



THE FOUNDING CHARTER

of

KANATAWI

A Confederation of Peoples, Nations, and Territories

*A Constitutional Blueprint for a Democratic, Peaceful, Ecological, and
Pluralistic Confederation*

"We are many peoples. We share one future. We build Kanatawi."

DISCLAIMER

This document is drafted as a conceptual founding charter for a hypothetical Kanatawi — not as a claim of existing law, but as a proposed constitutional blueprint. A real transition would require negotiation and consent from Indigenous nations, residents, and existing democratic institutions.

This charter represents an aspirational framework for constitutional renewal, grounded in the principles of:

- C6 Indigenous sovereignty and nation-to-nation relationships
 - C6 Democratic self-governance without inherited authority
 - C6 Ecological responsibility and the rights of nature
 - C6 Peaceful cooperation between peoples and territories
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PREAMBLE

We, the peoples and nations of Kanatawi, recognizing the ancient presence, sovereignty, and stewardship of Indigenous peoples upon these lands; recognizing the dignity and equality of all human beings; rejecting inherited authority without consent; and committing ourselves to peace, justice, ecological responsibility, and democratic self-government, establish this Founding Charter.

Kanatawi is founded not upon conquest, monarchy, or domination, but upon cooperation between nations, communities, and peoples.

We create this Confederation to protect freedom, uphold human rights, restore respectful relationships with the land, and build a peaceful society based on mutual responsibility.

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INTERNATIONAL LEGAL FOUNDATION

The Preamble affirms principles enshrined in the **UN Charter (1945)**, which establishes that the United Nations is founded on the principle of the sovereign equality of all its Members (Article 2(1)), and that its purposes include developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples (Article 1(2)). The rejection of inherited authority aligns with the Universal Declaration of Human Rights (UDHR, 1948), Article 21(3), which states that “the will of the people shall be the basis of the authority of government.” The recognition of Indigenous stewardship draws directly from the **UN Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007)**, which affirms that Indigenous peoples have the right to self-determination (Article 3) and that nothing in the Declaration may be construed as diminishing or extinguishing rights Indigenous peoples currently hold or may acquire in the future (Article 45).

Sources: UN Charter (1945); UDHR (1948); UNDRIP, UN General Assembly Resolution 61/295 (13 September 2007).

THE CONFEDERATION OF KANATAWI

Section 1 — Name and Identity

The nation shall be known as:

Kanatawi — The Confederation of Peoples and Nations

Kanatawi shall be a **democratic, peaceful, ecological, and pluralistic confederation**.

Section 2 — Source of Authority

All legitimate authority originates from:

- C6 the consent of the peoples;
- C6 the inherent rights of Indigenous nations;
- C6 democratic participation;
- C6 respect for future generations.

No person shall inherit political authority by birth.

LEGAL JUSTIFICATION

The principle that authority derives from the consent of the governed is the cornerstone of modern democratic constitutionalism, articulated in **Article 21(3) of the Universal Declaration of Human Rights (1948)**: “The will of the people shall be the basis of the authority of government.” This is reinforced by **Article 25 of the International Covenant on Civil and Political Rights (ICCPR, 1966)**, which guarantees every citizen the right to take part in the conduct of public affairs, to vote, and to be elected at genuine periodic elections. The prohibition on inherited political authority directly repudiates monarchical and hereditary systems of government, consistent with the democratic principle that no individual may hold power by virtue of birth alone — a principle now universal across republican constitutions worldwide.

The recognition of Indigenous nations as independent sources of legitimate authority is grounded in **UNDRIP Article 3**, which affirms Indigenous peoples’ right to self-determination, and **Article 4**, which guarantees the right to autonomy or self-government in matters relating to their internal and local affairs. The **UN Charter Article 1(2)** further establishes that one of the purposes of the United Nations is to “develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples.”

The principle of intergenerational equity — respect for future generations — has gained recognition in international environmental law, particularly through the **Brundtland Commission Report (1987)** and the **UN Framework Convention on Climate Change (1992)**, which acknowledge that present generations hold the natural environment in trust for those yet unborn.

Sources: UDHR Art. 21(3); ICCPR Art. 25; UNDRIP Arts. 3–4; UN Charter Art. 1(2); Brundtland Report (1987); UNFCCC (1992).

FOUNDING NATIONS AND INDIGENOUS SOVEREIGNTY

Section 1 — Recognition

Kanatawi recognizes Indigenous nations as founding peoples with inherent rights of self-government.

Section 2 — Nation-to-Nation Relationship

Indigenous nations shall participate as equal constitutional partners.

The Confederation shall recognize:

- C6 Indigenous governments;
- C6 traditional governance systems;
- C6 cultural autonomy;
- C6 language rights;
- C6 land stewardship responsibilities.

Section 3 — Treaties

Existing treaties shall be respected and reviewed through nation-to-nation dialogue.

No treaty relationship shall be erased without the free, prior, and informed consent of the nations concerned.

LEGAL JUSTIFICATION

The recognition of Indigenous nations as founding peoples with inherent sovereignty is the central pillar of this Charter, grounded in multiple layers of international law. **UNDRIP (2007)** is the most comprehensive international instrument on Indigenous rights. **Article 1** affirms that Indigenous peoples have the right to the full enjoyment of all human rights as recognized in international law. **Article 3** establishes the right to self-determination, by virtue of which Indigenous peoples freely determine their political status and pursue their economic, social, and cultural development. **Article 4** guarantees the right to autonomy or self-government in matters relating to internal and local affairs. **Article 5** protects the right to maintain and strengthen distinct political, legal, economic, social, and cultural institutions while retaining the right to participate fully in the political life of the State.

The requirement of nation-to-nation relationships as equal constitutional partners reflects **UNDRIP Article 18**, which guarantees Indigenous peoples the right to participate in decision-making through representatives chosen by themselves in accordance with their own procedures, and **Article 19**, which obliges States to consult and cooperate in good faith to obtain free, prior, and informed consent before adopting measures that may affect Indigenous peoples. **Article 34** explicitly recognizes the right of Indigenous peoples to promote, develop, and maintain their institutional structures and juridical systems in accordance with international human rights standards.

The protection of treaties is mandated by **UNDRIP Article 37**, which affirms Indigenous peoples' right to the recognition, observance, and enforcement of treaties, agreements, and other constructive arrangements concluded with States, and provides that nothing in the Declaration may be interpreted as diminishing or eliminating rights contained in such treaties. This aligns with the **Vienna Convention on the Law of Treaties (1969)**, which establishes *pacta sunt servanda* (Article 26): "Every treaty in force is binding upon the parties to it and must be performed by them in good faith." Article 27 further provides that a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty.

The principle of free, prior, and informed consent (FPIC) has become a cornerstone of Indigenous rights in international law, recognized not only in **UNDRIP** but also in **ILO Convention 169 (1989)**, which requires governments to consult Indigenous peoples with the objective of achieving agreement or consent before undertaking projects affecting their lands and territories.

Sources: *UNDRIP Arts. 1, 3–5, 18–19, 34, 37; Vienna Convention on the Law of Treaties (1969), Arts. 26–27; ILO Convention 169 (1989).*

DEMOCRATIC GOVERNANCE

Section 1 — Citizen Assembly

The supreme democratic authority shall be the people of Kanatawi.

Citizens shall participate through:

- C6 elections;
- C6 referendums;
- C6 citizens' assemblies;
- C6 democratic institutions.

Section 2 — Head of State

Kanatawi shall have a democratic head of state.

Possible models:

- C6 directly elected President;
- C6 elected ceremonial President;
- C6 citizens' council presidency.

The office shall never be hereditary.

Section 3 — Government

Kanatawi shall maintain a parliamentary democratic system.

The government shall be accountable to elected representatives.

LEGAL JUSTIFICATION

The architecture of democratic governance in Kanatawi draws from the foundational human rights instruments of the United Nations. **Article 21 of the Universal Declaration of Human Rights (1948)** establishes three core principles: (1) everyone has the right to take part in the government of their country, directly or through freely chosen representatives; (2) everyone has the right of equal access to public service; and (3) the will of the people shall be the basis of the authority of government, expressed in periodic and genuine elections by universal and equal suffrage and held by secret vote or by equivalent free voting procedures.

These principles are given binding legal force in **Article 25 of the International Covenant on Civil and Political Rights (ICCPR, 1966)**, which guarantees every citizen the right to take part in the conduct of public affairs, to vote and to be elected at genuine periodic elections by universal and equal suffrage, and to have access on general terms of equality to public service. The UN Human Rights Committee, in its General Comment No. 25 (1996), has interpreted Article 25 to require that the conduct of public affairs “is a broad concept which relates to the exercise of political power, in particular the exercise of legislative, executive and administrative powers,” and that it covers all aspects of public administration.

The inclusion of citizens' assemblies as a participatory mechanism reflects the evolving international understanding of democracy beyond representative institutions. The **UN Convention against Corruption (UNCAC, 2003)**, in Article 13, calls on States to promote the active participation of civil society and community-based organizations in decision-making processes and to enhance transparency of public contribution to decision-making. The **Aarhus Convention (1998)** further establishes the right of the public to participate in environmental decision-making, reflecting a broader trend toward deliberative and participatory democracy in international law.

The explicit prohibition on hereditary office is consistent with the republican principle that sovereignty resides in the people, not in any individual or dynasty. This principle is universal in modern republican constitutions and reflects the **International Covenant on Civil and Political Rights, Article 25**, which requires that access to public service be on general terms of equality — a standard incompatible with hereditary succession.

Sources: UDHR Art. 21; ICCPR Art. 25; UN Human Rights Committee General Comment No. 25 (1996); UNCAC Art. 13; Aarhus Convention (1998).

CONFEDERATED TERRITORIES

Section 1 — End of Provincial Structure

The former provincial model shall be replaced by a Confederation of:

- C6 Indigenous nations;
- C6 regional democratic territories;
- C6 local communities.

Section 2 — Local Autonomy

Territories shall govern local matters while participating in shared national responsibilities.

Section 3 — Equal Representation

No territory shall dominate another.

Population, Indigenous status, geography, and regional interests shall all be considered.

LEGAL JUSTIFICATION

The restructuring of territorial governance reflects the principle of **subsidiarity** — that decisions should be made at the most local level capable of addressing them effectively — which is recognized in international law as a principle of good governance. The **European Charter of Local Self-Government (1985)** establishes that local authorities shall have full discretion to exercise their initiative with regard to any matter which is not excluded from their competence nor assigned to any other authority. While not globally binding, this instrument reflects an emerging international consensus on the importance of local autonomy.

The recognition of Indigenous nations as distinct territorial units with self-governing authority is mandated by **UNDRIP Article 4** (right to autonomy or self-government in matters relating to internal and local affairs) and **Article 5** (right to maintain distinct institutions while participating in the broader State). **Article 26** of UNDRIP further affirms that Indigenous peoples have the right to the lands, territories, and resources which they have traditionally owned, occupied, or otherwise used or acquired, and that States shall give legal recognition and protection to these lands, territories, and resources with due respect to Indigenous customs, traditions, and land tenure systems.

The principle of equal representation, balancing population, Indigenous status, geography, and regional interests, reflects the **UN Charter Article 2(1)** principle of sovereign equality of States, adapted to a confederal context where constituent units must have meaningful voice regardless of size. This also aligns with **UNDRIP Article 18**, which guarantees Indigenous peoples the right to participate in decision-making in matters affecting their rights through their own representative institutions and procedures.

Sources: European Charter of Local Self-Government (1985); UNDRIP Arts. 4–5, 18, 26; UN Charter Art. 2(1).

RIGHTS AND FREEDOMS

Every person in Kanatawi shall have the right to:

- life and security;
- equality before the law;
- freedom of expression;
- freedom of belief;
- privacy;
- democratic participation;
- education;
- healthcare;
- clean water;
- a healthy environment.

LEGAL JUSTIFICATION

The rights enumerated in Article V are drawn directly from the **International Bill of Human Rights**, comprising the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (ICCPR, 1966), and the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966). Together, these instruments form the foundational framework of international human rights law.

Life and security are protected by **UDHR Article 3** (right to life, liberty, and security of person) and **ICCPR Article 6** (right to life) and **Article 9** (right to liberty and security of person). **Equality before the law** is guaranteed by **UDHR Article 7** and **ICCPR Article 14**, which ensures equality before the courts and tribunals and the right to a fair hearing. **Freedom of expression** is protected by **UDHR Article 19** and **ICCPR Article 19**, which guarantees the right to hold opinions without interference and to seek, receive, and impart information and ideas of all kinds. **Freedom of belief** is enshrined in **UDHR Article 18** and **ICCPR Article 18**, which protects freedom of thought, conscience, and religion.

Privacy is protected by **UDHR Article 12** and **ICCPR Article 17**, which prohibit arbitrary or unlawful interference with privacy, family, home, or correspondence. **Democratic participation** is guaranteed by **UDHR Article 21** and **ICCPR Article 25**, as discussed in Article III.

Education is recognized as a human right in **UDHR Article 26** and **ICESCR Article 13**, which establishes that primary education shall be compulsory and available free to all, secondary education shall be generally available and accessible, and higher education shall be equally accessible to all on the basis of capacity. **Healthcare** is protected by **UDHR Article 25** and **ICESCR Article 12**, which recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. The Committee on Economic, Social and Cultural Rights, in General Comment No. 14 (2000), has interpreted this to include the right to health facilities, goods, and services.

Clean water is implicitly protected under the right to an adequate standard of living in **ICESCR Article 11** and has been explicitly recognized by the Committee on Economic, Social and Cultural Rights in General Comment No. 15 (2002) as a self-standing human right essential for life and health. **A healthy environment**, while not explicitly named in the original human rights covenants, has been recognized by the UN Human Rights Council (Resolution 48/13, 2021) as a human right, and is increasingly treated as integral to the rights to life, health, and an adequate standard of living.

Sources: UDHR Arts. 3, 7, 12, 18–19, 21, 25–26; ICCPR Arts. 6, 9, 14, 17–19, 25; ICESCR Arts. 11–13; UN Human Rights Council Resolution 48/13 (2021); CESCR General Comments No. 14 (2000) and No. 15 (2002).

RIGHTS OF NATURE

Kanatawi recognizes that ecosystems have value beyond economic use.

The Confederation shall protect:

- C6 forests;
- C6 waters;
- C6 biodiversity;
- C6 climate stability;
- C6 future generations.

Environmental destruction threatening collective survival shall be subject to constitutional review.

LEGAL JUSTIFICATION

The recognition of rights of nature represents one of the most significant developments in contemporary constitutional and international environmental law. **Ecuador's Constitution (2008)** became the first national constitution to recognize the rights of nature (*Pachamama*), providing that nature has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions, and evolutionary processes. **Bolivia's Law of the Rights of Mother Earth (2010)** followed, establishing that Mother Earth is a collective subject of public interest, with inherent rights including the right to life, the right to regeneration of biocapacity, and the right to clean water.

At the international level, the **UN Framework Convention on Climate Change (1992)** and the **Paris Agreement (2015)** establish binding obligations on States to protect the climate system for present and future generations. The **Convention on Biological Diversity (1992)** recognizes the intrinsic value of biological diversity and the importance of conserving it for future generations. The **Rio Declaration on Environment and Development (1992)**, Principle 3, affirms that the right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

The **UN Human Rights Council Resolution 48/13 (2021)** explicitly recognized the right to a clean, healthy, and sustainable environment as a human right, noting that this right is "important for the enjoyment of human rights." The UN General Assembly subsequently affirmed this right in **Resolution 76/300 (2022)**. The **International Covenant on Economic, Social and Cultural Rights, Article 12** (right to health) and **Article 11** (adequate standard of living) have been interpreted by the Committee on Economic, Social and Cultural Rights as encompassing environmental dimensions.

The provision for constitutional review of environmental destruction reflects the principle of **intergenerational equity**, articulated in the **Brundtland Commission Report (1987)** and recognized in the **UNFCCC preamble**, which acknowledges that States should protect the climate system for the benefit of present and future generations of humankind. It also draws from the concept of **ecocide** as an international crime, which has been proposed for inclusion in the Rome Statute of the International Criminal Court and is supported by a growing body of international legal opinion.

Sources: Ecuador Constitution (2008), Art. 71; Bolivia Law of the Rights of Mother Earth (2010); UNFCCC (1992); CBD (1992); Rio Declaration (1992); UN HRC Resolution 48/13 (2021); UNGA Resolution 76/300 (2022); Brundtland Report (1987); ICESCR Arts. 11–12.

Kanatawi shall promote:

- C6 sustainable development;
- C6 cooperative enterprise;
- C6 Indigenous economic sovereignty;
- C6 responsible innovation;
- C6 protection against corruption.

Economic power shall not override democratic authority.

LEGAL JUSTIFICATION

The economic provisions of this Charter are grounded in the **International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)**, which establishes the right to work (Article 6), the right to just and favourable conditions of work (Article 7), the right to form and join trade unions (Article 8), the right to social security (Article 9), and the right to an adequate standard of living (Article 11). The Committee on Economic, Social and Cultural Rights has interpreted these rights as requiring States to create conditions under which all individuals can enjoy economic, social, and cultural rights without discrimination.

The principle of **sustainable development** is recognized in the **Brundtland Commission Report (1987)** as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This principle has been incorporated into numerous international instruments, including **Agenda 21 (1992)**, the **Millennium Development Goals (2000)**, and the **Sustainable Development Goals (2015)**. The **UN Guiding Principles on Business and Human Rights (2011)** further establish that States have a duty to protect against human rights abuses by business enterprises, and that businesses have a responsibility to respect human rights throughout their operations.

The promotion of **cooperative enterprise** reflects the recognition in **ILO Recommendation No. 193 (2002)** concerning the promotion of cooperatives, which encourages member States to provide a supportive policy and legal framework for the growth of cooperative enterprises as a means of creating employment and alleviating poverty. Cooperatives are also recognized in the **UN Sustainable Development Goals** as important vehicles for inclusive and sustainable economic growth.

Indigenous economic sovereignty is protected by **UNDRIP Article 20**, which guarantees Indigenous peoples the right to maintain and develop their political, economic, and social systems or institutions and to be secure in the enjoyment of their own means of subsistence and development. **Article 21** recognizes the right to improvement of economic and social conditions without discrimination. **Article 23** guarantees the right to determine and develop priorities and strategies for exercising the right to development, including the right to be actively involved in developing and determining health, housing, and other economic and social programmes.

The **protection against corruption** is mandated by the **United Nations Convention against Corruption (UNCAC, 2003)**, which is the only legally binding universal anti-corruption instrument. UNCAC obliges States Parties to implement preventive measures (Chapter II, Articles 5–14), criminalize corruption offences (Chapter III), promote international cooperation (Chapter IV), and recover assets (Chapter V). **Article 5** requires States to develop effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency, and accountability. The subordination of economic power to democratic authority is consistent with **UNCAC Article 10**, which requires States to enhance transparency in public administration, and **Article 13**, which mandates the active participation of civil society in preventing and combating corruption.

Sources: ICESCR Arts. 6–11; Brundtland Report (1987); UN Guiding Principles on Business and Human Rights (2011); ILO Recommendation No. 193 (2002); UNDRIP Arts. 20–21, 23; UNCAC (2003), Arts. 5, 10, 13; SDGs (2015).

TRANSPARENCY AND ACCOUNTABILITY

Public institutions shall operate with:

-  open records;
-  independent audits;
-  anti-corruption enforcement;
-  democratic oversight.

No officeholder shall be above the law.

LEGAL JUSTIFICATION

The requirements for transparency and accountability are among the most developed areas of international law. The **United Nations Convention against Corruption (UNCAC, 2003)** establishes comprehensive obligations in this regard. **Article 10** requires States to enhance transparency in public administration by adopting procedures allowing the public to obtain information on the organization, functioning, and decision-making processes of public administration. **Article 9** mandates appropriate systems of public procurement based on transparency, competition, and objective criteria, as well as transparency and accountability in the management of public finances, including procedures for the adoption of the national budget, timely reporting on revenue and expenditure, and a system of accounting and auditing standards with related oversight.

Article 11 of UNCAC requires States to strengthen integrity among members of the judiciary and prosecution services, bearing in mind the independence of the judiciary and its crucial role in combating corruption. **Article 13** mandates the active participation of civil society, non-governmental organizations, and community-based organizations in the prevention of and fight against corruption, including ensuring that the public has effective access to information and respecting, promoting, and protecting the freedom to seek, receive, publish, and disseminate information concerning corruption.

The principle that **no officeholder shall be above the law** is a foundational element of the rule of law, recognized in **UN Charter Article 2(1)** (sovereign equality) and reflected in the **Universal Declaration of Human Rights Article 7** (equality before the law). The **International Covenant on Civil and Political Rights, Article 14**, guarantees equality before the courts and tribunals, and the **UN Basic Principles on the Independence of the Judiciary (1985)** affirm that everyone shall have the right to be tried by ordinary courts or tribunals using established legal procedures, and that tribunals that do not use such procedures shall not be created.

The **Rio Declaration on Environment and Development, Principle 10 (1992)** further establishes that environmental issues are best handled with the participation of all concerned citizens, and that each individual shall have appropriate access to information concerning the environment held by public authorities and the opportunity to participate in decision-making processes. This principle has been elaborated in the **Aarhus Convention (1998)**, which establishes a framework for access to information, public participation in decision-making, and access to justice in environmental matters.

Sources: UNCAC (2003), Arts. 9–11, 13; UDHR Art. 7; ICCPR Art. 14; UN Basic Principles on the Independence of the Judiciary (1985); Rio Declaration, Principle 10 (1992); Aarhus Convention (1998).

JUSTICE SYSTEM

Justice shall be based upon:

- ^{C6} equality;
- ^{C6} due process;
- ^{C6} restoration where possible;
- ^{C6} protection of victims;
- ^{C6} respect for Indigenous legal traditions.

Courts shall be independent from political interference.

LEGAL JUSTIFICATION

The justice system provisions draw from the most fundamental principles of international human rights law. **Equality before the law** is guaranteed by **UDHR Article 7**, **ICCPR Article 14(1)**, and **ICESCR Article 2(2)**, which together establish that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. **Due process** is protected by **ICCPR Article 14**, which guarantees the right to a fair and public hearing by a competent, independent, and impartial tribunal established by law, the presumption of innocence, and the right to adequate time and facilities for the preparation of a defence.

The principle of **restorative justice** where possible reflects the **UN Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters (2002)**, which encourage member States to develop restorative justice processes that provide opportunities for victims, offenders, and communities to address the harm caused by crime and to repair relationships. Restorative justice is also recognized in the **UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985)**, which calls for restitution, compensation, and assistance to victims.

The **protection of victims** is mandated by the **UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985)**, which establishes that victims should be treated with compassion and respect for their dignity, have access to justice and fair treatment, receive restitution from the offender or the State, and obtain necessary material, medical, psychological, and social assistance. The **UN Convention against Corruption, Article 32**, further requires States to establish appropriate procedures to provide protection for witnesses and experts who give testimony concerning corruption offences.

The **respect for Indigenous legal traditions** is grounded in **UNDRIP Article 34**, which recognizes the right of Indigenous peoples to promote, develop, and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices, and, where they exist, juridical systems or customs, in accordance with international human rights standards. **Article 40** further guarantees Indigenous peoples 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, giving due consideration to the customs, traditions, rules, and legal systems of the Indigenous peoples concerned and international human rights.

Judicial independence is a cornerstone of the rule of law, recognized in the **UN Basic Principles on the Independence of the Judiciary (1985)**, which affirm that the independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country, and that it is the duty of all governmental and other institutions to respect and observe the independence of the judiciary. The **UN Convention against Corruption, Article 11**, reinforces this by requiring States to take measures to strengthen integrity and prevent opportunities for corruption among members of the judiciary, without prejudice to judicial independence.

Sources: UDHR Art. 7; ICCPR Art. 14; ICESCR Art. 2(2); UN Basic Principles on Restorative Justice (2002); UN Declaration of Basic Principles of Justice for Victims (1985); UNDRIP Arts. 34, 40; UN Basic Principles on the Independence of the Judiciary (1985); UNCAC Art. 11.

PEACE AND INTERNATIONAL RELATIONS

Kanatawi shall be committed to:

- ^{C6} peaceful diplomacy;
- ^{C6} international cooperation;
- ^{C6} humanitarian action;
- ^{C6} respect for the sovereignty of other nations.

Military force shall only be used for legitimate defense and protection of human life.

LEGAL JUSTIFICATION

The commitment to peaceful diplomacy and the restriction on the use of military force are among the oldest and most fundamental principles of international law. **Article 2(3) of the UN Charter (1945)** requires all Members to settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered. **Article 2(4)** prohibits the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations. These provisions represent *jus cogens* norms of international law — peremptory norms from which no derogation is permitted.

The sole exception to the prohibition on the use of force is found in **Article 51 of the UN Charter**, which recognizes the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. The Charter's limitation of force to "legitimate defense" is the universally accepted legal standard. The addition of "protection of human life" reflects the emerging doctrine of **Responsibility to Protect (R2P)**, endorsed by all UN Member States at the **2005 World Summit**, which holds that the international community has a responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity when a State is unwilling or unable to do so.

The commitment to **international cooperation** is mandated by **UN Charter Article 1(3)**, which lists as a purpose of the United Nations "to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." **Article 56** further pledges all Members to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55, including higher standards of living, full employment, and conditions of economic and social progress and development.

Humanitarian action is grounded in international humanitarian law, particularly the **Geneva Conventions (1949)** and their Additional Protocols (1977), which establish the obligation to provide humanitarian assistance to civilians in armed conflict. The **UN Guiding Principles on Internal Displacement (1998)** further establish that national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction, and that international humanitarian organizations and other appropriate actors have the right to offer their services.

The **respect for the sovereignty of other nations** reflects **UN Charter Article 2(1)** (sovereign equality of all Members) and **Article 2(7)** (non-intervention in matters essentially within the domestic jurisdiction of any State). These principles are reinforced by the **Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States (UNGA Resolution 2625, 1970)**, which affirms that every State has the duty to refrain from intervention in the internal or external affairs of any other State.

Sources: UN Charter Arts. 1(3), 2(1), 2(3)–(4), 2(7), 51, 56; Geneva Conventions (1949) and Additional Protocols (1977); UNGA Resolution 2625 (1970); 2005 World Summit Outcome Document (R2P); UN Guiding Principles on Internal Displacement (1998).

CONSTITUTIONAL RENEWAL

This Charter may be amended through:

- ^{C6} democratic participation;
- ^{C6} Indigenous nation approval where affected;
- ^{C6} public ratification.

The Constitution belongs to the people and future generations.

LEGAL JUSTIFICATION

The amendment process reflects the principle that constitutions derive their legitimacy from the people and must remain responsive to their evolving needs. The requirement for **democratic participation** in constitutional amendment is consistent with **ICCPR Article 25**, which guarantees the right to take part in the conduct of public affairs, and with the **Venice Commission's Guidelines on Constitutional Reform (2016)**, which recommend that constitutional amendments be subject to broad public debate and, where appropriate, popular referendum.

The requirement for **Indigenous nation approval where affected** is mandated by **UNDRIP Article 19**, which requires States to consult and cooperate in good faith with Indigenous peoples 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 38** further requires States, in consultation and cooperation with Indigenous peoples, to take appropriate measures, including legislative measures, to achieve the ends of the Declaration. The principle that Indigenous peoples must consent to changes affecting their rights is also reflected in **ILO Convention 169, Article 6**, which requires governments to consult Indigenous peoples with the objective of achieving agreement or consent before undertaking measures that may affect them directly.

The principle that **the Constitution belongs to the people and future generations** reflects the concept of **intergenerational equity** in constitutional law, recognized in the **Brundtland Commission Report (1987)** and increasingly incorporated into constitutional and environmental law frameworks. It also aligns with the **UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (2018)**, which recognizes the right of peasants and rural peoples to conserve, use, protect, and develop their seeds and traditional knowledge, and to maintain their relationship with the land and natural resources for future generations.

Sources: ICCPR Art. 25; Venice Commission Guidelines on Constitutional Reform (2016); UNDRIP Arts. 19, 38; ILO Convention 169, Art. 6; Brundtland Report (1987); UN Declaration on the Rights of Peasants (2018).

FOUNDING DECLARATION

A new relationship between peoples and nations is possible.

A society can be built without inherited rulers, without domination, and without forgetting history.

The future shall be created through consent, cooperation, and responsibility.

WE ARE MANY PEOPLES.

WE SHARE ONE FUTURE.

WE BUILD KANATAWI.

LEGAL JUSTIFICATION

The Founding Declaration encapsulates the transformative vision of Kanatawi as a constitutional order founded on consent rather than conquest, cooperation rather than domination, and memory rather than erasure. This vision is consistent with the **UN Charter Preamble**, which declares that the peoples of the United Nations are determined “to save succeeding generations from the scourge of war,” “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person,” and “to promote social progress and better standards of life in larger freedom.”

The rejection of inherited rulers aligns with **UDHR Article 21(3)** and the universal republican principle that sovereignty resides in the people. The rejection of domination reflects **UNDRIP Article 8**, which prohibits any action that has the aim or effect of depriving Indigenous peoples of their integrity as distinct peoples or of their cultural values or ethnic identities, and **Article 10**, which prohibits forcible removal from lands without free, prior, and informed consent. The commitment to not forgetting history reflects the **UN Declaration on the Rights of Indigenous Peoples, Preamble**, which recognizes 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.

The emphasis on **consent, cooperation, and responsibility** mirrors the foundational principles of international law: the principle of consent as the basis of treaty obligations (**Vienna Convention on the Law of Treaties, 1969**), the principle of cooperation as a purpose of the United Nations (**UN Charter Article 1(3)**), and the principle of responsibility as reflected in the **Responsibility to Protect (R2P, 2005)** and the **International Law Commission's Articles on State Responsibility (2001)**.

Sources: UN Charter Preamble; UDHR Art. 21(3); UNDRIP Arts. 8, 10, Preamble; Vienna Convention on the Law of Treaties (1969); UN Charter Art. 1(3); ILC Articles on State Responsibility (2001); 2005 World Summit Outcome Document.

APPENDIX: CONSTITUTIONAL ARCHITECTURE — NEXT LAYERS

This charter establishes the constitutional skeleton. The next layer of development would address the following critical domains:

1. **Government Structure** — Detailed design of executive, legislative, and judicial branches
2. **Electoral System** — Proportional representation, ranked choice, or mixed-member models
3. **Indigenous Treaty Framework** — Mechanisms for treaty negotiation, implementation, and dispute resolution
4. **Land Governance Model** — Framework for land stewardship, territorial boundaries, and resource management
5. **Economic Architecture** — Currency, taxation, trade policy, and cooperative structures
6. **Flag and National Symbols** — Design principles reflecting pluralism and Indigenous heritage
7. **Citizenship Rules** — Criteria for citizenship, dual citizenship, and residency rights
8. **Transition Plan** — Phased roadmap from existing Canadian institutions to Kanatawi governance

“This Constitution belongs to the people and future generations.”