

**International NGO Conference On Discrimination  
Against Indigenous Populations-1977-In The Americas  
September 20-23  
Palais des Nations Geneva, Switzerland**



# **THE GENEVA CONFERENCE**

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# TABLE OF CONTENTS

The Geneva Conference.....	1
“Columbus Day”.....	2
Jimmie Durham, International Indian Treaty Council	
Welcoming Addresses.....	3
UNESCO Canton of Geneva Division of Human Rights of the U.N. International Labor Organization	
Indian Delegates Speak.....	5
Russell Means, International Indian Treaty Council, Opening Plenary Oren Lyons, Joagquisho, Faithkeeper, Onondaga Nation Jose Mendoza Acosta, Panama Reinir Artist, Surinam, KANO Rene Fuerst, Presentation for the Amazonian Peoples Manuel Tzoc Mejia, Guatemala Natalio Hernandez Hernandez, Mexico Antonio Millape, Mapuche Confederation, Chile Philip Deere, International Indian Treaty Council Ed Bernstein, American Indian Movement of Canada Grandfather David Monongye, Hote Villa, Hopi Village Marie Sanchez, Northern Cheyenne Nation	
Economic Commission Report.....	13
Social and Cultural Commission Report.....	16
Legal Commission Report.....	19
Final Resolution.....	22
Declaration of Principles.....	25
Closing Addresses.....	27
Edith Ballantine, Secretariat of the Conference Art Solomon, American Indian Movement, Canada Juan Condori Urich, Bolivia Mike Myers, Geneva Planning Committee Niall MacDermot, Chairman, Special Committee on Human Rights Ramesh Chandra, Chairman of the Conference Larry Red Shirt, Lakota Treaty Council, Closing Ceremony Russell Means, Closing Plenary	
Where We Go From Here.....	34
Jimmie Durham	

## The Geneva Conference

The International NGO Conference on Discrimination Against Indigenous Population in the Americas, held September 20-23, 1977 at the Palais des Nations in Geneva, Switzerland, is an important historic event for Indian nations and peoples.

NGOs, or non-governmental organizations, over 600 in all, are in consultative status with the United Nations and have considerable influence in the UN and internationally. The International Indian Treaty Council, which organized the Indian delegation and documentation, was granted NGO consultative status early this year.

The conference was sponsored by the Sub-Committee on Racism, Racial Discrimination, Apartheid, and Decolonization of the Special Committee on Human Rights which is a part of the Economic and Social Council of the United Nations. The International Indian Treaty Council is now a member of the Sub-Committee and will be part of future conferences and work of that important body.

Many experienced observers at the conference commented on the unusually high attendance and interest in the conference on the part of NGOs, U.N. bodies, member nations of the U.N., and the press. Approximately 400 people attended the plenary sessions and the commission, including over 100 delegates and participants from the indigenous peoples and nations of the Americas. Sixty NGOs and other international organizations attended, as well as United Nations agencies such as the Human Rights Commission and UNESCO. Forty member nations of the UN sent observers including several Latin American countries, the U.S., the Democratic Peoples Republic of Korea, the German Democratic Republic, Italy, France, Peoples Democratic Republic of Yemen, Iraq, Cuba, Australia, and the Netherlands. The Palestine Liberation Organization, which has observer status in the U.N. was present.

The Indian delegates and participants arrived by charter flights. The 24 Iroquois delegates and participants travelled on their own Six Nations passports which were accepted by the Swiss and U.S. Customs authorities. The Iroquois remembered that 53 years ago their Cayuga Chief, Deskaheh, had gone to Geneva to the League of Nations. Though not allowed to address the League, Hoyaneh Deskaheh was honored by the Canton of Geneva and is well remembered.

Indian delegates and participants were warmly received by the sponsoring organizations and by the Canton and given support and help from various generous individuals who opened their homes to the people, chauffeured people, and helped with the logistics of the conference. Many life long friends from all over the world were made. Indian people from all parts of the western hemisphere learned about each others issues, organizations, and problems with the colonial governments over them. A strong sense of unity and common cause prevailed. The people stayed in two dormitories near the Palais des Nations and in private homes. Nightly meetings were held during which consensus was reached concerning the content and structure of the next days work.

The International Indian Treaty Council established a press office a week before the conference began and related closely to the U.N. press corps and the local, European, and international news bureaus. Though news of the conference was, as expected, blacked out in the U.S., Canada, and Latin America, coverage in Europe was extensive.

The Treaty Council Staff worked around the clock preceding and during the conference along with the Chairman and Secretariat of the Conference. Staff members were Juan Aguilar, Phyllis Bordeaux, Allene Coddard, Evan Haney, Fern Eastman Mathias, Peggy Means, Ted Means, Bill Means, Roxanne Dunbar Ortiz, and Paul Smith. The staff handled housing, food, press, translations, clerical work, and many other duties.

Following the conference a number of Indian delegates and participants went on tours of various countries. Among them were France, the Federal Republic of Germany, the German Democratic Republic, the Netherlands, the Soviet Union, Finland, Bulgaria, Greece, and others. Delegates met with church groups, labor unions, political parties and governments, asking them to support the Geneva resolutions.

## *“Columbus Day” is now International Solidarity Day with American Indians*

by Jimmie Durham

One of the most important things to come out of the Geneva Conference did not get much attention at the time, even though it was the first item of the program of action in the final resolutions.

It reads: . . . “to observe October 12, the day of so-called “discovery” of America, as an international day of solidarity with the indigenous peoples of the Americas.”

Why is that so important? First, it is international recognition, on a massive scale, of our rights as the people of this land and of the arrogance and hypocrisy of the American system. It is the recognition of those two facts, by millions of Europeans, Africans, Cubans and Asian peoples. It means that we have made a very large part of the world recognize who we are and even to stand with us in solidarity in our long fight.

From now on, children all over the world will learn the true story of American Indians on Columbus Day instead of a pack of lies about three European ships.

But an international solidarity day means much more than just talk. All during the war against Vietnam, for example, there was an international day of solidarity with the Vietnamese people. On that day there were demonstrations at U.S. embassies all over the world, and people sent material aid to Vietnam on that day, or collected money and goods on that day. There were huge campaigns to change peoples minds to the truth about the U.S. in Vietnam. All of those activities really did a lot to help the Vietnamese win.

The same sort of thing goes on with South Africa, and the U.N. just sponsored an international poster contest and other activities about South Africa.

We can expect similar acts of solidarity on our behalf. For example, school children in the German Democratic Republic might all go without lunch on “Columbus Day” and send that much money to our survival schools. Governments might send letters of protest to American governments. National and international peace council might hold demonstrations, seminars, or fundraising events. International human rights organizations might organize special campaigns on that day.

It is, of course, partly up to us to make some of these things happen. The people who went on tours of Europe after the Conference are already speaking to thousands of Europeans, through labor unions, peace councils, political parties, church groups, etc., about our solidarity day.

The Treaty Council office in New York has issued a press release to the national media and has begun a U.S. national campaign in coordination with the Native American Solidarity Committee (NASC). We have prepared an information pamphlet which will be distributed both nationally and internationally. We are calling on all people in the U.S. to “Support the Geneva Resolutions.”

The international Day of Solidarity with American Indians gives people and organizations a chance to do well-planned, unified actions in solidarity with our struggle. Because of our voice at the conference people are going to take the opportunity.

**SUPPORT THE GENEVA RESOLUTIONS**

# Welcoming Addresses

## **UNESCO Representative Welcoming Address at Opening Plenary**

This is a convenient opportunity for me on behalf of UNESCO to say a few words on the importance which UNESCO attaches to the topic under discussion, namely the discrimination against indigenous populations. The topic is important to UNESCO primarily because of its obligation under the constitution to contribute to peace and security by promoting collaboration among nations through education, science, and culture in order to further universal respect for justice, for the rule of law, and human rights and freedom. In other words, UNESCO is obliged to carry out activities within its sphere of competence in order to further respect for human rights.

We are concerned here with the rights of all peoples and in particular with the rights of those who are disadvantaged — minority groups, ethnic groups, women, etc. For this reason from very early in its history UNESCO began taking an active part in exposing the scientific pretension of ideologies such as racial discrimination. International teams of experts in the social and natural sciences collaborated in statements on race and racial prejudice. But it is not only racial discrimination which concerns UNESCO. It is all forms of discrimination, all forms within its sphere of competence. Thus in 1960 the Convention of Discrimination in Education was adopted. This international instrument which is binding on UNESCO member states calls upon its members to provide equal access at all levels of education to all sections of the population and here again include ethnic groups and other minorities. Member states are obliged to report to UNESCO on measures they are taking to implement this convention. Another international instrument was adopted at the last conference held in Nairobi, the recommendation on participation by the people at large in the cultural life and their contribution to it. All people should have the opportunity to develop and preserve their own culture and to participate in and to contribute to the cultural life of other peoples. Member states are specifically asked to promote the cultural interests of disadvantaged groups. UNESCO is taking a number of steps, mainly in the fields of studies, research and publications.

## **MR. ROBERT VIEUX, Conseil d'Etat of the Canton of Geneva**

Best wishes and welcome and greetings, welcome to Geneva, welcome in this Canton, where we cherish greatly all international meetings. It is with great emotion that I am taking the floor today because I remember some years ago a ceremony, an event that took place here — it was fifty some years ago. I was a small boy then, but I read with great pleasure that the Cayuga chief brought here to Geneva a vibrant appeal expressed in the Center Hall and the crowd that attended had to stand in the street there were so many of them. He expressed the defense of the rights of indigenous populations. Thus fifty four years have passed and you are here again and we welcome you again. The mayor of Geneva has greeted you here\* and I too in the name of my government's organizations and authorities would like to express our appreciation and gratitude to the UN.

*\* On Monday, September 19, the Mayor of Geneva received the Native Peoples Delegation, and the Iroquois Chiefs presented the Mayor with a special invitation wampum.*

## **MR. THEO VAN BOVEN from the Division on Human Rights of the United Nations Welcoming Remarks at the Opening Plenary**

I am most grateful to the Special NGO Committee on Human Rights and its Subcommittee on Racism, Racial Discrimination, Apartheid and Decolonization for organizing this conference on discrimination against indigenous populations in the Americas. The initiative to hold this conference shows the indispensable role of nongovernmental organizations to the cause of human rights. This role is vitally important to the UN inasmuch as non-governmental organizations serve as a two-way means of communication between the world organization and large sectors of the public. Without non-governmental organizations as active partners in the promotion and encouragement of human rights, the UN can hardly function in a satisfactory manner in its efforts to enhance the rights of peoples and persons.

May I now as the Director of the Division on Human Rights say a few words on work being done in the UN on indigenous peoples. The study of indigenous populations now in progress resulted from conclusions and proposals in an earlier study on racial discrimination. In that study it was proposed that for making a more thorough analysis of the extent of the problems, UN organs should prepare a complete study of this problem with the cooperation of international organizations. From the start it was evident that indeed many aspects of the problems confronting indigenous populations could not be approached from the point of view of racial discrimination alone, since also complex ethnic, social, cultural, linguistic and religious aspects and fundamentally distinct world views were very much involved.

Pushed by the onslaught of conquerors, colonizers, and settlers in to unprotective areas of what was once their land, indigenous peoples had become identified with depressed areas and had survived as marginal peoples for hundreds of years. They were often forgotten, overlooked, or exploited by members of other segments of the populations. Those groups or individuals who had moved to urban centers in search of better

jobs had been subjected to all known forms of discrimination. They faced seemingly unsurmountable problems in health services and housing which were hopelessly inadequate. Indigenous occupations, medicinal practices, culture, language and religion were not given adequate attention and protection. Self government, autonomy, and true political rights were either denied or shamelessly manipulated. Their land base was constantly eroded by abuse and encroachment forcing indigenous peoples to seek unwanted employment at least on a seasonal basis. Education and vocational training were imposed from the outside with alien conceptions and methods geared to cultural assimilation and integration into the mainstreams of the work force. Administration of justice did not develop enough to take due account of the important differences in fundamental notions of procedure or substance. Lack of communication and mutual respect between law enforcement authorities — most of them non-indigenous — made indigenous persons victims of the letter of the law. Indigenous persons constitute a very high percentage of the total inmate population in local and national prisons. Also the most basic right, namely the right of life, is at stake for large groups. We do hope that the discussions here will help clarify ideas and fundamental principles on which national or international action can be based. To these ends which are also the basic aims and goals pursued by the UN in its study on indigenous populations, this conference can make a great contribution.

**MR. LEE SWEPSTON, International Labor Organization, Opening Plenary**

It is encouraging for us at the ILO to know that this conference is being held, and also to note the renewed attention being given in recent years to indigenous populations and to their physical and cultural protection. The history of treatment of indigenous populations, especially in the Americas, is a tragic one.

Earlier exploitation can never be eliminated but the attitudes of the countries in which indigenous populations live can be modified to safeguard what remains of their rights and to restore them as far as is possible. As you may know the ILO's main activity is the protection of workers, but since the early days of the organization, it has also concerned itself with indigenous populations under its wider mandate for the promotion of human welfare for all groups.

The ILO's present activity is built around its convention #107 on indigenous and tribal populations. It was adopted by the International Labor Conference in 1957 and is still the only international convention which deals exclusively with the conditions of life and work of indigenous populations.\* It covers a wide range of subjects, basic policy, land ownership, recruitment and conditions of work, vocational training, handicraft and rural industries, social security and health, education, and administration. Twenty-seven countries have ratified the convention, 14 of them in Latin America.

ILO is not a supra-national body. It does not and cannot take the place of national legislatures and judiciaries. Even when a country has ratified the convention, all our supervisory bodies can do is to recommend action on the basis of the obligations taken on by the government. If the government does not take the action suggested our ultimate recourse is publicity and moral pressure. However, this is not to say that what the international organizations do, the ILO in particular, has no effect. Perhaps more important, it has a great potential which the NGOs and organizations of indigenous peoples can help put into effect. You, the NGOs, can investigate, publish and make sure the ILO receives your studies.

The councils representing indigenous populations here whether made up of the peoples themselves or of others also can help the ILO promote the observations of Convention #107. You can get in contact with national organizations of workers, the national trade unions, and ask them to represent your interests in the ILO or write to the ILO directly. We do care and we will do what is in our power to promote your interests. Finally, we are here to learn. We hope that with clearer ideas of your aspirations as a people we can judge more effectively the situation in each country and will be better able to promote our common cause. I and my colleagues will be here for the whole conference and hope to speak with as many of you as possible and to tell you more about the ILO and what we can do.

*\* The Conference recommended that the ILO Convention 107 be revised to remove the emphasis on integration of indigenous peoples. See the Programme of Action.*

# Indian Delegates Speak

**RUSSELL MEANS, Opening Plenary Session, September 20**

We've come to you once again to tell you that for centuries since the invaders came to our shores we have shown the world mutual respect. We have come to show that respect. We are people who live in the belly of the monster. The monster being the United States of America. Every country in the Western Hemisphere follows the lead of the monster. I come not to turn the other cheek. We have turned it now for almost 500 years, and we realize that here in Geneva, this is our first small step into the international community. We talk about human rights — the President of the United States — to show you what a racist he is — to talk about human rights while my people are suffering genocide. Not only in the United States but in the entire Hemisphere — planned genocide by the governments. We have brought documents to Geneva that support this charge.

We are approaching the international community this first time for support and assistance to stop not only this rape of our sacred mother earth, but also to stop the genocide of a whole people. A people with international rights backed up especially in North America by treaties between the United States and Indian Nations. *The United States, the monster, and its multinational corporations have dictated foreign policy in this world.* They no longer care about the future as witnessed by the Dene, as witnessed by my people, as witnessed by Central and South America. We all know that the multi-national corporations of Europe are investing heavily and increasing their investments ten fold in the last four years.



We also have documentation about the secret activities of the CIA and multinational corporations that are now in Brazil, Ecuador, Peru, Columbia and Venezuela, because everyone knows that the next major exploitation will be in South America.

You see, there is only one color of mankind that is not allowed to participate in the international community, and that color is red. The black, the white, the brown, the yellow — all participate in one form or another. We no longer, until this day, have had a voice within the international community.

Someone once said you can tell the power of a country by the oppression its people will tolerate. No longer are we going to tolerate the monster.

**OREN LYONS, Onondaga, Six Nations Iroquois Confederacy, Opening Plenary**

To the great nations, the great council of Geneva, to the people, we the Six Nations Iroquois, the chiefs, the clan mothers, the warriors, the men, the women, and the children, bring our greetings and our good wishes of health and friendship to all of you. On behalf of the red brothers of the Western Hemisphere of the two great turtle islands, a certain few of us have been given a short time and a great task to convince you that we too are human and have rights. On behalf of our mother the earth and all the great elements we come here and we say they too have rights. The future generations, our grandchildren and their grandchildren, is our concern that they too may have clean water to drink, that they may observe our four-footed brothers and they may enjoy the elements that we are so fortunate to have and that serves us as human beings.

The president of the USA has brought forth into the forum of the international world the issue of human rights. It affords us the opportunity at this time to present our position on the issue of human rights. It is

strange indeed that we have to travel this far to the east, to the European continent, to turn and face the president of the US and ask him about our human rights.

It is the future of not only our people, the Red People of the Western Hemisphere, but it is the future of yourselves that is at stake. We have been given principles by which to live, mutual respect, the understanding of creation. If we continue to ignore the methods by which we exist and we continue to destroy the source of our life, then our children will suffer. We would be remiss in our duty if we did not bring this in front of you. We apologize if it hurts, but the truth must be spoken.

We were told in the beginning that we were not human. There are great arguments in many histories as to the humanness of the red peoples of the Western Hemisphere. The equality of all life is what you must understand and the principle by which you must continue the future of this world. Economics and technology may assist you, but they will also destroy you if you do not use the principles of equality. Profit and loss will mean nothing to your future generations.

We are here for a very short time, and we have been given a very short time by that clock on the wall to convince you, to make you listen, understand that we are concerned for you as well as for us.

The Six Nations were here 53 years ago to say the very same thing, the unity of spirit and brotherhood. United Nations is nothing new to us. Our confederacy is 1000 years old. The representation of the people is nothing new to us because that is who we represent. And so for this short time I would ask that you open your ears, that you open your hearts, that you open your minds and that you consider very seriously the future of the generations, of our children to come.

### **JOSE MENDOZA ACOSTA, Representacion de Autoridad y Pueblo Indigena de Panama**

Distinguished Delegates of Non-governmental Organizations, Distinguished Delegates of Indigenous Populations of the Americas, Ladies and Gentlemen:

Once again, on behalf of our Central American Nations we should like to express our thanks for the time you have spent here with us, dealing with our common problems. However, at this last meeting, we should like to express a few considerations in behalf of our Nations.

Before this Conference, we have shown that there is discrimination in our countries. Through facts, we have shown and proven the loss of our territories and the constant physical aggression against our nations. We have all agreed in rejecting the "protectionism" used by states to maintain us in subjection. We have come here, however, not to claim our rights but to demand those rights be respected because we have already acquired those rights since we have begun our existence in those territories.

Perhaps this has yet been one more conference. Maybe, because of the traditional lack of understanding, you have not understood us. Perhaps many of you do not agree with our proposals. However, we are very confident because we, the Indigenous Populations, are united and we feel united because we are confident that each Indian is a brother ready to stand by us at all times. Ladies and Gentlemen, we should like once more to ask that no compromise should be made with our people with the genocide that has been committed, that is committed daily against our peoples. Distinguished delegates and guests, we do not know whether we shall come here again next year or perhaps in a hundred or two hundred years. I don't know. But what I do know is that our people will maintain the unity we have here maintained in defense of our territories.

Meantime, representatives of all nations of the world, remember one thing and do not forget it. We will not give up our territories. We are not going to abandon them. We are going to defend our territories through all possible means because that territory, recognized as a nation or not, has been ours and it will continue to be ours. Thank you.

### **RENIR ARTIST, KANO Organization, Surinam at the Opening Plenary**

I must apologize for my bad English. This is a result of the colonization of South America of which I belong, the part I belong to being the Dutch area of colonization. My first language is Dutch. I am going to talk about the Indians of Surinam in turmoil.

As you know, Surinam became independent two years ago. It is an important date for Surinam starting a new historical period. Surinam has development aid from the Dutch government but it is aid for technological development. What does this kind of development mean for the Indian people of Surinam? It means that our government will try to industrialize the interior of Surinam with the consequence that the Indian people will be pushed out. Already, the Surinam government is starting to build highways through the area as well as new cities in the interior. Cities are being established close to Indian land areas, where they have lived for centuries. The best land in Surinam is occupied by Indians. Now they will be moved to less fertile areas.

It is not that Indian people are opposed to development and change, but they want to develop in their own way. First, the Indian people want to maintain their own identity. Any development will have to be in relation to Indian culture and ways. Our organization, KANO, is trying to help our Indian people so they may get their legal rights to their land. Indian people in Surinam do not live on reservations; they live free, but have no written legal right to the land. KANO will cooperate in the development of Surinam along Indian lines. The Indian population of Surinam is 15,000. Though small in numbers, the people are very important. The people are sure that this conference will help us in our endeavors.



*I do not speak as an ethnographer, but rather for the Indians of the Amazon who could not be here today. I have been studying the cultures of the Amazon for twenty years. I thank the Indian people for entrusting me with the mission of speaking here today. This is the most important work I have ever done. It is necessary for me to speak because the delegates of the Indian people were not allowed by the governments they live under to leave and come here. The people are perfectly capable of speaking for themselves if they could be here.*

The oppression of the native tribal population in non-Andean South America is as well known a phenomenon as the discrimination in general in this part of the world. However, contrary to the latter, the oppression of the native tribal population remains an ill-documented and especially misunderstood phenomenon. Being of cultural and social nature, this phenomenon appeared during Discovery, is now lasting for nearly five centuries and will only disappear if there are no Indians, worthy of the name, left or if these Indians — provided they are in the majority and not in the minority — succeed in forming themselves into a national dominating society and in being respected as such.

In South America this possibility practically only exists in Bolivia which is the most indigenous country of the sub-continent and where the Quechua-Aymara of the Andean region totalize up to 4,000,000 individuals, i.e. 75% of the whole population or 1/5 of all the American Indians, and where the recent Manifesto of Tiahuanacu (1973) represents a first step towards possible native liberation. As for the other countries, and without speaking of Uruguay where there are no Indians left for a long time, century-old oppression has here and now jeopardized this possibility. The native tribal population of the non-Andean region has little chance to survive as such, i.e. as a civilization more or less distinct and independent of ours.

With regard to the repression of the defenders of the native tribal population, we have to deal with a little known phenomenon. Because, except for Brazil, the relative protection of the Indians has only started 20 years ago and dates from the establishment by the International Labour Organization of the Convention 107. Adopted in 1957 by all countries considered here, except Venezuela, this Convention is indeed the only international legal tool, at one and the same time defining and protecting the specific rights of the native tribal population. However, the organization concerned has no real power of control and sanction so that the Convention 107 is not only applied nowhere but is also violated frequently and with impunity all over non-Andean South America. As for those who make a point of denouncing these sometimes very serious violations and who in doing so defy the responsible authorities, they risk expulsion or at least exclusion as was my case in Brazil in 1975.

No doubt, oppression of the Indians and repression of their defenders are from now on inseparable. This relatively new phenomenon in South America is for the moment only of importance in Paraguay, where several local researchers have recently been confined and even tortured, but risks to extend to other countries of the sub-continent as native liberation is being accomplished. Henceforth, it is worth the attention of the participants in this Conference, be they natives or not, be they themselves concerned or only anxious to have the discriminating measures of irresponsible governments stopped.

As I have pointed out right away, the oppression of the native tribal population in non-Andean South America is a phenomenon in itself and must be dealt with as such, i.e. independently of the discrimination in general in this part of the world. If we have usually to deal with an economical and political domination of the majority by a minority, we are in this case facing the influence exercised on the Indian minority by a white or half-bred majority, the finality of which is nothing else than cultural and even physical destruction of the native tribal population.

Well known under the name of *g e n o c i d e*, these violent practices have been used all over America until the beginning of this century and, depending on the country, enabled the colonizers and the missionaries to get more or less rid of the Indians. As these massacres are not authorized anymore today, the process of extermination has still not been abandoned but has become less direct and more subtle in the form of voluntary omissions. As a matter of fact, according to the Convention of the United Nations' Organization on Prevention and Punishment of the Crime of Genocide (1948), the practices with regard to the natives in countries such as the ones dealt with here, are to be considered as being deliberately genocidal. Indeed, and in spite of what the governments concerned may affirm, the fact of "inflicting on an ethnic group conditions of life which cause its physical destruction in whole or in part" is in itself sufficient to be guilty of the crime of genocide. Be it the question of the Surui of Brazil (Chiappino, 1975), of the Cuiva of Colombia (Arcand, 1972) or of the Ache of Paraguay (Muenzel, 1973), be it one or the other method of extermination, we have always to do with genocide when the physical survival of the Indians is threatened.

As for the cultural destruction or the *e t h n o c i d e* of the native tribal population, it constitutes the method actually used to break them down without giving rise to judgment and reproach. This method is all the more used as no national or international law takes into account this practice which, though being non-violent, is just as fatal to the Indian's survival. Under the cover of a so-called peaceful and progressive integration into the national dominating society, ethnocide is not only advocated by the responsible authorities, but even recommended by the Convention 107 being in fact relative to the Protection and the Integration of the native tribal population.

In practice, which is always and everywhere the same, this process of extermination successively finds its expression in a more or less forced contact with the dominating national society, indeed with its poorest classes which are oppressed themselves; in the reduction of vital space which compels the ethnic group to divide and to disperse; finally in its integration in this society i.e. its transformation into cheap, submissive and manageable labour. On thinking it over we however notice that the Indians reaching this detestable stage are quite rare. Most of them disappear in the course of the process, due to disease and misery, inevitable consequences of a practice meeting here the one of *g e n o c i d e*. With this difference however: that the governments practising

ethnocide neither have bad press nor do they come under the law. Consisting in getting of an ethnic group in order to appropriate its territory — and here is the root of all native problems — this process of extermination is typical of the politics practised by Brazil, Colombia and Paraguay, to quote only the best documented countries. Ethnocide is thus nothing else than a legal means to destroy the Indians, a means which by its finality does not differ at all from genocide.

We are all somehow or other implicated in this century-old oppression, be it only by belonging to this Western Christian civilization that cannot tolerate any other way of life or of thinking but its own. Be it the ones or the others, the colonizers of *La Paix Blanche* (Jaulin, 1970) or the missionaries of *Serfs de Dieu et Maitres d'Indiens* (Bonilla, 1972), their power of expansion and domination was such that they could practically destroy the native tribal population of a whole continent.

Christopher Columbus, as a worthy representative of this civilization, was in 1492 the first to convince himself that it was up to us to "make the Indians work, to teach them how to cultivate the soil and to do all that is necessary to adapt our ways." Since then, Cortez, Pizarro and the increasing number of their followers continued to dictate our ways of life, if not of thinking, to a native tribal population which was more and more diminishing being finally reduced to less than a million individuals in non-Andean South America, i.e. to approximately 0.4% of the total population of the sub-continent.

Facing this deplorable situation which might be forever irreversible, we must ask ourselves, what is our most important task, or rather, what means do we have to accomplish this task. On the national scale there is first of all the legislation relating to the native tribal population of which it is supposed to define and protect the specific rights. Though it exists all over South America and is in general favourable to this population, it is neither applied nor respected. Be it the recent Brazilian Indian statute (1973) or any other text of law, they only serve to whitewash the responsible authorities in case of denunciation and defamation of the official indigenous politics. Let us keep in mind that these texts stipulate, as for the delicate question of land and territory, the right to intervene for so-called reasons of national security and prosperity. Consequently deprivation and displacement of whole ethnic groups become legal measures which are frequently applied by the authorities of the countries dealt with here.

The existence of laws in favour of the native tribal population doesn't mean at all that the politics observed with regard to this population is also in favour of it. To persuade us once for all, it will do to take as an example the politics of the FUNAI (Brazilian Indian Foundation), or the DAI (Colombian Indian Institute) and of the INDI (Paraguayan Indian Institute). The only fact that the first two agencies depend upon the Home Office and the third one upon the War Department, i.e. upon authorities that precisely guarantee the security and the prosperity of the dominating national society, is significant of the politics applied by the governments concerned.

As for the non-official politics, the one of the CIMI (Missionary Indigenous Council) doubtlessly gives the clearest example. Still on the national scale, we have here to deal with the action of the Brazilian Catholic church in favour of the Indians of this country. Contributing to the liberation of the native tribal population, this action is of course considered as running counter to the local interests and has therefore always been repressed by the authorities fearing an initiative the results of which are in evident opposition to their own wishes of integration. And even if we are far from a native movement of liberation such as the one of the Shuar Federation in Ecuador, it is desirable that the claims of the Xavante and of other Indians among the most conscious ones of Brazil multiply in this country and everywhere in non-Andean South America.

On the international scale the existing laws concerning the native tribal population are limited to the Convention 107. I have already mentioned the lacks and weakness in the text of this convention. As regards the pro-Indian action undertaken by organizations such as IWGIA (International Work Group for Indigenous Affairs) in Copenhagen or AMAZIND (Documentation and Information Center on Amazonian Indians) which I direct in Geneva for over five years, it sure is very useful but comes up against censure of the governments concerned. They indeed refuse to consider indigenous affairs on a scale other than national and do not tolerate any interference except if it could serve them. That is at least how I interpret the surely baneful omnipresence in non-Andean South America of semi-religious, semi-scientific missions such as the famous Summer Institute for Linguistics, i.e. the Wycliffe Bible Translators. Proceeding in such a way, these governments facilitate at one and the same time their own task and the one of several hundreds of foreign missionaries-linguists, but prevent the native tribal population from developing plainly.

Among the first researchers echoing the extermination of the Indians, the Swiss Alfred Métraux concluded in 1960 his report at the International Congress of Americanists in Vienna, with the words: "It behoves us, ethnologists, to denounce these stupid acts of cruelty and to save for the posterity the memory of cultures from which we still have much to learn." Less conformist and more engaged positions were however only expressed later at the Congresses of Lima (1970) and of Mexico (1974), as well as in the Declaration of Barbados which, in 1971, was to result from the first of these congresses, i.e. during the meeting on this island of a group of the most competent Latino-American researchers.

After having defined the role of State, Religion and Science and before presenting the Indian as protagonist of his own historic destiny, this Declaration more particularly says that: "The ethnology now required in South America is not that which relates to native peoples as simple objects of study, but rather that which sees them as oppressed peoples and commits itself to the struggle for their liberation."

At the present time, these positions are only adopted by some researchers among the most lucid and most sincere ones, but still not by the majority of them. Through their passive attitude these conformist ethnologists comply with the responsible authorities, the missionaries and the dominating society in general and — whether they choose or not — contribute to the extermination of the native tribal population. Also I hope that this Conference will take care to approach the urgent questions of *e t h n o c i d e* and *g e n o c i d e*, and assume the task of an unprecedented and really pro-Indian action, an action against discrimination from which the American Indians are still being the victims.

**MANUEL TZOC MEJIA, Association Quiche-Mayan, Guatemala, at the Opening Plenary**

I feel wonderful to find myself with neighbors from the whole world to take up problems which are of concern to American Indians. In our search for identity we seek peace which is a freedom of expression which is what we want as a people. Our problem is that we get the support of all our brothers of the American continents. In Guatemala, there is propaganda which says that we are all Guatemalans, which ignores discrimination against the Indians. Discrimination is based on the limitation of traditional customs and language, habits, social relations with our own people because for us they do not like us to communicate in our own language. They say we are savages when we do and that we must speak Spanish all the time.

Why has power been taken from the Indians? Why do we not organize ourselves? Why are we not in the institutions? We have resisted and refuse to accept the objectives of Guatemala to erase our culture. Indians are encouraged not to call themselves Indian. The mixture of races is the result of robbery, prostitution, and decadence. We must organize and we will.

**NATALIO HERNANDEZ HERNANDEZ, Mexico at the Opening Plenary**

People think that we, the indigenous peoples, are the problem. We are not the problem. The problem has been created by the outsiders. We have the right to our land, the right to till our land, and to own it. We have the right to education, an education which would really allow us to interpret our history, to become conscious and understand the historical process taking place. Our culture has been disintegrated by the imposition of the invaders' cultures. We must have the means to speak up and address the problems. After this conference we will have a clearer view of our common problems and be more united in this struggle of ours so that we can really arrive at effective liberation of our peoples. Indeed there are not a few of us but millions and millions of us living in the Americas and we must go on fighting and winning our struggles.

**ANTONIO MILLAPE, Mapuche Confederation, Chile [in exile] in the Economic Commission**

We must send back information to Pinochet so that he knows that his crimes are known all over the world, and also to propose more or less concrete solutions. I am president of the Confederation of Mapuche. I was selected by the leadership of the Confederation, before the coup in Chile in 1973. The Confederation is composed of 63 regional associations of Mapuches, which includes 3,098 indigenous communities. It represents a population of 900,000 Mapuches. I have to say that many years ago there were many more Mapuches. There are 450,000 Mapuche in the countryside and the rest live in various cities. Those in the cities were organizing themselves to join the confederation.



*Antonio Millape, Mapuche Confederation, Chile. Millape is in exile presently. His revelation about the genocide against the Mapuche through murder and starvation was moving and tragic.*

Economic aspects of the situation: From 1800 on, there was a massive establishment of haciendas and farms in Chile, taking the best lands, and the useless lands were left to the Mapuches, reducing the lands of the Mapuches more than just in area. The farms were tactically surrounded by cheap indigenous labor force, which was forced to work without salaries as farm labor. It is not bad to cultivate the land, but it is inhuman to torture a whole population to achieve this. The treatment of the Indians came from "civilized" societies. The Mapuche was described by one Spanish poet as proud, strong, enduring, but were reduced to bad health and misery.

In 1973 when the coup took place in Chile, my own house was surrounded by two police wagons with 16 military men who invaded my house without respect for anyone. They put me against a wall with my wife as dangerous criminals. In that moment I was detained at least ten times, not only myself, but also the president and leaders of the 63 regional associations of Mapuches, more than 3000 leaders of communities. In my community was a deaf and dumb man who was ordered to halt by the military, he did not understand, so he was killed. He was no leader, nor guilty of anything.

A massive extermination of the Mapuche occurred. In some places a hen or two only exists. People are starving. There is no food, not even for the hen. The land is arid. The people cannot even eat the eggs, for they have to sell them to get medicines and soap.

Go to any Mapuche home today, and you will find that the dog outside will not bark, because it is too weak. If you go inside you will find one or more children lying sick, dying of starvation. There may be children outside and they will tell you their parents are not home. Do not believe them. If you go inside you will find them, too, dying of starvation and extreme malnutrition. That is the form of extermination today under Pinochet. The goal is to totally wipe out the indigenous population of Chile. More than 70% suffer this misery.

I will say something that might be dangerous. I will say it anyway even if there will be gentlemen waiting outside for me. I will go back to my country because I am wasting my life. My life does not belong to me. It belongs to the people who had the confidence in its leader. No banks or corporations will take my people out of this misery. I beg my brothers from North America to go and see. All these realities in Chile are taking place in other countries of the Americas, except not so extreme. Millions and millions of children at this moment are crying, and their parents do not have enough to feed them.

All regional associations have been banned. It is difficult to organize now. Our most immediate goal is to stop starvation, this extermination. We cannot allow this to continue. Dictatorships will not provide the solutions, only us.

#### **The Banners of Struggle of the Regional Mapuche Associations:**

The banners of struggle of the Regional Mapuche Associations are:

- 1) To fight for the land;
- 2) To combat ignorance and illiteracy;
- 3) To recover unlawfully usurped lands;
- 4) To terminate the subdivision of communities;
- 5) To fight for the real and true incorporation of the Agrarian Reform;
- 6) To combat the exploiters defended by the Right;
- 7) To combat and annihilate discrimination;
- 8) To combat blind sectarianism;
- 9) To ensure that the land belongs to those who work it;
- 10) To ensure that credit and technical assistance will be for those who work the land;
- 11) To combat the campaign of humiliation and hatred let loose against the Mapuche;
- 12) To defeat the latifundistas;
- 13) To fight that the workers will advance to Power;
- 14) To end the hunger, cold, and robbery provoked by the usurptors and exploiters;
- 15) To open the doors of all the Universities and provide support to the great mass of Mapuche students;
- 16) To defend those functionaries who respect the free decisions and determinations agreed upon by the peasants;
- 17) To combat the ruling bureaucrats and the false pseudo-revolucionaries;
- 18) To fight for more scholarships, more education, more lands, more work, and better housing;
- 19) To fight for the triumph of the battle of production;
- 20) To ensure that the divided communities, and the lands of the Mapuches in the provinces of Osorno, Llanquihue, Valdivia, Cautin, Malleco, Bio-Bio, and Arauco continue in the quality of Indian lands, and to combat the defenders of usurpation;
- 21) To seek the imprisonment of the assassins and exterminators of the Mapuche;
- 22) To combat those who pretend to insult and divide the Mapuche people;
- 23) To fight for the passage of an indigenous law, drastically and revolucionarily in favor of the Mapuche;
- 24) To fight for the passage of an indigenous law, not like that desired by the enemies of the Mapuche and the defenders of the usurptors, but to fight for a law like the Mapuche people have come to ask and petition time and time again;
- 25) To strengthen, affirm, and obtain the total organization of the Indian communities by means of the Regional Mapuche Associations;
- 26) To obtain the economic, social, cultural, and political liberation of the Mapuche peasant, and finally,
- 27) To obtain the reactivation and participation of the combative spirit of the Mapuche woman in the revolutionary struggle of the present process for fundamental changes.

## **PHILLIP DEERE, Creek Nation, International Indian Treaty Council at the Opening Plenary**

We talk about colonialism. In a few minutes I will try to explain our experience with colonialism. There's been many different definitions of it, but I can only give you one example and I hope that you can understand what I mean. When the new way of life came into our country we began to experience this.

Me and my brother would go outside and would come in and tell you, "There's trouble out there," so him and I are going to look after you. We don't want you all to go out there and get killed. We don't want you to go out there and get into a fight, so you all remain in this room here. Him and I would go out, look around we tell you we're going to look after you. We don't want you to go out there, we want you to remain in here. So we would take turns, coming back, watching you. While he's out, I'd be sitting here, watching you. In the meantime, while we're looking after you, we would learn every weak person in this building. We will find out who you are. While we're looking after you we can find the weak person in this room here. So I would say, "He's out, and I want to go out a little bit, who will volunteer to take my place?" And that weak person is going to raise his hand in this room. So he would take my place, I'd give him the gun, and go outside. While I'm out there, I'd be enjoying myself, come around to check on you. The guy in my place, I'd do him little favors, I'd bring him back a candy bar. And then I would bring him back a package of cigarettes. Okay, I got you all under control, your own kind looking after you so I don't have to stay in here all the time, because your own kind is setting here with a gun looking after you. That is colonialism. This is the only way I can explain colonialism, because I have experienced that for many, many years. Thank you.

## **DAVID MONONGYE, Hopi Elder, Hotevilla, Arizona, in the Social/Cultural Commission**

This is our mother earth, so, therefore, I say that we might not let go of our land. Again, I will say that hold onto our land. Now I have heard, many of you have already spoken, how things were taken away from you people. We all have similar problems, discrimination, our human rights are being denied, our sovereignty has been denied.

Now the Indian bureau is trying to get all of our land that belongs to us that was given to us by the Great Spirit. They want to get ahold of all our land for themselves, but do not give it up. All Indian things have been almost taken away from us. Now, like I say, they would like to get ahold of all Indian land . . . Some of you may have eaten cracker jacks. What does it say outside the crackerjack box — "the more you eat the more you want." He has eaten up our land already, but he wants more.

## **ED BERNSTICK, Cree Nation, Canada, American Indian Movement — statement to Economic Commission**

I have been involved in many things concerning the economic situation of Indian people in Canada. The situation that exists for Native people in Canada is that we have been categorized by Canada as Eastern or Western or Northern Canadian Indians, and treaty and non-treaty Indians, registered and non-registered, status Indians and non-status Indians, Metis, half-breed. Economically each category is affected differently. The responsibility of the Canadian government lies in the control they have gained over all Indian peoples. We have one document, the Indian Act, an act passed to control the treaties of Indian people in Canada. Indian people have not had a say in the economic situation of their communities. The government has said we are farmers, but to this day they have not achieved this goal, for we have never been farmers.

When the people took over the Bureau of Indian Affairs offices in Washington, there was a contract paper that was discovered there between the Department of Indian Affairs in Canada and the BIA in the U.S. This White Paper policy was introduced by the Canadian Government. At the same time there was a new economic development program set up called the Mid-Canada Corridor. This is the Northern Development Plan. This was a plan to take all economic basis away from Indian people. It involves the Department of Northern Saskatchewan and Northlands in Alberta, the Department of Northern Manitoba where there is a huge hydrodevelopment project going on, and the development programs in Northern Ontario, Quebec, British Columbia and the Territories.

These programs are developed without consultation with the native people, who are extremely isolated and out of touch. This adds up to genocide against the native people of Canada — culturally and physically.

It is estimated that in this country all oil and gas in Eastern Canada will be depleted, so there are pipeline proposals. Each province and territory exerts control of the native people within its claimed boundaries. We are affected by such laws as the Migratory Bird Act, and yet in our treaties we have fishing and hunting rights. We have court cases where our people have been put in court for shooting a duck to feed their family because it infringed on the Migratory Bird Act. In many areas, there are no jobs, and people must rely on hunting and fishing to survive.

A lot of our land areas have been subject to manipulation. For years, the ranchers have cleared land around the reservations with the cheap labor of native people. Today most of our reserves are faced with dealing with timber mills, paper mills around the reserves. There are power plants which destroy the fish around reserves.

The Government uses "legal" tactics to keep Indian people in poverty. They try to assimilate entire reserves, and have succeeded on some in destroying the language, education and livelihood of the people, and the Canadian government is responsible.

The corporations are looking for resources and look more and more to Indian land. We need protection. The death rate has climbed three fold in the last 10 years. Our elders tell us from their oral history, that land

that was ceded through treaties included only one foot down, and does not include water and most minerals. The timber and water that exists would be enough for all if shared equally. The world community should think of the human rights of Indian people. We are not saying we do not want to share our resources, but we are saying that we must think of a future where everyone can survive.



*Larry Red Shirt, Joe Lafferty, Art Solomon, Bill Wapepah, and Pat Bellanger at the First Plenary session.*

#### **MARIE SANCHEZ, Northern Cheyenne Tribal Judge, at the Opening Plenary**

Members of this conference, delegates, and my brothers and sisters who are present here today: I come with greeting from the women of the Western Hemisphere. I come here to pose questions, to this conference, and hopefully to achieve positive action in some of the questions I present.

Therefore, again I state, we are the target for the total final extermination of us as people. The question I would like to bring forth to this conference, to the delegates from other countries here present, is why have you not recognized us as sovereign people before? Why did we have to travel this distance to come to you? Had you not thought that the United States Government in its deliberate and systematic attempt to suppress us, had you not thought that that was the reason they did not want to recognize us as sovereign people. The only positive thing that I feel should come out of this conference, if you are going to include us as part of the international family is for you to recognize us, for you to give us this recognition. Only with that can we continue to live as completely sovereign people. There are other concerns of the Native American women. They do not stop at the concern of being sterilized. They go beyond that because of our relationship to Mother Earth. The raping, plundering, because of the greed of the United States of America for our natural resources is still yet a form of sterilization, because we depend on Mother Earth for life. And you also, because you are part of the family of this world, you should also be very concerned, because the common enemy is your enemy too, and that enemy dictates policy to your governments also. I warn you not to be so dependent on the country that we are under, on the government that we are under. We have demonstrated to you how many hundreds of years we have survived, but only because we are still united, we can only still be together in struggle. We wish to continue to exist.

I have a message from the Indian women of Panama: The Indian women greet our inseparable companions in the struggle and the Indian movement that are present here today. The question, and to achieve positive acts for our nations. Our groups are the most exploited and most segregated of all people from the time of the conquest of our land. The indigenous women of Panama have already committed ourselves when it deals with the unity of our people, because we have contributed, although in a passive form, to the progress and development in the areas of strengthening our cultural, spiritual and traditional values, hereditary wealth of our ancestors. We are conscious of our historic position and we are sure we will not default.

# The Economic Commission Report

*The Commission was chaired by Rev. Jose Chupenda, World Council of Churches. Rapporteurs were Karen Talbot, World Peace Council, and Roxanne Dunbar Ortiz, International Indian Treaty Council. Participants in the commission included Hoyaneh Sequarisera, Tuscarora Nation; Gonhwayane, Clan mother, Onondaga Nation; Grandfather David Monongye, Hotevilla, Hopi Nation; Juan Jacinto Navarro, Association Indigena de la Republica Argentina; Hiram Bearcomesout, Northern Cheyenne Nation; Antonio Millape, Mapuche Confederacion, Chile; Francois Paullette, Dene Nation [Canada] presented documentation on the corporate development schemes in the Northwest Territories. Russell Means submitted U.S. government documents revealing plans for Missouri River Basin development which threatens the Sioux people. Winona Westergaard gave an overall analysis of multinational schemes in North America. Documentation on strip mining and coal gasification in the Four Corners area [Navajo/Hopi] and the Northern Cheyenne was taken. NGOs participating included the International Commission of Jurists, the Antislavery Society, Movement Against Racism, Antisemitism, and for Peace [France], Lutheran World Federation, and the Canadian Peace Congress. Two member nations of the U.N., Iraq and the U.S., observed the commission proceedings.*

## PREAMBLE

The Economic Commission of the International NGO Conference on Discrimination against Indigenous Populations in the Americas — 1977 — during two full days of discussion, heard Indigenous People's organizations and Nations from North, South and Central America and from a number of representatives of NGO's. This report summarizes these presentations and the discussion in the Commission.

The indigenous populations and nations of the Western hemisphere are suffering from all forms of genocide, from colonialist and neo-colonialist type conditions, from racism and discrimination, slavery and peonage, from the most extreme kinds of economic deprivation including malnutrition and starvation and from the superexploitation of their labour.

These immediate everyday realities occur under the justification of racist ideology and Anglo- or Hispanic cultural superiority, which is used as the pretext for the continued plunder of the lands, resources and labour of indigenous people throughout the Americas.

The expropriation of the wealth, the lands and resources of the indigenous populations in the Americas resulted in the brutal extermination of 90% of the pre-Columbian population and yielded the vast capital — 40 million dollars a year in gold and silver which guaranteed the rapid economic growth and industrialization of Europe.

Many of the genocidal practices of past centuries — such as extermination, germ warfare, peonage, slavery and forced resettlement — are still being used today in certain countries of the Americas — albeit with the use of modern methods. Indeed there are in some cases actual systematic plans for the future elimination of indigenous populations where land and resources are coveted by transnational corporations.

To these classic genocidal practices must now be added techniques and processes of the contemporary age, such as birth control, sterilization, various kinds of forced assimilation, government bureaucratic practices, destruction of the environment and numerous national "development" programs, which are being employed in the name of progress.

The colonial-like status of indigenous peoples and nations is dramatically demonstrated by the fact that they are on the lowest rung of the economic ladder throughout the hemisphere. They manifest the highest unemployment — often 70 to 90% — the lowest wages, the lowest life expectancy — far below that of the dominant societies — the greatest infant mortality rates, widespread malnutrition and starvation and appalling health and housing conditions.

Everywhere in the hemisphere, native peoples are resisting the continuing theft of their lands and resources. There is growing unity in this struggle which has resulted in some victories such as the halting by the Dene Nation of the construction of the natural gas pipeline through the MacKenzie Valley of Canada.

But whenever there is resistance and a struggle to free themselves of the colonialism imposed upon them, native peoples have been subjected to the most severe forms of repression. For example, the Mapuche people of Chile are currently experiencing brutal repression, torture and massacres — the total elimination of all their rights, and they suffer from mass starvation.

Similarly, in North America, leaders of the American Indian Movement and other indigenous leaders are being killed, jailed, harassed and met with the full force of government military power which is carried out against their movement.

## 1. MULTINATIONAL CORPORATIONS

To accommodate the increasing demand for materials and resources and the inherent profit quest, the multinational corporations have accelerated development and exploitation of native peoples and resources. A key force in this process in Latin America is the U.S. economic development and military aid (U.S. AID, World Bank, International Development Bank, etc.) This exploitation is imminent due to the significance of native resources. In the U.S. alone, native lands include approximately 30% of all coal reserves, 90% of all uranium reserves and 50% of all overall energy reserves. Indian lands in the U.S. have produced over 2.7 billion dollars in oil and gas.



The development and exploitation of these reserves is being initiated and accelerated at an alarming rate. Government and energy corporations now propose in the Northern Plains of the U.S. alone, 42 power plants to fulfill the needs of eastern urban centers. Plans are now implemented without native consultation and input on the lands surrounding native areas and in the areas themselves. Specific cases of unapproved development include the James Bay hydroelectric project (Canada), the coal development in and around Northern Cheyenne territory, aggravated exploitation of oil and other minerals on the Alaskan north slope, the **Tucuri** project which affects the Parakanan, Pucurui and Mae Maria indigenous Reserves and the Hydroelectric Project in Guyana which would flood the whole of the Akawaio Territory.

Effects of development are the utilization and selling of nonrenewable resources, especially water. Water is used as a primary energy source in transportation of energy resources, and in industrial development. In the Northern Plains there are proposals for 13 water development projects. Water is essential to the survival of the native nations and guaranteed by agreements. Water is a basic right, yet coupled with industrial manipulation of water, it is now a tool of genocide.

Where water continues to be used by corporations as a component of agri-business, native populations are threatened by more immediate exploitation. Agri-business is dependent on an inexpensive, readily available labor supply, which is found in the rural native populations.

Native workers are subjected to dehumanizing labor at hopelessly inadequate wages to stimulate and maintain huge profit margins for multinational corporations. These businesses are allowed to continue their genocidal policies since they are considered essential to the economies of the U.S. and other countries, but present absolutely no hope or solutions to native peoples.

To better facilitate the exploitation of native labor and resources, colonial governments in indigenous nations have established agreements and continue cooperation with the multinational corporations. These agreements and policies are conducted without native consultation and are actively imposed on indigenous peoples. In many cases it is in the economic interests of the governments or governmental departments to facilitate this exploitation through royalties and revenues under governmental control.

Exploitation of indigenous lands and resources by the multinationals is a serious problem wreaking crisis on indigenous peoples, for the sake of profits. Cultures and peoples are on the brink of annihilation.

## II. THE LAND QUESTION

For indigenous peoples of the Americas the land is sacred. This mother earth provides the sustenance of all life. The land must be respected, carefully used, and meticulously restored. The concept of land being sacred is the basis of native religions and societies.

The quest for power and wealth which has characterized the several hundred years of colonialism requires super-exploitation of the land and its inhabitants for immediate profits and the generation of capital.

Further the land base of indigenous peoples has been steadily diminished by colonial exploitation and the result has been a policy of genocide against the indigenous peoples who stand in the way of the quest for profits.

Over time, the various colonial powers and contemporary U.S. policy have created a variety of distortions and destruction of the native land base. Therefore, the demands of native peoples regarding the land base vary accordingly.

In the regions of former Spanish colonial rule, namely Central and South America, masses of indigenous peoples were organized into an agricultural labor force and as miners with still existing patterns of slavery (Paraguay), peonage (Peru, Bolivia, Ecuador, Guatemala, Mexico), and migratory labor (especially Mexico, Central America and some Andean countries). In these regions the focus of resistance by native peoples is agrarian reform. These struggles have been violently crushed, as in the case of the Mapuche in Chile and the Yaqui in Mexico, and the crushing of a peaceful demonstration of 15,000 Quecha and Aymara peasants in Bolivia on January 30th 1974 resulting in 200 people killed and 400 people imprisoned.

In areas of Canadian and United States colonial control, land was acquired by treaty making, a policy which prevailed in the U.S. until 1871, and in Canada until 1923. In these areas of North America, the legitimacy of colonial powers is based on treaty agreements through which native nations defined territorial boundaries and ceded land. Consequently, the land question for many native nations within the U.S. is a question of treaty guarantees and rights, and sovereignty. Through unilateral abrogation of treaties by the U.S., the native land base has diminished to a small fraction of the treaty-defined territories. The Fort Laramie Treaty of 1868 between the Great Sioux Nation and the U.S., and the 1784 Treaty between the Iroquois and the United States are notable examples of the treaty-guaranteed land base which was largely lost.

The removal of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole nations through forced treaties, under the threat of genocide, guaranteed a permanent land base in Oklahoma territory. Today, the land base is practically non-existent.

Other native territories of North America, in Canada and the U.S., sometimes through treaties, but most often through outright military conquest, were diminished to a minimum or were entirely eradicated. The process continues today. The land question for indigenous people in the Eastern half of the U.S. and in parts of the West, notably California, revolves around the expansion or establishment of an adequate land base to assure the survival of the people.

The late colonized areas, the Amazonian Basin, the Northwest Territories of Canada and Alaska, involves the question of protection and preservation of the native land base, which is presently the focus for multinational super-exploitation of resources for profits.

All native lands, however, are threatened by continued reckless exploitation and call for protection. Multinational corporations, agri-business and ranchers are accelerating their efforts to separate indigenous peoples



from their land base. In areas of majority native populations, the attacks on the land base are particularly intense and brutal. A plan to allow Rhodesian and other Southern African settlers to move on to Indian lands in Bolivia is an example of the conscious determination of colonial governments to destroy the native land base, using racism as a justification.

For all native lands that exist or which might be restored under present colonial regimes, the question of economic development is primary. The colonial regimes and the multinational corporations are based on the profit motive, and view economic development in terms of exploitation of natural resources and human labor, for quick profits. At most, neo-colonialism, proposed to develop a native managerial and bureaucratic elite. The result of such development where it has occurred has been further impoverishment of the majority of native people and loss of non-renewable natural resources (Navajo).

As stated above, the land question is fundamentally an economic question, but involves the survival of human societies and is, therefore, a moral question, a question of human rights. Native social structures continue to be shattered by attacks on the land base. With the disintegration of the social structures and is implied in terms of group cohesiveness, the power to resist is limited. A critical role in the destruction of group cohesiveness and disintegration of social structures is played by various missionary groups, most especially the "missionary/linguist" (SIL) operating in 10 Latin American countries. Even many members of the clergy oppose these destructive programs.

The present movements in the western hemisphere to reconstitute native social structures and to retain, regain, or reform the land base have come to the attention of the world community, and those liberation movements gain strength and unity daily.

**The Economic Commission recommends that the following issues be focused upon in actions taken:**

- Unqualified condemnation of the military junta of Chile for the genocide being committed against the Mapuche as well as attacks by other military and fascist dictatorships against native peoples in Latin America. Immediate aid to the Mapuche to alleviate starvation and deprivation taking place.
- Investigation of the inhumane and exploitative use of the labor of indigenous peoples in Latin America. Steps by the U.N. to effect the immediate enforcement of the U.N. Convention and Supplementary Convention on Slavery, with Particular Regard to the Forced Labour and Induced Indebtedness of Indigenous Peoples.
- Recognition of United States treaties with Native Nations. The Commission supports the claims of the Great Sioux Nation to gain the territory defined by the Fort Laramie Treaty of 1868, as well as all other properly executed treaties.
- Support the Dene Nation in their struggle for recognition of their rights and self-determination for a Dene Territory and a Dene government.
- Support the Inuit of Canada in their struggle for recognition of their rights and self-determination for an Inuit Territory and that no pipeline be built on Inuit territory.
- Investigation of the Alaskan Native Land Claims Act in cooperation with Alaskan Natives.
- Immediate action to arrest the genocide being committed by governments and multinational corporations and multilateral aid in the Amazon Basin, including the halting of the Amazon Highway construction and the Electronate Tucuuri Dam Project.
- We call for international protest against the settlement in Bolivia of white racist colonizers from Rhodesia and Southern Africa.
- Immediate halting of strip-mining in the Black Mesa/Four Corners Area (Navajo-Hopi) and Northern Cheyenne of the United States.
- Protection and preservation of existing Native land bases from exploitation by multi-national corporations.
- Environmental impact investigation of the exploitation of non-renewable natural resources on Indian land, especially water — a necessity for survival.
- Support the right of self-determination of aboriginal people in the development of their land and resources according to their own values and social structures and laws.
- Expel the **Summer Institute of Linguistics** because of its direct complicity with multinational corporation activity in Native Lands throughout Latin America.
- The Economic Commission presents the recommendations made by the Lakota Nations, the Hua de No Sau Nee (Iroquois Confederation) and the Declaration of Principles of Indigenous Nations and defense of Indigenous Nations and peoples of the Western Hemisphere submitted by the delegation from indigenous organizations.

# The Social and Cultural Commission Report

*The Congress of Democratic Youth delegate chaired the commission with Hussein Khan, International University Exchange Fund, and Allene Goddard, International Indian Treaty Council serving as Rapporteurs. Participants included Marie Sanchez and Pat Bellanger, who presented documentation on genocide and sterilization of Indian women. Joe Lafferty and Marcy Gilbert, We Will Remember Survival Group; Clyde Bellecourt, Federation of Survival Schools; Bill Wap Pah, Oakland, California Community School presented documentation and testimony on Indian youth. Others among the hundred participants included Art Solomon, Don Alberto Santa Cruz, and Renir Artist. Organizations included the Women's International League for Peace and Freedom and the World Council of Churches. The United States' government delegate participated in the commission.*

This Commission has received the privilege and benefit of a large and active participation by the representatives of the indigenous nations of the Western Hemisphere. In expressing our gratitude to the friends we have met here for their presence and collaboration, we do not wish to forget that their number would have been greater still were it not for the fact that many have been prevented from coming by the state authorities of the country where they live. Nor do we forget that a large number among those who have come will face a serious risk of persecution on account of their attendance here.

It must be recorded that the primary and fundamental concern of the American participants in this Commission has been not simply to denounce the myriad acts of injustice perpetrated against them, but to explain their culture and world-view to us, so that we may understand the significance which they themselves perceive in the crimes of the dominant societies imposed on them. Through them we have learnt of the life and values of the native peoples of Northern and Southern America, and have received the vibrant proof, if any were still needed, that their culture is still alive. Those who would destroy their way of life would first have us believe that this task is already accomplished. We now have proof of the contrary, and we have received, with gratitude, the message of harmony and respect for all life brought to us by an ancient people whose culture may still yet be allowed to make a worthy contribution to the world community of nations.

Having acquired this knowledge, the Commission has received substantial and eloquent testimony concerning the massive and systematic efforts deployed since the beginning of European colonization, and up to this day, to destroy the basis and existence of the indigenous cultures; and we have equally received much valuable information concerning the Indian movement for the survival of their culture and society, and the concrete action currently being taken towards that effect.



*Marie Sanchez and Rose Charlie [Indian Homemakers Association of Canada] made presentations in the Social and Cultural Commission.*

It clearly emerges from our work that the Indian communities each have their own tale of persecution to relate and that each confront their historical situation. Nevertheless we have heard the Indian participants speak with a united voice in defense of their way of life and in the call for positive action for its rescue. It is in this spirit that the Commission has examined the different instances of cultural aggression, Ethnocide and Genocide in the Americas. The oppression exercised upon the indigenous communities in the Americas is characterized by high levels of child mortality, illiteracy, unemployment and even physical elimination. Special mention was made in our discussion of the tremendous extent to which this situation applies under the fascist and reactionary regimes in South America such as those in Bolivia, Chile and Paraguay. It was also remarked that similar conditions exist under other types of government such as those of North America.

I. The destruction of indigenous cultures in the Americas is historically inseparable from the considerations which motivated and which still motivate the criminal acts of the European colonizers, the primary consideration being human exploitation and the greed for land and cheap labour. To destroy a culture is to destroy the basis for an autonomous society able to defend the interests of its members. It is noteworthy that this Commission has had great difficulty in isolating the destruction of culture from other acts of genocide, and it is necessary to constantly bear in mind the links existing between these phenomena.

II. The pattern of cultural aggression and destructive cultural penetration may be said to begin at the point of departure for the culture of the Indians, i.e. **Their natural environment**. The removal of Indians from their traditional homes, the physical corruption of their ceremonial grounds, the industrial pollution of their natural habitat, all render impossible the continuation of culture, not only because its physical basis is destroyed but because such acts do violence to the system of values possessed by the Indians. The Six-Nation Conferacy in particular has stressed the innate importance, in their culture, of the protection of the natural world.

Another specific instance of such environmental corruption is that of mass tourism, with consequences also for the moral coherency of the exploited community.

III. The destruction of the cultural and social integrity of the Indian peoples proceeds through the dissolution of **community and family bonds** and the dispersal of the indigenous nations through the continent: forced removal of whole tribes in specific instances is implemented as part of a deliberate policy of forceable assimilation into the dominant society. The removal of children from their families and people, through the guise of social welfare programmes, bogus employment projects, foster homes and boarding-school systems reveals a consistent effort to subvert the autonomous cohesion of indigenous societies. Children thus removed are placed in non-Indian cultural environments with the object of alienating them from their own identity.

Patterns of white immigration and colonization reveal specific instances wherein Indian Communities are suddenly transformed into minorities on their own territory. In this respect, special attention must be directed towards the new programmes for white colonization from Southern Africa into South American countries, primarily Bolivia and Paraguay.

IV. The survival of indigenous cultures, and through it the physical integrity of indigenous communities, is threatened most especially by the direct imposition and promotion of foreign values, beliefs and ideals among the Indian peoples. Ample testimony has been received as to the forcible character of this cultural transposition, particularly in the vast backing given by private and public sources for the **missionary activity** of the various Christian denominations. It must be clarified that not a single expression has been heard in the Commission of disrespect towards the tenets and values of the Christian religion, but it has been deemed inadmissible that Christian missions are given funding and authority with which to force their spiritual empire on Indian peoples and thereby subvert their own dynamic.

V. The **content** of both state and missionary education is the single most pernicious threat to the survival of indigenous culture. The role of white-controlled and white-operated education as an instrument of Ethnocide is effective to the extent that a deep shame and contempt for their own culture is instilled in the Indian youth, who thereby lose the elementary basis of confidence and identity that would enable them to resist the final destruction of their national communities.

VI. The onslaught on native cultures through education addresses itself in the first place against the native **languages**, both by neglecting education of Indian languages and by the positive discouragement of their use. The role of native languages is correctly identified, both by those who attack their use and those who defend it, as serving to preserve the essence of culture. The fierce attempts to exterminate, through punishment and physical coercion, native languages and to instill a sense of inferiority in regard to them has been well documented in the presentations made to this Commission. Special mention should be made of the role of missionary societies such as the Summer Institute of Linguistics in the campaign against Indian languages.

The absence of official recognition for native languages in government and the judicial system as well as in education is an inherent attack not only on the individual rights of Indians but also on their entire cultural identity and sense of worth.

VII. Various interventions were made on the subject of **health and welfare programmes**, primarily to denounce the physical reduction of Indian populations in the guise of health services. Evidence was presented to show that sterilizations are operated with little or no informed consent on the part of the women patients. Family-planning programmes are able to extend their operation through the use of various threats or positive

inducements. The "godparent" programmes in North and South America are one instance of the use of material rewards to discourage births. Some discussion was also held on specific problems of health among indigent populations, and the destruction of Indian Communities through alcoholism and drug-addiction.

VIII. Religion, and spiritual leaders, are another special object of attack, legal prohibition, subversion, etc. . . ., especially since these are at the forefront of resistance to cultural absorption by the dominant society.

IX. A final note must be reserved for the various efforts currently taking place among the Indians of America for the rescue and defense of their culture. The Commission heard with much appreciation of movements initiated by indigenous people all over the Continent to provide their own education for their children, to promote the use of their language, to provide foster-care services, family and handicrafts projects, and generally to assume control of their own lives and protect their own identity as native communities. We have also heard of the repression exercised against these movements and the killings and imprisonments of their leaders.

#### CONCLUSIONS:

- Culture is the heritage of all peoples. Its preservation among a community is a fundamental guarantee of that community's physical survival and well-being. It is the human right of all peoples to develop and transmit their own culture.
- Throughout the American continent, national and local authorities are involved in deliberate acts tending to the destruction of native cultures and native social systems. In several instances, the nature of these acts are proof of a clear intent to achieve this result and must therefore be qualified as Ethnocide.
- The Commission of Ethnocide must be defined as both a cause and a part of Genocide, in that the ulterior purpose is the disappearance of the indigenous community. Individual acts made with the intent of disrupting cultural and social bonds (e.g. the separation of children from families) are also to be characterized as acts of Genocide, and their relation to acts of physical extermination must be acknowledged.
- **Culture**  
Guarantee must be secured where necessary for the right of indigenous peoples in the Americas to participate in the national life of their countries wherever they live, on the basis of their own culture, values and ideals. Cultural and social assimilation into the dominant society must proceed from the free choice of individuals and never from the coercive effort of the dominant society.
- **Education**  
The indigenous communities of the Americas must be guaranteed the control and supervision of both the form and content of education for their people. Action must be taken in support of this principle and in opposition to the subversion of Indian society and culture by existing methods and programmes of education.
- **Family and Community**  
The indigenous population of the Americas must be protected from the following practices by government, Church or private agencies:
  - Sterilization operations in the absence of free and informed consent.
  - Adoption, sponsorship and foster-home programmes that remove Indian children from their native community and culture.
  - Medical-experimentation practices made at the risk of the health and integrity of their subjects.



UNESCO was among the United Nations agencies observing and participating in the conference.

# The Legal Commission Report

*Niall MacDermot of the International Commission of Jurists and Chairman of the Special Committee on Human Rights, chaired the commission. Professor Lev Entine, Federation of Democratic Lawyers and Dr. Armando Rojas Smith, Nicaragua, were the Rapporteurs. Tim Coulter and Alexander Tallchief Skibine of the Institute for the Development of Indian Law, organized the mass of documentation presented to the commission. Bill Means presented a 300 page document on repression in the U.S., and Larry Red Shirt and Iroquois delegates submitted their treaties and claims of sovereignty. Hector Alacron, Natalio Heranadez, George Whitewater, Juan Aguilar, and Constantino Lima were among the 150 participants. The United Arab Lawyers, World Peace Council, and the World Federation of Democratic Lawyers [in the U.S., the National Lawyers Guild] were among the international organizations present. An observer from the United States government also participated.*

The Legal Commission of the International NGO Conference on discrimination towards indigenous populations in the Americas met on 21 and 22 September 1977 at the Palais des Nations, Geneva, Switzerland under the Chairmanship of Mr. Niall MacDermot. Professor Lev Entine and Dr. Armando Rojas Smith were appointed Rapporteurs. The following agenda was adopted:

- (1) Legal status of indigenous populations
- (2) The Land Question
- (3) Indigenous laws and courts
- (4) Discrimination against indigenous peoples in existing laws and their application
- (5) Creation of protective laws.

The Legal Commission,

After having heard declarations of indigenous delegates and representatives of NGOs and experts of international organizations in the presence of observers from some of the states concerned,

Insisting upon the particular importance of problems arising from the work of the Commission,

Seeing the unanimous will to eliminate as soon as possible all discrimination against indigenous populations and trying to awaken world public opinion to these problems, with a view to transmitting to the UN, to the various international organizations and to national governments the wishes, the opinions and the requests expressed by the representatives of the indigenous peoples,

Summarizes them as follows:

## I. Legal Status of Indigenous Peoples

The subject given greatest consideration by the Commission was the question of self-determination for indigenous peoples. Delegates and participants from the Northwest Territories, the United States and Central and South America, all argued in favour of the principle of self-determination for indigenous peoples, and their recognition as nations. Delegates from several indigenous nations, in particular the Six Nations Confederacy and the Lakota Nation, demanded immediate recognition as states under international law based upon treaties which clearly recognized their status as sovereign nations. Delegates also expressed concern for the legal rights of indigenous nations not represented at the Conference.

There were two principal questions raised in this regard. The first was that such a position appears to be contrary to the principle of territorial integrity embodied in the UN Charter and elsewhere. The second was that the extent of the right to self-determination of peoples, as contained in the International Covenants on Human Rights, has never been authoritatively defined. It is not certain whether or which indigenous groups would qualify, and what is the extent of the right.

The broad consensus among the indigenous delegates with respect to the issue of self-determination was embodied in a Declaration of Principles. Because of its central importance to the deliberations and recommendations of the Commission, the text of the Declaration is in the Appendix to this report. In general, the Declaration calls for legal recognition of indigenous nations under given conditions and for self-determination for all indigenous peoples. The Declaration also contains provisions for the protection of indigenous lands, provisions relating to treaties, cultural and economic survival, jurisdiction, environmental protection and other matters.

It is the **conclusion** of the Commission that the Declaration of Principles reflects a consensus among the indigenous delegates and that it represents a united call for justice which cannot be ignored by the international community. The Declaration raises difficult legal questions which cannot be immediately resolved. Therefore, it is the **recommendation** of the Commission that the Declaration be given detailed consideration and study by the appropriate non-governmental organizations, and that the Declaration be brought to the attention of the appropriate organs of the United Nations.

## II. The Land Question

All were agreed that resolution of the land question is fundamental to the attainment of the goals of the indigenous peoples.

Everywhere in North, Central and South America the indigenous peoples have been, and often are still being, deprived of their lands in whole or in part. Usually they are left with territories which are inadequate to their needs, divided into parcels which split up their peoples, and they are deprived of the most fertile lands and the lands richest in natural resources.

In some cases the extraction of water and other resources from the lands may threaten the very lives of the indigenous peoples, and where this results after foreknowledge of the risk, may amount to genocide.

Everywhere the courts and the existing legal system has proved inadequate to bring justice to the claims of the indigenous peoples. Only a political solution is possible. If this is to be achieved peacefully the first requirement is that the Governments of states recognize the organizations of the indigenous peoples and enter into meaningful negotiations with them.

Various solutions were proposed by spokesmen of different groups. For some, the deprivation of their lands by the conquerors was an act of aggression and robbery which cannot be condoned or accepted by them; they refuse to recognize any claims by the white man to land ownership and demand the return of all their lands to the indigenous peoples. Others are prepared to rest their claims on the territories recognized as theirs in treaties made between sovereign states. These territories have since been whittled down to small reserves by means which the indigenous peoples regard as fraudulent, or which were agreed to by tribal authorities whose validity they do not recognize and who were usually ignorant of the true consequences of the agreements. These speakers demand the restoration in full of their tribal lands as defined in the treaties. Yet others would agree to accept a territory which has been freely negotiated by their own traditionally elected representatives, being a territory which would be economically viable for their people and which would enable their full economic development at their own pace. Other speakers stressed the need for land reforms which would transfer the ownership of land worked by indigenous people to those who tilled it. Finally, some speakers stressed the enormous differences, sometimes tenfold, between prices paid for their lands by foreign immigrants or investors and the prices at which they were sold to indigenous people; indigenous peoples should be able to repurchase their lands at fair prices and should receive outside aid for this purpose.

All were agreed that the lands of indigenous peoples should be fully owned by them, including the control and ownership of all minerals and other natural resources, and that these should be exploited or used only as decided by their true representatives. The lands of the indigenous peoples should be clearly defined and fully protected by law.

In many if not most cases indigenous peoples preferred to own their land communally. The right to this form of ownership should be recognized internationally and nationally, and should be fully protected in accordance with Article 11 of ILO Convention No. 107, an article which, it is said, is observed in Latin America in practice only in Costa Rica.

The necessary legal services should be made available to indigenous peoples to assist them in establishing and maintaining their land rights.

The indigenous peoples should be given autonomy to manage and develop their lands in accordance with their own traditions and culture. This is essential to their whole way of life, socially and culturally as well as economically.

Several speakers urged the need for United Nations assistance to persuade governments to reach fair solutions to the land problem of indigenous peoples. One urged that their claims should be justiciable before the International Court of Justice. Another suggested that the recent indigenous legislation in Costa Rica might serve as a model for other Latin American countries. One speaker considered that the restoration of the lands of the indigenous peoples would result only from a revolutionary change which restored all the land to the people.

### III. Indigenous Laws and Courts

Indigenous laws have existed and still exist among indigenous peoples in certain countries. Through such laws societies have been able to settle their problems for thousands of years before the conquest. As a proof of the existence of these laws one can quote the system of the Iroquois which goes back a great many years and which establishes the way of life of such a nation according to its cultural traditions. Today the Iroquois traditional councils continue to exercise their full system of law and custom.

Within the indigenous populations the crime rate is quite low where the traditional systems as set up by the Chiefs are in effect, but the judicial forums of the traditional legal systems are not recognized by the legal system of the States.

Customs are the sources of law.

Modern international law establishes that a nation is defined through its own sovereignty and the principle of self-determination should express the freedom and the powers of the indigenous courts within their areas.

In Tahuantinsuyo (former Inca nation) there were codified laws whose names indicated their nature:

*"Ama Sua" or don't become a thief*

*"Ama Llula" or don't become a liar*

*"Ama Khella" or don't be idle*

There existed and still exist in certain countries such laws which are applied within communities. However, the legal system established by the States forbids their application.

The Commission **recommends** that the traditional law and customs of indigenous peoples should be respected, including the jurisdiction of their own forums and procedures for applying their law and customs.

### IV. Legal Discrimination

The tone of the testimony and related documentation is best expressed by those delegates who said: We **20**



*Mr. Niall MacDermot, Rapporteurs, and participants in the Legal Commission through heated debate reached unified conclusions.*

have exhausted all legal means — the existing laws, courts, commissions of inquiry, etc. — on the national level, and that is why we have come to the international arena, to the non-governmental organizations of the United Nations, for urgent cooperation.

The legal systems and institutions of the various American States have never taken into account the indigenous peoples and nations, thus serving the interests of the dominant society exclusively.

Legal discrimination as a means of exploitation is institutionalized in all states, forcing indigenous peoples to participate in legal structures and systems of law which are most often detrimental to their interests. This form of discrimination is disguised variously in public policy as "assimilation," "integration," "incorporation," etc.

Laws are dictated against the will and interests of indigenous peoples and nations, purporting to extend "equality" for people who are economically unequal. These laws repress also the customs, values and spiritual life of the indigenous peoples.

Even where positive laws exist which can give rights, these are not enforced by the oppressor governments. Lack of information, including the suppression of public documents, in some instances, reinforces the violation of these laws. The procedures and actions of various bureaucracies like civil servants also render ineffective indigenous rights. Outsider-imposed systems of justice negate the inherent legal right of indigenous peoples to control and regulate their own affairs.

Among the specific examples, taken from the testimony and documents, are the following:

- (1) Acts of outright aggression by the military-police forces of oppressor governments;
- (2) Torture, arrest and false imprisonment (i.e. political prisoners);
- (3) Failure to prevent violence and persecution by racist/neo-fascist organizations, mineral companies, land agents, etc.;
- (4) The infiltration and destabilization of legally-constituted indigenous organizations by security agents of the oppressor nations;
- (5) Controlling or manipulating legal jurisdiction of major crimes, preventing indigenous peoples from being judged by a jury of their peers; holding veto power over indigenous governments (where they exist);
- (6) Failure to respect the fundamental rights of women and children;
- (7) Failure to respect indigenous graveyards and sacred places.

These and other specific examples given may be summed up, for ameliorative action, as **the right of indigenous peoples and nations to have authority over their own affairs**. Among the points in "the indigenous peoples' declaration," principles 7, 9 and 10 (i.e. jurisdiction, settlement of disputes, and national and cultural integrity) have particular relevance to this question.

The question was also raised of the harmful effects of the transfer of children of indigenous peoples to non-indigenous adoptive or foster parents. The Commission **recommended** that legislative protection should be given to ensure wherever possible that such children should be placed with families of indigenous peoples.

# The Final Resolution

The International Non-Governmental Organizations Conference on Discrimination against Indigenous Populations-1977-in the Americas brought together more than 250 delegates, observers and guests at the Palais des Nations, Geneva, from 20-23 September, including representatives of more than 50 international non-governmental organizations.

For the first time, the widest and most united representation of indigenous nations and peoples, from the Northern to the most Southern tip and from the far West to the East of the Americas took part in the Conference. They included representatives of more than 60 Nations and peoples, from fifteen countries (Argentina, Bolivia, Canada, Chile, Costa Rica, Guatemala, Ecuador, Mexico, Nicaragua, Panama Paraguay, Peru, Surinam, United States of America, Venezuela).

It is regretted that some delegates were prevented by their governments from attending.

The Director of the United Nations Division on Human Rights addressed the participants on behalf of the United Nations Secretary-General. Representatives of the United Nations, the International Labour Organization and UNESCO addressed and participated in the conference. The representative of the Conseil d'Etat of the Canton of Geneva welcomed the participants. Observers from 38 UN Member States followed the proceedings.

The Conference was the fourth such event organized by the Geneva NGO Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization of the Special NGO Committee on Human Rights. Previous conferences, all organized within the framework of the United Nations Decade for Action to Combat Racism and Racial Discrimination were, in 1974, against apartheid and colonialism in Africa; in 1975, on discrimination against migrant workers in Europe; in 1976, on the situation of political prisoners in southern Africa.

The representatives of the indigenous peoples gave evidence to the international community of the ways in which discrimination, genocide and ethnocide operated. While the situation may vary from country to country, the roots are common to all; they include the brutal colonization to open the way for plunder of their land and resources by commercial interests seeking maximum profits; the massacres of millions of native peoples for centuries and the continuous grabbing of their land which deprives them of the possibility of developing their own resources and means of livelihood; the denial of self-determination of indigenous nations and peoples destroying their traditional value system and their social and cultural fabric. The evidence pointed to the continuation of this oppression resulting in the further destruction of the indigenous nations.

Many participants expressed support for and solidarity with the indigenous nations and peoples.

Three commissions dealt specifically with the legal, economic, and social and cultural aspects of discrimination and formulated recommendations for actions in support of indigenous peoples. Based on these reports, the Conference established a program of actions to be carried out by non-governmental organizations in accordance with their mandates and possibilities:

## PROGRAMME OF ACTIONS

### The Conference recommends:

- to observe October 12, the day of so-called "discovery" of America, as an International Day of Solidarity with the Indigenous Peoples of the Americas;
- to present the conference documentation to the United Nations Secretary-General and to submit the conclusions and recommendations of the Conference to the appropriate organs of the United Nations;
- to study and foster the discussion of the attached **Draft Declaration of Principles for the Defense of the Indigenous National and Peoples of the Western Hemisphere**, elaborated by indigenous peoples' representatives;
- to take all possible measures to support and defend any participant in the conference who may face harassment and persecution on their return;
- to express to ICEM\* the concerns of the Conference about the continued settlement of immigrants on the land of indigenous peoples in the Americas and urge strongly that the resources of ICEM should not be used in support of such immigrants, particularly when coming from the racist regimes of Southern Africa.

### In the legal field

- that international instruments, particularly ILO Convention 107, be revised to remove the emphasis on integration as the main approach to indigenous problems and to reinforce the provisions in the Convention for special measures in favour of indigenous peoples;
- that the traditional law and customs of indigenous peoples should be respected, including the jurisdiction of their own forums and procedures for applying their law and customs;

\* Intergovernmental Committee for European Migration



- that the special relationship of indigenous peoples to their land should be understood and recognized as basic to all their beliefs, customs, traditions and culture;
- that the right should be recognized of all indigenous nations or peoples to the return and control, as a minimum, of sufficient and suitable land to enable them to live an economically viable existence in accordance with their own customs and traditions, and to make possible their full development at their own pace. In some cases larger areas may be completely valid and possible of achievement.
- that the ownership of land by indigenous peoples should be unrestricted, and should include the ownership and control of all natural resources. The lands, land rights and natural resources of indigenous peoples should not be taken, and their land rights should not be terminated or extinguished without their full and informed consent;
- that the right of indigenous peoples to own their land communally and to manage it in accordance with their own traditions and culture should be recognized internationally and nationally, and fully protected by law;
- that in appropriate cases aid should be provided to assist indigenous peoples in acquiring the land which they require;
- that legal services should be made available to indigenous peoples to assist them in establishing and maintaining their land rights;
- that all governments should grant recognition to the organizations of indigenous peoples and should enter into meaningful negotiations with them to resolve their land problems;



*The Final Plenary Session was a powerful, unified closing of the conference.*

- that an appeal should be made to all governments of the Western Hemisphere to ratify and apply the following Conventions:
  - (i) Genocide Convention
  - (ii) Anti-Slavery Conventions
  - (iii) Convention on the Elimination of all Forms of Racial Discrimination
  - (iv) International Covenant on Economic, Social and Cultural Rights
  - (v) International Covenant on Civil and Political Rights
  - (vi) American Convention on Human Rights

#### **In the economic field**

- 23 • that the non-governmental organizations widely publicize the results of this conference in order to mobilize

support and aid for the indigenous peoples of the Western Hemisphere in their homelands;

- that conferences, seminars and colloquia be organized by NGOs, by intergovernmental bodies on all levels — regional, national, global — with the full participation of indigenous people to keep alive the issues that have come to world-wide attention at this conference, and to hear new testimony that will be presented in the future;
- to promote the establishment of a working group under the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights;
- to request that the United Nations Special Committee on Decolonization hold hearings on all issues affecting indigenous populations;
- that the United Nations Committee on Trans-National Corporations conduct an investigation into the role of multinational corporations in the plunder and exploitation of native lands, resources, and peoples in the Americas.

#### **In the social and cultural field**

- to promote respect for the cultural and social integrity of indigenous populations of the Americas. Such respect should be especially promoted among local and national governments and appropriate intergovernmental organizations, and be based on the conclusions enunciated in the commission report;
- to give all possible financial and moral support to efforts initiated by American Indians in defense of their culture and society, and in particular to the various education programmes launched by Indian movements. Solidarity is also requested for political prisoners and other victims of persecution on account of their participation in such indigenous movements.

Many other proposals and recommendations were made by the conference commissions. It is suggested that they be studied by NGOs for the formulation of possible action programs by them.

The Conference requests the officers of the Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization to promote the decisions of the Conference and to receive and circulate information from NGOs about the implementation of these decisions.

# Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere

## **PREAMBLE:**

Having considered the problems relating to the activities of the United Nations for the promotion and encouragement of respect for human rights and fundamental freedoms,

Noting that the Universal Declaration of Human Rights and related international covenants have the individual as their primary concern, and

Recognizing that individuals are the foundation of cultures, societies, and nations, and

Whereas, it is a fundamental right of any individual to practice and perpetuate the cultures, societies and nations into which they are born, and

Recognizing that conditions are imposed upon peoples that suppress, deny or destroy the culture, societies or nations in which they believe or of which they are members,

Be it affirmed that,

## **1. RECOGNITION OF INDIGENOUS NATIONS**

Indigenous peoples shall be accorded recognition as nations, and proper subjects of international law, provided the people concerned desire to be recognized as a nation and meet the fundamental requirements of nationhood, namely:

- a. Having a permanent population
- b. Having a defined territory
- c. Having a government
- d. Having the ability to enter into relations with other states

## **2. SUBJECTS OF INTERNATIONAL LAW**

Indigenous groups not meeting the requirements of nationhood are hereby declared to be subjects of international law and are entitled to the protection of this Declaration, provided they are identifiable groups having bonds of language, heritage, tradition, or other common identity.

## **3. GUARANTEE OF RIGHTS**

No indigenous nation or group shall be deemed to have fewer rights, or lesser status for the sole reason that the nation or group has not entered into recorded treaties or agreements with any state.

## **4. ACCORDANCE OF INDEPENDENCE**

Indigenous nations or groups shall be accorded such degree of independence as they may desire in accordance with international law.

## **5. TREATIES AND AGREEMENTS**

Treaties and other agreements entered into by indigenous nations or groups with other states, whether denominated as treaties or otherwise, shall be recognized and applied in the same manner and according to the same international laws and principles as the treaties and agreements entered into by other states.

## **6. ABROGATION OF TREATIES AND OTHER RIGHTS**

Treaties and agreements made with indigenous nations or groups shall not be subject to unilateral abrogation. In no event may the municipal laws of any state serve as a defense to the failure to adhere to and perform the terms of treaties and agreements made with indigenous nations or groups. Nor shall any state refuse to recognize and adhere to treaties or other agreements due to changed circumstances where the change in circumstances has been substantially caused by the state asserting that such change has occurred.

## **7. JURISDICTION**

No state shall assert or claim to exercise any right of jurisdiction over any indigenous nation or group or the territory of such indigenous nation or group unless pursuant to a valid treaty or other agreement freely made with the lawful representatives of the indigenous nation or group concerned. All actions on the part of any state which derogate from the indigenous nations' or groups' right to exercise self-determination shall be the proper concern of existing international bodies.

## **8. CLAIMS TO TERRITORY**

No state shall claim or retain, by right of discovery or otherwise, the territories of an indigenous nation or group, except such lands as may have been lawfully acquired by valid treaty or other cessation freely made.

## **9. SETTLEMENT OF DISPUTES**

All states in the Western Hemisphere shall establish through negotiations or other appropriate means a procedure for the binding settlement of disputes, claims, or other matters relating to indigenous nations or

groups. Such procedures shall be mutually acceptable to the parties, fundamentally fair, and consistent with international law. All procedures presently in existence which do not have the endorsement of the indigenous nations or groups concerned, shall be ended, and new procedures shall be instituted consistent with this Declaration.

#### 10. NATIONAL AND CULTURAL INTEGRITY

It shall be unlawful for any state to take or permit any action or course of conduct with respect to an indigenous nation or group which will directly or indirectly result in the destruction or disintegration of such indigenous nation or group or otherwise threaten the national or cultural integrity of such nation or group, including, but not limited to, the imposition and support of illegitimate governments and the introduction of non-indigenous religions to indigenous peoples by non-indigenous missionaries.

#### 11. ENVIRONMENTAL PROTECTION

It shall be unlawful for any state to make or permit any action or course of conduct with respect to the territories of an indigenous nation or group which will directly or indirectly result in the destruction or deterioration of an indigenous nation or group through the effects of pollution of earth, air, water, or which in any way depletes, displaces or destroys any natural resource or other resources under the dominion of, or vital to the livelihood of an indigenous nation or group.

#### 12. INDIGENOUS MEMBERSHIP

No state, through legislation, regulation, or other means, shall take actions that interfere with the sovereign power of an indigenous nation or group to determine its own membership.

#### 13. CONCLUSION

All of the rights and obligations declared herein shall be in addition to all rights and obligations existing under international law.



*Tim Coulter, Institute for the Development of Indian Law, provided documentation and arguments in the Legal Commission. Here he confers with Iroquois delegates in the Commission.*

# Closing Addresses

## **EDITH BALLANTINE, Secretariat, International NGO Conference on Indigenous Populations of the Americas**

It is now my pleasure, my pleasant duty, to bring this conference almost to a close and I will say the usual thank you now because we have somewhat of a different closure of this conference which will be given over to a ceremony by the International Indian Treaty Council.

I would first like to thank all the organizations, non-governmental organizations, who have helped and made tremendous efforts in every way to make this conference possible. I will not mention names because the list will be very long and I risk forgetting someone. Some have contributed in kind, many have contributed with very generous donations, and everyone has really done as much as they possibly could.

I would like to thank the staff. We have had a marvelous staff to help really run this conference and the documents you have received this morning were all produced during the night. Apart from our staff from non-governmental organizations, we've had a large group of Geneva young people, students, professors, who have really stood by us all night to help with the translations, running errands, doing many, many things. I want to thank them very much.

I want to thank the United Nations for again making it possible to hold a conference in this building. As non-governmental organizations we appreciate this very much. I want to thank now the interpreters who worked very hard. I am certain it has not always been easy for them. But there has been no complaints; on the contrary, nothing but praise. I want to thank them very much.

When I thank the United Nations, I am thinking of the many in the United Nations, the direction, but also those in the divisions who have been most helpful and have been with us and am quite certain have also listened and learned a great deal as we have.

But I think above all the thanks must go to you, the representatives of the indigenous nations and peoples. I think for me personally this has been a very moving and tremendous experience. We have learned very much and we have made new friends and a new section of life has opened for us.

As a woman presiding at the conference, it is very difficult to resist to make a remark about women. I was very impressed and extremely pleased when the delegations arrived, and I found so many women amongst you. Believe me, it is very unusual. Let me tell you, I think you women are wonderful. You have been tremendous. I certainly hope to see much more of them and meet many more.

## **ART SOLOMON, American Indian Movement, Toronto, at the Final Plenary**

... I want to say, that if it is right, what we are doing, that we spend all our energy and make the sacrifices that we are making, that we must continue to do that. But as I have watched what happens here and what will happen after, what happened before, if I trusted only in men and what men can do, men and women, then I would be afraid for what comes after. But I've seen the power, the sacred power of the Pipe, and the Creator working amongst us.

We must continue to work with all of our energy, in the best way that we understand, wherever we are and whoever we are. We are brothers and sisters wherever we come from on the earth. The Creator wants us to work on his side.

There are two powers in this world. The great negative power and the great positive power. One of them is going to win and only one. All those who are using their power against us, to oppress us, to kill our people, to steal our land, to steal our humanity, they're following the way of the great negative power. They cannot win. If we turn to the Creator and continue in the way we have been doing here and before we came here, we cannot lose.

## **JUAN CONDORI URUCHI, MINK'A — South America Final Plenary**

We are brothers of Indian America, of the Indian continent. We have spoken during the past days. We have come here in order to present our wishes and requirements. However, I have read the Swiss paper in which it was said that hundreds and hundreds of Indians have dug up the war axe but that's not what we have come to do here. We came here in the name of peace and unity in order to seek our proper rights.

We know that any people that oppresses another people is not and cannot be free. We, Indians of North America, Indians of Central America, Indians of the three Americas, everybody knows that each of us says the same thing. We are being exploited from the point of view of culture, of social rights. We are being exploited from the point of view of the economy. We, among our brothers, want to find unity. At the same time we want to make the white understand that they shouldn't lie to us, that they shouldn't steal either.

Now, what have we learned from the white man? What have we learned from the conqueror, from the aggressor? We have only learned to fight one another. This is the education we get from individualism, from private property. Before, there was no inequality. Everybody was equal. Everybody could work. Nobody was being humiliated.

These hearings of the Indian people today are being believed, are being shown to everybody and the Indian

people is growing and developing. We do hope that we have made you feel deep in your heart that you need to support us. We have injected it, perhaps injection is not strong enough — let's hope deep in your heart that you'll understand, that you will demand, require that truth be said, that truth be told to the whole world.

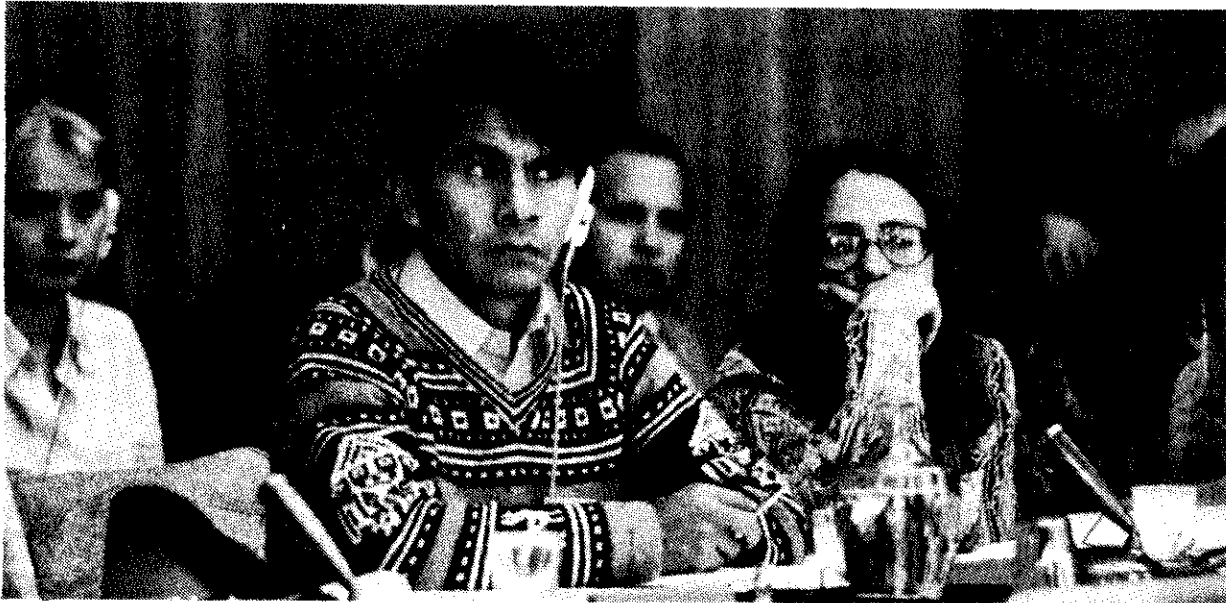
We have not come here in order to dig up our war axe, not at all. Often enough, we've fought against our own "brothers" (our brothers, quotation marks) because that's what we call our conquerors. But what we want to teach them is love. Love of their neighbors. And that the young and the old, the poor and the rich should be considered as one, alike. We should not be divided into the poor and the rich.

The philosophy of the conqueror is different, and they've tried to educate that in us. Now, what do we want to achieve? We want the Indian to prove that the present society has lost its human values. The conquering society has lost all the powers of friendship, the grace of friendship. We want you to understand that in union there is friendship and love. We want to teach you to accept the image of the Maya, the image of the Mexican friendship, and it's through our love for nature that we've learned to love. This love of mankind has been practiced in our lives. But the conquerors do not know this love.

Indeed if we come together today, tomorrow, on going home, on coming home and finding back our nations, what will we find? We will find a handful of people only. And I'm afraid we might be received with a stilleto.

We come here to speak of unity. This unity which should be kept up, which should be maintained, and for that reason we need strength. Many things have been said about unity and union, but once again, in order to have this union kept up, this unity maintained, we must show the whole world that we've come here not at all in order to humiliate the white and become conquerors on our own but to demonstrate our love of mankind, to prove that we practice what we preach. The Christians say: love thy neighbor. They say so, so why don't they do so? Scientifically and philosophically speaking they say they know the truth, why don't they show it?

Now, we shall see what the heart of every country represents, let's hope we shall, let's hope we will. Perhaps they'll not let us come back in another fifty years, perhaps we shall have to wait another generation I don't know. Perhaps there may be some doubts of that, unity. Brothers from the Indian continent, brothers, by and through unity, brothers in our claims, brothers in behalf of oppressed people. Unity, unity of everyone, of every country, of every person in order to strengthen our situation, economic or social, for everything. On behalf of everything and for the sake of everything we've mentioned here. That's what we've been fighting for. We must feel what way our claims, our wishes, our requirements shall pursue, for the sake of unity, of brown America, for the unity of Indians of the whole world. That's what I wanted to say. Thank you, sir, thank you madam.



*Juan Condori Uruchi, MINK'A, Bolivia*

#### **MIKE MEYERS, Onondaga Nation, Geneva Planning Committee, at the Final Plenary Session**

I want to say that as a person who has worked for this first time when our people have come here as one people of the western hemisphere to talk to the world and try to explain the conditions that we face that what I have seen in the past year of work on this is that there has been an organic growth going on amongst the native peoples. It's the same kind of organic growth as when you put that seed into the earth and you know that the various things of the earth work together with that seed to bring about a good thing for the life of all people and that cycle has been going on since the time that this place began.

My deepest concern in this work has always been that unfortunately the people who co-occupy the corner of the world with us for whatever reasons seem to have a vicious strain in them. They have a vindictiveness in them. It may be because their guilt is so overwhelming about how they treat us that sometimes they have to try

to murder us, or jail us, or assassinate our leaders or carry on acts against our people.

I hope that those of you who sit in this room with us as the representatives of the co-occupiers of our part of the world will be able to think a little bit about our lives, our aspirations, our wants, our desires before you send your final reports home, before you send your reports home, that may cause a death among our people I have grown to know and love. Because if one of them disappears from the face of the earth because he came here to speak the truth about the conditions we live in and the things we have to face, the people who will remember that man's death will be coming after you.

**NIALL MacDERMOT, Chairman, Special Committee on Human Rights of the Social and Economic Council of the United Nations, at the Final Plenary Session**

This, our fourth conference, is first in a series we hope to organize on racial discrimination against indigenous peoples. Some people have criticized this for taking such an enormous subject as racial discrimination throughout the continents of South, Central, and North America. Naturally, it has been impossible for us to have gone deeply into the subject in a period of only three and half days. But there have been real advantages in taking this broad sweep. We've seen how much the basic problems are the same, the historical background with its terrible saga of repression, massacre, and genocide.

The constant struggle of the indigenous peoples to maintain their own societies, culture, and traditions in the face of brutal and ignorant oppressors who considered them barbarous savages but were themselves the true barbarians. The cruel impact of modern technology and the drive for economic exploitation upon these societies and the remarkable way in which they have nevertheless succeeded in keeping alive their communities, their religions, their traditions, and their culture.

For most of us, the representatives of the Non-governmental Organizations here, this has been our first meeting with the indigenous Indian people. It has been a profound experience for us. We have been deeply moved by the speeches we have heard. We have listened with humility to people who have much to teach us about the values of our societies. Peoples for whom, for example, care for their environment is not a recent intellectual discovery but a deep spiritual experience and an integral part of their whole way of life and outlook.

The purpose of these conferences is two-fold. Firstly, to inform ourselves about the sufferings and aspirations of people who are the victims of racial discrimination. Secondly, to consider ways in which we can assist them and bring their needs to the attention of world opinion and the governments who meet together here in the United Nations. You must understand that we, non-governmental organizations, have no power within the United Nations except the power of persuasion. The United Nations is composed of governments, and we are here with consultative status, with certain rights to submit information on proposals and even to make oral interventions before certain of the commissions, committees, and other bodies of the organization. Governments, like all of us, are sensitive to criticism and we have to exercise our role with certain discretion or we will find our limited rights being further limited. The field of human rights is, however, one of those where the role of the NGO, what we call the non-governmental organizations, within the United Nations is generally recognized to be quite vital. This point was made forcibly by the President of the Human Rights Division of the opening session. Much of the progress which has been made within the United Nations in the field of human rights has been the result of initiatives taken by the NGO's.

In our own organization of NGOs we have widely differing views and orientation. We do, however, succeed in finding much common ground and are able to work together effectively in these fields for the promotion of human rights. I can assure you that all that you have told us, the massive documentation you have brought with you, submitted to us, will be carefully considered and will be brought by us to the attention of the appropriate committees and other organs of the United Nations.

Some people have questioned whether this conference has not been too one-sided. Of course it has been one-sided. Its purpose has been to hear the spokesmen of the side that has not yet been heard or little heard in the forums of the United Nations. It's not our fault if the other side hasn't been heard. We have invited all the governments concerned to attend the conference and I'm glad to say that very many of them have done the honor to us of doing so. They've had every opportunity to participate in our discussions but in general have chosen not to do so. That is their decision and we can understand and respect their reasons.

We haven't come here as a committee of inquiry, still less as a tribunal, trying to pass judgement. We came here to listen, to learn about the deeply felt sense of injustice, oppression, frustration of the indigenous peoples of the Americas. Many have spoken with passion and many have also presented, most ably, carefully-reasoned and well-documented evidence and arguments. We have been greatly impressed and are most grateful to you. We will, I hope, in continuing consultation with you, seek the most effective ways in which we can bring your concerns before the United Nations. I hope that you may find our experience of value to you in helping to find the most effective ways of presenting your case. It is, as I have said, a sensitive field and those of us who work in the field of human rights in all parts of the world know how difficult it can be to take action which is really effective and constructive.

We have at this conference established many links, personal friendships, and organizational links which can serve as the basis for future cooperation. On behalf of the community of non-governmental organizations, I want to thank you all, you the Indians, the indigenous peoples here, to all the immense efforts you have made at considerable expense to come here and inform us about your sufferings and struggles. I'm sure that our organization will respond to your appeals and will do all in their power to help you in any way they can. I hope you feel that our labors together have been worthwhile and in this final resolution of our conference we've given you a tool which will be useful to you in your work.

And now the last word as is right and proper should be given to a spokesman of the Indian Treaty Council which has worked so hard to bring about this conference. It's invidious to mention names but I must mention

our friend, Jimmie Durham, of whom we saw so much during the preparations for this conference but who, unfortunately, couldn't be with us during it. We wish you all a safe return to your countries, a phrase which is perhaps more than just the usual formality. And we look forward to cooperation with you in the future. Thank you.

**ROMESH CHANDRA, Chairman, NGO Subcommittee on Racism, Racial Discrimination, Apartheid, and Decolonization, and Chairman of the conference, at the Final Plenary**

Dear Friends: The final resolution of this conference has been prepared by the steering committee on the basis of the discussions which have taken place in the commissions. In accordance with the rules, it is essentially a program of recommendations for action and therefore it brings together the main recommendations for action in the various reports and it must be seen as a whole with any other recommendations that arise from the reports of the three commissions.

*These recommendations are to be carried out by each non-governmental organization in accordance with its own possibilities, its mandate. Some will be able to carry out one particular recommendation of action, some more, and when it is adopted, it is adopted with this understanding, that each non-governmental organization which stands with it, agrees to let it go through, first of all accepts these recommendations which go out to the whole NGO world for everyone to do as he thinks best. Many will be able to do a great deal. Others may have difficulties. It does not bind any non-governmental organization unless that organization through its own bodies may later on endorse it. So it is in that spirit that this is placed before you. It is a document which has been mandated, discussed by the steering committee at great length and presents their unanimous views.*

I would like at this point to say that this document emerges from discussions which have been very large, very free and totally open to all participants. I received a few minutes ago a letter perhaps written yesterday which suggests that someone was refused the right to answer charges made against a particular state in the plenary session. Of course it was said that it was refused by me. The facts are: that no one has been refused. On the contrary, our effort has been to get the maximum information. And in regards to this particular country



*Romesh Chandra, Chairman of the Conference and President of the World Peace Council, thanked the Indian delegation for providing four words—nation, land, genocide, and self-determination.*

whose ambassador has written to me, I myself, in the presence of the president of the conference requested that the representative of that government to go to every commission and I would personally seek with the chairman of each commission that she would have the full right to speak in every commission. When that offer was refused, I said that in accordance with our rules this request would be placed before the steering committee. I do not wish to put before you the discussions that took place before the steering committee but you are well aware that a decision was taken unanimously by us that we would depart from our usual practice and grant the right to speak to the representative of that particular government in this session. And therefore I'm surprised that I should be charged in a letter with having refused the right to anybody to answer or to speak here. This conference has been open and as we know very well those who prefer to give their statements in writing have done so. I say this because: let it be seen clearly, that this has been a conference of open debate. There has been no pressure on anyone to say anything, and the results which have come forward are results arrived at by consensus as representing the broad views of each commission, and now we are arriving at the broad views of the conference.

I think that this document, which I do not propose to read, is a document which emerges from certain facts. The first fact is that this conference has seen the broadest, united representation of the indigenous nations and



peoples that has ever gathered at any international conference. And this we say in this document: the broadest representation of indigenous nations and peoples.

The second fact is this: the indigenous people's representatives know quite well after this conference, during this conference and through their whole life, they know quite well who are their friends and who are their enemies. They are very wary, indigenous nations and peoples, of those who would like to say they are pitted against all the peoples of the world. They know who their enemies are, and those are the same enemies that the masses of the people face today.

So this document reflects the understanding of who are the enemies and who are the friends, whom we wish to have as our friends. Do you think that those who fight everyday against colonialism in Southern Africa today do not face the same discrimination, murder, massacre as the indigenous peoples of the Americas? Do the same multinationals who exploit any number of countries of the world including the common people of the countries in which the indigenous peoples live? A common enemy requires a common struggle of all people against that common enemy for freedom and for liberation.

No, this struggle is not a separate struggle being waged only by certain people, millions of people there are, but it is a struggle which is part of the common struggle that is being waged by peoples of the world for their land, for their life, for their liberty, for the end of the domination which exists today in so many parts of the world. So we are part of that world-wide struggle and it's not only a struggle the Indian makes and that has also been clearly said.

I think there are some words in this document which it is worthwhile learning fast for all of us non-governmental organizations who have learned so much. The first word is nation. Indigenous peoples, indigenous nations and peoples.

We began the conference with a conference of discrimination against indigenous peoples, right? We end the conference with a clear-cut declaration in solidarity with indigenous nations and peoples.

Thank you for giving us that one word. Thank you for giving us another word, which is in this resolution. It's a shorter word. The word, land. Land. This is the key. It's a key word. Our land, our beautiful land, our mother earth. This land belongs to us. And no one can take it from us. This is what this resolution says. This is the key to the struggle of our peoples. And where is this land thing? Because they love the beauty of our land? No, they hate the beauty of our land. They want to take the wealth of this land and the riches of this land, rob and plunder it, to fill the pockets of a few people who are the enemies of our land. This land is ours, it doesn't belong to them.

There is a third word in this resolution. Don't be angry if I mention it. It's a word a little longer. The first word is nation, the second word is land. The third word is genocide. Someone says it's not an international law. I don't know, I'm not so versed in international law. But I know that when you seek to wipe out a whole people by any means, by murder, by massacre, by sterilization, by driving them out, in my limited dictionary, in the limited dictionary of ordinary people everywhere in the world there is no other word to describe it but genocide. It is genocide. Not under law perhaps somewhere, not under something somewhere, but as we understand it. And if you don't understand it, you will not fight in solidarity with people who fight that they may keep standing on their feet.

One other word I want to speak of its a word which we have put into this resolution. Self-determination. I don't know what it means in legal language, and in the definitions of governments and inter-governmental organizations — I respect them all, I'm ready to stand and accept them in their field. Self-determination means in this document and for us a simple fact: people have the right to decide its own destiny, of what it wants, to do with its own wealth, with its own land, its own life. Self-determination for the indigenous nations and peoples to do as they will according to the conditions in each part of the world. Self-determination is what we ask for and what we stand for for the indigenous peoples and nations.

This document is not the end. It is the beginning for the NGOs, for each one of us. This has been a glorious three days, four days, for we have learned so much. My brother says, if anyone dies. I tell you clearly there will be harassment and repression against many who participate in this conference. Why? It is because the conference is a hoax? No repression if you attend hoax conferences. No repression if you attend conferences which are a hoax. Repression and harassment because this has been real and people have heard you. Even the most cynical have heard you in their hearts, have been shaken up as never before. But this I pledge, and it is in this resolution, on behalf of all the NGOs and all the others who are here that if there is victimization, harassment, repression, terror, murder against anyone who participated in this conference. And that has been done already, make no mistake. Then you can count on a world-wide out-cry by the non-governmental organizations who stand beside this conference. Do not touch a hair of our brothers. What can we do against the powerful who might touch you. We can do a lot by public opinion. We can do a lot by raising our voices. And so we say clearly here that we shall take all possible measures to support and defend any participant in the conference who may face prosecution and harassment on their return.

The program of action is one which begins with the call for the 12th of October to be a day of disgrace, of shame, of mourning for indigenous nations and peoples. It will be observed by you, in your way. The mourning is not to accept. Mourning is to fight. All over the world, whatever we can, we shall try to make people know the results of this conference and declare their solidarity with your struggle. Solidarity doesn't mean solidarity on my terms or the terms of those who give the solidarity. Solidarity to be effective is an unconditional solidarity with the true representatives of the people with whom you have solidarity. So we accept solidarity in terms of the way you have presented your wishes and your demands.

We propose to take the results of this conference to the United Nations General Assembly's meetings. We propose to take it with your help to all the appropriate audience of the United Nations. But that is only the beginning. The whole program of action which is here is one which is opened up a new stage in the struggle which the people of the world are waging for the justice and the right of the indigenous nations and peoples of

the Americas. Whatever the position of each one of us might be, whether we were with you before this much or with you a little this is certain: after hearing you, we'll do more.

My brother asked, Maybe we won't come here again? Of course I don't mind telling you some people do say, How can these premises be used again and again for this type of talk? Well for years these premises have been used again and again against indigenous nations and peoples. So do you mind very much, dear gentlemen in authority, if once for a few days the platforms of the indigenous nations and peoples and those who stand by them. We shall come again. Let's open the door to going to different parts of the world with the decisions of this conference, with this resolution and the documents of the commissions. This is not the end.

I see before me the beginning of a great new struggle of all the peoples of the world in solidarity and support of indigenous nations and peoples. And I see at the same time indigenous nations and peoples more and more taking an active part for their own rights and for their own people and for the rights of every people who fights for their independence and justice in the world. The struggle is not separate, the struggle is together with all the peoples of the world. That is why the last word this resolution speaks of is another simple word. It's the word, together.

We stand together. We fight together. We struggle together. We carry forward the light of these days, the knowledge of these days, the spirit of these days, the spirit of this earth, of ours, of yours and ours. We carry it forward together. I would like to present you this final resolution with these words and ask you to adopt it together and carry it out together.

This is not the end. It is the beginning of our work. Thank you very much.

#### **LARRY REDSHIRT, of the Lakota Treaty Council, concluding ceremony September 23**

We've explained already what the Pipe meant and why we come here with it. We explained that this Pipe is a symbol of peace and as such we have offered it to many of our brother nations. We have even offered it to the United States of America, and they have accepted. We made agreements in good faith and blessed it with this Pipe and their Bible.

When we were sent here on behalf of myself, my brothers, relatives, from the Lakota Nation, they told us to bring the Pipe. There is another thing they told us to bring that I feel I shouldn't leave out, even though many strong words have been expressed about why we come. As we come with this Pipe, also we come with the Treaty, the 1868 Treaty. That Treaty is bloody. It was made over a hundred years ago. It was our elders who told us that this was a good Treaty. But somebody spilled blood on this Treaty. And they said, You are going before the world with your Pipe, and you will offer it to the world, the world community, and if they accept, then together we can help to clean this Treaty. I hope you understand the thought behind that . . .

As we talked among ourselves we said this is just a beginning, and the process of understanding has just begun. In due time, this Pipe we will offer to the world. The documentation, the thoughts that we leave behind, you can analyze it, you can look at it, you can see what it represents. And you can show it to your people, the world community, and if they accept we will return again. And this time not just as representatives of our nations, we will return with our chiefs, the government of our people. Together, our leaders, our chiefs, our governments will smoke with leaders of the world, with the United Nations. This morning we prayed and smoked it among ourselves, and the Indians of the nations know what it means, what it represents. I wanted to explain the reason why we are not smoking the Pipe now. We will pray with it anyway and I am sure the Creator will hear us. I can already feel his presence among us.



*Sioux Representatives, Moses Gill, Sisseton; David Spotted Horse, Hunkpapa [Standing Rock]; and Red Hale, Fort Totten, provided insight into the question of Indian sovereignty.*

## **RUSSELL MEANS, International Indian Treaty Council, Final Plenary**

First of all I would like to say that I represent the International Indian Treaty Council, an NGO, and I'm actually standing in for Jimmie Durham because if one person is responsible for this conference it is Mr. Jimmie Durham. Mr. Jimmie Durham has my complete, unadulterated admiration as a man, as an American Indian, and as a freedom fighter. Almost singlehandedly, since 1974, Mr. Durham has brought about consciousness in the international community concerning our people of the Western Hemisphere. I'd also like to thank Mr. Tim Coulter of the Institute of the Development of Indian Law because without his expertise and his dedication from not only himself but from everybody involved in his organization this again would not be possible and would not have run as smoothly as it has.

I also would like to thank the NGOs and everyone who has worked for this conference, on behalf of Jimmie and the Treaty Council, and I do believe that the messages you have heard do not have to be repeated by myself because the message is very clear.

I leave the international community with these words of Chief Seattle of the Squamish Nation of what is now the Northwest Territory of the United States. Chief Seattle said, "Tribe follows tribe, and nation follows nation. It's like the waves of the sea. It is the order of nature and regret is useless. Your time of decay may be distant but it will surely come; for even the white man's god who walked and talked with him, as friend with friend, could not escape the common destiny. We may be brothers after all; we shall see."

# Where We Go From Here

by Jimmie Durham

At a meeting in Minneapolis before the Geneva conference Phillip Deere asked a strong question. He asked that if for some reason the conference doesn't happen, or if it doesn't turn out the way we want it to, what plans do we have? In other words, are we putting too many eggs in one basket?

We are always asking questions like that to ourselves, at Treaty Conferences and other gatherings. I think it is good because it means that people are taking their responsibility seriously and are trying always to "protect our flank," as Oren Lyons says.

But the conference did happen and was excellent. So now we are rightly asking, what next?

Russell Means explained at the '77 Treaty Conference that this conference was only a small first step. (Actually it is the third step; step 1 was setting up the U.N. office in New York, and step 2 was getting U.N. consultative status.) It is important only when we look at it in the whole context of our international work, and the international work is important only if we do the real work of organizing ourselves in a united front back home. We are the people who will liberate ourselves, finally. No one else can do it. The international work is a vital and necessary part of that but it's only a part. If the other parts, survival schools, community organizing, discipline, self reliance, and other aspects are not strong and together, then the international work doesn't mean anything. But all of these parts go together, and each makes the other stronger.

I believe that many people were encouraged by the conference to work harder back home with renewed energy. Also we brought together many Indian people who had not worked together before or had not worked together for a long time, even though there was the usual fussing and feuding that comes from what Russell calls the "colonial mentality." I've heard people talking about how we should keep together the network of Indian people and organizations that we've started with this conference. So the international work reinforces the other work. I believe we are on the right track.

We have pointed out in a couple of articles in the **Treaty Council News** that the Geneva conference didn't just happen. A lot of people had to do a lot of work for more than two years to make it happen. Work like going to U.N. conferences in Mexico, Argentina, Peru, Canada; other international conferences in Cuba, Poland, Germany, Puerto Rico, Panama, Barbados and of course Geneva. Many people had to plan and work on reservations, and many people stuck in prisons lent us their courage. The conference wouldn't have happened without all of that.

Three weeks before the conference I was in Geneva presenting documentation about Indian prisoners to the Human Rights Commission — already working beyond the conference. The prisoners whose case histories I presented, people like Dick Marshall, Leonard Peltier, Herb Powless, Johnson Warledo, had already done their share beyond the conference. Three weeks before that Russell Means and I were in Geneva planning tours of Europe and other places for after the conference and working on other international strategies. Clyde Bellecourt, Pat Bellanger and others were already planning an AIM conference for November to help consolidate and coordinate international gains.

A week after the conference people were already back in New York working on the new International Day of Solidarity with American Indians on "Columbus day." The people in our San Francisco office immediately started work transcribing the presentations from the conference. No one is resting, and everyone feels more hopeful than before.

Some very important and concrete beginnings came from Geneva. The Solidarity Day (discussed at the beginning of this report) is one beginning. The contacts we made with the World Peace Council and other international organizations will strengthen as we continue to work with them. They in turn put us in contact with other people, including people here in the U.S. — labor unions and peace groups, for example.

We must get more Indian people involved in that work with NGOs and their members, both in the U.S. and internationally. More Indian people must make themselves aware and educated about international affairs (and stop believing what we read in U.S. newspapers) so that they can participate. There are networks of people and organizations all over the world who are waiting to work with us in real solidarity. After Geneva, those people are well informed about our situation, and about the fact that we are doing something about it and want their help.

The resolutions and plans of action from the conference give us some handles on things to do at the U.N., most of which we have already started. Three resolutions are right on target for our U.N. work: One, from the Economic Commission, states: "that the U.N. Committee on Transnational Corporations conduct an investigation into the role of multinational corporations in the plunder and exploitation of native lands, resources, and peoples in the Americas." That is an important new committee in the U.N. We have just published a book about AMAX strip mining on the Cheyenne reservation and in Namibia (Africa) which we are presenting to the Committee on Transnationals. Winona Westigaard of the New York staff is getting together a research group at Harvard to prepare studies of the corporations' activities on Indian reservations all over the country. People like Marie Sanchez, Roxanne Dunbar Ortiz, and others have already done some work in that field. We need information from every reservation in the country about the rip-off of our resources to present to that U.N. Committee.

Here again, the NGOs and other international organizations and labor unions can help us, because they are already fighting those corporations.

Another resolution calls for the U.N. Special Committee on Decolonization to conduct investigations. As soon as we have everything from the conference transcribed and ready we will present it all to that special committee and begin a massive information/education outreach campaign about our colonization to the countries in the U.N. That will include tours of Africa, Asia (Marie Sanchez is going to Vietnam in December) and other places.

A third resolution concerns the Human Rights Commission with which we are already working. NASC has prepared a 300-page document on human rights violations of Indians (using parts of a 90-page document we prepared last year), and has started a permanent research task force.

We are moving. We have begun something with this conference which actually began at Wounded Knee, that cannot be stopped. Many forces are already trying to stop it, or to confuse us. But we cannot be stopped now. Too many people know of our struggle to allow our enemies to stop us. Let's rededicate ourselves and move forward to the next step. □



*Phillip Deere, Grandfather David Monongye, and Hoyaneh Tadadaho, [Leon Schenadoah], heading the procession to the Opening Plenary Session.*