuo People are unusual in that women dominate the society with some nicknaming it “The Kingdom of Women”⁸⁵ As the Wampis had roles of women more active than most western societies, the blood line of the Mosuo people are traced thru the maternal line.⁸⁶ There are two (2) main differences between the Mosuo people and the Wampis. The first difference is that the Mosuo people embrace tourism and the second is that China has never actually tried to take the resources or force the Mosuo people out. However with the influx in tourism the cloud around this community has been lifted and many of the Mosuo have voluntarily left to go find work in larger cities, making the Mosuo a dying culture⁸⁷ which leads credence to the fear that the Wampis have. Despite small numbers, the Wampis are very different from the Mosuo people of China.

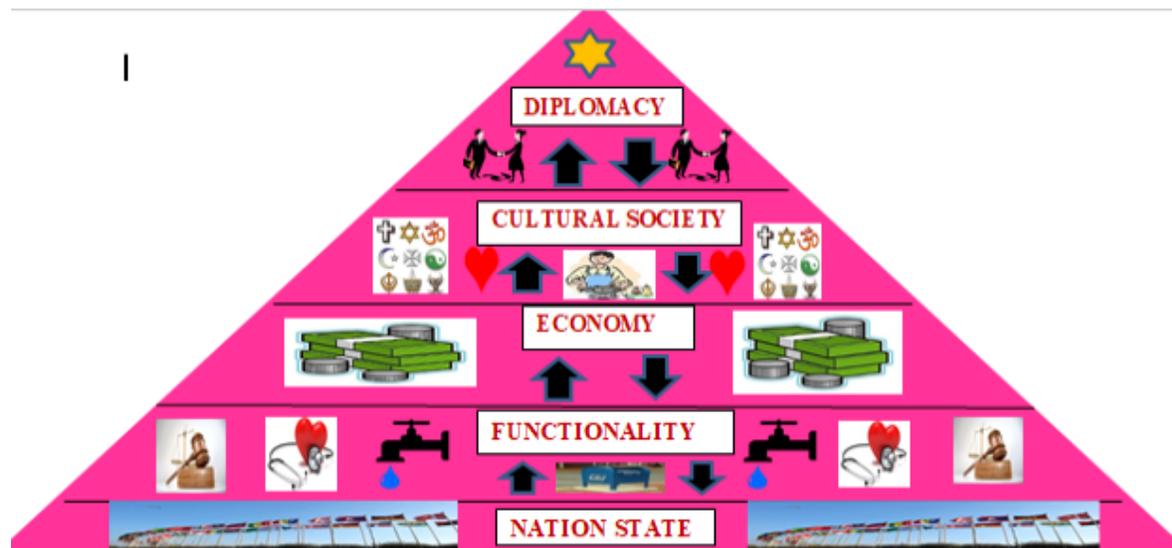
⁸⁵ Booth Hannah: April 1st, 2017: The Guardian: *The Kingdom of Women: The Society where a Man is Never the Boss* <https://www.theguardian.com/lifeandstyle/2017/apr/01/the-kingdom-of-women-the-tibetan-tribe-where-a-man-is-never-the-boss> Accessed Friday November 9th, 2018

⁸⁶ Tracing of the Mosuo People family lineage is similar to how Jews trace ancestry thru the maternal line.

⁸⁷ Genova Alexandra & Klüppel: National Geographic: August 14th, 2017 *Where Women Reign: An Intimate Look Inside a Rare Kingdom* <https://www.nationalgeographic.com/photography/proof/2017/08/portraits-of-chinese-Mosuo-matriarchs/>

EVALAUTION BY NATION TRIANGLE & ELEMENTAL TABLE OF NATIONALISM

The Nation Triangle explains both the 5 stages (Nation State, Functionality, Economy, Cultural Society and Diplomacy) of nation formation and the elements of nationalism that go into each of the five stages. It can also be viewed in the reverse order for the crumbling of a nation as well.



DR Diplomatic Relations	DIPLOMACY				IR International Recognition						
LC Local Cuisine	LR Love Regulations	CULTRAL SOCIETY				RI Religious Influence		SSS Social Societal Structure			
EI Economic Interest	IC Infrastructure Capability	IJA Industry Jobs Available	ECONOMY			JA Job Availability	SC Standard Currency	WR Workforce Readiness			
EA Environmental Awareness	ES Education System	HP Health Programs	JS Justice System	GB Government Body	FUNCTIONALITY		NOP Normal Operating Procedures	PPE Police & Prison Enforcement	PS Postal System	RR Ruling Rules	WAIM Water Availability in Mass
A Autonomy	BL Believed Legitimacy	CA Controlled Airspace	CH Common History	DC Distinct Culture	NATION STATE		FM Formal Military	S Stability	SP Sizeable Population	TC Territorial Control	VM Violence Monopoly

Each section has points assigned to which the chart shall demonstrate below.

STAGE:	ELEMENT POINT ASSINGMENT:	WAMPIS:
DIPLOMACY:	DIPLOMATIC RELATIONS:	

	<p><u>1st: Freedom of Movement: Passport Issuance/Attainability:</u> Easy to get and less than \$20 USD = 0.25 points. Moderate to obtain, low issue percentage to population or more than \$20 USD = 0 points.</p> <p><u>Exit Fees/Visas:</u> Free to exit or included in transit ticket = 0.25 points. Charge or government fee required = 0 points.</p> <p><u>Freedom of Residence:</u> Free to choose where you live = 0.25 points. Government mandated housing or mass homelessness = 0 points.</p> <p><u>Entry Requirements:</u> 2 weeks+ tourist visa no questions asked = 0.25 points. Tourism for less than 2 weeks or closed borders = 0 points.</p> <p><u>2nd: Overseas Citizens Services: 50+ Embassies/Consulates</u> of your Country in Other Countries = 0.25 points. Less than 50 Embassies/Consulates of your Country in Other Countries = 0</p> <p>50+ Embassies/Consulates of Foreign Nations in your Country = 0.25 points. Less than 50 Foreign Embassies/Consulates in your Country = 0.</p> <p><u>Consular Activism for your citizens abroad</u> = 0.25 points. Lack of Consular Activism for your citizens abroad = 0 points.</p> <p><u>Consular access for foreign nationals detained</u> = 0.25 points Lack of/Denial of Consular Activism for foreign nationals detained = 0 points.</p> <p><u>3rd International Curriculum/Foreign Language Offerings</u> = 0.25 points if taught and put in the official education curriculum. Not offered or part of the education curriculum = 0 points.</p> <p><u>Students Studying Abroad in Foreign Countries</u> = 3% or more (secondary-university) of students study abroad in a given year = 0.25 points. Less than 3% (secondary-university) of students study abroad in a given year.</p> <p><u>Hosting of Foreign Exchange Students</u> = 1% or greater of host country entire population = 0.25 points. Less than 1% of host country entire population = 0 points.</p> <p><u>Cultural Exchange Programs beyond Education, Foreign Language or Tourism</u> = If offered = 0.25 points. If not offered = 0 points.</p> <p><u>4th Trade Recognition: Host Tourism</u> = If in mass and open = 0.2 points. If greatly restricted or isolationist = 0 points.</p> <p><u>Export Tourism:</u> Citizens can easily move and vacation outside the country without repercussions = 0.2 point. If not = 0 points.</p> <p><u>Export Products:</u> If goods flow freely out = 0.2 points. If not = 0 points.</p> <p><u>Import Products:</u> If goods flow freely out = 0.2 points. If not = 0 points.</p> <p><u>Trade Deals/Custom Unions:</u> If party to 5 or more with 10+ countries = 0.2 points. If fewer or none = 0 points.</p> <p><u>5th:Membership/Observer Status in International Organizations:</u> 2 or less = 0 points. 3-5 = 0.25 points. 6-10 = 0.5 points. 11-19 = 0.75 points. 20+ = 1.</p> <p>INTERNATIONAL RECOGNITION: No recognition by the rest of the World = 0. UN Recognition = 0.2 points. OAS Recognition = 0.2 points. EU recognition = 0.2 points. USA Recognition = 0.2 points. China Recognition = 0.2 points. 1-10 Other Nations = 1 point. 11-25 other nations = 2 points. 26-100 other nations = 3 points. 101+ recognition from other nations = 4 points.</p> <p>TOTAL POINTS: 0-10</p>	<p>0.25</p> <p>0.25</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0.25</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0.25</p> <p>0</p> <p>0.2</p> <p>0</p> <p>0</p> <p>0</p> <p>0.25</p> <p>0.4</p> <p>1.85/10</p>
CULTURAL SOCIETY:	<p>LOCAL CUISINE: No food available = 0 points. Wide variety of food and international cuisine easily accessible = 1 point. Distinct cultural and</p>	<p>2</p>

	<p>native food = 2 points.</p> <p>Love Regulations: No formal customs or laws = 0 points. Traditional Society with one sex dominating over the other = 1 point. Protections and openness of all types of love = 2 points.</p> <p>Religious Influence: Atheism = 0 points. Mix of religions = 1 point. Dominant one religion = 2 points.</p> <p>Societal Social Structure: No Formal Structure or Rules = 0 points. Capitalism, Money & Fame = 1 point. Hierarchy Society based on rank, birth or government/military decree = 2 points.</p> <p>Total Points = 0-8 points.</p>	<p>1</p> <p>2</p> <p>2</p> <p>7/8 (8.85/18)</p>
ECONOMY:	<p>Economic Interest: Sustainability Over Profit = 0 points. Balance between Sustainability and Profit = 1 point. Profit at all cost = 2 points.</p> <p>Infrastructure Capability: Remote and Lacking = 0 points. Developing = 1 point. Developed & Advanced = 2 points.</p> <p>Industry Jobs Available: More than half of the industries have a labor surplus = 0 points. Half of the Industries have a labor surplus = 1 point. Less than half of the Industries have a labor surplus = 2 points.</p> <p>Job Availability: Unemployment is 50% or higher = 0 points. Unemployment is 25-50% = 0.5 points. Unemployment Rate is 20-25% = 1 point. Unemployment Rate is 5-19% = 1.5 points. Unemployment Rate is below 5% = 2 points.</p> <p>Currency: No currency what so ever or declaring another nations currency as your own = 0 points. Worthless Currency not traded and accepted on the global stage = 0.5 points. Dual Currency System with tourist and local dollars (think Cuba) = 1 point. Super National Currency like the Euro = 1.5 points. Independent and Strongly Traded Currency to one Nation like USD, Pound, Peruvian Soles or Mexican Pesos = 2 points.</p> <p>Work Force Readiness: No one properly trained/educated to do the available jobs = 0 points. 10% or less are = 0.2 points. 11-20% = 0.4 points. 21-30 = 0.6 points. 31-40% = 0.8 points. 41-50% = 1 point. 51-60% = 1.2 points. 61-70% = 1.4 points. 71-80% = 1.6 points. 81-94% = 1.8 points. 95%+ = 2 points.</p> <p>Total Points: 0-12 points</p>	<p>0</p> <p>0</p> <p>0</p> <p>2</p> <p>0</p> <p>1.2</p> <p>3.2/12 (12.05/30)</p>
FUNCTIONALITY:	<p>Environmental Awareness: Acknowledgement of Climate Change = 0.25 points. Denial of Climate Change = 0 points. Existence of a government ministry, agency or department devoted to environmental issues = 0.25 points. No such agency = 0 points. Existence and enforcement of National Parks = 0.25 points. No National Park = 0 points. Wildlife Reserve Habitats exist = 0.25 points. No wildlife habitat reserves exist = 0 points.</p> <p>Education System: No school, curriculum or formal education = 0 points. Schools exist but access is blocked to a large majority of the</p>	<p>1</p> <p>0.4</p>

	<p>population = 0.1 points. Schools established but poor quality and curriculum = 0.2 points. Free Compulsory Initial and Primary Education = 0.3 points. Free Compulsory Initial, Primary and Secondary Education = 0.4 points. Free Compulsory Initial, Primary and Secondary Education with free Vo Tech available = 0.5 points. Free Compulsory Initial, Primary and Secondary Education with free Vo Tech available along with University thru the Associate Degree level = 0.6 points. Free Compulsory Initial, Primary and Secondary Education with free Vo Tech available along with University thru the Bachelor Degree level = 0.7 points. Free Compulsory Initial, Primary and Secondary Education with free Vo Tech available along with University thru the Master/PhD Degree level = 0.8 points. Same as 0.8 points + well-funded research, professors/teachers, assistants and with choice in both the private and public sector. High Quality and Free for all to attend = 1 point.</p> <p>Health Programs: No health programs/access exist OR government plays favorites in access = 0 points. Private Monopoly of Health Care with no regulation or counter government programs = 0.25 points. Government Monopoly on Health Care with free access for all = 0.5 points. Easily Affordable Access to checkups, visions and tooth cleanings = 0.75 points. Free prescriptions, free tooth cleaning/braces, free visions checks/glasses, free checkups, free immunizations and free-low cost surgeries for all via government funding regardless of citizenship status or mandated private insurance companies have to pay 100% of claim.</p> <p>Justice System: Bribes are legal in the justice system = 0. Judiciary exist but is dependent on another government agency = 0.25 points. Justice System exist independently on paper but bribes and conflict of interest influence is common practice despite technically being illegal on paper = 0.5 points. Independent Judiciary free from corruption but decisions issued are ignored/not enforced = 0.75 points. Independent and impartial judiciary loyal only to the law while being free of corruption and it orders are carried out and followed = 1 point.</p> <p>Government Body: Loose free for all with no real structure = 0 points. Clearly equal yet separate branches = 0.5 points. Clear hierarchy and chain of command = 1 point.</p> <p>Normal Operating Procedures: Wild West = 0 points. Normal order with the occasional disruption/surprise = 0.5 points. Standard rigid way of doing things always followed to the letter = 1 point.</p> <p>Police & Prison Enforcement: No laws, police or prisons = 0 points. Established police force but no prisons = 0.2 points. Established police and prisons with no bail pretrial = 0.4 points. Established police and prison with standardized sentencing/punishment codes = 0.5 points. Checks & Balances on Police Arrest = 0.6 points. Police protocol and Prisons meet basic international standards = 0.8 points. Police protocols and prisons meet international standards and meals are provided = 0.9 points. Police protocols and prisons meet international standards and meals are provided for in addition to educational programs = 1 point.</p> <p>Postal System: None existent. All private/hand delivery = 0 points. Poor delivery or deliberate government censorship/disappearing mail = 0.5 points. Routine accurate deliveries and privacy respected = 1 point.</p>	<p>0.5</p> <p>0.5</p> <p>1</p> <p>0.5</p> <p>0.2</p> <p>0</p>
--	--	---

	<p>Ruling Rules: Anarchy = 0. Verbal/Oral Customs and Practiced Traditions = 0.5. Rules/Laws are clearly written down and defined = 1 point.</p> <p>Water Availability in Mass: No Water Available or not useable and no sanitary ways to dispose of human waste = 0 points. Human waste disposal in a sanitary way = 0.25 points. Running water but can't drink/bathe in it = 0.5 points. Running water that one can bathe in and boil to drink = 0.75. Water can be freely drunk from the tap, human waste disposal is modern and one can bathe without worries = 1 point.</p> <p>Total: 0-10 Points</p>	<p>1</p> <p>0.75</p> <p>5.85/10 (17.9/40)</p>
<p>NATION STATE:</p>	<p>Autonomy: Room for decision making = 0. Shared decision making = 0.5 points. Clear established area and rulers = 1 point.</p> <p>Believed Legitimacy: On paper but not practice, ceremonial or no support = 0. Military backing by force = 0.2 points. Parliament/Ruling Elite Backing = 0.4 points. Election referendum by popular vote in a free and fair election or clearly established blood line/succession = 0.6 points. Same as 0.6 + recognition/respect of Sovereignty by bordering countries = 0.8 points. Recognition by the whole world OR more than a 10 year hold on power without being overthrown and no end in sight = 1 point.</p> <p>Controlled Airspace: No monitoring mechanisms = 0. Monitoring mechanism but no enforcement = 0.5 points. Both monitoring and enforcement done = 1 point.</p> <p>Common History: Melting Pot = 0. Multiple languages and varying religions/origin myths and believed versions of history as sub regional cultures in conflict = 0.5 points. One believed and commonly taught version of nation history and identity = 1 point.</p> <p>Distinct Culture: Globalist/International = 0. Regional Culture = 0.5 points. Clearly unique and distinctly identifiable to one group/nation = 1 point.</p> <p>Formal Military: No Military = 0. Weak Military = 0.25 points. Average Military = 0.5 points. Strong Military with large man power = 0.75 points. Strong military with nuclear weapons, long range missile capabilities and established foreign military bases overseas = 1 point.</p> <p>Stability: Complete chaos = 0. Calm before the storm or after major disorder = 0.25 points. Decent economy with mass violent protest = 0.5 points. Mass peaceful protest with hateful rhetoric in the media or peaceful country under threat of invasions = 0.75 points. Peaceful country not under threat of invasion and where disputes/differences are solved peacefully and civilly = 1 point.</p> <p>Sizeable Population: Less than 5,000 people = 0 points. 5,000-10,000 = 0.1 points. 10,000-15,000 = 0.2 points. 15,000-20,000 = 0.25 points. 20,000-25,000 = 0.3 points. 25,000-40,000 = 0.4 points. 40,000-100,000 = 0.5 points. 100,000-500,000 = 0.6 points. 500,000-1,000,000 = 0.7 points. 1,000,000-5,000,000 = 0.75 points. 5,000,000-10,000,000 = 0.8 points. 10,000,000-100,000,000 = 0.9 points. 100,000,000+ = 1 point.</p>	<p>0.5</p> <p>0.6</p> <p>0.5</p> <p>0.5</p> <p>1</p> <p>0</p> <p>0.25</p> <p>0.2</p>

	Territorial Control: Loss of complete control of territory or no control to begin with = 0. Parts of the area(s) is/are controlled but others are not = 0.5 points. The entire area is in undisputed control of 1 party = 1 point.	0.5
	Violence Monopoly: 5 groups or more use force freely = 0. 4 groups use force freely = 0.25 points. 3 groups of more use force freely = 0.5 points. 2 groups use force freely = 0.75. 1 groups has complete control = 1 point.	0.5
	TOTAL POINTS: 0-10	4.55/10 (22.45/50)
TOTAL POINTS:	SCALE OF 0-50	22.45/50
CATEGORY:	ELEMENT SCORING:	WAMPIS:

POINTS BY RANKING (Up Arrow = on the rise. Down Arrow = Decline)

POINT RANGE:	RANK:	POINT RANGE	RANK:
12 & Below	Not worthy of consideration	43+	Thriving Nation
12-14.99	Territory of a Nation state	42.99-38	Declining Nation
15-21.99	Reservation of a Nation state	37.99-32	Vulnerable Nation
22-26.99	State/Regional Government of a Nation State	31.99-27	Endangered Nation
27-31.99	Common Wealth	26.99-22	Break Down of Order
32-37.99	Client/Puppet/Satellite Nation State	21.99-15	Functionality Lost
38+	Independent Nation State	14.99-12	Power Struggle
		11.99 & Below:	Failed Nation State

While this case study is looking solely at nation rise/formation, it is important to note that the triangle can also be used to explain nation deformation. An example is Venezuela. It started with Chavez (diplomacy decline) calling a US President the Devil⁸⁸ at the UN. The culture then shifted from Catholicism to Our Chaves⁸⁹ Who Art in Heaven⁹⁰. Next the economy⁹¹ sank. The school/hospitals are now shut down creating a loss in functionality. The power struggle is soon to follow.

⁸⁸ Stout David: Sept 20th, 2016: New York Times: *Chávez Calls Bush 'the Devil' in U.N. Speech* <https://www.nytimes.com/2006/09/20/world/americas/20cnd-chavez.html> Accessed: November 12th, 2018

⁸⁹ Roterman Natalie: September 2nd, 2014: LA Times: *Hugo Chávez Lord's Prayer: 'Our Father' Becomes 'Our Chávez' To Late President's Followers* <https://www.latintimes.com/hugo-chavez-lords-prayer-our-father-becomes-our-chavez-late-presidents-followers-205489> Accessed: November 12th, 2018

⁹⁰ "Our Chavez who art in Heaven, on earth, in the seas and in us, the delegates humbled by thy name, Thy kingdom come, thy will be done on Earth as it is in Heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who insult your name. Lead us not into temptation of capitalism, but deliver us from evil oligarchy and contraband crime, because Venezuela is the land of peace, prosperity and life. Long Live Chavez. Amen." This is now recited at every official gathering of the ruling party under Maduro.

⁹¹ Friesen Garth August 7th, 2018 forbes.com *The Path To Hyperinflation: What Happened To Venezuela?* <https://www.forbes.com/sites/garthfriesen/2018/08/07/the-path-to-hyperinflation-what-happened-to-venezuela/#ed4b9c815e47> Accessed: November 12th, 2018

ANDERSON, GELLNER & SMITH PHILOSOPHIES

ANDERSON places high value and importance on the belief of ideals. In his book *Imagined Communities* he explores the roots of culture⁹², National Consciousness⁹³, the importance of language⁹⁴, patriotism in the name of the nation creating racism against the non-nation⁹⁵, the history⁹⁶ around the struggle and the memory⁹⁷ of the society. If Anderson were to examine the Wampis his methods would place the Wampis as a tremendous culture operating as a miny nation lacking functionality⁹⁸ until recently when the Wampis came to understand the Nation terminology and given the activism since the change have achieved consciousness to their National Origins. While keeping their own language⁹⁹, they have adopted a new model of Spanish as many nations around the World have adopted diplomatic languages and language of commerce similar to English being the language of tower communications for pilots. Their patriotism of private property and environmental stewardess have led them to commit acts of racism by regulating people on their land, violent protest resulting in deaths and taking of hostages resulting in uncivilized tactics. Despite that they have a long memory and don't forget.

GELLNER's approach to examining the Wampis and determining their status as a Nation would start with this quote: **"Initially there were two especially promising candidates for the construction of a theory of nationality: will and culture. Obviously, each of them is**

⁹² Anderson Benedict: *Imagined Communities* ISBN 0-86091-329-5 Tenth Impression 2000: New Left Books: Obtained from personal copy. Chapter 2

⁹³ Id. Chap 3.

⁹⁴ Id. Chap 5

⁹⁵ Id. Chap 8

⁹⁶ Id. Chap 9

⁹⁷ Id. Chap 11

⁹⁸ Functionality being defined as in the Nation Triangle comprised with the elements from the Elemental Table.

⁹⁹ Huambisa (Language of the Wampis)

important and relevant; but, just as obviously, neither is remotely adequate.”¹⁰⁰ While Gellner would acknowledge that the Wampis have will and that their culture is distinctly unique, he would argue that the Wampis lack the Industrial Society¹⁰¹, missed the modern transition¹⁰² while living in remoteness and created barriers¹⁰³ to themselves on diplomatic issues. Gellner would say that the Wampis are nowhere close to being a nation. However he might make a case for them being a local self-serving centralized closed Agrarian Society. The reason for this is the Wampis wanting to protect the land, disrupt economic activity for a large number of people and want larger amounts of land than 15,000 people can inhabit. In addition the Wampis lack a real military and have limited police enforcement resources. For protection and compensation they have to beg higher powers to enforce against the overreach of the Peruvian government despite being citizens themselves which brings up factors that arise such as split personality from dual nationality.

SMITH would be the most analytical in approaching the Wampis to determine their Nation status. Smith would start by examining the ethnic identity basis.¹⁰⁴ After examining their origin myth verse considering the likelihood that they broke off from a pre Colombian tribe during a dispute, Anthony would conclude that their self-proclaimed identity was formed. He would then argue that they rose¹⁰⁵ to nation status before Spanish contact and industrial revolutions eras across Latin America. However the isolation cut the Wampis off from the outside World. Then rejecting the Western and European values, they hung on to their ancient

¹⁰⁰ Gellner Ernest: *Nations & Nationalism* ISBN #0-8014-9263-7 Cornell University Press Paperbacks 1983: Obtained from Personal Copy. Chapter 5: What is a Nation: Page 53

¹⁰¹ Id. Chapter 2: Culture in Agrarian Society: Pages 8-14.

¹⁰² Id. Chapter 4: The Transition to an Age of Nationalism: Pages 39-50

¹⁰³ Id. Chapter 6: Social Entropy and Equality in Industrial Society: Sub Section: Fissures and Barriers: Pages 73-74.

¹⁰⁴ Smith D. Anthony: *National Identity* ISBN#0-87417-204-7 University of Nevada Press: 1991: Obtained from Personal Copy. Chapter 2: The Ethnic Basis of National Identity

¹⁰⁵ Id. Chapter 3: The Rise of Nations

cultural identity¹⁰⁶ putting them at odds. In an attempt to hold on to their ancestral lands, the Wampis are trying to claim both dual Nationalism of Peru/Wampis and separate¹⁰⁷ from Peru to form their own Nation. In order to achieve the goal of environmental protection, they have had to declare their Independence on November 29th, 2015 and design¹⁰⁸ the nation to achieve the goal of remoteness solidarity.

¹⁰⁶ Id. Chapter 4: Nationalism and Cultural Identity.

¹⁰⁷ Id. Chapter 6: Separatism and Multi-Nationalism.

¹⁰⁸ Id. Chapter 5: Nations by Design.

THE VERDICT

Prior to a Nation forming, there is usually flirting (exchange of ideas, excitement and dissatisfaction with the status quo) and even usually a few failed attempts of rejected dates/casual sex (other attempts at Nation creation). In some cases there is a brief level of success before the people involved either abort the mission of the nation themselves looking at the climate OR those opposed to its formation rush to force the morning after pill on the idea while attempting to separate (usually banishment, imprisonment, asset seizure and or death) the Romeo and Juliet factions attempting to come together. For every Nation there is that clear moment or event in history where conception goes from an idea to being formally recognized and conceived. For the United States that event was officially declaring of the Declaration of Independence on July 4th, 1776. For modern South Sudan their conception was January 9th, 2005 at the Nairobi Comprehensive Peace Agreement (CPA) setting up a vote to take place on January 9th, 2011 for Independence. For modern Taiwan that came in 1947 when the US Navy sent forces to the aid and defense of Chiang Kai-Shek in Taiwan, thus preventing Mao of mainland and communist China from taking over Taiwan.¹⁰⁹ For the Wampis Nation in modern times under the current Nation structure, that day living forever in the memory of all Wampis people is November 29th, 2015. It shall forever be known in modern times as their Independence Day. However as the United States needed French help and assistance, the Wampis need help with Peru before that can become a reality.

¹⁰⁹ Taiwan Independence: mtholyoke.edu *Japanese and Chinese Rule* Accessed Monday October 29th, 2018 <http://www.mtholyoke.edu/~yee20r/taiwanindependence/Political%20History.html>

ARE THE WAMPIS CURRENTLY AN INDEPENDENT NATION? YES NO

IF NO, THEN CURRENTLY WHAT? Andorra Chickasaw Nation Commonwealth Mosuo State/Regional Government Other

WHAT MODEL SHOULD THE WAMPIS IDEALLY TRY TO IMMULATE FOR THE PURPOSE OF ACCOMPLISHING THEIR GOALS OF LAND PRESERVATION?

Andorra Chickasaw Nation Commonwealth Mosuo State/Regional Government Other

REASON FOR SELECTION OF CHICKASAW MODEL: Today the Chickasaw are a Nation, have special standing in the US Courts and have considerable weight when it comes to environmental protections. Within Article 3 of the Wampis Statue the Wampis claim to still be Peruvian, want to protect the land and want special standing. Therefore the Chickasaw Model to be implemented and revised for Peruvian/Wampis customs would be an ideal model for the Wampis to pursue with Peru. In addition it clearly cements Peruvian jurisdiction while easing pressure from the international community.



PERUVIAN SUPREME COURT HOLDING A HEARING

WORKS CITED REFERENCES

1: Anderson Benedict: *Imagined Communities* ISBN #0-86091-329-5 First published by Verso 1983. Revised and extended edition: 1991. Obtained from personal copy.

Explanation of Source: Anderson is one of the major scholars often cited in Nationalism. In addition *Imagined Communities* explores the social aspects such as culture and individual motivation within Nationalism toward its rise. Compared with the other sources and evidence gathered, it will help in the case study to determine how much of the Wampis Nation is feelings imagined versus actual movement of the Nation State for the Wampis people.

2: Camille Capasso & Loov Jacob: UN Environment Perspectives: Issue No 26: *Community Based Monitoring to End Oil Contamination in the Peruvian Amazon* accessed on September 14th, 2018 from:
http://wedocs.unep.org/bitstream/handle/20.500.11822/22185/Perspective_No_26_web%20%281%29.pdf?sequence=1&isAllowed=y

Explanation of Source: This source details enforcement monitoring activities on the lands of self-claimed Wampis territory which traditionally is a State/Nation activity. It details a standoff that Achuar had with police that ended in negotiations like States negotiating over a territory dispute instead of rebels being shut down. In this UN publication the Wampis people are referenced multiple times as a Nation which leads to a sense of Nationalism within the International Community. It is also worth noting that their culture is very different from that of Lima or Cusco. However as other sources will point out, culture is not the only factor in Nationalism or for the Wampis people. An example would be saying rural Oklahoma is a different state than urban Oklahoma in Bricktown.

3: Chickasaw Constitution: Last Updated: September 23rd, 2016: Accessed on September 13th, 2018 from: <https://www.chickasaw.net/Our-Nation/Government/Chickasaw-Constitution.aspx>

Explanation of Source: The Wampis people have declared their own nation. The workings of it are similar to the Chickasaw Nation within Oklahoma. This is a very useful for comparing with the Wampis Statute to help with comparison methods of case studies in determining Nationalism.

4: Chirapaq: *Green Climate Fund & Indigenous Peoples of Peru: CHIRAPAQ* Centro de Culturas Indígenas del Peru. Av. Horacio Urteaga 534, of. 203, Jesús María, Lima. ISBN #978-9972-679-896. Pages 17-21 & 33-35. Physical Book: Personal copy.

Explanation of Source: Starting on page 17 it gives an overview on Peruvian General Law of the Environment (28611) which acknowledges that all environmental decisions must include traditional knowledge and Indigenous people. It then details the Peruvian National Strategy Against Climate Change. The Wampis Nation strongly disputes the monitoring/protection strategy of their lands which has helped to cite in increase in their nationalistic activities. The book then references the ILO Convention of 1994. The last major highlight of importance is the experience of governance and acts over time that indigenous people have pursued acting like as police agents which leads to some form of control over the territory and diversified the striving industrious work force of development.

5: Forest Peoples Programme's: Globalresearch.ca Nov 30th, 2015: *Wampis Nation of Peruvian Amazon Declares Creation of First Autonomous Indigenous Government in Peru* accessed on September 16th, 2018: <https://www.globalresearch.ca/wampis-nation-of-peruvian-amazon-declares-creation-of-first-autonomous-indigenous-government-in-peru/5492400>

Explanation of Source: This source, written 2 weeks after the Wampis declared themselves a nation, details what happened in the final summit and meeting that resulted in that action being taken then after a series of meetings previously. Within this document, the Wampis also claim/assert control over 1.3 million hectares of land that they claim belong to their ancestors. In addition it mentions the legal framework logic justification of the Wampis Nation justifying its claim to its people, the people of Peru and the World. Much like the Declaration of Independence in the US, it was the Wampis signaling that they were tired of being treated like 2nd class citizens colonist.

6: Gellner Ernest: *Nations and Nationalism* ISBN #0-8014-9263-7 Published in 1983 by Cornell University Press. Obtained from personal copy.

Explanation of Source: This sources uses a combination of social cultural norms, industry and its effect on a working society and the transition phases. Particularly within chapter 5, Ernest describes what a nation is. That definition will be used as a helping guiding tool throughout this paper.

7: Green James, Skidmore Thomas & Smith Peter: *7th Edition: Modern Latin America*. Pages 163-173. ISBN #978-019-5375701 Physical Book: Personal Copy:

Explanation of Source: This deals with people and history of Peru. While doing so, it briefly describes different indigenous people. In addition it details forced takeover of land by the Spanish and mixing of cultures. However what is clear is that the indigenous people of the Amazon (Wampis) remained unconquered and the Peruvian government keeps illegally intruding on matters to which the Wampis people were never actually formally conquered let alone consenting to Peruvian jurisdiction from a historical perspective to which history and tradition is very important in the region.

8: Guardian theguardian.com Tuesday July 4th, 2017: *Politicians only see gold and oil in our lands': the Wampis nation of Peru – photo essay* accessed September 12th, 2018 from: <https://www.theguardian.com/global-development/2017/jul/04/politicians-only-see-gold-and-oil-in-our-lands-the-wampis-nation-of-peru-photo-essay#comments>

Explanation of Source: This articles explains oil spills/contamination within Wampis territory. It also mentions illegal mining practices with mercury contamination and the failure of the Peruvian Government to protect Wampis land despite its strategy laid out to which the Wampis object to that particular strategy. The article goes on to highlight monitoring activities run by the Wampis people acting like a police which is usually authorized by a Central authority such as a state.

9: Jasper Miranda and Seelke Clare: August 10th-11th, 2010 follow up report on a January 15th, 2008 Congressional Report: *Andean – U.S. Dialogue Forum Country Visit Peru Peru Political Situation, Economic Conditions and US Conditions* Accessed Sunday October 21st, 2018 from:

<https://www.cartercenter.org/resources/pdfs/peace/americas/dialogue-forum/perubriefingbook-3aug2010.pdf>

Explanation of Source: This source looks at economic conditions within Peru while explaining environmental impacts. In particular page 17 (footnotes 43-45) it mentions Peruvian Legislative Decrees 1064, 1079 and 1090 which would take away parts of Indigenous lands and give to the Peruvian government to open up lands for development to comply with FTA.

10: IWGIA: June 25th, 2018: iwgia.org *The Wampis Nation - the first indigenous autonomous government in Peru* Accessed October 1st, 2018 from: <https://www.iwgia.org/en/peru/3265-wampis-nation-peru>

Explanation of Source: This source mentions the ruling of the Fourth Constitutional Court of Lima which states “**a private company granted permission from the Peruvian government to run assessments on the Wampis’ land could not continue their work without the approval of the Indigenous group’s government.**” This ruling basically gives territorial control to the Wampis Nation in the short term (pending appeal) and shows semi recognition to the Wampis Nation by parts of the Peruvian thus creating a special transitional status with nation like powers/recognition.

11: Lööv Balzani Jacob & Silva Da Chantal: Independent: *Peru’s first autonomous Indigenous government wins major victory taking on oil companies* May 24th, 2017. Accessed on Friday October 12th, 2018 from: <https://www.independent.co.uk/news/world/americas/peru-indigenous-tribe-amazon-protect-land-oil-drilling-land-a7716321.html>

Explanation of Source: This source talks about the *Wampis Statue* and history of the Wampis people. It also references 2015 when the Wampis declared themselves a nation. It shows that the Wampis people have been living on the same land for 7,000 years with talking about the ruling of the 4th (think US Federal Circuits) Constitutional Court of Peru. It points out the weakness in the ruling that does allowed for the Wampis Nation to be recognized, but then gives standing to the Peruvian government to sue the Wampis within a Peruvian Court instead of an International Dispute Panel which in effect diminishes Nation status and makes the Wampis nothing more than a Common Wealth.

12: María Prieto's Fund: 2017 Report on Amazon Schools: Entre Culturas: Accessed on Friday October 12th, 2018 from: https://www.entreculturas.org/sites/default/files/documents/AmazonSchool_FullReport.pdf

Explanation of Source: This source explores the Fe Y Alegría Model while going to benefit children of the Wampis Nation. This report tracks progress and gives a brief introduction in the schools.

13: Mendo Alva Acobo: *Community Based Education in Peru: Educational Policy and Trends* December 2015: Tarea 90: Pages 34-42: Accessed on Friday October 12th, 2018 from: https://tarea.org.pe/wp-content/uploads/2017/06/Tarea90_34_Jacobo_Alva-ingles.pdf

Explanation of Source: This source gives a history of the schooling of the different regions within Peru. In addition it follows policy in relation to cultural values and funding of schools. It

also looks at bilingual education within Peru. It also examines the condition of the indigenous schools compared to the schools in Lima.

14: Nov 29th, 2015 Wampis Press Release: Accessed September 30th, 2018 from:
<http://www.forestpeoples.org/sites/default/files/news/2015/11/WampisPressReleaseEng.pdf>

Explanation of Source: This source is the Wampis declaring themselves a nation. This is very important when studying nationalism which helps get down to the core of what people self-identify as.

15: Ore Communication: April 25th, 2018: YouTube Video: 14 minutes: *PERU: TIME IS WATER - WAMPIS AUTONOMOUS GOVERNMENT* Watched and Viewed on September 22nd, 2018: https://www.youtube.com/watch?v=5FAWP_EriKwg

Explanation of Source: This video shows off the Wampis Nation and is a great started for people who have never previously heard the Wampis. Think of it as the video version of Wampis Nation for Dummies and instead of reading, you watch a 14 minute video. It references a tradition and common practice within Peru that allows landowners to do whatever they want with their land. Based off that premise and Peru still laying claim to the land of the Wampis Nation, the Wampis people demand that the Peruvian governments recognize their land and let them be one with nature instead of exploiting its resources because it doesn't belong to Peru.

16: Peru's Constitution with Amendments thru 2009: Translated into English by the Constitute Project: ConstituteProject.org Accessed on Friday October 12th, 2018 from:
https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

Explanation of Source: Since some form of legality is involved in every Nation and the Wampis currently reside in territory claimed by Peru. Therefore it is very important to understand the Peruvian Constitution and legal structure.

17: Radcliff A Sarah: University of Cambridge Department of Geography: Pergamon Elsevier Science Ltd: *Frontiers and Popular Nationhood: Geographies of Identity in the 1995 Ecuador-Peru Border Dispute* PII: SO962-6298(96)00085-6 Political Geography Vol. 17, No. 3, pp. 273-293, 1998 Accessed on Friday October 12th, 2018 from:
https://s3.amazonaws.com/academia.edu.documents/46706785/s0962-6298_2896_2900085-620160622-25938-7a5a4z.pdf?AWSAccessKeyId=AKIAIWOWYYGZ2Y53UL3A&Expires=1532720857&Signature=f48orN1aJaa7gb4e4bp2XKf76LY%3D&response-content-disposition=inline%3B%20filename%3DFrontiers_and_popular_nationhood_geograp.pdf

Explanation of Source: This source takes a geography approach and study to the Wampis people. While published in the 1990's before the Wampis people declared themselves as a Nation in 2015, it does document similarities from Ecuador to struggles of indigenous peoples in Peru which can help to sort out similarities and differences in this case study over Nationalism. Also it helps to separate out nationalist verse indigenous movements in the transition toward Nationalism. This piece also examines indigenous people in the Andes to explore/compare the differences between the Amazonian Region.

18: Smith D Anthony *National Identity* ISBN 0-8417-203-9 University of Nevada Press 1991: Obtained from personal copy.

Explanation of Source: Within Smith's introduction (viii) he focuses on four (4) main issues which are: 1: The characteristics of nationalism. 2: The role of ethnic based formations. 3: National ideology and symbolism. 4: Political consequences of national identity. From within these four (4) main categories, Smith approached many smaller categories that make up the 4 main areas. Within this case study, the 4 markers of Smith will be used as benchmarks within the progress and development of the Wampis Nation.

19: *United Nations Declaration on the Rights of Indigenous People*: March 2008: Accessed on September 26th, 2018 from: http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

Explanation of Source: This helps give rise/support to many different indigenous movements. It can also be used as evidence to compare indigenous nationalism case studies separated from non indigenous struggles to help define the difference. Of particular note is Article 4, which guarantees autonomous rights to nation status of indigenous groups such as the Wampis. It has legal standing in Peruvian Courts because Peru voted yes at the UN, its Congress ratified the document and at time of ratification no reservations were attached to it. Given the formal recognition, acceptance and no attachments of formal reservations to Article 4 by the Peruvian government, it allows legal precedence in the Peruvian Courts to support Nation status for the Wampis People/Nation.

20: Yasodara Córdova: Harvard University: Researchgate.net July 2018: Indigenous communities and cloud-based Nations: Premises for building identity systems for Digital Citizenship Accessed on Wed October 17th, 2018 from: https://www.researchgate.net/publication/326426987_Indigenous_communities_and_cloud-based_Nations_Premises_for_building_identity_systems_for_Digital_Citizenship?enrichId=rgreq-9100b91485d3f7d1b3f14f1ebaea68bd-XXX&enrichSource=Y292ZXJQYWdlOzMyNjQyNjk4NztBUzo2NDkxNjQ4Mjg0NTkwMDhAMTUzMTc4NDM2NDI2Nw%3D%3D&el=1_x_2&esc=publicationCoverPdf

Explanation of Source: This source shows the Wampis people adopting modern technology and grabbing on to the industrial phase as described by Gellner.

PICTURE REFERENCES

- 1: Top of Cover Page: **Representatives of the Wampis Nation presenting its Nation Declaration to Peru:** Carrillo Kathia: May 4th, 2017: International Rivers: [intercontinentalcry.org](https://intercontinentalcry.org/indigenous-wampis-notify-peruvian-state-autonomous-territorial-government/)
<https://intercontinentalcry.org/indigenous-wampis-notify-peruvian-state-autonomous-territorial-government/>
- 2: **University of Oklahoma Logo:** Middle of Cover Page: Wikipedia:
https://en.wikipedia.org/wiki/University_of_Oklahoma
- 3: Bottom of Cover Page: **Tambopata River: Sunrise in Peru.** Personal Photo: June 2018.
- 4: **Dictionaries** on Definitions: ESLstation.net
http://www.eslstation.net/ESL310L/310L_dict.htm
- 5: **Star** in Nation Triangle: Microsoft Word 2010 Clip Art.
- 6: **Handshakes** Diplomacy in Nation Triangle: Microsoft Word 2010 Clip Art.
- 7: **Religious Symbols** Cultural Society in Nation Triangle: Microsoft Word 2010 Clip Art.
- 8: **Heart** Cultural Society in Nation Triangle: Microsoft Word 2010 Clip Art.
- 9: **Guy Cooking** in Nation Triangle: Microsoft Word 2010 Clip Art.
- 10: **Money** Economy in Nation Triangle: Microsoft Word 2010 Clip Art.
- 11: **Justice** Functionality in Nation Triangle: Microsoft Word 2010 Clip Art.
- 12: **Heart Health** Functionality in Nation Triangle: Microsoft Word 2010 Clip Art.
- 13: **Running Water Pipes** Functionality in Nation Triangle: Microsoft Word 2010 Clip Art.
- 14: **Postal Drop Box** Functionality in Nation Triangle: Microsoft Word 2010 Clip Art.
- 15: **National Flags in Nation State:** December 27th, 2012: YouTube Video:
<https://www.youtube.com/watch?v=bfqNtYj3g1M>
- 16: **Nation Triangle:** Listening to the lecture of Dr. Marashi in IAS 4013: Capstone: Nations & Nationalism during the Fall 2018 Semester, the honorable professor kept referencing wanting to make a triangle and have a simple 3 layers to explain. That inspired me and as I started researching further, five made more sense to go into greater detail. Without the challenge and inspiration from Dr. Marashi, this wouldn't be possible. A huge thank you, the inspiration for the development and partial credit for the idea belongs to him. Should he ever decide to use it in his textbook that he wants to/plans to/should write he has full permission to use it.

17: **Elemental Table of Nationalism:** Overtime I had a Science friend who kept bugging me about the periodic table of elements in science. During Spring 2017 when I was in Puebla Mexico, I was out Beer Box across the street from UPAEP and saw a poster that had periodic table of beers. On the afternoon of Thursday October 18th, 2018 while in my Nations and Nationalism Class our professor turned us loose with creativity titles into groups and my group had an incredible brain storming session. When walking back to my car on campus, a group of people were shouting at each other with one side saying the bible is the answer while others were saying science is the answer. Then thinking about current definitions of Nationalism, they either seemed too broad or too narrow. Law also has legal elements to it which must be proven in a court of law and the Nation Triangle while helpful, still leads much to interpretation and definitions. Unlike a crime where all elements have to be proven in a court of law, the preponderance of evidence standard should be adopted and every case does not have to conform to all elements, however when no elements are present within the table, then there is no case for Nationalism or the Nation State. I then spent that evening brain storming the elements and then typed the charts into the early morning hours of Friday October 19th, 2018 completing my first Elemental Table of Nationalism that goes along with the Nation Triangle to help better judge and understand the elements of Nationhood

18: **Incan Territorial Map** in Wampis History: Map by Marsh J. Erik Figure 1 Research Gate: https://www.researchgate.net/figure/Map-of-the-Inca-Empire-in-western-South-America-based-on-Ogburn-2012-Figure-1-Modern_fig1_313112858

19: **Fireworks** on Wampis Independence Day: Microsoft Word 2010 Clip Art.

20: **Map of Peru:** peru-explorer.com Accessed Sunday October 21st, 2018: https://www.peru-explorer.com/peru_map.htm

21: **Region/Territory Map of Peru:** researchgate.net Accessed Sunday October 21st, 2018: https://www.researchgate.net/figure/Map-of-A-Peru-and-B-the-Peruvian-Amazon-showing-the-state-protected-areas-n-30_fig1_319651762

22: **Amazon Rainforest Map:** peru-explorer.com Accessed Sunday October 21st, 2018: https://www.peru-explorer.com/amazon_rainforest_map.htm

23: **Wampis Nation Map:** nzz.ch Accessed Sunday October 21st, 2018: <https://www.nzz.ch/international/amerika/indigenes-volk-in-peru-aufuhr-im-wampis-land-ld.118229>

24: **Peru Natural Resources Map:** limaeasy.com Accessed Sunday October 21st, 2018: <http://www.limaeasy.com/peru-info/peruvian-economy>

25: **Apple with pencil and crayon in front of book** on Learning the Numbers as they go: Microsoft Word 2010 Clip Art.

26: **Chalkboard with Quote** between the Apples on Learning the Numbers as they go: Microsoft Word 2010 Clip Art.

27: **Types of University Degrees in Peru:** Learning the Numbers as they go: News + Reviews: April 6th, 2015: Accessed: Sunday October 28th, 2018: <https://wenr.wes.org/2015/04/education-in-peru>

28: **Peru Region Map:** empasworld.com Accessed November 1st, 2018: <http://www.empasworld.com/peru-regions-map.html>

29: **Peruvian Accredited and Approved Universities in Peru** Last updated September 13th, 2018: Printed and Scanned copy from Wikipedia: Accessed November 1st, 2018: https://en.wikipedia.org/wiki/List_of_universities_in_Peru

30: Wampis R Who Wampis R Section: **1st Embassy Photo:** Personal mobile screenshot of the University of Oklahoma Students at the US Embassy in Lima Peru.

31: Wampis R Who Wampis R Section: **Scanned Business Card of Judith Ravin.**

32: Wampis R Who Wampis R Section: **2nd Embassy Photo:** Selfie taken of personal photo outside the US Embassy with University of Oklahoma Student Mackenzie Cordova.

33: Wampis R Who Wampis R Section: **Huambisa (Wampis) Alphabet:** The Vocabulario Huambisa: SERIE LINGÜÍSTICA PERUANA N 24 Instituto Lingüístico de Verano: 1st published: 1987. Last updated 2008. Letter Sounds obtained from <https://www.omniglot.com/writing/huambisa.htm#> Accessed November 1st, 2018

34: Wampis R Who Wampis R Section: **Huambisa (Wampis) Alphabet Sounds:** 226 page report of the Wampis language including a comprehensive translation dictionary (Español/Huambisa) you can obtain a pdf copy for free (by having an account) from Lulu: <http://www.lulu.com/shop/martha-jakway/vocabulario-huambisa-slp-n-24/ebook/product-18609850.html> Accessed November 1st, 2018.

35: Wampis R Who Wampis R Section: **Meal Pictures:** Personal photos taken of the food between June 3rd-July 1st, 2018 in Peru.

36: Wampis R Who Wampis R Section: **Peruvian Food Map by Region:** <http://www.restaurantolan.com/restaurant-olan/> Accessed November 5th, 2018.

37: Axes Down! Tress Up! Time to Play is the Drill Up? **Gold Bars:** Microsoft Word 2010 Clip Art.

38: Axes Down! Tress Up! Time to Play is the Drill Up? **Axes:** Microsoft Word 2010 Clip Art.

39: Axes Down! Tress Up! Time to Play is the Drill Up? **Drills:** Microsoft Word 2010 Clip Art.

40: Axes Down! Tress Up! Time to Play is the Drill Up? **Amazon Rain Forest:** Personal Photo of the Amazon Rain Forest.

41: Axes Down! Tress Up! Time to Play is the Drill Up? **Red Alarm Clock:** Microsoft Word 2010 Clip Art.

42: Axes Down! Tress Up! Time to Play is the Drill Up? **Clean up site of a river covered in Petroleum within the Wampis Nation.** The Guardian July 4th, 2017 Wampis Nation Photo Essay Contest: <https://www.theguardian.com/global-development/2017/jul/04/politicians-only-see-gold-and-oil-in-our-lands-the-wampis-nation-of-peru-photo-essay#comments>

43: Swallowing the Cold Ones: **Beers** Microsoft Word 2010 Clip Art.

44: Swallowing the Cold Ones: **Dilly! Dilly!** <http://www.trulydeeply.com.au/2017/12/bud-dilly-dilly-viral-campaign-branding-agency/>

45: Mountains to Forrest is it Andorra? **Mountains:** Microsoft Word 2010 Clip Art.

46: Mountains to Forrest is it Andorra? **Animated Forrest:** Microsoft Word 2010 Clip Art.

47: Mountains to Forrest is it Andorra? **Tambopata River:** Personal Photo in Peru: June 2018.

48: Mountains to Forrest is it Andorra? **Andorran Flags:** flagpedia.net

49: Chickasaw Model of Peace. **Statue of the Chickasaw Cultural Center:** https://commons.wikimedia.org/wiki/File:Chickasaw_cultural_center_1.jpg

50: The Verdict: **The Judicial Hammer:** Microsoft Word 2010 Clip Art.

51: The Verdict: **Justice Scale:** Microsoft Word 2010 Clip Art.

52: The Verdict: **Peruvian Supreme Court Holding a Hearing:** GettyImages.com Peru Supreme Court Legal Proceedings: Panel of Judges: Accessed November 11th, 2018: <https://www.gettyimages.com/videos/alejandro-toledo?sort=mostpopular&offlinecontent=include&phrase=alejandro%20toledo>

53: Additional Amazon Rain Forrest Photos: Personal Photos between June 27th-July 1st, 2018.

54: Barbie Girl: Wampis Nation in an Amazonian World: Globes: Microsoft Word 2010 Clip Art.

55: Barbie Girl: Wampis Nation in an Amazonian World: Miny Barbie Dolls: Microsoft Word 2010 Clip Art.

56: Barbie Girl: Wampis Nation in an Amazonian World: Music Symbols: Microsoft Word 2010 Clip Art.

57: Barbie Girl: Wampis Nation in an Amazonian World: Big Barbie: Microsoft Word 2010 Clip Art.

58: Peer Reviewer Personal Photos. Photos provided by the peer reviewers.

APPENDIX & EVIDENCE ATTACHMENTS

CHICKASAW NATION CONSTITUTION

Constitution	
CONSTITUTION OF THE CHICKASAW NATION	
The following language is as originally ratified on August 17, 1983, and as amended as of June 21, 2002.	
[Table of Contents has been added for convenience.]	
PREAMBLE TO THE CONSTITUTION	
ARTICLES	
I. NAME	II. CITIZENSHIP
III. RIGHTS OF SUFFRAGE	IV. BILL OF RIGHTS
V. DIVISION OF THE POWERS OF GOVERNMENT	VI. LEGISLATIVE DEPARTMENT
VII. PRIVILEGES, DUTIES & POWERS OF LEGISLATIVE DEPARTMENT	VIII. SESSIONS OF THE TRIBAL LEGISLATURE
IX. ORDER OF BUSINESS	X. EXECUTIVE DEPARTMENT
XI. PRIVILEGES, DUTIES & POWERS OF EXECUTIVE DEPARTMENT	XII. JUDICIAL DEPARTMENT
XIII. PRIVILEGES, DUTIES & POWERS OF JUDICIAL DEPARTMENT	XIV. INITIATIVE PETITION
XV. FILLING VACANCIES	XVI. IMPEDIMENT AND RECALL OF OFFICIALS
XVII. OATH OF OFFICE	XVIII. AMENDMENT
XIX. EFFECTIVE DATE OF CONSTITUTION	XX. APPROVAL
XXI. CERTIFICATE OF RATIFICATION	
CONSTITUTIONAL AMENDMENTS	
AMENDMENT NO. I	AMENDMENT NO. II
AMENDMENT NO. III	AMENDMENT NO. IV
AMENDMENT NO. V	AMENDMENT NO. VI

Page C-1

Constitution	
CONSTITUTION OF THE CHICKASAW NATION	
PREAMBLE	
We, the people of the Chickasaw Nation, acknowledging with gratitude the grace and beneficence of God, in permitting us to make choice of our own form of government, do, in accordance with the first, second, fourth and seventh articles of the Treaty between the United States, the Chickasaw and Chickasaw, made and concluded at Washington City, June 22, A.D. 1855, and the Treaty of April 28, A.D. 1866, obtain and establish this Constitution for our government, within the following limits, to-wit:	
Beginning on the north bank of Red River, at the mouth of Island Bayou, where it empties into Red River, about twenty-six miles on a straight line below the mouth of False Washita, thence running a northerly course along the main channel of said bayou to the junction of the three prongs of said bayou nearest the dividing ridge between Washita and Low Blue Rivers, as laid down on Captain R.L. Hester's map; thence northerly along the eastern prong of said Island Bayou to its source; thence due north to the Canadian River; thence west along the main Canadian to the ninety-degree degree of west longitude; thence south to Red River and thence down Red River to the beginning.	
Provided, however, if a line running due north from the eastern source of Island Bayou to the main Canadian, shall include Allen's or Wagonway Academy within the Chickasaw District, then an off-set shall be made from said line, so as to leave said academy two miles within the Chickasaw District, north, west and south from the lines of boundary.	
Act of April 26, 1906, (34 Stat. 137) and their final decrements.	
ARTICLE I	NAME
The name of this body shall be "the Chickasaw Nation."	
ARTICLE II	CITIZENSHIP
The Tribal Legislature shall have the power to enact ordinances governing future citizenship and loss of citizenship in the Chickasaw Nation.	
ARTICLE III	RIGHTS OF SUFFRAGE
The Chickasaw Nation shall consist of all Chickasaw Indians by blood whose names appear on the final rolls of the Chickasaw Nation approved pursuant to Section 2 of the	

Page C-2

Constitution	
the date successful candidates are installed in office, there shall be a drawing of lots for each district to determine which representative will serve for a three (3) year term. There shall be a second drawing of lots among the remaining nine (9) members of the Tribal Legislature to determine these five (5) who are to serve two (2) year terms and the four (4) who will each hold office for one (1) year, in order to establish a system of staggered terms of office. In the event of a tie vote in the initial election, the flip of a coin will determine the winner. Thereafter, members of the Legislature shall be elected for three (3) year terms and shall serve until their successors are duly elected and installed.	
Section 5	Within nine (9) months following the first election of officials under this Constitution, the Tribal Legislature shall adopt a plan for reapportionment based on the number of registered voters of the four (4) districts, including those non-voters who affiliate with each district. Apportionment based on the number of registered voters shall be used until such time a more reliable means can be established pursuant to legislative action.
Section 6	No person who has been convicted of a felony by a court of competent jurisdiction, shall be considered eligible for office in the Tribal Legislature.
ARTICLE VII	
PRIVILEGES, DUTIES AND POWERS OF LEGISLATIVE DEPARTMENT	
Section 1	The Tribal Legislature shall prescribe election procedures and regulations for tribal elections.
The Tribal Legislature, at its first regular session each year, shall organize and elect officers from its membership. Officers to be elected shall be a Chairman and a Secretary. A Recording Secretary and Sergeant-At-Arms (non-members of the Tribal Legislature) shall be nominated by the Chairman, and placed in office by and with the advice and consent of the Tribal Legislature.	
Section 2	The Chairperson shall preside over all meetings of the Tribal Legislature.
Section 3	The Secretary of the Tribal Legislature shall maintain all records and enactments of the Tribal Legislature. They shall be kept on file in the Chickasaw Nation Headquarters, Ada, Oklahoma and available for inspection by Chickasaw citizens during normal office hours. All such records and enactments of the Tribal Legislature shall be the property of the Chickasaw Nation.
Section 4	The Tribal Legislature shall enact rules and regulations pertaining to the Chickasaw Nation.
Section 5	The Tribal Legislature shall prescribe procedures and regulations for voter registration.
Section 6	The Tribal Legislature shall prescribe election procedures and regulations for tribal elections.

Page C-5

Constitution	
Section 7	The Tribal Legislature shall make decisions pertaining to the acquisition, leasing, disposition and management of real property, subject to Federal Law.
Section 8	The Tribal Legislature shall sit as a court in all cases of impeachment; its decision shall be final.
Section 9	The Governor shall prepare an Annual Tribal Budget and present it to the Legislature for approval. Approval shall require a majority vote of the Legislature. Rejection, amendment or alteration shall be considered by legislative act subject to executive veto. Such veto shall be overridden only by an affirmative vote of at least nine (9) members of the Legislature.
Section 10	For all business of the Legislature, a quorum is required. A quorum consists of nine (9) members of the Legislature.
Section 11	The Tribal Legislature shall have the power to fix and prescribe salaries and allowances for all elected or appointed officials and employees of the Nation. The salary and allowances for elected and appointed officials shall not be increased or diminished during terms of office for which they have been elected. The Tribal Legislature will set a pay scale for all tribal employees.
ARTICLE VIII	
SESSIONS OF THE TRIBAL LEGISLATURE	
Section 1	Regular sessions of the Tribal Legislature shall be held on the third Friday of each month at 9:00 a.m. at the Chickasaw Nation Headquarters, Ada, Oklahoma, unless and until otherwise provided by the Tribal Legislature.
Section 2	Nine (9) members must be present to constitute a quorum.
Section 3	The Governor may call a special session of the Legislature at any time he deems necessary by notifying each member, by the most expeditious way, at least twenty-four (24) hours in advance of the meeting and shall call a special session upon receipt of a letter signed by at least nine (9) members of the Tribal Legislature.
Section 4	All regular and special sessions shall be open to the citizens of the Nation.

Page C-6

Constitution	
All citizens eighteen (18) years of age or older shall be deemed qualified electors under the authority of this Constitution; provided, they have duly registered to vote.	Every citizen shall be at liberty to speak, write, or publish his opinions on any subject, being responsible for the abuse of that privilege, and no law shall ever be passed curtailing the liberty of speech, or of the press.
Section 2	The citizens shall have the right, in a peaceable manner, to assemble together for their common good, and to apply to those invested with powers of government, for redress of grievances or other purposes, by address, or remonstrance.
ARTICLE IV	BILL OF RIGHTS
Section 1	Nothing in this Constitution shall be interpreted in a way which would change the individual rights and privileges the tribal members have as citizens of the Chickasaw Nation, the State of Oklahoma, and the United States of America.
Section 2	All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit, and they have at all times the inalienable right to alter, reform or abolish their form of government in such a manner as they may think expedient; provided, such action is taken pursuant to this Constitution.
Section 3	No religious test shall ever be required as a qualification for any office of public trust in this Nation.
Section 4	The Legislative authority of the Chickasaw Nation shall be vested in the Tribal Legislature.

Page C-3

Constitution	
Section 2	Members of the Tribal Legislature must be citizens of the Nation and have been residents of the Nation for at least one (1) year and of their respective district for at least six (6) months immediately preceding the election. They must remain residents of their elected district during the tenure of their office. They must be registered to vote and be at least twenty-five (25) years of age to serve as members of the Tribal Legislature.
Section 3	The Tribal Legislature shall consist of thirteen (13) members to be elected from the following districts according to an apportionment plan prescribed by the Tribal Legislature: Pansia, Pickens, Tishomingo, Pontotoc. The district boundaries are as follows:
Pansia District	Commencing at the mouth of Island Bayou, on the north bank of Red River, thence up said bayou to the line between the Chickasaw and Choctaw, thence along said line to Blue River, thence up Blue River to the road that leads from Fort Washita to Fort Smith, when it crosses Blue River at Andrew Colbert's, thence along said road to Hankborough, thence along the road that leads from Hankborough to Turner's where it crosses Washita River, thence down said river to where it empties into Red River, thence down said river to the beginning point.
Pickens District	Commencing on the north bank of Red River, at the mouth of Washita River, thence up Red River to the 98th
Pontotoc District	Commencing on the east bank of Blue River, where the line crosses which runs between the Chickasaw and Choctaw, thence along said line to the Canadian River, thence up said river to the 98th Meridian Line, thence south along said line to Washita River, thence down said river to the line of the Tishomingo District, thence along said line to the line of the Pansia District, thence down said river to the beginning point.
Section 4	For the first election under this Constitution, the thirteen (13) positions on the Tribal Legislature shall be apportioned among the four (4) districts pursuant to the number of registered voters who reside in each district together with those nonresident registered voters who formally designate their affiliation with one (1) of the four (4) districts. Each district shall have at least one (1) representative on the Tribal Legislature. Each nonresident registered voter shall choose one (1) district for the purpose of voting to choose a representative on the Tribal Legislature. On

Page C-4

Constitution	
Section 5	Roll call votes shall be recorded, showing how each member of the Tribal Legislature voted.
Section 6	Robert's Rules of Order shall be followed in conducting Tribal Legislature business unless in conflict with this Constitution.
ARTICLE IX	
ORDER OF BUSINESS	
The order of business at any regular or special session of the Tribal Legislature shall be as follows: provided, this order of business may be suspended by the Tribal Legislature for any meeting.	
1. Call to Order	2. Roll Call
3. Reading of minutes of last session	4. Unfinished business
5. Reports of Committees	6. New business (comments from citizens)
7. Adjournment	
ARTICLE X	
EXECUTIVE DEPARTMENT	
Section 1	The Supreme Executive power of this Nation shall be vested in a Chief Magistrate, who shall be styled "The Governor of the Chickasaw Nation."
Section 2	The Lieutenant Governor shall assist the Governor and perform all duties as assigned to him by the Governor.
Section 3	The Governor and the Lieutenant Governor shall run as a team and shall be elected for a term of four (4) years and shall serve until their successors have been elected and installed.
Section 4	Any citizen of the Chickasaw Nation who is at least thirty (30) years of age and who possesses no less than one-quarter (1/4) of Chickasaw Indian Blood may be eligible to become a candidate for the office of Governor or Lieutenant Governor.
Section 5	The Governor and the Lieutenant Governor must be registered to vote and must have been residents of the Chickasaw Nation for at least one (1) year immediately preceding any election for which they are candidates and must remain residents of the Chickasaw Nation during the tenure of their office.
Section 6	No person who has been convicted of a felony by a court of competent jurisdiction shall be considered eligible for either of the executive offices.
[Ed. Note - Amended by Amendment III.]	

Page C-7

Constitution	
ARTICLE XI	
PRIVILEGES, DUTIES AND POWERS OF EXECUTIVE DEPARTMENT	
Section 1	The Governor shall perform all duties pertaining to the office of Chief Executive. He shall sign official papers on behalf of the Nation.
Section 2	The Governor shall have power to establish and appoint committees, members and delegates to represent the Chickasaw Nation, by and with the advice and consent of the Tribal Legislature.
Section 3	The Governor shall have power to veto any decision of the Tribal Legislature and it must be done within five (5) working days after passage and written presentation; provided, the Tribal Legislature may override the Governor's veto in accordance with Article VII, Section 9.
Section 4	The Governor shall prepare and submit an annual tribal budget to the Tribal Legislature.
Section 5	The Lieutenant Governor shall serve in the absence of the Governor and when serving shall have all the privileges, duties and powers of the Governor.
ARTICLE XII	
JUDICIAL DEPARTMENT	
[Ed. Note - Entire Article, including amended Sections 2 and 5, repeated and replaced by Amendment V.]	
Section 1	The Judicial authority of the Chickasaw Nation shall consist of a three (3) member court elected by popular vote by qualified voters of the Chickasaw Nation.
Section 2	Members of the Judicial Department must be qualified electors, citizens of the Chickasaw Nation and residents of the Chickasaw Nation during tenure of their office.
[Ed. Note - Amended by Amendment L.]	
Section 3	Tribal Judges shall be elected for terms of three (3) years and shall serve until their successors are duly elected and installed. In the initial election, judges shall serve terms of one (1), two (2) and three (3) years to be determined by lot in order to establish staggered terms.
Section 4	On an annual basis, the three (3) judges shall select the presiding judge from among their number.
Section 5	

Page C-8

Constitution

No person who has been convicted of a felony by a court of competent jurisdiction shall be eligible for judicial office. [Ed. Note - Amended by Amendment III.]

ARTICLE XIII PRIVILEGES, DUTIES AND POWERS OF THE JUDICIAL DEPARTMENT [Ed. Note - Repealed and Replaced by Amendment V.]

Section 1.

The Judicial Department shall have jurisdiction to decide disputes by vote of two (2) members, arising under any provision of this Constitution or any legislation enacted by the Tribal Legislature and such other jurisdiction as may be conferred upon it by the Tribal Legislature.

Section 2.

Rules of procedure for the Judicial Department shall be prescribed by the Judicial Department within sixty (60) days of its members taking office and shall insure that the citizen receives due press of law and a prompt and speedy trial. Those procedures shall be presented to the Legislature which must act on those procedures within sixty (60) days after such presentation, otherwise, those procedures will become effective.

Section 3.

The decisions of the Judicial Department shall be final.

Section 4.

The Tribal Judicial Department shall have jurisdiction to hear claims regarding malapportionment. If a reapportionment plan is not adopted at least ninety (90) days before the election, then the Judicial Department shall have jurisdiction to prepare a reapportionment plan for submission to the Legislature.

ARTICLE XIV INITIATIVE PETITION

Section 1.

Upon submission to the Judicial Department of a valid petition, outlining the proposed measure, and signed by at least twenty percent (20%) of the registered voters of the Chickasaw Nation, it shall be the duty of the Tribal Legislature, within sixty (60) days, to submit the proposition to a vote of the electorate; provided, that if a petition is presented within one hundred eighty (180) days of the next regular election, the proposition shall be presented to the voters at that time.

Section 2.

The election shall be conducted pursuant to rules and procedures prescribed by the Tribal Legislature.

Section 3.

Passage of the proposition shall require a majority of votes cast; provided, at least thirty percent (30%) of the registered voters cast ballots.

Constitution

ARTICLE XV FILLING VACANCIES

Section 1.

In case of death, resignation, impeachment or recall of the Governor, the Lieutenant Governor shall immediately become Governor for the remainder of the unexpired term. The Chairperson of the Tribal Legislature shall immediately succeed to the office of Lieutenant Governor for the unexpired term. The Tribal Legislature shall elect a member of the Legislature to serve the unexpired term of the Chairperson. [Ed. Note - Amended by Amendment II.]

Section 2.

In the event of vacancies occurring in the Tribal Judicial Department or Tribal Legislature, a special election shall be held within sixty (60) days of the vacancy, or reasonably delayed until the next regularly scheduled election for that position. The vacancy shall be filled by popular vote.

ARTICLE XVI IMPEACHMENT AND RECALL OF OFFICIALS

Section 1. Impeachment

(a) Any elected official shall be subject to impeachment for willful neglect of duty, corruption in office, habitual drunkenness, incompetency, becoming incapable of performing his duties or any offense involving moral turpitude while in office.

(b) Upon submission to the Judicial Department of a valid petition, stating the cause of action, and signed by not less

than twenty-five (25%) of the registered voters residing within the district or area from which the official was elected, it shall be the duty of the Judicial Department to determine the validity of the charges and file formal impeachment charges.

(c) The official against whom charges may be preferred, shall be entitled to a hearing by the Tribal Legislature under rules and procedures prescribed by the Tribal Legislature.

(d) The official against whom articles of impeachment are preferred, shall be suspended from the exercise of duties of his office during the pendency of his impeachment proceedings.

(e) The Tribal Legislature shall appoint a prosecutor to present the charges before the Tribal Legislature. Such prosecutor shall be a citizen of the Nation and shall not be employed or hold office in the Nation.

(f) The Tribal Legislature shall sit as a court in all cases of impeachment and its decision shall be final.

(g) The Tribal Legislature shall prescribe rules and procedures that are necessary to carry into effect the provisions of this Article.

(h) The (10) votes shall be required to impeach the official.

Section 2. Recall

(a) Upon submission to the Judicial Department of a valid petition, stating the cause of action, and signed by not less than twenty-five percent (25%) of the

Constitution

registered voters residing within the district or area from which the official was elected, it shall be the duty of the Tribal Legislature to call and conduct, within sixty (60) days, a recall election.

(b) The election shall be conducted pursuant to rules and procedures prescribed by the Tribal Legislature.

(c) Recall from office shall require a majority of votes; provided, thirty percent (30%) or more of the registered voters cast ballots.

(d) Only one (1) official shall be subject to recall at any given recall election.

(e) Any official shall be subject to the recall provision only one (1) time during his term of office.

ARTICLE XVII OATH OF OFFICE

All elected or appointed officials shall take the following oath:

I, _____, do solemnly swear (or affirm) that I will support, obey and defend the Constitutions of the Chickasaw Nation, and the United States of America and will discharge the duties of my office with fidelity, so help me God.

ARTICLE XVIII AMENDMENT

Section 1.

Proposed amendments to this Constitution may be initiated by either of the following methods:

(a) A resolution of the Tribal Legislature adopted by at least nine (9) affirmative votes.

(b) A valid petition submitted to the Tribal Legislature signed by not less than twenty percent (20%) of the registered voters of the Chickasaw Nation.

Section 2.

Amendments proposed by either (a) or (b) in the above section shall be submitted to a vote of the electorate in an election called for that purpose by the Governor and conducted pursuant to rules and procedures prescribed by the Tribal Legislature.

Section 3.

Any amendment adopted by a majority of the votes cast in the election shall be submitted to the Secretary of the Interior, or his authorized representative, for approval action. If not action is taken within thirty (30) days following its receipt by the Secretary's authorized representative, the amendment shall be deemed approved and it shall thereafter be effective.

ARTICLE XIX EFFECTIVE DATE OF CONSTITUTION

This Constitution shall become effective when approved by the Secretary of the Interior and ratified by the Chickasaw people.

Constitution

ARTICLE XX APPROVAL

I, John W. Fritz, Deputy Assistant Secretary - Indian Affairs (Operations) by virtue of the authority delegated to me by 209 D.M. 8.3, do hereby approve this Constitution of the Chickasaw Nation of Oklahoma. It shall become effective upon ratification; provided, that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.

John W. Fritz
Deputy Assistant Secretary
Indian Affairs (Operations)
Washington, D.C.
Date: July 15, 1983

ARTICLE XXI CERTIFICATE OF RATIFICATION

Pursuant to the June 17, 1981, order of the U.S. District Court for the District of Columbia, as amended January 6, 1983, in *Cravatt v. Watt*, Civil No. 77-1664, the Deputy Assistant Secretary - Indian Affairs (Operations), on July 15, 1983, approved this Constitution and authorized the calling of an election for its ratification to be conducted on August 27, 1983. On August 27, 1983, the qualified voters of the Chickasaw Nation duly ratified this Constitution by a vote of 1,595 for, and 232 against. The results are hereby certified by members of the Chickasaw Election Commission shown below:

Fred L. Ragsdale, Jr.
Arbitrator/Administrator

Charles Guy Tate
Representative for Plaintiffs

Sally Bell
Representative for Plaintiffs

Clarence Lee Cravatt
Representative for Plaintiffs

Pat Woods
Representative for Tribal Defendant

Ted Key
Representative for Tribal Defendant

Kenneth Meeler
Representative for Tribal Defendant

Ardmore, Oklahoma
Date: August 27, 1983

AMENDMENTS TO THE CONSTITUTION

Articles in addition to, and amendment of, the Constitution of the Chickasaw Nation of Oklahoma, proposed by the Tribal Legislature, and ratified by the Chickasaw electorate, pursuant to the Eighteenth Article of the original Constitution:

AMENDMENT I
(September 13, 1984)

Article XII, Judicial Department, Section 2, is amended to read:

Section 2.

Members of the Judicial Department must be registered voters and must have been residents of the Chickasaw Nation for at least one (1) year immediately preceding any

Constitution

election for which they are candidates and must remain residents of the Chickasaw Nation during the tenure of their office.

AMENDMENT II (September 13, 1984)

Article XV, Filling Vacancies, Section 1, is amended to read:

Section 1.

In the event of a vacancy occurring in the position of Lieutenant Governor, the Governor shall appoint a successor to serve the unexpired term, by and with the advice and consent of the Tribal Legislature.

AMENDMENT III (September 21, 1987)

The purpose of Amendment III was to identify a specific date for newly elected officials to begin terms of office. The Amendment was proposed to clarify and specify that date in Article VI - Legislative Department; Article X - Executive Department and Article XII - Judicial Department.

Section 1.

All elected officials of the Chickasaw Nation shall begin serving their terms of office on October 1 of the year in which they are elected. This shall apply to all persons elected to tribal office, beginning with any and all officers which might be elected during the elections of 1988. This will allow a three-year period during which all tribal judges and members of the legislature will be installed into or go out of office on October 1. By the 1991 gubernatorial elections, all elected

officials shall have terms beginning on October 1.

Section 2.

Should October fall on a Saturday, Sunday or holiday, installation shall take place on the first working day after October 1.

AMENDMENT IV (September 27, 1990)

Article VII is amended to read:

Section 11.

The tribal legislature shall have the power to fix and prescribe salaries and allowances for all elected or appointed officials and employees of the Nation. The tribal legislature shall review said salaries and allowances every fourth year and shall increase or decrease as necessary. The tribal legislature will set a pay scale for all tribal employees.

AMENDMENT V (October 27, 1994)

The Chickasaw Nation shall repeal Article XII and XIII of the Constitution of the Chickasaw Nation and adopt the following Amendment:

Section 1.

The Judicial powers of this Nation shall be vested in one Supreme Court, and in such inferior Courts as the Legislature shall ordain and establish in the development, maintenance and administration of the Tribal Justice System.

Constitution

Section 2.

The Judicial power shall extend to all cases arising under this Constitution, the laws of the Chickasaw Nation and treaties made, or which shall be made under their authority; and to all controversies in which the Chickasaw Nation shall be a party.

Section 3.

The Supreme Court shall consist of three Justices elected by popular vote by qualified voters of the Chickasaw Nation, and shall be qualified electors, citizens of the Chickasaw Nation at least 30 years of age, and residents of the Chickasaw Nation during their tenure of office. No person who has been convicted of a felony by any court of competent jurisdiction shall be eligible to be a Supreme Court Justice. They shall be elected for terms of three (3) years and shall serve until their successors are duly elected and installed. The Justices shall select a Chief Justice from among their number on an annual basis.

Section 4.

The appellate jurisdiction of the Supreme Court shall be coextensive with the Chickasaw Nation and shall extend to all cases of law and in equity. The Supreme Court, by appropriate order, shall have the power to hear appeals shall have the power to compel inferior Courts or their officials, and officers of the Nation to appropriate actions under law, and may exercise such other jurisdiction as may be conferred by statute.

Section 5.

The incumbent Tribal Judges of the Tribal Court, shall be designated Supreme Court Justices; and, the Tribal Court shall be Designated the Supreme Court. Staggered terms for those Justices shall continue for the terms in which they were elected and continue in this same manner for their successors.

AMENDMENT VI (August 22, 1995)

The original language of Article VII, Section 11 which provides: "The Tribal Legislature shall have the power to fix and prescribe salaries and allowances for all elected or appointed officials and employees of the Nation. The salary and allowances for elected and appointed officials shall not be increased or diminished during the terms for which they have been elected. The Tribal legislature will set a pay scale for all tribal employees." is hereby repealed. [Ed. Note - Article VII, Section 11 was amended by Amendment IV; however, the original language was not repealed until ratification of Amendment VI by the Chickasaw electorate. Amendment VI was originally passed as Amendment VII and was renumbered by a vote of the Chickasaw Electorate on August 24, 2001.]

1993 CONSTITUTION OF ANDORRA

<p>PDF generated 27 Jul 2018, 15:06</p> <p>CONSTITUTE constituteproject.org</p> <p>Andorra's Constitution of 1993</p> <p>This complete constitution has been generated from extracts of texts from the repository of the Comparative Constitutions Project, and distributed on constituteproject.org.</p>	<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>Table of contents</p> <p>Preamble 5</p> <p>TITLE I: SOVEREIGNTY OF ANDORRA 5</p> <p>Article 1 5</p> <p>Article 2 5</p> <p>Article 3 6</p> <p>TITLE II: RIGHTS AND FREEDOMS 6</p> <p>Chapter I: General principles 6</p> <p>Chapter II: Andorran nationality 6</p> <p>Chapter III: The fundamental rights of the person and public freedoms 6</p> <p>Chapter IV: Political rights of Andorran nationals 9</p> <p>Chapter V: Rights, and economic, social and cultural principles 9</p> <p>Chapter VI: Duties of Andorran nationals and of aliens 11</p> <p>Chapter VII: Guarantees of rights and freedoms 11</p> <p>TITLE III: THE COPRINCES 12</p> <p>Article 43 12</p> <p>Article 44 12</p> <p>Article 45 12</p> <p>Article 46 13</p> <p>Article 47 14</p> <p>Article 48 14</p> <p>Article 49 14</p> <p>TITLE IV: THE GENERAL COUNCIL 14</p> <p>Article 50 14</p> <p>Chapter I: Organization of the General Council 14</p> <p>Chapter II: Legislative procedure 16</p> <p>Chapter III: Relations of the General Council with the Government 18</p> <p>TITLE V: THE GOVERNMENT 19</p> <p>Article 72 19</p> <p>Article 73 19</p> <p>Article 74 20</p> <p>Article 75 20</p> <p>Article 76 20</p> <p>Article 77 20</p> <p>Article 78 20</p> <p>TITLE VI: TERRITORIAL STRUCTURE 20</p> <p>Andorra 1993 Page 2</p>	<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>Article 79 20</p> <p>Article 80 20</p> <p>Article 81 21</p> <p>Article 82 21</p> <p>Article 83 22</p> <p>Article 84 22</p> <p>TITLE VII: JUSTICE 22</p> <p>Article 85 22</p> <p>Article 86 22</p> <p>Article 87 22</p> <p>Article 88 22</p> <p>Article 89 22</p> <p>Article 90 23</p> <p>Article 91 23</p> <p>Article 92 23</p> <p>Article 93 23</p> <p>Article 94 24</p> <p>TITLE VIII: THE TRIBUNAL CONSTITUCIONAL 24</p> <p>Article 95 24</p> <p>Article 96 24</p> <p>Article 97 24</p> <p>Article 98 24</p> <p>Article 99 25</p> <p>Article 100 25</p> <p>Article 101 25</p> <p>Article 102 25</p> <p>Article 103 25</p> <p>Article 104 25</p> <p>TITLE IX: CONSTITUTIONAL REVISION 26</p> <p>Article 105 26</p> <p>Article 106 26</p> <p>Article 107 26</p> <p>FIRST ADDITIONAL PROVISION 26</p> <p>SECOND ADDITIONAL PROVISION 26</p> <p>FIRST TRANSITIONAL PROVISION 26</p> <p>SECOND TRANSITIONAL PROVISION 27</p> <p>THIRD TRANSITIONAL PROVISION 27</p> <p>DEROGATORY PROVISION 27</p> <p>Andorra 1993 Page 3</p>
<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>FINAL PROVISION 28</p> <p>Andorra 1993 Page 4</p>	<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>Preamble</p> <p>The Andorran People, with full liberty and independence, and in the exercise of their own sovereignty;</p> <p>Convinced of the need to conform the institutional structure of Andorra to the new circumstances brought about by the evolution of the geographical, historical and sociological environment in which the institutions dating back to the Visigoths, shall have within this new legal framework;</p> <p>Resolved of the need to be endowed with all the mechanisms leading to juridical security in the exercise of the fundamental rights of the individual, which, although always present and respected in the nature of Andorran society, have not received the protection of any kind of general law;</p> <p>Eager to not only evidence its promise values such as Liberty, Justice, democracy and social progress, and to keep and strengthen the harmonious relations of Andorra with the rest of the world, and especially with the neighbouring countries, on the basis of mutual respect, co-existence and peace;</p> <p>Willing to bring their collaboration and effort to all the common causes of mankind, and especially to those of preserving the integrity of the Earth and guaranteeing an environment fit for the coming generations;</p> <p>Desiring that the motto "visus, unita, fortior" which has presided over the peaceful journey of Andorra over its more than seven hundred years of history, may continue to be completely valid and may always guide the conduct of Andorran;</p> <p>Approve the present Constitution, in the exercise of their sovereignty.</p> <p>TITLE I: SOVEREIGNTY OF ANDORRA</p> <p>Article 1</p> <p>1. Andorra is a Democratic and Social Independent State abiding by the Rule of Law. Its official name is Principat d'Andorra.</p> <p>2. The Constitution proclaims that the action of the Andorran State is inspired by the principles of respect and promotion of Liberty, equality, justice, tolerance, defence of human rights and dignity of the person.</p> <p>3. Sovereignty is vested in the Andorran People, who exercise it through the different means of participation and by way of the institutions established in this Constitution.</p> <p>4. The political system of Andorra is a parliamentary Coprinship.</p> <p>5. Andorra is composed of the Parishes of Canillo, Escaldes, Engat, La Massana, Andorra la Vella, Sant Julià de Lòria and Escaldes-Engordany.</p> <p>Article 2</p> <p>1. Catalan is the official language of the State.</p> <p>2. The national anthem, the State flag and the coat of arms of Andorra are the traditional ones.</p> <p>3. Andorra la Vella is the capital of the State.</p> <p>Article 3</p> <p>Andorra 1993 Page 5</p>	<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>1. The present Constitution, which is the highest rule of the legal system, binds all the public institutions as well as the individuals.</p> <p>2. The Constitution recognizes the principles of equality, hierarchy, publicity of the judicial rules, non-retroactivity of the rules restricting individual rights or those that are unfavorable to their effect or sanction, juridical security, accessibility of public institutions and prohibition of any kind of arbitrariness.</p> <p>3. The constitutionally recognized principles of international public law are incorporated into the legal system of Andorra.</p> <p>4. The treaties and international agreements duly effected in the legal system from the moment of their publication in the Official Gazette of the Principality of Andorra and cannot be given effect by the State.</p> <p>TITLE II: RIGHTS AND FREEDOMS</p> <p>Chapter I: General principles</p> <p>Article 4</p> <p>The Constitution recognizes human dignity to be inalienable and therefore guarantees the inviolable and imprescriptible rights of the individual, which constitute the foundation of political order, social peace and justice.</p> <p>Article 5</p> <p>The Universal Declaration of Human Rights is binding in Andorra.</p> <p>Article 6</p> <p>1. All persons are equal before the law. No one may be discriminated against on grounds of birth, race, sex, origin, religion, opinion or any other personal or social condition.</p> <p>2. Public authorities shall create the conditions such that the equality and the liberty of the individuals may be real and effective.</p> <p>Chapter II: Andorran nationality</p> <p>Article 7</p> <p>1. The status of Andorran national, as well as its legal effects, is acquired, kept and lost in accordance with the regulations of a Qualified Law.</p> <p>2. The acquisition or retention of a nationality other than Andorran shall entail the loss of the latter, subject to the terms and periods established by law.</p> <p>Chapter III: The fundamental rights of the person and public freedoms</p> <p>Article 8</p> <p>1. The Constitution recognizes the right to life and fully protects it in its different phases.</p> <p>Andorra 1993 Page 6</p>
<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>2. All persons have the right to physical and moral integrity. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.</p> <p>3. The death penalty is prohibited.</p> <p>Article 9</p> <p>1. All persons have the right to liberty and security and shall only be deprived of liberty on duly grounds and in accordance with such provisions as are established in the Constitution and the Law.</p> <p>2. Executive detention shall take no longer than the time needed to carry out the enquiries in relation to the clarification of the case, and in all cases the detained shall be brought before the judge within 48 hours.</p> <p>3. The law shall establish a procedure by which the detained may request the court to decide about the lawfulness of the detention. Likewise the law shall establish the procedure to restore the fundamental rights of any person under detention.</p> <p>4. No one shall be held criminally or administratively liable on account of any acts or omissions which were lawful at the time when they were committed.</p> <p>Article 10</p> <p>1. All persons shall have the right to jurisdiction and to have a ruling founded in the law, and to a due trial before an impartial tribunal established by law.</p> <p>2. All persons shall have the right to counsel and the technical assistance of a competent lawyer, to trial within a reasonable time, to the preservation of innocence, to be informed of the charges against them, not to declare themselves guilty, not to testify against themselves, and to appeal in criminal cases.</p> <p>3. In order to guarantee the principle of equality, the law shall regulate the cases when justice shall be free of cost.</p> <p>Article 11</p> <p>1. The Constitution guarantees the freedom of ideas, religion and cult, and no one is bound to state or disclose his or her ideology, religious beliefs.</p> <p>2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary to the protection of public safety, order, health or morals, or for the protection of the fundamental rights and freedoms of others.</p> <p>3. The Constitution guarantees the Roman Catholic Church free and public exercise of its activities and the preservation of the relations of social cooperation with the State in accordance with the Andorran tradition.</p> <p>4. The Constitution guarantees the full legal capacity of the bodies of the Roman Catholic Church which have legal status in accordance with their own rules.</p> <p>Article 12</p> <p>Freedom of expression, of communication and of information are guaranteed. The law shall regulate the right of reply, the right of correction and professional secrecy. Prior restraint or any other form of censorship on the part of the public authorities shall be prohibited.</p> <p>Andorra 1993 Page 7</p>	<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>Article 13</p> <p>1. The civil status of persons and forms of marriage shall be regulated by law. The civil effects of Canon Law marriage shall be recognized.</p> <p>2. The public authorities shall promote equality of protection of the family, which is the basic foundation of society.</p> <p>3. Both spouses have the same rights and duties. All children are equal before the law, regardless of their parentage.</p> <p>Article 14</p> <p>The right to privacy, honour and reputation shall be guaranteed. All shall be protected against unjustified interference in their family and private life.</p> <p>Article 15</p> <p>Inalienability of the dwelling shall be guaranteed. No one shall enter a dwelling or any other premises, against the will of the owner or tenant, except in case of emergency. The secrecy of communication shall also be guaranteed, except upon a reasoned court order.</p> <p>Article 16</p> <p>The right to meet and assemble for any lawful purpose shall be respected. The exercise of the right of assembly requires that the authorities be notified in advance, and shall not prevent the free movement of goods and people.</p> <p>Article 17</p> <p>The right to associate for a lawful purpose shall be recognized. A law shall establish a Registry of the associations which may be constituted.</p> <p>Article 18</p> <p>The right to form and maintain managerial, professional and trade-union associations shall be recognized. Without prejudice to their legal personality, these institutions, these organizations shall operate within the limits of Andorra and shall have their own autonomy without any organic dependence on foreign bodies and shall function democratically.</p> <p>Article 19</p> <p>Workers and employers have the right to defend their own economic and social interests. A Law shall regulate the conditions in exercise this right in order to guarantee the functioning of the services essential to the community.</p> <p>Article 20</p> <p>1. All persons have the right to education, which shall be oriented towards the dignity and the development of personality, thus strengthening the respect for freedom and the fundamental rights.</p> <p>2. Freedom of teaching and of establishing teaching centres shall be recognized.</p> <p>Andorra 1993 Page 8</p>	<p>constituteproject.org PDF generated 27 Jul 2018, 15:06</p> <p>3. Parents have the right to decide the type of education for their children. They also have the right to moral or religious instruction for their children in accordance with their own convictions.</p> <p>Article 21</p> <p>Everyone has the right to move freely throughout the national territory and to enter and leave the country in accordance with the law.</p> <p>2. Andorran nationals and lawful resident aliens have the right freely to choose their residence in Andorra.</p> <p>Article 22</p> <p>The non-renewal of the residence permit or the expulsion of a lawful resident shall only be decided pursuant to the causes and terms determined by law, after a non-appellable court decision, if the interested person exercises his or her right to jurisdiction.</p> <p>Article 23</p> <p>Everyone with a direct interest has the right to petition the public authorities in the form and with the effects provided by law.</p> <p>Chapter IV: Political rights of Andorran nationals</p> <p>Article 24</p> <p>All Andorran of age, in full use of their rights, enjoy the right of suffrage.</p> <p>Article 25</p> <p>All Andorran nationals have the right of accession to public service and office under the same conditions and in accordance with the requirements determined by law. The exercise of institutional posts is reserved to Andorraners, with the exceptions that may be provided for in the Constitution or international treaties.</p> <p>Article 26</p> <p>Andorraners have the right freely to create political parties. Their functioning and organization must be democratic and their activities lawful. The suspension of their activities and their dissolution is the responsibility of the judicial organs.</p> <p>Chapter V: Rights, and economic, social and cultural principles.</p> <p>Article 27</p> <p>1. Inalienable property and the rights of inheritance are recognized without other limits than those derived from the social function of property.</p> <p>2. No one shall be deprived of his or her goods, or rights, unless upon justified consideration of the public interest, with just compensation by or pursuant to a law.</p> <p>Andorra 1993 Page 9</p>

The rights of enterprises shall be recognized within the framework of the market economy and in accordance with the law.

Article 29

All persons have the right to work, to their promotion through work, and to just income which shall guarantee a living befitting human dignity for themselves and their families, as well as to the reasonable limitation of the working day, weekly rest and paid vacation.

Article 30

The right to health protection and to receive services to look after personal needs shall be respected. With that intent the State shall guarantee a system of Social Security.

Article 31

The State has the task of ensuring the rational use of the soil and of all the natural resources, so as to guarantee a befitting quality of life for all, for the sake of the coming generations, to restore and maintain a reasonable ecological balance in the atmosphere, water and land, as well as to protect the autochthonous flora and fauna.

Article 32

The State may intervene in the ordering of the economic, commercial, labour and financial system to the extent possible, within the frame of a market economy system, the balanced development of the society and general welfare.

Article 33

The public authorities shall promote the necessary conditions to implement the right for everyone to enjoy decent housing.

Article 34

The State shall guarantee the conservation, promotion and diffusion of the historical, cultural and artistic heritage of Andorra.

Article 35

The rights of consumers and users shall be guaranteed by law and protected by the public authorities.

Article 36

The State may create media of social communication, in accordance with the principles of participation and pluralism, a law will regulate their organization and control by the General Council.

Article 38

The State may create by law types of community services to pursue tasks of general interest.

Chapter VII: Guarantees of rights and freedoms

Article 39

The rights and freedoms recognized in chapters III and IV of this TITLE bind immediately all public authorities as directly enforceable law. Their contents cannot be limited by law and are protected by the Courts.

2. Aliens legally resident in Andorra can freely exercise the rights and freedoms of chapter III of this TITLE.

3. The rights of chapter IV form the basis of the limitation and the actions of the public authorities, but they may only be invoked within the conditions determined by the law.

Article 40

The exercise of the rights recognized in this TITLE may only be regulated by law. The rights of chapters III and IV shall be regulated by means of qualified law.

Article 41

1. The rights and freedoms recognized in chapters III and IV are protected by regular courts through urgent and preferential proceedings regulated by law, which in any case shall be transacted in two instances.

2. A law shall create an exceptional Procedure of Appeal before the Tribunal Constitucional against the acts of the public authorities which may violate the essential contents of the rights mentioned in the paragraph above, with the exception of the case provided for in article 22.

Article 42

1. A Qualified Law shall regulate the states of alarm and emergency. The former may be declared by the Govern in case of natural catastrophes, for a term of fifteen days not being extended. The latter shall also be declared by the Govern for a term of thirty days in the case of interruption of the normal functioning of economic life and this shall require the previous authorization of the General Council. Any extension of these states requires the necessary approval of the General Council.

Article 44

1. The Co-Princes are the central and guarantee of the government and stability of Andorra as well as of its independence with the neighbouring States. They jointly in the name of the Andorran people exercise the powers and obligations as determined by the Constitution.

2. The Co-Princes shall ensure the functioning of the public authorities and of the institutions, and are regularly informed of the affairs of the State by their own initiative or that of the Syndic General or the Head of Government.

3. Except for the cases provided for in this Constitution, the Co-Princes are immune from suit. The acts of the Co-Princes are under the responsibility of those who counter-sign them.

Article 45

1. The Co-Princes, with the countersignature of the Head of Government, or when appropriate, of the Syndic General, as politically responsible:

- Call for general elections in accordance with the Constitution.
- Call for a referendum in accordance with articles 76 and 206 of the Constitution.
- Appoint the Head of Government following the procedure provided for in the Constitution.
- Sign the decree of dissolution of the General Council following the procedure of article 71 of the Constitution.
- Accredit diplomatic representatives of Andorra to foreign States. Foreign envoys present credentials to each of the two.

Article 43

1. Appoint the holders of office of the other institutions of the State in accordance with the Constitution and the Laws.

2. Sanction and enact the laws in accordance with article 63 of this Constitution.

3. Express the consent of the State to honor its international treaties under the provisions of chapter III of TITLE IV of the Constitution.

4. Perform such other functions as may specifically be conferred to them by the Constitution.

5. The dispositions provided for in articles 43 and 44 of this article shall be intransigently binding to the attention of each Co-Prince, who shall sanction and enact them or approve the content of the State, as may fit the case, and the Co-Princes shall ensure their publication within the period between the eighth and the fifteenth days thereafter.

6. When there may be circumstances requiring one of the Co-Princes from formalizing the acts listed in part 1 of this article within the periods constitutionally provided for, his representative shall make it known to the Syndic General, or when appropriate, to the Head of Government. In that case, the acts, norms or decisions in question shall take effect since the aforementioned days have elapsed with the signature of the other Co-Prince and the countersignatures of the Head of Government, or, when appropriate, the Syndic General.

Article 46

1. The Co-Princes may perform the following acts of their free will:

- The conferral and exercise of the prerogative of grace.
- The creation and structuring of the services considered to be necessary for the performing of their institutional functions, the appointment of the holders of these services and their accreditation to all effects.
- The appointment of the members of the High Court of Justice, in accordance with article 62 of the Constitution.
- The appointment of the members of the Tribunal Constitucional, in accordance with article 64 of the Constitution.
- The reinforcement of a preliminary judgment of unconstitutionality of the laws.
- The requirement of a judgment about the unconstitutionality of international treaties, prior to their ratification.

Article 47

The General Budget of the Principality shall assign an equal amount to each Co-Prince, for the functioning of their services, which amount they may freely dispose of.

Article 48

Each Co-Prince appoints a personal representative in Andorra.

Article 49

In case of vacancy one of the Co-Princes the present Constitution recognizes the validity of the mechanisms of substitution provided for in their respective legal systems, so as not to interrupt the normal functioning of the Andorran institutions.

TITLE IV: THE GENERAL COUNCIL

Article 50

The General Council, which expresses the mixed and apportioned representation of the national population and of the seven Parishes, represents the Andorran people, exercises legislative powers, approves the budget of the State and prompts and controls the political action of the Govern.

Chapter I: Organization of the General Council

Article 51

1. The Councilors are elected by universal, free, equal and direct suffrage for a four-year term. Their mandates shall cease four years after their election or on the day that the General Council is dissolved.

2. Elections shall be held between the thirtieth and fortieth days following the dissolution of the General Council.

3. All Andorran nationals fully enjoying their political rights are entitled to vote and to be eligible for election.

4. A Qualified Law shall regulate the electoral systems and shall establish the causes for ineligibility or incompatibility of Councilors.

Article 52

The General Council consists of a minimum of twenty-eight and a maximum of forty-two Councilors General, half of whom shall be elected to an equal number by each of the seven Parishes and the other half elected on the basis of a national single constituency.

Article 53

1. The members of the General Council have the same representability, are equal in terms of rights and duties and are not subject to any form of imperative mandate. Their vote is personal and may not be delegated.

2. The Councilors may not be called to account for votes cast or any utterances made in the exercise of their functions.

3. Throughout their term the Councilors may not be arrested or detained, except in the cases of flagrant delicts. But for that case, their detention and prosecution shall be subject to the express initiative of the Criminal Law Court and the trial shall be held by the Tribunal Superior.

Article 54

The General Council draws up and modifies its own Rules of Procedure, with a majority vote of the Chamber, it sees to it and regulates the statute of the staff at its service.

Article 55

1. The Syndic General is the ruling organ of the General Council.

2. The General Council assembles in its inaugurating session fifteen days after the proclamation of the electoral results. The Syndic General, the Sub-Syndic General and, should this be the case, the other members who may statutorily be part of the Syndicature, shall be elected in that same session.

3. The Syndic General and the Sub-Syndic General may not exercise their office for more than two consecutive full terms.

Article 56

1. The General Council meets in traditional ordinary and extraordinary sessions, convened in the form prescribed in the Rules of Procedure. There shall be two ordinary periods of session throughout the year, as prescribed in the Rules of Procedure. The sessions of the General Council are public, unless otherwise decided by the absolute majority of its members.

2. The General Council functions as a Plenary or in committees. The Rules of Procedure shall provide for the formation of legislative committees such that they respect the composition of the Chamber.

3. The General Council appoints a Permanent Commission to safeguard the powers of the Chamber while it is dissolved in the period of recess. The members of the Permanent Commission, under the presidency of the Syndic General, shall be formed in a way that will represent the appropriate composition of the Chamber.

4. The Councilors may form parliamentary groups. The Rules of Procedure shall provide for the rights and duties of the Councilors and of the parliamentary groups, as well as for the statute of those Councilors not attached to a group.

Article 57

1. The resolutions of the General Council shall only take effect when it meets with the minimum attendance of half of the Councilors.

2. The resolutions take effect when approved by the simple majority of the Councilors present, notwithstanding the special majorities prescribed in the Constitution.

3. The approval of the qualified laws prescribed by the Constitution requires the final favourable vote of the absolute majority of the members of the General Council, except for the qualified laws of elections and referendums, as well as for those of operational competence, and of transference to the Local Councils, the approval of which requires the final favourable vote of the absolute majority of Councilors elected in parish constituencies and the absolute majority of Councilors elected in the national constituency.

Chapter II: Legislative procedure

Article 58

1. The legislative initiative corresponds to the General Council and to the Govern.

2. Three local Councils jointly or a tenth part of the elected part may put forward Private Members' Bills to the General Council.

3. Govern Bills and Private Members' Bills shall be examined by the Plenum of the Chamber and by the committees in the form prescribed by the Rules of Procedure.

Article 59

The General Council may delegate the exercise of the legislative function to the Govern, by means of a law. This function may not be sub-delegated. The law of which the corresponding legislative decree of the Govern shall be issued, as well as the terms of its exercise. The authorization will provide for the parliamentary forms of control of the delegated legislation.

Article 60

1. In cases of extreme urgency and need, the Govern may present the General Council with an drafted text for approval as a law, in a vote on the whole text, within the period of forty-eight hours.

2. The matters reserved to a Qualified Law may not be subject to legislative delegation or to the procedure provided for in part 1 of this article.

Article 61

1. The initiative of the Bill of the General Budget corresponds exclusively to the Govern, which has to submit it for parliamentary approval at least two months prior to the expiration of the previous budget.

2. The Bill of the General Budget shall be given priority over other matters and it will be carried out in accordance with a specific procedure, as prescribed in the Rules of Procedure.

3. If the Bill of the General Budget has not yet been approved on the first day of the corresponding fiscal year, the Budget of the previous year shall automatically be extended until the same one may be approved.

Article 62

1. The Councilors and the parliamentary groups have the right to amend Govern and Private Members' Bills.

2. The Govern may request the General Council not to debate those amendments implying an increase of expenditure or a decrease of income in relation to the amount provided for in the Law of the General Budget. The General Council, by an absolute majority vote of the Chamber, may challenge that request by means of a resolution.

Article 63

Once a bill has been passed by the General Council, the Syndic General must present it to the Co-Princes so that they may sanction it, enact it and order its publication in the Official Gazette of the Principality of Andorra.

Chapter III: International treaties

Article 64

1. The international treaties shall be approved by the General Council by absolute majority of the Chamber in the following cases:

- Treaties linking the State to an international organization.
- Treaties related to internal security and to defence.
- Treaties related to the territory of Andorra.
- Treaties affecting the fundamental rights regulated in TITLE II.
- Treaties implying the creation of new burdens for the Public Finances.
- Treaties creating or modifying dispositions of a legislative nature or requiring legislative measures for their implementation.
- Treaties dealing with diplomatic representation or consular functions, about judicial or consular cooperation.
- The Govern shall inform the General Council and the Co-Princes of the conclusion of the other international agreements.
- The previous agreement of the absolute majority of the Chamber shall be required for the request of the international treaties affecting the matters enumerated in paragraph 1.

Article 65

For the purpose of furthering the interests of the Andorran people, of international progress and peace, legislative, judicial and executive functions may be reattributed only to international organizations by means of a treaty which shall be passed by a majority of two-thirds of the members of the General Council.

Article 66

1. The Co-Princes participate in the negotiation of the treaties affecting the relations with the neighbouring States when dealing with the matters enumerated in letters b) and g) of article 64.1.

2. The Andorran delegation with the task of negotiating the treaties mentioned in the previous paragraph, shall be composed of the members appointed by the Govern and by a member appointed by each Co-Prince.

3. The adoption of the text of treaties shall require the agreement of the members appointed by the Govern and of the members appointed by the Co-Princes.

Article 67

The Co-Princes are informed of the other drafts of international treaties and agreements, and by request of the Govern, they may be associated to the negotiation before their parliamentary approval. If the national interests of Andorra so require.

Chapter IV: Relations of the General Council with the Government

Article 68

1. After each renewal of the General Council, its first session, which will be held in the first eight days following the inauguration session, shall deal with the election of the Head of Government.

2. The candidates shall be put up for nomination by a fifth of the members of the General Council. Each Councilor may only endorse one candidate.

3. The candidates shall present their programme and after a debate, the General Council shall elect the one that obtains the absolute majority of votes, in the first public ballot after a debate.

4. Should a second ballot be needed, only the two contenders with the best results in the first ballot may remain in the candidacy. The candidate with more votes shall be proclaimed Head of Government.

5. The Syndic General shall present the result of the ballot to the Co-Princes and the elected candidate may be appointed as the Head of Government, and the Syndic General shall countersign the appointment.

6. The same procedure shall be followed in the cases of vacancy of the office of Head of Government.

Article 69

1. The Govern as a whole is politically answerable to the General Council.

2. A fifth of the members of the Councilors may sign a reasoned motion of censure in writing against the Head of Government.

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>3. After the debate held within the third and fifth days after the presentation of the motion, there shall be a public and oral vote, in accordance with the Rules of Procedure. The motion shall be carried only if it receives the votes of the absolute majority of the General Council.</p> <p>4. If the motion of censure is approved, the Head of Government shall be dismissed from office.</p> <p>5. No motion of censure may be proposed within the six months following the most recent election of the Head of Government.</p> <p>6. The appearance of a motion of censure may not propose a further one until a year has elapsed.</p> <p>Article 70</p> <p>1. The Head of Government may lodge a motion of confidence before the General Council about his programme, about a declaration of general policy or about a decision of special significance.</p> <p>2. Confidence shall be considered or granted if it receives the simple majority of votes in a public and oral vote. If the Head of Government votes does not obtain this majority he or she tender his or her resignation.</p> <p>Article 71</p> <p>1. The Head of Government, after consulting the Government, and under his or her own responsibility, may request the Congress to dissolve the General Council prematurely. The absence of dissolution shall call new elections in accordance with article 12.2 of this Constitution.</p> <p>2. No dissolution shall be carried out after the presentation of a motion of censure or under the state of emergency.</p> <p>3. No dissolution shall be carried out before one year has elapsed after the most recent election.</p> <p>TITLE V: THE GOVERNMENT</p> <p>Article 72</p> <p>1. The Government consists of the Head of Government and the Ministers, their number being determined by law.</p> <p>2. Under the direction of its Head, the Government conducts the national and international policy of Andorra, it conducts the State administration and is vested with legislative powers.</p> <p>3. The Public Administration exercises the general interest with objectives and functions in accordance with the principles of hierarchy, efficiency, transparency and full response to the Constitution, the law and the general principles of the legal system defined in TITLE I. All its acts and provisions are subject to jurisdictional control.</p> <p>Article 73</p> <p>The Head of Government is appointed by the Congress, after his or her election under the terms provided for in the Constitution.</p>	<p>Article 74</p> <p>The Head of Government and the Ministers are subject to the same jurisdictional status as the Congress's Government.</p> <p>Article 75</p> <p>The Head of Government or, when appropriate, the competent Minister, countersigns the acts of the Congress provided for in article 45.</p> <p>Article 76</p> <p>The Head of Government, with the approval of the majority of the General Council, may request the Congress to call a referendum about political matters.</p> <p>Article 77</p> <p>The Government, with the disposition of the legislature, with the resignation, death or permanent absence of the Head of Government, with the approval of a majority of members or the lack of consent in a public vote, in all such cases the Congress shall continue its functions until a new Government is formed.</p> <p>Article 78</p> <p>1. The Head of Government may not hold office for more than two consecutive complete terms.</p> <p>2. Membership of the Government is incompatible with membership of the General Council or with the exercise of any public office derived from the said membership of the Congress.</p>
Andorra 1993	Page 19

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 79</p> <p>1. The Local Councils, as organs of representation and administration of the Parishes, are public corporations with legal status and with local regulatory powers subject to law for matters of competence, regulations and discipline. Within the area of their jurisdiction subject to the Constitution, the laws and traditions, the Local Councils function under the principle of self-government, responsibility and autonomy for the management of their interests of the Parishes, approve and carry out the municipal budget. In exercising their municipal powers, they have the right to their territory and manage and administer all parish property, whether in the commercial, public, patrimonial or private domain.</p> <p>2. Their ruling organs are elected democratically.</p> <p>Article 80</p> <p>1. Within the framework of their administrative and financial autonomy, the Local Councils have their powers defined by a Qualified Law, at least in the following matters:</p> <p>a. Population census.</p>	<p>Article 79</p> <p>The High Court of Justice consists of five members appointed among Andorran citizens. One shall be appointed by each Congress, one by the Synchic General, one by the Head of Government and one by the Magistrates Council. They shall hold office for a five year term and may not be elected twice consecutively. The High Court of Justice is presided over by the member appointed by the Synchic General.</p> <p>2. The High Court of Justice appoints Magistrates and Magistrates, members of the judicial order, under their own and previous, the conditions set by the Organic Law of the Judiciary, and the Criminal Law Court, and the Tribunal Superior de Justicia are appointed by the High Court of Justice. The length of their term of office and the conditions for their reappointment shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>Article 91</p> <p>1. The office of Judge is not compatible with any other public post nor with the exercise of commercial, industrial or professional activities. Renunciation of Andorra in the case of incompatibility of the latter functions, the conditions set by the Organic Law of the Judiciary, and the conditions set by the Organic Law of the Judiciary, shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>Article 92</p> <p>In accordance with the law, and notwithstanding the personal liability of those who caused them, the State shall cover the damages for the problems caused by the mismanagement of justice or the abnormal functioning of the Administration of Justice.</p> <p>Article 93</p> <p>1. The Office of the Attorney General has the task of watching over the defence and enforcement of the legal system, and the independence of courts, as well as the task of proposing before the Government, the conditions set by the Organic Law of the Judiciary, and the conditions set by the Organic Law of the Judiciary, shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>2. The Office of the Attorney General is composed of members appointed by the High Court of Justice, upon the advice of the Government, for renewable seven year terms, by persons qualified to be appointed as Judges. Their legal status shall be regulated by law.</p> <p>3. The Office of the Attorney General, provided over by the State Attorney General, functions in accordance with the principles of legality, unity and internal hierarchy.</p>
Andorra 1993	Page 20

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>3. Bureaucratic staff. Participation in the management of the bureaucratic procedure and administration under the terms provided for in this Law.</p> <p>4. Popular consultation.</p> <p>5. Commerce, industry and professional activities.</p> <p>6. Delineation of the communal territory.</p> <p>7. Protection of their own, and of the communal public domain.</p> <p>8. Natural resources.</p> <p>9. Cadastre register.</p> <p>10. Local planning.</p> <p>11. Public urbanism plans.</p> <p>12. Culture, sports and social activities.</p> <p>13. Communal public services.</p> <p>2. Within the framework of the State's power to impose taxes, the aforementioned Qualified Law determines the economic and fiscal position of the Local Councils, and guarantees that one part of these funds be apportioned in equal quantities to each of the Parishes, and the other part to be shared proportionally on grounds of population, extension of their territory and other matters.</p> <p>3. Matters under the jurisdiction of the State may be delegated to the Parishes by law.</p> <p>Article 81</p> <p>In order to ensure the maximum cohesiveness of the Local Councils, a Qualified Law shall determine the transfer of funds from the General Council to the Local Councils, and guarantee that one part of these funds be apportioned in equal quantities to each of the Parishes, and the other part to be shared proportionally on grounds of population, extension of their territory and other matters.</p> <p>Article 82</p> <p>1. Conflicts arising from the interpretation or exercise of jurisdiction between the general organs of the State and the Local Councils shall be settled by the Tribunal Constitucional.</p> <p>2. The acts of the Local Councils shall be directly enforceable through the means established by the Organic Law of the Judiciary, and the corresponding appeals may be lodged with the purpose of controlling their conformity with the legal system.</p>	<p>Article 94</p> <p>The Judge and the Public Prosecutor are in charge of public activities related to judicial matters as provided for by the law.</p> <p>TITLE VIII: THE TRIBUNAL CONSTITUCIONAL</p> <p>Article 95</p> <p>1. The Tribunal Constitucional is the supreme interpreter of the Constitution, resolves jurisdictionally, and its decisions have public, authoritative, and individual effects.</p> <p>2. The Tribunal Constitucional decides on its own rules of procedure and carries out its functions subject only to the Constitution and the corresponding Qualified Law regulating it.</p> <p>Article 96</p> <p>1. The Tribunal Constitucional is composed of four Constitutional magistrates, appointed among persons of known judicial or academic excellence, and for more than five consecutive eight-year terms. The removal of the Tribunal Constitucional will be regulated by the Organic Law of the Judiciary, and the Qualified Law mentioned in the preceding article.</p> <p>2. The Tribunal Constitucional is presided over by the Magistrate to whom the post corresponds, on the basis of a new rotation system.</p> <p>Article 97</p> <p>1. The Tribunal Constitucional rules its decisions by a majority vote. Its votes and its decisions are secret. The Chairman, however by drawing lots, has the deciding vote in case of a tie.</p> <p>2. The judgments which partially or wholly uphold the appeal have to determine the reasons and extension of its consequences.</p> <p>Article 98</p> <p>The Tribunal Constitucional has:</p> <ol style="list-style-type: none"> 1. Appeals of unconstitutionality against laws, executive regulations and the Rules of Procedure of the General Council. 2. Requests of preliminary opinion of unconstitutionality about international laws and treaties. 3. Processes of constitutional appeal. 4. Conflicts of jurisdiction between constitutional organs. To this effect the Congress, the General Council, the Government, the High Court of Justice and the Local Councils are considered constitutional organs.
Andorra 1993	Page 21

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 83</p> <p>The Local Councils have legislative initiative and are entitled to lodge appeals of unconstitutionality under the terms provided for in the Constitution.</p> <p>Article 84</p> <p>The laws shall take into account custom and usage in order to determine the jurisdiction of Districts and neighbourhoods, as well as their relationship with the Local Councils.</p> <p>TITLE VII: JUSTICE</p> <p>Article 85</p> <p>1. In the name of the Andorran people, justice is safely administered by independent judges, with security of tenure, and under the performance of their judicial functions, and under the supervision of the Tribunal Constitucional.</p> <p>2. The judicial power is vested in a uniform organization of Justice, its structure, functioning and the legal system shall be regulated by a Qualified Law special jurisdiction shall be established.</p> <p>Article 86</p> <p>1. The rules of jurisdiction and procedure applying to the Administration of Justice are determined by law.</p> <p>2. In all cases, judgments may be appealed, founded on the legal system and judicially declared.</p> <p>3. Criminal trials are public, notwithstanding the forfeiture provided for by the law to prosecute in private. The judgment which ends the first instance shall be rendered by a judicial college different from the one in charge of the proceedings, and this judgment may always be subject to appeal.</p> <p>4. The jurisdictional defence of the general interest may be carried out by means of popular actions in the cases regulated by the laws of procedure.</p> <p>Article 87</p> <p>The judicial power is held by the Magistrates, the Magistrates Court, the Criminal Law Court, and the High Court of Justice of Andorra, as well as by the respective presidents of these courts, in accordance with the law.</p> <p>Article 88</p> <p>Judgments, once final, have the value of res judicata and may not be modified or altered except in the case of a judicial error, and under the supervision of the Tribunal Constitucional, after the corresponding process of Constitutional appeal, that they were rendered in violation of some fundamental right.</p> <p>Article 89</p> <p>1. The High Court of Justice, as the organ of representation, direction and administration of the organization of Justice, watches over the independence and proper functioning of the Justice. All its members shall be Andorran citizens.</p>	<p>Article 90</p> <p>1. All Judges, whatever their rank, shall be appointed for a renewable six year term, by a substantially qualified majority and with technical capacity for the performance of the judicial office.</p> <p>2. The Presidents of the Magistrates Court, the Criminal Law Court, and the Tribunal Superior de Justicia are appointed by the High Court of Justice. The length of their term of office and the conditions for their reappointment shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>Article 91</p> <p>1. The office of Judge is not compatible with any other public post nor with the exercise of commercial, industrial or professional activities. Renunciation of Andorra in the case of incompatibility of the latter functions, the conditions set by the Organic Law of the Judiciary, and the conditions set by the Organic Law of the Judiciary, shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>Article 92</p> <p>In accordance with the law, and notwithstanding the personal liability of those who caused them, the State shall cover the damages for the problems caused by the mismanagement of justice or the abnormal functioning of the Administration of Justice.</p> <p>Article 93</p> <p>1. The Office of the Attorney General has the task of watching over the defence and enforcement of the legal system, and the independence of courts, as well as the task of proposing before the Government, the conditions set by the Organic Law of the Judiciary, and the conditions set by the Organic Law of the Judiciary, shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>2. The Office of the Attorney General is composed of members appointed by the High Court of Justice, upon the advice of the Government, for renewable seven year terms, by persons qualified to be appointed as Judges. Their legal status shall be regulated by law.</p> <p>3. The Office of the Attorney General, provided over by the State Attorney General, functions in accordance with the principles of legality, unity and internal hierarchy.</p>
Andorra 1993	Page 22

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 94</p> <p>The Judge and the Public Prosecutor are in charge of public activities related to judicial matters as provided for by the law.</p> <p>TITLE VIII: THE TRIBUNAL CONSTITUCIONAL</p> <p>Article 95</p> <p>1. The Tribunal Constitucional is the supreme interpreter of the Constitution, resolves jurisdictionally, and its decisions have public, authoritative, and individual effects.</p> <p>2. The Tribunal Constitucional decides on its own rules of procedure and carries out its functions subject only to the Constitution and the corresponding Qualified Law regulating it.</p> <p>Article 96</p> <p>1. The Tribunal Constitucional is composed of four Constitutional magistrates, appointed among persons of known judicial or academic excellence, and for more than five consecutive eight-year terms. The removal of the Tribunal Constitucional will be regulated by the Organic Law of the Judiciary, and the Qualified Law mentioned in the preceding article.</p> <p>2. The Tribunal Constitucional is presided over by the Magistrate to whom the post corresponds, on the basis of a new rotation system.</p> <p>Article 97</p> <p>1. The Tribunal Constitucional rules its decisions by a majority vote. Its votes and its decisions are secret. The Chairman, however by drawing lots, has the deciding vote in case of a tie.</p> <p>2. The judgments which partially or wholly uphold the appeal have to determine the reasons and extension of its consequences.</p> <p>Article 98</p> <p>The Tribunal Constitucional has:</p> <ol style="list-style-type: none"> 1. Appeals of unconstitutionality against laws, executive regulations and the Rules of Procedure of the General Council. 2. Requests of preliminary opinion of unconstitutionality about international laws and treaties. 3. Processes of constitutional appeal. 4. Conflicts of jurisdiction between constitutional organs. To this effect the Congress, the General Council, the Government, the High Court of Justice and the Local Councils are considered constitutional organs. 	<p>Article 90</p> <p>1. All Judges, whatever their rank, shall be appointed for a renewable six year term, by a substantially qualified majority and with technical capacity for the performance of the judicial office.</p> <p>2. The Presidents of the Magistrates Court, the Criminal Law Court, and the Tribunal Superior de Justicia are appointed by the High Court of Justice. The length of their term of office and the conditions for their reappointment shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>Article 91</p> <p>1. The office of Judge is not compatible with any other public post nor with the exercise of commercial, industrial or professional activities. Renunciation of Andorra in the case of incompatibility of the latter functions, the conditions set by the Organic Law of the Judiciary, and the conditions set by the Organic Law of the Judiciary, shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>Article 92</p> <p>In accordance with the law, and notwithstanding the personal liability of those who caused them, the State shall cover the damages for the problems caused by the mismanagement of justice or the abnormal functioning of the Administration of Justice.</p> <p>Article 93</p> <p>1. The Office of the Attorney General has the task of watching over the defence and enforcement of the legal system, and the independence of courts, as well as the task of proposing before the Government, the conditions set by the Organic Law of the Judiciary, and the conditions set by the Organic Law of the Judiciary, shall be regulated by the Qualified Law mentioned in article 80 A of this Constitution.</p> <p>2. The Office of the Attorney General is composed of members appointed by the High Court of Justice, upon the advice of the Government, for renewable seven year terms, by persons qualified to be appointed as Judges. Their legal status shall be regulated by law.</p> <p>3. The Office of the Attorney General, provided over by the State Attorney General, functions in accordance with the principles of legality, unity and internal hierarchy.</p>
Andorra 1993	Page 23

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 99</p> <p>1. Appeals of unconstitutionality against laws or statutory rules may be lodged by one fifth of the General Council, the Head of Government and the Tribunal Constitucional. One fifth of the General Council may lodge an appeal of unconstitutionality against the Rules of Procedure of the Congress. The appeal shall be lodged within the thirty days following the publication of the rule in question.</p> <p>2. The lodging of the appeal does not suspend the enforcement of the rule in question. The Court shall pass judgment within the maximum period of two months.</p> <p>Article 100</p> <p>1. In the course of litigation, a court has reasoned and founded doubts about the constitutionality of a law or a legislative decree, the application of which is relevant to its decision, it shall request the opinion of the Tribunal Constitucional about the validity of the rule affected.</p> <p>2. The Tribunal Constitucional may not admit the production of the request without further appeal, if the request is admitted judgment shall be passed within the maximum period of two months.</p> <p>Article 101</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 102</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 103</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 94</p> <p>The Judge and the Public Prosecutor are in charge of public activities related to judicial matters as provided for by the law.</p> <p>TITLE VIII: THE TRIBUNAL CONSTITUCIONAL</p> <p>Article 95</p> <p>1. The Tribunal Constitucional is the supreme interpreter of the Constitution, resolves jurisdictionally, and its decisions have public, authoritative, and individual effects.</p> <p>2. The Tribunal Constitucional decides on its own rules of procedure and carries out its functions subject only to the Constitution and the corresponding Qualified Law regulating it.</p> <p>Article 96</p> <p>1. The Tribunal Constitucional is composed of four Constitutional magistrates, appointed among persons of known judicial or academic excellence, and for more than five consecutive eight-year terms. The removal of the Tribunal Constitucional will be regulated by the Organic Law of the Judiciary, and the Qualified Law mentioned in the preceding article.</p> <p>2. The Tribunal Constitucional is presided over by the Magistrate to whom the post corresponds, on the basis of a new rotation system.</p> <p>Article 97</p> <p>1. The Tribunal Constitucional rules its decisions by a majority vote. Its votes and its decisions are secret. The Chairman, however by drawing lots, has the deciding vote in case of a tie.</p> <p>2. The judgments which partially or wholly uphold the appeal have to determine the reasons and extension of its consequences.</p> <p>Article 98</p> <p>The Tribunal Constitucional has:</p> <ol style="list-style-type: none"> 1. Appeals of unconstitutionality against laws, executive regulations and the Rules of Procedure of the General Council. 2. Requests of preliminary opinion of unconstitutionality about international laws and treaties. 3. Processes of constitutional appeal. 4. Conflicts of jurisdiction between constitutional organs. To this effect the Congress, the General Council, the Government, the High Court of Justice and the Local Councils are considered constitutional organs.
Andorra 1993	Page 24

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 104</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 105</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 106</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 99</p> <p>1. Appeals of unconstitutionality against laws or statutory rules may be lodged by one fifth of the General Council, the Head of Government and the Tribunal Constitucional. One fifth of the General Council may lodge an appeal of unconstitutionality against the Rules of Procedure of the Congress. The appeal shall be lodged within the thirty days following the publication of the rule in question.</p> <p>2. The lodging of the appeal does not suspend the enforcement of the rule in question. The Court shall pass judgment within the maximum period of two months.</p> <p>Article 100</p> <p>1. In the course of litigation, a court has reasoned and founded doubts about the constitutionality of a law or a legislative decree, the application of which is relevant to its decision, it shall request the opinion of the Tribunal Constitucional about the validity of the rule affected.</p> <p>2. The Tribunal Constitucional may not admit the production of the request without further appeal, if the request is admitted judgment shall be passed within the maximum period of two months.</p> <p>Article 101</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 102</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 103</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>
Andorra 1993	Page 25

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 107</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 108</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 109</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 104</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 105</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 106</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>
Andorra 1993	Page 26

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 110</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 111</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 112</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 107</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 108</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 109</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>
Andorra 1993	Page 27

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>FINAL PROVISIONS</p> <p>The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 113</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 114</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 110</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 111</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 112</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>
Andorra 1993	Page 28

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 115</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 116</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 117</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 113</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 114</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 115</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 116</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 117</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>
Andorra 1993	Page 29

constituteproject.org	PDF generated 27 Jul 2018, 10:46
<p>Article 118</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 119</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 120</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>	<p>Article 118</p> <p>1. The Congress, under the provision of article 46.1.1, the Head of Government or a fifth of the General Council, may request an opinion about the constitutionality of international treaties prior to their ratification. The proceedings without bind shall take priority.</p> <p>2. The judgment admitting the unconstitutionality of the treaty shall prevent its ratification. In all cases, the conclusion of an international treaty involving obligations contrary to the Constitution shall require the previous revision of the latter.</p> <p>Article 119</p> <p>A constitutional appeal against the acts of public authorities involving fundamental rights may be lodged by:</p> <ol style="list-style-type: none"> a. Those having been acted or accessory to the previous legal proceedings referred to in article 4.2.2 of this Constitution. b. Those having a legal interest related to non-enforceable provisions or acts of the General Council. c. The Public Prosecution in case of violation of the fundamental right to jurisdiction. <p>Article 120</p> <p>1. Conflicts between the constitutional organs shall arise whenever one of them alleges that another is disregarding or acting out the tasks which are constitutionally under the jurisdiction of the first.</p> <p>2. The Tribunal Constitucional, on the request of any of the constitutional organs, shall, under appeal, and when appropriate, give orders for the acts which originated the conflict to be stopped.</p>
Andorra 1993	Page 30

UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES



United Nations Declaration
on the Rights of Indigenous Peoples

Resolution adopted by the General Assembly
[without reference to a Main Committee (A/RES/61/189 and Add.1)]

61/189. United Nations Declaration on the Rights of Indigenous Peoples
The General Assembly,

Taking note of the recommendation of the Human Rights Council contained in its resolution 1/2 of 28 June 2006,¹ by which the Council adopted the text of the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling its resolution 61/178 of 20 December 2006, by which it decided to defer consideration of and action on the Declaration to allow time for further consultations thereon, and also decided to conclude its consideration before the end of the sixty-first session of the General Assembly,

Adopting the United Nations Declaration on the Rights of Indigenous Peoples as contained in the annex to the present resolution,

107th plenary meeting
13 September 2007

Annex

United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

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

Affirming that indigenous peoples are 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,

¹See Official Records of the General Assembly, Sixty-first Session, Supplement No. 33 (A/61/33), part one, chap. II, sect. A.

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,

Emphasizing that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic 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,

Widening 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,

Concerned that control by indigenous peoples over development 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 indigenous 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,

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 Rights² and the International Covenant on Civil and Political Rights,³ as well as the Vienna Declaration and Programme of Action,⁴ 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 indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging 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,

²See resolution 2203 (XXI), cited in A/C.2/1975/24, para. 1, Aug. 11.

2

Believing that this Declaration 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 indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which are indispensable for their existence, well-being and integral development as peoples,

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,

Solemnly proclaiming the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

Article 1
Indigenous peoples 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 Rights⁵ and international human rights law.

Article 2
Indigenous peoples and individuals 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 based on their indigenous origin or identity.

Article 3
Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4
Indigenous peoples, 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.

Article 5
Indigenous peoples 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, social and cultural life of the State.

Article 6
Every indigenous individual has the right to a nationality.

Article 7
1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8
1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall 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 disrupting them of their lands, territories or resources;
(c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
(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.

⁵Resolution 217 (III).

4

Article 9
Indigenous peoples and individuals 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 restriction of any kind may arise from the exercise of such a right.

Article 10
Indigenous peoples shall not be forcibly removed from their lands and territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11
1. Indigenous peoples 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 archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their 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. Indigenous peoples have the right to maintain, 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, the right to the use and control of their ceremonial objects, and the right to the repatriation of their human remains.
2. States shall seek to enable the access to and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in consultation with indigenous peoples concerned.

Article 13
1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall 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. Indigenous peoples 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. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, where possible, to an education in their own culture and provided in their own language.

Article 15
1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall take effective measures, in consultation and cooperation with the indigenous peoples 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. Indigenous peoples 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.

6

7

3. States shall 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. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic law.

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous 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 special vulnerability and the importance of education for their empowerment.

3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples 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 indigenous decision-making institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples 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. Indigenous peoples have the right to maintain and develop their 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.

2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

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

2. States shall 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.

Article 22

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

2. States shall take measures, in consultation with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantee against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop policies and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

2. In consultation with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 25

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall 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 affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

3. States shall 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 26

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 27

Indigenous peoples 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, judicial systems or customs, in accordance with international human rights standards.

Article 28

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 29

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 30

1. Indigenous peoples 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 honour and respect such treaties, agreements and other constructive arrangements.

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

Article 31

States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 32

Indigenous peoples 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 this Declaration.

Article 33

Indigenous peoples have the right to access to and prompt decision 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, and legal systems of the indigenous peoples concerned and international human rights.

Article 25
Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in consultation with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples 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, territories 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 peoples 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. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or deposit of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and requested by the peoples affected by such materials, are duly implemented.

Article 30

Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.

2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to taking their lands or territories for military activities.

Article 31

1. Indigenous peoples 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, seeds, medicines, knowledge of the properties of fauna and flora, 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.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Plans and means of meeting participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

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

Article 44

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

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples 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 denigrate or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights contained 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 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, respect for human rights, equality, non-discrimination, good governance and good faith.

AMAZON RIAN FOREST PHOTOS

(All Amazon Rain Forest photos are personal photos taken between Wed June 27th & Sunday July 1st, 2018)



Tambopata River in Peru



Amazon Rain Forest River Beach



Departing the River Beach



Fruit at an Amazonian Farm



David Monlux in a Forest Clearing



Bug on an oversize Leaf



Forest Thickness



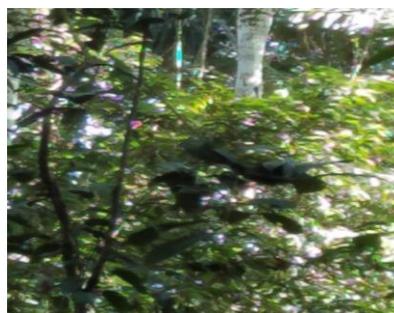
Top of the Amazon Rain Forest Tree Line



Emerald Boa Constrictor



Middle of the Peruvian Amazon Rain Forrest



Forrest Flowers



Gigantic Tarantula



Tall Tree in the Amazon Rain Forrest



Birds Flying over the Forest



Green Parrot Native to the Amazon



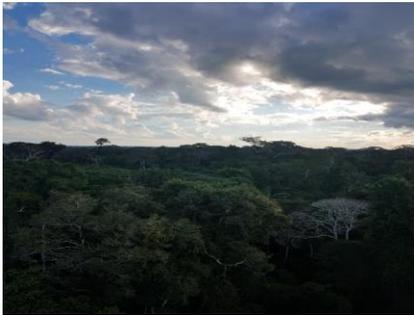
Lunar Tree



Clay Cliff Valley Dwelling in the Madre de Dios Region of the Amazon Rain Forrest.



Afternoon Sun over the Tambopata River



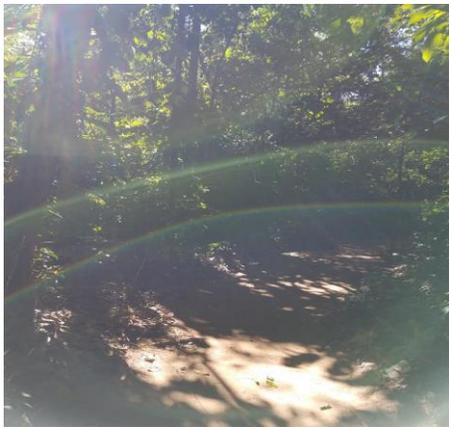
Areal Overhead View of the Amazonian Jungle



Walking Tree



David Monlux at the top of Canopy Tower



Rainbows in the Forrest



Army Ant Hill Mound



Howler Monkeys



Whirlpool on the Tambopata River



Surreal Beauty in the Amazon



Otters at a lake in the Madre de Dios Region



Baby Alligator on the banks of the Amazon River



The bright moon in the Middle of the night lighting up the Forrest over the Rainforest Expeditions Lodge

The reasons for these photos are to show what clean pristine beauty of the Amazon that the Wampis, environmentalist, concerned citizens and other indigenous groups are fighting so hard to protect.



BARBIE GIRL PARODY SONG



EXPLANATION SUMMARY



WAMPIS NATION IN AN AMAZOIAN WORLD

Over Simplification of the dispute

(Intro: Wampis & Peru)

Peru: Hiya Wampis.

Wampis: Go away Peru!

Peru: Can we take away your resources?

Wampis: NO!

Peru: Sound Pocket!



(CHORUS: WAMPIS)

We're the Wampis People in the Amazonian World, Life in remoteness its fantastic. You can't find our resources just anywhere. Mother Earth is NOT your creation. Come on Peru, stay away. **REPEAT**



(VERSE 1: WAMPIS & PERU)



Wampis: We're the proud Wampis People in the Amazonian World. Stay away, don't come close, this is NOT your land.

Peru: You're Peruvians. Feel the Economic boom and glamor in crude. Give us your oil, logs and gold.

BRIDGE (WAMPIS)

No touch, no extract. This land is ours. Ooh NO Peru.



CHORUS REPEAT



BREAK DOWN (WAMPIS & PERU)

Peru X 4: Come on Wampis, lets extract.

Wampis X 4: Hell NO!



(VERSE 2: WAMPIS & PERU)

Wampis: Leave us in obscurity, leave us remote, don't bother us on our land.

Peru: We bring in mining and oil companies begging on their knees. The land is so ripe for the drilling where we want to do it again. Hit the river and pollute it up. Let's make money. (\$\$\$\$\$\$)



BRIDGE X2 REPEAT

BREAKDOWN

CHORUS

BREAKDOWN

(OUTRO: WAMPIS & PERU)

Wampis: Stop polluting our rivers.

Peru: We're just getting started.

Wampis: Leave us alone Peru.



Barbie Girl Video Link: <https://youtu.be/ZyhrYis509A> OR <https://www.youtube.com/watch?v=ZyhrYis509A>

Barbie Girl Lyrics at: <https://genius.com/Aqua-barbie-girl-lyrics>

THANK YOU PEER REVIEWERS

This section will thank and acknowledge my peer reviewers.