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Double Issue Newsletter

This IWGIA Newsletter has been a double issue (no.43 & 44). The reason for this is that in September, when No.43 was due to come out, IWGIA entered a particularly acute financial crisis. This summer two very important events have taken place which should be reported in detail - the Women's Conference in Nairobi and the Working Group on Indigenous Populations which was held in Geneva. In order to put out a representative selection of the papers given there it was decided to create this double issue. By combining the September and December Newsletters we have saved some money.

Unfortunately IWGIA cannot manage to keep publishing regularly unless the numbers of subscribers increase. We therefore appeal to all persons and institutions who find IWGIA's publications of value not only to subscribe but to inform others of our work.

Please take out your 1986 subscription without delay
AFRICA: LANGUAGE, CULTURE AND NATION BUILDING

By: Hermes Rwantabagu

The recent bloody uprising in Cameroon was soon judged to be a "Northerners' coup attempt against a "Southerner" President. Current news reports from Zimbabwe speak of some "Hellish attempt by a Shona-led government to wipe out the Ndebele Tribe."

Have we in Africa been witnessing the fulfillment of some ominous prophecy that "once the colonialists have gone, tribe shall rise against tribe, region against region;" political polarisation, internal wars, massive refugee camps, devastating famine and, in the wake of it all, a worsening economic situation everywhere? This is the lot of Africa, nearly a generation after liberation from foreign domination.

If most of the continent's problem derive from the complex nature of African societies, is it not in that complexity that the ingredients of a solution are to be found?

In their attempt to grapple with the challenge of retaining and consolidating their hard-won independence from colonial rule, African countries have a number of social, economic and political problems to contend with. Among these is the delicate task of trying to transform a multiplicity of ethnic and cultural patterns into unified and modern nations.

It has often been stated that in an ideal nation, all citizens would, among other things, speak the same language and therefore share the same culture and view the work with the same eyes.

According to these criteria, few political entities in
the world could qualify as ideal nations. The apparently monocultural countries of Europe contain within themselves linguistic and cultural sub-groups, which intermittently claim some form of identity and recognition. This is the case of Spain, Great Britain and, to a lesser degree, in France.

In Africa, the various ethno-cultural groups that make up modern states have, starting from the colonial days, been labelled as "tribes" with rather derogatory and primitive connotations. In itself, the concept of "tribalism" has become anathema to the ideal of nation-building and progress.

The point would be, therefore, in the thinking of a number of leaders, to play down or even to do away with the "plague" of tribes for the sake of unity.

This article is in fact a reflection on the questions as to whether ethnic and cultural pluralism with African states is an evil to sacrifice on the altar of national unity, or if it can be accommodated in the national whole as it has been somehow achieved in such lands as Yugoslavia, Switzerland and the Soviet Union: whether diversity may contain the cornerstones for building strong-based nation-states.

The "big bang" that was the hectic scramble for Africa by the end of the last century, left the continent torn open and divided up between territory-hungry European powers. The latter mapped the limits of their conquests according to artificial criteria, such as ravines, water courses, mountain ranges or just meridians and parallels, regardless of the pre-existing ethnic and cultural entities.

The independent African states that were born around 1960 inherited the territorial structures as set by the colonial rulers. In fact, the principle of the sacrosanctity of the colonial inherited boundaries has received, and rightly so, the blessings of the Organisation of African Unity, in its Charter.

As they stand today, Sub-Saharan African countries, with the exception of a few like Botswana, Burundi, Madagascar, Somalia and a couple more, contain within their borders, an amazing variety of linguistic and cultural communities. These are in many cases more akin to fellow tribesmen living across the border in a neighbouring country than to their actual countrymen. Nowhere has this tendency been more manifest than in the irredentist and bloody quest for "Greater Somalia," in the Horn of Africa, which has brought political unrest in the region.

While Tanzania is fortunate to have Swahili as a common language on top of some 120 ethnic languages, Nigeria and Zaire count respectively 410 and 540 languages and dialects. With a population of 11 million Uganda has no less than 37 languages, belonging to four distinct language families.

If, as it is often remarked, the presence of different European languages in Africa constitutes a sizeable obstacle to the realization of the dream of African unity, the multiplicity of indigenous languages within individual countries, may pose a more immediate threat to national integration.

Indeed, linguistic diversity underlines regional and ethnic identity and loyalties which potentially can trigger off political tensions, rebellions and even attempts to secede in times of crisis, particularly when certain privileged categories of citizens enjoy undue political power and economic favours, the rest of the population would tend to regroup and close their ranks along ethnic lines to defend and further
their rights and interests.

Ethnicity, it is true, is a force to reckon with in African politics. It finds expression in power structures and political alliances of all kinds. It accounts for the creation of federal forms of government in Uganda and Zaire during the 60s and for the attempted secessions of Biafra and Katanga. It is an important factor in the politics of the Sudan and Zimbabwe and in the movements in Angola and Namibia.

In this context, the attempt to revive national cultures and the adoption of such resounding philosophies as “authenticity” can remain a dead letter as long as its genuine application would entail the re-awakening of “tribal self-awareness” which stands contrary to the reigning centralising ideologies in many African states.

Up to now, the official language for administration and politics remains, for all sub-Saharan African states, with the exception of Tanzania which also uses Swahili, the ex-colonial one. English, French or Portuguese are still considered as the only efficient means for carrying out national business and for maintaining national cohesion at least at the élite level.

The paradox here lies in the fact that those foreign languages in which, the Head of State addresses the nation on critical issues, the national anthem, the constitution and other vital legal texts are written, remain an inaccessible mystery for the majority of the citizens. The latter therefore are not only marginalised vis-a-vis public life, but they are also made powerless somehow, because as they say, power lies at the end of the dictionary.

In Malawi, there has been an attempt to impose Chichewa
and popularise it at the expense of many of the other minority
languages in the country. Identically, in Zimbabwe, the Shona
language seems to be taking the upper hand as a predominant
language, shadowing the other numerically less important ones.

Any Machiavellian strategy of linguistic and cultural ma-
nipulation, with mixed motives, but certainly favouring the
political interests of those who are in power, may contain in
itself the seeds of national disunity by provoking resentment
from minority groups who feel themselves the victims of an
internal form of cultural imperialism which may be less accept-
able than the external one. In the Tanzanian context, Swahili
has been naturally accepted by the whole population as the
national language, without any political manoeuvring. On the
cultural side, Tanzania is a success story, not easily imita-
able anywhere in the region.

The continued insistence on the imported languages being
the main channels of school instruction to the neglect of
children's mother tongues or familiar local languages, whose
educational and cultural virtues are indisputable, has not
only logistic and economic justifications, but also strong
political overtones. The often assumed inadequacy of African
languages for teaching modern sciences is in no way backed by
scientific evidence.

Linguists agree that all languages are in a perpetual
process of growth and adaption, through borrowing and in-
tegration. It all depends on the function which society assigns
them to perform. English, which was once relegated to lower
classes and menial activities, has risen to become a world
language. Latin, the former language of the learned and the
gentry, has fallen to the level of a dead language. Therefore,
there is nothing in the nature of African languages which
could prevent them from embracing all aspects of modern know-
ledge.

The assertion that national cohesion and economic develop-
ment in the new nations of Africa can only be achieved if eth-
no-linguistic differences are suppressed or at least minimised,
needs to be given a second thought. In fact what deserves a
fresh consideration is the kind of "national unity" or "nat-
dional development" that are to be aimed at.

It seems that letting loose the self-assertion of tribal
cultural identity and of ancestral customs and practices may,
given certain circumstances, prove detrimental to nation-build-
ing in the economic and in the political sense.

On the other hand, the elimination of a country's rich and
varied cultural heritage in the name of oneness and of a West-
ern inspired form of progress, which is commercial and con-
sumption-oriented in nature, may result, in the long run, in
the creation of a sterile, shapeless and colourless society
having the elements of neither a tribe nor a nation.

In any case, the elimination of cultural differences with-
in a country is no automatic guarantee for political cohesion
among the people. Political and economic inequities between
various geographical entities, sub-ethnic groups, religious
affiliations remain potential disruptive forces.

It appears, then, that the solution to Africa's problem
of wedding happily national political unity to cultural di-
versity lies in a commonly agreed compromise between the
various relevant groupings in the country. It seems that our
nations need to devise an original blend of democracy taking
inspiration from traditional concepts and structures which
would be integrated into the modern statecraft.

The proposed order would be a federated semi-federal form
of government based as much as possible on the natural divisions among the population such as ethno-cultural groups. What is needed would be democratically negotiated allocations of duties, rights and resources, between common government and the region and centres of power.

Within this scheme, tribal or ethno-linguistic groups far from being disbanded and flattened, would be given recognition as mini-nations in their own right, enjoying their cultural attributes by having their regional assemblies while some local language would be used for the sake of debates, etc. There is a need to recognise once and for all, that cultural diversity is a necessary condition for the vitality of nations and the survival of humanity.

Economic development, to be genuine must be endogenous, that means that it must take root in the cultural personality of the rural and urban communities who, in the spirit of self-reliance, need to define the nature of their needs and problems and the means to solve them. Thus the centre of development would become man, in own environment, with his values, motivations and resources. The aim no longer be the growth of the GNP catching up with industrialised countries.

The citizens of tomorrow, who are being polished in schools and colleges have a sacred right to learn as much as possible about their native languages and cultural traditions. An education system which is rooted in the cultural values and origins of each people would prepare the young no longer for sterile imitation of imported models, but for autonomous and creative lives.

Within the context of school education some form of accommodation needs to be reached between the national languages on the one hand and, on the other, the official foreign language. Whether it is English, French or Portuguese, these languages have the specific function at the national, inter-African and international levels. In a way, they constitute a windowpane that opens onto universal communion.

More than 20 years after conquering political sovereignty, there is an urgent need for African states to re-assess and re-adjust their assumptions, aims and attitudes. They need to sort out their assets and liabilities: in fact, they have just to face up to realities as they are. This is essential if those young nations are to step, on a firm foot, into the 21st century.

Source: Africa Now: August 1984
Representatives from indigenous organisations from the Amazon areas of Bolivia, Brazil, Ecuador and Peru met at the Working Group on Indigenous Populations in Geneva this year. They put forward a variety of issues and problems which the indigenous peoples of the Amazon are facing. These range from indigenous self-organisation in Bolivia, fears from invasions from colonists in Brazil and the transnational despoiling of indigenous lands in Ecuador by planting African Palms to the gold rush in the Madre de Dios of Peru.

The following four articles are the statements made by the four Amazonian leaders at Geneva.

Representatives from Ecuador, Peru and Bolivia at the UN (Photo: Käthe Meentzen)

BOLIVIA: STATEMENT TO THE U.N. FROM THE INDIGENOUS PEOPLES OF EASTERN BOLIVIA

Presented by José Urañavi

Introduction

In representation of our organization, CIDOB (Central Organization of Indigenous Peoples and Communities of Eastern Bolivia), and in the name of the indigenous brothers of Eastern Bolivia I extend a fraternal greeting to all present here.

Permit me to express that for the first time in history, the indigenous peoples of Eastern Bolivia, specifically the Guarayos, are present at this event and are not represented through intermediaries.

The Organizational Process

1. In the year 1978 the first meeting of two indigenous peoples, Izcoños and the Ayoreo, was held in the city of Santa Cruz de la Sierra - Bolivia. In this meeting there participated delegations of Ayoreo from Bolivia, one delegation of Ayoreo from Paraguay, a delegation of Izcoños-Chiriguano, a delegation of Aymara and observers from some organizations which work with indigenous groups from Eastern Bolivia.

This meeting was the first step where the Izcoños and the Ayoreo took each other by the hand, signifying the unity and humanity between them.

In this manner they began to deal with the mutual problems which affect them, such as the problem of:

- land and titling
- work
- education and
- health

From this they saw that the only way to face these problems and search for solutions was to unite and organize indigenous peoples. That is the only form, the only weapon, and the only solution for we indigenous peoples.

2. In the year 1980, a second meeting was held at Izozog on the 14th of December, where our Ayoreo brothers visited the Izozog, with the purpose of getting to know the communities, their activities, the progress of the Izozog, and where they exchanged experiences and learned from their Izozog brothers.

3. On the 17th of August 1981 a third meeting took place between the Izocenos and the Ayoreo in the new town, Jinca, near Zapooco North-East of Santa Cruz. In the mentioned meeting both of the indigenous groups met to look for better forms of collaboration between them.

The First Reunion of Indigenous Populations of Eastern Bolivia

In view of the fact that all of the indigenous peoples and communities of Eastern Bolivia are dispersed for geographical and other reasons, they have never had the opportunity to meet one another, to exchange ideas and to understand basically the grave problems which face them. As yet, we have not seen any way to find solutions for the near future.

But now, yes, we are gaining ground and see that we indigenous people are men, who can face all types of problems and still triumph; and it is for this reason that we met in the Casa de Campesino in the city of Santa Cruz de la Sierra, where we held our first reunion in the history of Bolivia,

from the 1st to the 3rd of October 1982.

This reunion was under the auspices of Izocenos representatives, Victor Vaca and Cecilio Gomez and with the support of the institution, APCOB. In the reunion we were 50 participants from different groups such as Guarayos, Izocenos-Guarani, Caipeno, de Puebla Nuevo, and Tapera-Guarani, Chiquitanos and Ayoreos.

During the days that we were reunited in the Casa de Campesino we studied our problems in commissions. These commissions were concerned with economy and work, the land, and education and health. In each commission we were representatives from each indigenous group and we drew up conclusions.

In this manner, our organization, CIDOB, was born in 1982. After organizing the directive corps to develop the programme during three days, two working commissions were organized:

Land and Work and Education and Health

After two days of intensive work, we presented in conclusion our general plans and proposals to the plenary meeting, which were approved by the assembly as the basic working platform: struggle for the land, work, education and health. In common agreement from the delegates it was ratified by the organizing committee of the first reunion.

In the year 1983, 29th August to 2nd September, we held our second reunion with the indigenous peoples of the Guarani Izoceno, Ava, Chiquitanos de Lomerio, Guarayos and Ayoreo.

* APCOB = Ayuda para el Campesino del Oriente Boliviano
In the assembly, the work of the organizing committee was evaluated. The commission which studied the organization in all of its dimensions decided to give a definite name to the organization, which was thoroughly discussed. Thanks to having arrived at a unanimous agreement, the name and initials were established as, C.I.D.O.B. "Central (organization) of Indigenous Peoples and Communities of Eastern Bolivia."

**Organization of C.I.D.O.B.**

1. Our organization is an autonomous and independent organization. It is seeking to become judicially recognized so as to comply with the norms established by the law.

**Formation**

2. It is formed by the following ethnic groups: Guarayos, Izoceros, Ava-Guaranies, Chiquitanos and Ayoreo. Our organization works together with the communal authorities, whether captains, (capitanes) magistrates (corregidores), mayors (alcaldes) and it subordinates itself to the traditional, communal authorities. All of these authorities are represented by our organization, which we have named CIDOB.

**Purpose and Objectives**

- To defend the fundamental rights of the indigenous communities.
- Right to the tenancy of the land.
- Participation in the present society.
- Recognition of our organization and our culture.
- Coordination with the peasant organizations at the departmental, national and international level.
- Participation in the politics of development.
Coordination with the indigenous organizations of the Amazon Pact. But above all, our organization seeks a social-economic welfare for all ethnic groups.

Platform for Struggle

- Land
- Economy
- Education and
- Health

Our principal and fundamental struggle is for the land, our territory and natural resources. We believe that it is necessary to defend the territories of our ancestors. We can have our autonomy by means of a peaceful and concrete action for our loyalty with our non-Indian fellow citizens who seek the same rights, to be equal among men, which is the hope of all. Our defence of the land and natural resources is for the cultural and human survival of our children, and is the foundation of a moral security for peoples who have different languages and customs.

We indigenous people think and plan in terms of the territory, not the individual plot; in this way, we indigenous people assure the access of the community to the diverse resources of the forest (wood, soil appropriate for agricultural work and cattle and wild fauna); in addition, we will utilize and conserve the forest.

For we indigenous people, the first thing is to secure our land which belongs to us by right, because indigenous peoples are the true owners of their land and natural resources. We indigenous peoples see that without land there can be no education, there can be no health and there can be no life.

Achievements

Our organization, CIDOB, has managed to achieve some of the purposes and objectives, which are as follows:

- There has been formed a coordination at the departmental level between the popular organizations, labour unions and federations in Santa Cruz, this was formed on 8th to 10th July this year, 1985.
- At the national level we have a coordination with the Confederación Sindical Unica de Trabajadores y Campesinos de Bolivia (The United Syndical Confederation of Workers and Peasants of Bolivia).
- At the international level we have managed to form a COORDINATION OF THE INDIGENOUS REGIONS OF THE AMAZON BASIN, which we also represent here.

Problems which CIDOB has Suffered

Our organization during the three years it has existed, especially this year, has had grave problems.

Education

Education does not function effectively in the indigenous communities of Bolivia. The programme is not in agreement with the realities of the environment of the children. Many teachers, directors and supervisors prohibit teaching in our languages. They attempt to make the children forget their mother tongues.

Health

Health amongst indigenous peoples and in their communities is miserable. There is no medical attention. If they do not
have economic resources at hand, an ill indigenous person receives no attention, and for this reason many ill indigenous persons and poor peasants die, children, adults and old people. I cannot doubt this, because I have seen it with my own eyes. In the indigenous communities vaccination campaigns are often lacking.

Legislation

Human rights in Bolivia are violated by the military, the police and the civil authorities; I say that there is no justice for indigenous peoples because the authorities turn a blind eye. Even though the laws in Bolivia exist equally for all, without distinction of race, in practice they are not followed. I, for my part, would say, that the fundamental law in Bolivia is for the rich, who have sufficient resources. The law is “MONEY”.

Thank you very much, Madame President.

BRAZIL: STATEMENT OF UNIÃO NACÕES INDÍGENAS (UNI) TO THE U.N. WORKING GROUP ON INDIGENOUS POPULATIONS

Presented by Alvaro Sampaio

We in Brazil think that the right of indigenous peoples to their traditional lands is a good thing. However, we consider that in addition to a right of possession from time immemorial, the right we have over our lands goes further. Our right to the land is a congenital right, that is to say, it is a right which is born with us, it has been born with our grandparents and will continue to be born with our children. Equal to the right to life, our right to the land is inalienable and irreplaceable. This right was moreover recognized by the Royal Decree of 1st April 1680, in which the King of Portugal acknowledged the pre-existent indigenous right to the land. Nevertheless, our history demonstrates that our right to the land has always been violated. Today in Brazil, for example, there are laws which guarantee our right to the land, nevertheless only one third of our lands are demarcated, and there are no signs that the government has intentions to change this.

On the other hand, many communities have been displaced from their traditional territories and these were then colonized by other people. It is in this manner that the restitution of these lands is impossible today. It is for this reason, that it is of vital importance for the indigenous peoples of Brazil that not only our right to traditional lands be considered, but also our traditional and congenital right to the land. This right should be extended to the lands, which though not traditional lands, are the only lands which many communities possess. That is to say, that in addition to guarantee the right to traditional territory we demand the right to restitution and the right to indemnity. It is also necessary to guarantee the rights to the lands presently possessed by the indigenous communities when the restitution
of the traditional territories is not possible or if the particular community prefers to remain in the territories which are under their possession.

On the other hand, it is necessary to take account of the fact that it is not always possible to accept the validity of the treaties which concede to others the right to divide and utilize the land. I say this because in Brazil we have many examples of leaders who suffer pressure and manipulation from estate-owners and from those with economic and political power, or from the government, to surrender the indigenous land or to concede to others the right to exploit the riches there. As an example of pressure, I can cite the case of the Kayapó reserve in Maré Bonito where the indigenous people there were forced to sign an agreement accepting the presence of thousands and thousands of miners on their lands. As an example of manipulation, I can cite the case of the indigenous reserve of Guarite, where the chiefs lease out the lands, so that many indigenous people are left without the possibility to cultivate their lands.

A third point, is pertinent to the reasons invoked by governments to displace our peoples. Unfortunately, article 12 of the Convention 107 of the ILO leaves too much room for governments to execute the displacement of communities, when it is carried out under, quote, "national security" or "national development." On the grounds of these possibilities, the Brazilian government, for example, displaced our brother peoples, Parakana and the Ayá-Guarani. In the same manner, in the name of so-called "national development" the mining exploitation of indigenous lands was permitted. Such exploitation carries with it, inevitably, the destruction of the indigenous communities due to the introduction of diseases, alcohol, prostitution and the exploitation of Indian labour.

The case of the Yanomami is very illustrative. For many years now the Yanomami have had their lands invaded by miners, which has been made easier due to the fact that Yanomami territory is not demarcated. Recently, on the 14th of February 1985, miners and business interests organized an invasion of Yanomami territory using airplanes and weapons. The invasion was frustrated, but as mining exploitation is permitted on indigenous lands in Brazil, the leader of the attempted genocide, José Altina Machado, continues to be received, even in government ministries. If the mining exploitation of Yanomami lands continues to be permitted, these people will cease to exist in less than five years. On the other hand, I ask, who are those who decide what is "national security" or "national development", Article 12, point 1, of the convention 107 of the ILO is a very questionable point, which gives an ample margin to governments to decide priorities of, for example, national security or economic development without the participation of all the peoples existing within the territory of the state.

We wish to indicate that we have received with expectation the information presented by Mr. Lee Swayton of the ILO, that there is now an attempt to discuss changes in the Convention 107. We hope that this is so, as it is indispensable that national security and national development, in themselves not be considered reasons for the displacement of indigenous peoples or for intervention in their territories.

To close, our suggestions with respect to the rights to the land, I affirm that it is necessary, in addition to guaranteeing that states recognize the rights of the indigenous peoples who live along their frontiers, to also guarantee that these states are committed to the defense of indigenous territories and to the defense of the rights of these peoples to self-determination. I wish to underline here that I refer to the relations between the state and the
indigenous peoples living along their frontiers.

Taking this point even further, it is necessary to underline again that that which has been presented until now depends upon the mechanisms of representation capable of guaranteeing the direct communication between indigenous peoples and the states. The lack of legitimate channels for indigenous vindication and representation before the state organisms and institutions is what is responsible for the continuous conflicts between indigenous and non-indigenous people at the region level as well as at the state level.

In the Brazilian case, for example, the state (national) agency responsible for the protection of the rights and interests of the indigenous peoples, FUNAI, does not include representation or claims from indigenous populations, and this is the reason for which, generally, instead of being protected, the rights of the indigenous peoples are violated. The same problem exists in respect to voting in the new Brazilian Constitution. There are no specific channels for indigenous peoples to make themselves heard, and it is feared that our rights are not duly considered.

For that reason, the creation of mechanisms which permit the indigenous peoples to make their presentations without intermediaries, is urgent. I believe that this point deserves to be included among the preoccupations of the Working Group.

Above all, it should not be forgotten that what is done here in this Group will have direct repercussions in the legislatures of the different states. It is for this reason that we solicit the inclusion of the proposals now mentioned.

These are the suggestions that I wish to present, Madame President, in the name of the National Union of Indigenous Nations of Brazil.

Thank you

Discussion: Alvaro Sampaio, Daniel Cabixi, Victor Macuxi, Julio Gáige, Marco Antonio Barbosa and Teresa Aparicio.


Daniel Cabixi, one of the Brazilian representatives (Photo: Rathé Meentzen)
ECUADOR: DECLARATION PRESENTED BY CONFENIAE (CONFEDERATION OF THE INDIGENOUS NATIONS OF THE AMAZON REGION OF ECUADOR) TO THE FOURTH SESSION OF THE WORK GROUP HELD AT THE UNITED NATIONS IN GENEVA

Presented by Cristóbal Tapuy

I am present as a member of the Confederation of the Indigenous Nations of the Amazon Region of Ecuador, which for its part is comprised of the indigenous peoples: Siona, Secu-Ya, Cofán, Huarani, Quechua and Shuaras. In addition, I am also here as Secretary of the Coordinadora de la Cuenca Amazónica, which is made up of the indigenous organizations of the countries lying within the Amazon basin that is to say, Colombia, Ecuador, Perú, Bolivia and Brazil.

Permit me to make my declarations in respect to the Amazon region of Ecuador, and to do this it is necessary to present the following argumentations.

My organization has delegated me to make known to all the indigenous peoples of the world, that in our region we are indigenous peoples, who wish to live in dignity. For this reason it is necessary that justice is established on the part of governments, and that they no longer violate the human and fundamental rights of we, the indigenous people, in this region, for we are objects of violations from those who have inherited colonialism, and neo-colonialism. In spite of the attempts to make us disappear, physically, morally and culturally and having taken power over our lands, we still continue to exist.

The claim to the land is a factor which coincides 100% with the other indigenous peoples of the world. We also say that the land is our mother; because she sees us born, she supports us because she nourishes us with the fruits which come from her; she is our culture because she is the fundamental basis for the development of our social, economic and cultural activities, for this reason she is our own historical subsistence.

In the Ecuadorian Amazon region, for 20 years ago, we, the indigenous peoples, have restructured our organizations with the purpose of reestablishing and demanding our historic rights, which are to land. We have been fought by the use of methods and systems of exploitation, control and domination. That is to say that at present it is not only neo-colonialism which seizes our lands but also the large transnationals and multinational corporations, such as oil, timber, mining corporations and by the plantation of African palm trees. Because of the developmental interest the government has opposed that we have our lands legalized.

Cultural destruction continues until this day, because the government knows that there are many natural resources in the Amazon region, oil, gold, valuable woods, and it is very rich in fertilizer for the agro-industry. For this reason they prefer to give thousands and thousands of hectares to these transnationals, and quickly so that the area will be explored and soon after exploited. In the meantime we indigenous peoples go making our appeals for year after year without being heeded because we are not important to then.

As in many countries of Latin America there is also in my country a law on land reform which the government is not interested in seeing carried out because they know that it would prejudice the interests of the great neo-colonialist landlords. And because (the government) is part of this structure they ignore the pleas and demands of the indigenous peoples and peasants which have been made for years, in the lowlands, the highlands and on the Ecuadorian coast. They (the government) prefer to make problems for indigenous
peoples, causing great social conflicts and continuing with the colonization of the Amazon, saying that it consists of empty lands, but they know that these are really unlegalized lands of indigenous peoples who have spent a whole lifetime seeking to have them legally recognized without success.

The population of the indigenous peoples in the Amazon region is over 150,000, not counting the mestizo population.

The government has issued a decree declaring zones for state forest reserves, because they know that there exist traditional settlements of indigenous people in the area. There are more than 40 communities alone in the conflict zone with more than 60,000 indigenous inhabitants. At the same time, these same lands are being turned over to the agro-industry for the planting of African palm trees on 20,000 hectares. That is to say that the concession is being doubled because there are already 20,000 hectares planted with African palms, of which many are now in production, and the consequences are beginning to be felt. It is for this reason that the indigenous peoples and the (established colonists) in this zone are not in agreement with and reject this project which the national government is executing with the support of large capital interests from European countries, such as the Federal Republic of Germany, England, France and Belgium, which we know are supporting the Palmoriente Corporation.

We reject this project because it means the destruction of our culture, it creates social problems, it destroys the flora and fauna and fish, it causes deforestation, contaminating of the rivers from, for example, insecticides, herbicides, etc. The most serious problem is the displacement which whole communities will be obliged to suffer if they do not wish to accept or be a part of this type of project. For all these reasons, the indigenous peoples are not going to abandon

Cofán Indian from the Province of Napo, Ecuador (Photo: Rolf Blosberg)
their lands, and because we do not have the support of outside solidarity with our people, it is more than certain that there will be bloodshed.

**Culture**

To refer to the cultural field, this is another of the factors which is of great importance, as is, for example, land to the indigenous peoples. My country is multi-cultural, multi-lingual and contains many different customs and forms. It is said that with the domination of western culture the indigenous peoples are disappearing and losing their importance.

We feel forced to accept an alien culture which is today the national culture, without any free determination for our peoples and when only one language, Spanish, is official.

It was so that when the Supreme Pontiff, Juan Pablo II, visited us in February of the present year, one of his interventions publicly acknowledged that indigenous peoples deserve respect and consideration, and for this reason he asked the national government to give the necessary attention to their determination as a people and a culture, with a language and territory.

Perhaps, for the sake of appearances, the national government created the National Direction for Indigenous Populations which, without consulting us about the interests of our people, stated in its agreements, on the one side, to respect and guarantee our cultural traditions and our rights to the land; and meanwhile, on the other side, opening the possibility for transnational corporations to enter the territories of the indigenous peoples.

For that reason, we believe that in addition to being a demagogic and bureaucratic entity, it (The National Direction for Indigenous Populations) is another medium created to control and divide indigenous organizations.

Because of the fact that we are not in agreement with many of the entities which support indigenous peoples, this is not to say that we lock ourselves into a racist world. The indigenous community wishes to integrate and searches for its progress and own development, but not in any imposed manner which would impede the recognition of principles based upon our most elementary historical rights.

**Religion**

As an element of our culture, we have had a religion, which recognizes the existence of a supreme being who has created the entire natural world, and we worship in our own ways.

A large part of this tradition has served us in guarding and defending ourselves in this manner. But the introduction of western religions has done nothing but transform indigenous people into a submissive, obedient, conformist consumer society. Therefore, they have, in most cases, lost the option to be a warrior people or (to be) wise Shamanic doctors who protect themselves with natural medicine.

It is well known that when it comes to demanding, denouncing and claiming that which belongs historically to the indigenous people, many of those who are religious and who are allied with the capitalist governments, call us disrupters of social order, extremists, guerrillas and communists.

To finish, I ask in the name of my people, the Working
Group to take very much into account the declarations I have presented, and to search for ways to enter into mutual agreement with the governments which do not consider the plans which the indigenous peoples are pleading for.

We hope they will reach a just solution in the shortest possible time so that the indigenous peoples will avoid ethnocide and genocide.

Thank you.

Attentively,

The Council of CONFENIAE

Geneva, 1st July 1985

PERU: INDIGENOUS PEOPLES FROM THE AMAZON ADDRESS THE U.N.

By: Evaristo Nugkuag Ikanan

Madame President:

I am of the indigenous people, AWAJUN, from the North-East Peruvian Amazon region, and I represent the Interethnic Development Association of the Peruvian Jungle (AIDESEP). My report refers specifically to land and natural resources.

Since very ancient times we have occupied large territories in the Amazon region. There we have lived respecting and conserving its resources, and in that manner, caring for its delicate ecological equilibrium.

This care has permitted the environment to maintain its potential without great losses, thus, guaranteeing the survival and development of our peoples and their culture, and the resource reserves of the country.

But with the arrival of traders, extractors, colonists, large scale agro-industrial and mining enterprises and the construction of roads, etc. in our territories in the jungle, we are witnesses today, with greater force than ever before, to the usurpation of our lands and the plundering and irrational extraction of the dwindling resources. These resources would permit the survival of our peoples, but the outsiders continue violating our most minimal right to life, which we as men all have, and despoiling the country of great strategic reserves of resources.

We entreat that the defence of our territory, and thus our own life as a people, is one of the most urgent matters.

In the Peruvian jungle region there live 60 indigenous
peoples, each one with their own territory, language and culture. Their population is 250,000 persons, which represents 13% of the total population of the Amazon region and 26% of its rural population.

Of this whole population, some of us have had better possibilities for survival than others, always within the framework of the destruction and death which the conquest of the Amazon region means to us, and which is expressed in colonization. It is, thus, that there are groups which have very little population and others which have more, such as the ASHANINKA, the AGUARUNA and the SHIPIBOS, which are the most numerous.

All of these peoples have at the present their respective representative organisations.

At present, there exist more than 1,000 indigenous settlements in which we are established. Of these, some 66% are legally inscribed as Native Communities (D.L. 22175) and some 44% have titles of ownership to their lands, leaving some 56% without titles.

In the face of this situation, we wish to inform you of our preoccupation as to whether the new government will give us the special priority attention which we should receive. We, therefore, request the Peruvian government to take special consideration for the indigenous communities in the Peruvian Amazon region, and to the fact that we have rights, as do all citizens, which the Constitution legally guarantees us.

Permit me to mention some very grave cases from the Peruvian Amazon region. We have an indigenous group, the AMARAKERI, which live in the Department of Madre de Dios.

They are part of a population of 4,175 persons, belonging to 17 indigenous groups, settled in 69 communities or other local agrupations throughout the Peruvian Department of Madre de Dios, in addition to some forested districts of Cuzco. The participation of these indigenous people in the regional market economy is diverse and includes: gold mining, the extraction of timber, nuts, and India rubber, in addition to agriculture and cattle raising for the market on a small scale. The subsistence activities of nearly all of this population is traditionally based upon the horticultural system of slashing and burning, hunting and fishing and collecting of wild fruits.

The situation of the indigenous people of Madre de Dios has been complicated since the boom in gold mining, which started in 1972, and the construction of the Trans-Amazonic highway, which connects Puerto Maldonado with Iñapari and the road network of Brazil, which was opened to traffic in 1983. In addition, in the present year, 1985, the Shell Petroleum Company has started exploration for oil on indigenous lands in this basin.

Meanwhile, of the 69 indigenous settlements in the basin of Madre de Dios, only 15 have been recognized by the Ministry of Agriculture as Native Communities and of them, only 4 have received titles to their lands in the months of September and October 1984.

The work of issuing titles continued in some of these communities during the last year, 1985, but no titles have yet been issued. On the other hand, the brothers, ASHANINKAS, who live in Gran Pajonal, do not have any communities which have received titles to their lands, as yet. The colonists are despoiling our natural brothers of this land. The government authorities do not even guarantee compliance with the
existing legal dispositions, such as D.L. 22175 concerning Native Communities

Thank you very much, Madame President, for hearing me.

ARGENTINA: CENTRO KOLLA TELLS UN WORKING GROUP OF INDIGENOUS RIGHTS IN ARGENTINA

Permit me to salute all of the representations present here. Today is the feast-day of my people, and I wish to transmit to all of you my respects. I am here as the representative of the Centro Kolla, which has the high responsibility to be a member of the Executive Council of the Indian Council of South America. Permit me to inform you that I do not represent all the organizations and Indian peoples of Argentina. There are 14 Indian nations, situated for the most part in the frontier provinces.

In December 1983 the present government assumed its functions. At that moment we Indians of Argentina requested to be present during the acts of the taking over of power, as we consider that Argentinian identity is incomplete without our presence.

During the last hundred years our Indian leaders have striven to deal with the government with few effective results. Our action was not recognized by public opinion, which ignored such matters as the fundamental rights of Indian peoples.

The treaties signed between the Indian chiefs of various nations and the chiefs of the national armed forces in the last century and the beginnings of this century, were never recognized. These (treaties) were only mentioned in a proposed law for the province of Chaco, but later this was abandoned. In cases where the treaties are unrecognized the Indian peoples run the risk of not receiving any compensation for the usurped territories, which in some cases have been legalized in favour of colonist.

After various years of negotiations with the political parties and the government, we arrived in August 1984 at the
point when the National Senate handled the proposed law entitled, "Indigenous Policy and Support to the Aboriginal Communities." The deliberations of the Senate on the 8th August did not manage to consider some of the fundamental expectations of the Indian peoples. This year the Chamber of Deputies has the mentioned law proposal under study, and the organizations and representatives of the Indian peoples continue to observe the matter. It is to be hoped that the gentlemen of the Legislature will pay proper attention to Indian concepts concerning the existence of the Indian community, the communal ownership of the lands, education and other matters which are not less important.

The Indian organizations have also insisted on eliminating all remnants of paternalism, opening the door to new criteria in judicial matters, to advance positively the recognition of the rights of the Indians.

We have manifested our agreement for the recognition by the nation-state of the Indian community, thereby granting it judicial status according to our traditions. However, the legal proposal which the deputies are currently analysing, limits the judicial effects of the law and also establishes the norms for the internal functioning of "cooperative societies" - a unit which is of a different nature to the Indian community.

In the second place, the mentioned legal proposal creates an organ known as the National Commission for Indigenous Affairs, which will be the authority for the application of this law. This commission will be composed of seven official representatives, some from the provinces affected, and only one Indian representative. The opinion given by the Indian communities and organizations has indicated that an organ of this nature will not be worth much, as the Indians will not be able to assume the responsibilities of our future as millennial citizens of Argentina. On the other hand, the organ has, among other attributes, that of determining the requirements which an Indian community must fulfill in order to be recognized. This last question affects our elementary rights, as other persons - non-Indians - are charged with determining if a community is indigenous or not.

With regard to the lands, it is necessary to point out that the Spanish crown recognized, by means of a royal order of 1715, the indivisible territories of the Indian communities of the Calchaquí nation. On their part, the vice-royal authorities concluded various territorial treaties with the Indian peoples.

The Constitution of Argentina of 1853 established two matters which are in force even today. Its Article 25 states that... "European immigration will be promoted".... According to publicly known information, about 1500 colonists from Spain are making investments in the purchase of lands in the province of Chaco, where the Toba, Mataco and Mocovi peoples live. The national government maintains that this matter is the responsibility of the province. We are also preoccupied at present by the deeding of lands in an individual form, which has occurred in some cases, and which brings about the partition and disintegration of some communities.

It should also be mentioned that in connection with another programme it is planned to settle Salvadoran colonists in the province of Jujuy, where there is a large population of the Kolla and Chiriguano peoples. The other matter mentioned in the national constitution is the clause No. 15 of Article No. 67 which establishes the characteristics of the National Congress. "procure the security of the frontiers, the peaceful relations with the Indians and their conversion to catholicism...".
We are aware of the good will and the present spirit of dialogue between the national government, the provincial governments and our peoples and organizations. We are aware also of the need to harmonize the interests of the Argentine nation-state with the interest of all sectors within Argentine society. We the Indian peoples and organizations of Argentina have taken the responsibility to negotiate with maturity, to contribute our opinions and to assert our criteria, but we must point out the situation of extreme poverty and the lack of protection for the survival of 8 of the 14 Indian nations of Argentina. We call for a more decided and effective effort on the part of the nation-state of which we consider ourselves a part.

I wish to point out that the recognition and the integration of the Indian peoples of Argentina into the nation-state is a real fact in our country today.

In 1926 the Supreme Court of Justice ruled negatively against my community as regards the ownership of our lands, an act which forced the Indian peoples of Argentina to attain recognition from the state. In some cases where the communities had possession of their lands they suffered pressure from private landowners to leave and abandon their lands. Such cases are registered at present in the provinces of Salta and Neuquen.

In 1958 by means of the law 14932 the Republic of Argentina adopted the Convention 107 of the International Labour Organization. The need to reformulate this convention has been declared in this meeting room. In the sense of relationship to the lands, I wish to say that exclusive concepts of traditional lands should not be adopted as there are communities for which it would be impossible to recuperate their traditional lands. On the other hand, the idea of historical reparations for the territories definitely lost should be established.

I also wish to say that we well know the paternalistic criteria and in some ambivalent cases under the said convention, it can be pointed out that we have been able to take advantage of it, though in a limited manner, to resolve favourably some penal cases (Lonco Quem in 1976), such as defence against eviction from lands and concerning education.

In other spheres the Indian organizations have established the initiative to create a Commission of Solidarity with Threatened Indian Peoples, which is made up of politicians and personalities from human rights organizations. We understand that the conscientization of the non-Indian population is a basic requirement for the recognition of our rights.

This initiative has its origin in that being the original peoples of our land we should teach the Latin population the spirit of our people. This is our attitude in the face of the traditional imposition of values from some peoples onto others, which regretfully still exists up to the present time. In synthesis, we strive that Argentina becomes a plural-cultural country where all its inhabitants are aware of the contribution of the Indian peoples.

In regards to the matter of human rights we have expressed the view that the rights of the Indian peoples should be seen from the point of view of our foundations and our own vision of the world, and not only from the points of view established until now and which do not include our points of view.

I wish to appeal to the members of the Working Group that the criteria for self-determination should be handled from a wide point of view while keeping in mind the interests of all peoples.
Madame President, on this holiday of my people, I wish
to thank you and the members of the Work Group.

May the (pacha) give you strength and courage in the
attainment of your humanitarian and universal goals.

Jorge Valiente Quipildor
Geneva, 1st August 1985

BANGLADESH: A BRIEF ACCOUNT OF THE TRIBAL VICTIMS OF THE
BANGLADESH GOVERNMENT DIRECT VIOLENCE - BASED ON A REPORT SENT FROM THE CHITTANGONG HILL TRACTS
7th May 1985.

This report contains 325 cases of human rights
violations. (It has, for reasons of space, been
shortened)

On 12 April 1984, the Bangladesh army men came to Ulucharı
Adam and held a meeting to welcome Lt. Col. Enayet Hussain of
the Bhaibon Chara army camp within Longudu Thana and Lt. Col.
Zillur Rehman of the Naniachar army camp. After the meeting
was over, the Bengali soldiers surrounded the home of Mr. Ben-
ga Chakma, 34, of Ulucharı Adam in Bonduk Bhang Mouza within
Bangamati Thana, arrested him and took him away with them.

On 19 April 1984, at 5. a.m., the members of the Bangla-
desh army of the Naniachar army camp attacked the village of
Jagatathuli in Naniachar Thana, raped and took away five tribal
women.

On 31 May 1984, the Bangladesh army (26 Bengal, 305 BDB),
the Bangladesh Rifles (BDR - 17 BN), and the Bengali settlers
attacked, plundered and depopulated many tribal villages with-
in Barkal Thana in order to seize the area for their co-relig-
ionists. As a result, thousands of tribal people fled to Mi-
zoram State of India and the surrounding forests. During the
raids many unarmed tribal people, mostly women and children,
were tortured and murdered and these incidents are described
below. (Here follow 72 cases)

On 26 June 1984, the members of the Bangladesh army (16
Bengal) of the Fanchari army camp and of the Armed Police of
Bangladesh (APE) of the Ultachari APB camp, opened fire on a
religious gathering at the house of Mr. Binskar Chakma of
Shantipur in Fanchari Thana, beat the tribal people merciless-
ly, took away young tribal girls to their camps and raped
them.
On 10 July 1984, the Havildar (Sergeant) of the Nalkaba police camp, raided the house of Mr. Chandra Shekhar Chakma, 35, son of late Bala Bhadra Chakma, of Kuradia Chara in Panchari Thana, a member of the Union Council of Lutibon, looted a 3-band radio worth Taka 1500/-, and forced him to give a written document that he sold it and that he received the money in full.

On 20 July 1984, at 3 a.m., under the command of Captain Faroque, the members of the Bangladesh army (30th Bengal) of the Panchari army camp, and of the Bangla Desk Rifles (BDR) of the Logong BDR camp, attacked the house of Mrs. Niyoti Chakma, 19, wife of Mr. Jagaran Chakma, entered her bedroom, raped her, robbed her of gold ornaments and clothes, took her to their camp and kept her for months. When released, she was already in her advanced stage of pregnancy. Her parents had to send her for abortion.

On 21 July 1984, the Bengali settlers, in complicity with the military, put a gun secretly near the house of Mr. Maungshai Marma, 55, of Barbil in Matrianga Thana, the Headman of No. 184 Barbil Mouza, without his knowledge. Then the army and the BDR personnel made a surprise raid on his house, found out the gun, arrested him, beat him and sent him to jail. His three sons, were also arrested and tortured on the same ground.

On 22 July 1984, Mr. Chandra Nath Chakma, 50, son of late Chakra Dho Chakma, of Lutibon in Panchari Thana, the Chairman of Lutibon Union Council, was ordered by the Bangladesh army (30th Bengal) of the Bhaiobon Chara army camp to report to the camp in person. Accordingly he went there. He was abused and told that all tribal people were members of the Shanti Bahini and that they engaged in conspiracy against the Bangladesh Government. The military ordered him to settle the Bengalis in his Union.

On 23 July 1984, Mr. Digendra Lal Tripura, 40, son of Mr. Jamin Roaza, of Kuradiya Chara in Panchari Thana, the Headman of Lutibon Mouza, was taken to the Bhaiobon Chara army camp (30th Bengal) on a pretext of holding an urgent discussion. As soon as he reached the army camp, interrogation started asking him about the Shanti Bahini such as who and how many joined the Shanti Bahini from his area. He was tortured and beaten so severely that he had to be carried back home on a stretcher. He was released only after he agreed to sign on a paper that he was going home in sound health and that he was not tortured.

On 7 August 1984, at 12 a.m., a group of army men from the Dighinaila cantonment came to the house of Miss Minati Bali Chakma, 18, daughter of Mr. Nila Roth Chakma, of No. 1 Pablakhali in Dighinaila Thana, and asked for drinking water. When she brought water for them, they caught her, took her inside the house, and raped her.

On 7 August 1984, two Bengali soldiers from the Dighinaila cantonment came to the house of Miss Jattara Bala Chakma, 15, daughter of Mr. Binanda Baidya Chakma, of Shan Khola Para in Dighinaila Thana, while she was drying paddy in the lawn. They asked her to bring drinking water for them. When she went in to fetch water, they followed her and raped her.

On 7 August 1984, the members of the Bangladesh Reserve Police from the Bhaiobon Chara police camp attacked the house of Miss Sukra Bala Chakma, 18, daughter of Mr. Lochonya Chakma, of Pradeep Para in Jumrong within Khagrachari Thana, took her away at gun point, and got her married to a Bengali Policeman from the Comilla district forcibly and against her will.

On 16 August 1984, Captain Iqbal, the commander of the Naniachar army camp, arranged a party with the huge amount of money he extorted from the local people, brought 7 tribal girl students of Naniachar High School forcibly to the party, and forced them to sing and dance with the army personnel who were drinking alcohol. All the girls were raped. When Mr. Sushil Kanti Dey, a Bengali teacher of the said school, raised objections to the girl students being taken to the army camp, Cap-
tain Iqbal insulted and abused him with filthy language.

On 31 August 1984, the members of the Bangladesh army (305 BDE) from the Thal Chara camp raided the house of Mr. Jurudhon Chakma, 40, of Bagh Chari in Nanichar Thana, and looted his properties including gold ornaments, cattle, goats and chicken worth Taka 20,000. When he reported this incident to the Nanichar Police Station, no action was taken. Instead he was fined Taka 5,000,- for protesting against such looting.

On 6 September 1984, a group of Bengali police (APB) from the Shilaswari Makh APB camp attacked the house of Mr. Rajchandra Chakma, 39, of Tripura Chara in Ranghati Thana (Kotwali), took away a pair of bullocks by force and slaughtered them for their meals. When he demanded the price, he was caned and abused by the police.

On 6 September 1984, the Bengali policemen from the Bak Chari APB camp attacked the house of Mr. Raj Chandra Chakma, 45, of Tripura Chara in Nanichar Thana, beat him severely, looted cash Taka 10,000,- and robbed his wife of gold ornaments.

On 9 September 1984, the Bengali soldiers (30th Bengal), from the Almonpara army camp in Bhalbon Chara, raided the house of Mrs. Subhoroani Tripura, 22, wife of Mr. Padrita Tripura, of Karigash Para in Panchhari Thana, looted her valuables worth Taka 7,000,- and attempted to rape her. However, she managed to free herself. While running away from the invaders, she was shot in the knee. Her daughter was also shot in the heel of her right leg while she was crying beside her wounded mother.

On 13 September 1984, 125 troops (4th Bengal) from the Bagherhat army camp and from Dighinala cantonment attacked the house of Mr. Govinda Chakma, 33, of Bagherhat No. 9 plantation site in Baghai Chari Thana, arrested him, tortured him, and destroyed his ripe paddy crops. They also perpetrated same atrocities on another Chakma on the same day.

On 15 September 1984, the Bengali Soldiers (305 BDE) from Thal Char camp raided the house of Mr. Buddh Kinkar Chakma, 50, of Chilorny Adam in Nanichar Thana, and took away one bullock and four chicken by force. When he asked for the price, he was beaten and abused.

On 15 September 1984, a group of armenian (305 BDE) from Thal Chara army camp raided the house of Mr. Dhany Ram Chakma, 34, of Chilorny Adam in Nanichar Thana, took away 2 goats and 3 fowls by force, and raped his wife.

On 15 September 1984, the armenian (305 BDE) from Thal Chara army camp raided the house of Mr. Dulal Chandra Chakma, 55, of Chilorny Adam in Nanichar Thana, looted his properties and cash worth Taka 12,000,-, and threw away his rice and paddy stock in the lawn.

On 19 September 1984, at 10 a.m., 60 APB men under the command of Lutfur Rahman 21C (second-in-command of Mohal Chari APB camp) attacked Monatek village in Mohal Chari Thana, arrested and tortured many men, and raped many women. People were victimised.

On 20 September 1984, the members of the Bangladesh army (305 BDE), of the Bangladesh Rifles (BDR), of the APB, the Ansars (Islamic Guards), and the Bengali settlers launched attacks on several villages in order to seize the area for the Bengali settlers. They looted and burnt down the tribal villages, evicted the local people, destroyed crops and stocks, raped many women, and murdered many tribal people. The villagers fled to India and surrounding forests. (47 cases are then documented)

On 21 September 1984, 45 troops of the Bangladesh army (203 BDE) from Khagrachhari army camp raided Harinath Para village in Khagrachhari Thana, and arrested 3 persons and took them to the army camp. The are still under army custody without bail or trial.
On 22 September 1984, the army men (203 BDE) from Khagrachari army camp raided Boda Kapya Adam in Khagrachari Thana, and arrested 3 villagers including the Karbari (village elder).

On 23 September 1984, the Bengali soldiers (26th Bengal) from Bhalbon Chara army camp attacked the house of Mr. Laxmi Chandra Chakma, 39, of Uluchari Adam in Banduk Bhangir Mouza within Kotwali Thana, tied him up, looted valuables including cash Taka 15,000/-, gold chains, rings and 2 silver chains, and ransacked the house.

On 23 September 1984, the army men from Datupya army camp attacked Subal Kisto Adam in Khagrachari Thana, and raped 4 persons.

On 23 September 1984, the army personnel (305 BDE) from Rangamati raided Kandyar within Kotwali Thana (Rangamati), arrested 14 persons, took them to the army camp, and subjected them to torture and interrogation. They are still under military custody.

On 1 October 1984, the members of the Bangladesh army (305 BDE) from Thalchera army camp attacked Mora Chengi village in Naniachar Thana, looted properties, extorted money, tortured the villagers, raped women, and burnt houses. (There follow 18 cases)

On 19 October 1984, the members of the Bangladesh army (305 BDE) launched attacks on Gabachari area in Zurochari Thana in order to seize the region for the outsider Bengali settlers. Properties were looted, houses were burned, villagers were evicted, tortured and killed, and the entire area had been depopulated. The uprooted tribal people have taken refuge in Mizoram State of India and the neighbouring forests. Many of them died of starvation. (18 cases follow)

On 19 October 1984, the army men (305 BDE), members of the Bangladesh Rifles (BDR), and the Bengali settlers attacked the house of Mr. Momojoy Chakma, 46, of Barkalak in Zurochari Thana, looted 30 quintals of paddy, beat all members of his family, and set the house ablaze.

On 19 October 1984, the members of the Bangladesh army (305 BDE), of the BDR, and the Bengali settlers attacked several villages in Zurochari Thana, and carried out a scorched earth policy in the area. (8 cases are given)

On 25 October 1984, the army men (305 BDE) from Thal Chara army camp launched attacks on the villagers of Jadupa Chara in Naniachar Thana, looted properties, extorted money from local people, raped women, and tortured the villagers. The tribal people reported these crimes to the camp commanders but no action was taken. So many villagers had to abandon their village, 12 people were among the victims.

On 31 October 1984, the army personnel (305 BDE) from Thal Chara army camp attacked the house of Miss Chowdki Chakma, 16, daughter of Mr. Padma Kumar Chakma, of Kalabonya in Mohal Chara Thana, 4 army men raped her in front of her father, and took her to the army camp. Her parents went to the army camp to bring her back but the soldiers did not release her.

On 17 November 1984, the Bengali soldiers (305 BDE) from Thal Chara army camp raided the house of Mr. Dayal Chandra Chakma, 50, of Chillinga Thum Para in Naniachar Thana, and took away 5 fowls and 1 goat by force.

On 17 November 1984, the army personnel (305 BDE) from Thal Chara army camp attacked the house of Mr. Subishal Chandra Talukder, 46, of Chillinga Thum Para in Naniachar Thana, and looted 4 fowls and 1 wrist watch.

On 19 November 1984, the army men (305 BDE) from Thal Chara army camp attacked Chillinga Thum Para in Naniachar Thana. 3 people were attacked.

On 19 November 1984, at 3 a.m., the army men (305 BDE, Thalchara) raided the house of Mr. Sushil Jiban Chakma, 28, son of Mr. Jagadish Chandra Chakma, of Chillinga Adam in Naniachar Thana, arrested him, beat him, gave him blows, and took him to
Bakchari APB camp. They kept him in a dirty pit all day and night.

On 20 November 1984, the Bengali soldiers from Thalchara army camp (305 BDE), launched attacks on Jogonatuli village in Naniachar Thana.

On 22 November 1984, the armymen (305 BDE) from Thalchara army camp attacked Firingya Para village in Naniachar Thana.

The Bengali soldiers (305 BDE) of Thalchara camp, on 22 November 1984, attacked Dhalia Chara village in Naniachar Thana, and victimised 3 persons.

On 24 November 1984, Captain Jilani and 140 soldiers (305 BDE) from Thal Chara army camp launched attacks on the villagers of Dhalia Chara in Naniachar Thana.

On 29 November 1984, four Bengali settlers, at the instigation of the police of Merung Police Station, attacked Mr. Sanjib Chakma, 20, son of Mr. Taksia Chakma, of Rangapani Chara Mukh in Merung Mouza within Merung Thana, while he was working in his own land. They snatched away his big knife with which he was working, and hacked him with it a number of times wounding him seriously. This attack resulted in riots between the tribal people and the Bengali settlers in which 3 tribals were killed on the spot. His family had left the village and farmland for safety.

On 5 December 1984, the members of the Bangladesh army (305 BDE) from Thal Chara army camp attacked Chillonya Adam in Naniachar Thana.

On 12 December 1984, the members of the Bangla Desh Rifles (BDR) from Logang Bazar camp and from Dhuduk Chara camp raided the house of Mr. Chandra Kanta Chakma, 26, of Macchua Chara in Panchari Thana, took him to the camp, kept him in a ditch for weeks, tortured him and implicated him with the Shanti Bahini falsely.

On 12 December 1984, the BDR personnel from both Logang Bazar camp, and Dhuduk Chara camp attacked the house of Mrs. Rajalakshmi Chakma, 28, wife of Mr. Laxmi Kumar Chakma, of Jeda Macchua Chara in Logang within Panchari Thana, while she was breast-feeding her baby. They looted cash Taka 4,000/-, ornaments and other valuables. Then they threw away the baby from her, raped her, took her to the camp, and raped her for 1 week. When she was released her condition was so bad that she had to be carried back home on a stretcher.

On 15 December 1984, the army men (305 BDE) from Thal Chara army camp rounded up all villagers of Madhya Adam in Naniachar Thana, interrogated them and beat all men, women and children. These military plunderers raided the house of Mr. Nagendra Chakma, 42, of the said village, at 9 a.m., and looted gold ornaments and other properties worth 22,500/-. 

On 15 December 1984, the army personnel of Chongra Chara camp and the Bengali settlers prevented Mr. Joy Muni Chakma, 37, of Chongra Chara in Merung Thana, from transplanting paddy plants in his own farmland. This interference led to a serious quarrel involving the use of sharp weapons. The local Headman reported this incident to the camp commander but nothing was done to redress his grievances.

On 26 December 1984, the army men of the Korolychari camp prompted 40 Bengali settlers to occupy the farmland of Mr. Ditiya Ranjan Chakma, 35, son of Mr. Joymuni Chakma, of Ditch Chara in Merung Thana, forcibly and to transplant paddy plants there. When other tribals came to help him, the Bengali settlers attacked them with sharp weapons wounding 3 tribals seriously. The local tribal leaders reported this incident to Dighinla Police Station. In the meantime, the Bengali settlers set fire to their own houses deliberately and filed a counter-case of arson against these tribal leaders. The Bengali police officers sided with their co-religionists and arrested several tribal leaders who are still in police custody without bail or trial.
A Bengali settler, called Mohammad Ali, built a house on the land of Mr. Dukhya Ram Chakma, 32, of Amtoli Adam in Merung Thana, without the prior permission of the latter. On 31 December 1984, this Bengali settler set fire to his own house and then complained to Lt. Hatem, a Bengali officer of Chongra Chari army camp, that Mr. Dukhya Ram Chakma set his house on fire. Lt. Hatem called the tribal village leader, Mr. Indrajoy Karbari, and ordered him to pay Taka 10,000/- to Mohammad Ali as compensation.

Mr. Indrajoy Karbari, 58, tribal village leader, of Amtoli Adam in Merung Thana, was implicated in the above case falsely by Lt. Hatem and had to pay compensation Taka 10,000/- to Mohammad Ali.

In complicity with the Bengali police, the Bengali settlers occupied the land of Mr. Jugen Chakman, 44, of Chota Merung in Merung Thana so the local tribal leaders, Mr. Guna Dhar Chakma, Mr. Hriday Ranjan Chakma, Mr. Surendra Chakma, Mr. Nihar Bindu Chakma, and Mr. Bimal Kanti Chakma, went to Dighinala Police Station to protest against the illegal occupation of the tribal farmlands by the Bengali settlers on 31 December 1984. The Bengali Officer-in-Charge of the police station did not take any actions against the Bengali settlers. Instead he charged these innocent tribal leaders with arson, and sent them to Khagrachari jail. They are still in jail without bail or trial.

On 31 December 1984, the members of the Bangladesh army from Koriya Chari camp including Subedar Musliuddin, Havildar Abdur Rob (RP), and the Bengali settlers including Mohammad Abdur Rashid (Chairman of the Union Council), Mohammad Jabbar (leader of the Bengali settlers), Abdur Rob, Shah Noor, Ayatollah, Hashmat Ali and Nurul Amin, occupied the farmland of Mr. Lushai Mohan Chakman, 45, son of Mr. Ultomoni Chakma, of Dero Adorok Chara in Intilla Thana, forcibly and illegally. When he appealed to the camp commander he was told flatly that if the tribals did not give lands to the Bengalis then no tribal men would be allowed to plough their own lands and that if necessary tribal villages would be burnt down in the name of combing operation against the Shanti Bahini.

On 2 January 1985, the army men (30th Bengal), members of the Armed Police of Bangladesh (APB), and Ansars (Islamic guards) from Khagrachari, under the command of Major Akhataruzzaman, rounded up the inhabitants of Munigram in Bhaibon Chara union within Khagrachari Thana, raped the girls and women, beat and tortured the young and old men, forced the girls and women to be fully naked and then to dance while the military invaders drank alcohol, and arrested 100 persons and took them to the camp.

On 2 January 1985, 1700 personnel of the Bangladesh army, of the BDR, of the APB, and Ansars, attacked Hati Mara village in Panchari Thana. The victims' families had to leave their ancestral villages and farmlands.

On 2 January 1985, the members of the Bangladesh army (30th Bengal), BDR, APB, and Ansars attacked the house of Mrs. Madhu Saha Chakma, 33, wife of Mr. Uday Robi Chakma, of Macchu Choara in Panchari Thana, raped her in front of the husband and other members of the family, and broke her knee.

On 2 January 1985, the members of the Bangladesh army (30th Bengal) BDR, APB and Ansars raided the house of Miss Mhetoloi Chakma, 17, daughter of Mr. Ullomoni Chakma, of Khedara Choara in Panchari Thana, raped her in front of their parents, beat her parents severely, and set the house ablaze. Her family had to leave the village and they are now living in the forest.

On 2 January 1985, the personnel of the army (30th Bengal), BDR, APB and Ansars attacked Macchu Chora in Panchari Thana.

On 4 January 1985, 140 personnel of the Bangladesh army (305 BDE) from Thalchala camp under the command of Captain Jillani attacked the house of Mr. Purna Chala Chakma, 28,
son of Mr. Robi Das Chakma, of Rangeipara in Naniachar Thana, in the evening, and raped his wife until she lost her consciousness. Then they made him to prostrate on the ground, covered him with sun-dried grass, and set fire to it. His back was burnt so seriously that he had to be sent to the hospital immediately.

On 11 January 1985, the army men from Bhaibon Chara camp in Longudu raided the house of Mr. Birabahu Chakma, 27, son of Mr. Panga Chakma, of Rana Chara in Longudu within Tintilla Thana, at 2 a.m., woke him up by beating him with guns, looted his goats, fowls and other valuables, and forced him to carry the booty to the army camp. Again the army tyrants raided his house on 18 January 1985, took him to the army camp, tortured him, and threw him into a dirty pit. He is still under army custody.

On 12 January 1985, the military personnel, from Bhaibon Chara camp in Longudu, attacked the villagers of Rangapani Chara in Longudu within Tintilla Thana.

On 14 January 1985, the army men (305 BDE) from Rangamati attacked the inhabitants of Mora Chengi in Naniachar Thana.

On 14 January 1985, at 2 a.m., the members of the Bangladesh Rifles (BDR) from Dewan Para BDR camp attacked the house of Mr. Shombunath Chakma, 45, of Dewan Para, in Mati Ranga Thana, asked him to open the door, entered the house, ransacked everything, and looted all valuables.

On 14 January 1985, early in the morning, the personnel of the Bangladesh army and the BDR from both Dhuduk Chara and Logon Bazar camps surrounded the villages - Dhuduk Chara and Haza Chara - in Logon within Panchari Thana, rounded up all villagers, beat and tortured them en masse, raped women and girls, and ate goats and fowls without payments. This raid continued up to 19 January 1985.

On 15 January 1985, the members of the Bangladesh army from Bhaibon Chara camp in Longudu attacked Bhuiya Chara in Tintilla Thana.

On 15 January 1985, the army men (26th Bengal) from Bhaibon Chara army camp raided the house of Mr. Subho Sen, 40, son of Mr. Sashi Mohan Chakma, of Nua Adam in Naniachar Thana, interrogated him without any pause, and beat him with a cane. His body was bleeding profusely.

On 15 January 1985, the members of the Bangladesh army (26th Bengal) from Bhaibon Chara camp in Longudu attacked the house of Mr. Bok Chhan Chakma, 21, son of Mr. Khularan Chakma, of Dadi Adam in Tintilla Thana, asked him where the food for the Shanti Bahini was stocked and who collected donation for them, and kicked him to the ground when his answer was negative.

On 15 January 1985, the army personnel (26th Bengal) from Bhaibon Chara camp in Longudu raided the house of Mr. Bikar Chandra Chakma, 40, son of Mr. Lal Chandra Chakma, of Mohajan Para in Tintilla Thana, asked him whether he had a young daughter, and beat him when he replied that he had none.

On 15 January 1985, the army people (26th Bengal) from Bhaibon Chara army camp in Longudu attacked the house of Mr. Anit Chandra Chakma, 26, of Mohajan Para in Tintilla Thana, ransacked the house, and searched for gold, silver and money.

On 16th January 1985, under the command of Captain Khaleque, the army troops from Bhaibon Chara camp in Longudu invaded the house of Mr. Amrita Ranjan Chakma, 22, son of Mr. Prabhat Chandra Chakma, of Deno Longudu in Tintilla Thana, at 7 a.m., arrested him, made him to lie down on the ground, poured water through his nose and mouth, interrogated him, and tortured him until he became senseless.

On 17th January 1985, under the command of Captain Khaleque, the army men from Bhaibon Chara camp in Longudu attacked Dadi Adam in Haza Chari within Tintilla Thana.

On 18 January 1985, under the command of Captain Kha-
leque, the army men from Bhaihon Chara camp in Longudu attacked Deno Longudu in Tintilla Thana.

On 18th January 1985, under the command of Captain Kha-leque, the army men from Bhaihon Chara camp in Longudu raided the house of Mr. Bimal Kanti Chakma, 23, son of Mr. Man Kumar Chakma, of Bhuiya Chara in Tintilla Thana, asked for bananas, beat him severely when he could not manage to get bananas for them, and abused him with filthy language.

On 25 January 1985, the members of the Bangladesh army from Ultachari camp attacked the house of Miss Kuzuruk Bala Chakma, 18, daughter of Mr. Surendra Chakma, of Dhela Adam in Mohal Chari Thana, took her to the house of the village Karbari (elder), stripped her on the pretext of body searching, and molested her.

Miss Champa Chakma, 17, daughter of Mr. Shanti Kumar Chakma, of Korolya Char in Mohal Chari Thana, was visiting her relatives in Dhela Adam at that time. On 25 January 1985, the Bengali soldiers of Ultachari camp took her also to the house of the village Karbari, stripped her on the pretext of body searching, and molested her.

Mr. Nila Kanta Tripura, 32, son of Mr. Karberi Tripura, of Gasban in Khagrachari Thana, was ploughing his farmland on 25 January 1985. The army men (203 BDE) from Khagrachari cantonment came to him, interrogated him, and beat him and tortured him as he could not give information about the Shanti Bahini. They left him in an unconscious condition.

On 15 February 1985, Lutfur Rehman, the Commanding Officer of the APB camp at Mohalchari, and his troops rounded up all tribal spectators at 9 p.m. after the evening show in the cinema hall at Mohalchari was over, and arrested 11 innocent tribals on suspicion of being members of the Shanti Bahini. He released 8 of the arrested tribal persons after extorting Taka 4,000/- from them. Lutfur Rehman would not release the remaining 3 persons unless they would pay him cash Taka 6,000/-.

BRAZIL: INDIGENOUS PEOPLE AT A HISTORIC MOMENT

The crucial problem of indigenous people in Brazil is based on the disrespect, the invasions and the encroachment of their land. During the course of 1984 only eight small indigenous areas were effectively demarcated. According to FUNAI's report, hardly eight percent of the indigenous land's demarcations were ratified up to or during the end of ex-President Figueiredo's government. Decree 88.188, dated Feb. 23 1983, cancelled FUNAI's responsibilities and necessary autonomy for the demarcation of the Indian land. If FUNAI prior to Decree 88.188 said it had no recourses to demarcate this land, now it is arguing that it has neither the power nor legal authority to implement the 1973 "Estatuto do Indio" (Indian Statute, Law 6.001/73) which in its article 65 stipulates a term of five years for the demarcation of Indian land. The area of the Patxê-Há-Ma-Há Indians to the South of Bahia, and the Kairans of Toldo Chimbangue (SC) have recently been the scene of all sorts of violence against Brazilian indigenous peoples.

As if it were not enough with violence against the two Indian populations, more violence still was planned during last year to gain the subsoil of Indian land. The Decree 88.985, dated Nov. 1983, which regulates the exploitation of subsoil resources in Indian reservations, contributed to a crazy search for minerals. We wish to recall the invasion of the nine thousand Kamomnis (RR) on Feb. 14 of this year by the military forces. Wearing army uniforms, a group of Civil Police came down to Serra dos Surucucus and took charge of FUNAI's airstrip. Forty-four "Garimpeiros" arrived in eight flights, dividing up Fazenda São Luís, property of Maria de Loures Pinheiro, an act which directly involved contractor, José Altino Machado and local politicians.

The opposite is happening in Rio Fresco, where some days
ago, the Kaiapó Indians of Gorotire Village closed the airstrips of the diamond mines at Cumaru. In Cumaru, the Indians do not want white people because Caixa Econômica Federal stopped the payment of the tenth installment of the gold that they owed them. The decision to close the airstrips created a huge number of hungry and malaria-stricken “garimpeiros.” They are now the ones paying dearly for the first error that FUNAI committed when it permitted, without any consideration, the access of “garimpeiros” to Indian territories. This has produced victims on two sides: on the Indian side it has created a dangerous dependence on money, the temptation of unnecessary expenses and superfluous ways of consumption, offensive to Indian culture. But, gold makes victims of the whites too. The “garimpeiros” are treated badly and subject to more inhumane working conditions that they ever expected. These are the effects and consequences of errors committed years ago. We see today conflict after conflict flourishing on the subsoil of Indian territories endowed with wealth and precious metals.

The strong reaction from the Korubo Indians of the Javari Valley (AM), one of the most recent Indian populations to be acknowledged as a national society, did not manage to limit the wild invasion of Petrobras. FUNAI has evidence of a number of recent village burnings which took place when Petrobras came to the area.

The Polonoroeste Project Grande Carajas, as well as Hidrelétrica Ge Tucuruí and Balbina and other development projects of mineral explorations continue ignoring Indian communities and regrettably penetrate ever more deeply into the heart of these regions. Nevertheless, these interventions are lessening. However, we are still waiting to hear of the ratification of the demarcation of the 30 areas of the 37 Indian areas affected by the Polonoroeste Programme.

as well as the withdrawal of the invaders from 17 areas.

Inasmuch as the trespassing and violence against our Indian people continue, we do not wish to omit mentioning the small victories that these peoples have achieved over the last year. Worth mentioning is the solidarity struggle of the people of Parque Nacional do Xingu for the re-conquest of the invaded land by the hacienistas, for which demarcation had already been promised ten years ago. Also the Krenak (MG), the Maióy-A (MS) and the Apinayé and other Indians should obtain victories for the recuperation of their land thanks to the solidarity and support of other Indian brothers. The Indian movement has also advanced through participation in National and Regional Assemblies, Congresses, such as Miñas Gerais and the Acre, where the Indian organizations were strengthened. Representatives of the Union of Indian Nations (UNI) participate in various international congresses in an exchange of ideas with their brothers of other Indian communities, thus consolidating in this manner the struggle for their self-determination.

The violence against indigenous people is a constant plague in our history. Unfortunately, during the last twenty years this violence has been accentuated in step with the development programmes executed by the military régime. During this historic moment where a critique of "authoritarianism" is possible, it is worth recalling the context in which the "Estatuto do Indio" came to life. During 1969 the genocide of the Indians of Brazil, including photographs, documenting torture, became known abroad. At the end of 1971, a team from FAB and FUNAI had to rescue by helicopter Nambiquara Indians, who were spread out in Vale do Rio Guapore (MT). At the beginning of 1968 their territory had been sold in an auction and divided between colonial and agricultural companies and statements issued by FUNAI, indicated that there were no Indians in the valley. During that period, all the
Nambiquara population below 15 years died. Vendo Aquilo, a doctor from Cruz Vermehla Internacional, declared in 1973: "The lives of those Indians is shame not only for Brazil, but for humanity."

At the beginning of 1970, the Transamazonica Project was presented in Nacao as an "impact project" – with miraculous effects. "Terra sem homens para homens sem terra" (land without men for men without land) was the motto prevailing during the régime of General Medici: "the bread basket from the Amazon would give social tranquility to the Northeast." (DESP, 5/6/80). Only that "terra sem homes" did not exist. FUNAI was sent to Transamazonica to "make time and reserve space" to attract any aggressive Indians and remove them from their lands before the arrival of the contractors and colonialists. The eviction from the Indians from Arara was carried out. The Indians were removed from their territories and transferred to a distant region. This operation resulted in the loss of dozens of Indians and the disintegration of the community.

This 'ambitious development' was conducted within the institutional context of extreme authority, supplying the final context for the passing of "Estatuto do Indio."

It is worth recalling the presidential veto, based on the Constitutional Amendment No. 1 of 1969. Statements by the then President Medici (Message 530 and 73) clearly reveal the intentions behind Indian policies over the past twenty years, when they say that the main objectives of the Statute consist exactly in the "rapid and beneficial integration of the Indian into civilization." Consequently, the right to give help by means of providing assistance services was forbidden to the religious and scientific bodies because an official organisation cannot endure limitations in the fulfillment of its duties. The outcome of this "presidential veto" has been the ejection of missionaries and indigenists. In 1981 the missionaries of CIMI were prohibited from entering the Indian areas in the states of Da Príba (April 1981); Espirito Santo (May 1981) in Pará and Ampá (August 1981).

The demand to appease the accusations from abroad, the possibility of "Impact Projects," and the context of the institutional acts and constitutional amendment of 1969 formed the background to the Indian Statute. Today it must be revised in areas, such as: protection of sub-soil and the demarcation of territories.

In order to be able to discuss the necessary changes needed in the "Estatuto do Indio" and the proper structure of FUNAI, (essentially the indigenist official policy), it is necessary to examine how the Indian is seen under the law and how it is treated by the Civil Code.

Juridical Aspect

The legal situation of the indigenous peoples of Brazil is defined through four dispositions:

(1) Article 6 of the Civil Code states there should be government protection "of the Indians".

(2) The Federal Constitution in its Article 8/XVII includes in the "possessions of the Union" the territories occupied by the inhabitants of the jungle.

(3) Article 8/XVII of the federal Constitution exercises right to the "incorporation of the inhabitants of the jungle into the National Community."
(4) Article 198 and Paragraph 1 and 2 of the Federal Constitution determine protection measures of the land inhabited by the Indians.

There is no actual relation between the Brazilian State and the indigenous people inasmuch as they are considered "relatively incapable" and submitted to a régime of "special protection" while they do not participate in the social and economic development of the country. The incorporation of the "people who live in the woods" to the national community says nothing more than they should be socially and economically integrated into the national society.

However, Indian communities are societies that differ ethnically from the national society. They are self-sufficient with social, economic and political organisations of their own, formed from a different perspective. This ethnical diversity cannot be seen as a passing privilege. It must be defended as a historic right.

Source: Statement from CIMI (Indigenist Missionary Council).

BRAZIL: INTERVIEW WITH A SHERENTE WOMAN

by Teresa Aparicio

I met Secuai Sicamo last January, in the Surumé region of Roraima in Northern Brazil, during an indigenous regional Convention that brought together over 150 tuxaus (indigenous communities leaders). Secuai was the only Indian woman participating in the Convention, representing two tuxaus who were not able to attend.

Secuai's experiences roused my interest, especially, because Secuai, as many women, has fought, to get a personal freedom still unavailable to thousands of women in western countries. We talked together several times, exchanging views and experiences which, to our surprise, were in many cases identical. In fact, the interview turned out to be "mutual".

T. Why are you the only woman participating in this Convention?

S. Because the Mission has asked the tuxaus not to bring their women or small children. They say we give only extra work, that we just sit on the floor listening and we do not participate in the meetings. They say we give extra work because they have to feed us like the men and we do not help in the kitchen - the men do not help and no one asks them to give a hand. I came just by coincidence; the tuxaus from the community where I live asked me to represent them because they could not come and I speak Portuguese well.

In the Indian communities women always participate in all the meetings, although their participation is different
from the men’s. The men are the ones who talk more but the women talk as much, not in public but in private and between us. Besides, the tuxaus and the community men know in general what we, women, think and they consider our opinions and discuss them. Take for example the cachaca (1) problem, which today has been discussed during the meeting. Many Indians drink and that is a problem. If the women had been here, they could have given examples on how the drinking problem affects both the community and the family. What has been discussed today about the drinking problem is that it brings problems to the community as well as social confusion. How this confusion comes about and how it is lived within the community has not been mentioned.

T. Can you give some examples?

S. Yes. During the five months that I have been here in Surumú, I have been in various communities and I have seen, and the women have explained to me, what the men would do in order to buy cachaca. For example, some of the men have sold the flour they had in the house to buy it. Without this “mandioca” flour they cannot prepare the basic meals; the family then has little to live on and the woman of the house has to try to get food for the table. Besides, making flour is a process that takes days, so that another problem is making more flour again. In the meantime, one has to find food, one has to eat. Women help each other, but sometimes there is so little food that it is difficult to share it. Flour is not the only thing men sell in order to buy cachaca. They sell whatever they can find in the house. This creates family arguments; the children cry and the women are afraid because the men become violent and other members of the community have to intervene. Because of this cachaca has been prohibited by the tuxaus in many Macuxi villages.

1) An alcoholic drink, similar to rum,
ges. Cachaca is a vehicle to major chaos and destruction. My husband and I are separated because of this. I told him "please stop drinking", but he continued. So I left him.

I am going to tell you a bit about myself:

I was born among the Sherentes, who live in the Region of Sono River, between the states of Maranao and Goias, approximately 3,000 Kms. from Roraima. During the 50s, when I was about seven years old, my parents and most of my family, as well as the people from my village, died from epidemics. My maternal grandmother then adopted me, but she died shortly after, a victim of another epidemic. Above all, I remember from my childhood years all the suffering of my people, those I saw die, contaminated by sickness, that I know now, were brought by the Whites. The Shavante Indians adopted me then. I lived among them until 1963, in the Village of Areoes, close to Shavantina (2). I learned Portuguese and when I was 15 years old the SPI (3) personnel asked me to help with translations. SPI had then some small vaccination projects and medicine supply. When SPI had to travel to the Shavante areas to examine the health conditions they took me along to help. In that way I got in contact with the medical team working for SPI. At the beginning my help was temporary, but then I started to work on a permanent basis. Because they argued that I was a minor, I received no wages. With the medical team I learned your medicine methods, that is, to give vaccinations, etc. Eventually, I became a nurse. The work was hard and everyone bossed me around, that is, the Whites. Besides, contradictions arose when I tried to mix our medicine with yours. The Whites only had faith in Western medicine.

2) Conglomeration of White Brasilians created in 1950 by the Fundación de Brazil Central (FBC) in the Region of Matto Grosso.
3) SPI (Indian Protection Service) is the organization prior to FUNAI, which desintegrated in 1968 due to a scandal by SPI personnel over misuse of funds and land appropriations.

T. Why did you stay in SPI?

S. Because they had medicines and in order to cure illness, brought by the Whites, such as tuberculosis, chicken pox, measles, etc. I needed the White mans medicine. The sickness rapidly spread from one group to another and in certain situations I knew that I could help more because the Indians trusted me. However, SPI continued not paying me; I was no longer a minor, but I was an Indian - which apparently meant the same to SPI!

I got married when I was very young and I had two children. When I separated my children stayed with me, in my community. My problem then was that I worked extremely hard for SPI, but no one took this into consideration. For SPI I was either an assistant or a nurse. Sometimes I was aware that I knew more than the personnel but it was irrelevant. Then I decided to study to become a nurse to show them that I could do it.

I took my nursing courses between 1963 and 1973 in the Indian hospital of Bananào (Carajás Region). I graduated in 1973 in Brasilia and FUNAI employed me.

T. Did things change then?

S. In spite of my diploma and experience, things changed very little. It was true that I was a nurse, but I continued being Indian. What changed was the question of wages. They started to pay me.

T. Until when did you work with FUNAI?

S. Until September 1984. I was in Brasilia working for FUNAI, but curiously enough, they paid me now but I was given no work to do. The opposite to before. Therefore, I left FUNAI and came to Roraima.
T. Why?

S. I had heard about the sufferings of the Indians from Roraima and wanted to help them. One of the Macuxi villages invited me to stay with them. I now take care of them but I have neither Western medicine nor money to buy and therefore I use the natural medicine that I know. Some time ago, the Tuxa of the community accompanied me to the FUNAI offices to ask for medicine for the Macuxis, but they said they had none, that is, they do not want to give us medicines. The Mission hospital is far away and it is difficult to come here if one is sick; I do what I can to help my community, but sometimes it is impossible to help without medicines.

T. Do you have your children with you?

S. Only the younger, who is 2½ years old, and who is my adopted son. His name is Ricardo Sicamo. Of my other two daughters, one is married and the other is 13 years old and she did not want to come; she lives with her sister.

T. Why did you adopt a child?

S. I adopted Ricardo two years ago. I adopted him because I had the need to be a mother again. I do not wish to get married again, neither do I want to depend on a man. I wish to be free, to travel; I do not wish to be bossed around. I wished for a son, but that would have meant getting married, so I adopted Ricardo instead. I am over 40 now and I have, most of my life, been as free as a bird. I wish to continue that way. At the same time the maternal experience is very important for me, and I do not need a man to have that experience. Hand in hand with my Ricardo I contemplate the trees, the earth, the birds and I learn to discover things anew. Besides, Ricardo is an unlimited source of happiness, good humor and love. I always have him with me. If he is not with me today it is because, I repeat, the Mission did not want us to bring children along.

T. Could you explain what you do in the Macuxi community, where you live?

S. First of all, I take care of everyone's health whenever possible. I live like the rest of the women, doing the same jobs. I have a little vegetable garden; I also hunt small animals to eat. I do artisan work, that is, make straw baskets and ceramics which I sell in FUNAI's store in Boa Vista. Now the women in my community are getting organized to work and sell together. We have already tried it and it has gone well. I know what the stores in Boa Vista want to buy, so I am teaching the women from my community to make bags, necklaces, baskets and other things. We are trying to make some money so that we can help each other in case of need.

T. That is, you are organizing the women?

S. Yes. We all need help and it is better to be economically independent. We share what we earn, but we have already started a collective fund for needy cases, i.e., to buy remedies that I cannot make. I have also started to teach the women basic health care so that they can manage themselves the day I leave.

T. Do you plan to leave?

S. Yes, some day. I do not know when. I guess I will wait until Ricardo is a bit older. There are other Indian groups
in need and I want to help them. I like to learn other ways of life, to see other places. I do not know where I shall go, but I do know where I shall not go.

T. Where do you wish not to go?

S. To live with the Whites.
Band's traditional area was too isolated and inaccessible for a reserve. They therefore tried to talk the Lubicon Lake people into a more "administratively convenient" site, outside of the Band's traditional area.

The Lubicon lake people refused to consider a site outside of their traditional area and Federal officials responded with a deliberate, well-documented strategy to wipe out the Lubicon Lake people as a distinct group with recognized land rights. Methods used by Federal officials to wipe out the Lubicon Lake people as a separate and distinct group included transferring the names of Lubicon Lake people to the lists of other recognized Bands, often without their knowledge or permission; telling people, falsely, that they would be entitled to Government benefits only if they allowed their name to be transferred to the lists of other Bands; and enfranchisement by fraud, involving the practice of telling people, again falsely, that they could "try living like a white man" and later regain recognized Indian status if they didn't like "living like a white man".

While considerably complicating recorded Band history and membership, the effort of Federal officials to wipe out the Band as a distinct group ultimately failed and the officially recognized existence of the Band was reaffirmed by order-in-council in 1973. The land situation was left unresolved, but the Band's traditional area remained isolated and inaccessible, and the Lubicon Lake people therefore were able to continue pursuing their traditional lifestyle.

About ten years ago the Alberta Provincial Government began construction of an all-weather road into the Band's traditional area. The purpose of the road was clearly to open the area up for development.

Faced with the prospect of a significant influx of outsiders into their traditional area, the Band tried to file a caveat with the Alberta Provincial Government, putting outsiders on notice that they retained unextinguished aboriginal title to their traditional lands. The Provincial Government refused to accept and file the Band's caveat, as Provincial law at the time required, and the Lubicon Lake people therefore asked the courts to order the Provincial Government to obey the law.

The Provincial Government asked the court to postpone the hearing of the case while they "tidied-up" the relevant provincial legislation, during which time they actually rewrote the law, making the changes retroactive to before the time the Lubicon Lake people tried to file their caveat. In light of the re-written, retroactive legislation, the court dismissed the land's action as no longer having any basis in law.

Construction of the all-weather road was completed about six years ago and the Band's traditional area was literally invaded by the Alberta Provincial Government and dozens of multi-national oil companies. No effort was made to seek an equitable or fair or just settlement of the Band's well-known and long-standing rights to the area. Instead officials of the Alberta Provincial Government initiated a comprehensive campaign to systematically undermine the traditional economy of the Band, to deliberately subvert the legal rights of the Band, and to cynically destroy the will and the ability of the Lubicon Lake people to resist Provincial Government and oil company exploitation of the Band's traditional area.

In the last couple of years Provincial officials have deliberately allowed fires to rage unchecked in the Band's traditional area, burning up thousands of acres of boreal forest historically used by Band members for hunting and
trapping. Provincial and oil company workers have been instructed to deliberately bulldoze Indian traplines and to scare game out of the area by firing rifles off into the air, instructions which they've followed with such enthusiasm that one of them described their destructive activities as "almost like a competition". Traditional Indian hunting and trapping trails have been taken over and turned into private oil company roads, posted with no trespassing signs and protected by guards and gates. Local fur and handicraft buyers have been told not to do business with the Lubicon Lake people, under threat of supposed legal action by Provincial officials.

As a direct result of this conscious, systematic and deliberate Provincial Government and oil company campaign to undermine and subvert the traditional economy of Band members, revenue from trapping has gone from over $5,000 per year per trapper prior to the onset of development activities to less than 400 per trapper this last season. Moose, the primary source of food for the Lubicon Lake people, have practically disappeared from the Band's traditional area, with over 200 moose killed per year prior to the onset of development activity reduced to only 19 moose killed last year.

Not surprisingly, concurrent with the deliberate destruction of the Band's traditional economy, the Band has experienced a dramatic increase in the number of people requiring social assistance. Welfare rates have soared from less than 10% prior to the onset of development activity to over 95% now, enabling Provincial Government and oil company lawyers to argue in court that the Band no longer retains aboriginal land rights because, they say, Band members are no longer able to support themselves by traditional means.

Even more insidious than the campaign to undermine the Band's traditional economy is the deliberate Provincial Government and oil company effort to subvert the legal rights of Band members.

A couple of years ago the Provincial Government declared the traditional band community of Little Buffalo Lake, where most Band members live, to be a "Provincial Hamlet". They then subdivided the new Provincial Government Hamlet into two-acre plots and offered to either give or lease the two-acre plots to the Indians who live on them. Leasing the lots or accepting them as gifts jeopardized Indian land rights by in effect accepting Provincial Government jurisdiction over traditional Indian lands.

When Band members refused to lease the lots or accept them as gifts from the Province, Provincial officials resorted to outright lies, telling one old woman, who can neither read or write, that she would receive free firewood if she made her mark on a certain Provincial Government application form. In fact she was being asked to sign an application for a two-acre plot. They told another, desperately in need of housing assistance, to make her mark in application for a free Alberta housing trailer. In fact she was being asked to sign an application for a two-acre plot. They told a third that she was required to sign a census form. In fact she was being told to sign an application for a two-acre plot. They told some people that they'd receive housing assistance if they applied for two-acre plots, but wouldn't if they didn't. They told others that their homes would be bulldozed if they didn't either agree to lease the lots or accept them as gifts from the Provincial Government.

Recently Band members, who have neither leased lots nor accepted them as gifts from the Provincial Government, and whom the Provincial Government has publicly described as "merely squatters on Provincial Crown Land", have been receiv-
ing property tax notices from the Provincial Government. These notices state that a 15% penalty will be imposed if the taxes are not paid immediately, and that unpaid taxes "may be recovered as provided in the National Taxation Act and the Tax Recovery Act", presumably meaning seizure and sale of limited assets to cover supposed tax indebtedness.

Most Band members are financially unable to pay Provincial property taxes. Moreover payment would jeopardize aboriginal land rights by in effect recognizing Provincial Government jurisdiction over traditional Indian lands.

The situation of the Band and Band members is thus both desperate and urgent. Band members have no money. They know no other way to live. Some have never been outside of the Band’s traditional area. Many speak only Cree. Many neither read nor write. None have completed grade 12. Few have skills relevant to the economy of the outside world. Those who try to pursue a different lifestyle will thereby both deny their heritage as aboriginal people and also break their traditional bond with the land, an essential legal requirement for a people who wish to assert unextinguished aboriginal land rights under Canadian law.

The Lubicon Lake people are literally in a struggle for their very existence as a people. They cannot forever withstand the concerted assault being waged against their traditional lands, their aboriginal rights and their way of life by the rich and politically powerful Alberta Provincial Government and dozens of multi-national oil companies, each of whom possess more resources than many nation states.

The Band understands that the Working Group is considering a declaration of indigenous peoples rights. The rights at issue and at stake in the Lubicon Lake situation are the most basic indigenous rights of all - the right to unceded, traditionally used and occupied land; the right to subsist on that land, and the right to determine one’s own affairs. If these rights cannot be ensured, then nothing else will matter, because the very things which define indigenous people will have been lost.

We therefore ask the Indigenous Peoples Working Group to take the case of the Lubicon Lake Cree into account when considering the development of a meaningful declaration of Indigenous Peoples Rights. We also ask the Indigenous Peoples Working Group formally protest Canada's treatment of the Lubicon Lake people as a direct and unacceptable threat to the very existence of all indigenous people everywhere.
CHILE: MAPUCHE PRESENT THEIR CASE TO THE U.N.

We wish to briefly point out five points which refer to the injustices which our people are facing, in the hope that they will contribute to the elaboration of a collection of principles concerning the rights of the indigenous peoples and nations, based upon national legislation, international instruments and other judicial criteria.

The suffering of, and the injustices against, indigenous peoples is continually increasing. The robbery of indigenous lands and territories, the indiscriminate repression through genocidal policies, discrimination, racism, etc. are facts known and experienced by all indigenous peoples, whether in the Amazon, Peru, Guatemala, Australia or in the Pacific Region.

It is for this reason that our declaration is not only applicable to our people, the Mapuche, but also expresses our solidarity with all our brothers and sisters throughout the world.

First Point

Mapuche means, people of the land. In spite of this our people possess only 1.5 percent of the traditional lands which we possessed at the time of the arrival of the Spanish colonizers in 1541. For the survival of our nation the inalienable possession of our lands is essential. The Decree 2568, signed by President Pinochet in March 1979, is a clear example of the violation of the territorial inalienability of our people. This decree permits the communal Mapuche lands to be divided into deeds of individual possession. This is a direct threat against our identity, in so far as, since the Decree 2568 was enacted the number of Mapuche communities has fallen from 2,066 to 655 at present. This demonstrates that for the continuing survival of the communities, the communal and inalienable possession of our land is imperative. The application of Decree 2568 signifies the loss of our lands. Without our lands our Mapuche people will disappear. The necessity for the creation of judicial instruments for the recuperation of our lands is indispensable. The right to the land is the right to life.

Second Point

The so-called Spanish "decolonization" in 1810, and the creation of the Republic of Chile, resulted in the division of the Mapuche people, who were separated by the imposition of arbitrary national frontiers. This imposition is not an isolated example of our people, but is also a reality for many other indigenous peoples in our continent. We, the Mapuche, live along the state frontier of Argentina and Chile. In this way our freedom of movement from one side to the other of the Andes range is hindered by the national frontiers which divide our people. We call for the creation of international judicial instruments which will permit us to cross freely the national frontiers which have been imposed upon us.

Third Point

Education is based upon communication. Education which cannot be understood is not education. Teaching by someone, who only speaks a foreign language does not serve anything and brings only suffering to our people. Officially, in Chile, teaching is conducted in Spanish and many Mapuche children cannot understand their teachers. We would like to see the principles of bilingual teaching, adopted, not only in the educational field, but also in all official channels which concern the Mapuche people.
Fourth Point

The freedom of religion is recognized as a basic right in many societies. Among many indigenous peoples it is not possible to separate religion from other aspects of the social and cultural life of our peoples. As an example, we, the Mapuche people, have a religious ceremony known as *Aquillatum* in order to worship our god *Aquinechen*. This ceremony expresses our intimate relation with our land. At present, we must request permission from the authorities in order to celebrate our ceremonies and suffer the indignity that during the ceremony of *Aquillatum*, at which the presence of "huinca" (non-Mapuches) has never been permitted, is at the present time violated. The presence and constant observation of ceremonies on the part of the police forces violates the freedom of religion of our Mapuche people. We request that the freedom of religion of our people and also the private and intimate character of our religious ceremonies be respected.

Fifth Point

Finally, I wish to bring to your attention the basis right of the indigenous peoples of the world to self-determination. The right of our peoples to self-determination is a basic expression of human rights and inseparable from the rights to the land, life and culture. Many indigenous peoples and nations have formed organizations to peacefully defend these rights. We, the Mapuche, are no exception. Nevertheless, there exist various forms through which governments, directly or indirectly attempt to impede the functioning of our organizations.

One of the indirect forms for repressing indigenous organizations, is when the government does not protect our organizations from attacks from non-government, para-military forces. In Chile, for example, one of our Mapuche brothers,
Manuel Melín Pehuen, was abducted from his community on the 23rd of January 1984 and later murdered by a para-military commando of the extreme right wing. This is only one example of the innumerable threats and intimidations against and the molesting of the leaders of the Mapuche organizations. The police do nothing to investigate these acts, nor to punish those responsible. Governments also have direct ways of repressing indigenous organizations. Once again, we Mapuche are an example for this form of direct oppression. On the 27th of March 1984 a gathering, in which various Mapuche communities participated, was violently attacked by about 100 police, who beat, insulted and wounded those present, including the children. This demonstrates that the right to gather peacefully was denied. Another more frequent form of direct oppression against indigenous organizations is the detention of their leaders. Between 1984 and 1985, at least 30 Mapuche leaders have been detained; others have been exiled to other parts of the country and others have been deported from Chile. These examples clearly demonstrate the violations of the rights of the indigenous peoples to organize themselves. We ask that the right to the free functioning of indigenous organizations be considered among the elaboration of the principles concerning the rights of the indigenous peoples. The examples given concerning the situation of the Mapuche nation illustrate some of the preoccupations of our people. We will be grateful to the Working Group for taking into account the five points mentioned here, in the elaboration of the collection of principles concerning the rights of the indigenous populations.

Finally, I wish to underline that for us the rights to the land, religion, education, culture, freedom of movement, organization and self-determination are all closely connected, in spite of their being divided into principles. It is the unity of all the principles in common which constitutes our indigenous reality.

Thank you very much, Madame President, for having given us this opportunity to express the voice of our people, the Mapuche People.
GUATEMALA: WCIP SETS UP INTERNATIONAL TRIBUNAL ON THE SITUATION OF THE MAYAN INDIAN PEOPLE OF GUATEMALA

The President of Guatemala, Oscar Mejia Victores, promised "free elections" for July, 1985, claiming this would open the way to "democratization" of the country. This was an attempt to improve the already deteriorated image of the government, and to justify requests for international aid. President Victores has already re-scheduled the elections for 1986, a tactic that will probably be repeated. At any time, another military coup could take place resulting in further postponement of the elections.

Human rights violations, directed mainly against the Mayan Indians, continue. Indeed, targeted assassinations, kidnappings, disappearances and killings often involving torture and mutilation occur daily. Counterinsurgency activities carried out by the armed forces and the government have resulted in strict military control, specifically aimed at controlling the Indigenous peoples who comprise the majority of the population and who live mainly in the countryside.

The Government has launched a major "Development Program" in rural areas by creating "Model Villages" that are nothing more than concentration camps. The underlying motivation is to uproot Indian families in areas of conflict from their ancestral homes and forcibly relocate them in Model Villages to be placed under alleged "protection". The real effect is to bring them under the control of the army who claim to have "rescued" them from guerrilla forces. In the Model Villages Indian people cannot farm the land (corn and beans). They are forced to grow export crops, therefore the people do not have enough food. International aid is used to finance the creation of such camps. Another way of controlling the population is through Civil Patrols. People living in rural areas are forced to join, thus robbing them of time to work in the fields to produce food for their families. Since many men have been killed, Indian women are forced to serve in the Civil Patrols and the "Model Villages" even if they have babies. Crops and houses are also burned.

Since 1981, Guatemalans, mostly Indians, have sought refuge in the southern Mexican province of Chiapas, where plagued by hunger and disease, they subsist on meager handouts. Thousands of these refugees have been relocated by force to most inhospitable places in Campeche Province, making life even more difficult.

The World Council of Indigenous Peoples' (WCIP) Fourth General Assembly held in Panama last September decided to concentrate its work on improving the situation of the Indigenous peoples of Guatemala. To implement this decision, the General Assembly unanimously passed a resolution to hold an International Tribunal on Guatemala to focus worldwide attention on this situation which they felt is one of the most tragic in modern times.
GUATEMALA: REPORT ON THE FLIGHT OF THE INDIGENOUS PEOPLE OF GUATEMALA

By the WCIP Commission, Panama, 1984

Historical Background

Guatemala is a country with 23 different indigenous groups. They constitute 75% of the population, that is to say 5.7 mill. Indians in a total population of 7.6 mill. The major groups are the Quiché, Mam, Kakchi and the Cakchiquel. These people inhabit 50% of the national territory in the West and the poorest lands of the southern zone.

The indigenous people of Guatemala known collectively as the Maya are the heirs of a millenial civilisation which was ravaged in the 16th Century by the Spanish Conquistadores. From 1524 to the present, the Mayas have endured a long history of oppression, expropriation of land and cycles of genocidal attacks which form a reproach to humanity.

The historical antecedents of contemporary oppression stem from the Government of Justo Rufino Barrios in 1871. This period is characterised by the expropriation of Indian land into private ownership, for the development of roads and railways and for the establishment of coffee plantations. Control and domination of the Indian population was the pre-condition for the exploitation of resources. The railways were built by the forced labour of Indians. Forced labour was also used on the coffee plantations. Even today, some farms which are the product of that colonial period are sold with the population of workers attached to them. These people who are sold with farms are known as colonos. They know no other life and know nothing of the outside world. They are paid barely enough money to buy food. The landowners give the colonos a small piece of land for their own crops. They pay over half their crop as tribute to the landlord. Many of the colonos are mestizos. Both colonos and mestizos are robbed of their identity and Indian dress. They are forced by force to speak Spanish. Indian names were also changed to Spanish names by decree. The Church baptised children with Spanish names. In San Marcos, the entire population of the town had their names changed. In the region of Huehuetenango, many people have three first names but no surname.

Besides the colonos and mestizos there is another dispossessed group known as the solola. They are landless people who have to go to the coast to work or rent land from landowners. Conditions of rent include payment of a sum of money, keeping fences in order, planting pasture, caring for cattle and surrender of half the crop to the landowner. The crops, mainly squash and corn are grown essentially for subsistence. Tenants unable to pay the rent are kicked off. Since 1973, there are an estimated 70,000 families without land.

Alcoholism is a grave social problem among the colonos, the solola and mestizos who work for the landowners. Historically, Indians did not use alcoholic beverages except on ceremonial occasions. The landowner supplied alcohol without charge to his workers to cultivate their taste for it. Once the habit was acquired, landowners began charging the workers. Alcohol serves the dual purpose for the landowner of brutalising the people and as an opiate for their oppression.

Coffee which has been the main export crop since 1875 was originally produced by forced labour. But with the expropriation of Indian land by the Ladinos and the low fertility of land left in Indian ownership, Indians are forced by hunger to seek work on plantations. During the harvest season hundreds of trucks bring thousands of people down from the mountains to work on the coffee, cocoa and sugar plantations. Many people die during the journey; some from carbon monoxide poisoning in the trucks where they are crammed in like cattle. There they also suffer the indignity of being sprayed with insecticide. Some
die of insecticide poisoning. Others get sick and a few even
die because of the rapid climatic change from 2,500 metres
down to sea-level. There they encounter diseases not found
in their highland habitat. These include malaria, and para-
sites such as intestinal amoeba. While on the plantations
they have no accommodation and are forced to sleep in open
corrals. To add to their miseries there are no toilet fa-
cilities and the unhygienic mass-cooking of fly-riddled tor-
tillas spreads dysentery and death. Some return to the moun-
tains penniless, having had to spend their pitiful earnings
on medication.

One of the consequences of this history of Spanish and
Ladino colonisation is the existence in Guatemala of a state
consisting of two nations. The Ladinos, the ruling minority,
lives in a fortified state from which it oppresses the in-
digenous majority. The Indians of Guatemala are a nation
without a state. They have no political rights, no rights
to free association, no rights to land, to freedom of speech
and no right to maintain their Indian language and culture.

Democratic Government

The oppression of Indians was alleviated for a brief
ten-year period by a bourgeois revolution in 1944 which cul-
minated in the democratically elected government of Jacobo
Arbens. This government introduced agrarian reforms in the
highlands. In eastern areas indigenous campesino cooperatives
were formed. The government went so far as to expropriate
land from the United Fruit Company. This company which had
been in Guatemala since 1871 controlled agricultural exports
such as bananas, cocoa and coffee. This socialist threat to
capitalism and trans-national companies was inimical to
United States interests in Central America. The government
of Arbens was overthrown in 1954 by a coup organised and
financed by the CIA. Since then Guatemala has had 30 years of military rule. The Indians to whom the lands of United Fruit had been distributed were the first to suffer systematic massacres to drive them from the land.

The campesino cooperatives which were perceived as a political threat to the military regime installed in power were smeared with the label of “communism.” To counter that so-called communism, Catholic priests were brought in from Spain to convert the Indians to Christianity. These priests taught conservative Catholic dogma. But gradually, after many years of working with campesinos and living with the social realities of Guatemala, the priests began siding with the campesinos. Although cooperatives were innocuous non-political credit unions they were violently repressed by the military. Attempts to establish cooperatives in the highlands were stamped out, especially in Quiché and other areas in the eastern part of Guatemala.

Neo-Colonialism

The escalation of violence in recent years by the military regime against the indigenous people in Guatemala is linked to discoveries of oil, nickel and uranium. Guatemala has the potential to be the third largest producer of oil in Central America after Mexico and Venezuela. These resources were expropriated by the military government which is the political arm of stock-brokers, bankers and businessmen. They are responsible for creating a partnership of neo-colonialism with trans-national companies brought in to exploit mineral resources.

Military Control

The military cleared the way for the transnationals by ruthless oppression of the indigenous people. To this end the government of Guatemala has a sophisticated population control system of New Police, Secret Police, Justice Police, and paramilitary units such as death squads and the Civil Patrol. It has a computer system installed by Israel and Israel counter-insurgency advisory agency working with the military forces. Although the export of arms to Guatemala from the United States was suspended by President Carter, Israel as proxy for the United States has filled that vacuum. Israel has built a factory in Guatemala to manufacture the Galli attack rifle, one of the most sophisticated small arms weapons of modern warfare. The reign of terror is also supported by Taiwan another satellite of United States policy. Taiwan has a psychological war team in Guatemala advising the military authorities. Israel, Argentina, Chile and Taiwan are the primary suppliers of arms to Guatemala.

The indigenous people are held in thrall by the dominating power of the military over their lives. All youths of eighteen are forced to undergo compulsory military service. On festivals or market days military trucks arrive and forcibly round up youth for military service. The army isolates the youth from their families and indoctrinates them to become ashamed of being Indian. They become alienated, loudmouthed and chauvinistic. They visit prostitutes. There are 40,000 troops in the army and 15,000 in the New Police. It is the supreme irony for the indigenous people of Guatemala that the majority of troops in those forces of terror and oppression are indoctrinated Indians under the command of Ladino Officers.

The Death Squads

The most repugnant of the para-military units are the counter-insurgency death squads. Most of the recruits for
the death-squads come from the East where the terror began. The people there were so terrorised by military massacres when they refused to abandon their land that they suppressed their Indian identity in order to survive. Paramilitary units were formed from these alienated people to hunt out and kill alleged communists in the campesino cooperatives. These units known as death squads professing anti-communism went after the leaders in trade unions cooperatives or any group with a potential for political action. It is difficult to form political groups or groups of any kind in Guatemala because of fear of infiltrators tipping off the death squads. These death squads enable the government to distance itself from political killings which are attributed in official communiques to "civilian dressed, heavily armed, unidentified people." But these civilian "terrorists" use government cars, government-issued weapons and operate from government files for their hit lists.

On June 17, 1980 the entire national leadership, 27 officials of the Trade Union Movement in Guatemala disappeared and are presumed dead. The kidnapping occurred only two blocks from the Presidential Palace where many people saw it happen. As recently as six months ago this year a detained trade union leader escaped from the military with four bullet wounds in his body. He went into the Belgian Embassy for sanctuary. The terror is such that no one is immune. It even reaches Indian employees on government or US aid programmes. If they evidence any sympathy at all for the plight of indigenous people they are assassinated.

Civil Patrols

Another of the para-military units are the civil patrols. They are a counter-insurgency programme organised by the army and promulgated as civil defense units organised spontaneously by the local people to defend themselves against guerrilla attacks. The military forces the people to cooperate, non-compliance could mean summary execution. The Government estimates it has 800,000 people in the civil patrols. They are under the command of military commissioners who had previously served in the army and have been sent back to their own villages to recruit people and act as informers. People are forced to collaborate out of fear because of dire need for the financial inducement that is held out to them. Civil patrols are armed with sticks and machetes. With these weapons they are sent out ahead of army search and destroy missions to attract guerrilla fire thereby acting as a shield for the army by taking the first casualties. One tactic the army uses to create the illusion of spontaneous support for the Government's counter-insurgency programme is to arrive at a village and persuade the civil patrol to disband because their area has been controlled. The army then returns in the guise of guerrillas, attacks the village and the civil patrol voluntarily reforms itself for protection.

Model Villages

One of the consequences of the military terror in Guatemala, is that the systematic massacres has produced 100,000 orphans and countless thousands of widow refugees with no means of support. Weakened by starvation they are unable to cultivate food for themselves. The military gains control over these women and children by offering them food and confining them in strategic hamlets known as "model villages". These model villages in rural areas are essentially concentration camps surrounded by barbed wire, mines and electric fences. There are 20 or so model villages in Guatemala. Three were opened recently in the Ixil Triangle and another opened in northern Quiché in August 1984. Others are situated at Chimaltenango, Cobán, Huehuetenango and San Marcos. Show-place model villages are located near arterial routes such as the
?an American Highway for display to international aid agencies. They are used as examples of what the Guatemalan Government is doing to help its indigenous people. Part of the deception when touting for foreign aid is to quote the Indian population at 80%. The money gained from these model villages is siphoned off by the army. Many of the inmates of model villages are survivors from massacres, napalm bombing, the scorched earth policy or refugees driven out of the mountains by hunger and gave themselves up to the army. These people are presented to the international press as converted guerrillas.

Women Auxiliaries

Many refugee women and girls are taken by soldiers into their barracks as auxiliaries. They are used as fatigues by the soldiers and are raped and sexually abused in various ways. They are used as informers against the indigenous people and are presented to the outside world as women's liberationists.

Development Programmes

Other "indigenistic developmentalist" Government programmes which are manipulative in nature and used for propaganda purposes to the outside world are "Empresas Campesinas" (government organised peasant farming projects) and the bilingual programme of the Summer Institute of Linguistics. Like the model villages these programmes are used to extract funds from international funding agencies which are diverted to army use to maintain the oppression of the indigenous people.

The APROFAM "family planning" programmes is one of the Government's techniques for controlling the Indian population by keeping their numbers down. This programme sterilises Indian women without their knowledge or consent. Sterilisation
is justified and maintaining underdevelopment.

The Guerrilla Movement

The origins of the guerrilla movement in Guatemala go back to the late 1950s when the Ladinos in the army were trained in counter-insurgency tactics by the United States. As the war in Vietnam progressed and the United States became more deeply involved, the counter-insurgency tactics developed there were recycled in Guatemala. At that time Guatemala was the training ground for Cubans for the Bay of Pigs invasion. On completion of their training in the United States, Guatemalan officers when they returned to their own country suffered the indignity of discrimination in the barracks of their American advisors. In response to the racism of the Americans there was a resurgence of nationalistic sentiment among the Ladino officers and they tried to expel the foreigners. There was an uprising in the military barracks in 1961 organized by young officers. The plan failed and the rebellion was crushed with military assistance from the United States. The survivors fled to Mexico and El Salvador.

This was the beginning of the guerrilla movement. This movement consisted mainly of Ladinos with no rural roots so it was not militarily viable. Although no Indians were involved, and there were only 400 combatants in the guerrilla force, the Guatemalan Army killed over 10,000 Indians in their campaign to eradicate them. This was the period when the death squads were formed in East Guatemala to terrorise the indigenous people and to dissuade them from supporting the guerrillas. Because of fear and the low level of political consciousness it was easy to divide the indigenous people and to coopt them as counter-revolutionaries. It became impossible for the guerrillas to continue. The counter-insurgency tactics used in Vietnam of aerial bombardment, bombing with napalm and the scorched earth policy succeeded in Guatemala against the guerrillas because they had no real support from the people. A recession in guerrilla activity followed the end of this campaign.

In 1972, the guerrillas returned via Mexico through the Ixcan jungle where relocated campesinos from the highlands were trying to establish farms. The Government promised the campesinos ownership of the land after 20 years of promise and expropriated the rich North Transversal Strip.

The military responded to the new guerrilla threat with escalating repression. Northern Quiché was heavily militarized and massacres of indigenous people occurred. The first priests who sided with the campesinos against the oppression were executed at this time. Priests and even the Bishop were forced to flee the country. All told 14 priests were killed. Some were involved in the struggle, some were not. All of these killings were internal clandestine crimes hidden from the outside world. They were not known to the general populace even in the capital city let alone the international community. The first armed Indian groups emerged at this time so that the guerrillas now consisted of Indians and Mestizos making common cause against the Government. There is a loose confederation of the different guerrilla groups known as the URNG (National Revolution Unity of Guatemala). The general aims of the URNG are to overthrow military oppression, recognize indigenous rights and to respond to the needs of the people. The various indigenous groups are in the process of defining their own aims, so that the question of indigenous rights are open to review to ensure that indigenous people do not become unwitting victims in plans not of their own making. The dialogue of the various revolutionary groups centres on ideology and philosophy, to challenge and break the system of exploitation and thereby the forms and principles of production.
The Miners March 1977

The Miners March to Guatemala City in 1977 was one of the key events in the general mobilization and conscientization of the people to protest against their oppression. Mining operations to exploit the discoveries of tungsten and lead commenced in 1970. Low-level technology was used in the mines with the consequence that tunnels driven under Indian cultivations collapsed angering the campesinos and creating ill feeling towards the miners who were mestizos or non-indigenous. The miners called in the military and many people were gaoled. Eventually, the miners themselves became discontented with their working conditions. They worked underground for weeks and even months at a time without coming to the surface, all for $2.00 a day. The miners and the Indians united to protest over the exploitation of miners and loss of land by cave-ins. So 150 protesters began a march from Ixtuacan to Guatemala City, a distance of 350 kms. It took two weeks, gathering popular support on the way. People came out of the mountains free up to 30 kms away to support the marchers with gifts of food and water. By the time the march reached the Palace Square in Guatemala City, it had swollen to 100,000 people. This demonstration symbolized the true spirit of the people of Guatemala. It united students, workers, miners, campesinos, slum dwellers and other popular movements in Guatemala. The solidarity of the people was extraordinary and spiritually moving. It was an historic event for the cause of freedom and humanity in Guatemala. Although the marchers were encircled by the military, the latter dared not open fire because they were so heavily outnumbered. The indigenous people have taken awareness of this event as the time of their maximum consciousness, when they knew they had the power to transform the face of Guatemala. The military authorities also took full cognizance of the political significance of this event and exacted severe reprisals a year later with the assassination of the march organizer and the shooting down of the next group of demonstrators.

The Panzos Massacre 1978

Although thousands of indigenous people have died in massacres during the 30 years of military rule, none of these massacres were known to the outside world because of the strict control over news reportage by the authorities in Guatemala. The massacre at Panzos on 29 May, 1978, was the first to be brought to the attention of the international community.

In the last days of the Kjell Auagerud Government, the campesinos of the Panzos area protested the expropriation of their land for oil and mining operations. The Kekchi people who had been dispossessed were promised new lands. But when there was no move to fulfill the promise, they tired of waiting and marched to the municipality of Panzos. The marchers included children and pregnant women. The Government knew of the march and the military waited for the marchers on the streets. Although the marchers were peaceful, a soldier came out to provoke them. The soldiers opened fire and over 100 people died including those who tried to escape by swimming the Polochic river. The military buried the dead in a mass grave which had been prepared before the killing. Panzos was sealed off to the press, but students who returned home on buses got news of the killing to the outside world. Townspeople were cowed into silence by the military. A nun who talked was thrown out of the country. One of the survivors of the massacre who related the story to others has been kept in hiding from the authorities. It is now abundantly clear to the indigenous people from the experience at Panzos that peaceful demonstrations are hazardous undertakings as a means of gaining redress for their grievances from the Government.

The Burning of the Spanish Embassy 1980

Despite what happened at Panzos, a small group of campesinos went to the Presidential Palace in September 1979 to make
peaceful representation over their grievances. Instead of gaining a hearing, they were abused and insulted for being improperly dressed and therefore had no right to be there. Over a period of several months these campesinos continued their activism by denouncing what happened at the Palace. They then decided to occupy the Spanish Embassy. Although the group was small, it consisted of representatives of solidarity organisations, slum dwellers, Christians, students, mestizos and Indians. On the way to the Embassy, they visited radio stations and the organization of American States to denounce militarism and demand the exhumation of nine bodies of people who had been burned alive and buried in a common grave.

The Spanish Embassy was occupied on 31 January, 1980. Between 1.30 and 2.00 pm the police surrounded the building. The Spanish Ambassador, who had spoken amicably with the protesters and came to an understanding with them as to when their occupation would end, phoned the Presidential Palace requesting that there should be no intervention by the Government or the military. But despite this request the Government did not retreat. The authorities knew that if the people came out alive, the threatened violation of the diplomatic immunity of the Embassy would be exposed and the story told to the outside world. The order was then given to burn the Embassy. As the crisis mounted, the Minister of the Interior, Alvarez Ruiz, refused to accept calls from the Spanish Embassy. The Guatemalan Ambassador in Madrid refused to talk to Spanish officials. One of the astonishing features of this incident is that there were two former high officials of the Guatemalan Government at the time in the Embassy doing business. One had been Vice President and the other a Minister. They too were trapped in the Embassy when it was set on fire. The extraordinary aspect of this event is that the military Government of Guatemala killed 39 people, including Embassy staff and two former members of government before the eyes of the world. Only two people got out alive, the Ambassador and one Indian, both suffering from burns. The Ambassador requested that the Indian be taken to and treated at the same hospital along with him.

Later, the Indian was taken out, tortured and killed. The Ambassador, as the sole survivor, feared for his life and sought protection in the United States Embassy. He refused to talk about the event. The Government even tried to coerce him into silence by asking the Spanish authorities not to give him any further assignments. The Government claimed that subversive elements were responsible for the Embassy killing. It also claimed that the Ambassador was an accomplice because he had been in contact with the rebels.

Conclusion

The Miners March, the massacre at Panzos and the killing at the Spanish Embassy have all had a dramatic impact on the indigenous people of Guatemala. News of these events spread rapidly throughout the country raising political awareness and the revolutionary consciousness of the people. Revolution in Guatemala like that of Nicaragua is inevitable.

These events have also exposed to the eyes of the world the ugly face of a military regime in Guatemala given over to indiscriminate killing. The killing has gone on for so long now that what was formerly a clandestine internal crime is now perpetrated before the international community. The ferocity of such unbridled behaviour by a Government committing atrocities which are a reproach to our humanity must not be allowed to continue unchecked.

Although it is stated above that revolution in Guatemala is inevitable, it need not be so because that perspective is derived from the viewpoint of the oppressed who have no alternative. The possibility of alternative solutions to revolution with its attendant blood-letting lies outside Guatemala with
the international community namely with the United Nations, and not a specific country such as the United States.

However well-intentioned United States intervention might be, its supervision of elections for a Constitutional Assembly on 1 July, 1984, is not authentically based on the Indian people who are clearly the majority in Guatemala. The elections were fraudulent because only candidates from the Union of Central Nationale were allowed to electioneer, and to visit villages to create a facade of Indian Participation. Beneath the surface there was intimidation. The military threatened action for invalid voting or putting anti-government slogans on the ballots. Over 8000 Indians from the civil patrols were forced to participate and line up at the ballot boxes on polling day to give the impression that progress towards democracy was being made in Guatemala. As long as the United States continues to deceive itself by indulging in the self-seeking manipulation of the democratic process in Guatemala, democracy will remain a chimera in that country until popular revolution succeeds.

GUATEMALA: HUMAN RIGHTS VIOLATIONS IN THE CENTRAL PROVINCES OF GUATEMALA
November 1984 - May 1985

14/11/84: The village Los Marquezos, San Martin Jilotepeque, Chimaltenango, was bombed. People were shot, houses and crops destroyed by the army.

23/12/84: In the village of Patzun, Chimaltenango: a man was kidnapped. He was released on the 26th of the same month. During these three days he was tortured at the military base of Patzun. His ears were cut off. He was suspended from a rope, kicked and flogged.

28/12/84: In the village of Popabaj, Patzun, Chimaltenango: Five (5) Indians were kidnapped, among them a 15 year old boy. The kidnapping was carried out by the army. The five men were taken to the military base of Patzun.

29/12/84: In a village of Patzun, Chimaltenango: Two Indian people were killed. No one knows where they were taken.

30/12/84: In a village of Patzun, Chimaltenango: Two Indian people were kidnapped by the judicial police. No one knows where they were taken.

31/12/84: In the village of Chiquel, Patzun, Chimaltenango: An Indian person was kidnapped by unknown persons.

31/12/84: The village of Parrojas of the jurisdiction of Parramos, Chimaltenango: was bombed by the army. The number of victims is unknown. The army
threatened other surrounding villages who do not support the government.

02/01/85: **In the village of Xepatar, Patzún, Chimaltenango:** A man was killed by unknown people.

10/01/85: **In Guatemala City:** Armed people broke into the archives of San Carlos University (U.S.A.C.) and destroyed equipment and burned all the files.

14/01/85: **In Guatemala City:** An incendiary bomb was left by unknown people in the Medical Faculty of San Carlos University, destroying all the faculty machines, equipment and documents.

12/01/85: **Northern part of Quiche province:** More than 700 Indian people were arrested by an army patrol and taken to the army headquarters of the region. Another 64 Indian people from Xelsihuau village, municipality of Nebaj, Quiche, were arrested when the army scouted the region known as the IXIL TRIANGLE. The 64 people were taken to a Model Village.

22/01/85: **In the village of Xeatzan, Bajo, Patzún, Chimaltenango:** 500 soldiers entered the village. They gathered all the people together with the military commissioners. Eleven (11) Indian people were tied up. Eight of them were hung up. Their eyes were cut out. Their tongues and genitals were cut. Their bodies were soaked in gasoline and burned in front of the villagers. The other three were taken to the Penitentiary of Pavon. 14-year-old girls and married women were raped by the army. People recognized the Comandant of Patzún military base as well as his collaborator, Mario Melgar. At the end, 30 children were kidnapped.

23/01/85: **In the village of Xeatzan Alto, Patzún, Chimaltenango:** The army arrested a 10-year-old boy. They asked him if he saw people gathering in the village but he did not know. Then the army arrested many children. 30 children were kidnapped. Most of them were boys and 8 teen-agers. Their corpses appeared in other villages.

26/01/85: **In the village of La Merced, Patzún, Chimaltenango:** One person was kidnapped and killed.

27/01/85: **In the village of Saguiya, Patzún, Chimaltenango:** Two people were tortured and killed.

29/01/85: **Corpses of kidnapped people from Xeatzan Alto were found. Throats were cut on four corpses.**

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Condition</th>
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<tr>
<td>Justo Morelos Cano</td>
<td>16 years old</td>
<td></td>
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<tr>
<td>Santos Guy Cun</td>
<td>40</td>
<td>&quot;</td>
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<tr>
<td>Marcelo Jochalaj</td>
<td>50</td>
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<tr>
<td>Rosalio Yoxaju</td>
<td>54</td>
<td>&quot;</td>
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<tr>
<td>Marcelo Cocon</td>
<td>33</td>
<td>&quot;</td>
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<tr>
<td>Juan Cocon</td>
<td>35</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

30/01/85: **In the village of Mocóijshot:** One person was tortured and killed.

22/02/85: **Municipality of Patzún:** One person was killed.
In Guatemala City, armed people kidnapped 9 persons and 1 student was shot at the University.

18/02/85: **Northern Part of Quiche:** Between January 11 and
February 6, 167 Indian people were kidnapped and disappeared. Others were killed by the army in the northern part of Quiche.

The army, following the Scorched Earth Policy, burned 112 houses in the same region.

17/01/85: Continuing with the counter-insurgency methods of the government, the army carried out a vast campaign of civic action. The army forcibly enlisted 900 to 1,000 Indian people in the Civil Patrols. In the meantime, the army initiated the construction of 74 Model Villages where 48,000 displaced Indian people were concentrated. Most of their houses and crops were burned.

29/01/85: The repression carried out by the government and army of Guatemala contradicts Mr. Colville Culross, the U.N. Rapporteur’s Report regarding the existence of development areas and Civil Patrols. The Rapporteur confirmed that in Guatemala, concentration camps with barbed wire do not exist.

When Colville visited Guatemala for the third time, he said that the problem of missing people in the past in Guatemala could not be attributed only to the government.

On January 22, 1985, the Council of Hemispheric Affairs denounced the fact that in 1984, between 3,000 and 5,000 people were killed and 1,500 disappeared.

On January 23, 1985, the Group of Mutual Support (GAM) denounced the fact that 3,000 people disappeared. So far, the government has not given any information to them regarding the missing people.

The violation of Human Rights in Guatemala is carried out by: the police, security forces, former military people, right-wing groups, the Secret Anti-Communist Army (ESA), judicial police and the para-military groups.

MILITARIZATION

12/01/85: The first Civil Patrols were formed in November 1981 by General Benedicto Lucas Garcia in San Juan Cotzal, Nejap and San Gaspara Chajul, province of El Quiche. The idea was to have 25,000 patrols that would function basically in Quiche and Peten Provinces. In order to do this, it was necessary to increase the army threefold, meaning 60,000 soldiers.

With Rios Montt (1982-83), the number of Civil Patrol members rose to 300,000 (including public employees, Indian people, military commissioners, former soldiers, reserves of the Castro Institutions), from 850 villages. Therefore, at his meeting with President Reagan in 1982 in Tegucigalpa, Honduras, General Montt asked for used guns.

At the present time, Oscar Mejia Victores has forced one million people to participate in the Civil Patrols. These people are being used by the army to commit kidnappings, killings and other atrocities. Soldiers, dressed as civilians, pass as Civil Patrol members in the rural areas.
During 1983-84, people from the rural areas throughout the country denounced the fact that they were victimized by the Mayors, Military Commissioners, Civil Patrols and members of the Army who forced them into hard labour and service in the Civil Patrols. People armed with sticks, machetes and other tools were forced to join the Civil Patrols. Each week they have to present themselves to the Army Headquarters to receive instructions. Therefore, the people are taken away from their survival activities such as looking after their families and growing food. These measures are to frighten the people in order to keep them under military control. When people refuse to join the Civil Patrols, they are kidnapped, tortured and killed. The women (mothers and daughters) are ravaged, raped and threatened.

17/01/85: The U.S. Embassy in Guatemala officially announced that the Reagan administration will give the Guatemalan Government $1 million U.S. for a pilot project (construction of schools, roads and health clinics for the Model Villages).

18/01/85: The President, Oscar Mejia Victores, announced that the Guatemalan army will receive a flotilla of FOCKER planes, without indicating how many aircraft will be purchased, how the army is going to use them, or the cost.

23/01/85: The Guatemalan Ammunition Factory supplies all Central American armies. Ammunition calibres are according to Washington's requirements through CONDECA. The U.S. sold and delivered to Oscar Mejia Victores, 26 helicopters (OH-58 Huey), the same models that were delivered to El Salvador. What we can now see in Guatemala is more helicopters and aircraft (A-37) and Swiss Pilatus planes. In previous years, the Israeli Arava planes that are used to transport loads and troops were common.

23/01/85: The Model Villages are used as a slave labour force for development areas. The people cannot grow anything for themselves. They are forced to grow cardamon for export. They are forbidden to grow corn and beans. If anyone buys more corn than he needs, he is suspect and kidnapped.

06/02/85: The Reagan administration asked the U.S. Congress for more than: $35 million U.S. for military aid for Guatemala for 1985; $10 million U.S. loan to purchase weapons; $25 million U.S. economic support; $300 thousand U.S. to support the military cooperation program in the region.

The same administration requested $33 million U.S. more for development assistance.

22/02/85: The Chief and Vice-Chief (Rodolfo Lobos Zamora) of the Guatemalan Military Staff, returned from a tour in Israel, Holland and Switzerland where they asked for increased military aid to Guatemala.

The Guatemalan National Police has started a plan to divide the country in regions in order to control the population. Groups of police will be in
charge of watching a certain number of houses, controlling the inhabitants (entries and departures) their friends and relatives.

GUATEMALA (from confidential sources)

14/04/85: LUIS LOPEZ ORDOÑEZ, from San Ildefonso Ixtahuacan, Huehuetenango Province, was kidnapped by the Guatemalan army (dressed as civilians) and taken to the military base in Huehuetenango. He managed to escape. Now, since the army cannot find him, his wife and children are being threatened with retaliation.

01/05/85: ALONSO ORTIZ RAMIREZ, 36 years old from the Village of la Cumbre of San Ildefonso Ixtahuacan, Huehuetenango Province, was kidnapped by the Guatemalan army (dressed as civilians) and taken to the military base in Huehuetenango where he is being tortured by being hung by the genitals. tals.

ALONSO SALES ORTIZ, 35 years old from the village of La Cumbre of San Ildefonso Ixtahuacan, Huehuetenango Province, was kidnapped by the Guatemalan army (dressed as civilians) and taken to the military base in Huehuetenango were he is being tortured.

These Peoples are MAM Indians (one of the four main Mayan Indian Nations in Guatemala).
HAWAII: THE CAUSE OF HAWAIIAN SOVEREIGNTY

by Pusa Laenui

Introduction

Less than one hundred years ago, the Sovereign and Independent Nation of Hawaii was invaded by armed forces of the United States.

On January 16, 1893, over 160 U.S. marines landed in peaceful Honolulu armed with a Gatling gun, Howitzer cannons, double cartridge belts filled with ammunition, carbines and other instruments of war. The message sent to the U.S. commander by Hawaii's Queen Liliuokalani protested the landing as being a breach of Treaty and International Law; but that protest was simply ignored. The troops marched along the streets of Honolulu, rifles facing the Iolani Palace, the symbolic seat of Hawaii's sovereignty.

The following day, the eighteen resident conspirators, who were mostly Americans, sneaked to a government building a few yards away from where the American troops had been purposely lodged the night before. At that government building, an American lawyer, Henry Cooper, a resident of Hawaii for less than a year, proclaimed that he and seventeen others were now the "government" of Hawaii. Calling themselves the " Provisional Government", they selected Sanford B. Dole as their president. This " Provisional Government" was formed for the explicit purpose of annexing Hawaii to the United States.

Before Cooper had completed reading the declaration, the U.S. marines were ordered by the American Minister Plenipotentiary, John L. Stevens, who was the U.S. ambassador to Hawaii and the Commander of all U.S. forces in Hawaii, to march to the building to "protect" and support the eighteen conspirators. Stevens then gave the "Provisional Government" immediate

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recognition as the government of Hawaii. He then joined the conspirators in demanding that the Queen surrender her authority under threat of war with the United States. (See President Grover Cleveland’s Address to the Congress of the United States on December 10, 1893. Executive Doc. No. 47, 53rd Congress, 2nd Session, House of Representatives.)

By invading this peaceful nation, the United States violated principles of International Law, the various treaties and agreements it had with Hawaii, and the human rights principles that people have a right to self-determination.

To place these events in their proper perspective, one should have a brief background on the history of the Nation of Hawaii. Hawaii’s story as it appears on these pages is a condensed version of almost two hundred years of human activity. This paper cannot substitute for an in-depth study, but it is offered as a starting point for understanding Hawaii’s story. From such an understanding, any person of conscience of any national or racial identity would be incensed by the injustice one nation committed against another nation and its people.

As you read this story, you need to keep in mind the way in which the term, “Hawaiian”, is used. Here “Hawaiian” refers to our national identity rather than our cultural or racial or geographic identity. In the same way that the term “American” identifies a person whose national identity is tied to America, so then “Hawaiian” identifies a person whose national identity is tied to the Nation of Hawaii. Significantly, because we are Hawaiians we are not, and cannot be Americans, notwithstanding the U.S. laws and government which attempt to rule over us.

1779 - 1800: Some Basic Facts

As early as the reign of Kamehameha I (1779 - 1819), Hawaii was recognized in the international community as a sovereign nation. During that time, Hawaii was among the first to salute Argentina’s independence; it was trading with China, England
and the United States and was dealing with other nations on a regular basis.

By 1887, Hawaii had treaties and conventions with Belgium, Denmark, France, the German Empire, Great Britain, Hamburg, Hong-Kong, Italy, Japan, the Netherlands, New South Wales, Portugal, Russia, Samoa, Spain, the Swiss Confederation, Sweden and Norway, Tahiti and the United States. (See Treaties and Conventions Concluded Between the Hawaiian Kingdom and Other Powers Since 1825.) Indeed, Hawaii had entered into at least five treaties or conventions with the United States by 1887:

1. The Treaty of Commerce of December 24, 1826
2. The Treaty of Friendship, Commerce and Navigation of August 24, 1850
3. The Rights of Neutrals at Sea of March 26, 1855
4. The Treaty of Commercial Reciprocity of September 9, 1876
5. The Treaty of Commercial Reciprocity of November 9, 1887

(See Treaties and Other International Agreements of the United States of America, V. 8)

Hawaii was also a member of the Universal Postal Union. This union was the forerunner of the League of Nations and later the United Nations. In addition, Hawaii had established approximately one hundred diplomatic and consular posts around the world. (See Directory and Handbook of the Kingdom of Hawaii, P.M. Hustat, 1892)

In fact, Hawaii's independence was so firmly recognized that on November 28, 1843, Great Britain and France joined in a Declaration recognizing Hawaii's independence and pledging never to take possession of Hawaii. (See Senate Ex. Doc., 52 Congress, 2nd Session, No. 57, p. 13.) When the United States was invited to join in this declaration, J.C. Calhoun, U.S. Secretary of State, replied that the President adhered completely to the spirit of disinterestedness and self-denial which breathed in the declaration. "He had already, for his part taken a similar engagement in the message which he had already ad-

dressed to Congress on December 31, 1842." (Dispatch from Pago
got, French Representative in Washington to Guizot, French
Minister of Foreign Affairs, No. 55, June 11, 1844, AMAE (Par-
isis), Etats Unis, Vol. C.)

Immigrants from all parts of the world came to Hawaii, many renouncing their national allegiances to take up Hawaiian citizenship. Such was the case with American citizen, John Ri-
cord, who in 1844 renounced his allegiance to the United States and took the oath of allegiance to Kamehameha III. Later Ricord was appointed Attorney General of Hawaii. (Kuykendall's, Hawait-
ian Kingdom, 1778 - 1854, p. 236.) By 1892, Hawaii was a multi-
racial, multi-cultural nation of Hawaiians.

Christian Missionaries Arrive

Early in its exposure to the Western World, Hawaii became the focus of Christian zeal. The first flock of missionaries arrived from Boston in 1820. Many remained in Hawaii and established homes and families. They were welcomed into Hawaiian society and established a strong influence over the people. (Liliuokalani, Hawaii's Story, p. 177.)

As time passed many of these families saw their children leaving the pulpits of the church and entering those of business and politics. After several decades a "missionary" party, as it was called, consisting of an alliance of missionary offspring and developing business interests arose. Growing and selling sugar developed as the principle business of that party. Land, labour and market control became their major concerns. Political and social control became the means to achieving their objective of controlling the land, labour and market, thereby insuring the increase of their profit.

Land Grabbing

The missionary party forced drastic changes in the traditional form of land relationship with the people. Formerly land
was under the Moi, the ruling chief, of each island. He allotted the use of the lands to his chiefs who in turn allotted lands to their followers and supporters. By 1839, these distributions were revocable only for cause. (Bill of Rights of 1839). There was no land "ownership" in the Western sense of the term. Land was an integral part of the Circle of Life which included every creature given life by the Creator and the natural elements of air, sunlight, wind, water and the human spirit. None of these elements were to dominate the other but each were to exist in harmony with the other. But it was the special responsibility of the human element to assist in harmonizing these elements when necessary. Man, therefore, was supposed to care for the land, love it, make it productive and replenish it. This was a basic philosophy of existence (termed "religion" by some) for Hawaii's early inhabitants.

Under the influence of the missionary party, however, less than thirty years after the missionaries arrived, this land relationship was overturned. Land was parcelled out in fee simple estates along the traditions of England and the United States. (Jon J. Chinen, Original Land Titles, p. 8, and The Great Mahele, pp. 1-8)

Most Hawaiians, unfamiliar with these new laws could not understand this attempt to alter what they believed could not be altered. Not surprisingly, they did not become owners of land. In fact, less than 1% of the "title" to Hawaii's lands went to 99% of Hawaii's population. Foreigners could now be landowners in fee simple in Hawaii. (Kuykendall, supra, at pp. 294-298) Thus, members of the missionary party helped to destroy the traditional understanding of the relationship between Man and Land in Hawaii and in doing so secured for themselves vast land holdings and power in Hawaii.

No longer was land held as sacred because of the Western influence but was merely a commodity to be exchanged back and forth and exploited as a source of wealth.
Exploitation of Labour

Because many of the native Hawaiian people refused to work at the low plantation wages, the missionary party members needed to import a cheap source of labour. They were able to influence the immigration laws and policies which allowed them to bring in thousands of foreign workers to perform the exhausting sugar plantation work on lauds now controlled by them. (Kuykendall, The Hawaiian Kingdom, 1854-1874, p. 177, et seq.) In a short time the sugar industry spread across Hawaii and gobbled up rich agricultural lands.

Market Monopoly

In addition to controlling the land and labour, the missionary party had to do one final thing: it needed to obtain a secure market. Hawaii was geographically closer to the U.S. than any other major market. Most of the members of the missionary party were citizens of the United States and had been in constant communication and trade with the United States. Finally, the United States was hungry for a naval armada in the Pacific and would be a willing partner in the formation of some close political-economic ties with Hawaii.

To secure the U.S. market, the missionary party saw two alternative solutions: reciprocity agreements or annexation. Reciprocity with the United States would permit Hawaiian sugar to be imported in the United States duty free and in return the U.S. products would be shipped into Hawaii duty free. (Treaties of Reciprocity of 6/17/1876 and 11/9/1887.) Reciprocity agreements, however, were temporary and could be revoked at any time. Annexation, on the other hand, offered the greater security to the missionary party and the interests of its members. Hawaiian sugar, under the annexation scheme, would be considered a domestic product rather than a foreign product and would thus be free of any tariff as it entered into the U.S. market. This arrangement would be permanent as opposed
to the temporary nature of the reciprocity agreement arrangement.

The missionary party's desires became a reality. The initial reciprocity arrangements did not last long. The United States soon wanted more than just an exchange of trade rights; it wanted control over Pearl Harbor which would enable the U.S. to extend its commercial and military influence into the Pacific. (Daws, *Shoal of Time*, pp. 191-197, 201-203.)

The missionary party, however, ran into difficulty in trying to secure Pearl Harbor for the U.S. because of the inability of its membership to control the actions of the ruling monarch, King David Kalakaua. King Kalakaua ruled from 1874-1891 and during his reign he refused to be led by the missionary party into ceding Pearl Harbor to the United States. The missionary party, certain of their inability to convince the King to change his position began a mudslinging campaign against Kalakaua aimed at descrediting and weakening the authority of the King.

The missionary party members had accused Kalakaua of being a drunk and a heathen because of his attempts to revitalize the hula and other ancient practices of his ancestors. (Daws, p. 220.) They branded him a womanizer and continually berated him in the press. In spite of these attacks the people continued to rally around him and remained loyal.

In one of the most vicious attacks on Kalakaua, the party members tried to discredit his lineage from which he claimed authority. They claimed that he was a bastard child fathered by a black man, John Blossom, who had been in Hawaii working as a bootblack and later as a barber and who had (conveniently for the missionary party) already left Hawaii when these rumors began. The missionary party claimed that Kalakaua was thus not deserving to be a high ali`i (chief) or the Moi (Ruler). Hawaiians did not believe the rumor and later the truth was exposed when one of the persons hired to spread the rumors,
Kawainue, admitted that missionary party members subsidized his newspaper to spread the rumor. (Mellen, An Island Kingdom, Pases, pp. 162-163.)

The missionary party members became so desperate that they even conspired to have Kalakaua assassinated. It chose one person from among five conspirators who had all agreed to assassinate Kalakaua. However, the man who was finally selected became so horrified at his selection that he refused to act. (Liliuokalani, pp. 181-182.)

Those plots against Kalakaua were orchestrated to weaken and demoralize the King and the people’s belief in him.

In desperation, when the personal attacks against Kalakaua were unsuccessful, the missionary party secretly formed a league to arm themselves and force the King at gun point if necessary to turn the powers of government over to them. (Liliuokalani, pp. 177-184.)

In 1887, under force of arms and threat of death to himself, his supporters and family, Kalakaua signed what has come to be known as the “Bayonet Constitution”; this name clearly reflects the method of coercion used against the King. (Daws, pp. 240-250; liliuokalani, ifid.) This constitution stripped Kalakaua of power and gave control of the House of Nobles to the missionary party. The House of Nobles controlled the King’s cabinet and the Cabinet in turn controlled the King. This control of the government resulted in the missionary party finally being able to have the government grant control over Pearl Harbor to the United States. In exchange for this control the U.S. gave Hawaii an extension of seven years on the existing reciprocity treaty which was to have soon expired. (Supplementary Convention between Hawaii and the United States, November 9, 1887, 25 Stat. 1399; Treaty Series 163, Treaties and Other International Agreements of the United States, V. 8; Daws, pp. 252-253.) The sugar market was temporarily secure.

In 1891, Kalakaua died in San Francisco while on a trip...
to recuperate from an illness advanced by the events taking place in Hawaii. It is still the belief of some people in Hawaii that Kalakaua's death was assisted by the missionary party's agents in the United States. His sister, Liliuokalani, whom the missionary party members believed would be more easily controlled, succeeded Kalakaua as the ruling monarch.

Quite soon after the accession of Queen Liliuokalani to power she received a petition of two-thirds of the voters of Hawaii, which included not only the native people, but Hawaiians of the various other races and foreign nationals who were allowed to vote in Hawaii, imploring her to do away with the Bayonet Constitution and return the powers of government to the Hawaiian citizens. (Liliuokalani, supra, pp. 230-231.) By January 14, 1893 she had completed the draft of a new constitution and informed her cabinet of her intention to institute the constitution immediately. She was persuaded by the cabinet, which under the Bayonet Constitution was controlled by the missionary party, to put off the constitutional change for a short time. She agreed to their request. Then, the members of her cabinet rushed to report the Queen's intentions to the leaders of the missionary party. (Liliuokalani, supra, pp. 384-386.)

It is important here to identify two men who were at the head of the missionary party and the conspiracy to overthrow the lawful government of Hawaii. First, there was Lorrin Thurston, the grandson of one of the first missionaries to Hawaii, Asa Thurston. Second, there was Sanford B. Dole, son of Daniel Dole, another early missionary. (Daws, p. 242.)

As early as 1882 Lorrin Thurston had already exchanged confidences with leading American officials on the matter of Hawaii's takeover and annexation. In fact, the U.S. Secretary of the Navy assured Thurston that the administration of Chester A. Arthur would look favorably upon a takeover in Hawaii. Ten years later in 1892, in another visit to the United States, Thurston again received assurances from the administration of Benjamin Harrison. (Daws, p. 266.)
When Thurston received word of the Queen's intention to promulgate a new constitution he, claiming that she had no business attempting to institute a new constitution by fiat, along with twelve other annexationists, formed a Committee of Public Safety and arranged for an immediate visit to the American Minister Plenipotentiary John L. Stevens to plan the overthrow of the government of Hawaii.

Little convincing was necessary for Stevens to join in the conspiracy for he was already one of the foremost advocates for an American takeover of Hawaii. As Minister Plenipotentiary he had absolute control over the American military stationed in Hawaii. Appointed in June, 1889, he arrived in Hawaii on September 20, 1889. Soon after his arrival in Hawaii it became clear from his writings that he believed it was his mission to bring about the annexation of Hawaii to the United States. His letters to U.S. Secretary of State James G. Blaine, beginning less than a month after his arrival, are filled with evidence of his intense and increasing desire to take Hawaii for the United States. (53rd Congress, 2nd Session, House of Representatives, Ex. Doc. No. 48.)

After three years of continuous urging for the takeover of Hawaii, Stevens wrote on March 8, 1892 asking for instructions on how far he could deviate from established international rules and precedents in the event there was an orderly and peaceful revolutionary movement; he then set forth a step by step "prediction" of future events.

Queen Liliuokalani, unaware of Stevens' desire for annexation, stated in her address at the opening of the legislative session of 1892: "I shall firmly endeavor to preserve the autonomy and absolute independence of this Kingdom.... I am gratified to state that my relations with foreign powers are of the most cordial and friendly nature."

Stevens, however, had other plans and continued his diatribe against Hawaiian independence and argued that those favoring annexation of Hawaii to the U.S. were qualified to carry on good government, "provided they have the support of the Government of the United States.... (H)awaii must now take the road which leads to Asia, or the other, which outlets her in America, gives her an American civilization, and binds her to the care of American destiny.... To postpone American action many years is only to add to present unfavorable tendencies and to make future possession more difficult." He argued that "bold and vigorous measures for annexation must be followed.... I cannot refrain from expressing the opinion with emphasis that the golden hour is near at hand.... So long as the islands retain their own independent government there remains the possibility that England or the Canadian Dominion might secure one of the Hawaiian harbors for a coaling station. Annexation excludes all dangers of this kind." Id.

Thus, when Thurston met with Stevens on January 15, 1893, to plot the overthrow of Liliuokalani, the "golden hour" was at hand. In view of Stevens' letter of March 8, 1892, which virtually set out the course of the "revolution" which occurred ten months later and his next letter of November 20, 1892, calling for bold and vigorous measures for annexation, no one can deny that there was indeed a plot by the American Minister to overthrow the Government of Hawaii.

In the conspiracy between the missionary party members and the United States it was agreed that:

1. The U.S. marines would be landed under the guise of protecting American lives and especially the lives of the missionary party members.

2. Hawaii would then be taken by the United States' forces.

3. Power over Hawaii could be turned over to Thurston's party, which would call itself "The Provisional Government."

4. This "government" would immediately turn Hawaii over to the United States under a treaty of annexation.

5. Thurston and the missionary party members would then be appointed rulers of Hawaii with complete reign to build their empires as a reward.
6. The U.S. would obtain the choicest lands and harbor for their Pacific armada.

The troops did land and the plan for the overthrow was carried out and Liliuokalani was forced to surrender her authority under threat of bloodshed and the unnecessary loss of life. In the document in which she stated the terms of her "surrender" Liliuokalani wrote:

I, Liliuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom.

That I yield to the superior forces of the United States Of America, whose minister plenipotentiary, his excellency John L. Stevens, has caused United States troops to be landed at Honolulu and declared that he would support the Provisional Government.

Now, to avoid any collision of armed forces and perhaps the loss of life, I do, under protest, and impelled by said force yield my authority until such time as the Government of the United States shall, upon the facts being presented to it, undo the action of its representative and reinstate me and the authority which I claim as the constitutional sovereign of the Hawaiian Islands. (Liliuokalani, pp. 387-388.)

In "surrendering" Liliuokalani did so without the approval of the Legislative Assembly or of her cabinet and her surrender is therefore of questionable validity. Also, her surrender was predicated on her knowledge that there were mighty forces both within and outside of Hawaii which were against her. Of particular concern was the American Minister John L. Stevens who, as commander of the U.S. troops, had shown total disregard for international law and the specific treaty agreements between the U.S. and Hawaii calling for perpetual peace and amity between the two nations. (Treaty of Friendship, Commerce and Navigation, Article 1, Supra.)

As part of the terms of her surrender the Queen, trusting
in the “enlightened justice” of the U.S. surrendered to the U.S. and not to the Provisional Government and only until the U.S. could conduct an impartial investigation of the events which led to the overthrow. The conspirators, however, would not allow any of the Queen's supporters to board the only ship leaving Hawaii; instead, their representatives boarded the ship and rushed to Washington, D.C. to negotiate the annexation of Hawaii. In an effort to avoid having the promised investigation done, the annexationists were able to negotiate a treaty of annexation in less than one month. This “treaty” was signed by President Harrison and submitted to the U.S. Senate for approval.

Before the Senate could vote on it, however, President Harrison's administration was replaced by Grover Cleveland's administration. The Queen's representatives were able to sneak to the United States as businessmen and upon reaching Washington, D.C. pleaded with Cleveland’s administration and were able to convince Cleveland to withdraw the treaty and conduct the promised investigation.

James H. Blount, formerly the Chairman of the House Foreign Relations Committee, was appointed special investigator by Cleveland following the treaty's withdrawal from the Senate. After several months of investigation, Blount exposed the conspiracy. Before leaving Hawaii, however, Blount warned Liliuokalani not to take up arms against the Provisional Government, for if she did, the U.S. forces would surely take over Hawaii and the Hawaiians would thus forever lose their sovereignty.

President Cleveland, upon receiving Blount's report addressed the Joint House of Congress and declared:

By an act of war, committed with the participation of a diplomatic representative of the United States and without authority of Congress, the Government of a feeble but friendly and confiding people has been overthrown. A substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires we should endeavor to repair......
ed state are equally applicable as between enlightened nations. The considerations that international law is without a court for its enforcement, and that obedience to its commands practically depends upon good faith, instead of upon the mandate of a superior tribunal, only give additional sanction to the law itself and brand any deliberate infraction of it not merely as a wrong but as a disgrace. (See Cleveland's Address to the Joint Houses of Congress, Supra.)

President Cleveland refused to forward the treaty to the Senate as long as he remained President. Liliuokalani was advised of the President's desire to aid in the restoration of the status existing before the lawless landing of the U.S. troops at Honolulu on January 16, 1893, but only if such restoration could be affected upon terms providing for clemency as well as justice to all parties. In short, the past should be buried and the government restored to its authority as if its continuity had not been interrupted. (Gillis, The Hawaiian Incident, pp. 87-88.)

The Queen first protested that such a promise of clemency from her would constitute an unconstitutional act and was therefore beyond her powers to grant; later she acceded to the demands for general amnesty upon the return of the powers of government to her.

The members of the Provisional Government, however, upon being informed of Cleveland's wish to restore the authority of Liliuokalani if she would promise clemency, rejected Cleveland's order to yield the constitutional authority to the Queen and refused to yield. They claimed that they were Hawaiian citizens and not American citizens and that Cleveland was interfering in the "internal affairs" of an independent nation. Therefore, they and the Provisional Government were beyond Cleveland's power to control. (Gillis, p. 89-90; Liliuokalani, pp. 243-251.) It is ironic that just a short time earlier, those same people relied upon their American citizenship to justify the landing of U.S. marines to protect their lives, yet when that citizenship stood in the way of their personal interests they simply cast aside their loyalty to the U.S.

Sadly, Cleveland, although continuing to mouth sympathetic phrases, left the U.S. forces in Hawaii's harbors, which served as a threat and a constant reminder of Blount's warning.

The conspirators, faced with the predicament of an American administration which would not condone the conspiracy, yet would not abandon American lives in Hawaii, as evidenced by the war ships which remained in Honolulu Harbour, devised a plan which would restructure the government to make it appear as though it was a permanent rather than a provisional and therefore temporary government. This restructuring, they hoped would be convincing evidence to the next president of the legitimacy and permanence of the new "government". The first step in this restructuring required the creation of a constitution to give the government an appearance of legitimacy and permanence.

First, Sanford Dole, acting president of the Provisional Government, announced the convening of a Constitutional Convention made up of thirty-seven delegates; of the thirty-seven delegates the majority of nineteen would be selected by Dole and the remaining eighteen would be elected. But to insure that nothing was left to chance, the candidates and voters for these eighteen positions were first required to renounce any loyalty to Queen Liliuokalani and to swear allegiance to the provisional government. (Daws, pp. 280-281; Kuykendall, Hawaii - A History, p. 183.) Less than 20% of the otherwise qualified voters participated in this sham election; the vast majority of the voters refused to dignify it by their participation.

Next, the Constitutional Convention was held. A "constitution", which was substantially that submitted by Dole and Thurston, was adopted. The constitution of the "Republic of Hawaii" claimed dominion over all lands and waters of Hawaii. It claimed that all the citizens of the Nation of Hawaii were
automatically citizens of the Republic of Hawaii. It allowed foreigners who supported the new regime to vote while citizens still loyal to the Queen could not vote. The Japanese and especially the Chinese, because of their loyalty to the Queen, were disenfranchised. Further, only those who could speak, read and write in English or Hawaiian and who could explain the constitution, which was written only in English, to the satisfaction of Dole’s supporters, could vote.

Finally, on July 4, 1894, while the Americans were celebrating their Independence Day by firing their cannons from their war ships in Honolulu Harbour, Dole, rather than submitting the Constitution to the people for ratification, simply proclaimed the constitution into existence and thus created the “Republic of Hawaii”. Dole’s proclamation of the constitution also had the effect of making him the President of the Republic. Ironically, Liliuokalani, had lost her throne because she allegedly planned to alter the constitution by fiat, while Dole and the other conspirators committed treason and stole the government of Hawaii and did essentially what they accused the Queen of doing. (Daws, p. 281.)

The Republic of Hawaii remained in control with the continued presence of the American war ships in Honolulu Harbour. Liliuokalani, remembering the warning of Minister Blount not to take up arms lest the marines land and forever squash the hopes of returning Hawaii to the Hawaiians and still believing in the enlightened justice of the United States, waited patiently. (Liliuokalani, pp. 254–255.) A number of her supporters, however, attempted to restore justice by taking up arms, but they were discovered before they could make serious advances. (Liliuokalani, pp. 262–266; Daws, pp. 282–283; Mellen, pp. 301–312.)

When William McKinley replaced Cleveland as President, Dole’s gang rushed to Washington, D.C. to pick up the strings of annexation and complete the conspiracy. With a self-serving
constitution in hand which declared that the "Republic of Hawai‘i" was the legitimate government of Hawai‘i, Dole ceded "absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands....." McKinley signed the "treaty of annexation". Realizing that a treaty of annexation would not get the 2/3 vote from the Senate required by the U.S. Constitution (Article 2, Section 2, Clause 2) McKinley decided to overcome the Constitutional requirement by submitting to both Houses of Congress a joint resolution calling for the annexation of Hawai‘i; this resolution would require only a simple majority of both houses to pass. McKinley and the annexation conspirators were able to get the simple majority and the resolution for annexation was passed. It must be emphasized that there was never a "treaty of annexation" which was the Constitutional requirement, but merely a resolution for annexation that was obtained. (Newlands Resolution of July 7, 1898; 30 Stat. 750, 2 Supp. R.S. 895.) The Hawaiians were never asked if they wanted Hawaii annexed to the United States.

The pay-off followed. The United States set up a territorial government and changed Dole’s title from "President" to "Governor". (The Organic Act of April 30, 1900, C 339, 31 Stat. 141.) The Organic Act declared that all citizens of the Republic of Hawai‘i were automatically citizens of the United States and the Territory of Hawai‘i. But not once in the process of playing musical chairs with the people’s citizenship were the people actually asked if that change of citizenship was what they wanted.

The facts are clear, the United States conspired with a handful of American businessmen living in Hawai‘i to steal a Nation and a People of their independence and right to self-determination. The U.S. participated in the theft through the actions of its agents like Minister John L. Stevens who encouraged and supported the illegal acts of their American citizens living in Hawai‘i. The U.S. participated in the theft by its
shameful manipulation and disregard for its own constitutional procedures for annexing territory to the United States. The U.S. participated in the theft by allowing American citizens to use U.S. armed forces to effect an illegal overthrow of a peaceful nation and by allowing those citizens to manipulate, mismanage and debase the democratic voting process and constitutional form of government to serve their self-interest. The passage of Time will not make a theft, especially a theft of a nation’s freedom and self-determination, legitimate. The U.S. and those conspirators still stand accused of that high crime.

At the peak of the conspiracy for annexation, Queen Liliuokalani made a plea to the American people for the justice that her people deserved. She wrote:

Oh, honest Americans, as Christians hear me for my down-trodden people! Their form of government is as dear to them as yours is precious to you. Quite as warmly as you love your country, so they love theirs. (Do) not covet the little vineyards of Na-both’s so far from your shores, lest the punishment of Ahab fall upon you, if not in your day, then in that of your children, for “be not deceived, God is not mocked”. The people to whom your fathers told of the living God, taught to call “Father”, and whom their sons now seek to despoil and destroy, are crying aloud to Him in their time of trouble; and He will keep His promise, and will listen to the voices of His Hawaiian children lamenting for their homes. (Liliuokalani, pp. 373-374.)

1898 marked the end of Hawaii’s existence as a free and unoccupied nation. Hawaii and its people would undergo years of American cultural and spiritual genocide, brainwashing and colonization which would be supported, as in the past and as in the present, by the ever-present U.S. military. The pay-offs to the missionary party members and others would continue and increase for several decades.

1900 - 1959: The Recycling of Hawaii and Its People

During the period from 1900 - 1959 the rewards for the treasonous acts of the annexationists were tremendous. They had almost total control over every aspect of life in Hawaii. Dole, as the appointed territorial governor was able to award government jobs and lucrative government contracts to his fellow traitors and their supporters. Monopolies in shipping, finance, communications, transportation and commerce grew. A coalition of five business entities controlled by less than a dozen men, all of whom had roots in the missionary party, and known as “The Big Five” had Hawaii locked up. Beginning with sugar, they were able to control transportation, hotels, utilities, banks, insurance agencies, many small wholesale and retail businesses and most important of all, they were able to control the government of Hawaii. Teamed up with the Republican Party and the U.S. Navy, there was virtually nothing left which they could not or did not control.

Cooperation, not competition, was their credo. Together they could control almost every job, every legislative assembly and business and public entity in Hawaii. They were able to get favorable tax laws enacted; they created public opinion by their ability to control and censor the public media; they controlled the education system of Hawaii and thereby controlled the minds of our young; if you did not vote “properly” you could lose your job; if you dared question the equity of the political-social-economic-court systems in Hawaii you could lose your job, etc. As an example of the pervasive control the Big Five had in Hawaii, upon graduation and return from U.S. law schools, five graduates of native Hawaiian ancestry took the bar examination which would allow them to practice in all the courts in Hawaii. Those five graduates were consistently and continually failed by one or two points. Upon requesting to review their examination papers, they were refused. Year after year they would take the examination but were always failed.

To understand the power of the U.S. Navy in Hawaii one has only to recall the Massie case. Mrs. Massie, a U.S. Navy officer’s wife had left a party one night intoxicated and unescorted. Later, she said that she had been raped. The obvious sus-
pect of the crime, another Navy officer, who was found with his pants zipper down, semen stains and blood stains on his clothing was released after questioning. He was then placed in the custody of Naval personnel and put into the Admiral's boat; that was the last time that police officers saw him.

In spite of the above evidence three Hawaiian men were arrested for the rape and amid conflicting and contradictory evidence they were tried for the rape of a white woman. The jury acquitted each defendant.

One evening soon after the acquittal, one of the defendants was found murdered in the car of some Navy men. They were arrested and the verdict at their trial was "Guilty" for all of those Navy men. Their sentence, however, was immediately committed by the governor of Hawaii, who was appointed by the President of the United States. The "punishment" for these men who murdered Mr. Kahahawai was to sit on the balcony of Iolani Palace with the governor for an hour sipping tea. They were then escorted to Pearl Harbor and put onto a Navy vessel returning to the U.S.

A more recent demonstration of the continuing power and influence the U.S. Navy has in Hawaii concerns Kaho'olawe, one of the eight major islands of Hawaii. Many of Hawaii's people have been trying to get the Navy to stop the bombing of Kaho'olawe and return it to the control of Hawaii. They have asked the Governor of Hawaii to also join the movement for the island's return. The Governor, however, has refused to honour the request of the majority of the people saying that it is his understanding that the Navy will pull completely out of Hawaii if they are unable to continue to use Hawaii as a bombing and training area.

In addition to these more dramatic and obvious abuses and injustices, there were more subtle, yet highly effective, methods of controlling the people and any "dangerous ideas" they might have had. First, the Americans hid the facts of Hawaii's
history from its people. By the time the children born in the 1920’s had grown to adulthood in the 1940’s they knew virtually nothing about the illegal overthrow; they didn’t even know that Hawaii had been an independent nation. They believed, in ignorance, that the U.S. had taken over Hawaii to “save” it from being taken over by the Russians or the Japanese or some other foreign nation; but they failed to realize (the indoc- trination being so complete) that the U.S. was itself a foreign nation. In just a few decades the Americans were able to brainwash the people into believing that the Americans were our saviors. They were able to do this because of the almost complete control they had over the educational system and the media.

Our children were forced to attend American run schools and were forced to say the pledge of allegiance midlessly and sing patriotic songs. Our children were taught the history of the United States and the Pilgrim Fathers and the Gettysburg Address as though those were the facts of Hawaii’s history. Our children were forbidden to speak publically the language of their ancestors; they were in fact taught to look down upon their mother tongues as inferior. To avoid embarrassment and to demonstrate that you were “good Americans”, parents were forced to give their children English names. If parents did not give their children such names, the teachers had no problem with re-naming children on the spot. But these names had no meaning because they were not tied to the history, culture or experience of the people to whom they were “given”.

The customs and traditions of the native people were ridiculed and shoved to the back of the closet. The traditional hula was discouraged; the methods of healing with herbs and prayers were ridiculed and labeled “pagan”; self-sufficiency was no longer encouraged, in its place, people were encouraged to work for a wage.....

Hawaii, once a proud and independent nation, became a col-ony of the United States. And as a colony, Hawaii and its people were subjects of the political, economic and social whims of the United States. The United States transmigrated thousands of their citizens to our Islands; because Hawaii was controlled by the United States and its Constitution we could not limit the amount of Americans entering our shores. With them came their focus on materialistic acquisition; with them came their history and their heroes; with them came more and more of their military; with them came their nation’s enemies; with them came their laws which “legally” cheated the native people out of their land; with them came their courts which supported the thievery; with them came oppression, alcoholism, diseases, pov-erty and despair.

But, the most tragic result of this colonization process has been the damage done to the spirit of the people. Even those who understand the great injustice that was done to Hawaii and its people by the acts of those few Americans less than a hundred years ago have become so afraid to dream about the possibilities of being free and independent. Their minds and imaginations are shackled and restricted. “Don’t rock the boat”, is their motto. But there are those who still dare to reach for the stars; who still dare to dream that sweet dream of freedom from being under the yoke of foreign occupation (like Franklin and Jefferson and Paine dreamt of two centuries ago in America).

For some people, they believed that the achievement of statehood would bring the justice and prosperity that Hawaii and its people desired. But that, like the “Provisional Government” scam and the “Republic of Hawaii” scam and the “Treaty of Annexation” scam, has turned out to be a scam also.

1959 - The Present: Statehood - The Unfulfilled Promise

For many years people dreamt of statehood. With it would come the equality in job opportunities, stability which would encourage investments, equality in federal spending, the abil-
ity to vote for Congressional representation, the ability to elect a governor.... And for the first time the people of Hawaii would be asked their opinion on the matter. There would be a vote on the issue of statehood and surely, because a vote was taken it would truly represent the will of the people, at last. But certain critical questions must be asked about the vote for statehood.

First, what was the actual question asked on the statehood ballot? All that was asked was whether Hawaii should be immediately admitted into the Union as a state. It was never asked if Hawaii should be freed and returned to her independent, national status.

Second, who was allowed to vote on this question? You had to be a U.S. citizen in order to vote and you had to have lived in Hawaii for at least a year. What this meant was that military personnel who had been stationed here for a year could vote on that vital question. It meant that those who had transmigrated here for whatever purpose and lived here one scant year could vote. It also meant that only those that already viewed themselves as being Americans could vote; any person who saw themselves as a Hawaiian citizen could not get into the polling booth. Of the "local" people, many of them had undergone total and irreversible brainwashing, so that the vote on the question was highly predictable: the Americans chose Statehood and the election was another fraud upon the Hawaiian people. Another period of change ensued after the passage of statehood.

The Affects on Land

Hawaii was the victim of a land grabbing free-for-all. New economic interests poured into Hawaii to play the American capitalistic game. Land became the chief commodity for exchange in this new game. Buying, selling, building, developing, mortgaging, subdividing, leasing became the game. The construction industry helped change much of Hawaii's lush green into
a white concrete jungle tied together by black asphalt. Foreigners from Canada, the United States, Japan, China, the Arab nations and elsewhere have taken “title” to large tracts of land, depriving the Hawaiians of that already limited resource.

Land today is bartered back and forth with no regard to its spiritual and cultural values or the economic needs of the people. Much of the land is investor owned, locked up by those simply waiting to maximize their profits. There is minimal concern for the needs of the local people. Giant buildings are raised over taro patches and vegetable fields or placed on beaches fronting abundant fishing grounds. Apartment and condominium units, many of them empty, are being sold in foreign markets at prices far above our people’s ability to pay. Meanwhile, many of our people are sleeping in cars or parks hoping to avoid arrest on charges of trespassing.

Even areas previously ignored or thought to be of little value by the high and middle class segments of the society, areas which were used by the poor as settlement areas, were recently declared to be major parks to be used for the recreation of the State’s burgeoning population. The inhabitants of these areas have been tossed out, their homes bulldozed and their possessions destroyed; their leaders have been arrested and charged as criminals.

Any attempt to bring reason to the madness under the American system fails. The people of Hawaii cannot limit or control the elements of population and investments which flood into Hawaii almost without limit. Because Hawaii is a State, it is controlled by the laws of the United States which give constitutional supremacy to the U.S. Congress to control interstate commerce and foreign affairs.

Economic Dependence

With much of Hawaii’s land being investor owned, there is now very little land to provide the necessary food to sustain Hawaii’s population. Hawaii’s people have been forced to be
dependent upon the United States and other countries for its food. There once was a time when the methods of cultivation and fishing were sufficient to sustain a native population of over 1000,000 people, today most of Hawai'i's food is imported. Therefore, whenever there is even a rumour of a dock strike, people panic and rush to the stores to buy whatever they can.

Dependence upon the American military, the tourist industry and now to a lesser degree upon the sugar and pineapple industries have left Hawaii vulnerable to the ups and downs of the U.S. economy and world economy. Where our people were once courageous and imaginative, willing to face the challenge of operating in the international trade market, we have now become docile, believing and fearing that we are unable to survive if the United States stopped pouring money into Hawaii.

No one in a leadership position in Hawaii has dared raise the question of survival without American aid. Their imaginations have been crippled, having been taught to use only the crutch of American assistance. Bold questions dealing with the free trade of Hawaii with other nations are never asked. The potentials for self-sufficiency by prohibiting or limiting foreign ownership of lands are never addressed. The development of new, clean industries, such as an international educational institute in which future leaders of the world may come to study regardless of their political affiliations, is never discussed. Leases on what are now military bases and harbours in Hawaii to be used for non-military purposes to conduct ocean research, for example, is never discussed.

Military Dependence

Hawaii has certainly been turned into the Pacific fortress of the United States. Pearl Harbor is the seat of the U.S. Pacific Command. But the military occupation does not stop there. Today our mountains and valleys are filled with nuclear and non-nuclear weapons. A major Hawaiian island, Kaho'olawe, was taken for the exclusive use of the military for training and bombing. Indeed, one-fourth of the island of Oahu, by far the most populated island of the Hawaiian Islands, is occupied by the military.

We have been misled to believe, however, that the U.S. forces are here to protect us from foreign aggression and from nations with no honour who would wrest freedom from a free people. But in 1893, which nation was the foreign aggressor; which nation deprived the people of another nation of their nationhood and self-determination?

By the presence of the U.S. military, with their installations, weaponry, personnel, Hawaii and its people have become vulnerable to attack. The U.S. will not admit that it continues to use Hawaii as an outbase to protect its western coast, just as it did in 1941. The U.S. does not discuss the destruction that will occur to this place should their nuclear weaponry be detonated by some human or mechanical error.

But, once again Hawaii's "leadership", having been brainwashed by the years of "education" and resocialization avoid these issues.

The Hawaiian Brainwashing

The years of re-indoctrination have convinced many of Hawaii's people that only a minor injustice was done to Hawaii. They have accepted captivity and traded their freedom and dignity for a few pieces of silver and citizenship in a nation which has consistently exploited and exposed us to danger and destruction.

Our youth are the first to join the military service to fight for "liberty and justice for all" in the hills of France and Italy and the rice paddies of Vietnam, but that same liberty and justice must be fought for here at home in Hawaii.

Our "leaders" continue to look to America for liberty and justice and invest their "mana" and hope in "Native Hawaiian Study Commissions" or "Congressional Inquiries", but, logically
speaking, how can you ask a thief to sit in judgment of himself?

Instead, we ask that a basic law of Hawaii, "Ua Mau Ke Ea O Ka Aina I Ka Pono," (also known as the Hawaii State Motto) be respected and upheld. Translated into English, it means: "The Life of the Land is Perpetuated in Righteousness." The translation of the word "Ea" is the key to properly understanding this law. Within the above law, "Ea" would more accurately be translated to mean "Sovereignty, rule, or independence." (Pukui-Elbert, Hawaiian Dictionary.) Therefore, the law should read, "The Sovereignty of the Land is Perpetuated in Righteousness." If the root of the American control and claim to dominion over Hawaii is poisoned, then the fruits of that poisonous tree must also be poisoned. That is the case in Hawaii. Because of American domination and colonization of Hawaii, we find our lands and waters polluted with nuclear weapons and ships; we find our people unable to find adequate shelter and clothing and food; we find greedy investors gobbling up land and precious natural resources; we find our islands burdened by uncontrolled and uncontrollable population growth which puts tremendous pressure on our natural resources, human service systems and health delivery systems; we find a desperate unemployment problem and crime and family violence problems; it is a time of great despair in Hawaii.

And the people most dramatically and negatively impacted by oppression of the U.S. is the Lahui Hawaii, the Hawaii race. It has been our language, our culture, our religious practices which have been severely damaged. While the Japanese, Chinese, Filipino, Samoan...... people are also affected, they still have the countries, which are the centres of their culture, religion and race to which they may return for sustenance. But, we, the Lahui Hawaii, have only this place and it is almost unrecognizable to us and we are like strangers in our own land.

We ask no special favours; we ask only for what any people want and deserve: Freedom, Independence, Justice, Self-
Determination. This is our prayer:

E Ke Akua Mana Loa,
Ho'ohi mai i ko makou kuleana,
Haawi mai ia makou ke ola me ka
ikaika,
Ua hoo punili ia ko makou mana'o,
Pela hoi me ka mahele o ke kino.
E haawi mai ce ia makou ke Aupuni
Hawaii i ko makou pono, a me ko
makou kulana pono.
Nolaila, i keia manawa, ke kaulo
aku nei makou i ka lehulehu no
ko makou aloha ana i ko makou
Aina.

Amene.

On behalf of the citizens of Hawaii, we ask all of you
who have heard our cry for Justice and Freedom to actively seek
to bring that Justice and Freedom for Hawaii and its People.
Presently, we are seeking and developing access to internation-
al tribunals which are willing and able to hear about Hawaii's
history and the cause for Hawaiian Sovereignty. We ask for your
kokua (help and support) in this just cause.

Aho Ai Me Ke Aloha,
POKA LAENUI
(Hayden F. Burgess)

Sovereignty for Hawaii Committee
86-120 Farrington Highway
Wainanae, Hawaii 96792
Telephone: (808)696-6354

Almighty God,
Return to us our face,
Give us the strength to rip
this
American mask from our
flesh.
Give us the strength to
reclaim what is ours,
our Sovereignty.
Let us be Hawaiians
in our own Land.

Amen.

Amee.

INDIA: TRIBALS IN BENGAL - A TRAGIC ALIENATION

By: Arundhati Mukherjee

Rape cases usually generate a great deal of discussion
if not action, and evoke sympathy if not help. But Sambari
Murmu, a young tribal woman of 24, has been boycotted by her
neighbours and is living alone after she was gang raped.
The administration is indifferent to her plight.

Sambari was gang raped on February 9 at Panchkuria Kul-
ta in Midnapur District of West Bengal, about 120 Km from
Calcutta. The place where she was raped is about 8 Km from
the district police headquarters. The incident took place on
a bazaar day. However, Panchkuria Haat is not just another
village bazaar. It is the second largest market in Midnap-
pore, supervised by the Junior Land Revenue Officer (JLRO).
The police and the staff of the JLRO's office are fully aware
of the constant flow of country liquor at the bazaar.

The bazaar on February 9 was no different. Sambari,
whom I met in her thatched hut at Hanspukur in Midnapore town,
said that she went on that day to the bazaar with her mother,
Swarana Hembram. Once their brisk transactions were conduct-
ed, many drunk and semi-drunk visitors to the bazaar began
leaving, at the end of the day, for their destinations.

Sambari frankly stated that she and her mother were
semi-drunk and missed the last bus to town. Since the dis-
tance between the bazaar and their home in Hanspukur was 9 Km
they took a cycle-van at about eight in the evening. As they
began to travel in the dark, five or six men attacked the
cycle-van puller. They took Sambari with them by force and
raped her in a field just a few yards from the bazaar. She
lost consciousness. The men then bound her mother's hands
and mouth with pieces of cloth and forcibly took her to a nearby bustling mill. The next morning, the two were rescued by local shop owners.

Sambari was hospitalised in the Midnapore Sadar Hospital. District Police Superintendent Ahmed admitted to this reporter that she was gang raped. Hospital doctors also confirmed the fact. But neither the police nor the hospital doctor could ascertain how many people raped her, though it was medically proved that she was raped by more than one person. Distressingly, those who were arrested by the police in connection with the incident belonged to the upper castes and were later released.

There was a local "bandh" by the upper-caste shop owners of Panchkuria in protest against the "wrong arrests" made by the police. But not a tear was shed in sympathy for Sambari, nor was an enquiry demanded. Instead, when I spoke to some shop owners at Panchkuria, they put the blame on Sambari, saying she had invited the rapists' attentions. However, they were unable to elaborate on this statement on further questioning.

The routine investigations made by the police have revealed nothing so far. It is alleged that the administration is playing for time, in an attempt to erase all traces of the incident. There is nothing that Sambari can do in the face of such a determined effort to play down the crime. She works as a labourer for an upper-caste contractor and is resigned to the fact that her upper-class neighbours at Hanspukur have stopped speaking to her.

Sambari is a touching instance of the alienation of tribals from the mainstream, and attains a distressing dimension when the state's tribal welfare minister, Dr. Sambunath

Sambari is a touching instance of the alienation of tribals from the mainstream. What is it to be tribal in India? says Mahasweta Devi, "It's an alienation; there remains a strange void that no major political party wants to bridge. The Sambari Murmu case only pinpoints this. And perhaps there are many more Sambaris in the distant villages whose stories remain untold. Their alienation is perhaps complete."

Taken from an article in Indian Express 19/5/85

INDIA: UPDATE ON BIHAR

1. Fresh Initiative on Koel-Karo Project.
(see INGIA Newsletter No.41)

The Bihar Government is taking a fresh initiative to start the prestigious 710-MW Koel-Karo hydro-electric project in South Chhotanagpur. The project has been held up for the last three years due to continuing agitation by Adivasi farmers who have been demanding alternative sites for the land to be acquired.

It is learnt that at the instance of the Centre, the state Government is now considering giving one acre of land to each Adivasi farmer affected by the project, besides paying handsome compensation.

Meanwhile, the public sector National Hydroelectric Power Corporation (NHPC) which is to execute the project work has, in desperation recalled the project general manager after a futile wait for over three years.
About 6000 Adivasi families spread over 60-odd villages are likely to be uprooted by the project.

A Saudi Arabian loan of Rs. 30 crore procured for the project during 1983 had to be diverted to other areas as no work could be started on time. A number of other countries, including UK, had shown interest in the project considering the location.

According to WHCP engineers, the Koel-Karo project offers the best site for a hydel power station in the country. With the installed capacity of 710 MW, the project is expected to harness the bulk of the hydro-electric power potential in the South Koel river and its tributary, the North Karo.

Source: Indian Express, Saturday May 11, 1985

2. Banjhi tribals unrest.

The Binar chief minister, Mr. Bindeshwar Dubey, has staved off another possible eruption of violence at Banjhi in Sahibganj district by persuading Adivasi leaders to put off their agitation. The Adivasi leaders were planning to stage a massive demonstration here against the killing of 15 tribals in police firing last month.

The chief minister had a closed-door meeting with the Adivasi leader, Mr. Shibu Soren, MLS, and some of his staunch supporters last night. In a desperate bid to buy peace, Mr. Dubey somehow conceded most of their demands including the immediate transfer of the sub divisional officer and the deputy superintendent of police, who were allegedly responsible for the firing.

The government was anxious to avoid further violence which appeared inevitable with more than 10,000 angry tribals led by their militant leaders from all over Chhotanagpur converging on Sahibganj as expected on Sunday. Already the Dubey ministry has come under much criticism for mishandling the situation which resulted in the killing of innocent tribals including Father Anthony Murmu.

PETTY MONEY: The Government's decision to offer Rs. 5,000 as ex-gratia payment to each of the bereaved families, far from assuaging the feelings of tribals, has made them more indignant. Seizing upon the opportunity, opposition leaders of all domination have visited the area issued statements supporting the tribals and damning the government. Even the Union home ministry is feeling concerned and has asked the government to defuse the situation.

The chief minister was reportedly asked last night to give an assurance that pending the judicial inquiry ordered by the government, the quantum of compensation would be raised to Rs 1 lakh for each bereaved family. Indications are that Father Anthony's family would now receive at least Rs 1 lakh. Surviving family members of several other important Adivasi leaders, shot in the outrage, would also be paid more compensation.
MILITANT TRIBALS: Intelligence reports received by the state government indicated that militant tribals had organised meetings at Sarai Kela, Ghatshila and other places to chalk out plans for the demonstration and to enlist wider support for their cause. Missionaries active in Chhotanagpur were reportedly very upset over the coldblooded murder of Father Anthony, who was allegedly done to death to suppress evidence against the outrage.

The chief minister besides taking other law and order measures, reportedly enlisted the support of Mr. Gyan Ranjan, former ruling party MLA from Ranchi who is said to have good education with the Adivasi leaders in defusing the situation. Mr. Ranjan was specially called from Ranchi and despatched to Sahibganj.

During the meeting with the chief minister last night the Adivasi leaders stressed the need for effective administrative measures for restoring to the tribals their land “illegally” occupied by “Deikus” (outsiders settled in tribal areas). They said special magistrates should be posted in tribal areas mainly to safeguard and protect the interests of Adivasis. This practice was reportedly in vogue during the British days.

After their talks with the chief minister Mr. Shibu Soren and other tribal leaders reportedly decided not to give up their proposed demonstration but to hold it sometime later when the situation in Banjhi became normal.


INDIGENOUS SURVIVAL INTERNATIONAL (ISI): SUBMISSION TO THE CANADIAN ROYAL COMMISSION ON SEALS AND THE SEALING INDUSTRY, LONDON, ENGLAND

1. Introduction

The survival of the Indigenous People of Canada, Alaska and Greenland is threatened by the neo-colonial animal rights movement. We call it colonialism because: it is destroying our culture, economies and social institutions; it is violating our fundamental human right to self-determination and economic self-sufficiency; it is based upon ethnocentric assumptions; and it is exercised by a force which is foreign to us. We call it colonialism because we are familiar with this concept: the Indigenous People of the earth - the Fourth World - have been victims of European territorial colonialism for over three centuries.

It is ironic, indeed, that that which was so instrumental in this first wave of colonialism - the fur trade - is precisely what our colonizers and would-be colonizers are now trying to squelch. Any one who knows anything about North American history, for example, will have heard how the great Hudson’s Bay Company opened up the so called ”New World” through the fur trade. And they will have read too how the contest for dominance in the “new world” was closely linked to control over the fur trade. Who knows how much the fur trade has contributed to the economies of Europe over the last three centuries? But we do know that it was probably a great deal more than what our Peoples received in return. Nevertheless, as a result of this intervention into our economies, we have come to depend upon the fur trade. In recent years, the income generated from it has become an indispensable supplement to the subsistence economies of our Peoples.
Indigenous Survival International (ISI) was created to counteract the neo-colonial animal rights threat. In August 1984, Indigenous leaders from 27 Indigenous Nations from Canada, Alaska, and Greenland came together in Yellowknife, Canada, to discuss the matter. The theme of the conference was: "How will we survive? Indigenous Peoples' Conference on Cultural Survival". ISI grew out of the profound sense of urgency and desperation suggested by this theme, with a mandate to "take all reasonable affirmative action towards protecting Indigenous harvesting rights and maintaining the international market in native products".

2. Impact

Indigenous Peoples existed in appalling socio-economic circumstances, even before the onslaught of the animal rights activists. Doubtless, much of this socio-economic malaise is attributable to the first wave of colonialism to which we were inflicted. The subjugation which came with colonialism left Indigenous Peoples in a sorry state of social disarray, economic devastation, and cultural disorientation.

In Canada, for example, the infant mortality rate for Indian People is twice the national average. We have higher rates of suicides, alcoholism and violent deaths. In prisons and penitentiaries, our Peoples are disproportionately represented. Some communities experience unemployment levels as high as 90%. And in many of our communities, up to 70% of the population receive welfare.

This hopeless socio-economic state has been exacerbated by the anti-seal campaign and the European boycott of our seal skins. For example:

- in the Arctic community of Resolute, the collective in-

come primarily generated from hunt dropped to $1,000.00 in 1983 from $54,000.00 a year earlier;

- the native community of Igloolik, also in the High Arctic, with a population of 566 people, had a total income of $5,000.00 in 1983, compared to $46,800.00 in the previous year;

- in Frobisher Bay, the community income dropped to $4,000.00 from $23,000.00; and

- in the Inuit community of Sanikiluaq, they made $399.00 in 1983 compared to $6,800.00 the year before.

"In many of these communities the loss of income has been linked with significant increases in suicides, (and) incidence of alcoholism..." (1)

Many other circumpolar Indigenous communities in Greenland and Alaska are suffering in the same way.

We understand that the animal rights activists are now turning to furs and trapping. The RSPCA, here, in Britain, has apparently launched its crusade focussing on the "morality of wearing furs". And Greenpeace (U.K.) is campaigning for a "fur-free" Britain. In October last year a motion was introduced in the European Parliament which would bar the sale of fur coats throughout the EEC.

In our view, the only thing immoral about fur is the devastating impact that a campaign against its trade will have on the Indigenous Peoples of this world. Once again, as in the anti-seal campaign, it will be the most innocent and most 1) This statement and data taken from a story by Ed Struzik, Journal Northern Bureau, Edmonton Journal.
susceptible who will be the hardest hit.

It is not the industry that will be the most hurt. Industry's only motive is profit; as soon as something becomes unprofitable, it will move on. Indigenous Peoples cannot move on. This is our last stop. The fur harvest is our way of life, and if it is taken away, then, we are ruined.

3. Human Rights

I said at the onset that the animal rights movement is based upon ethnocentric assumptions. Its proponents assume that their view of animals is right and everyone else's is wrong. We do not share their outlook on animal life. Because our outlook finds the harvesting of animals acceptable, the animal rights movement would presume us to be primitive and uncivilized. It is this ethnocentricity, combined with the active and persistent imposition of this outlook on others, to the detriment of Indigenous Peoples, which is objectionable.

The animal rights movement, insofar as its impact on Native Peoples is concerned, is a blatant violation of our human rights. It is no different from the multi-national corporations who invade our homelands to exploit our resources, pollute our rivers, and poison the fish and wildlife which are our sources of food. And it is only more subtle than, but just as insidious as, the repressive regimes in Central and South America who actively pursue policies of extermination toward our southern Indigenous brothers. If an intent to destroy our Peoples, in whole or in part, could be established on the part of the animal rights activists, then, their actions would be tantamount to genocide.

Colonialism is one of the greatest sins against mankind.
Six years ago, Britain had to face the ghosts of her colonial past with respect to the Native Peoples of Canada. When the British Parliament was requested by Canada to patriate a constitution that contained no guarantees for the protection of our cultures and economies, we called upon Britain to come to our aid. We reminded Her of the sacred treaties and obligations to the Aboriginal Peoples of Canada, and of the Royal Proclamation of King George III in 1763 that guaranteed the rights of our Peoples. We asked that Britain not patriate the Canadian Constitution until our rights were protected.

The Canadian constitution was eventually patriated, but not without certain guarantees for the protection of our culture, including our right to harvest fish and wildlife. We thought our rights were secure. However, we now find our culture being undermined indirectly by the animal rights movement.

As Indigenous Peoples, we have a fundamental human right to continue our fur harvest and trade, in furtherance of our economic, social and cultural development. This is guaranteed in both the International Convention on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as follows:

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic cooperation, based upon the principle of mutual benefit, and in international law. In no case may a people be deprived of its own means of subsistence (Article I).

The animal rights movement is in clear contravention of these covenants, as far as Native Peoples are concerned.

4. Renewable Resource Economy

Most animal rights activists will not have intended the adverse impact on Aboriginal Peoples. But they are not prepared to reverse their activities once it is brought to their attention. They rationalize it by saying that "that way of life is a thing of the past, the Native people have to change anyway". But we did not come here to perpetuate the image of igloos and tepees. When we talk about saving our way of life, we are not looking back, we are looking forward for generations into the future.

Indigenous Peoples world-wide share a special relationship with the land. The relationship has been described in this way by one of our People:

It is very clear to me that it is an important and special thing to be an Indian. Being an Indian means being able to understand and live in this world in a very special way. It means living with the land, with the animals, with the birds and fish, as though they were your sisters and brothers. It means saying the land is an old friend your father knew, your grandfather knew, indeed your people has always known... We see our land as much more than the whiteman sees it. To the Indian people our land is really our life. Without our land we cannot - we could no longer exist as people. (Richard Nerysoo, Dene Nation)
Our connection with the land is a very spiritual one. We regard the ground we walk on as sacred, and never forget to thank the Creator for having blessed us with our Mother Earth. Native People acknowledge that we are only here for a lifetime and therefore it is our mandate to preserve this land and its resources for the generations yet to come.

This special relationship with the land governs all aspects of aboriginal life, including the social, cultural and economic spheres. In short, it is our total way of life.

Non-Indigenous people have a totally different outlook on nature. They do not have the same reverence for the land. The non-native places himself above nature and attempts to manipulate it. They "...come in and...either have to bulldoze, or...have to dynamite, or...have to re-route a river or change a mountain; (they)...are looking at the exploitation of the land to turn over dollars." (Chief Two Rivers of Kahnawake, Quebec.)

This difference in philosophy manifests itself in the animal rights movement, which is a typically western way of viewing animal life. It is premised on the belief that man is superior and must intervene in the natural order of things to protect animal life. It is romantic, emotional and paternalistic. To Indigenous Peoples, it is erratic but well-intentioned. Our approach to animal life is more one of equality, respect and reciprocity with the animals. The "...animal needs the hunter to harvest him...and the hunter needs the animal in order to survive. If the animal is not harvested, there is the danger of overpopulated wildlife game in the territory, there is danger of disease." (Thomas Coon, Man and Animals: Building a New Relationship with Nature, by A. Herscovici.)

The Indigenous world-view translates into an economy that is heavily dependant upon renewable resources. It is here that
the complex interconnection between the land and the social, cultural, and economic aspects of aboriginal life, finds its greatest expression.

The renewable resource economy, of which both sealing and trapping are integral parts, is of critical importance to our People throughout Canada, Alaska and Greenland. Many Native People in each of these countries live in environmentally harsh regions which offer the fewest opportunities in the nation for making a living. In the economic sphere, sealing and trapping provide the cash necessary to buy supplies for those activities and others such as fishing and hunting. While living off the land is marginal in terms of income standards, it does provide ample nutritious food in addition to a modest amount of cash.

To part-time resource harvesters who take some wage employment, their continued harvest is important primarily in terms of food value and extra income. Much of the wage employment, available to our Peoples, particularly in northern regions, is poorly paid, short lived, and provides nothing in the way of job or income security. Trapping and sealing give a little security, and soften the effects of “boom and bust” development. Most Native resource harvesters would be unable to afford store-bought food of equivalent nutritional value if they were unable to continue their harvests. In addition to skins and meat, there are invaluable products such as waterproof clothing for our sealers and fishermen, and other animals are similarly used to provide many necessities.

In the cultural sphere, living off the renewable resources found in abundance in Canada, Alaska, and Greenland represents a positive choice for many Aboriginal Peoples. It allows, in addition to partial independence from the wage economy, close contact with the natural environment, a supply of traditional foods, and the practice of time-honoured skills which have been passed down from generation to generation (and many of which are not valued in the wage economy). The continued productive resource harvest keeps these skills from becoming mere cultural relics.

These cultural factors are every bit as important to those of our part-time sealers, hunters, trappers, and the processors of the products of the hunt who hold wage jobs: to them the resource harvest is a way of keeping in touch with a way of life not easily reconciled to wage employment. It also keeps them in touch with others who share their cultural and social traditions. The continued practice of these traditional skills keeps our societies and cultures alive by providing a milieu in which the next generation is initiated into those traditions which define a culture. How can our succeeding generations fully respect their heritage if its most distinctive characteristics have faded into insignificance?

Our children participate in traditional activities and learn skills, while at the same time they learn their society’s values from their elders. Sealing, trapping, and hunting as practised in our communities, for example, draw heavily upon the collective feelings so strongly in evidence in the communities. Successful hunters freely share meat, skins, and other products of the hunt with the old and the sick, those who are unable to provide for themselves. Children learn traditional preparation and production skills such as hide tanning, clothing manufacture, beadwork, and preserving of meat from our elders who are skilled in these practices. In short, participation in all aspects of traditional resource harvesting activities helps us to reinforce our traditional social and cultural values, and ensures the continuation of these values for succeeding generations.

Our way of life has a built-in conservationism. It is not consumptive and not detrimental to the environment. Aboriginal people have been practising a very sophisticated kind of re-
source management since a very long time before the emergence of wildlife management "professionals". Our systems are based on recognition of our dependence and the dependence of future generations on certain species, and are designed to ensure that those species will survive in sufficient numbers to support them. Traditional resource management among Native Peoples may have been expressed spiritually here, but it is also clearly grounded in commonsense conservation principles, the validity of which are affirmed by modern scientific research.

Traditional resource management successfully conserves species at healthy population levels by regulating the harvest according to the species' natural population cycles. We take larger catches when populations are high and smaller catches when populations are low. This serves to keep animal populations both from being overexploited, and from being underexploited, which tends to cause excessive competition for scarce food resulting in a general weakening of the population and the slow starvation of many.

5. Indigenous Peoples and the Ecology Movement

The Indigenous renewable resource economy is very susceptible to disruption. Pollution caused by large-scale resource development bears especially heavily upon us because of our extensive dependence on renewable resources. The intrusive effects of the wage economy takes us away from the land and causes disarray in all other aspects of life.

Accordingly, we have a vested interest in the economic and environmental order of this world. We think that our outlook on nature and our renewable resource economy has a definite place in this order. As a matter of fact, we see the adoption of our worldview as being absolutely necessary for the survival of all mankind. The non-Native approach has not worked, it has left a legacy of industrial waste, acid rain and a nuclear capability to destroy this world many times over.

Indigenous Peoples and the ecology movement have common interests. We have joined forces before in environmental causes and peace campaigns. The ecology movement appears to embrace our outlook on nature. For example, Greenpeace in Canada, named its protest ship The Rainbow Warrior from an old Cree legend that after Whites had despoiled the country, a new nation of people from every race and culture would band together to defend the earth: The Warriors of the Rainbow. (Men and Animals: Building a New Relationship with Nature, A. Herscovici).

But those in the ecology movement who have taken up the animal rights cause are not being true to our philosophy. For one reason or another, they are missing the point: either, they have swung to the other extreme in a sincere effort to promote the cause of ecology, or they have become caught up in the multi-million dollar animal rights industry. For those who are genuinely concerned with the cause of ecology, the native issue raises a difficult moral dilemma. For the sake of "Indigenous survival", we hope that this dilemma is resolved in our favour.

6. Conclusion

In conclusion, I would like to say that Indigenous Survival International is encouraged by the support which has been shown to us by some of the more respected environmental groups. Greenpeace (Denmark) has endorsed the traditional seal harvest by the Inuit of Greenland. In Canada, we have the support of the World Wildlife Fund (WWF). Very recently, in Canada, a meeting was convened between ISI, Greenpeace and WWF to begin discussions on how we might sort out our differences on the animal rights matter. This meeting was very fruitful, and we decided that a larger summit of international representatives from our respective organizations was necessary.
INTERNATIONAL PROTECTION OF MINORITIES AND INDIGENOUS POPULATIONS.

By: Wolfgang Heinz

INTERNATIONAL LAW AND INTERNATIONAL ORGANIZATIONS

The protection of minorities and indigenous populations in a given country, can be realized by a large variety of legal and non-legal measures to be taken on a governmental and subgovernmental level. Equally, the reaction or non-reaction of government bodies to discrimination and violence against indigenous populations and minorities by third parties (non-governmental entities) should serve as an indicator as to whether or not the government actually condones or acquiesces in the harassment and persecution of minorities. Often this second aspect will be much more important in practical terms for the minorities concerned than will the first open, type of repression.

Insofar, as discrimination might be official state policy, the reaction of the majority population to acts of discrimination might, depending on the type of political system, shape governmental policy to increase or to abolish discriminatory practices. The protection of indigenous populations and minorities is in consequence a challenge for government agencies and the society concerned, which should strive to ensure the well-being and preservation of their cultural identity.

The role of society, especially its leading sectors in the media, scientific field, religious communities and political parties often seems to be underrated and its impact on legislation and actual practice of government agencies has scarcely been explored. In a narrower sense this is because it is the state and its agencies who are held responsible by the international community of states for guaranteeing equal treatment and non-discriminatory practices, as is laid down, for instance, in article 27 of the United Nations International Covenant on Civil and Political Rights of 1966.

Today there is general agreement that there are two main areas in which performance is demanded of the state in connection with the protection of minorities (assuming the members of the minorities are nationals of that state). First, the state should guarantee that all members of minorities are treated as equals in the same way as any other citizen of the state without any discrimination. This includes the rejection of positive discrimination - i.e., special rights and privileges being accorded to members of minorities. It is held by the majority of experts that these rights to non-discrimination and equality are individual rights which should be enforceable by political and juridical means. Some experts feel that these rights should be accorded to minority communities as such (collective rights) but this has so far not been accepted by the majority of individuals and international organizations working in the field. Secondly, it is felt by many experts that protection demands positive concrete steps to be taken by government agencies aimed at the implementation of international human rights standards. (1)

The protection of minorities in any given state should be realized on four levels:
- on the state level: constitution, legislation, courts, etc;
- on the level of bilateral treaties: minority clauses might be included as well as provisions as to the treatment accorded to those minorities who migrate across national borders, either for employment or to pursue traditional migratory patterns or to see their relatives in a neighbouring state;
- on a regional level: minority clauses might be incorpo-
rated in regional human rights instruments and feature on the agenda of meetings to improve cooperation and friendship on a regional level;
- on a global international level: within the UN system a discussion on a draft declaration has recently begun and a Yugoslav proposal was circulated to members of the UN Sub-Commission in Summer 1980.

With the end of the League of Nations in 1945 and with it the end of the international system for the protection of minorities, the entire question had to be re-discussed by the newly-founded United Nations. One of the primary aims of the new organization, the development of an international system for the universal observance of human rights, was set in motion by the phrasing of the Universal Declaration of Human rights, which was adopted on 10 December 1948 by the General Assembly of the United Nations. Human rights already figured prominently in the UN Charter (article 1, para 3; articles 13, 55, 56, 62, 76) however, there is no reference in either the Universal Declaration or the Charter to minority rights or the rights of indigenous peoples.

When the draft of the Universal Declaration was discussed first in the Third Committee of the UN General Assembly and later in its plenary session, the USSR proposed the inclusion of a specific provision relating to what it termed "national minorities". It read:

"Every people and every nationality within a state shall enjoy equal rights. State laws shall not permit any discrimination whatsoever in this regard. National minorities shall be guaranteed the right to use their native


language and to possess their own national schools, libraries, museums and other cultural and educational institutions". (2)

This formula was rejected, however, both by the Third Committee and in plenary.

On 10 December 1948, the UN General Assembly stated in its resolution 217C (III) that the United Nations could not remain indifferent to the fate of minorities, but that it was difficult to adopt a uniform solution of this complex and delicate question due to the specific aspects differing from country to country. Thus, a thorough study should be undertaken to analyse the problem in all its aspects. The issue was delegated to the Economic and Social Council (ECOSOC), more specifically to its Commission on Human Rights, which appointed the Sub-Commission on Prevention of Discrimination and protection of minorities which met 1947 for the first time.

In 1950 ECOSOC requested the UN Secretary-General to prepare a study addressing the question of whether or not the minority rights protection regime established by the peace treaties of 1919 had ceased to exist. In his answer, the Secretary-General responded that:

"Reviewing the situation as a whole ....... one is to conclude that between 1939 and 1947 circumstances as a whole changed to such an extent that, generally speaking, the system should be considered as having ceased to exist."

Furthermore

- all the international decisions reached since 1944
have been inspired by a different philosophy. The idea of a general and universal protection of human rights and fundamental freedoms is emerging. It is therefore no longer only the minorities in certain countries which receive protection, but all human beings in all countries who receive a certain measure of international protection.\(^3\)

Thus the understanding gained currency that minority protection would have to be understood as forming part of the international protection of human rights and fundamental freedoms, but should not be considered as a specific problem relevant only to certain countries.

In the meantime, reference to minority and indigenous people's protection was made in a number of human rights instruments.

In the UN Convention on the Prevention and Punishment of the Crime of Genocide (1948), article II stipulates:

"In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:
(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;"

(d) Imposing measures intended to prevent births within the group:...."

Article III provides that acts such as genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide and complicity in genocide shall be punishable.

Looking at Article II again, it is interesting that concepts of physical and biological genocide are covered (II(d)), whereas so-called cultural genocide is not included. In fact, the USSR, supported by Czechoslovakia and Poland, proposed the inclusion of the term "cultural genocide" which should read as follows:

"any deliberate act committed with the intent to destroy the language, religion or culture of a national, racial or religious group on grounds of the national or racial origin or religious belief of its members such as:
1. Prohibiting the use of the language of the group in daily intercourse or in schools, or the printing and circulation of publications in the language of the group;
2. Destroying or preventing the use of libraries, museums, schools, historical monuments, places of worship or other cultural institutions and objects of the group."

This was, however, defeated.

The International Labour Organization (ILO) has shown particular interest in the living and working conditions of indigenous populations. This has resulted in several reports.


and the "Convention concerning the Protection and Integration of Indigenous and other Tribal and Semi-Tribal Populations in Independent Countries, 1957. (No.107)", together with recommendation no. 104 of the same title adopted to supplement the Convention.

The convention (which entered into force in 1958) reflects an attempt to balance the sometimes contradictory goals of protection and assimilation. The Preamble includes the statement that "the adoption of general international standards on the subject will facilitate action to assure the protection of the peoples concerned, their progressive integration into their respective national communities..."

It offers in article 1 alternative descriptions of what is meant by tribal or semi-tribal peoples. In article 2 governments are held responsible for developing coordinated and systematic action for the protection of the populations concerned and their progressive integration into the life of their respective countries. "Recourse to force or coercion" as a means of promoting the integration of such populations shall, according to article 2(4), be excluded. In a number of articles the convention proposes measures for achieving these goals:

- special measures shall be adopted without, however, prolonging segregation (article 3);
- when the provision of this convention relating to integration are applied, cultural and religious values shall be taken into account (article 4);
- when the rights and duties of such populations are defined, customary laws should be considered. These populations shall be allowed to retain their own customs and institutions where these are not incompatible with the national legal system or the objectives of integration programs (article 7);
- compulsory personal service in any form shall be prohibited and punishable by law (article 9);
- special protection is granted against improper application of preventive detention. Generally, preference shall be given to methods of rehabilitation rather than confinement in prison (article 10);
- with regard to land, the right of ownership, collective or individual, shall be recognized (article 11);
- more concretely, "the populations concerned shall not be removed without their free consent from habitual territories except in accordance with national laws and regulations for reasons relating to national security, or in the interest of national economic development or of the health of the said populations." (article 12);
- and "procedures for the transmission of rights of ownership and use of land which are established by the customs of the populations concerned shall be respected within the framework of national laws and regulations, in so far as they satisfy the needs of these populations and do not hinder their economic and social development." (article 13(1));
  "Arrangements shall be made to prevent persons who are not members of the populations concerned from taking advantage of these customs or of lack of understanding of the law on the part of the members of these populations to secure the ownership or use of the lands belonging to such members." (article 13(2)).

Further provisions relate to recruitment, conditions of employment, vocational training, handicrafts and rural industries, social security, health, education, communication and administration.

ILO Convention No. 107, taken together with Recommendation 104, is certainly the most comprehensive instrument of international law concentrating on indigenous populations. (They in fact constitute the only international instruments now in force dealing comprehensively with the living and working conditions of indigenous populations.) It is not possible here to evaluate extensively its merits; this has been done by several competent authors. (5) Let us only summarize for the purpose of this study that

(I) it reflects an assimilationist approach strongly rejected by organizations of indigenous populations such as the World Council of Indigenous Peoples (WCIP),

(II) a number of provisions are sweeping, especially on the removal of indigenous populations for reasons of national security (a reason given, however, in a number of other human rights conventions for restrictions on human rights standards.)

(III) the Convention was an extraordinary instrument for the ILO because it was not restricted to the field in which the ILO normally works; it was adopted, however, at the request of and in collaboration with the other UN agencies concerned, including the UN itself.

(IV) there were and are considerable problems with the implementation of this convention.

(V) many issues which came up later could not be covered (pollution, multi-national corporations).

(VI) only a limited number of countries acceded to the Convention. (6)

The General Conference of UNESCO adopted on 14 December 1960 (7) the "Convention against Discrimination in Education".

In article 5.1 (c), it states:
"It is essential to recognize the right of members of national minorities to carry on their educational activities, including the maintenance of schools, and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:
(I) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty;
(II) That the standard of education is not lower than the general standard laid down or approved by the competent authorities; and
(III) That attendance at such schools is optional."

(6) 27 countries have ratified Convention 107: Angola, Argentina, Bangladesh, Belgium, Bolivia, Brazil, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Ghana, Guinea-Bissau, Haiti, India, Malawi, Mexico, Pakistan, Panama, Paraguay, Peru, Portugal, Syria, Tunisia, Egypt (UAE). Brazil wanted it to be restricted to forest-dwelling Indians and El Salvador denied the existence of indigenous populations coming under this convention as such (although discussions are under way on this point). In the following countries the ILO Committee of Experts on the Applications of Conventions and Recommendations has accepted the Government positions that there are no tribal or semi-tribal populations within the meaning of the Convention in their national territories: Belgium, Cuba, Dominican Republic, Haiti, Portugal and Tunisia (Cf. Swepston, op. cit., pp. 753-756).


The struggle of the United Nations against racial discrimination was expressed by its General Assembly on 20 November 1963 when the UN Declaration on the Elimination of All Forms of Racial Discrimination was proclaimed. (8) Two years later, the Assembly adopted and opened for signature and ratification the International Convention on the Elimination of All Forms of Racial discrimination. (9) This important convention reflects both central principles of international minority protection; non-discrimination or equality with members of the majority population on the one hand, and the concept of an active state securing minority rights via legislative and administrative measures on the other.

In article 5, States Parties "undertake to prohibit and to eliminate racial discrimination in all its forms and guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of rights such as the right of equal treatment before tribunals and all other organs administering justice; the right to security of person and protection by the state against violence or bodily harm, whether inflicted by government officials or by any individual group or institution; the right of access to any place or service intended for use by the general public, and a large number of political (5(c)), civil (5(d)) and economic, social and cultural rights (5(e))."

(8) Resolution 1904 (XVIII). In this resolution, and subsequently in the Convention, the UN Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (GA Resolution 1514 (XV)), the prohibition of racial discrimination was stressed. It was emphasised that "an end must be put to colonialism and all practices of segregation and discrimination associated herewith."

Also, article 2 (2) provides that:

"States Parties shall, when the circumstances so warrant, take in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved."

This convention was, thus, the first example of an international human rights instrument dealing with minority rights which was legally binding for the states acceding to it (Except States which ratified ILO conventions. ILO was founded in 1919).

It was only one year later that the deliberations on a covenant in pursuance of the Universal Declaration of Human Rights came to an end after 18 years and two UN Covenants, on civil and political rights, and on economic, social and cultural rights, were adopted by the UN General Assembly. They entered into force only in 1976. In both Covenants the right of all peoples to self-determination was proclaimed. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development" (Art. 1, para. 1).

The International Covenant of Civil and Political Rights in article 27 focuses on the protection of minorities:

"In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

This was the first, and so far unique, reference to minority protection in an international instrument dealing with human rights on a general level.

Most Latin American countries opposed the idea of protection of minorities because, from their point of view, natural assimilation of incoming immigrants should take place.

Article 27 lacked a number of specifics which could have been taken into account given the considerable knowledge gained by the League of Nations.

Due to the difficulties in defining minorities on a world-wide level, no clear definition emerged as to which should be the identifying criteria in definitions. This led to considerable discussion both within the UN and in the outside academic world. The provision contains only the most general rights - i.e., the right of minorities to their own culture and use of their own language. A number of minority treaties concluded under the auspices of the League of Nations were much more specific and sophisticated. Austrian representative Professor Verosta made these observations in the Third Committee of the General Assembly. Again an Austrian representative, E. Schiller, was successful in 1968 in that the Sub-Commission decided to place minority protection on its agenda.

It was then in 1971 that the Sub-Commission appointed Italian Professor Francesco Caporti as Special Rapporteur; he was asked to undertake a study on the worldwide problem of minorities, which he concluded in 1977. (10) One of the most significant conclusions of Caporti's study was the recommenda-

(10) Francesco Caporti, Study on the Rights of Persons belonging to ethnic religious and linguistic Minorities, New York, 1979 (UN publications Sales No. E 78. XIV.I).
tion that indigenous peoples should be singled out for special consideration from minorities. But we must now review several major developments relating to the protection of minorities - the International Convention on the Suppression and Punishment of the Crime of Apartheid, the conventions on slavery and two seminars which took place on the protection of minorities in 1965 and 1974 in Yugoslavia.

On 30 November 1973, the UN General Assembly adopted the "International Convention on the Suppression and Punishment of the Crime of Apartheid" (11) a human rights instrument focusing on a specific pattern of racial discrimination. It should be recalled that in the preamble of the Convention against Racial Discrimination, three different features were cited as manifestations of racial discrimination - ie, policies of apartheid, segregation or separation. In this convention, "the States Parties to the present Convention declare that apartheid is a crime against humanity and that inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial discrimination, as defined in article II of the Convention, are crimes violating the principles of international law .... and constituting a serious threat to international peace and security." The last phrase indicates the option to apply economic and other sanctions against states in agreement with the UN Charter (articles 39-51); those measures would have to be decided by the UN Security Council (ie, in relation to South Africa).

In article II, a number of inhuman acts are defined: denial to a member or members of a racial group or groups of the right to life and liberty of person (II(a)), deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in

(11) Resolution 3068 (XXVIII); entered into force on 18/7-1976.
whole or in part (II(b)); any legislative measure and other measures calculated to prevent a racial group or groups from participation in the political, social, economic and cultural life of the country, in particular by denying to members of a racial group or groups basic human rights and freedoms (II(C)); any measures, including legislative measures, designed to divide the population along racial lines by the creation of separate reserves and ghettos for the members of racial group(s) (II(d)); exploitation of the labour of the members of a racial group or groups, in particular by subjecting them to forced labour (II(e)); and persecution of organizations and persons by depriving them of fundamental rights and freedoms because they oppose apartheid (II(f)).

Two conventions with regard to slavery are also relevant in the present context: the Slavery Convention of 1926 and the 1953 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery. Ninety-three states have become parties to the latter convention, which entered into force on 30 April 1957. For the purpose of convenience we reproduce here Sections I and IV:

Section I
Institutions and practices similar to Slavery

Article 1

Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices, where they still exist and whether or not they are covered by the definition of slavery contained in article 1 of the Slavery Convention signed at Geneva on

25 September 1926:

(a) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

(b) Servitude, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status;

(c) Any institution or practice whereby:

(I) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(II) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise, or

(III) A woman on the death of her husband is liable to be inherited by another person;

(d) Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to exploitation of the child or young person or of his labour.

Article 2

With a view to bringing to an end the institutions and practices mentioned in article 1 (c) of this Convention, the States Parties undertake to prescribe, where appropriate,
suitable minimum ages of marriage, to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed in the presence of competent civil or religious authority, and to encourage the registration of marriages.

Section IV
Definitions
Article 7

For the purpose of the present Convention:
(a) "Slavery" means, as defined in the Slavery Convention of 1926, the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, and "slave" means a person in such condition or status;
(b) "A person of servile status" means a person in the condition or status resulting from any of the institutions or practices mentioned in article 1 of this Convention;
(c) "Slave trade" means and includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a person acquired with a view to being sold or exchanged; and, in general, every act of trade or transport in slaves by whatever means of conveyance.

The institutions and practices similar to slavery, as outlined in Section I, continue to play an important role in considering the fate of individual Indian Tribes in South America, while real slavery has been decreasing since 1945, as far as available information appears to show (although some information is now available about slavery and/or slave-like practices directed against 400,000 Haratin in Mauritania).

Within international organizations, concern over slavery and practices similar to slavery was very limited up until 1975 except for three reports by the United Nations and U.N. In 1975 a working group on slavery was set up, consisting of five governmental experts who met five working days before the annual meeting of the UN Sub-Commission every autumn. The working group hears experts in its field. Most active in this respect has been the Anti-Slavery Society for the Protection of Human Rights.

Yugoslavia, together with Austria, has shown continuous interest in the question of minority protection, hosted 2 seminars organized by the United Nations on the subject and attended by experts from all over the world. The first seminar at Ljubljana, in 1965, focused on two main topics. Participants discussed measures which should be taken to ensure the realization of human rights and fundamental freedoms to all without discrimination. A number of rights - ie, the right to use the language of the group in every day life, the right to association, the right to establish autonomous educational institutions, the right to develop their own tradition and characteristics autonomously and equal treatment of economic regions within a country - were discussed under the second topic entitled "measures which should be taken to ensure the realization, by ethnic, religious, linguistic or national groups, of the special rights necessary to enable them to preserve their traditions, characteristics or national consciousness."

In the report of the seminar, the following observations were made with regard to the first topic:

- the most acute problems of multinational societies consisted in the elimination of any form of colonialism which might still exist and of discrimination and national or racial inequality;
- considerable problems still existed concerning the difficulty in defining the term "minority" because each group had its own specific distinguishing characteristics - i.e., national, religious or linguistic, etc. It was however proposed to distinguish between indigenous populations and immigrants who are willing to join the mainstream of the national society;
- there were divided opinions on the bearing of different political systems on the protection of minorities, for instance, federal versus unitary state, multi-party versus one party-systems;
- the question of individual rights accorded to members of minorities and group rights was also discussed. Whereas some participants feared that the creation of privileged groups, particularly within concentrated areas, might create a local situation in which a minority discriminated against the majority and the minority even might abuse those rights, other speakers emphasized that an assurance of equality and the right to integrate, however absolute, could never safeguard the survival of a minority group as a distinct entity. A group often had certain interests which were by no means identical to the individual interests of its members. In such cases, it was argued, the group should receive special protection designed to preserve its own traditional characteristics.

When the second topic was discussed each of the five rights/items investigated extensively as to their implications for a multinational society, particularly interesting for current purposes were the right of association and the right to develop own traditions and characteristics autonomously.

With regard to the first it was stated that this right should be exercisable in respect of any lawful cultural, religious or economic purpose. Debate began when it came to law-

ful political objectives, which, according to some speakers, should also be included, while others were more sceptical about including them. When it came to international political associations at less than the governmental level, there was a danger in the opinion of many participants of subversion, terrorism, violence and attempted assault on the security, sovereignty or social fabric of the state. Most governments, according to the report, instinctively feared ethnic associations which went beyond cultural matters and began to involve political activity.

In the discussion on the right to develop traditions and characteristics autonomously, it was generally agreed that the right of autonomous action to ensure the preservation and continuity of a group's traditions and characteristics formed an integral part of its way of life and provided the surest means of protecting its collective identity. When the limitations which should be placed on traditional group customs were investigated, participants were unanimous in stating that nothing should be prohibited unless it threatened the freedom of others or was contrary to public order, morality or health - in the sense of constituting an offence known to law or conflicted with the technological, social or economic advancement of the nation as a whole.

The second seminar, organized by the UN Division of Human Rights in cooperation with the Government of Yugoslavia, was more specific in its discussions. The first main area of discussion was "Measures to ensure the human rights of Minorities on the national level", which included the legal status of minorities and the exercise of civil and political and economic, social and cultural rights. The second area was regional and worldwide cooperation for the promotion and protection of minorities. Under this item bilateral and multilateral agreements, encouragement of cultural and other contacts between
groups linked by national, ethnic and other ties, and the role of minorities in the promotion of the spirit of understanding and cooperation among countries were investigated.

Among the twenty conclusions emerging from the conference, there are six it would be useful to quote here:

"(6) In countries that are still under colonial rule or foreign occupation the due exercise of the right of self-determination is an essential pre-condition for the promotion and exercise of human rights and fundamental freedoms. Every territorial occupation caused by colonial domination or aggression represents in itself a continuing violation of fundamental human rights, because it inevitably denies the right to self-determination to the peoples concerned. Therefore, measures should be taken towards the final elimination of colonialism and neo-colonialism in order to enable the peoples of these countries to develop in freedom and independence.

(10) Members of minority groups are entitled to preserve their identity and to enjoy and develop their own culture and traditions in conditions of full equality with the majority while making their own distinctive contribution in all respects to the life and development of the country in which they live.

(11) Members of minority groups should enjoy equality before the law, the right to practise their own religion and the right to use their own language.

(12) It is incumbent on all States to ensure that members of minority groups enjoy all the human rights that are enjoyed by the majority; any discrimination against them is contrary to the purposes and principles of the Charter of the United Nations to conventions or to customary international law.

(13) States should adopt, where necessary, concrete measures in the civil, political, social, economic, cultural and other fields, with a view to ensuring for members of minorities the free and equal enjoyment of human rights and fundamental freedoms in accordance with the principles contained in the International Covenants on Human Rights.

(16) Minority problems within and between States are a subject of legitimate interest for the United Nations and the international community within the framework of the Charter and other basic instruments adopted under the auspices of the United Nations in this connexion. The abolition of all forms of discrimination based on race, colour, descent or national or ethnic origin, as well as the adoption of effective measures to eliminate apartheid are of a particular significance."

The Status of Aboriginals in International Law

We have so far dealt with international human rights instruments and their applicability to members of indigenous peoples and minorities. In international law several concepts have been developed, starting with the time of conquest in the 15th century. It is certainly not possible to give an extensive description and analysis of such developments, but we endeavour to give at least some background.

In the 16th century, the eminent Spaniard Francisco de Vitoria, in his book De Indis et de Iure Belli: Reflectiones, reflected that the government of aboriginal communities by
nations "of more mature intelligence" must be subject to the limitation that any such interposition be for the welfare and in the interests of the Indians and not merely for the Spaniards."(12) He went on to state that the relationship between invaded and invader was that of a ward to his/her guardian. This doctrine of guardianship is one of the key concepts for the understanding of the status of aboriginal rights in international law. It contains the following elements:

- the principles of guardianship in theory imposed certain duties on the colonial powers to secure the improvement of the moral and material conditions of the natives (Royal Proclamation of 1763 regarding Indian tribes in North America; Berlin African Treaty of 1885, article VI; Brussels Treaty of 1890; Covenant of the League of Nations, article 23 (b));

- despite a number of attempts to seek rights from the doctrine, it has so far been impossible to derive legally enforceable rights from it. In a discussion of a court ruling, Bennett concludes that "implicit in this ruling is the assumption that the duties imposed by guardianship are not cognisable under the more conventional, equitable trust" (Chippewa Indians of Minnesota vs United States (No.2) (13)

It is important to note that on a number of occasions indigenous peoples were regarded as sovereign units by western nations and, accordingly, treaties were concluded between them; one example is the Treaty of Waitangi in 1840 between the British administration and the Maoris in New Zealand.

Moreover, the US delegate at the Berlin African Conference in 1885 argued - (although he found no support for his position) that

"modern international law follows closely a line which leads to the recognition of the right of native tribes to dispose freely of themselves and their hereditary territory. In conformity with this principle my government would gladly adhere to a more extended rule, based on a principle which should aim at the voluntary consent of natives whose country is taken possession of, in all cases where they have not provoked the aggression."(14)

At the same time, however, there were other "more practical" tendencies prevalent in the "civilized nations" which governed their relationship to indigenous peoples.

In the 1914 edition of the British Manual of Military Law, the following passage could be found:

"It must be emphasized that the rules of international law apply only to warfare between civilized nations, where both parties understand them and are prepared to carry them out. They do not apply in wars with uncivilized states and tribes, where their place is taken by the discretion of the commander and such rules of justice and humanity as recommended themselves in the particular circumstances of the case."(15)

The second important doctrine also flowing from the necessity in international law to regulate the relationship between conquerors and conquered during European colonialism was the terra nullius doctrine. According to this doctrine

(13) ibid., pp. 8-9
(14) Protocol of 31 January 1885, Parliamentary Paper C.4361, p. 209; quoted from Bennett, 1978a, op.cit., p.4
(15) Quoted from Bennett, op.cit. p. 64
any territory inhabited by peoples whose civilization was thought to be "backward" and whose political organization did not correspond to Western norms, was regarded as a *terra nullius* - ie, a territory which did not belong to anyone until the first civilized power chose to occupy it. The aspirations of the indigenous peoples in that territory did not have any bearing on this. It is uncertain, however, whether this doctrine really is a part of customary international law. More important here is the implication that communities of indigenous peoples do not enjoy any rights to sovereignty or self-determination.

This thinking has been well reflected in an adjudication of the Permanent Court of International Justice in 1933 in relation to the status of Eastern Greenland. Discussing the downfall of early Norwegian settlements in Greenland as a result of Eskimo resistance, the Court declared that

"Conquest only operates as a cause of the loss of sovereignty where there is a war between two states, and by reason of defeat of one of them sovereignty over the territory passes from the loser to the victorious state. The principle does not apply in the case where a settlement has been established in a distant country and its inhabitants are massacred by the aboriginal population."

This doctrine was once again subject to discussion and evaluation when the International Court of Justice gave an Advisory Opinion in October 1975 in response to a question by the UN General Assembly as to whether Western Sahara belonged to no-one at the time of colonization by Spain in 1884. The Court observed:

(16) quoted from *ibid.* p. 5. (Legal Status of Eastern Greenland, Denmark vs Norway (1933), PCIJ Reports, Series A/B, No. 53)
"Whatever differences of opinion there may have been among jurists, the State practice of the relevant period indicates that territories inhabited by tribes or peoples having a social and political organization were not regarded as terra nullius. It shows that in the case of such territories the acquisition of sovereignty was not generally considered as effected unilaterally through "occupation" of terra nullius by original title but through agreements concluded with local rulers. On occasion, it is true, the word "occupation" was used in a non-technical sense denoting simply acquisition of sovereignty: but that did not signify that the acquisition of sovereignty through such agreements with authorities of the country was regarded as "an occupation" of a "terra nullius" in the proper sense of these terms. On the contrary, such agreements with local rulers, whether or not considered as an actual "cession" of the territory, were regarded as derivative roots of title, and not original titles obtained by occupation of terra nullius." (17)

The court discovered legal ties between the territory of Western Sahara and what it called the "Mauritanian Entity", describing various tribes in the territory of the Bilad Shinquitti, who are now living in the Islamic Republic of Mauritania.

Even more interestingly, the Vice-President of the International Court of Justice, Judge Fouda Ammoun, delivered a Separate Opinion in which he stated,

"... the concept of res nullius, employed at all periods to the brink of the twentieth century, to justify conquest and colonization, stands condemned. It is well known that in the sixteenth century Francisco de Vitoria protested against the application to the American Indians, in order to deprive them of their lands, of the concept of res nullius. This approach by the eminent Spanish jurist and canonist, which was adopted by vattel in the nineteenth century, was hardly echoed at all at the Berlin Conference of 1885. It is however the concept which should be adopted today". (18)

Although a minority view so far, a change in the direction of international law would obviously have decisive consequences for, to cite just one example, the question of land title. If the lands could no longer be regarded as terra nullius, Bennett concludes, does it not follow that in law they remain the exclusive domain of their original inhabitants (the forest-dwellers for example)? (19)

The primary problem, however, was and is that indigenous peoples are objects instead of subjects of international law. They have, accordingly, no locus standi before international courts. Recognition of tribal communities including recognition of land title depends, under international law, entirely on the state: whether or not the state gives legal recognition to indigenous populations and their land title or not is at its discretion.

A third important development took place at the United Nations in the 1950s. In 1954 Belgium advanced the view that Chapter II of the UN Charter, providing for the duties of UN members with regard to non-self-governing territories, should not only apply to colonies and protectorates, for the need for protection of primitive communities is relevant in independent states as well as in colonies. This thesis led to a sharp controversy between powers who had colonies and the third world

(17) Western Sahara Case, Advisory Opinion, ICJ Rep 1975, at p. 39
(18) Ibid., at pp.86-87
(19) Bennett, 1978 a, op.cit. p. 7
countries. Stiff opposition to the so-called "Belgian thesis" led to its rejection. On 15 December 1960 Resolution 1541(XV) was adopted by the UN General Assembly; it provides for a duty to report in respect of any country which is, inter alia, "geographically separate" from the administering country. (20)

Generally it expresses the conviction that Chapter XI of the Charter could only be applied to non-self-governing territories, and not to independent states. According to Bennett, however, use could nevertheless be made of Chapter XI and it could be invoked for the protection of indigenous peoples even though for obvious reasons no attempt has thus far been made to use this chapter.

It is interesting to note that under the Convention on the Elimination of All Forms of Racial Discrimination (article 15), it is possible for the Committee on the Elimination of Racial Discrimination established under the Convention to receive petitions submitted to the United Nations by the inhabitants of colonial territories in connection with UN General Assembly Resolution 1514. These petitions may be heard whether or not the colonial authorities have made a declaration allowing individuals within their jurisdiction to submit complaints to the Committee.

Bennett concludes his monograph on aboriginal rights in international law by stressing that

"the constitutional status of the territories inhabited by indigenous peoples ought not to have any bearing on their rights under international law; for their situation is often as vulnerable as that of 'colonial peoples' in the conventional sense, and they too are frequently estranged from the governing authorities, suffering the neglect and discrimination which such estrangement entails. The recent developments in the concept of self-determination... may yet persuade the United Nations to abandon the double standards which led to the rejection of the Belgian thesis in the 1950s." (21)

Conclusions

The only comprehensive international human rights standard which has been adopted concerning indigenous populations is the ILO Convention, 1957 (no.107), and it has been and still is challenged as not reflecting present day concerns.

The ILO Convention is certainly not everything that one might wish for protecting indigenous populations, but it does have many strengths, and it is administered by an agency with a strong system for supervising how its Conventions are applied. In addition, the ILO is now studying whether its 'integration' provisions should be revised (if it is decided that this should be done it will take place in 1985). There is at the moment nothing to replace it.

Apart from this, there is a large number of provisions in various international instruments ensuring the prohibition of discrimination based on, inter alia, race, ethnic origin, religion and social origin.

The most important recent background study for the discussion of the fate of indigenous populations within the United Nations is the "Study of the Problem of Discrimination Against Indigenous Peoples", by Special Rapporteur Jose R. Martinez Cobo (Ecuador). In the study responses from governments to a questionnaire and material form other sources(scholars, NGOs) are used to describe various areas relevant to discrimination. They study covers the following areas: administrative arrangements, fundamental policies, health, education.

(20) The title of the resolution is "Declaration on the Granting of Independence to Colonial Countries and People".

(21) Bennett, 1978a, op.cit., p. 60
tion, culture, occupation/employment, vocational training, land/right to ownership, religious rights, legal assistance, equality before tribunals and before the law, language, measures by international organizations (UN, related agencies, NGOs), general measures for the prohibition, prevention and elimination of discrimination. There is no doubt that this study by the UN is the most profound and all-embracing investigation into the present living conditions and discrimination practices against indigenous peoples ever undertaken since World War II and even before.

In 1982, a working group on indigenous peoples was set up. This working group for which five governmental experts representing the major regions of the world here appointed works similarly to the working group on slavery. It meets for up to five working days before the annual sessions of the Sub-Commission in order to review developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous populations and gives special attention to the evolution of standards concerning the rights of indigenous populations, taking account of both the similarities and the differences in the situations and aspirations of indigenous populations throughout the world.

There are basically two approaches currently being discussed within international organizations. The ILO is tentatively planning to revise its Convention no. 107. As mentioned earlier, this would not take the form of a total revision, but rather the reformulation of certain parts which are no longer up to date. Most obviously, this would include the assimilationist approach followed in the convention. It is, however, not possible to say now how this will be received by its constituency - ie, the trade unions, business organizations and government representatives.
The second approach comes from the UN Human Rights Division. In the classical UN manner, first a declaration will be proposed to the UN General Assembly, later to be followed by a convention. Such a declaration is being discussed for several years and a considerable amount of discussion is likely to take place until a final version is submitted to the General Assembly. A consensus will be very difficult, for a good declaration/convention would not attract sufficient support within the international community because of stiff opposition from a number of countries (eg, the USSR and Latin America), whereas a very general or incomplete declaration/convention may even worsen the situation because important issues might be excluded and could, consequently, no longer be criticized as being of international concern.

KENYA: THE NAIROBI CONFERENCE- THE HIGHLIGHT OF THE UN WORLD DECADE FOR WOMEN. Written and Compiled by Inese Andersen

A BRIEF HISTORICAL BACKGROUND.

On December 12, 1972, the UN General Assembly declared 1975 the "International Women's Year." The objective was to promote equality, integration of women in development effort and to recognise the importance of their contribution to world peace....

The focal point of the Women's Year was the World Conference held at Mexico City, from June 19 to July 2, 1975, the first ever of its kind. It had a major impact world-wide, and many things will never be the same again after this Conference. It ensured that in the future it would be quite difficult for most governments and development aid organisations to push women back into their formal state of invisibility. The Conference aimed at adopting a world plan of action, which the UN General Assembly officially adopted in December 1975 and resolved that the years 1976-1985 be known as the "UN World Decade for Women", with a mid-decade conference (Copenhagen 1980) and an end-of-decade conference (Nairobi 1985) to assess achievements and plan for the future.

One of the important outcomes of 1975 was the establishment of the "Voluntary Fund for the United Nations Decade for Women." Over 300 projects have been funded at a cost of almost 20 million US$. The fund channels money to institutions that assist women in their development programmes. The fund also supports developmental activities that benefit rural and poor urban women.

The Copenhagen Conference (July 1980) had quite a lot to be optimistic about. The UN had shown that it was willing to address the increasing number of women's issues, even those
relating to women and apartheid. The participants of the Alternative Conference were organizing and doing a very effective effort at networking.

While the official UN Conference at Mexico City had 1,000 delegates the number had increased to 2,000 in Nairobi. On the other hand, the women attending the Alternative Conference had grown from 2,000 in Mexico to 6,000 in Copenhagen to exceed 10,000 at the Forum-85 in Nairobi.

The Decade may have drawn to a close but it was obvious that the women did not regard it as the final act. One must also note that a major document at the Nairobi Conference is on forward-looking strategies which propose concrete goals and objectives for the next 15 years (1986-2000).

Indigenous Women Form Global Networks.

A number of delegates for the indigenous women of the world came to the Nairobi Forum-85 Conference with rather well-established networks in their own regions. The two most notable examples were:

1) The Native Americans of the North-West U.S.A. (see article elsewhere in this Newsletter); and

2) The women from the Pacific. The countries involved in this group are: American Samoa, Cook Islands, Guam, Kiribati, New Caledonia, Nauru, Northern Marianas, Palau, Papua New Guinea, Solomon Islands, Tonga, Western Samoa, Vanuatu, Philippines, West Papua, East Timor, Australia and New Zealand.

The alternative report on the Pacific to the Forum-85 included recommendations on research on women's health, research on traditional medicine and health practices, educational opportunities for women on all levels, equal employment oppor-
tunities, special support for rural women, and moral support for the struggle of indigenous people for self-determination and independence in West Papua, New Caledonia, French Polynesia, Marshall Islands, Palau and East Timor.

At the workshop on the Indigenous Women’s Viewpoint, led by Native Americans, Aboriginal women from Australia were enthusiastic about the networking described from other parts of the world. "We have been thinking that Australia is too big. But we have learned a lot about how the native Americans have divided their regions into northwest, southwest and Central America and South America. We’ll definitely take that home with us."

Janet McCloud/Yet-Si-Blue, a Tulalip Indian from the Washington State commented on the tendency of Indigenous Women to blame themselves for problems they face. "It’s very easy to put another Indian woman down. I’ve seen that happen. But we must pick each other up. We have seen here that we all have the same problems."

Some Incidents at the Eritrea, West Papua and East Timor workshops –

In these three workshops, "the problem of men" was experienced by the audience. Needless to say the problem was political as all these men represented the countries oppressing the three peoples.

At the Eritrea workshop "Eritrean Women’s Role in the Eritrean Liberation Struggle", more than 50% of those present were Ethiopian men and they were rather persistent in their statements until women from other oppressed groups spoke up and most of the Ethiopian men left.

At the West Papua and East Timor workshops there were few men present, but these few made their presence certainly felt: they took close-up pictures of all present, especially the refugees. The way they communicated with the Indonesian women present, one got the impression that both the men and the women were in some way connected to the Indonesian government.

Concluding remarks

The Nairobi Conference which ended the U.N. Women’s Decade was a historical incident and will remain as a monument in the minds of all of us who were lucky enough to participate. We can only hope that another such World Conference will be able to take place in 10 or 15 years, but in the meantime let us hope that women will be inspired to organize conferences on a regional plan – e.g. South America, Central America, Australia etc. every 2 or 3 years.

As Efigenia de Oliveira from N.E. Brazil expressed it in a Danish TV interview (23. July 1985): "Because of political harassment and 2 years unemployment I felt like a branded human being when I came to the Alternative Conference in Copenhagen,
1980. Here happened so many good things which meant changes in my political work and a new knowledge about women’s organizations. But first of all I learnt so much from the other South American women - we were in the same situation, we could really help each other."

The following three cases from West Papua, Eritrea and North America are based on discussions which took place at the indigenous workshops and supplementary written material provided by the delegates. They are very different expressions of indigenous women’s conditions all over the world.

I would like to point out that the similarities that bind the indigenous women are many. They fight together with their men, for ownership and use of the land collectively - "otherwise we are not indigenous!" They share a deep concern for their families, their community, the history and the spiritual values of their people. They are faced with very serious health threats, forced sterilization being a factor which needs deeper investigation as this is regarded by many as a device for genocide. The common experience of having been colonized is probably the most binding link.

I have included the three following cases to show the broad spectrum of women’s experience and the variety of ways they use to achieve goals, which we at the conference felt were similar to nearly all of us. In spite of the disparity in modes of presentation, there is an underlying feeling and recognition of fundamental problems and issues which are common to all women.

THE NAIROBI CONFERENCE
WEST PAPUA
An interview with Betty Ireeuw and Gerda Kaisiepo. By Ines Andersen

Betty Ireeuw & Gerda Kaisiepo are delegates from the Association of Papuan Women in the Netherlands. They are sisters and have lived as refugees in Holland since 1962.

The reason for participating in Forum-85 Women’s Conference in Nairobi is because this is the last conference of the Women’s Decade. "We want to give information about West Papua refugees and ask for understanding for their serious situation. We want to ask for support for our statement and ask the women of Forum-85 to demand that the Indonesian government stop killing our people. Furthermore we will appeal to the different governments to put the question of our case to the U.N. in New York, as we are convinced that our case is international."

Women’s Groups
- concentrate on cultural activities teaching the children the Melanesian way of life. As the Melanesian culture is very different from European culture the young people growing up find themselves in loyalty conflicts between their peer group and their cultural affiliation. The women transmit the traditional knowledge but also feel that it is an advantage to acquire western technical skills.

If the coming generation cannot return to West Papua, they have a chance of settling on some other Pacific Islands. The mothers feel that they are giving the children an opportunity of choice between 2 ways of life.

In 1979 the Association of Papuan Women in the Netherlands was formed with the aim:
1) to help the Papuan Women in Papua
2) to keep the Papuan heritage
3) to help the Papuan women to function in the Dutch society
4) to make an extra effort to learn different languages.

It might be noted here that both Betty (in her 40's) and Gerda in her early 30's both live in the same town as their parents— which is a continuation of the traditional pattern of living.

The Political Situation

When the Dutch government gave up West Papua as a colony, it attempted to support W.P. claims, but this was stopped by the Kennedy regime in U.S.A., supported by England, Australia and New Zealand. Sukarno's attempts at communism made USA even more antagonistic while the Cuba-affair made things even more difficult for the Netherlands.

The big problem for the West Papuans is that although they have Dutch citizenship with all the rights this implies, they get no support from the government. The Dutch government is on friendly terms with the Indonesian government and is supporting the idea of a Union of the Islands under Indonesian government.

The Indonesian interest in West Papua—

is mainly its strategical situation but also resources play a role (oil, tin, minerals) and lately the sea rights. But first and foremost it is a question of space: Indonesia is overpopulated (95 mill. in Java alone). The aim is to transmigrate 500 million to East Timor and West Papua. What will happen to the indigenous people?

The Indonesian propaganda—
says that the indigenous people are "cannibals and primitives" who need "development" in form of roads, airports and military bases. The National Council of Women of Indonesia went as far as to distribute written material outside the
West Papua workshop, describing W.P. as having "a population of 1 million, who almost live in a Stone Age despite 350 years of colonial rule by the Dutch."

The West Papuans feel themselves surrounded by a wall—not a Berlin Wall but a human wall of Javanese.

Women Political Prisoners
Six West Papuan women have been held without trial since August 1980, after unfurling the West Papuan flag in place of the Indonesian flag outside the Governor's office. Percila Yagadewa, the leader of the group spent three years imprisoned together with her fellow sisters plus her husband, Paulus Kenop, and their three children. One of the children was born in prison. Percila was sentenced for 5 years, two more years than her fellow women activists.

Health
Malaria is the national curse. Of all still-births, 30% to 40% are attributed to this plague. The Indonesian government does nothing to combat the disease, on the contrary more diseases are spreading in the country.

The biggest health problems facing West Papua's women and girls are Venereal Diseases (V.D.), rape, prostitution, lack of health equipments, child-care, shortages of medicines and medical treatment. The Melanesians are threatened to be annihilated probably within a few decades from now! Forced sterilizations are common and p-pills can easily be purchased on the open markets. "If the rest of the world does not do something about it we will be the Indians of the 1990's!"

"This is the first time in W.P. history that the women come as International Delegates to an International Women's Conference. This is also the first time our husbands stay home and look after the children."

"We want to emancipate the whole society together with the men. This is our way. You know, the Indonesians are actually afraid of the West Papuan women delegates!"
THE NAIROBI CONFERENCE

ERITREA: WOMEN IN STRUGGLE

The History

The history of the Eritrean people is marked by foreign aggression and invasions:

In the early 16th century, the Turks occupied the country and stayed there for three centuries. Then in 1865 the invading Egyptians displaced the Turks and ruled part of Eritrea. In 1885 the Italians succeeded in colonizing Eritrea. In 1941 the Italians were defeated and Eritrea became a trustee territory under the British Military Administration. In 1952 the United Nations resolved to federate Eritrea and Ethiopia. In 1962 Ethiopia illegally abrogated the U.S.-sponsored federation and forcibly annexed Eritrea.

The Eritrean people have a long history of resistance against foreign aggression and occupation.

After years of peaceful resistance, an armed struggle for national independence and democracy began in 1961. Through the years, the Eritrean people have shown their determination to free themselves from the bondage of Ethiopian subjugation and attain freedom and human dignity.

The Role of Women in Feudal Society

The Feudo-patriarchal order had confined the role of women to a tiresome and monotonous housework, married life entailed their seclusion, and in some parts married life entailed eternal seclusion, the reactionary norms barring the wife even minimal personal freedom and dooming her within the confine of her home. To-day, married women enjoy the same

LOCATION: Eritrea, an integral part of the Horn of Africa occupies about 625 miles (1,000 kms) of the Red Sea coast line. Its strategic location attracted colonizers of all sorts over the centuries.

AREA: 50,000 square miles, approximately the size of Pennsylvania.

POPULATION: 3.5 million.
personal rights and freedoms as their male counterparts and actively participate in all aspects of the revolution.

Women are Producing and Educating Themselves

Women militants consistently carry-out intensive political education programmes to further raise higher the level so far reached and simultaneously engage in continuous mass-conscientization and politicization campaigns.

Illiteracy programme assume first priority in the revolutionary undertaking to impart a new revolutionary culture to the broad Eritrean women who had been suppressed and reduced to male-subservience under the feudo-capitalist and colonial order.

Women militants in collaboration with their male comrades, play their indispensable role in rearing a new generation imbued with the new and progressive ideology and culture.

Major results have been achieved in the effort to fully translate the EPLF's policy of ensuring the emancipation and quality of women through enhancing their (equal) participation in all aspects of the revolution. Women now contribute concretely to struggle, availing themselves of the new opportunities, employ their latent talents and erstwhile suppressed capabilities in the various sectors of handicraft and mechanical work.

Co-operative works are encouraged and pursued, individualistic tendencies and perspectives are increasingly smashed and replaced by new and revolutionary values of comradeship and collective interest.
Women masses participate in productive activities and generate valuable support to the revolutionaries who have taken up arms to smash colonial rule.

Congress of the National Union of Eritrean Women - (N.U.E.Wmn)

The Founding Congress of Eritrean Women - a mile-stone in the struggle of Eritrean women and a great step forward in the struggle of the Eritrean people - was held in the liberated areas in Eritrea from 25 -28/11/1979, with a spirit of unity and revolutionary responsibility under the slogans:

1. "Conscious participation of women is decisive for the victory of the revolution!"
2. "Equality through participation in work!"
3. "The struggle of women is an organic part of the struggle of the working class and the oppressed peoples of the world!"

The Founding Congress of N.U.E. Wmn is of historic significance being held at a time when the EPLA has guaranteed the preservation and continuity of the Eritrean revolution against the backdrop of a year-long large scale enemy offensives and at a time when the Eritrean masses have formed, and are in the process of broadening, their respective class and social organization so as to better shoulder their revolutionary tasks.

The Founding Congress of N.U.E.Wmn underlined the interdependence and inseparability of the woman question from the general struggle of the working class for independence, liberation, justice, peace and unity by crushing and uprooting colonialism and class exploitation. The historical experiences of the struggle of the international working class and the international women's liberation struggles show that the question of the liberation of women was articulated - like all other important political, economic and social issues - in the era of scientific philosophy, that the international communist women's organization was founded through incessant struggle and sacrifices waged by the Second International; and that the victory of the great October Revolution had opened a new path of liberation as well as heralding the bright future of the working class of the world in general and the oppressed women in particular.

Many women's organizations, with differing shades and ideological overtones, have surfaced throughout the years. History and the experiences of women's liberation movements illustrate, however, that these various tendencies essentially revolve around and are ramified into two mutually antagonistic ones: a progressive women's organization led by a tested and genuine revolutionary vanguard counterposed to a reactionary organization marginally anti-feudalist but struggling to preserve the capitalist and imperialist order and representing the interests of the bourgeoisie.

The N.U.E.Wmn, underlining that the Eritrean women's liberation movement is part and parcel of the world revolutionary forces, affirms its commitment and determination to learn from the experiences of the latter and struggle with redoubled efforts to consolidate and strengthen it.

Although the role of Eritrean women in the anti-colonial struggles of the Eritrean people was not inconsiderable, their participation - throughout the various stages of the struggle - in the political, economic and social transformations was nonetheless hampered due to the superimposition of sexual oppression and their concomitant underprivileged social position within the colonial society, as is the case in feudo-capitalist societies. And even in the initial years of the
armed struggle, women militants in most of the rural areas were confined to preparing food, carrying water etc., due to the feudal-capitalist nature of the leadership of the liberation front. In the cities too, except for a handful women who had established contacts with the urban-based student and working class movements, the overwhelming majority was largely estranged from the struggle. The democratic struggle of the EPLF mobilized and rallied the erstwhile neglected other half of our oppressed society, and Eritrean women - in particular in the last five years - have participated in their thousands in the on-going national democratic revolution. They have advanced forward with amazing pace superceding male oppressive and chauvinist norms and are to-day incurring heavy blows on Ethiopian colonialism fielding their forces on the side of their male comrades.

A living testimony of this historical truth is the prevailing situation within our organization, the EPLF - Vanguard of the Eritrean revolution. Working women, students and even the old are to-day organized, their political consciousness deepened, and their participation raised several fold, as attested by their role in social production. Women have taken up arms in great numbers, at present making up more than 20% of the EPLA, breaking male monopoly and the once prevalent myth of “women passivity”. The equal participation of women in the various administrative and production fields has in turn rendered void the old woman-denigrating norms, given additional impetus to their struggle and concretely confirmed their indispensable role. And it is only in these patterns and processes that the emancipation of women from double oppression can be attained.

The Founding Congress of N.U.E.Wmn convened after a long struggle signals - as opposed to those primarily forged for diplomatic and propaganda purposes - the dialectical punctua-

tion to the accumulated rich experience and development as well as the start of a new chapter for the upcoming struggle. N.U.E.Wmn is committed to bring about profound political, economic and social changes. The convening of the Founding Congress of N.U.E.Wmn - which holds an important place in the history of the struggle of the Eritrean people in general and the struggle of the Eritrean women in particular - will undoubtedly impart additional momentum to our revolution as well as play a decisive role in broadening and strengthening the national union of Eritrean women.

In this Founding Congress, representatives of Eritrean Women's Associations of all four regions, members of the Political Bureau and Central Committee of the EPLF, members of the EPLA, representatives of different mass organizations as well as progressive and democratic organizations abroad participated. The Founding Congress opened with the speech of Comrade Ramadam Mohamed Nur - Secretary General of the EPLF.

The Founding Congress, after analyzing the political situation in Eritrea, the region and the world at large: - condemned the barbaric crimes the fascist Ethiopian regime is committing on the Eritrean people and the democratic movements of the Ethiopian people; commended the struggles the Eritrean masses - led by the EPLF, are waging to uproot Ethiopian colonialism and establish a new and liberated society, re-affirmed its commitment to struggle to implement the correct line of the EPLF.

- Strongly opposed the intervention of the Soviet Union against the just struggle of our people and for pooling its forces on the side of the Dergue, and calls for the rectification of this position, calls upon all socialist and progressive countries and organizations to stand on the side of the Eritrean revolution.
- On the question of national unity it upholds the correct unity policy and struggles waged by the EPLF, and commending the agreements reached between the EPLF and the ELF on unity and its translation, calls upon its members to struggle for the full implementation of the agreement.

- Condemned the manipulations of imperialism, zionism and all forces of reaction aimed at weakening the struggle of the oppressed masses and asserted its relations with the socialist countries, the workers movements and other democratic forces in the capitalist countries and the liberation movements in the third world.

- On organizational questions, the Founding Congress ratified the programmes and the constitution of the National Union of Eritrean Women, elected a 30-member Central Council with a 6-member Executive Committee, and was successfully concluded adopting important resolutions and recommendations.

Source: (1) Eritrean Women in Struggle
June 1980

(2) Information obtained at the Nairobi Conference, July 1985

THE NAIROBI CONFERENCE
USA: NORTHWEST INDIAN WOMEN'S CIRCLE

Indigenous Women's Network

The Indigenous Women's Network (IWN) was created in the winter of 1984 by Native American women representing rural and urban, young and old, community organizers who have worked in diverse areas to support the continuation of their people. The statement of purpose of the Network states: "For many years, we have worked within our communities as grassroots women activists. We have fought for: sovereignty, land, human and civil rights. We have worked to change education, health, environment and institutions for the betterment of our people. As Indigenous women, we have personally struggled against overpowering forces - Indian women are abused, mistreated, battered, sterilized and are victims of institutional racism and poverty in double doses as Native Americans and as women. Indian women by the thousands are weeping at night in despair at the condition of our families and communities. We are compelled to address the problems that confront us. We have united to share with one another our skills and to support each other for the basic survival of our people. Our underlying framework is to work within the visions of our elders, as we apply indigenous values to resolve contemporary problems."

The Indigenous Women's Network is an informal coalition of women who are coming together to develop an alternative for Native American communities based upon Traditional Philosophy and practices; and use of contemporary methods consistent with a spiritual way of life. The eight founding members of the Network bring their unique experience to collectively address the issues affecting Native women and their families and to develop a unified strategy of community development. Janet McCloud.

*The Northwest Indian Women's Circle is a non-profit grassroots organization of Indian women involved in projects and activities which address the special needs and problems of Indian women and their families.
Tulalip mother of eight and founder of the Northwest Indian Women's Circle, has worked to defend her people's right to fish in the northwest. Winona LaDuke, Anishinabe, has provided action research for Native people around environmental issues such as acid rain, natural resource development, and water rights. Debra Harry, Northern Paiute, assisted in defeating the MX missile siting in Nevada and organizing a spiritual gathering for the Native people of the Great Basin. Milak Butler, Inuit, has worked for the defense committees of many Native American activists imprisoned for their assertion of Native rights. Ingrid Nashinawatok, Menominee, worked with the International Indian Treaty Council to bring the issues of Native people before international forums. Agnes Williams, Seneca, works with the Women of All Red Nations in Oakland, California to improve the health, nutrition, and birthing practices of urban Indian women. Wilma Mankiller, Cherokee, vice-chief of her Nation, established a program of community development in self-help housing and water systems. Marsha Gomez, Choctaw and Chicana, works with Artistas Indigenas - an indigenous women artists association for social changes. Dagmar Thorpe, Sac and Fox, is the acting director of the Seventh Generation Fund, a national Native American community foundation which supports efforts in self-reliance, protection of lands and resources, traditional way of life and Native women. Michelle Richards, Oglala Lakota, works with the Sacred Shawl Society, which assists battered women.

The Network is larger than the members of the Committee, however, and encompasses those organizations the planners represent. Additional involvement is occurring at the regional planning conferences scheduled for Oakland California; Yelm Washington; New York, and the White Earth Reserve in Minnesota. As well, each committee member will develop a list of women. Many Native women organizers work in isolation from women who are active in other communities; and from major technical and financial resources which could assist them in their organ-
izing work. This isolation also prevents the emotional support needed to sustain oneself as an organizer to overcome the feeling of "I am the only one out there fighting for my people." Women need to know that there are others to connect with to solve a problem; or to provide the emotional support which only another Native women organizer can provide.

Community organizers generally emerge in their communities because of a love for their people and their homeland. Unless an organizer works directly with someone experienced in organizing, the process of developing skills requires a long period of time. Many organizers confronted with the "goliath" of opposition which probably includes the federal and state governments, local non-Indians, the press, and in some cases, their own people or families, "burn out" before developing the skills and knowledge necessary to maintain oneself as an effective organizer. For women, this overload of responsibility is compounded by commitments to their children and families.

Native women have decided to come together to develop a plan for survival and flourishing of their Native Nations. Women recognize that in the collective wisdom of the people, there are solutions for the problems facing Native communities. Women recognize that if a positive change is to occur, it requires a movement of Native people to build support, unity and understanding.

The Indigenous Women's Network will bring together 200 Native women activists and their families to share their resources, skills and knowledge in the first national gathering called by women to deal systematically and pragmatically with the serious issues confronting the Native family and community. The gathering is called for late fall in Yelm, Washington at the home of Janet McCloud, an informal center for the organizing work of Native women. The gathering, the first step in a proposed national network of Native women organizers, will bring together women working in diverse areas but sharing a common vision for the future of the people based upon indigenous thought. This will include women working in self-help and traditional health practices; self-help housing and water systems; appropriate technology; small-scale economic development; cottage industries; and marketing of Native crafts; counselling Native families utilizing traditional principles; Native language and ways of life; spiritual strength; protection of Native life, lands and resources; and the individual civil rights of Native people. Native elders are playing an instrumental role in shaping the content of the gathering and establishing the framework for discussion.

The gathering will be organized in four phases:

The Native Woman
Our Families
Our Communities
Our Global Communities


Commentary on Domestic Violence

I thoroughly enjoyed the Summer/Fall issue of the Moccasin Line and am proud to see Indian women dealing with and supporting women issues in such a positive manner. I am a Lakota/Winnebago woman and work daily with battered Indian women. I read the editorial on domestic violence and applaud the Northwest Indian women's Circle on their support of women and the issues involved in domestic violence.

Violence against women is a wide-spread, on-going societal
problem. We often tend to look at battering as an individual problem. It is not. The problem must be placed in and dealt with in the context of society.

I agree that we must support a woman's choices. The reasons why women return to violent relationships are complex, but I do not believe that any woman likes to be beaten. No one likes or deserves to be beaten. A woman does not choose to re-enter into the relationship because she likes the violence there. She may go back because of her socialization, the false belief that she is not whole or valid or without a man, her belief that marriage is for better or worse, her belief that she cannot survive alone and that her children need a father, financial or emotional dependency and sometimes just plain old fear. He has told her that he will kill her if she leaves him and past experience has taught her that he very well could. Her battering partner has isolated her from her family and friends and she feels very alone. A battered woman will always tell you that she is going crazy. The violent partner has distorted reality for her and she, consequently, feels incapable of making sound decisions. Society, in an attempt to deny the problem and avoid placing responsibility where it should be, blames the victim. The question I am always asked, "Why does she go back? She must be sick." I have never been asked, "Why is he so violent?" And once again the responsibility for male violence is placed on women.

Women do not want the relationship to end; we want the violence in the relationship to stop. As the cycle of victimization is completed, women learn to project themselves as victims. Violent men seem to sense when a woman can be victimized and seek out women. Battered women who enter into serially violent relationships are not looking for beatings. These women have not been taught to project themselves as anything other than a victim. Just as men are taught that they can dominate by force and coercion (the ultimate example being war), women are taught that men are supposed to be dominant. Women are taught to be good victims and we are all potential victims. Statistics show that one out of two men will hit a woman at least once during the course of a relationship. So, you meet two men and they both seem so nice. One of them will hit you, the other won't. How do you know which one will and which one won't? As women, we are not taught the indicators of violence. We are taught that if we are woman enough, that if we love them enough and are understanding enough, they will change for us. And, we try to "fix" them by scurrying around trying to get them into treatment, making counselling appointments for them, going to marriage counselling appointments, etc. Nobody tells us that stopping his violence is his responsibility.

I wholeheartedly agree that women must have support and encouragement to recognize the right not to be beaten. I am also a strong advocate of utilizing traditional Indian ways to help both men and women learn respect for self and for one another.

Sincerely,
Karen Artichoker
Rapid City, S.D.

Violence & Indian Women

Violence against Native American women has taken a tragic upswing in Pierce County in March as two young Indian women were victims of homicide in separate incidents.

Vera Dix, 31, a member of the Cherokee Nation of Oklahoma, was murdered some time after March 7, when her husband reported her missing. Her partly clad body was found near
Nisqually just off Mounts Road, about a half mile from I-5, according to reports in the Tacoma News Tribune, and Rachel Harte, 29, of Lakewood, was killed by a hit-and-run driver early in the morning of March 10 as she stopped off a curb at South 14th St. and Pacific Ave. Witnesses said the young Indian woman and her companion, Jose Ceballos, had just come out of the J & M and had started to cross the street when they were struck by a speeding car that fled the scene.

Dix, who lived in Roy, was reported missing by her husband after she failed to return from her late night office cleaning job. Her abandoned car was found a short distance from where her body was found.

These tragic crimes and the circumstances surrounding them point out the urgency of making resources and help available to urban Indian women, who are from distance lands.

These women represent two people whose lives will never touch, who are gone forever, maybe partly because they lived a transient lifestyle and did not have strong ties to the community, making them more vulnerable to strangers and alcohol-related accidents.

It is for women like these - our sisters - that we need to work together to make the Northwest Indian Women’s Circle Center strong and accessible, so that those in an unfamiliar urban environment without the security of extended family can find security and love and direction within the circle.

Nancy Butterfield
"A Nation is Not Defeated Until the Hearts of its Women Are on the Ground"

Along with physical violence, or battering, another form of violence must be discussed and brought out in our communities. This violence is Child Sexual Abuse, both child rape, as well as child incest:

This problem has been so well hidden by silence, that it has only been within the last few years that we have seen the true extent of this problem of child sexual abuse.

Incest is sexual relations between family members, with the most common form being an older male family member who will most likely offend against a child within the family.

Most often, the victim of incest is a young female child in the family, although the incidence of young boys being offended against is fairly high, but only one fourth as often as little girls.

A child who is molested by someone outside the family is more likely to find family members outraged and to get support and protection from the family as well as the community.

A Totally Different Situation

A child who is molested by someone within the family may often face a totally different situation. This child may tell their mother or other family member and find that their story is not believed by the family, or that they are told not to make a big deal out of the incident. This then leaves the child vulnerable for continuous long-term sexual abuse, with little or no hope for intervention or protection by Mom or the family.

Personal Violation

The emotional damage done to victims of incest is difficult to express, but it is my personal belief, that nothing can compare to the emotional pain, emotional disfunction, and the devastating consequences from this form of personal violation, NOTHING.

Child victims grow up with this terrible secret that directly affects how they live the rest of their lives. Many women turn to alcohol abuse in an attempt to drown the pain of that humiliation and dehumanizing experience. Others push it so far within that when time comes for these mothers to teach their children about protecting themselves, or when picking a mate, they tend to hook-up with men who like to abuse children. The mom is then unable to deal with this issue, and is unable to protect her own children, and the cycle continues. The trauma of this form of abuse is almost unimaginable.

Devastating to our Communities

Incest is so devastating to our communities because this form of abuse so warps our young children and inhibits their healthy emotional growth. We end up with women and men who are so emotionally devastated, that they cannot recover from this and are lost in their own world of pain-relief, alcoholism, drug abuse, prostitution, etc.

Talking About the Pain

Only recently have a few courageous women been able to open up and talk about the tremendous pain of that experience. Even though many of these women are getting on in their years, speaking about this past experience is still so vivid and almost always brings tears of sorrow and pain,
proving how deeply rooted this abuse may reach.

The many others that continue on, trying in their own ways to forget the past, usually don't see how they continue on in very dysfunctional ways, again with the alcoholism, or emotional instability which continues, even as they age, to affect their lives.

These abused children grow up and try to raise their own children in a nurturing environment, not realizing that often the emotional pain will eventually undermine all their efforts and good intentions. Most often these women who are child victims, will never be able to connect the difficulties they are having in their own family life to the effects of child sexual abuse.

Concern for our Children

Our traditional Elders tell us about taking care of our bodies when we are pregnant: eat good foods; don't drink alcohol, as it is directly passed to the child: think good thoughts, etc. All this before the child is even born.

This concern for our children must not end there. Emotionally devastated children do not grow up to be emotionally healthy adults and parents. The cycle goes on.

One reason many parents in our communities have difficulties in functioning may very well be because of sexual abuse in their own past. The viciousness and devastation of this cycle touches us in the most intimate development of our communities, the development of our values and principles which are passed on to our future generations. This is a problem that can only continue as long as we condone it through our silence. The children will continue to suffer as long as we hide the truth and turn our heads.

Suggestions

1. Each community knows the problem exists but may want to openly acknowledge the fact. An initial step may be to develop a "community policy" regarding sexual abuse. Approach the Tribal Council and demand a policy that can be followed. Skokomish Tribe has a policy that openly acknowledges the problem and provides a vehicle for the community to fight the problem.

2. Community exposure of the offenders provides a useful tool to help inhibit the spread of this problem. Silence is the offender's cover and allows him open access to our children.

3. Teaching our children tools for personal safety, that their bodies are their own and no adult has the right to touch you if you do not want that touching. Teaching our children to say NO: Teaching our children to tell someone, and training our communities to accept the word of these children, because children do not know how to lie about sexual abuse.

4. Learn to listen to your children, investigate if your child's behavior changes drastically. Develop an atmosphere of trust with your children, openness is the key.

Source: Moccasin Line
Winter/Spring 1985

Address: Northwest Indian Women's Circle
P.O. Box 8279
TACOMA, Washington 98408, USA.
NICARAGUA: STATEMENT BY HAZEL LAW

Brother representatives of the indigenous peoples, communities and nations of the Americas and the world:

"MY PEOPLE........ WANT PEACE
MY PEOPLE........ PLEAD FOR PEACE
MY PEOPLE........ STRUGGLE FOR PEACE"

In representation of the Miskitu people and in my capacity as a Deputy (member of the National Assembly) representing the interests of the indigenous peoples (Miskitu, Sumu, Rama) of the Atlantic coast of Nicaragua, I have the honour to share with you information on the current and objective situation in my country:

1. The indigenous peoples, Miskitu, Sumu and Rama, who are in the midst of the present problems have today a voice in the National forum for the defence of their interests and also, locally, to make their position as indigenous peoples felt in the search for the recognition of our historic rights, which is based upon the fundamental principle: right to the land and the natural resources. In addition, they are playing a leading role in the search for a solution to the problems of the division of families, aggression, etc.

2. There has been established two frameworks of dialogue between the indigenous people and the government of Nicaragua: one at the external level and another at the internal level, (in the field), by the initiative of talks, since October 1984, between MISURASATA (an organization which had taken up arms) and the government. This process was realized at the direct suggestion of the original leaders of MISURASATA. We have always remained in the country beside our people.

Four rounds of talks developed since that time up until

May of the present year (1985):

6-9 December 1984 in Colombia
22 March 1985 in "
20-22 April 1985 in Mexico
25-26 May 1985 in Colombia (suspension of the talks)

In these talks I have participated as part of the delegation of MISURASATA, in accordance with the legitimate representation which the people have given me.

On the 12th of July of this year, with the services of the World Council of Indigenous Peoples, Brooklyn Rivera sent to the government a correspondence planned to resume the talks. I was present at the said meeting where the government clearly responded with willingness to continue the talks. As it is difficult for the government negotiators to leave the country in the face of the threat of invasion, it was requested that the talks be continued in Managua, but if that was not satisfactory (to MISURASATA) the government would delegate powers to a commission so that (the talks) could take place outside of the country. Since that time (the government) is waiting for an answer from Brooklyn Rivera, meanwhile the people are also wondering what is to happen.

The Internal Dialogue

Is a continuous process which is realized through the legitimization of leaders elected by the community, who are in charge of the direct administrative management before the government, and through the re-establishment of the organization of the Sumu people (SUWAKALAN), and the dialogue with the military chiefs of MISURA AND MISURASATA. This took place in the Miskitu communities of Yulu and Sisin on the 17th May 1985, and has had as a result the signing of a joint
agreement making possible the return to the Río Coco of the settlement communities of Tasba Pri.

Since the 28 of June (1985) the communities of Tasba Pri have been busy with the preparations for the move.

At present, there is taking place on the Atlantic coast a process of consultation about the proposal of autonomy, which will be submitted to the National Assembly. All the indigenous and creole communities have been involved and are aware of the antecedent of autonomy in the region of the treaty of 1860, later in 1905 known as "the treaty of Managua."

All these events will fill our people with hope. They are eager and mobilized. Nevertheless, not everything is positive. One faction of MISURA, allied with the ex-national guards of Sonora, continued acting against the interest of the Miskitu people and destroyed, in June, the water pump from which 20,000 Miskitujs receive their drinking water, and captured the German ecologist, Regina Schmelen and a technician from the coast named, Canales, whom they carried away into Honduran territory. This same faction (in contrast to the firm position of dialogue of the other faction of MISURA and MISURASATA), captured, on the 19th of July, Genaro Canton and four other Miskitu brothers. Under the command of Fastino Fernis, chief of the F.D.N., the plans to attack and sabotage the fuel deposits in Puerto Cabezas, continue.

During the activities which the communities of Tasba Pri carried out in connection with the move, members of the communities of La Esperanza and San Carlos Río Coco were detained on the 12th of July by military forces of the government of Honduras in the locality of Sushi and were taken to El Duce, but fortunately this incident developed no further and our brothers were able to return to work in the community.

The Problems of Greatest Concern to our People

One of the problems which most seriously affects the indigenous people, particularly the Miskitu and the Sumo, as expressed in this same forum in 1983, is the division of families. Our people are seriously preoccupied because we have had information that our brothers who are refugees in camps in Honduras and who wish to return to our communities (in Nicaragua) have been poisoned, not knowing the poison nor who carried out the act.

Our indigenous people are seriously affected by the situation of aggression and they manifest themselves actively for peace, dignity, and the search for dignified and respectful relations with the revolutionary state.

We congratulate the non-governmental organizations which come out and work actively for peace and we also ask on behalf of our people that they continue to join forces. In the same manner we are grateful to the governments of the Contadora Group for their efforts towards pacification in Latin America.

Our position as Regards Indigenous Rights

We are convinced of the different realities of the indigenous peoples of Latin America as compared to the indigenous nations of the United States and Canada. Our indigenous people call themselves "people" and revalidate the right to self-determination, not as the right of secession or independence, as we are aware of the history of the formation of the nation-state in our countries, but we understand the right to self-determination as the right to the option to a political, social and economic framework in keeping with our identity.

We speak out for a profound transformation of the social
reality in order to overcome the inequality to which our people have been submitted for centuries. In that respect, a serious, respectful and dignified dialogue should be started between the indigenous people and the government of my country. In the same manner we consider that dialogues with indigenous peoples should be initiated in all countries of the continent.

For us, self-determination carries with it the right to participation in the institutions of state power, legitimizing the traditional institutions and respecting the will of the people. What value has a law if it does not guarantee our people the means to practice it? And this means participation in power. But this must not happen in a controlled manner, as during the Somoza past, when the deputy did not introduce one single law in favour of our people, but rather in a way which will defend the interests of the indigenous people who are represented.

In Nicaragua there is developing a massive consultation concerning the proposed autonomy to guarantee a framework for exercising the historical rights of our indigenous peoples and communities of the Atlantic coast. This will take place from the 5th of August until the 20th of September (1985). We take this opportunity to invite the non-governmental indigenous organizations to observe this process.

While we speak here of dialogues and searching for alternatives, there is at this moment the threat to bomb places in Nicaragua. There is a threat to bomb indigenous peoples, specifically, Puerto Cabezas because it is so strategic.

Before this reality, brother indigenous representatives, members of the Working Group and democratic governments of the world, if people impose war upon us we have no other choice than to die on our feet defending our land and our dignity,

the inheritance of our forefathers.

And so we are not going to betray the anti-imperialist struggle of the veteran combatants of the Defending Army of National Sovereignty who carried out their feats in 1928-1933, nor are we going to betray the anti-colonial struggles of our indigenous forefathers, in Nicaragua as well as among all the indigenous peoples of the world.

Many thanks.

Geneva 29th July 1985

Hazel Lau : Photo: Mauricio Duarte from Wani}
NICARAGUA: DECLARATION OF THE GENERAL COORDINATOR OF MISURASATA

By: Brooklyn Rivera

I would like to refer to the problematic situation and the struggle, as well as to the process of negotiations between the Miskitu, Sumu and Rama peoples and the government of the Republic of Nicaragua.

As is known throughout the world, there exists a conflict between the above-mentioned Indian peoples and the Sandinist government concerning fundamental unresolved differences between the interests of the state and those of the Indian nations. This conflict was created by the government four years ago with its repressive and assimilative policies against the Indian peoples of the country.

The intention of the Sandinist government is to control our people, our land and our resources. For that reason it has begun to convert our brothers into new types of "Indians", simple proletarians of the state with neither Indian consciousness nor aboriginal rights. In this manner, it has transferred the lands and resources of the Indian communities to state power, and in the six years of the revolution it has not been able to recognize one single principle of the rights of the Indians.

To the demands of our people for their historic rights to the land and to autonomy the government has responded with repression and violence, the resulting damage and destruction have been dramatic. In all our history our brothers have never been victims of systematic aggression such as this.
The FSLN government, in spite of calling itself revolutionary and progressive in relation to its policies toward the Indians, offers nothing new or revolutionary, but rather follows the same practice of traditional policies as any ultra-conservative or military government of the Americas. That is to say, its policies have been that of forced assimilation, promoting the disappearance of our brothers as Indian peoples and in this manner forcing its system onto our Indian society.

Before the unprecedented raw reality of repression and aggression, our brothers have decided today as yesterday to fight for survival and Indian liberation; yesterday against the European invader and the oppressive colonial forces, today against the aggression of the state which is the product of this colonization. For this reason we have created the mechanisms of Indian self-defence; the guerrillas, for the defence of our lives, communities and rights. This is no new fight, but rather the continuation of the fight which our forefathers started all over the Americas 400 years ago. It is a fight imposed by the government.

Our peoples are not making war against the government, but it is rather the government which makes war against our peoples with its occupation and military aggression of our communities. Even though the Nicaraguan state claims absolute sovereignty over the three Indian peoples, the Miskitu, Susu and Rama of the east coast, we have never lost our own inherited sovereignty by means of any treaty, consent or vote, nor by occupation or settlement of our lands.

Due to the existing disinformation, I should clarify that our armed resistance existed before the fight of the other sectors, called counter-revolutionaries in the country. Furthermore, our fight has nothing to do with their interests, nor with the exterior forces of aggression. Our legitimate resistance has developed humanely and ethically within our traditional territory by the Indian patriots with only the support of our peoples. It is in this manner that we seek to change the racist policies of the government, reconquer our aboriginal rights and achieve a peaceful coexistence with the rest of the country. That is to say, that with our fight we attempt the adaptation of the revolution to the indigenous reality and interests based upon our own philosophy and rights, and we resist with an iron will the forced assimilation which signifies the destruction of our Indian peoples.

After more than three years of mainly trying to use its violent and warlike methods, the government has failed to resolve the conflict. Evidently, this is due to the heroic resistance organized by our Indian peoples. In addition to this, the international pressures from organizations and honest governments has forced the government to vary the form of its policies towards and treatment of the Indians, since last year (1984). Within this variation it has accepted to work with the legitimate leadership of the Indians in combat, within a process of peace talks. In this manner we have worked within this process for eight months (Oct. 1984 to May 1985), holding during this period four negotiation meetings, three in Bogota, Colombia and one in Mexico City. These have been the only face-to-face negotiations with the Sandinists and the only meetings in the hemisphere between armed Indian nations and state (national) governments. The success of the defensive Indian struggle against the invasion of the army and security forces, and the peace initiatives of MISURASATA has made the Nicaraguan Indians a case of international significance. For the Indian movement (MISURASATA) this process of talks has signified a serious effort to explore the solution for peace with justice
for our Indian peoples within the revolution. During the first meeting in Bogotá last December (1984), our organization presented the government with a written proposal containing the demands for the historical rights of our people to their ancestral lands, their autonomy, their natural resources, their Indian identity, etc.; but the government of Nicaragua in two days of negotiation could not finish with the first point concerned with the recognition of the identity of our brothers as indigenous peoples, but rather maintained with an iron will on using the terms, "ethnic group" or "ethnicity." In the second round of the talks the government attempted only to terminate the armed resistance, without resolving the causes of the conflict, that is to say, without any concessions concerning the just rights of our peoples. It is evident that the armed conflict has its origin and cause in the repressive policies and the denial of the historical rights of the Indians, and for this reason a real solution necessarily requires a just response to the demands of the Indian peoples. Our people will not accept an artificial solution by way of a peace of the defeated. There can only be national peace with justice for the Indians.

In the third round of negotiations, this time in Mexico City, the government could not make substantial progress in two days of talks upon the fundamental matters of the rights of the Indians. But, MISURASATA, in order to demonstrate its true interest and to test the supposed good-faith of the government, subscribed to some agreements of minimal progress in humanitarian aspects: (not within military or political matters). These small agreements contain three basis points for bringing immediate relief to the current suffering of our people:

1. The freeing of indigenous political prisoners.
2. The re-establishment of the subsistence activities, fishing, agriculture, hunting, and commerce in the Indian communities. As well as the access of the non-governmental organizations to the communities with humanitarian assistance.
3. Prevention of offensive military actions between the government army and the resistance forces of the Indians with the sole purpose of facilitating and supporting the providing of humanitarian help.

Logically, these minimum agreements served the government in practice more for international publicity, and especially in those days because the Congress of the United States was discussing the so-called humanitarian help to the Contras (counter-revolutionaries). And the government got its political propaganda.

Afterwards, in the field, the government interpreted freely, according to its interests, these small agreements of good-faith from the indigenous people, presenting them in practice as a cease-fire agreement. At the same time, developing activities of confusion and provocation tending to minimize or abort the Indian resistance with the objective of extracting political and military advantages against the vital interests of our peoples. These activities created a climate of uncertainty and threats within the resistance forces which in some cases gave rise to more military confrontations with painful results of more dead and wounded on both sides.

During the last meeting in Bogotá, last May (1985) the government presented a written public denouncement against MISURASATA based upon the supposed non-compliance with the minimal agreements from the Mexico City meeting. The intention of the government to discredit the Indian organization and to obstruct the efficient development of the negotiations
is clear. It refuses to discuss the indigenous rights, and demands only "mechanism of military coordination." Thus, in this manner, it rejects all of the proposals of MISURASATA in relation to the revision and supervision in the implementation of the agreements, (tri-partite commission), and in relation to the change of the framework of negotiations (mediation). It is clear that the government has assumed neither seriousness nor good-faith during the eight months of negotiations for establishing bilateral agreements. Its only interest has been to force the freezing of the Indian resistance, and, in this manner, to continue to act freely against our peoples. We have understood that the government has its own plans, which it intends to impose upon the Indian peoples, and it wishes to gain time and justify these plans by means of a process of "talk for talking's sake" with MISURASATA.

It is evident that the disposition of the government has been hardening with time. The government leaders which supported and tried to improve the negotiations have been with time replaced by others with belligerent attitudes and with a hard line (anti-Indian). Our present deep preoccupation is that these gentlemen are insisting again upon the military alternative, returning to the dark years of crude repression of 1982 and 1983.

On the other hand, there is the effort of so-called "internal dialogue" as a pretension of the government to undermine the Indian resistance in the field. Parallel with the negotiations with MISURASATA, the government is starting some direct talks with the combatants of the Indian resistance in the field at the request of the Nicaraguan Red Cross. Previous to the suspension of the process of negotiations this attempt was intensified and in the month of July 1985, the government managed to sign a secret agreement consist-
PERU: "MISSING PERSONS", PEASANT COMMUNITIES AND SENDERO LUMINO-SO - THE ARGENTINIAN SOLUTION

By Javier Farje

Introduction

No one dared suspect that what started more than four years ago in Peru with noisy firecrackers would culminate in such an incomprehensible drama. Much blood has run through valleys and mountains since the Maoist Organization (called "Sendero Luminoso" by the media) initiated the armed struggle, which in their terms means "revolution", promising to transform the Andes into a "New Democratic Republic". "Sendero Luminoso" is extremely difficult to place in the Latin-American guerrilla spectrum. It is a by-product of the desperation and misery which has afflicted Peru for four centuries; a sign of a country that has forgotten its roots: the indigenous communities of the Andes Heights.

Over five thousand persons have died during this meaningless war. Official reports indicate over five thousand "missing persons" who are being kept by the military in the emergency zone consisting of the southern Andean provinces of Ayacucho, Apurimac and Huancavelica; dozens of communities have been destroyed along with their cultural roots; children of communities are dying from starvation; there are weeping widows and discovery of corpses. This is another glimpse of that Pante-like tragedy through which Peru has lived since the end of the Spanish colonization.

As always, the losers are the weakest. And the weakest are the Andean peasants. Even though "Sendero Luminoso" turns people from their cause by their actions for which they are fully responsible, it is no less true that when the first Indian was killed in the Potosi Mines, the first Indian woman raped and the Inca gods first violated, seeds were planted contributing to this storm in Peru four hundred years later.

To blame only "Sendero Luminoso" is to simplify things in a way which takes truth away from any solution. In fact, the truth is much more complicated and, thus, more evasive.

During a meeting some weeks ago of the "Missing Persons' Families' Association" of Ayacucho, two of the leaders astonished the audience. One of the participants, a young woman, explained in her native language, Quechua, what this undeclared war has meant to the poor families in the Andes:

"The Military took my son in the Pampas July 1st, 1983. He was sleeping and they just took him: they grabbed him away from my arms!" Angelica Mendoza lowers her eyes. "He was my hope, I trusted in his future, and now they have taken him away from me...."

When one listens to this testimony, it is difficult to understand why a group of uniformed men - in the name of the law and democracy - have the right to dispose of the life and the destiny of a human being. Ayacucho is the scene of this tragedy and has witnessed for the past three years how entire families have been hiding in the shadow of power. In order to understand this tragedy, which affects mainly the Quechua population of Ayacucho, it is necessary to study the background.

Ayacucho is an Indian city, situated more than 300 Kms. from Lima. With its population, exceeding 80,000 inhabitants, it is perhaps one of the most depressed provinces of Peru. The average income, per capita, is $30.- and the daily calorie consumption is less than 300 - absolutely below the amount required for survival.
The principal activity is agriculture, mainly concentrated in the Andes Highlands over 3,500 Mts. above sea level. Because of the terrain and the natural conditions of the region, the production of bread is limited and most of the land is utilized for pasture.

Given these living conditions, survival is more than a challenge; it is, practically, a lost battle. In the town of Huamanga, the most important activity is commerce and the income of the inhabitants is a little higher than in other parts of the Highlands. However, the difficult conditions in the country have forced many farming communities to emigrate from their lands and crowd together in the urban cities, falling victims of unemployment or sub-employment. This proves that leaving the land is no solution to the ineffective search for an improvement of the conditions in the Highlands.

On the other hand, in the constant effort of the rural communities to come to terms with the 20th century, the younger peasants emigrate to the capital with the idea that the universities will teach them a magic formula to get them away from tragedy, misery and desolation. Curiously enough, the University of San Cristóbal de Huamanga, founded by the Spaniards at the beginning of the 17th century, has given birth to rebel ideas. Generations of professional fighters have come out protesting against the system.

This phenomenon is easy to understand if one takes into consideration that in order to be radical, a rebel must blend two explosive elements: the misery that is part of daily life in the highland communities, and the access to the revolutionary literature - which study the phenomenon of misery from different perspectives. Together, desolation and Mao's red book have given birth to "Senderistas".

This was understood by Professor Abinaiel Guzmán Reynoso of the University of San Cristóbal de Huamanga and founder of a Maoist radical group during the seventies. His formula was simple but effective: Peru is a semi-feudal dependent country that needs a revolution, and this will be achieved only led by a party, which gives priority to the working class as head of the revolution, but with the poor peasants at the front. His strategy? More simple still: "Cut off the cities from the countryside." The Peruvian version of the Shangai mountains is in Ayacucho, and the parallel of the "world revolution", whose promoters are the members of the "Senderista guerilla", covers the impoverished rural farming communities of Huanta, Cangallo, Víctor Pajardo and Ayacucho. These provinces in the disturbed Andes region have recently become a time bomb.

The members of "Comrade Gonzalo's" party (Abinaiel Guzmán's fighting name) tried to achieve what the other parties to the left were incapable of doing: understanding the peasants. Members joined farming communities, studied their ways of life, and above all restored their hope of liberation. In this way, Mao penetrated the Andes, not by his own effort, but due to those who had the power to elaborate a relevant project for the freedom and dignity of the peasant masses. The left-wing organizations have been as guilty as the totalitarian governments that have presided over Peru. No one has understood the peasants' problems. They have planned their future from Lima - the centre of indifference which does no more than absorb the refugees of poverty. In short, "Sendero Luminoso" gathered ideas and hopes, involving the impoverished peasant in a violent war, which in the end was a new way to die.

Belaúnde's Role

Fernando Belaúnde Terry is a progressive architect, who overthrew the dictatorship of General Odría during the late fif-
ties - one of the classic examples of the Latin-American guerrilla movements of that period. Belaúnde had a political opportunity which he unfortunately wasted. Founder of the "Acción Popular" Party and fond of literary speech and demagogic poetry, he was elected president in 1963 by popular vote. The people were tired of the previous dictatorships, of the fragmented Peruvian left-wing, and the evolution of the mass party: el APRa. Belaúnde broke into the political scene with a litany of effective and convincing phrases: "Peru - neither with international red, nor international petroleum", etc. He took over this political task, which was the recuperation of petroleum in 90 days; agrarian reform; politics of class restoration, and housing for the people. Armed with this ambiguity he arrived at the Palace of Pizarro and prepared to govern.

Under the motto "People for the People", Belaúnde relied on the backing of the armed forces, already tired of being the guard's van of the totalitarian regime and afraid of allowing their old enemy APRa access to power. In other words, the young architect came to power in conditions enviable by any South American president.

Nevertheless, due to his social class, his lack of ideological relevance and his extreme simplification of the problems of the country, he ignored a cold fact: the miserable situation of millions of peasants and their sufferings during the past four centuries. After two years in power, and after his political endeavours started to prove ineffective, several guerrilla movements made an appearance on the national political scene: M1R in the north; F1R in Cuzco, and ELN in Ayacucho. Belaúnde then made his first historic mistake: he saw these idealistic followers of Fidel Castro as delinquents. He called the army to suppress them and started a campaign, supported by the upper class, to buy napalm from the USA. In 1965, the guerrillas had been eliminated: their main leaders were assassinated; others were put in jail to rot, and the rebel movements, whose extermination Belaúnde was celebrating, moved back to a waiting position.

In the meantime, corruption and the shameful agreement between the Government and the International Petroleum Co. in the middle of 1968 - which granted extensive territories in the Peruvian jungle to the North American Transnational - were the causes of the subsequent military taking over on the morning of October 3rd. From that date and until August 1975, the Armed Forces, headed by a charismatic and popular leader, Juan Velasco Alvarado, initiated a process of reform, full of good intentions as well as contradictions.

An Agrarian reform was implemented to rescue the big sugar plantations on the coast from totalitarian hands and to deliver them to the workers. But the land reforms were insufficient. The real problem was that the poor peasant and his community were not touched by the military reforms.

In a desperate effort to sort things out, the reactionary wing of the army overthrew the tired and sick Velasco on the morning of August 30, 1975. The reforms were made invalid, the left persecuted and the military and progressive elements who supported Velasco were politically discarded.

In the history of this period, there is one fact which is frequently overlooked: in the beginning of 1969, a new education law, intending to prevent any student uprising, cancelled free university education. This afforded members of "Sendero Luminoso" an opportunity. The militant students formed a popular movement in Ayacucho, organizing and directing the masses, thus pressing the not-yet-consolidated reformed government of Velasco.

The Government's response was stupid: it sent the elite police "Los Sinchis" to Huanta and oppressed the student body
and the peasant movement. Dozens of persons died in the town square and in this way "Sendero Luminoso" wrote its first chapter of anonymous heroes. When the Maoist group decided to leave the popular organization of Ayacucho to climb the mountains and reinforce the army, the Ayacuchan popular organizations divided and their strength was reduced purely to acts of protest. Without knowing it, "Sendero Luminoso" had planted a seed of discord that would be harvested years later.

The Government of General Morales Bermúdez, a man full of demagogic rhetoric, demonstrates how the armed forces cannot function. His lack of ability in managing the political and economic forces of the country enabled the popular movement to get organized. The left grew and the military were forced to call on the people to elect an assembly to create a constitution, cancelling the existing laws, which dated back to 1930. APRA got the majority of votes thanks mainly to an informal agreement with the military government. The left has a high percentage of representation under a Trotskyist peasant leader, Hugo Blanco. "Sendero Luminoso", together with other political left-radical forces, boycotted the elections.

The new "Carta Magna" left the peasants in limbo. It recognized the rights of some farming sectors, but did not expose the root of the problem. This was better for "Sendero Luminoso" because the negligence justified their presence, and their members began to see their appointed leader as the man who had found the solution - the Andes prophet, who understood what was happening.

In the meantime, Belaúnde prepared his comeback. In the May 1980 elections, APRA was forgotten and Belaúnde was elected with 46 percent of the popular vote.

In July, the day Belaúnde was sworn in as president, dead dogs appeared hanging from street lights, bearing signs like "Death to Teng Xiao Ping, son of a bitch! Hurry for the gang of four from Shanghai!" Readers may smile a little at such great enthusiasm for oriental folklore. Indeed, everyone in the country saw the incident as comical when the daily newspapers published the events. However, this was a declaration of war from an armed group, who saw in Teng Xiao Ping, the moderate Chinese leader of the eighties, a traitor, and the widow of Mao and her group as a lost revolution. This would be the start of the "armed struggle to found a republic with new democracy."

The Spark which Set the Hills Aflame

During 1980, 1981 and until the end of 1982, the government reacted to the guerrilla’s intensification of their activities with the same tactics as in the 60s, "The activities of Comrade Gonzalo" put the police force in a difficult situation, and the police responded with all the weight of oppression.

In the middle of 1982, "Sendero Luminoso" accomplished its most spectacular and disconcerting direct offensive. Armed with well-trained groups, "Sendero" violently attacked Ayacucho jail and amidst an inferno of bullets rescued several of the group’s most prominent leaders. The response from the police was felt at once. Three innocent young people suspected of belonging to the "Senderistas" (currently in the hospital in Ayacucho) were taken out by the police, and in the presence of doctors and nurses were shot in the street.

This offensive against the prison would be defined as the first act of war on the part of the "Senderistas", and the crime committed against the young people starts the first chapter of the "dirty war".

The government’s attitude after its initial uncertainty was - once more - absurd. Not only did it leave the crime against
the young people unpunished but, after its justification, called the armed forces in to destroy the guerrillas. "Sendero Luminoso" provided the spark - and the government the Petrol. Neither "Sendero Luminoso" nor the Government ever asked the peasants what they really wanted; what their needs were or what type of liberty they desired. They were simply placed in the centre of storm.

At this point in 1982, an obscure military man, by the name of Clemente Noel Moral, was placed at the head of the military forces. Noel decided to place the "emergency zone" under a regime of terror. He counted on the Government's support, so that he could do everything possible to defend the so-called "democratic regime" and did not hesitate to follow the example of his dreadful Argentine colleagues. He implemented a policy of terror and disdain for human life; his subordinates started to invade homes and villages and a legion of informers and paramilitary men took action.

The arrival of the armed forces constituted a new chapter in the war. The country was now placed under state of siege in November 1982 when extremes of violence went beyond control. "Sendero" occupied a considerable sector of the Highlands and called then "Liberated Zones" and the red flag with the hammer and the sickle was freely displayed in many communities where the police forces did not have access. Obviously, the work of the organization in certain distant communities far from the city had results. Many of these communities, ignorant of the meaning of Mao's philosophy, saw in "Sendero" a group which understood their notion of Messianic liberation. Gonzalo, or El presidente Gonzalo as he is called by his comrades, was occasionally seen at that time as a version of Inkari, the god who will come from the earth to create a more just and humane world.

The work of "Sendero Luminoso", which prefers to be called the "Partido Comunista del Peru", penetrated the layers of the urban poor in Ayacucho. Members of this unofficial army were everywhere in bars, schools, the university, among professionals, businessmen and farmers.

During the day, they could appear as normal and peaceful citizens but when night fell, they would turn into guerrillas, accomplishing the most diverse actions, i.e. armed attacks, acting as couriers, transporting dynamite, etc. These men adopted violence as a way of life, having turned the impoverished masses' aspiration into their political task. No one knows and no one asks what type of republic they would establish given the chance.

Nevertheless, it is a fact that their idea of a "New Democratic Republic" would be no more than a forced and monolithic ideological segment of Mao Tse Tung's thinking, which obviously is related but not relevant to the idea of a better future and justice for the aspirations of the peasants and Peruvian society in general.

Fascism as an Answer

Facing the impossible task of destroying the guerrillas once and for all, and fearing their consolidation in broad peasant areas, the army decided to cut all possibilities of support to the movement. The act of invading someone's home, and arresting a member of the family was performed only to frighten the population. An Amnesty International report only mentions one thousand and five cases (1,005) of missing persons but these could be as many as five thousand (5,000) according to the leaders of the "Committee of Families of the Kidnapped, Arrested and Disappeared Persons of Ayacucho" who recently visited Copenhagen. On the basis of these reports, one can make various conclusions:

In the first place, the age of the victims fluctuates from
between ten and seventy. Their social condition varies from peasant and university student to a wide range of professionals, businessmen, professors and unemployed. In fact, peasants constitute almost 60% of the "desaparecidos". In some cases, entire families have been arrested and whole communities reduced to nothing.

Secondly, the methods implemented in Argentina have been utilized with a certain degree of sophistication in Ayacucho. The difficulty of access to the highlands and the tight military zones allows for a higher intensity of punishment. Through witnesses - the persons who have left the area - we can see that the combined forces have started an act which amounts to genocide. Utilizing helicopters, it is known that there has been bombing of the civil population. The ground forces carry out the task of "cleaning". In Ayacucho, all the military and police power is concentrated. The area contains forces from the army, the marines, the airforce, the intelligence service, and the élite police body called "Los Sinchis" (a police anti-subversive force, formed during the 1960s and trained by the CIA) and the "Lisapan Atic" which is another élite force performing a frightening training programme in the city streets.

Under the command of General Mori Orzo, a young officer, who has so rapidly ascended to power, the combined forces have entered the communities under their jurisdiction and are forcing the peasants to form what is known as "Rondas Campesinas". Young men are forced to enroll in these military bodies (a "no" would be automatically considered a sign of being a "sinderista") under threat of death. Their training methods bring to memory the training given to the Guatemalan Military or to the "Contras" in Nicaragua. Their object is crystal clear: to protect the military forces as well as the police. At the same time, it is the best form to keep down the population and justify the Government's actions in this emergency zone.

Returning to the subject of "desaparecidos", we must say that many of the cases are not reported. This is because in most cases the peasants living in rural areas do not speak Spanish, and in addition face a military force which has imposed a regime of terror that prevents any possibility of complaint.

Says Adolfo Pérez Esquivel, winner of the 1980 Nobel Peace Prize and a known defendant of human rights: the effects of this terror are innumerable - economically and politically, and in addition afflict family life. They create uncertainty and despair and fore part of this big export product from the Argentinean dictatorship - the philosophy of repression. This is confirmed in a simple fact during an interview some months ago, which was given by the ex-Minister of the Interior in the Morales Bermúdez Government, General Luis Cisneros Vizquerra to a Lima magazine. There he affirmed that "he would feel proud to be where his Argentine colleagues are this moment because they saved their country".

In this interview, he stated that "if in a group of one hundred persons, one has to kill ninety-nine to eliminate one "sinderista", it is all right". And the military men, who today fight in Ayacucho do not do anything else other than to follow the path of this ideological father.

Here we have the explanation of the "desaparecidos" and also the explanation of the most recent findings: massive graves containing up to thirty corpses - most of whom were found without eyes, with their testicles removed, and an advanced state of decomposition. The Government's insistence on attributing these killings only to guerillas can be contradicted. Here are some proofs: the finding of identification papers on an old man, whose kidnapping by police was witnessed by dozens of persons as well as the presence of his clothes in one of the graves. Besides, there is an Andean custom of not burying more than one body in a grave and not digging deeper than 1½ metres. The mass
graves are all about three metres of depth and in addition the tracks left by military vehicles do not favour the government theory.

"Sendero Luminoso" is partly at fault in this whole drama. To attribute the possession of truth and to forget the history of non-violent resistance of peasant communities, and to implement a destiny of "The Great March Forward" is a lamentable error. However, this cannot be, under any circumstances, justification for so much pain. The Government - it is very hard to call it democratic - wants to finish the resistance by killing the people.

If anyone pretends in the name of democracy to exterminate peasant communities, we cannot later on expect otherwise than the emergence of new "Senderos Luminosos" whose bullets all of us have helped to buy with our own stupidity.

PHILIPPINES: THE IGOROT QUEST FOR SELF-DETERMINATION

There are in the Philippines today about 7 million indigenous peoples, the bulk of which are located in Mindanao; they consist of the Muslims and other Tribal Filipinos. In the North, particularly in the Cordillera range of mountains, we have indigenous people called the Igorots numbering some eight hundred thousand (800,000) people. It is the Igorots of the Cordilleras of Northern Philippines to which indigenous group your two Philippine representatives belong to.

The Igorots of the Cordilleras, during more than 300 years of Spanish domination, like their Muslim brothers and other Tribal Filipinos in the South, have never been conquered nor effectively subjugated; neither had they been christianized unlike the lowland Filipinos. The Igorots, at the end of the last century, kept their lands, their culture, their heritage and their identity. Today, these same people, the Igorots, stand at the threshold of their history of losing their lands, their culture and their identity.

Consider these developments:

The Cordillera abounds in vast mineral and other natural resources like forest and rivers; and although we live in one compact area, in creating the Old Mountain Province, large segments of the population were parcelled out to other lowland communities and provinces. When President Marcos came to power, one of his first official acts was to partition the Mountain Province into four Provinces in 1966; again, when Martial Law was declared in 1972, he further divided us assigning two (2) Provinces to Region I and two Provinces to Region II.

Through the years, various laws, Presidential Decrees and other Executive Issuances have set aside our ancestral
lands and declared them the public domain under the executive control of the President. Under these laws, all the Igorots and other indigenous people living in mountain areas in the Philippines were stripped of their ancestral territories and made squatters in their own lands. In consequence, our ancestral territories had been opened as areas of interests for mining, logging; and just recently, the President decreed the building of dams over our streams and rivers.

And how did the people respond?

Our people protested. One such organized protest was the passionate opposition to the World Bank financed Chico Dams. In the face of our people’s opposition, the President suspended the further prosecution of the work of construction. Since then, with a more aware Igorot, they also opposed the coming in of big logging conglomerates and are now in the process of questioning many mining exploitation and other activities.

And the net effect?

The government uses force as it is its predilection to employ force to put into effect the government’s destructive policies of “development.” Military abuses and repressions against our people follow.

Yes, the military came to the Cordilleras, into our hores, vales and dales, in the name of “development” and national security. But to the Igorots, they came to protect our exploiters as it was evident that their mission was to stifle, dissent and emasculate the growing consciousness of the Igorots as well as break up all militant pressure groups. The military indulged in all forms of harassments, from haletting, enforcement of various warrants, detention, torture, threats, murder and foraging. For my part, owing to my activities as a lawyer of political detainees, as a human rights worker and as Chairperson of the Cordillera People’s Alliance, no less than three known attempts had been planned on my life by elements of the military aside from receiving several death threats beamed through the years. I wish to place it on record that we have two lawyers in the Cordillera who have been detained these days on orders of the President for having taken up the defence of indigenous cordillera people.

Now, because of common concern, identity and shared experiences as victims of oppression and other human rights violations, the Igorots formed the Cordillera People’s Alliance in June 1984; from an initial membership of 27 organisations. In forging the Alliance, they came to identify their problems and the primary prescription for success was the attainment of UNITY. And so, some months after its founding, the Alliance supported a Bill proposed in the National Assembly calling for the regionalization of the Cordilleras. This Bill concedes nothing, except reuniting the Cordillera Provinces of Benguet and Mt. Province, from Region I, and the Provinces of Kalinga-Apayao and Ifugao from Region II, into one Region. This regionalization set-up is merely for administrative economic planning and does not grant any substantive content for genuine regional autonomy. Our Alliance supported the proposal only as an initial step towards a longer term alternative program for a true autonomous government. Despite the overwhelming enthusiasm and support for this step towards unification as expressed in voluminous petitions and mass demonstrations, the government shelved the proposal. It became crystal clear for all that the government clings to the policy of continuing artificial division of the Cordilleras.
The Igorots of the Cordilleras do now realize that it is to the point of unreasoning to expect that government will concede their unification, much less would it generously recognize their rights to their Ancestral Domain. Soon, then, did they realize that in their fight for recognition, said same struggle proceeds from their quest for self-determination, the attainment of which will not be given in a silver platter but only by waging a well programmed and organized plan, sustained through people’s assertion of their rights to self-determination could the Igorot dream of winning back the homeland be a reality. Thus, the Cordillera People’s Alliance came out with an alternative program, broadly stated as follows:

**In the political field** - The Igorots demand for a Cordillera Autonomous Region which shall mean self-government by and for the Cordillera people, equality without discrimination with the rest of the Filipino people and political unity within the national framework.

**In the economic field** - The Igorots demand their rights to their ancestral domain, to the disposition, utilization and management of all natural resources found within their domain.

**In the cultural field** - The demand of the Igorots is the right to cultural self-determination, institutional rectification of discriminatory practices, the prohibition of vulgarization and commercialization of indigenous culture, respect for indigenous culture and the promotion of a progressive Igorot consciousness.

These demands are the basic and minimum requirements for our survival. We talk of survival because if we view the trends in the Philippines today, it does not take an expert to say that things will get worse in the Cordillera as it already has happened in Mindanao where vast Tribal lands have been taken and converted into plantations for bananas, sugar, coconut, pineapple and palm oil, not to speak of the more than 50 incidents of massacres committed upon the Muslims, the whole displacement of population numbering 1,300,000 persons and the flight of more than 500,000 Muslims to Sabah and other places. Given the unmanageable foreign debts incurred, the chaotic bungling of the economy and the regime's political bankruptcy, the government policy of development at all cost — damn the people if they are in the way — will persist. These policies call for massive industrialization, export of dollar earning materials like minerals and logs as well as the search for oil substitutes through construction of dams and geothermal infrastructures... all these kind of development means land — lands to be stripped bare of its minerals; lands, forested in nature, shorn and rendered bald by indiscriminate logging; lands devasted by mining waste and pollution; lands eaten up by flooding and inundation due to dams on the drawing board for construction; and all these are found in indigeneous lands. All these lands have either been disposed or in the process of being given for exploitation by government to other people who are not necessarily Filipinos and to which disposition and exploitation our people have neither given their consent nor will they derive benefits. By executive fiat, our lands are taken and given away. This is outright landgrabbing of the worst kind.
It is all too apparent that the pressure on indigenous lands, earmarked by government as resource areas, is escalating at a faster pace beyond our traditional forms of containment. Stronger measures must be devised with a sense of urgency if we are to arrest encroachment, violence, dispossession and displacement. These are happening now and, if permitted to grow, it will mean the death of our culture and our death as people.

Time is running fast. Indigenous peoples the world over welcome the evolution of standards and declarations and appeal to this Working Group to give wide dissemination of even more Working Drafts of Declarations and/or Standards to member countries of the U.N. and the media because we see in them some measures of protection as they do in themselves have intangible persuasiveness emanating as they do from this all important and prestigious Working Group of the U.N. machinery.

SOUTH MOLUCCAS: THESE ARE THE SOUTH MOLUCCAS

The Republic of the South Moluccas (Republic Maluku Selatan), which declared its independence in 1950, is better known in the West as the fabled Spice Islands. Rich harvests of nutmeg and cloves lured the Dutch colonialists who ruled the islands as part of the Dutch East Indies for 350 years (1599 to 1950). Now, Indonesian neo-colonialism has replaced Dutch colonialism and the South Moluccan people still remain under foreign occupation.

The South Moluccas are located in the southeastern part of the Indonesian archipelago, near the equator, north of Australia and west of Irian (New Guinea). Forming a partial circle around the deep Banda Sea (21,500 feet), the main islands are: Ceram (Seram), Ambon, Buru, the Uliasser Islands, the Banda Islands, the Aru Islands and, finally, the Southeastern and Southwestern Islands.

More than one million people live on these islands; nearly one million more South Moluccans live in the Indonesian and 50,000 live in The Netherlands - a population roughly the size of Singapore or Costa Rica. The total land area is one-and-a-half times the size of the Netherlands or Switzerland, or three times the size of El Salvador or Israel.

Vegetation and wildlife resemble the ecology of Melanesia, New Guinea and Northern Australia, differing significantly from the ecology of Java and Sumatra - the main entities of the nation of Indonesia.

The People

By race, culture, custom and manner, the South Moluccans differ from the dominant Indonesians who are descendants of
the Mongolid-Malayan race. The South Moluccans are Melanesians, a tall, dark-skinned people with wide eyes and curly hair. Like other Melanesians (and indigenous people throughout the world), they are in a constant struggle to preserve their village and tribal culture.

Through some 2300 years of domination by Arab, Portuguese, Dutch and now Indonesian colonialism, the South Moluccan people have not forgotten the ancient laws and traditions of their nationhood. One ancient practice is rooted in mutual assistance: members of one village traditionally lend plant seedlings or help build a storehouse in a neighboring village.

South Moluccans are predominantly Christian, constituting a Christian-oriented society now forced into the world's largest Islamic state. And their language is different. Unlike the people of Western Indonesia, who speak Malay, the people of the South Moluccas speak Amboinese. While there are some Malay words in Amboinese, it remains a distinctive language which they strive to preserve.

The People's Struggle

The Republic of the South Moluccas, as an entity separate from Indonesia, continues to resist neo-colonialism. A government-in-exile is waging the legal, diplomatic, and propaganda war of liberation. In Amboina, the capital, an intellectual underground of teachers, writers and other professionals continues to reach the citizens, in spite of censorship. And in the mountains of the "mother island" of Ceram, a fierce guerrilla war continues as it has for more than 30 years.

* Other national liberation struggles against Indonesia exist in East Timor, West Irian (New Guinea), Sumatra and elsewhere throughout the archipelago.
Heirs to ex-presidents H. J. Manuhutu and Christian Soumokil, in the struggle for human rights and self-determination, is the Homeland Mission 1950, now chaired by Johan H. H. Mrs. Margarettha Hatu-Syauza has been designated Head of Foreign Affairs. Johannes J. N. Manuputy is Chief of Administration.

A People in Peril

The South Moluccans are a victimized people. Thirty-five years of Javanese-dominated Indonesian occupation has taken its toll. The indigenous identity of the South Moluccan people is fast disappearing. Taking its place is an overall Javanese identity which is pervading daily social behavior. This is effectuated by the ceaseless efforts of Jakarta to transmigrate tens of thousands of Javanese families for re-settlement all over the South Moluccan islands. The 1,250,000 indigenous population is being engulfed by the influx of new settlers.

Reports smuggled through Indonesian censorship tell not only of the movement of Malay families into these Melanesian islands but also of government planned and encouraged inter-marriage. Suffering under the political repression which exists throughout Indonesia, the South Moluccans are powerless. And because of the naiveté (too-easy adaptability) of the South Moluccan people, the Javanization of the indigenous culture moves ahead with negligible opposition.

The relatively tiny and disadvantaged indigenous popula-
tion of the South Moluccas is no match for the one hundred million plus of the Island of Java and the concepted program to institutionalize Javanology throughout Indonesia.

Adat-grounds (indigenous inherited lands) are granted to transmigrants under a "land reform" policy which leaves indigenous land owners with only limited garden plots in the immediate vicinity of their homes. Often jobless, the dis-advantaged South Moluccans have been selling off these lands in time of need.

In the South Moluccan countryside, valuable timber from the rainforests is being indiscriminately felled without regard for the future. Japanese fishing companies have been given contracts permitting them to fish in the Moluccan waters, while being denied such rights in Javanese seas. This has resulted in a fish shortage among the Moluccans to whom fish is the principal protein source.

Meanwhile, Indonesian troops continue to comb the coun-
tryside for Republic loyalists. Murder of civilians, torture and imprisonment without trial are commonplace. The U. S. State Department 1981 Report on Human Rights has cited the present Indonesian government for numerous violations. The press is censored; dissidents are suppressed; prison conditions are among the worst in Southeast Asia, etc. The U.S. Catholic newspaper, Christian Century, estimated that there were more than 100,000 political prisoners in Indonesia in 1979.

History Before Independence

South Moluccans trace their ancestry back to the Al-
foerces branch of the Melanesian people who occupied the islands as early as 1000 B.C.

Arab traders began sending South Moluccan cloves and
nutmeg to Europe by 300 B.C., while the first Europeans to reach Ambon by sea were the Portuguese in 1513 A.D., also en-
gaging in the spice trade. (Coves obtained by the ships of Ferdinand Magellan in the Moluccas repaid the cost of the first circumnavigation of the globe.)
The Netherlands was the colonial power for 350 years, beginning with the seizure of Ambon in 1605. Like most colonial powers, the Dutch were mainly interested in short-term, large profits, but their administration was marked by particularly poor management. (For example, nutmeg trees were cut down everywhere except in Banda, and they tried to force the more knowledgeable Moluccan agricultural leaders to plant cloves in the wrong areas, etc.) In the enforcement process, the Dutch faced revolts in 1636 and 1646 which were crushed unmercifully. Due to Dutch maladministration, according to historian Willard Hanna, the Moluccas lost their once-commanding position in the world spice trade to Zanzibar, Madagascar and Grenada.

**Forming the Republic of the South Moluccas**

The Japanese occupied all of the Dutch East Indies from 1942 to 1945. Unlike the collaborationists found in the Western Indonesian islands, the Moluccans retreated to the mountains to maintain guerrilla war against the Japanese, eventually forming a South Moluccan brigade. And, at war's end, they saw in the approaching independence of the 3,500 once-Dutch islands, the realization of the dream of South Moluccan statehood.

Indonesia became a semi-autonomous nation under the Linggadjati Agreement of 1947 which made The Netherlands East Indies a federation of "autonomous states" as part of the greater Dutch Commonwealth under Dutch military authority. Java and Sumatra were the principal states. The South Moluccas technically became part of the State of East Indonesia, which also included Celebes and the predominantly Moslem North Moluccas.

(The South Moluccan brigade was incorporated into the Dutch forces of Eastern Indonesia and helped repulse a Japanese invasion in violation of the Linggadjati Agreement.)

Representatives of The Netherlands, together with those of Java, the South Moluccas and all the other autonomous states of the East Indies, gathered in 1948 at the Round Table Conference in The Hague. Here the "United States of Indonesia" was formed. Parties present agreed as follows:

- That the new federation would be composed of self-governing states;
- That the people of each state would have an opportunity to agree or disagree with the "definitive" constitution;
- That where one of the autonomous states refused to agree to the conditions, the state would have the right to negotiate a special relationship to both The Netherlands and the United States of Indonesia; and
- That pending the completion of a constitutional structure, each state would possess equal rights.

However, as soon as the Javanese assumed control in Jakarta, they violated the Round Table agreement. Java's President Sukarno sought unified nationhood dominated by the principal island.

Failing in its attempts to negotiate with Sukarno, the democratically elected Daerah (Assembly) of the South Moluccas declared its independence as a republic on April 25, 1950.

This meant war. In addition to the forces which had fought the Japanese, new recruits prepared to meet invasion from the western islands. And outside of the islands, some
4,000 soldiers of the Moluccan brigade of the Dutch army were thwarted in their efforts to join their countrymen. Instead of being discharged, they and their families—12,000 in all—were transported without their consent to The Netherlands.

The preliminary Javanese invasion occurred at Buru on July 13, 1950, with more than 1,000 soldiers killed. On July 25, the South Moluccans petitioned the United Nations to intervene. Mediation efforts were spurned. The principal invasion was a landing at Ambon on September 25, 1950; and more than 15,000 Javanese-led troops fell before the city was taken on November 5th. On December 5th, the South Moluccan army withdrew to the mother island of Ceram; guerrilla warfare continues to this day.

During this period, the Homeland Mission came into existence and delegates were sent abroad to seek aid. J. Alvarez Manusama led the political mission to West Irian and then to The Netherlands. The late Izzak Tamaela led the military mission. Since 1980, the Homeland Mission carries on with the cause of trying to promote international activities to achieve recognition, the ultimate goal of which is the independence of the South Moluccas.

**Legal Position**

The Republic of the South Moluccas warrants international recognition because:

- The people of the South Moluccan islands, who have continuously sought independent statehood, comprise a separate and distinct population, occupying a separate and distinct geographical area;

- Under the doctrine of self-determination, a doctrine guaranteed by the United Nations Charter and the Round Table Conference, the people of the South Moluccas have the right to declare their preference for nationhood;

- The citizens of the Republic of the South Moluccas had exercised their right of self-determination by electing civilian leaders; they have never supported the constituted government of Indonesia;

- The Republic of Indonesia violated the provisions of the Round Table Conference and the 1947 Linggadji Agreement when it invaded the South Moluccas in 1950, arrested and assassinated selected democratically-elected members of the South Moluccan Assembly and occupied the islands by force of arms;

- Historical precedent for independence can be found from the era of Dutch rule when the South Moluccas were administered separately from the West Indonesian Islands (i.e., Java, Sumatra, etc.);

- The Republic of the South Moluccas was declared an independent state on April 25, 1950, three months before Indonesia became independent on August 17, 1950;

- Two judicial tribunals have upheld the Republic’s claim to international recognition. In The Netherlands: the Amsterdam Appeals Court (Republic of the South Moluccas v. N.V. Koninklijke Paketvaart Maatschappij, 1951), and in Irian: Supreme Court of Justice for New Guinea (Republic of the South Moluccas v. the Corporation of New Guinea, 1952). The Amsterdam Appeals Court, in the 1951 case, held:

(1) That the people of the South Moluccas are a people of a territory, which, under the provisions
of the agreements of Linggadjati and Renville could qualify for the exercise of the right of self-deter-
mination and as such had the right to try to realize
this right of self-determination in the manner there
laid down.

(2) That the possibility of realizing this right to
self-determination in this manner was in effect taken
away from the people of the said territory by the
creation of the Republic of Indonesia as a unitarian
state for the whole of Indonesia under its own leader-
ship and supreme authority, contrary to what was
agreed to in the above-mentioned pacts and the Round
Table Conference.

(3) That the independence proclamation of the Republic
of the South Moluccas must be regarded as a method of
realizing the said right of self-determination by or
on behalf of the said people which was permissible in
the given circumstances.

- The Republic of Indonesia itself is judicially acknow-
  ledged that its control of the South Moluccas is less
  than complete: for example, the land tribunal at Ma-
kassar on March 8, 1955, condemned a South Moluccan
  partisan for "supporting the enemy during a state of
  war."

SRI LANKA: VEDDA UNABLE TO PUT THEIR CASE TO UN

From the 29th of July to the 2nd of August, 1985, the
Working Group on Indigenous Populations met to discuss the
matter of setting standards to protect indigenous peoples and
establishing indigenous rights. At this gathering, three
Vedda representatives from Sri Lanka were expected to present
their plight and their proposals to the Working Group. How-
ever at the opening session of the Working Group the three
Veddas were absent. They were not able to obtain passports
from the Sri Lankan government. However, one person who was
assigned to escort the Veddas and assist in their translations
and the presentation of their case was able to come to Geneva.
The fact that the three Veddha representatives were not able to
travel to the United Nations brought in a strongly worded pro-
test by the World Council of Indigenous Peoples at the first
meeting of the Working Group. The statement is printed below.

The WCIP sent a telegram to the President of Sri Lanka,
stating its great concern over the actions of the Sri Lankan
government with regards to the three Veddha representatives.
Numerous other organisations also joined in this protest and
and sent letters to the president registering their concern.
The telegrams pointed out specific violations to the Universal
Declaration of Human Rights and article 13 section 2 which
assures everyone the right to leave any country and to return
to any such country, and the International Covenant on Civil
and Political Rights at Article 12 sections 2 and 3 which again
reiterates the right to travel outside of one's country and
at Article 19 section 2 which protects the right of freedom of
expression.

The concern was raised that if the integrity of the process
of getting indigenous peoples to the Working Group was tarnished
by governments who refused or somehow discouraged indigenous
peoples from those countries from presenting themselves to
the United Nations then the result of the Working Groups deliberations and the report would be of questionable validity.

(Statement from WCIF source)

SRI LANKA: WORLD COUNCIL STATEMENT TO U.N. ON VEDDA

We wish to bring before you a subject which has not been discussed yet in this Working Group. That is the subject of ignorance. Ignorance can often times be just as deadly to indigenous Peoples as a bullet between the eyes. We wish to discuss this subject in this paper.

We are all familiar with organizations which spend much time and money to do good. Governments, hearing of such positive intentioned organizations join in on their campaigns.

In the eastern jungles of Sri Lanka lived the last remnants of the Indigenous People of the island. These people called themselves Wanniya Lato, the jungle dwellers. Others call them the Veddas. They have lived there as far back as human life can be recorded. It appears their ancestors had been there since 500,000 years ago.

Over this period of time, they have developed a special relationship with the jungle. They know the husks of the maize that float on the Pussawinna Elle river are the signs of their ancestors who still live in the upper mountains of Una Kiri Gala. They know that when birth comes, the child will surely have milk because prayers have already been said and offerings made to the goddess of Una Kiri Gala, the goddess of milk.

They know there is always meat and bee honey so that their children and elders will not go hungry. And in their celebrations and ceremonies of marriages and death, and when the first harvest is gathered, they know that their gods, goddesses and their spirits will be pleased and will continue to talk with them in their journey of life.

Their skills and knowledge have been passed from father...
to son, from mother to daughter, since time immemorial.

They know no alcohol or other stimulants. Mental illness did not exist in the jungle.

But one day they were doomed. The well intentioned World Wildlife Fund proclaimed, in the beginning of 1983, under a special project entitled “Let Them Live” that the Vedda’s jungle was to be a national park in order to preserve the elephants and the leopards. The Veddas had to be evicted. Nobody was allowed to hunt and gather. Wild life personnel was sent to each village to enforce the law.

Each family was offered 2-1/2 acres of flat land. They were to become rice cultivating peasants with a “civilized” language, religion, way of life and clothing. All of this was accomplished under the guise of “free choice.”

Once hunters and gatherers, they are now “pouchers”, chased by wildlife personnel, beaten, arrested, their game confiscated, and they made to face criminal charges. Their way of life is now criminal. The proud Veddas are now bound to walk behind plows.

The ancient wisdom of harmonizing with the jungle will not be passed to their children, their prayers will no longer be chanted and songs will no longer be sung. The ancestors of the mountains of Una Kiri Gala, Kokka Gala, Nawara Gala, Dana Gala and Dimbula Gala will no longer hear their calls. The jungle will be silenced of the Wanniya Lato voices. The jungle dwellers will no longer be.

Alcohol, mental illness and broken families will soon be as common to these transplanted people as the flu is now to us. Parents will become strangers to their children who spend most of their days in strange schools, returning home speaking in strange tongues, practicing strange customs.

Frustration and fear will govern where once their free spirits ruled.

Is this not a story retold in almost every land where once there were indigenous peoples? How many more times must we see it repeated before we learn? Why can’t we simply look in the mirror and understand?

I am reminded of a story where there was a very close relationship between an elephant and a duck. The duck was keeping her single egg warm, hoping some day it would hatch.

One day, the elephant came to visit his friend and found there was only duck feathers scattered on the ground. The elephant was grieved at the loss of such a dear friend. Through the tears, he could still see that single egg which was still unhatched. Out of his great desire to do his lost friend one last favor, he decided to help her hatch it. So, gracefully he sat upon the egg.

Ignorance can be a deadly enemy indeed. Let us hope that the World Wildlife Fund has not yet sat fully on the jungle dwellers of Sri Lanka.


For background information on the Vedda issue see article by Miveca Stogborn in INGIA Newsletter No. 42.
U.N.: DRAFT DECLARATION OF PRINCIPLES FOR INDIGENOUS RIGHTS PRESENTED TO THE WORKING GROUP

A special assembly of indigenous NGOs including the Indian Law Resource Center, Four Directions Council, National Aboriginal and Islander Legal Service, National Indian Youth Council, Inuit Circumpolar Conference and International Indian Treaty Council, as well as other indigenous national and organizational delegations from Australia, Brazil, Canada, Chile, Ecuador, India, Mexico, Norway, Peru and the United States, was held at the Palais des Nations, Geneva, from 22 to 26 July 1985. The purpose of this meeting was to seek consensus on action to be taken at the fourth session of the Working Group on Indigenous Populations.

The development of a United Nations declaration on the rights of indigenous peoples was the principal topic of discussion, and it was generally agreed that progress depended on the Working Group's adoption and dissemination of a working text or outline of principles for refinement at its future sessions.

The assembly reviewed with particular interest the draft principles prepared by various indigenous organizations and previously tabled with the Working Group, and invited a small drafting group to incorporate participants' comments into a revised text. The assembly reviewed, amended and adopted this revised text by consensus on 26 July, and agreed to table it with the Working Group on Indigenous Populations as a possible working text.

English and Spanish versions of the draft principles are equally authoritative.

Declaration of Principles

1. Indigenous nations and peoples have, in common with all humanity, the right to life, and to freedom from oppression, discrimination and aggression.

2. All indigenous nations and peoples have the right to self-determination, by virtue of which they have the right to whatever degree of autonomy or self-government they choose. This includes the right to freely determine their political status, freely pursue their own economic, social, religious and cultural development, and determine their own membership and/or citizenship, without external interference.

3. No State shall assert any jurisdiction over an indigenous nation or people, or its territory, except in accordance with the freely expressed wishes of the nation or people concerned.

4. Indigenous nations and peoples are entitled to the permanent control and enjoyment of their aboriginal ancestral-historical territories. This includes surface and subsurface rights, inland and coastal waters, renewable and non-renewable resources, and the economies based on these resources.

5. Rights to share and use land, subject to the underlying and inalienable title of the indigenous nation or people, may be granted by their free and informed consent, as evidenced in a valid treaty or agreement.

6. Discovery, conquest, settlement on a theory of terra nullius and unilateral legislation are never legitimate bases for States to claim or retain the territories of indigenous nations or peoples.

7. In cases where lands taken in violation of these principles have already been settled, the indigenous nation
or people concerned is entitled to immediate restitution, including compensation for the loss of use, without extinction of original title. Indigenous peoples' desire to regain possession and control of sacred sites must always be respected.

8. No State shall participate financially or militarily in the involuntary displacement of indigenous populations, or in the subsequent economic exploitation or military use of their territory.

9. The laws and customs of indigenous nations and peoples must be recognized by States' legislative, administrative and judicial institutions and, in case of conflicts with State laws, shall take precedence.

10. No State shall deny an indigenous nation, community, or people residing within its borders the right to participate in the life of the State in whatever manner and to whatever degree they may choose. This includes the right to participate in other forms of collective action and expression.

11. Indigenous nations and peoples continue to own and control their material culture, including archeological, historical and sacred sites, artifacts, designs, knowledge, and works of art. They have the right to regain items of major cultural significance and, in all cases, to the return of the human remains of their ancestors for burial in accordance with their traditions.

12. Indigenous nations and peoples have the right to be educated and conduct business with States in their own languages, and to establish their own educational institutions.

13. No technical, scientific or social investigations, including archeological excavations, shall take place in re-

lation to indigenous nations or peoples, or their lands, without their prior authorization, and their continuing ownership and control.

14. The religious practices of indigenous nations and peoples shall be fully respected and protected by the laws of States and by international law. Indigenous nations and peoples shall always enjoy unrestricted access to, and enjoyment of sacred sites in accordance with their own laws and customs, including the right of privacy.

15. Indigenous nations and peoples are subjects of international law.

16. Treaties and other agreements freely made with indigenous nations or peoples shall be recognized and applied in the same manner and according to the same international laws and principles as treaties and agreements entered into with other States.

17. Disputes regarding the jurisdiction, territories, and institutions of an indigenous nation or people are a proper concern of international law, and must be resolved by mutual agreement or valid treaty.

18. Indigenous nations and peoples may engage in self-defense against State actions in conflict with their right to self-determination.

19. Indigenous nations and peoples have the right freely to travel, and to maintain economic, social, cultural and religious relations with each other across state borders.

20. In addition to the these rights, indigenous nations and peoples are entitled to the enjoyment of all the human
rights and fundamental freedoms enumerated in the international Bill of Rights and other United Nations instruments. In no circumstances shall they be subjected to adverse discrimination.

THE WORLD BANK TRIBAL POLICY: CRITICISMS & RECOMMENDATIONS
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The official policy statement of the World Bank, "Tribal Peoples & Economic Development" (Goodland 1982) is intended to minimize the adverse impact on tribal peoples that might be caused by World Bank funded development projects. However, this humanistic objective may actually not be easily realized because the policy as it now stands contains serious contradictions and represents a single philosophical approach that may not always provide the best defense for tribal peoples. Furthermore, this policy would preclude alternative approaches that might in many cases be more appropriate. One of the most serious problems with the World Bank policy is that it does not allow tribal peoples the option of rejecting a threatening development project. At the same time the policy takes dangerously optimistic view of the benefits of such projects for tribal peoples and of the feasibility of safeguarding tribal cultures after a project has been initiated.

The issues that the Bank is addressing are extremely important because national development projects constitute one of the most serious threats to the continued survival and well-being of tribal peoples and cultures throughout the world. While the Bank's concern with these issues is certainly appropriate and timely, in my view the present policy statement is inadequate and in need of major revision. My specific criticisms and recommendations follow.

Basis assumptions underlying Bank policy

The following questionable assumptions appear to provide
the philosophical basis of the World Bank's tribal policy:

1. all tribals will inevitably be developed;
2. development will benefit tribal peoples;
3. tribals will be allowed a choice;
4. tribals must become ethnic minorities.

Some of these assumptions represent 19th-century colonial approaches toward tribal peoples that conflict with both the spirit and the letter of UN declarations on human rights and various international resolutions. Other assumptions seriously misrepresent the complexity of the development process as it relates to tribal peoples and cultures. In the following sections I will examine each assumption, showing where the Bank policy represents it and why it should be rejected or modified.

1. The inevitability argument

The first assumption of the World Bank policy is what I have elsewhere called the "inevitability argument" (Bodley 1977:34-36). It is expressed clearly on page one of the policy as follows: "Assuming that tribal cultures will either acculturate or disappear..." This phrase is strikingly reminiscent of the words of Herman Merivale (1861:510), the English expert of colonial policy, who declared in the mid-nineteenth century: "Native races must in every instance either perish, or be amalgamated with the general population of their country." Implicit in this, is the notion of the superiority of industrial civilization and its moral right to incorporate what it considers to be obsolete cultural systems. The World Bank explicitly states that "tribal populations cannot continue to be left out of the mainstream of development" (Goodland 1982:3), but we are not told why this is the case.

There are many serious problems with this assumption. In the first place it confuses changes in general level of cultural complexity, such as from tribe to state, with the adaptation of specific cultures to specific environments. The first kind of change matches what Sahlins (1960) labeled general evolution. There does seem to be an inherent inevitability in the direction of general evolutionary changes, but there certainly is no inevitability that all cultures will go through these changes. Actually there is ample evidence in the archaeological record of great cultural stability for tribal cultures that have adapted to specific local environments (the specific evolution of Sahlins). Australian Aborigines for example, maintained a basically tribal way of life for 50,000 years or more until the British colonial intrusion in the late 18th century.

The point is that the incorporation of tribal peoples into national economies is the result of the expansionist policies of industrial states, it is not an inevitable process initiated by tribal cultures. The real danger is that if the inevitability assumption becomes the basis of World Bank policy it will become self-fulfilling and will preclude the possibility of tribal independence.

2. The benefits of development

The World Bank clearly assumes that development projects can be designed both to protect tribal cultures and bring them the "benefits of civilization". The policy refuses to recognize that tribal cultures may be so different from national market societies that forced development will unavoidably destroy their most important features. The Bank acknowledges that in the past national development projects have invariably harmed tribal peoples, but it prefers to blame these failures on inadequate planning (Goodland 1982:3).
The problem with this assumption is that it does not start with a clear concept of what tribal cultures are like. The definition of tribal that the Bank uses describes tribals as ethnically distinct, small, isolated, nonliterate, unacculturated, cashless, impoverished ("the poorest of the poor" p. iii), and dependent on local environments. In order to evaluate the effects of development it would be more useful to emphasize that tribal cultures are economically self-sufficient, egalitarian systems that are designed to satisfy basic human needs on a sustained basis. They are political sovereign, small-scale societies that control their natural resources on a local, communal basis, and manage them for long-term sustained yield.

It must be emphasized that the kind of large-scale development projects that the World Bank would normally fund would take away the political autonomy of tribes and undermine their economic self-sufficiency, by imposing national political authority and forcing them into market economy. These changes would in turn undermine social equality and would make local management of tribal resources for sustained yield, difficult, if not impossible. In the end, tribal peoples often do become impoverished by development while only a few may benefit.

3. Development choices

The assumption that tribal peoples can make free and informed development choices is presented as a fundamental principle of Bank policy. For example, page one declares that the Bank will not support a project unless:

...it is satisfied that best efforts have been made to obtain voluntary, full, and consciencible agreement...of the tribal people... (Goodland 1981:1)

The problem with this is that the actual procedures for obtaining consent are not outlined and it is clear that there will actually be many cases in which the Bank will fund projects that tribal peoples oppose. Furthermore, the Bank refers to its procedures for "involuntary resettlement" (Goodland 1982:20) for those cases in which tribals resist development.

It should also be clear that while the Bank officially endorses what it calls "Cultural Autonomy" (Goodland 1982:28) and "freedom of choice" (1982:27) for tribals, the Bank's policy of cultural autonomy is very different from the "Cultural Autonomy Alternative" that I have advocated earlier (Bodley 1975:168-169, 1977:43-46). The Bank's version of cultural autonomy superficially resembles my own, and even borrows some of my wording, but the Bank deletes local political sovereignty of tribal peoples and would allow them only temporary control over access to tribal land. These are such critical issues for the future well-being of tribal peoples that the two versions of "cultural autonomy" deserve to be compared in detail, and they are quoted below to highlight the differences:

A. World Bank (Goodland 1982:28)
1. National Governments and international organizations must support rights to land used or occupied by tribal people, to their ethnic identity, and to cultural autonomy.
2. The tribe must be provided with interim safeguards that enable it to deal with unwelcome outside influences on its own land until the tribe adapts sufficiently.

1. National Governments and international organizations must recognize and support tribal rights to their tradi-
tional land, cultural autonomy, and full local sovereignty.

2. The responsibility for initiating outside contacts must rest with the tribal peoples themselves: outside influences may not have free access to tribal areas.

Significantly, the form of Cultural Autonomy that I advocated corresponds closely to the position that tribal spokesmen have consistently taken over the past decade throughout the world.

A further difficulty with the World Bank policy of "free and informed" choice is that tribal peoples may not always be "informed" about the longrange consequences of projects. This is particularly the case when many consequences can not be adequately forseen by the project planners themselves. This point is specifically acknowledged by the Bank, but the policy suggests that careful planning will minimize unforeseen consequences. In my view, this is dangerous optimism that only serves the short term interests of those who will immediately benefit from the implementation of development projects.

4. Ethnic identity or tribal culture?

The explicitly stated objective of the Bank policy is for tribal peoples to become "recognized and accepted ethnic minorities" (Goodland 1982:28), and to "minimize the imposition of different social and economic systems until such time as the tribal society is sufficiently robust and resilient to tolerate the effects of change" (Goodland 1982:27). The substitution of "ethnicity" for an autonomous, self-sufficient tribal way of life, is really at the very heart of the World Bank policy. It should be made very clear, that while this approach may prevent large-scale depopulation as tribal areas are developed, and some vestige of tribal identity may be maintained, unique cultural systems will still be destroyed. Replacing tribal culture with ethnic identity by forcing development on unwilling recipients is in direct opposition to article 21 of the United Nations Declaration on Racism & Racial Discrimination of 1978, and clearly opposes the spirit of the UN 1948 Declaration of Human Rights.

I must clearly disassociate myself from this approach because the Bank policy conclude with a paraphrased quote attributed to me that makes it appear that I endorse the Bank policy of turning tribal peoples into ethnic minorities, whereas I see this as one of the least desirable alternatives. Again, the two passages are placed side by side to highlight the differences:

A tribal culture...

A. As cited in Goodland 1982:29:
"...can continue to be ethnically distinct if it is allowed to retain its economy and if it remains unexploited by outsiders".

B. In original, (Rodley 1975:125):
"...can still continue to be an essentially primitive culture if it is allowed to retain its self-sufficient, subsistence economy and if it remains unexploited by outsiders".

The difference between an "ethnically distinct" culture and a primitive or tribal culture is critical, as is the distinction between an economy and an economy that is a specifically tribal economy. The UN Declaration on Racism & Racial Discrimination of 1978 specifically endorses:

the right if indigenous peoples to maintain their tradi-
tional structure of economy and culture...and stresses that their land, land rights and natural resources should not be taken away from them (article 21).

The World Bank policy would grant tribal peoples an economy and an ethnic identity, but not their traditional tribal economy and traditional culture. This position has a certain logic, because the World Bank also rejects the retention of local political sovereignty by tribal peoples, and without local autonomy a traditional tribal economy and culture cannot be maintained in the face of an intruding national society. Because tribal lands and resources will not be secure.

Alternative policy approaches

The basic aim of the World Bank tribal policy is clearly to accommodate tribal peoples to national development goals, while minimizing deleterious side effects. This is a reasonable objective where disruptive development programs are irrevocably underway, but it is certainly not the only approach. Furthermore, it is inappropriate for an organization such as the World Bank which is in a position to shape development policies through its funding decisions, to exclusively take this approach. Other viable alternative policy approaches should not be precluded when projects are still in the planning stage. Alternative approaches would include helping tribal peoples that are already partially integrated with the national society to mobilize themselves politically in defense of their basic right to maintain their way of life. This would of course mean supporting local tribal political autonomy and tribal control of natural resources, and it could delay or divert specific development projects. This is no doubt the reason that the World Bank rejects such an alternative, but if there is no real intent to respect tribal rights then the Bank policy should not pretend otherwise.

Conclusion

In conclusion I will list my main arguments against the underlying assumptions of the World Bank policy, and will include several specific recommendations for revisions in the policy.

1. The inevitability of development

The incorporation of tribal peoples into national economies with the loss of tribal self-sufficiency, results from specific national development policies. It is not a "natural, inevitable process" that cannot be avoided.

2. The benefits of development

Development policies that weaken the political autonomy of tribal peoples and reduce tribal control over resources will almost certainly lead to detribalization and resource depletion.

3. Development choices

The World Bank policy does not insure freedom of choice for tribal peoples, and they should not be asked to approve development projects when the long-range consequences for them can not be adequately foreseen by project planners.

4. Ethnic identity or tribal culture?

The preservation of ethnic identity and the creation of "successful ethnic minorities" should not be equated with the defense of tribal cultures, and may not always be the best alternative in a given development context.
Recommendations

1. The World Bank should not fund projects that would disturb or displace isolated, fully traditional tribal groups.

2. The World Bank tribal policy should include a full discussion of how the "choice" process can be implemented for partly integrated tribal peoples. There must be mechanisms for tribal peoples to reject threatening projects and to negotiate specific details of the project as it affects them.

3. The World Bank should not fund projects that do not include specific provisions granting tribal a political voice in national decisions affecting them, and retention of full communal control over their traditional resource base.

4. A revised World Bank tribal policy should be subjected to critical review by a panel of tribal political leaders from throughout the world and by other recognized authorities representing a wide range of viewpoints.

NOTE: An earlier draft of this paper was presented at the Australia New Zealand Association for the Advancement of Science annual meeting in Perth, Australia in May 1983. It was also submitted as testimony to the House Committee on Banking, Finance & Urban Affairs, Subcommittee on International Development, Institutions & Finance for its hearings on the World Bank on June 29, 1983. I would like to thank Rudy Reyser of the National Congress of American Indians for his helpful comments.

References cited:


This paper was presented at the ICAES Congress in Vancouver in 1983 at the Symposium "Anthropology and Indigenous Movement" which was organised by INGIA.
Between August 15th and 17th, IWGIA was delighted to welcome a delegation which the World Council of Indigenous Peoples had organised to present recent events in Central America to peoples of Europe. The delegation was led by World Council President Clem Chartier and consisted of a representative from Guatemala with the pseudonym Albert Stoney and Brooklyn Rivera, General Co-ordinator of MISURASATA who talked about Nicaragua.

Clem Chartier said that the delegation had decided to come to Europe because the World Council considered that Central America contained some of the gravest problems facing indigenous peoples anywhere. In addition, the types of oppression which the people of this region suffer have parallels in many other parts of the world. Practically, the WCIP hopes that by informing people of what is going on, the way may be open for finding a solution to end the fighting in both these countries.

Albert Stoney told IWGIA that although people know part of what is going on in Guatemala, very few know the full scale situation. In the last few years more than one million Indians in Guatemala have been displaced from their homelands. Many have been moved to cities, "model villages" or places on the coast far from their highland communities. The army has destroyed homes and crops and anyone who resists is called "subversive". 6,000 people have been killed in recent years and many have fled to Mexico for safety only to encounter new problems there. The indigenous peoples of Guatemala are being forced into Government plans of development, growing export crops, and being settled in work camps which are under military control. Indians, who constitute 80% of the population are the main target of the Guatemalan government's repression. Although there are elections coming in November this has not changed the climate in Guatemala. 600 people were killed by the army in April alone, said Albert Stoney.

Brooklyn Rivera, General Co-ordinator of MISURASATA then discussed the situation in Nicaragua. The conflict on the Atlantic Coast is the unresolved interests of the State and the Indian nations. The conflict has its roots in a history of 450 years since the Europeans invaded the Americas. The Government of Nicaragua, although revolutionary and progressive in name has not addressed itself to the human, ethical and cultural dimension of indigenous affairs. Indigenous peoples have the right to their own life and land but the government does not accept this.

Since 1981 the government has been using violence to put down Indian demands which has increased the conflict. The Indians who have been fighting were organizing themselves to defend their own rights. To show that violence was not the only way for the Indians, as soon as the government showed a desire to negotiate, MISURASATA entered into talks. Even so, it was impossible to progress over issues such as land rights, autonomy and ethnic organization - the fundamental causes of the conflict. The Autonomy project proposed by the government by passed the negotiations but it does not cover land rights or indigenous rights as distinct from any other rights.

The Indian struggle is not a counter-revolutionary struggle as far as MISURASATA is concerned, it is the same struggle which indigenous peoples are fighting all over the world - for land and rights to culture. MISURASATA wants to talk to the government of Nicaragua to solve these problems but it wants meaningful negotiations, not just talking for talking's sake, said Brooklyn Rivera.

Clem Chartier then put the two problems into perspective. He said that no one was suggesting that the problems in Guatemala and Nicaragua are of the same order. The mass genocide which is taking place in Guatemala is one of the worst examples of the physical destruction of indigenous peoples anywhere in the world. In Nicaragua there is not mass genocide. There
indigenous peoples are demanding that their traditional rights be recognised. They are not trying to destroy the state but allow for indigenous autonomy within the state which will enable the indigenous peoples of Nicaragua to participate more fully to the future of the country as a whole.

In order to show the differences between the two countries the World Council of Indigenous Peoples was acting in very different ways. In Guatemala where discussion with the government is difficult if not impossible, the WCIP has set up a tribunal to hear the case and make international recommendations. In Nicaragua, on the other hand, where the government is more flexible and reasonable, the possibility of direct negotiations is more practical. For this reason, the WCIP has been a great supporter of the peace process which has been taking place in Colombia and Mexico and will continue to support it, should it start up again.

The WCIP support self-determination for indigenous peoples everywhere in the world. Self-determination means that each nation should decide for itself the form of its own future organisation. Nicaragua has decided on autonomy and the government should respect what the indigenous peoples in its country ask. In Guatemala, the government should be first of all respecting the right to life and in addition listen to the just demands of the Guatemalan Indian peoples.

The World Council for Indigenous Peoples believes that governments of both the right and left can harm indigenous peoples. No one political ideology necessarily supports what indigenous peoples want unless they make their mind up to do so. Clem Chartier ended by appealing to international opinion to censure openly the Guatemalan régime for its treatment of indigenous peoples and for all people who have the Nicaraguan cause at heart to persuade the government that to listen to the indigenous demands will do nothing more than enhance its reputation further.

WEST PAPUA: 13 REFUGEES FORCIBLY REPATRIATED AND FEARS FOR FURTHER REFOULEMENT

On October 12th forced repatriation took place of West Papuan refugees who were taken involuntarily from Papua New Guinea to Jayapura, capital of West Papua. Reports describe how the 13 were handcuffed and beaten by Papuan New Guinean police and that when they arrived in Indonesian territory they were imprisoned and subjected to heavy interrogation. An international protest followed from organisations such as Tapol, Survival International and Amnesty International. The UNHCR also deplored the manner of repatriation without any consultation.

As a result of the enormous protest at the action of the government of Papua New Guinea, Deputy-Prime Minister Pr. John Momis made a statement on 25th October saying that no more refugees would be repatriated against their will. Although this has taken the immediate pressure off the situation from the point of view of the UNHCR, there are some disturbing aspects to the statement. The government still reserves the right to decide which "border crossers" will be granted refugee status. As yet the government has not classified any of them as refugees which puts them all at risk of deportation.

It has also been stated by the government of Papua New Guinea that any "border crossers" who are considered to have committed criminal acts may be deported. This could have serious consequences for 108 West Papuans who were arrested after demonstrating in Vanimo camp. They were protesting at the forced repatriation of their fellow-countrymen on the 12th October. On 19th October the men were taken to barracks and are awaiting trial.

Latest reports from Papua New Guinea say that in spite of government assurances 11 more West Papuan refugees are threatened with deportation to Indonesia. While there remains even the slightest chance that refugees are under threat of refoulement to Indonesia all such assurances have to be treated
guardedly.

There are three critical issues at stake here set out by Tapol.

1. The need for pressure to prevent any deportations.
2. Immediate efforts to press other governments to grant asylum to those at risk of deportation from Papua New Guinea.
3. Raising cash to assist the PNG lawyers in their defence of the 108 and their continuing efforts to prevent deportations.

INGIA has sent the following telegram to the Prime Minister of Papua New Guinea.

"International Work Group for Indigenous Affairs (INWIA) dismayed to hear of forced repatriation of West Papuan refugees October 12th STOP In spite of assurances by PNG government that repatriation will stop statement by Fr Momis 25th Oct. gives alarming qualifications which opens possibility for more repatriation STOP Persistent reports give international community concern for 11 more refugees under threat of repatriation STOP Please do all in your power to preserve the basic human rights of your Melanesian brothers and categorically prevent any forced repatriation of West Papuan refugees STOP"

Sources: Malaysian Sociological Research Institute
Survival International UAB/PAP/Lb/Nov/1985
TAPOL Memos

ERRATA
In INWIA Newsletter No.42 in the article on Tibet, page 183 paragraph 1, the central section should read:

Tibet was a country where almost all families had one or more family members living in monasteries, a country where nearly one third of the male population were monks. The Chinese invaders came and threw the monks out of their monasteries in order to make them attend to more "important and productive" matters, and to prevent them from religiously oppressing the Tibetan population.
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