

Commonwealth of the Northern Mariana Islands  
Council for the Humanities



## Memorandum

Wednesday, 18 June 1997

To: Judge Edward Manibusan, Ben Santos, Genevieve Cabrera, Sam McPhetres and David Wiseman

From: Isaac Magofña, Asst. Director/Program Officer

Subject: Minutes of the first meeting on "Balancing Indigenous Rights With Constitutional Responsibility"

Thank you all for coming to our meeting. We really appreciate you giving up valuable time off work to come and share with us your thoughts and ideas regarding the subject matter.

As you were all made aware, the Council will conduct a number of public forums embracing the theme, *Celebrating Freedom in a Democratic Society*. Having concluded the first in the series, *Civil and Human Rights*, the second forum will focus on *Balancing Indigenous Rights With Constitutional Responsibility*. We hope to present a balanced perspective of this topic through a panel of discussants and a moderator.

The consensus of our meeting is that we set the stage for the morning session, by defining the term "Indigenous people" of the CNMI. In addition, a standard be imposed to determine indigenous rights and that such standard include tradition, custom and practice.

A number of questions were raised:

- 1) What conflicts would arise out of traditional laws and statutory laws as a result of indigenous rights?
- 2) What rights do indigenous persons have that non-indigenous persons do not have?
- 3) Who is excluded as a result of indigenous rights? What customary practices should become statute?

The group delved into other areas of indigenous rights such as fishing and