

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Opposing Ratification of the Indigenous Law Bill and Supporting Adoption
of the COCOPA Initiative)

RESOLUTION NO. 01-206

1 **WHEREAS, the Tohono O'odham Nation ("Nation") is a sovereign government and a federally**
2 **recognized Indian nation that represents a people divided by the United States-**
3 **Mexico international border; and**

4 **WHEREAS, the lands now divided by this border are the aboriginal homeland of the Tohono**
5 **O'odham, whose residency predates the existence of the United States of America or**
6 **the Republic of Mexico; and**

7 **WHEREAS, as a people with one homeland in two countries, the Tohono O'odham Nation has a**
8 **special interest in the Mexican government's relations with Indigenous peoples, as**
9 **members of the Tohono O'odham Nation residing in the State of Sonora, Mexico are**
10 **subject to the same laws and policies that have resulted in the harsh treatment of the**
11 **Mayan and other Indigenous peoples throughout the Republic of Mexico; and**

12 **WHEREAS, the Mexican government's denial of the fundamental Indigenous right to free**
13 **determination and autonomy within the framework of the Mexican State resulted in**
14 **the formation of the Zapatista National Liberation Army (EZLN) in 1994 and the EZLN's**
15 **subsequent movement to gain recognition of these rights for all Mexico's Indigenous**
16 **peoples, including the O'odham in Mexico; and**

17 **WHEREAS, the Tohono O'odham Nation recognizes that the adoption of the San Andrés Accords**
18 **by the Mexican government and the EZLN in 1996 was a first step toward gaining**
19 **meaningful legal recognition and protection for all of Mexico's Indigenous peoples;**
20 **and**

21 **WHEREAS, the Commission on Concordance and Pacification (COCOPA), composed of members**
22 **of the Mexican Congress, did draft an initiative ("COCOPA Initiative") designed to**
23 **implement the 1996 San Andrés Accords that was signed by the Commission and the**
24 **EZLN on November 20, 1996; and**

25 **WHEREAS, for four years, the Mexican government failed to honor the San Andrés Accords which**
26 **it signed and refused to enact the COCOPA Initiative drafted by its own officials; and**

27 **WHEREAS, during that time, the Indigenous National Congress was established and has now**
28 **grown to represent the will of an ever increasing number of Indigenous peoples**
29 **across Mexico; and**

30 **WHEREAS, in part as a result of this growing movement, President Vicente Fox introduced the**

RESOLUTION NO. 01-206

(Opposing Ratification of the Indigenous Law Bill and Supporting Adoption of the COCOPA Initiative)

Page 2 of 4

1 **COCOPA Initiative to the Congress of Mexico on December 5, 2000; and**
2 **WHEREAS, on March 9, 2001, the Tohono O'odham Legislative Council expressed its support for**
3 **the Mexican Indigenous rights movement by passing Resolution No. 01-123,**
4 **"Supporting Adoption of the COCOPA Initiative by the Mexican Congress in Order to**
5 **Recognize and Protect Mexico's Indigenous Peoples' Rights to Self Determination and**
6 **Self Governance"; and**
7 **WHEREAS, an EZLN delegation subsequently traveled to Mexico City with numerous supporters**
8 **and members of the Indigenous National Congress to continue a dialog with the**
9 **Congress of Mexico, with the Indigenous peoples of Mexico and with the "civil society",**
10 **the private citizens of Mexico, and to urge the COCOPA Initiative's adoption; and**
11 **WHEREAS, while the EZLN delegation did meet with the Mexican Congress on March 28, 2001, one**
12 **month later the Congress adopted a so-called "Indigenous Law Bill" that fails to**
13 **recognize or protect the Indigenous rights previously acknowledged by the COCOPA;**
14 **and**
15 **WHEREAS, on April 29, 2001 the EZLN issued a statement that it "formally denounces this**
16 **constitutional amendment on Indigenous rights and culture. It does not keep the**
17 **spirit of the San Andrés Accords, disrespects the COCOPA Initiative, completely**
18 **ignores national and international demands for recognition of Indigenous rights and**
19 **culture, sabotages the incipient process of building a relationship between the**
20 **federal government and the EZLN, betrays the hopes for a negotiated solution to the**
21 **war in Chiapas, and reveals the total divorce of the political class from popular**
22 **demand."**
23 **WHEREAS, the Indigenous Law Bill that was passed by the Congress of Mexico must first be**
24 **ratified by more than one-half the states of the Republic of Mexico before becoming**
25 **law.**
26 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that the**
27 **Tohono O'odham Nation strongly opposes the adoption and ratification of the**
28 **Indigenous Law Bill and urges the legislature of the State of Sonora and all other state**
29 **legislatures of the Republic of Mexico to reject this Bill when it is presented.**
30 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the Tohono**
31 **O'odham Nation urges President Fox to actively oppose the Indigenous Law Bill and**
32 **to further oppose any effort to undermine or invalidate the San Andrés Accords.**

RESOLUTION NO. 01-206

(Opposing Ratification of the Indigenous Law Bill and Supporting Adoption of the COCOPA Initiative)

Page 3 of 4

1 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Tohono
2 **O'odham Nation calls upon the National Congress of America Indians to support the**
3 **EZLN, the Indigenous National Congress, and Mexican Indigenous peoples' efforts to**
4 **finally gain recognition of their rights by the adoption of the COCOPA Initiative and**
5 **defeat of the Indigenous Law Bill that was passed by the Congress of Mexico.**

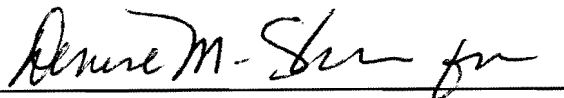
6 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH Day**
7 **of MAY, 2001 at a meeting at which a quorum was present with a vote of 2,086.45 FOR; -0- AGAINST;**
8 **79.05 NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1**
9 **(c)(2) & (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
10 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
11 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
12 **Stat. 984).**

13
14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

15
16
17 
18 **Dennis Ramon, Legislative Chairman**

19
20 10th day of May, 20 01

21
22 **ATTEST:**

23
24 

25
26 **Julianna Saraffio, Acting Legislative Secretary**

27
28 8th day of May, 20 01.

29
30 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
31 **Nation on the 10th day of May, 20 01 at 4:10 o'clock, P.M.,**
32 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
33 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
34 **submittal.**

35
36 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

37
38
39 
40 **Dennis Ramon, Legislative Chairman**

41
42
43

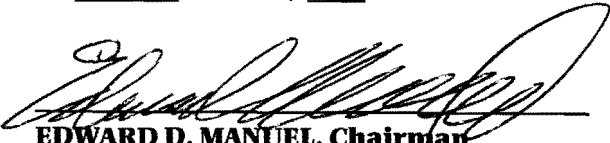
RESOLUTION NO. 01-206

(Opposing Ratification of the Indigenous Law Bill and Supporting Adoption of the COCOPA Initiative)

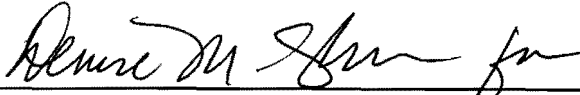
Page 4 of 4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

APPROVED on the 14 day of MAY, 20 01
 DISAPPROVED at 3:54 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14TH day of
May, 20 01, at 4:03 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: **OPPOSING RATIFICATION OF THE INDIGENOUS LAW BILL AND SUPPORTING ADOPTION OF THE COCOPA INITIATIVE**MOVED: **COUNCILMAN TONY BURRELL**SECOND: **COUNCILWOMAN GLORIA MONTANA**DATE: **MAY 08, 2001**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN** ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS** ()	66.7	X			
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ ()	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			X
GU VO 160.0	1. FERN SALCIDO** ()	80.0	X			
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. SHIRLEY MOLINA ()	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05			X	
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	2,086.45	-0-	79.05	[01]

**PASSED VOTES