

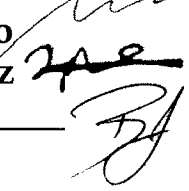
I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

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Resolution No. 130(COR)

Introduced by:

R.J. Respicio
J.P. Guthertz
B.J.F. Cruz



Relative to requesting that the President of the United States include Guam with the Commonwealth of the Northern Mariana Islands relative to providing that sustenance, recreational, and traditional indigenous fishing shall be managed as a sustainable activity consistent with other applicable laws of Guam.

1 BE IT RESOLVED BY I MINA'TRENTA NA LIHESLATURAN
2 GUÅHAN:

3 WHEREAS, pursuant to Public Law 29-127, which became Guam law
4 on the 22nd day of December, 2008, *I Lihelsatura* cleared the path for the
5 indigenous people of Guam to receive indigenous rights to fishing and
6 harvesting of resources as provided by law; and

7 WHEREAS, the basic human right of indigenous people to provide
8 sustenance for their families through the proper and sustainable harvesting
9 of natural resources should never be abridged; and

10 WHEREAS, historically, until the arrival of the Spanish, the
11 indigenous people of Guam, the Chamorros, were much like other
12 indigenous peoples throughout the Pacific islands, subsisting primarily on
13 fishing; however Guam's European conquerors prohibited fishing outside
14 Guam's reefs and placed restrictions on fishing inside the reef, and similar
15 policies were continued by the American Naval administration, forcing the
16 Chamorro people to turn to farming as their primary source of sustenance;
17 and

1 **WHEREAS**, despite this historical discrimination, the indigenous
2 people were able to maintain their fishing traditions and skills, and in 1977
3 the people of the Island of Guam approved a draft constitution containing
4 language to provide “special rights for Chamorros to off-shore fishing and
5 harvesting of resources” as provided by law, and the draft constitution was
6 approved by both the Congress and the President of the United States, but
7 was eventually rejected by the people of Guam for reasons not related to
8 indigenous fishing; and

9 **WHEREAS**, President George W. Bush recently expressed the
10 support of the United States for indigenous fishing in insular areas in his
11 January 6, 2009 designation of the Marianas Trench Marine National
12 Monument, which provided that the Secretary of Commerce “shall ensure
13 that sustenance, recreational, and traditional indigenous fishing shall be
14 managed as a sustainable activity consistent with other applicable law and
15 after due consideration with respect to traditional indigenous fishing of
16 any determination by the Government of the Commonwealth of the
17 Northern Mariana Islands;” and

18 **WHEREAS**, *I Liheslatura* believes that the indigenous people of Guam
19 will benefit if such a provision were to also be established for Guam; now,
20 therefore, be it

21 **RESOLVED**, that *I Mina’Bente Nuebi Na Liheslaturan Guåhan* does
22 hereby, on behalf of the people of Guam, request that President Barack
23 Obama provide that the same provision that has been extended to the
24 Commonwealth of the Northern Mariana Islands to ensure that sustenance,
25 recreational, and traditional indigenous fishing shall be managed as a
26 sustainable activity, shall also be provided to Guam; and be it further

27 **RESOLVED**, that the Speaker and the Chairman of the Committee on
28 Rules certify, and the Legislative Secretary attest to the adoption hereof

1 and that copies of the same be thereafter transmitted to President Barack
2 Obama; to the Honorable Gary Locke, Secretary of Commerce; to the Chief
3 Executives of each member jurisdiction of the Association of Pacific Island
4 Legislatures, and to the Honorable Felix P. Camacho, *I Maga'lahen Guåhan*.