



YEARBOOK 1992

IWGIA

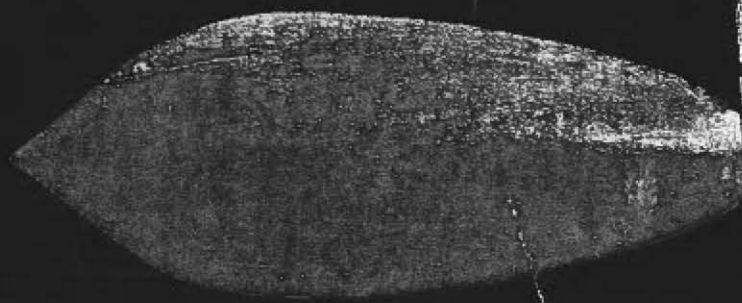
YEARBOOK 1992



IWGIA

INTERNATIONAL
WORK GROUP FOR
INDIGENOUS AFFAIRS

The International Secretariat of IWGIA
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IWGIA

The International Work Group for Indigenous Affairs (IWGIA) is an independent, international organisation which supports indigenous peoples in their struggle against oppression. IWGIA publishes the IWGIA Documents Series in English or Spanish and occasionally some titles are published in both. The IWGIA Newsletter (English) and the IWGIA Boletín (Spanish) are published four times annually. The Documentation and Research Department welcomes suggestions as well as contributions to the aforementioned publications.

IWGIA publications can be obtained through subscription or purchased separately.

Subscription fees for 1993 are the following:

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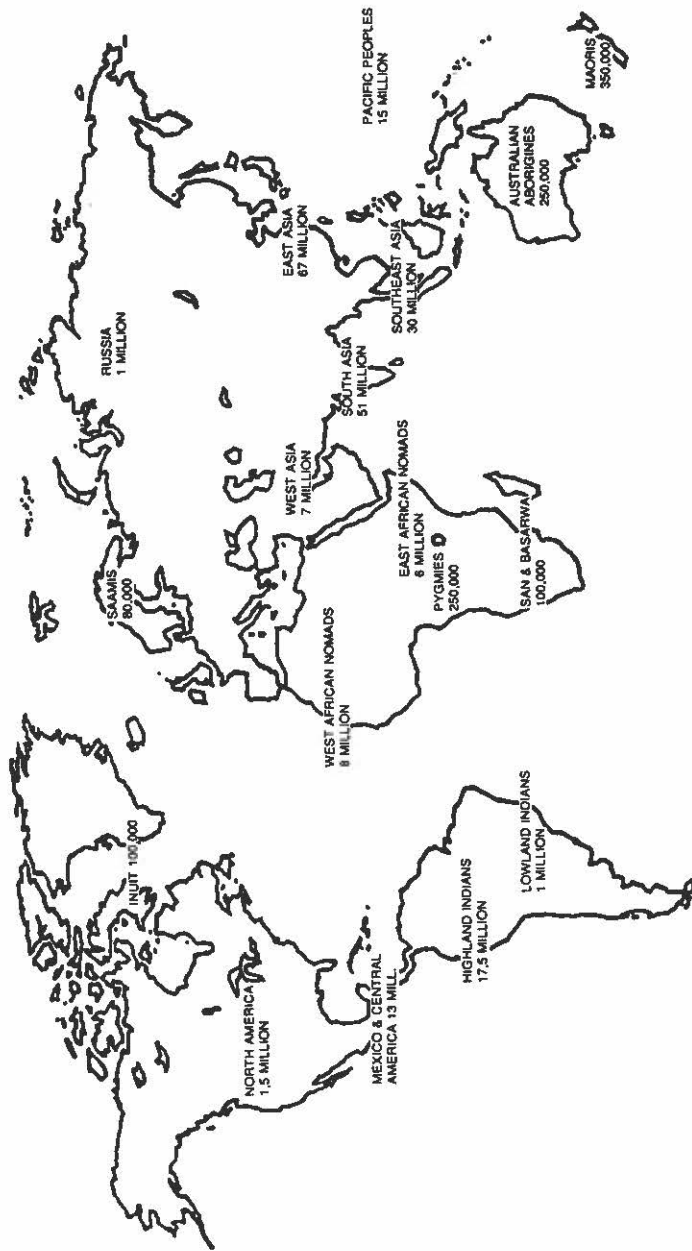
This edition of the Yearbook has been compiled and edited by Jens Dahl, Alejandro Parellada and Teresa Aparicio.

IWGIA YEARBOOK 1992

Copenhagen 1993

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Introduction

500 years ago Columbus landed on the shores of what is today called America. This changed the history of the continent. In October many governments celebrated this 500th Anniversary Year. Contrary to the official history, indigenous peoples from the whole continent look back at 500 years of resistance.

The indigenous peoples had no reason for celebrating Columbus Day. Together with all indigenous peoples throughout the world their chance to celebrate came later in the year when Rigoberta Menchú was awarded the Nobel Peace Prize. Announcing their decision, the Nobel Committee stated that the recipient is "a living symbol of peace and reconciliation in spite of the ethnic, cultural and social divisions of her country, of the American continent and of the world", and referred to her "work for social justice and ethnic and cultural reconciliation which is based in respect for the rights of indigenous peoples."

By awarding the Nobel Peace Prize to an indigenous person, indigenous peoples from all continents have got the chance "to dream a little bit more". Rigoberta Menchú herself stated that it will be a "stimulus for the struggle for all the indigenous peoples of the continent for justice, for land, for identity, for their language and for all that comprises their cultural values; a stimulus which during the International Year of Indigenous Peoples will provide strength for the indigenous people to attain the Universal Declaration on the Rights of Indigenous Peoples for which we are working in the United Nations."

In the northernmost part of the American continent the Inuit of the Canadian Northwest Territories finally approved a land claim agreement made with the Canadian government and the two parties took the final step to establish regional self-government in this vast part of the Canadian Arctic. When the new territory, Nunavut, is established at the turn of the century about 85 per cent of the inhabitants will be Inuit.

One of the most promising news items of the year was the Australian High Court decision delivered in the so-called Mabo case. By a majority of six to one, the Court found that Australian

common law recognizes the indigenous peoples' (Aborigines and Torres Strait Islanders) title to their traditional land - if that title has not already been extinguished.

Several Asian countries continues to violate the most fundamental human rights and also the collective rights of indigenous peoples. The most serious event was the slaughter of the villagers of Logang in the Chittagong Hill Tracts. The indigenous peoples of the Chittagong Hill Tracts are still waiting for the democracy which exists in other parts of Bangladesh to reach the Hill Tracts.

The indigenous peoples of the arid Sahel region from West Africa to Sudan continue to be under severe pressure from hostile governments. However, the situation is more promising at the southern end of the continent, where Bushmen (San) from Namibia and Botswana met for the first time to discuss matters of common concern.

Part I of the Yearbook is the *IWGIA Annual Report*, which deals with IWGIA activities and publications in 1992.

Part II concerns the *Indigenous World* and is a compilation of information collected from major journals, newspaper reports and contacts available to IWGIA and the authors. However, it is impossible to cover every single event which has taken place in the indigenous world, and some parts of the world are dealt with in more detail than others.

In Part III, *Indigenous Rights*, we reprint the 1992 Draft Universal Declaration on the Rights of Indigenous Peoples as adopted by the Working Group on Indigenous Populations and the UN Human Rights Commission.

In Part IV, *Indigenous Focus*, special focus is given to the speeches given by indigenous peoples in New York in December at the official inauguration ceremony of the UN International Year of Indigenous Peoples.

We also include a special section containing presentations by two indigenous people representing the Amazon and the Andes.

Acknowledgements

IWGIA wishes to thank all those people, who through their work and help, have contributed to this Yearbook. We are especially grateful for the cooperation of the following people who have

kindly contributed with manuscripts to the section on the Indigenous World:

| | |
|---|---|
| The Arctic | Jens Dahl, Inge Larsen, Marianne Lykke Thomsen, Claus Oreskov and Frank Sejersen. |
| North America | Claus Oreskov, Frank Sejersen, Karin Sonne-Jensen and Arne Thomassen. |
| Central and South America | Andrew Gray and Alejandro Parellada. |
| Central Asia: Tibet | Anders Højmark Andersen. |
| South East Asia The Philippines | Frank Ringsted Danilo Geiger. |
| South Asia | Frank Ringsted. |
| Melanesia, Australia and the Pacific | Jørgen Abelsen. |
| Africa | Jens Dahl and Aud Talle. |

IWGIA
WORLD

Annual report

Introduction

The work of IWGIA falls within four main areas: publications, human rights work, research and development projects. The wide range of activities performed or supported by IWGIA may be seen as a result of combined efforts between these main categories.

Publishing on indigenous affairs is still a main activity, but in the last couple of years the tendency has been to use the IWGIA publications in support of other activities and vice versa.

The fact that indigenous peoples all over the world are becoming better organised today than they were only a few years ago has also made its impact on the priorities of IWGIA activities. The increased internationalisation of indigenous politics has led IWGIA to work more in international fora.

The increased global influence and power of the European Economic Community (EEC) has encouraged IWGIA and other organisations to enter into a close cooperation in the European setting. In federation with four other European organisations IWGIA has established a 'European Alliance with Indigenous Peoples'. The aim is to further the interests of indigenous peoples in the European Parliament and vis-à-vis the EEC Commission. The European Alliance took effect in early 1992 and has already taken a number of initiatives.

Since the disintegration of the Soviet Union IWGIA has followed the process of transformation as this has affected the indigenous peoples of Russia. After the founding of an IWGIA national group in Moscow in 1991, we have now entered a new phase and we hope in the future to publish in the Russian language.

In 1992 a number of initiatives were taken in Denmark to promote the interests of indigenous peoples. A national collection day took place on October 12 and the first IWGIA publication in Danish in recent years appeared at the end of 1992.

In 1991 the IWGIA board decided to publish both our Newsletter/Boletín four times a year in English and Spanish. This decision was taken in order to strengthen the distribution of information

from one indigenous group to another, and from continent to continent. At the same time the Newsletter/Boletín was published in magazine format and 1992 was the first year that the new magazine came out 4 times a year, as it will continue to do.

In 1992, IWGIA experienced an increased interest in its work from the general public, prompted by the award of the Nobel Peace Prize to Rigoberta Menchú, and also by the preparations for the 1993 UN Year of Indigenous Peoples. This has forced us to allocate more time and more resources to press and media than we have done previously.

The plans for moving the International Secretariat to new premises did not materialise and IWGIA has now signed a contract with the University of Copenhagen, which will make it possible for us to keep the existing premises for the next 10 years.

The structure of IWGIA

The main structure of IWGIA is made up of three bodies: the International Board, the National Groups and the International Secretariat in Copenhagen. The two regular board meetings were held from 7-10 May in Marstrand, Sweden, and from 1-3 October in Copenhagen.

The members of the International Board are:

René Fuerst (Switzerland), President; Georg Henriksen (Norway), Vice President; Espen Wæhle (Norway); Aud Talle (Sweden); Kaj Århem (Sweden); Andrew Gray (Britain); Finn Lynge (Denmark); Karen B. Andersen (Int.Sec.); Teresa Aparicio (Int.Sec.); Jens Dahl (Int.Sec.); Arne Thomassen (Nat.Gr. Norway); Olle Haggmann (Nat.Gr. Sweden); Karin Sonne-Jensen (Nat.Gr. Denmark); Sandra Holtz (Nat.Gr. Switzerland) and Alexander Pika (Nat.Gr. Russia).

Working in the International Secretariat in 1992 were:

Director: Jens Dahl.

Administrator: Karen B. Andersen.

Secretary: Lola García-Alix.

Publications: Mario Di Lucci.

Advisor (South- and Central America): Alejandro Parellada.

Researchers: Teresa Aparicio and Andrew Gray.

Part-time and temporary staff: Jørgen Abelsen, Peter Bengtsson, Karen Degnbol, Jette Howalt, Murchu Laster, Karina Reither

Sørensen, Lise Revers, Peter Riis, Maite Riman Pedersen and Karin Sonne-Jensen.

There are national groups in Oslo (Norway), Gothenburg and Lund (Sweden), Zürich (Switzerland), Copenhagen (Denmark) and Moscow (Russia).

Finances

IWGIA's 1992 account shows a positive balance. This has only been possible because we have cut down on the publication costs and because we have entered a more restrictive policy on the free-of-charge receivers of IWGIA publications. It has also been necessary to cut away what amounts to a half-time position in the International Secretariat.

The general recession and the devaluation of the Norwegian, the Finnish and the Swedish currency has been a blow to IWGIA's economy. To this should be added that from 1 January 1993, IWGIA has to pay for the premises allocated to us by the University of Copenhagen. Even though 1993 is the UN Year of Indigenous Peoples we have to anticipate the possibility of being forced to make further cuts in our activities.

As in previous years, several of IWGIA's funds were earmarked for specific activities. The general trend towards more earmarked funds instead of general donations is the cause of some concern to us. One of our concerns is the increasing difficulty in raising funding for activities with indigenous peoples in those countries defined as non-developing countries, i.e. countries having a Gross Domestic Products above a certain level.

IWGIA's National Groups

Oslo

IWGIA-Oslo was one of the co-founders of "the Coordination group for the 500 Years of Resistance", which was established in late 1991 and early 1992. The aim of this group has been to inform about and campaign against 500 years of oppression of Indians on the American continent. The major part of IWGIA-Oslo's work in 1992 was directed to these efforts which were very successful in that the general Norwegian public became aware of indigenous peoples as never before.

During the year the national group received visits from several North-American Indians.

The national group took part in an exhibition on the rainforest at the Ethnographic Museum in Oslo, and a number of talks on indigenous peoples have been given all over the country. Together with other NGOs, IWGIA organised a hearing on 'Democracy, Development and the Role of the World Bank'.

Gothenburg

Once a fortnight the recently started media group met to write letters to the press with news about indigenous peoples. Almost 100 per cent of the letters were printed. Regular lectures were given at the university and the group has also been involved in activities related to the 500-Years of Resistance campaign. Three members of IWGIA-Sweden attended the first week of the UN Working Group on Indigenous Populations in Geneva in July.

Copenhagen

In January, IWGIA-Denmark and the World Assembly of Youth held a public hearing on "Environmental Rights: The Arctic and the Nordic Countries in Global Perspective". Papers were given by Finn Lyng (Indigenous Survival International), Georg Blichfeldt (Survival in the High North), Helle Sigstad (Inuit Circumpolar Conference), Britt Sparrok (Saminuorra), Pekka Aikio (the Finnish Saami Parliament) and Arqaluk Lyng (Inuit Circumpolar Conference). One of the main conclusions of the hearing was a general agreement that environmental rights should supplement and strengthen human rights. Environmental rights include both the right to a clean environment and the right to utilize the natural resources in a sustainable way.

Throughout the year, members of the national group have written various articles to newspapers and journals, given talks to schools and institutions and made regular broadcasts about indigenous peoples on a local Copenhagen news channel.

Protest campaigns were organised in support of the Apache Survival Coalition (the Mount Graham Case), in support of Saami demanding equal status for the Saami and the Swedish language in certain official settings, in protest against the continued imprison-



IWGIA Copenhagen lokal group demonstrates in front of the American Embassy for the release of Leonard Peltier. Photo: Pernille Gram.

ment of Leonard Peltier, in protest against low flying NATO-jets over Innu territory (Canada), against the damming of the Narmada river, against violations of human rights in East Timor and as counter action to the celebration of the 500-Years.

Members of IWGIA-Denmark have received visitors and participated in a number of meetings and conferences on behalf of the International Secretariat.

Kristina Grünenberg and Peter Bille Larsen attended a meeting held by the European Rainforest Movement in Copenhagen, and IWGIA is now part of their network. There appears to be an increased concern on the part of most organisations for indigenous affairs.

Moscow

The IWGIA National group in Moscow was finally established in 1992, hosted by researchers at the Institute of Social Problems and Employment, at the Academy of Sciences. However, in mid-1992 everyone employed at this institute was expelled from the premises in the centre of Moscow and asked to continue their work at home.

Although this has affected the IWGIA group the members have been able to go ahead with part of the planned work. This has

included the translation of the UN Draft Declaration on the Rights of Indigenous Peoples and other material into Russian and its distribution to various indigenous villages all over Russia. Information about the Udege case was circulated and letters of protest were written to Russian politicians.

The group is now preparing an IWGIA Document on the indigenous people in Russia and translation of the IWGIA Yearbook into Russian.

Human rights work

A. United Nations

IWGIA attended the 48th meeting of the UN Commission on Human Rights. On behalf of IWGIA oral presentations were made by indigenous representatives from the Chittagong Hill Tracts (Bangladesh), Burma and Bougainville. In the Commission on Human Rights a follow-up from the preceeding year's meeting in the Sub-commission on Prevention of Discrimination and Protection of Minorities was made concerning the situation in the Chittagong Hill Tracts.

As usual, IWGIA took part in the UN Working Group on Indigenous Populations (Geneva) with a larger delegation than in previous years. IWGIA was also represented at a subsequent technical meeting concerning the 1993 UN Year of Indigenous Peoples.

B. The UNCED meetings in Brazil

IWGIA participated at the World Conference of Indigenous Peoples on Territory, Environment and Development which took place in May 1992, in the indigenous village of Kari-Oca near Rio de Janeiro, immediately prior to the UN Conference on Environment and Development (UNCED).

Indigenous participation at the UNCED was not as high as could have been desired. The majority of the indigenous peoples who participated did so by means of special passes which the UN had offered to various indigenous organisations. Nevertheless, over 850 indigenous leaders, representing 82 indigenous organisations throughout the world, participated at the Kari-Oca indigenous meeting. Lack of funds and lack of access to the UNCED forced nearly all the indigenous representatives to travel back home a few days before the UNCED began.

An Indigenous Peoples Earth Charter was adopted at the end of the Kari-Oca Conference containing a total of 109 points. This Indigenous Earth Charter contains specific guidelines and demands on Human Rights, International Law, Lands and Territories, Biodiversity and Conservation, Development strategies and Culture and Science and Intellectual Property.

The UNCED granted a space in the General Assembly for a representative of the Kari-Oca Conference to present their message to the governments of the world.

C. The Human Rights Fund for Indigenous Peoples

The Human Rights Fund for Indigenous Peoples is formed by four European NGOs, including IWGIA. Its main task is to raise funds to make possible the participation of indigenous peoples at the annual sessions of the UN Working Group on Indigenous Populations in Geneva.

Realising that the Working Group can be expected to finalise a draft declaration on the rights of indigenous peoples in the near future, the Fund has decided to enlarge its activities to include the Sub-commission on Prevention of Discrimination and Protection of Minorities and the UN Human Rights Commission. When the Working Group has ended its work with the Declaration its proposal will pass through the Sub-commission to the Human Rights Commission. In order to make it possible for indigenous peoples to have an input into this process, it was decided to also fund indigenous participation in these fora.

In the 1992 meeting of the Commission on Human Rights the Fund assisted two indigenous representatives, Dr. Em Marta from Burma, representing the Karen National Union, and Victor Kaisiepo, West Papua, representing the West Papuan Peoples Folksfrontier.

Support was raised for 22 indigenous representatives to participate in the Working Group on Indigenous Populations. The delegates came from Algeria, Argentina, Australia, Bangladesh, Belize, Chile, Ecuador, Honduras, New Zealand, Nicaragua, Peru, the Philippines, Russia, Rwanda, Surinam, Taiwan, Tanzania, USA and West Papua.

Following the Working Group meeting, a representative from the Bougainville Interim Government participated in the meeting of the Sub-Commission, supported by the Fund.

D. The European Alliance with Indigenous Peoples

With Anti-Slavery International in Britain, WIP and the 12 October Manifesto from Holland and KWIA from Belgium, IWGIA has established a European Alliance for Indigenous Peoples (EAIP). In early 1992 a small secretariat was established in Bruxelles, headed by Nicolas Tavitian. The office in Bruxelles will give support to indigenous peoples visiting the EC institutions and serve the member organisations in their EC related endeavours to promote the indigenous cause.

Meetings of the Alliance were held in Bruxelles in the spring and in the autumn.

The secretariat in Bruxelles has acted upon a number of initiatives in relation to, among others, indigenous peoples in Russia, indigenous peoples living in tropical forests, the Chittagong Hill Tracts issue and the wildlife issue. The secretariat has also been of service to a number of indigenous peoples visiting EC institutions.

IWGIA-Denmark has continued its efforts to deter the animal rights' groups from lobbying the EC to implement importation restrictions on wildlife which has been hunted and trapped by indigenous peoples.

E. The International Chittagong Hill Tracts Commission

After four years of co-ordinated efforts, an International Chittagong Hill Tracts Commission was established in 1989. IWGIA has participated in the work of the Commission and assisted the Commission during its trip to Chittagong Hill Tracts and to the refugee camps in Tripura in December 1990. The report of the findings of the Commission was launched in May 1991, and an updated version was published in May 1992.

The report is being distributed all over the world to governments, government agencies, organisations and individuals. As the report was confiscated in Dhaka, photocopies are now being circulated there.

The cruel massacre in Logang in April 1992 led Commission-members, Hans Pavia Rosing and Leif Dunfeld to call a press conference in the Parliament building in Copenhagen. Only a few people showed up for the meeting.

A meeting about the present situation in the Hill Tracts was held in the Hague in Holland in November with representatives from the Chittagong Hill Tracts, from the refugee camps in India and from European and Japanese organisations.

A new update of the Commission report is planned for the spring 1993.

F. Protests and concerns

In letters to the European Ministries of Foreign Affairs, IWGIA has expressed its grave concern over the continuing violations of basic human rights in Chittagong Hill Tracts and has asked the governments to consider withdrawing all aid to Bangladesh.

News about the summary executions of Tuaregs in Mali reached us in May and an urgent action appeal was circulated to governments, the press and NGOs.

International concern was raised concerning the situation of the Udege people in Far Eastern Russia who were being threatened by a major forestry project involving a South Korean logging company and its Russian counterpart. Protests were sent to President Yeltsin and in the end the Udege won their case in the Russian High Court.

A number of public protests and urgent action appeals were made by the national groups.

Research

The Resource Centre

IWGIA's resource centre has now been in operation for a number of years. The research material is classified and books, periodicals, newsletters, newspaper cuttings and articles are available to the public. Researchers and others come regularly to study specific issues and use the resource centre and facilities which IWGIA has available. In 1992 the library and the resource centre were in the care of a full-time member of staff on a long-term unemployed jobs creation scheme.

IWGIA's international secretariat, as well as members of IWGIA's national groups have organised seminars and lectures in universities and public schools to increase understanding on indigenous affairs.

Research project

In 1990 IWGIA initiated its first research project, 'Indigenous Peoples' Self-determination, Identity and Development'. The project involves the Amaraakaeri in Peru, the Xavante in Brazil and the Alutiiq speaking Aleut in Alaska. The project includes both indig-

enous and non-indigenous researchers. From IWGIA Teresa Aparicio was in Brazil during the whole year and Andrew Gray was in Peru for the first 6 months of the year.

As part of the project, indigenous representatives from Peru and Alaska took part in the UN Working Group session in Geneva in July-August and meetings were held in the International Secretariat in Copenhagen.

The research project also includes an educational component which was initiated in Peru this year.

Networking

An important way in which IWGIA obtains first-hand information on indigenous issues as well as strengthens its relations with indigenous groups and organisations, is through networking trips. These trips provide IWGIA with the necessary background information to deal with indigenous issues at different levels. An increasing part of IWGIA's documentation is being written by indigenous leaders from all over the world - and through networking new groups become aware of IWGIA's work and publications.

The networking trips are also an important way of becoming acquainted with, and obtaining information on, the situation of indigenous peoples upon which IWGIA's support activities and development work is based.

Furthermore, direct contact with new organisations also helps IWGIA in facilitating indigenous people's introduction to and participation in international meetings, such as the UN.

Alejandro Parellada did a short networking trip in Brazil in connection with an evaluation of a Yanomami health project financed by FINNIDA. On that occasion he was able to see for himself the health conditions in the Yanomami communities of Demini and Totootobi. During the same trip he visited the central office of the CCPY in Sao Paulo and other organisations, for example IAMA and CEDI that have a close relationship with IWGIA.

In December Alejandro Parellada went to the Philippines. In Mindanao he had the opportunity to visit different communities and to acquaint himself with the situation of the Lumad people. He also visited the refugee camps in Zambales where the Aeta people have lived since the eruption of the Mount Pinatubo, and the offices of KAMP in Manila.

During April, Jens Dahl, Inge Larsen and Alexander Pika made a networking trip to Eastern Russia and visited communities and indigenous organisations in Chukotka and Kamchatka. The networking was organised in cooperation with the organisation 'Small Indigenous People of the Russian North and Far East' and its president Vladimir Sanghi.

Conferences and meetings

Jens Dahl took part in the 8th Inuit Studies Conference in Quebec, Canada, and in the first International Arctic Social Science Association Conference which also took place in Quebec.

Frank Sejersen participated as an observer in the 15th Nordic Saami Conference in Helsinki, Finland, and Claus Oreskov attended a meeting in the Saami Council Working Group in Rovaniemi, Finland.

Claus Oreskov represented IWGIA at an NGO conference on the Boreal Forest of the World in Jokkmokk, Sweden. The Taiga Rescue Network was established, consisting of a consensus platform, an international coordination centre and an international reference group.

Karin Sonne-Jensen attended the 6th Annual Anthropological Film Festival in Pärnu, Estonia. The participants were informed about the work of IWGIA, and material was handed out. During the conference new contacts were made and a short article published in the Newsletter/Boletín.

Jens Dahl took part in the Nordic Arctic Research Forum meeting in Gilleleje, Denmark.

In Manila, Alejandro Parellada took part in the Conference on Indigenous Peoples and Development, organised by IMADR.

Development projects

Over the last few years IWGIA has received an increasing number of projects from indigenous organisations, which have been forwarded to donor institutions. Due to the lack of manpower, only a few have been dealt with directly by the IWGIA office. The largest of these projects is an ambitious land titling project in Peru, which is carried out by AIDSESP, an indigenous organisation of the

Peruvian Amazon. More than 100 communities have received the title to their land, and an extension the project will be initiated in 1993.

Giving the large number of projects IWGIA is receiving, IWGIA's Board has decided to create a specific department to deal only with development projects. It is hoped that this department will become effective from 1993.

Publications

All IWGIA publications are sent free of charge to indigenous groups and organisations all over the world. For some years this programme was concentrated on South and Central America, but in recent years efforts have been taken to include more indigenous groups in Africa, Asia and Oceania. In 1993 special focus will be put on Africa. Exchange agreements have been established with a large number of indigenous and non-indigenous NGOs in many countries.

IWGIA publishes in English and Spanish, but the first **Danish publication** *Indfødte Folk* ('Indigenous People') came out at the end of the year. Based on this manuscript, similar books have been published in the Norwegian and Saami languages by the Ministry of Municipalities in Norway.

A new service for the press was initiated at the beginning of 1992. Once a week a news release, **IWGIA NYT**, is published in Danish which takes up an urgent or important matter concerning indigenous peoples. The news release has been translated by the IWGIA national groups in Oslo and Gothenburg for public use in Norway and Sweden.

In 1991 a new format of the **Newsletter** and the **Boletín** was launched and from 1992 the Newsletters and Boletines are regularly published in identical versions four times a year.

The English Newsletters and the Spanish Boletines are compiled, edited and processed by the IWGIA Secretariat, whereas the **Documents** and **Documentos** are written especially for IWGIA.

The **IWGIA Yearbook** has been published since 1986 and in 1990 the first Spanish edition, **Anuario**, came out. Plans are now going ahead to publish a Russian version.

IWGIA's overall policy is to raise the number of indigenous peoples contributing to its publications because their writings are

considered an essential part of IWGIA's documentation work.

The publications are the backbone of IWGIA's work and, as such, all efforts are directed towards strengthening our research and documentation activities, as well as the production process, which are at the basis of all our publications.

The **Yearbook/Anuario** contained, as usual, a main section on the developments in the indigenous world with special emphasis on Southeast Asia in general and Chittagong Hill Tracts in particular. A special section concentrated on indigenous peoples and sustainable development.

Newsletter/Boletín number 1 has a special section with presentations made at a hearing on environmental rights, the second issue focused on speeches from the Second International Water Tribunal and, in the fourth issue, presentations from the Working Group on Indigenous Populations were published. Latin America was the focus of issue number 3.

Document No.71 '*Out in the Cold*' written by Alan R. Marcus took up the issue of relocation of Inuit from Baffin Island and Quebec to the High Arctic in the 1950s. The relocation experiment was carried through by the Canadian Government. The relocation was a concept born out of idealism and a search for bold initiatives, but it was confounded by ignorance of the human implications. The document takes up the issue of voluntary or non-voluntary resettlement in this perspective and the role of the relocation in maintaining Canadian sovereignty the the High Arctic Islands is analysed.

The Inuit continue to seek redress from the government for the suffering following this experiment, but they are up against "those officials who deny the truthfulness of Inuit testimonials about the effects of the relocation on their lives" although they did not share those experiences.

Document No.72 '*Roads, Indians and the Environment in the Amazon from the Central Brazil to the Pacific*' by Mauro Leonel. This Document contains an unedited work on the consequences of the construction of the Amazonian highways on indigenous populations, non-indigenous people who also use the Amazon and on the environment. The highways are viewed in this study not only as an instrument for the conquest of space, but also a weapon of conquest against people. Poor and marginalized social groups are attracted to these new enclaves with promises, mostly false, of new horizons and possibilities for a dignified existence. In turn, they are used as pawns

in an intricate game of economic interests in which they are sacrificed on the altars of a "progress" of which they form no part.

The English Document No.72 was published as Documento 13 in Spanish. **Documento 14** '*Entre la Integridad Cultural y la Asimilación: Conservación de la biodiversidad y su impacto sobre los pueblos indígenas*', was written by Andrew Gray.

Visitors

Immediately after she had received the Nobel prize, IWGIA had the privilege to host Rigoberta Menchú for just over a day. She was accompanied by two assistants and, despite her heavy workload at that time, her stay in Copenhagen was very intense. After meeting NGOs in Copenhagen, Rigoberta was received by the Danish Prime Minister, Poul Schlüter, and officials from the Ministry of Foreign Affairs. She was also given a very generous welcome by the Greenlandic Home Rule, and ended her visit in Denmark by meeting most of the Danish press and television.

Among the other visitors to IWGIA was Roger Rumrill Garcia from the Centre of Studies of the Amazonian Culture who informed us about the problem of cocoa production in Peru and the close relationship between the guerrilla movements in the region and the National Army.

Walter Heredia, member of CECONCEC, visited Copenhagen to inform us about the situation of the Asháninka people who have been involved in serious conflicts with the guerillas and the national army of Peru. At the same time we discussed the possibility of finding funding to implement a commercialisation project for the Asháninkas.

Jannet Pelle represents the United Kingdom's South Pacific Research Centre. Agreements were made to exchange information between the two organisations.

Marcial Vazquez (COICA) made a visit to IWGIA to inform us about the colera epidemic in Peru and its effect on the Shipibo of Pucallpa.

Saruni ole Ngulay, Tanzania, who organised the first Maasai Cultural Conference stayed, in Denmark for two months and worked in the IWGIA Secretariat during part of his stay.

Acknowledgements

Since its establishment in 1968 IWGIA has been housed free of charge by the University of Copenhagen. In 1992 it was decided that IWGIA would have to move to other premises due to restructuration within the University. However, the new premises were too small for IWGIA, and we have now arranged with the University that we remain in Fiolstræde, but that we pay a reasonable rent.

For many years IWGIA has been supported mainly by the Foreign Ministries of Scandinavia. This continuous support has been - and still is - invaluable for the running of the office. For the last couple of years, IWGIA has also had basic grants from the Norwegian Agency for Development Affairs, the European Economic Community, the Greenlandic Home Rule Government and the Danish State Lottery Fund.

As in previous years, IWGIA has raised earmarked funding as well as funding for indigenous development projects. For 1992 this funding was granted by CAFOD, Christian Aid, Danish Church Aid, the Danish International Development Agency, the Danish Ministry for Foreign Affairs, the Danish Research Council, the European Human Rights Foundation, the Finnish International Development Agency, Freja Fonden, Indianerforbundet Finland, Lutherhjælpen, the Onaway Trust, Oxfam, Rambøll, Hannemann & Højlund, SNU (Security and Disarmament Commission of Denmark), Villealfa Filmproductions and the World Council of Churches.

Conclusions and work ahead

The new magazine format of our Newsletter / Boletín is now being published regularly four times a year, and a part time editor for these publications will be appointed in 1993.

This issue of the 1992 Yearbook is now being translated into Russian, and it is our ambition to publish more regularly in Russian.

We have had some problems in relation to the publication of the documents in 1993. This means that there are a number of documents now ready for printing. These include two documents from the Philippines, a Bushmen document, a compilation of articles and a document on the indigenous peoples of Siberia, a document on Hawaii and others.

A land titling project in the Amazon was completed in 1992 and a new project has been funded by the Danish Ministry of Foreign Affairs to be started in 1993. This project is expected to last for 2-3 years. We hope to be able to deal with indigenous peoples' development projects more effectively by setting up a specialised section within the IWGIA secretariat to deal with projects.

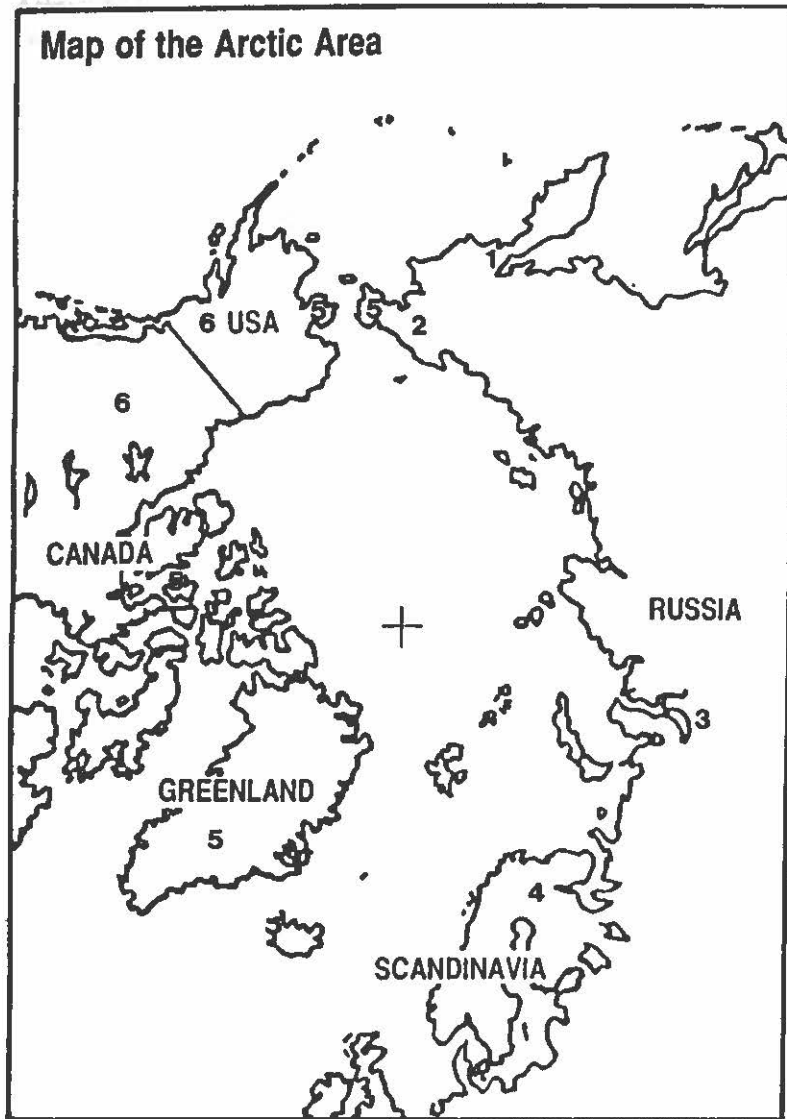
The Peruvian and Brazilian components of IWGIA's research project on Indigenous Peoples' Self-determination, Identity and Development will be completed by the end of 1993 and the Alaskan component is expected to be carried out in 1993-94.

At the end of 1992 IWGIA received funding for what we have called a south-south project. The idea of the project is to combine research, publications, human rights work and development projects in one programme. The funding for 1993 is earmarked for Africa and includes networking, publishing and a major conference on the concept of indigenous peoples in Africa. It is our hope that this initiative will be followed by a focus on Oceania and Asia in 1994 and 1995 respectively.

IWGIA's human rights programme reflects indigenous peoples' stress on work in international fora, not least the UN Working Group on Indigenous Populations. As the drafting of an international declaration of the rights of indigenous peoples is approaching a critical stage, and in order to cope with increasing demands at the international level, IWGIA has decided to establish an advisory council. The advisory council is expected to be effective from 1993 and includes experts in international and indigenous law.

In order for IWGIA to be able to carry out the activities programmed for the coming years and continue with our human rights initiatives, work on development issues and our research programme, we are dependent on continuing support from our funding agencies. We wish to thank all our financial supporters for the help granted in previous years and we hope that we will continue to receive economic resources necessary for our work and commitment to the indigenous cause.

INDIGENOUS WORLD



- | | |
|-------------|------------|
| 1. Koryak | 4. Saami |
| 2. Chukchee | 5. Inuit |
| 3. Nents | 6. Indians |

THE ARCTIC

In 1992 the poor social conditions in which many indigenous peoples of the Arctic live and the attendant problems this produced spilled over into the public realm. Several Canadian Inuit leaders had to step down because of alcohol abuse and others appeared in court on charges of violent behaviour. These events led to a discussion among the Inuit and the indigenous leadership about the establishment of some form of code of conduct.

People who are far from their family and home for prolonged periods are subject to stress. This stress can affect political leaders whose dedication and commitment to the indigenous struggle obliges them to live in towns thousand of kilometres from their communities and also families who have been forced off their lands. In the 1950s, 1960s and 1970s indigenous peoples from all over the Arctic - Greenland, Canada and Alaska as well as the USSR - were being moved from their communities and resettled in other places. The process was surprisingly similar in both the USSR and the capitalist countries. The case of these 'High Arctic Exiles' was brought to the UN Working Group on Indigenous Populations. One such people who highlighted the conditions under which many relocations take place was the Inuit from Quebec and Baffin Island who were moved to the Canadian High Arctic. The federal government has committed itself to some immediate support for the relocated Inuit but has refused to apologize for what happened and does not contemplate any compensation payment.

In July, Inuit from Greenland, Canada, Alaska and Russia gathered in Inuvik and Tuktoyaktuk in Arctic Canada for the 6th General Assembly of the Inuit Circumpolar Conference, which was hosted by the Inuvialuit. More than a hundred people travelled the long distance from Greenland and for the first time Inuit of Russia attended as delegates. The gathering was the largest ever and an important historic event.

During the ICC conference, Mary Simon, the outgoing president from Canada, was awarded the Order of Merit in gold from the Greenland Home Rule in recognition of her outstanding work in promoting Inuit rights and the ICC internationally during her six years as President. The newly elected president to follow Marry

Simon is Eileen Panigeo MacLean, a member of the Alaska State legislature.

For years, hunting of fur-bearing animals has been under pressure. The European Economic Community (EEC) has proposed a Council Regulation (COM(91) 448 final) for the purpose of implementing the Washington Convention (CITES) on an EEC level. This convention is aimed at blocking illegal trade in endangered species. In contradiction to CITES, animal welfare lobbyists and others are trying to put more species on the list than CITES actually requires. This includes many non-endangered furbearing animals and sea mammals hunted by indigenous peoples throughout the Arctic. The introduction of EEC regulations on trade with these species is in contradiction with international law and the international goal to ensure a well-managed sustainable harvest of renewable resources. To indigenous hunters such a trade regulation will be a hard and unnecessary punishment, which undermines their own wild harvest and management regimes. The social, economic, cultural and nutritional consequences are potentially severe and will erode the personal as well as collective well-being resulting in a threat of cultural and social disintegration. The very right of indigenous peoples to use the renewable resources of their lands and retain a market for their products as stated in several international documents and conventions is seriously challenged by the animal welfare lobbyists.

To undermine the legal trade in wild furs would cut off an important source of cash income which most indigenous hunters require. If hunters cannot earn an adequate income, primarily from wild furs, then subsistence hunting will become endangered and will decline. Consequently the very fabric of social and cultural life in indigenous communities will be strained and threatened.

As IWGIA has noted in previous Yearbooks, the indigenous (Native) Indians, Aleut and Eskimo (Inuit) of Alaska have been particularly concerned with their hunting and fishing rights. Until December 1989 rural Alaskans had preferential rights to subsistence hunting and fishing, rights which were guaranteed by US Federal law, but invalidated by the Alaska Supreme Court as unconstitutional according to State law. Since 1990 different rules have governed hunting and fishing on land owned by the State of Alaska, on Federal owned land and on Native owned land. Alaska State legislators have been under continuous pressure from urban non-native

residents, sports-fishermen and sport-hunters to abolish the *rural* as well as the *subsistence* preferential rights. There is no act which gives priority to Alaskan Natives, but the combined rural-subsistence preference has, in practice, favoured many Native groups.

In March the Alaska Federation of Natives came up with a proposal which would give priority to subsistence over fishing and hunting for commercial and sport purposes. In the end the Alaska State legislature produced a proposal which gives priority to subsistence but it does not comply with federal laws and federal owned land (2/3 of the State) will be administered separately and having a rural preference. But the issue, and the lack of protection for Native subsistence rights, angered the Natives and Native organisations to such an extent that the Inuit of the Alaskan North Slope aired the idea of creating their own state which would be the fifth largest state in the Union.

Another conflict has raged between the conservative Governor Hickel and Natives Alaskans over a proposal to reapportion the electoral districts in Alaska. The Governor's proposal was supported by some Native groups, but strongly opposed by others. The new political map of Alaska would put the Interior Athabaskan Indians and the Inupiat Eskimos of the North Slope in the same District and cover two-thirds of Alaska. The two groups have different cultures, different languages and are separated by the Brooks Range Mountains. Following court rulings a new proposal was introduced which separated the Interior Athabascans from the Inupiat Eskimos but divided the most numerous indigenous group, the Yupiiit Eskimos, of Western Alaska into three Districts including areas with non-indigenous populations, thus restricting the chance of electing Yupiiit candidates.

Representatives from the 12 Native regions of Alaska have worked out the constitution of a new state-wide organisation, the Alaska Inter Tribal Council (AITC). The purpose of the new organisation is to draw up a treaty and to exercise the sovereign rights of Alaskan Natives. The new organisation will represent traditional tribal governments and not the profit village and profit regional corporations established under the Alaska Native Claims Settlement Act (1971) and which are represented in the Alaska Federation of Natives.

The Eskimos in the village of Point Hope in Northwest Alaska were angered and afraid when they learned about a nuclear waste

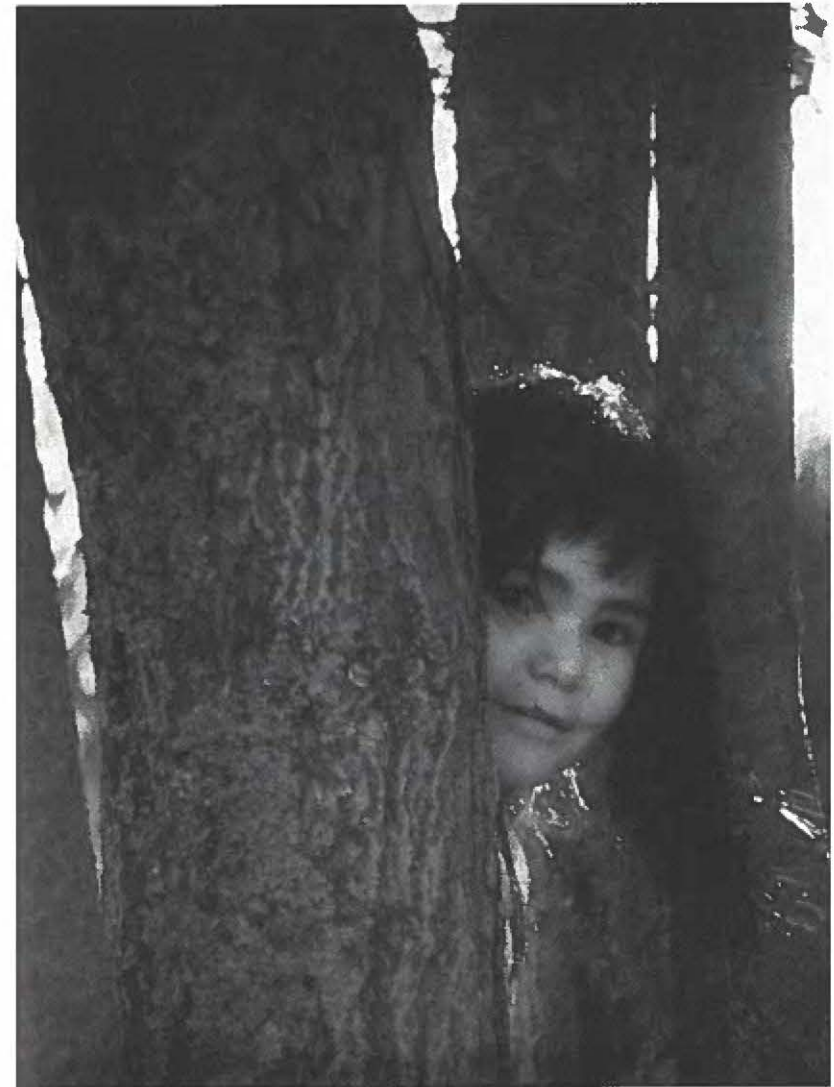
site at Cape Thompson not far from their community. The existence of Cape Thompson radioactive materials was confirmed following their accidental discovery by University of Alaska researchers. Residents believe they were never told the truth about nuclear experiments conducted by the US government in the area during the fifties and sixties. The radioactive material is now buried under four feet of soil.

For more than 16 years the Inuit in Canada and the Federal Government have negotiated self-government for Inuit living in the Canadian Northwest Territories. Now these negotiations seem to have come to an end. The only outstanding issue is the final ratification in the Canadian parliament, but this is considered by most observers as a formality, although a new government is expected to take over in spring of 1993.

The type of self-government negotiated by the Inuit in the Canadian High Arctic is a complicated agreement but, nevertheless, it may be seen by many indigenous people as a model to be copied in other areas of the world. In fact there are three separate processes and three different agreements, which in some respects are intertwined but separate in others. The three processes comprise: constitutional reform for all citizens of Canada; a large number of land claims agreements by indigenous groups; and political self-government in regions with a large indigenous population but including everyone living there.

The first process, *constitutional reform*, involves all citizens of Canada, including the Inuit, Indian and Metis. There have been two important issues in the negotiations for a new constitution. One was the status of the province of Quebec and the other the rights of the aboriginal peoples.

The first effort to reach an agreement on the constitutional issue was the so-called Meech Lake Accord in 1990. This proposal for an amendment of the Canadian Constitution did not consider the aspirations of indigenous peoples and if it had ever been adopted it would have precluded Inuit and Indian/Metis in the Northwest Territories from ever having their own province(s). The Meech Lake Accord, which had to be ratified by all 10 provincial legislatures, died after both the Manitoba and Newfoundland legislatures refused to extend the sitting hours needed to ratify the accord. Elijah Harper, the *Ojibway Cree* member of Parliament from Manitoba, was



Canada. Algonquins of Barriere Lake. Photo: Sheila Decoursay.

a key player in the cancellation of the vote (see IWGIA Yearbook 1990).

A new effort to give Canada a new constitution was made in 1992. This time the aboriginal peoples were included in the constitutional proposal, which would have given them the "inherent right



to self-government within Canada". It would also have accepted indigenous self-government as a "third order of government", alongside the federal state and the provincial governments. But again, the referendum, which was held October 26, showed a majority against the proposal. The aboriginal peoples had invested a huge amount of effort to have the proposal adopted and there was a significant majority in the Inuit regions. However, several provinces had a majority of no-votes and there was a lack of unity among the indigenous peoples as witnessed by the many Indian communities which were against it. In spite of this, most indigenous leaders considered the result a severe blow to their efforts for achieving constitutional rights for indigenous peoples.

As a second process towards securing their rights, the indigenous peoples continue to negotiate *land-claims agreements*. In spite of the failure to change the Constitution, indigenous people all over Canada will continue to negotiate separate agreements on self-government. The first modern comprehensive agreement was the

The Nunavut Land Claim Agreement

- The agreement is between the 18,000 Inuit living in the Canadian Northwest Territories and the federal government in Ottawa.
 - The Inuit will have ownership rights to 353,610 square kilometers of surface land within the Nunavut settlement area. This is equal to about 18 per cent of the entire Nunavut settlement area. The remaining 72 per cent, so-called 'Crown Land', is owned by the federal government.
 - The Inuit will have subsurface rights (ownership of gas, oil and minerals) to 36,257 square kilometers, or about 10 per cent of the Inuit owned land.
 - In compensation the Inuit will receive Can.\$1.148 billion to be paid over the next 14 years.
 - The federal government must pay the Inuit 50 per cent of the first \$2 million royalties it gets from oil, gas and mineral development, and 5 per cent of royalties earned after that.
 - Compensation money will be held by the Nunavut Trust, which will be run by a board of trustees appointed by regional Inuit organisations. The Trust is expected to spend only the interest from the compensation.
 - In exchange for the rights and benefits in the agreement, the Inuit will surrender all rights and claims to lands and waters anywhere in Canada, including offshore. The Inuit will keep all other constitutional rights.
 - The Inuit will continue to be recognised as an aboriginal people under the Canadian Constitution and to benefit from the rights designed for aboriginal peoples.
 - The Inuit will take part in the management of wildlife in the settlement area, including both Inuit and non-Inuit owned land.
 - The Inuit will have priority rights to hunting throughout the whole Nunavut settlement area, including offshore areas, and will not need licences to hunt for basic needs.
 - An Inuit Heritage Trust will protect archaeological sites and other areas in need of protection.
- As part of the land claim agreement the Canadian Government is required to enter a political accord setting up a Nunavut territory before the turn of the century.

James Bay Agreement from 1975, which involved the Inuit and the Cree Indians of northern Quebec province.

In 1984 the Inuvialuit Inuit from the northwesternmost part of the Northwest Territories entered a similar agreement. In recent years agreements have been made involving the Indians in the Yukon Territory and the Gwich'in Indians in the Northwest Territories. In 1992 the Inuit in the Northeasternmost part of the Northwest Territories finalised their land claim agreement with the Federal Government.

In December 1991 these Inuit and the Canadian Federal Government signed a *Final Land Claim Agreement in principle*. The boundary of the future territory included in this land claim agreement was adopted by a plebiscite on May 4, 1992. All people who had lived for more than 3 years in the Northwest Territories could take part in the plebiscite. A small majority, 54 per cent, voted in favour of the proposed boundary which will separate the Inuit land claim from those of the Inuvialuit and Dene Indians. The boundary, which surrounds the Inuit land claim, will also be used to carve a new Inuit-dominated territory, Nunavut, from the remainder of the Northwest Territories. This new territory is expected to be established in 1999. Although the land claim boundary is the same as the future territorial (Nunavut) boundary, the land claims process should not be confused with the political process establishing Nunavut.

Within the future Nunavut territory about 90 per cent voted in favour of the boundary agreement, whereas 75 per cent in the west voted against. As 80 per cent of the population is Inuit, strong support for the boundary in the Nunavut was expected, and the plebiscite is seen as an important step toward creation of the new territory, Nunavut. In the west with the white dominated capital of Yellowknife a majority against the proposed boundary was expected. Some of the Dene Indians in the west have been opposed to the boundary proposal and they have been extremely critical of the land claim settlement.

With the boundary between the Inuit and the Indian/Metis land claim being agreed upon, the final step was the ratification of the land claim agreement in the Inuit communities. Only ethnic Inuit voted in this referendum, which was held from the 3rd to 5th of November. The land claim agreement was approved by 69 per cent of the eligible Inuit voters. Eighty per cent of the 9,648 voters turned out, which implies that about 86 per cent of the votes cast were in favour of the agreement.

The third and final step towards protecting the rights of the indigenous people in the Canadian Arctic is the establishment of *political self-government*. This process has run parallel to the land claim process and been intertwined with it because the Inuit have refused to enter a land claim agreement without a political settlement, that is without the establishment of Nunavut as a self-governing territory. Therefore, the Inuit only went to the polling station in November on the condition that before November 3rd the Federal Government signed a political accord to set up Nunavut before the turn of century. This accord was signed by the Federal Indian Affairs Minister, Thomas Siddon, a few days before the referendum and set out the Government's commitment to finance the costs of establishing the new territory. Most importantly, Nunavut will have its own legislative assembly with powers similar to those existing in the Northwest Territories Legislative Assembly.

Unlike a land claim agreement, which confers specific rights to ethnic Inuit, the creation of a Nunavut territory means self-government for all its inhabitants. Within the future Nunavut territory about 85 per cent of the population is Inuit, which implies de facto self-government for the Inuit. However, there is no agreement on the political future of the remainder of the Northwest Territories. In this part the indigenous Indians, Metis and Inuvialuit make up a minority, but the Inuvialuit have always been in favour of a regional government of their own.

As mentioned in IWGIA Yearbook 1991, the Gwich'in people became the first Dene group in the Northwest Territories to have a modern land claim agreement when the Act was formally signed in April and passed in December. In this agreement the 2,200 beneficiaries (who include Metis as well as Dene) will get \$75 million (Canadian dollars), surface title to about 24,000 square kilometres of land, subsurface rights to 6,150 square kilometres of land, a share of resource royalties and a strong say in renewable resource management. The agreement also includes a commitment to negotiate self-government within the region.

Like the rest of indigenous Canada, the Arctic has also had an opportunity to make an input into affairs which concern them through the work of the Royal Commission on Aboriginal Affairs that will examine issues affecting Canada's aboriginal peoples and attempt to find solutions to problems affecting indigenous peoples. In 1992 the Commission convened public meetings in several Arctic communities and this procedure will continue in 1993.



The Royal Greenland Inc., responsible for Greenland's fish-processing plants and the marketing and export of fish products. Photo: IWGIAs archive.

When the Inuit and the Cree made their land claim agreement, the James Bay and Northern Quebec Agreement, 1975, Inuit compensation from this agreement was vested in the Makivik Corporation. A regional administrative government, Nunavik, was established but it was not vested with any legislative authority. For some years now, the Inuit have been trying to change this situation. The Quebec land claim agreement was forced by the construction of the gigantic James Bay hydroelectric project. Phase 2 of this project is now in the planning process. When the James Bay Cree took the hydro electric company to court, the provincial government of Quebec initiated an overall environmental impact and assessment review in response to opposition from environmentalists and potential consumers in the state of New York, USA. In contrast, the Makivik Corporation has entered negotiations with the Hydro Quebec for an agreement which will compensate the Inuit.

However, on one of the first days of 1993 the Grand Council of the Crees signed an agreement with Hydro Quebec clearing the way for the completion of the La Grande complex, one of the largest constructions in the whole James Bay project. The Cree have undertaken

to discontinue legal proceedings with respect to these projects. The agreement provides Can.\$50 million for the Cree peoples affected by the project and for remedial work. \$15 million will be paid in cash to community funds for community works, construction or renovation of public buildings and public works. Another \$35 million will be paid to the Cree in 50 annual payments. Some of these will be used to promote hunting, fishing and trapping activities.

As portended by the Premier of Greenland, Lars Emil Johansen in his New Year greeting, 1992 was a very significant year for Greenland.

On January 1st, 1992, the Greenland Home Rule took over the Greenland Health Services from the State of Denmark, thus completing the transfer of responsibilities from the Danish State to the Home Rule Authorities as outlined in the Home Rule Act of 1978.

The 'home taking' of the Health Services has proven to be a great challenge and a very demanding job for the newly established Department of Health and the Environment. Not only is health care fundamental to the society, and therefore the focus of great expectations, it also embodies two major problems: recruiting a sufficient number of health care professionals, and providing safe and satisfactory health care which presents particular problems in remote areas. Infrastructural problems make it both difficult and extremely expensive to service the dispersed population as well as a very lonely job to run coastal hospitals or nursing stations.

Apart from the crucial shortage of Greenlandic nurses and doctors, Danish staff are hard to recruit, especially medical doctors, because they tend to lose their links with Danish hospitals and consequently their career opportunities in Denmark. This problem will take years to overcome despite initiatives to promote the health care profession (a Greenlandic nursing school is under way to supplement the existing nurses assistant school).

"They wrote history" was how the newspapers reported another major event in Greenland. This was when the Home Rule Parliament during its autumn session unanimously adopted a proposal by the Home Rule Government to divide and restructure the more than 200 years old trading company, the Royal Greenland Trade Department (later known as Kalaallit Niuerfiat), which has a long tradition of providing a great variety of services and facilities throughout Greenland. The unanimous vote to thoroughly mod-

ernise KNI, however, was reached only after a series of ideological and political combats between members of parliament and political parties, supplemented by critical and concerned voices from various constituencies and, not least, KNI employees fearful of losing their jobs or unwillingly being transferred to other communities.

Despite the fact that the Premier of Greenland along with members of the preparation committee toured the country to consult with local people and to explain the benefits of the proposed changes at public hearings prior to the decision in Parliament, it remains difficult for everyone to imagine the immediate and long-term impact of this move on the individual and on the society as a whole. The initiative to divide the Kalaallit Niuersuat (KNI) has to be understood in the light of the crisis that struck the Greenlandic economy as the Home Rule Government continued to strongly promote a market economy and to make the public sector more competitive. In order to remedy the economical crisis the Home Rule Government continues to strongly promote a market economy and to gradually letting businesslike principles apply to the public business sector. This a process commenced a few years back when the Home Rule owned company, Royal Greenland Inc., responsible for Greenland's fish-processing plants and the marketing and export of fish products, was established as a separate company.

The division-package included the establishment of three independent companies: the KNI Service Inc.; the KNI Retail Inc.; which continue to be Home Rule owned companies supervised by a temporary KNI Holding Company; and the predominantly private shareholding company, the Greenland based Royal Arctic Line Inc., formed by the Home Rule and a Danish shipping company, J. Lauritzen.

The continuing crisis in the fisheries and fishing industry, caused by the sudden disappearance of the cod from Greenland waters combined with falling shrimp prices on the World Market, was another critical issue facing Parliament during the autumn session. These issues combined to produce what has been called the most important session so far in the history of Home Rule.

Apart from the core funding received from Denmark, fisheries are at present *the* source of income for Greenland, despite intensive search for minerals as well as for companies willing to invest in mineral exploration and exploitation. Fisheries, however, has also been the major focus of investment, which is now threatening the

entire Greenlandic economy. Therefore it was necessary that major initiatives were taken to try to remedy the situation, among these a costly 'forced' condemnation of fishing vessels, but also financial assistance to owners of fishing vessels for recovering their debts.

Money was also set aside for job creation and to fight dramatically increasing unemployment in all sectors of society which is a serious side effect of the fisheries crisis. Nevertheless, critics expressed concern that the KNI restructuring, combined with the cut-backs necessary to realise the condemnation of a large part of the fishing fleet, would inflict as much damage as the Danish resettlement and centralisation policy in Greenland during the 1950s and 1960s, called G-50 and G-60 respectively. Some critics even went as far as to call the Home Rule policy 'G-92'.

In line with the development of a more streamlined and efficient Home Rule Administration, the Parliament established a Municipal Reform Commission during the spring session. The Commission's mandate is to analyse and propose a revision of the division of responsibilities, the co-called "task and burden sharing", between the Home Rule and the municipalities.

A community conference hosted by the Greenland Home Rule brought together politicians and community representatives to discuss common problems and future opportunities for the small hunting, fishing and sheep-farming communities in Greenland on the basis of a '10-Year Community Development Plan', adopted by the Home Rule Parliament in 1989. Bearing in mind the ongoing economic adjustment process and the fact that the department formerly responsible for settlements and rural districts has been dissolved as a result of the reorganisation of the Home Rule Administration, this initiative was a timely opportunity to re-establish communication and understanding between the different parties on some crucial and fundamental issues. To follow up on the conference decisions and initiatives an administrative working group representing the communities, the Home Rule, and the Association of Municipalities in Greenland was established.

In April, 1992, Greenland signed an agreement with Iceland, Norway and the Faroe Islands to establish the North Atlantic Marine Mammal Commission (NAMMCO) during a preparatory meeting in Nuuk. In September NAMMCO was established at a meeting in the Faroe Islands with the objective of contributing through regional consultation and cooperation to the conservation,

rational management and study of marine mammals in the North Atlantic. The main idea behind NAMMCO is that member countries focus solely on North Atlantic species of marine mammals, whereas the International Whaling Commission (IWC) concentrates its efforts on monitoring and management of initially all large whales of the world. In this sense NAMMCO may be seen as both an alternative and a supplement to the IWC.

The establishment of NAMMCO has been followed closely by possible future member countries, such as Canada and Russia, and by observers from Japan and Denmark as well as the major international advisory and management bodies, the IWC, the Northwest Atlantic Fisheries Organisation (NAFO), the International Council for the Exploration of the Sea (ICES) and a number of NGOs.

On October 1st, the US Air-Force left their military air base in Kangerlussuaq (Soendre Stroemfjord) adjacent to the main civilian airport in Greenland. This was seen as a positive step in terms of demilitarisation of the Arctic. However, despite the fact that Greenland has never been pleased with the military activities in the country, the Americans have nonetheless contributed substantially to the costly maintenance of this major traffic point in Greenland, as well as to provide flight services to the remote Thule area.

Pressured by the Home Rule Government however, the Americans agreed to continue the air services until spring 1993, as they are still operating the Thule (Pituffik) military air base. With regards to Kangerlussuaq, the Danish government has accepted its obligation as the 'mother country' to assist financially in the maintenance of the airport facilities.

In the cultural arena, the much debated Miss Greenland Contest, introduced by some prosperous hotel owners and businessmen a few years back, received heavy competition from a "Miss National Costume Contest". Originating in Sisimiut, this new invention spread along the coast like a wildfire. Its aim is to promote the beauty of women's national costume and the highly valued traditional skills needed to create it - for tourism and national pride.

Saamiland. The 15th Nordic Saami Conference held in June in Helsinki, Finland, was an important conference in many ways. First of all the participation of the Kola-saami (Russia) marked the final collapse of the eastern border, which for a long time has prevented the Saami from working together as a united people. Secondly, the

entry of the Saami organisation SLF (Norway) into the Nordic Saami Council was an important step for the Saami living on the coast of Norway, and in their struggle to secure fishing rights. Thirdly, the new opportunities and problems arising from the possible entry of some or all of the Nordic Countries in the European Economic Community (EEC), has put a new perspective on the future of the Saami and their unity as a people.

The negotiations between the EEC and the Nordic countries have put the Saami in a position of uncertainty and possible further marginalization. Many fear that EEC-membership would devalue Saami rights and restrict their hunting livelihoods and trade. Furthermore, too many current claims and issues connected with Saami rights are still unsettled and it is feared that EEC-membership will reduce the prospect of solving these conflicts.

The fact that no EEC countries have signed the ILO Convention No. 169 was taken as a further forecast on the situation for the Saami in the EEC. Some EEC countries even blocked the move for a convention on indigenous peoples proposed at the Conference on Security and Cooperation in Europe (CSCE). The process of acquiring EEC membership presents more questions than answers. Can the Saami maintain their neutrality? Are they to control and benefit from the expected increase in tourism? Will the EEC recognize them as an indigenous people with rights to land, language, culture and self-determination? Will those rights, already obtained by the Saami be eroded? Furthermore, the rights of Saami to develop the use of their own land and resources and to control the trade with Saami products were also questioned at the conference.

The fact that the Saami are already divided by the Nordic borders can cause further division, should only some Nordic countries enter the EEC. The inclusion of all Nordic countries might, on the other hand, open up the possibility for a Saami region in the EEC, like Wales, and thus Saami strengthen unity.

Norway. At a meeting of the Nordic Corporation organisation for Saami and reindeer breeders, which is partly constituted by government representatives from Finland, Norway and Sweden, the Saami representatives presented documentation about the severe pollution of the Tana river. A parasite (*Gyrodactylus salaris*) has spread from some trout and salmon farms and is now threatening the wild salmon in the Tana River. The Tana River is one of the finest salmon rivers in Europe and it is the supporting pillar of

Saami society and settlements in the area from the Tana Fiord up the river and into both Finland and Norway. The Tana River has 35 tributaries where the salmon live which total about one thousand kilometres of riverways. The Saami representatives have urged the governments in both Finland and Sweden to cooperate in the urgent matter of the pollution.

The Norwegian Saami Parliament has put forward a proposal which introduces changes in the existing structure and favours small scale fisheries. This proposal stands in contrast to the common Norwegian policy which up till now has favoured occupations such as commercial fishing, agriculture and reindeer breeding in Finmark and in the northern parts of Norway at the expense of the traditional Saami fisheries.

Twenty years of Norwegian policy has steadily undermined the traditional coastal Saami economy, which was based on the use of a variety of resources. Today this economy has been replaced by an economy based on a combination of wage-earning activities and different small-scale resource uses such as fishing. But the element of combination is still very important. The proposal from the Saami Parliament would reform existing policy and emphasise the small scale economy, not because of its contribution to the national economy, but because of its local importance. To secure the small scale fisheries the Saami Parliament proposed to create a Saami fishing zone in the coast areas of Troms, Nordre-Nordland and Finnmark. Johan Johannessen from Sámi Dálulaccaid Searvi, an organisation representing Saami fishermen, stresses that management of this fisheries zone must be coordinated with the existing non-Saami organisations and thereby prevent ethnic discrimination of either Norwegian or Saami fishermen.

Sweden. On the 15th of December 1992 the Swedish Parliament approved legislation for a Saami Parliament (IWGIA Newsletter No. 1, 1993). Elections will take place every four years on the third Sunday in May. The constituency is country-wide and everyone who is on the Saami voting list, who is a Swedish citizen and 18 years of age has the right to vote for the Saami Parliament. In connection with the elaboration of the parliament the government issued a statement on Saami people and culture. The Saami in Sweden had waited a long time for this statement, but what they believed would lead to an improvement of their situation turned out to be a radical deterioration. One of the big disappointments was that instead of a

Saami law they only obtained a law on the Saami Parliament. With a Saami law, the Saami people had hoped that they would be recognised in the Swedish constitution as an aboriginal people.

Russia. In 1990 the *Association of Small Indigenous Peoples of the North and Far East* (very often called the 'Association of the 26' or only 'the 26') held its first congress in Moscow. The Association has now established itself in Moscow with Vladimir Sangi as political and organisational leader. Besides the original 26 indigenous groups, the *Veps* and the *Izhores* have now become members. The Association has secured the economic means to run the secretariat and to establish regional offices. The secretariat in Moscow is first of all concerned with matters of national and international significance, and the regional associations run quite independently of Moscow. In 1992 the Association was represented at several international events and indigenous peoples of Russia are now turning more and more to the international scene in order to gain support for their rights.

In April IWGIA visited two regions of the Russian Far East, Kamchatka and Chukotka. The following presentation of the situation in these two areas and the role of the Association provides an insight into the general conditions of indigenous organisations in Russia.

In the Kamchatka Region (*Oblast*) the regional association is made up of five organisations each representing a district. Each of these five organisations has its own chairperson and the five chairpersons have appointed a president for the regional association. One organisation represents the Bering Island (main indigenous group: *Aleut*), another the Koryak Autonomous Area (main indigenous group: *Koryak*), a third the western part of the Kamchatka Peninsula (main indigenous group: *Itelmen*), a fourth the central part of the Peninsula (main indigenous group: *Even*) and the fifth the southern part of the Peninsula (main indigenous group: *Kamchadal*).

It has been considered appropriate not to establish an association covering all indigenous peoples of Kamchatka, but to create a union of the five local organisations. A regional office has been established in the regional capital of Petropavlovsk and the regional authorities have put premises at its disposal.

Neither the five organisations nor the regional umbrella associa-

tion are strictly ethnically based. They represent the interests of indigenous peoples in the area, and all indigenous persons can be members irrespective of their ethnic affiliation, even non-indigenous peoples can be members. Though there generally appears to be only a small number of non-indigenous members, in the town of Ezzo in the centre of the peninsula the chairman of the organisation is Ukrainian and the secretary is Russian. This does not necessarily represent the wishes of the indigenous peoples (Evens, Koryaks) of the area but reflects the *de facto* power relations in the local community at the time of the founding of the organisation.

Within the Koryak Autonomous Area (the northern part of Kamchatka region) there are at least five local organisations which belong to the district organisation and, in turn, the regional Kamchatka organisation.

The *Kamchadals* is a special case and also a unique example of how an ethnic group has managed to preserve its identity. The Kamchadals now live in the area around the central town of Milkova and Jelizovo not far from Petropavlovsk. In the early colonial days the aboriginal peoples of Kamchatka were called *Itelmens* by travellers, merchants and administrators but later this term was changed to *Kamchadals*. A very large percentage of the Kamchatka peoples were victims of genocide and ethnocide during the first generation of Russian colonialism. The result was, that their numbers were considerably reduced. The *Itelmens*/*Kamchadals* who lived in the southern part of Kamchatka were assimilated to a much greater degree than those living farther north. At the time of the October Revolution the *Itelmens*/*Kamchadals* were descendants of not only the aboriginal inhabitants but also Russians and Cossacks, though they were all recognised as belonging to the same ethnic group.

However, after 1926 only 'full-blood' aboriginals were officially recognised under the term *Itelmens*, one of "the 26". Most of them lived in the west/northwest of the peninsula. Those of mixed descent were registered as ethnic Russians and had Russian family names and passports but nevertheless, they continued to consider themselves *Kamchadals*. Previously they considered themselves *Itelmens*, but from a different group as those recognised officially as *Itelmens*. At that time they were fishermen and hunters.

At the founding meeting of the Association in Moscow in March 1990 the Kamchadals were present as observers. They now demand to be officially recognised as an indigenous group. There are 8,000 registered Kamchadals, recognised by the Association and recog-

nised officially in the sense that they have obtained some of the same privileges as 'the 26'. The regional authorities have also recognised them and, like all other indigenous persons, each Kamchadal is allocated a quota of fish to be taken for subsistence purposes. The people now demand that *Kamchadals* be written in their passports. Apart from these 8,000 another approximately 12,000 Kamchadals live within the Petropavlovsk urban region. The indigenous organisations consider the latter to belong to the Kamchadal group, but since they have 'lost their culture' many non-indigenous persons do not recognise them as such.

Chukotka, situated to the northeast of Kamchatka, is different in a number of respects. In order to influence political decisions, indigenous deputies (from local, regional and national political councils and parliaments) have established themselves as a group. This is a regional initiative which took place after the national assembly of deputies which met in May 1991, but later was dissolved after the August coup (see IWGIA Yearbook 1991). The deputies from Chukotka established their own branch of the 'Northern Parliament' in which all questions of relevance to indigenous people are discussed before they are dealt with in the Chukotka Okrug (area or district council). The Okrug council issued a decree which gives the local branch of the 'Northern Parliament' a veto in matters concerning indigenous people. If the assembly of indigenous deputies vetoes a decision taken in the Okrug council a compromise must be sought, but the veto has not yet been used. This exceptional arrangement was supported by non-indigenous members of the Okrug council (the council has 60 members of which about 13 are indigenous). The arrangement has largely come about in the Chukotka Autonomous Okrug because the chairman of the council is a Chukchee who was also a very influential person within the communist party before August 1991. The indigenous success is a result of organised efforts which also include indigenous and non-indigenous support for creating an Autonomous Republic. Thus, several factors have contributed towards this situation where indigenous and non-indigenous people work together in Chukotka.

In Russia, there seems to be no end to the problems facing indigenous and non-indigenous peoples alike. However, there are four factors which make the position of the indigenous peoples extremely vulnerable in the near future: privatisation, ecology, social problems and cultural revival.

Most indigenous people live and work on state farms, *sovkozoes*, or collective farms, *kolkhozoes*. The reindeer herders in Kamchatka and Chukotka move around during most of the year far from the state farms which own the reindeer. They work in brigades with 5 to 10 herders and are accompanied by one or more women and children. Most women, however, spend their time on the state farms especially if they have children attending school. The nucleus of the brigade is formed around a group of male kin who use the same territory year after year. The men rarely go the state farms because it entails a journey of several days on horse, reindeer (Evens) or with dogsledge. Until the recent steep rise in the cost of petrol helicopters were used.

There are no privately owned animals as there are in, for example, Yamaal in Western Siberia. The herders are paid a monthly salary, which include the bonus given to all people who work in the North. All the meat and antler belongs to the state farm and the herders have to buy these products.

There is no uniform pattern in the way the farms are being privatised. At one of the state farm in Kamchatka and at several state farms in Chukotka the reindeer have been 'given' to the herders. In a state farm in central Kamchatka five herders (out of 38) wanted to leave the state farm with 1,200 reindeer. Five hundred reindeer had been given to them but there had been no decision on the remaining 700 animals. One solution which was discussed was to create a shareholding company with the herders owning 51 per cent and the other state farm employed persons owning 49 per cent. The herders will, supposedly, be able to use the land belonging to the state farm but the question of their rights to the land has not been resolved. Indigenous representatives claim their traditional rights to their territory, including fishing rights and hunting rights, which immediately bring them into conflict with non-indigenous people. A so-called 'national village' was under construction somewhere out in the tundra in the interior of Kamchatka to accommodate the herders. In another nearby state farm no herders had decided to leave, whereas in at least one state farm in Chukotka all the herders (Chukchees) in 13 brigades have taken steps to leave, but not yet registered nor established a new structure.

The reindeer herders still have to sell part of the meat to the state farm and all the antler. In those cases where the reindeer herders continue as herders/workers in the state farm they must anticipate

having to buy meat at market prices which have increased 10 to 20 times while salaries have remained the same or at best doubled.

In Novoye Chaplino at the Bering Straits, the state farm's main activity is hunting seal and walrus. The Eskimo hunters work in brigades of 5 to 6 persons and each brigade has a boat. They do not receive a monthly salary but are paid per kilo of meat delivered to the state farm. Their yearly income is extremely low, but they can dispose freely of the meat, although the tusks from the walruses belong to the state farm. The state farm is also a fox farm where 45 per cent of the food for the foxes is imported - the rest comes from seals, walruses and whales (taken by a Russian commercial company!). The hunters have not asked to leave the state farm, although the existing structure, from both an economic and ecological viewpoint, is completely outdated. In one of the other Eskimo villages the hunters have taken steps to leave the state farm.

In Anadyr in Chukotka six Chukchee brigades (out of a total of nine) each with 15 to 18 persons have decided to leave and they have entered an agreement with the state farm to sell and buy products. However, the herders cannot just walk out of the state farm for practical reasons. They need time to organise the marketing of meat and the buying of products, to establish a new infrastructure and to find new marketing outlets for antler which is sold in Korea. The main source of income derives from the antler which at present remains in the hands of the state farm. In these northern regions of Russia most of the non-indigenous people employed by the state farms have an interest in keeping at least part of the structure going. And often the herders have too. They have lived for more than 70 years under a collective system and their old family structures have long since disappeared. It takes time to establish new alternatives. The interim period also gives the state farm bureaucracy a chance to establish new systems of control, such as control of the antler market. In some cases the leadership of the state farms obstruct the privatisation of 'indigenous properties'; in other cases the state farms are in complete disarray.

There is a potentially serious conflict between, on the one hand, indigenous people who claim rights to land and resources which they consider theirs by tradition and, on the other hand, immigrants who depend directly on the land and natural resources (hunters, commercial fishermen and mining companies) or indirectly (use of the land and waters for subsistence). The conflict is played out not

only on the political scene, but also through the process of transition from collective control to private ownership.

Most of the indigenous groups, except the largest which have their own autonomous republics, find themselves under pressure because of their small number, because they are being assimilated into mainstream Soviet culture or because of their fragile economies.

Some of the consequences of these pressures are alcohol abuse, disappearance of native languages, lost cultural traditions, alienation from traditional economies, seclusion from political decision-making, etc.

Since 1989 the once submissive attitude of indigenous people has been transformed into a cultural revival. The efforts to establish indigenous organisations are the most important manifestations of this revival as well as the restructuring of ethnic groups like the Kamchadals. A very tangible result of this process is the appearance more frequently of the name of someone's indigenous group and ethnic group on their passport. However, the official censuses of 1989 are too early to use as evidence of this change.

Perhaps the most important aspect in this process of cultural revitalisation is not the question of survival of the indigenous languages as spoken languages but that the cultural revival in itself is giving people an opportunity to do something to change a situation which has hitherto been oppressive.

In the last couple of years Russian newspapers have referred to a number of regions which declared themselves 'autonomous', 'independent', 'autonomous republics', etc. The Buryat Autonomous Republic declared itself independent, the Chukchee Autonomous Area declared itself an autonomous republic, so did the Koryak Autonomous Area, to mention a few.

On March 31, 1992, all the regions of Russia adopted a federal agreement which, among other things, stipulates that rights to resources be divided between the regions and central government. Furthermore, with the exception of a few autonomous areas, all regions accepted the political and administrative structure of Russia, and to remain part of it. Among those who signed the agreement were the Chukchee Autonomous Area (Okrug) and the Koryak Autonomous Area (Okrug).

The Koryak Autonomous Area is part of the Kamchatka region and the Chukchee Autonomous Area part of the Magadan region. The Okrug councils in both areas have now dropped the aim of

developing into republics on par with Russia or to obtain status as autonomous republics. Both areas are now trying to cede from the larger regions and obtain status similar to the Kamchatka and the Magadan region which means they would deal directly with Moscow. Both have unilaterally declared themselves independent of their regional centres, Magadan and Petropavlovsk respectively, and this has *de facto* been accepted. Public finances, taxes and supply structures are now being changed even before the new status has been approved *de jure*.

The autonomous status was given to these regions more than 50 years ago because of their indigenous majority populations. Today the indigenous peoples comprise minorities but the autonomous status is being used to achieve increased administrative-political status. In itself, the process does not change the status of indigenous peoples living within the autonomies, but it implies a significant decentralisation. This is strongly supported by the indigenous Chukchee, Eskimos and Evens living in Chukotka, and as noted earlier, they have been able to establish a new decision-making structure which gives them substantial influence.

As far as can be judged, an Russia-wide process of decentralisation is taking place. In itself this is positive and the varying attitudes adopted by different groups of indigenous people reflect their diverse opportunities to be part of the process. There is a real danger that Russians living in, for example, the Koryak Autonomous Area will use the process to undermine the rights of indigenous people, but other indigenous groups do have the advantage of being able to negotiate directly with Moscow and to play regional authorities off against Moscow.

The question of autonomy is only indirectly linked to the question of the political status of indigenous people, which is the most important question of all to be dealt with by the 'Association of the 26'. The question of the autonomy of the indigenous people of Chukotka and the Koryak Area has not directly interfered with the efforts to give them political rights because the autonomy question has been treated so as not to imply changes of the existing administrative-political structure in which the autonomous area or regions are integrated parts. The process towards regional autonomy therefore runs parallel with the efforts to guarantee indigenous representation at all levels of political decision-making.

Being in a legal interregnum indigenous peoples (and others)

face problems because they do not know their rights. The reindeer herders claim rights to pasture - but should these rights be vested in the former brigades or families? The herders also claim rights to fish and hunt on the territory - how can this be solved in those regions where these rights have been given to specific state farms? In the interior of Chukotka one of the state farms is in a different situation. It has had reindeer herding brigades as well as fishing brigades employing mainly Chukchee. In this case the rights to fish remain with the fishing brigade.

If it is accepted that indigenous people have some kind of prior rights to land, the rights to use pasture for reindeers ought to be given to them free of charge. But how can these rights be defended in case of conflict with other vested rights - to minerals, fishing or in the timber industry? It seems that non-indigenous people in general do not accept that indigenous people should be given subsistence rights to fishing grounds - as they are now.

Commercial fishing rights are usually given to large state companies and not to local inhabitants. It is ironical that no Aleuts on Bering Island are allowed to fish on a commercial basis. This is despite the fact that the sea in this part of Russia is the most valuable of all Russian fishing waters. Today none of the approximately 400 Aleuts who live on Bering Island practice fishing as a way of life. The commercial fishing rights in the major rivers of the Kamchatka peninsula belongs to state farms.

Another example of this legal interregnum comes from the mountain areas north of Vladivostok. Here, a small group of Udege people in the Bikin River Valley was being threatened by a major forestry project (see also IWGIA Newsletter 4/1992 and 1/1993). The Udege people stood to have their legal territorial rights to the Upper Bikin Valley annihilated and to lose a substantial part of their traditional land. This was due to a unilateral act by the administrative head of the Primorije Regional administration by which he violated decisions taken by the political authorities. The case was brought to court by the head of the administration but when the court did not recognise the right of the indigenous peoples, the Udege took the case to the Russian Supreme Court. The Supreme Court decision came out in favour of the indigenous peoples and the forestry project has been stopped.

This case is extremely important in order to understand the political and legal uncertainty which reigns in Russia in the interim

period when the old system is being abolished and new rules and regulations have not been firmly established. The supreme court decision is important because, to our knowledge, this is the first time that indigenous peoples have been able to confirm their legal rights. We can only hope that the Supreme Court decision will take precedence and have practical implications.

Sources: The Arctic Circle; Atuagagdliutit/Grønlandsposten; KNI-Nyt; Makivik News; Northern Perspectives; Nunatsiaq News; Quebec Update; Ságat; Sermitsiaq; The Tundra Drums; Tundra Times; Tusaayaksat; Tusarfik.



Indigenous Population: 3.5 million

1. *Lit-wat*
2. *Lheit-lit'en*
3. *Peigan*
4. *Lubicon Cree*
5. *Innu*
6. *Haudenosaunee/Mohawk*
7. *Lakota*
8. *Western Shoshone*
9. *Hopi/Diné (Navajo)*

NORTH AMERICA

USA. A large coalition named "American Indian Religious Freedom Coalition For The Amendments To The American Indian Religious Freedom Act" is very concerned over a recent Supreme Court decisions that denied protection to a tribal sacred site and denied protection for the American Indian peyote religion.

The Coalition is of the opinion that American Indians have been excluded from the protection provided by the First Amendment and that the policy of the AIRFA of 1978 does not create real protection of religious freedom.

The proposed amendments to the Act of 1978 include specific requirements to: Protection of Sacred Sites, Religious Use of Peyote, Prisoners' Religious Rights, Religious Use of Eagles, and Other (other religious practices shall be subject to the traditional First Amendment balancing test (similar to the Solarz/Biden bill).

Founders of the Coalition are the Association on American Indian Affairs, the National Congress of American Indians, and the Native American Rights Fund.

Legislation that promotes native language was signed Oct. 26 by President Bush and became law. It authorizes the Administration for Native Americans to make grants to tribal governments and other groups to develop community-based language programs.

The language grant program could start in early 1993, and \$2 million is set aside for the coming year (requires grantees to provide 20% of the program costs).

Pat Locke of the Native American Language Issues Institute said in an interview that only 155 Indian languages are left and in some tribes few people are fluent speaker. "What's most important in maintaining our languages is spirituality," she said. "Without your language, you can't sing sacred songs or have ceremonies and then you lose your religion. If we don't speak our languages, we'll just be brown-skinned white people." (Lakota Times, B.A. Nov.5).

Indian Nations protest, the use of their names, logos and symbols for sports teams, show, games and advertisement.

The Lakota Times brought national attention to the issue "on behalf of the dignity of Indian nations". Indian people are human not mascots.

A staff writer for the above newspaper comments: Other people are not as sensitive. Many do not understand why the issue is so volatile. It is not just that it is politically correct. The names - Redskins, Redmen, Warriors, Chiefs, Indians - are not at the crux of the argument. It is the racism, stereotypical portrayal, and discrimination Indian nations face by the use of such names, mascots and symbols in the guise of "team spirit".

Sportsfans wear mock eagle feathers and war bonnets in what is considered a sacrilegious manner by Indian people. Mascots dress up and dance on the sidelines, mocking Indian culture (Eagle feathers are considered sacred by tribal nations, and one only wears them after earning them for acts of bravery, service to the people, or at certain ceremonies in one's life).

Students, players, parents and audiences don war paint and "tomahawk Shop" the air, enforcing stereotypes of the "blood-thirsty savage." Women as well as children, wear war paint and "war whoop", showing no respect for the true history and dignity of tribal nations. Distinctively different tribes are lumped together, promoting the "they all look alike to me syndrome".

The National Coalition Against Racism in Sports and the Media organize protests and rallies on the local and national level against team mascots and other misuse of native culture.

Gaming in Indian Country is not only at hot issue, it is also becoming a huge industry with large potential and impact. Some aspects of this impact are good and others are not.

In tribal communities involved in gaming, unemployment has dropped and social service payments have stayed the same. Social and business programs benefit from the outcome, and scholarships are established. Rural areas (also non-Indian communities) have profited with economic growth.

The other side of the coin is divided tribal communities, caused by their effort to distribute the pot and, further costly lawsuits. People that return to the reservation because of the job-opportunities may feel that they are "welcome to work but not welcomed into the voting and "per capita payment" membership of their own people".

Addiction to gaming substitutes or sides with alcohol addiction. On a judiciary level some think that required gaming-compacts negotiated with states shakes the foundations or tribes and their rights. "Compacts made with one tribe force others to accept

whatever terms were agreed to before, irregardless of the size and needs of individual tribes". (Lakota Times Nov. 5).

A campaign (all-out war) against Indian gaming financed by a group called the "Coalition to Protect Community and States Rights" hired one of the largest and most expensive public relations firms in the world (Burson-Marsteller) to coordinate the campaign. "One of the coalition's major objectives is to reopen and change the Indian Gaming Regulatory Act, a 1988 law which empowered Indian tribes to enter into gaming as a means of promoting economic development, self-sufficiency and strong tribal governments". (Lakota Times Nov. 19).

The National Assembly of Attorney Generals resolved at a July meeting in Pittsburgh to try get Congress to review the scope of gaming on Indian lands, and they also expressed concern about certain matters of the Act - "the objectives of strict control of gaming to protect against criminal influence and the preservation of the criminal laws and public policy of the states...will be irreparable frustrated".

It is said that the Nevada Resort Association or individual members have a strong influence on the campaign, and the budget of the campaign could be more than \$ 500,000 a year.

"Indian tribes are facing an increasing barrage of attacks from the federal government, state officials, and private businesses who are applying political and financial pressure to reopen the gaming act."(...)

Many tribal officials assert that states and the private gaming industry are threatened by the economic success of tribal gaming and will do anything to prevent tribes from competing with them. More states have begun invoking the 11th Amendment to dodge the negotiations process required by the gaming act. The amendment prohibits suits against states unless states consent to be sued. To date, seven court cases have been filed over the issue.

A Commission has drawn narrow guidelines to what constitutes legal gambling without state approval in order to restrict tribal gaming, tribal leaders allege. " (Lakota Times, B.A., Aug. 26)

A late report on this issue states that tribal gaming officials and Nevada resort executives plan to meet to see if they can find some common ground. Charles Keechi (chairman of the National Indian Gaming Association) told AP that: "... he believes Nevada casino operators and Indian gamers can both benefit from tribal gam-

bling." "Certainly there's a lot we could learn,..." There's a great deal of opportunity out there for Nevada operators. It's a union that could be had, provided we understand each other." (Char-Koosta News, Oct. 23).

One tribal leader is opposed to gaming, besides seeing it as a threat to tribal sovereignty (sign compacts, argue that it is short term, a fad soon to pass, and that "... the white people will go to the white man's gambling establishments, they will not support Indian gaming." (Lakota Times Aug. 26).

An important part of economic development in tribal affairs is budget management. The Bureau of Indian Affairs still has control of budgets in many areas. It has an existing budget request of nearly \$ 2 billion and a staff of 13,000.

The BIA is often criticised for being paternalistic and for ignoring consultation and requests from tribal governments. (health and education issues as a recent example). Tribes have also been criticized for inefficient administration.

To end the criticism, a task force of Indians and BIA officials begun work on a plan to develop a tribal budget system. A system that would put financial controls and responsibilities in the tribal administration.

The report from this task force should be put in draft form by September for the tribes to review. Tribal recommendations should be returned in October, and by November the task force should submit a formal report to the Secretary of the Department of Interior, for his action.

Readers of this book know by now that Bill Clinton is the new President of the United States. The importance of the political election year had created a campaign in Indian Country to get people to register and vote. Tribal officials have for some time asked their constituents to let their voices be heard in an election.

For the first time in many years the Indian turn out was large, and in many places decisive to election outcome.

A volunteer organisation that worked for the Democratic ticket in Indian communities was formed by Native American Democratic leaders. NACG (Native Americans for Clinton-Gore), co-chaired by Larry Echohawk (Idaho Attorney General, Pawnee tribal member-first Native American in recent time to win statewide office) and Colorado Congressman Ben Nighthorse Campbell (Northern Cheyenne member - the first Native American in recent time to

serve as a Congressman and now a Senator), formed both a Campaign Working Group and a Policy Working Group. Navajo Nation President Peterson Zah chairs the campaign group, and Cherokee Principal Chief Wilma Mankiller chairs the policy group.

NACG was officially formed on Sept. 25 after a meeting of Indian tribal leaders and Democratic Party activists and top officials of the Clinton-Gore campaign. Congressman B. Richardson, D-NM arranged the meeting.

Echohawk thus said: "*We believe that progress in Indian communities can be achieved only through a change from the current Republican policies of neglect for poor and working people. Indian people are the poorest of the poor, and twelve years of trickle-down economies have done nothing for Indian communities. Campbell noted: "... the Bush-Quayle administration has no plan for helping Indian communities. It has yet to submit a coherent policy for creating opportunities for Indian advancement, and the Bureau of Indian Affairs continues to conduct our relations with Indian tribes ineptly.*" (Char-Koosta News Oct. 16).

A "tribe" that call themselves the United Lumbee Nation, a self-created tribe that has enroled people for more than twenty years, with members of asserted Indian decent create credibility for the actual Lumbee tribe and Indian nations.

"Indian preference criteria for legitimate tribal members has been usurped by members of a fictitious tribe,...., making a mockery of the present tribal enrolment system."

Leaders of the United Lumbee Nation have applied to become federally recognized. In a 1978 interview with the Richmond Times Dispatch, Malcolm "Thunderbird" Webber claimed he enroled 150,000 people for \$ 5 each. In return the ULN sends out a tribal enrolment card, stating the person is an enroled member of a sovereign nation. Since then, the group has changed coats from the Atlantic to the Pacific, and now claims 5,000 members and is headed by Eva "Silver Star" Reed, national head of the ULN.

The price for an enrolment card is now \$ 10, and the United Lumbee Nation Times, the groups newspaper, always print an application. One issue claims membership of 2 million people in the United States, Canada and Mexico. "Under the old system, the only rights our Indian people get is what ever the tribe they belong to has to offer... As an Indian nation, made up of a multiple number of tribes united, we are able to get benefits that we could not get otherwise", the paper reads.

The United Lumbee Nation of North Carolina and America Inc., filed as a non-profit corporation in the state of Virginia on July 21, 1977. The founder of the organization is "Chief" Malcolm "Thunderbird" Webber, who bills himself as Grand Council Head Chief.

The ULN has endorsed non-Indians as tribal medicine men, and many of its members are receiving educational benefits by claiming tribal affiliation, though having no legitimate minority status.(...)

The ULN has been investigated by the North Carolina Commission of Indian Affairs, the Office of the Attorney General of North Carolina and the Attorney General of the Commonwealth of Virginia, as well as the Santa Barbara Indian Legal Service.

The Lumbee Regional Development Association Inc., which represents legitimate Lumbee tribal members, sent a letter to all federal agencies to dispute the ULN's claim of being the "legal tribe of the Lumbee people", as attested by a letter signed by Chief Thunderbird Webber.(...)

Equally disturbing is the ULN's practice of selling tribal reservation shares, claiming, "reservation will belong to the people of the Native American wolf clan or the Meherrin Lumbee Tribe of California and Nevada, affiliates of the United Lumbee Nation... a sovereign Indian nation".(...)

A 1984 letter from the Deputy Assistant to Assistant secretary of the Department of the Interior recommended that the ULN not be acknowledged as an Indian tribe entitled to a government-to-government relationship with the United States.

The general conclusion of the finding against the ULN states the organization was recently formed, "conceived, incorporated and promoted by one individual for personal interests and did not evolve from a tribal entity which existed on a substantially continuous basis from historical times until the present".

The ULN has undergone several changes in character since its founding, "the findings continue. "It was first a one-man idea, a small organization, and currently is an apparently substantial, widely dispersed, loose-knit organization, possibly nationwide in scope".

"Webber organized and claimed leadership of several similar organizations including the Etowah Cherokee, and the Hightower Indian tribes of Georgia in 1975; in 1976 the leadership of the Cherokee Nation Iroquois of Georgia; in 1977 the ULN of Virginia;

and in 1979 the ULN of California. He subsequently formed the Kawaeh Indian Nation 1980".

"Presently the ULN has the character of a widespread Indian-interest organization composed of individuals claiming ancestry from a diverse range of recognized and unrecognized tribal backgrounds. The ULN also appears to have a substantial number of non-Indians as member", according to the report.

The report states the current leadership of the ULN is handled by Eva Reed and Ruby Boyer. "Both women were recruits of Malcolm Webber, they wrested control of the organization from Webber with the help of the now-deceased spouse of Mrs. Reed", according to the findings.

"These women continue to operate the organization on a more discreet scale. As a result of the conflict over the control of the ULN, Mr. Webber, a non-Indian went on to form the Kawaeh Indian Nation in 1980".

Ruth Locklear, Director of the Lumbee Regional Development Association's tribal enrolment office, said she is contacted daily by different organizations that wish to verify if ULN members are members of the legitimate Lumbee tribe. She speaks out frankly about the tribe's legitimacy - or illegitimacy, she says.

"Thunderbird Webber was originally doing things in the name of the Cherokee nation. He was operating under the eastern band of Cherokee", she explained, adding that he later moved in to claim Lumbee blood.(...)

According to her most recent information, "Eva Silver Star Reed is the national Head Chief. They operate out of Fall River Mills, Calif." (...)

Ms. Locklear said this is what angers her the most about the ULN. Members of the illegitimate tribe are applying for assistance, educational grants, and health benefits as well as taking legitimate tribal members places in the work force.

The Lumbee tribe is not federally recognized, but it is recognized by the state of North Carolina. Tribal members are eligible for Indian Health Service scholarships, but these must eventually be paid back. The Lumbee tribe recently applied for federal recognition, but was turned down. Members of the ULN applied for federal recognition, but were also turned down." (Lakota Times Sept. 16)

According to a law, signed by President Bush in November, the Pacific Islanders are now eligible to compete with Indian tribes for

economic development funding from ANA (Administration for Native Americans). Before this measure islanders received support from a smaller and separate ANA fund. They can now receive the \$ 34 million from ANA, set-aside for social and economic development programs for next year. The Pacific Islanders who would be permitted to compete with Indian Tribes include Native Hawaiians, American Samoans, Native Chamorros, Native Plauans, and certain residents of the Northern Mariana Islands.

The National Congress of American Indians, a Washington, D.C.-based organization which represents over 150 tribes nationwide, was, and is opposed to the change. In letters to Hawaiian Senator Daniel Inouye, Representative Faleomavaega and Rep. William Ford, Chairman of the House Education and Labour Committee, the NCAI objected to the measure based on the absence of tribal consultation, the lack of a hearing process and questioning the legal status of Pacific Islanders as compared to the trust relationship existing between Indian tribes and the federal government.

"We have no information regarding a legal trust responsibility to Pacific Islanders which mirrors that which the federal government has toward (Indian tribes)", NCAI president Gaiashkibos wrote. "We cannot assume that such a trust responsibility exists which warrants funding for Pacific Islanders from Indian programs on an equal basis with Indian tribes".

The amendment was strongly supported by Sen. Inouye, Chairman of the Senate Select Committee on Indian Affairs. He challenged NCAI's concern in a September 30 letter stating that, "as the aboriginal, indigenous native people of the trust territories, the Native American Pacific Islanders do have a trust relationship with the United States government".

Rep. Faleomavaega also asserted that Pacific Islanders have a similar trust status as that between Indian tribes and the federal government.

"American Samoa came under the jurisdiction of the United States through two documents signed in 1900 and 1904", Faleomavaega wrote in an Oct. 7 letter. "The Department of State refers to these documents as "deeds of cession" - Samoans refer to these documents as treaties".

This he wrote, was a bargain whereby the chiefs of Samo would yield their land "and, in return the U.S. would provide for the well being and protection of the residents of these lands".

The trust responsibility the U.S. government has toward Indian tribes has evolved over the years through treaties, court decisions, case law, and acts of Congress, whereas the Pacific Islands are "trust territories".

"There are similarities and differences, but the major difference is that trust territories have the recognized right under international law to become independent countries", Mr. Suagee said. "This is similar to Puerto Rico's situation." (Lakota Times, Nov. 5)

(Sources Indian Country Today, (Lakota Times; Char-Koosta News)

Canada. For years, a *constitutional reform* involving all citizens of Canada, including the Inuit, Indian and Metis has been on the political agenda in Canada. There have been two important issues in the negotiations for a new constitution. One was the status of the province of Quebec and the other the rights of the aboriginal peoples.

The first effort to reach an agreement on the constitutional issue was the so-called Meech Lake Accord in 1990. The Meech Lake Accord, which had to be ratified by all 10 provincial legislatures, died after both the Manitoba and Newfoundland legislatures refused to extend the sitting hours needed to ratify the accord. Elijah Harper, the *Ojibway Cree* member of Parliament from Manitoba, was a key player in the cancellation of the vote (see IWGIA Yearbook 1990).

A new effort to give Canada a new constitution was made in 1992. This time the aboriginal peoples were included in the constitutional proposal, which would have given them the "inherent right to self-government within Canada". It would also have accepted indigenous self-government as a "third order of government", alongside the federal state and the provincial governments. But again, the referendum, which was held October 26, showed a majority against the proposal. The aboriginal peoples had invested a huge amount of effort to have the proposal adopted and there was a significant majority in the Inuit regions. However, several provinces had a majority of no-votes and there was a lack of unity among the indigenous peoples as witnessed by the many Indian communities which were against it. In spite of this, most indigenous leaders considered the result a severe blow to their efforts for achieving constitutional rights for indigenous peoples.

Hunting and Trapping. Throughout the Canadian North a new legislation has come into effect stating that while hunting furbearing animals, no person shall use a trap on land, other than a quick kill trap, box or cage, for beaver, fisher, marten, mink, muskrat, skunk, squirrel, weasel, or wolverine. This new regulation is a result of a unanimous agreement in 1988 by all Canadian Wildlife Ministers to act on 12 recommended regulation changes put forward by the Fur Institute of Canada. The reason for the required changes is to keep trapping as a viable lifestyle for all Canadians.

The intention to legislate the use of quick kill traps for small furbearer has been publicly known and advertised for the past three years. During this time trap exchange workshops have been offered to trappers. Active trappers who have attended recent trapper workshops will receive a new quick kill trap for each old foothold-trap they turn in. To date over 30,000 quick kill traps have been exchanged and 16,000 trappers have attended workshops in the North West Territories, to mention one area in Canada. The trappers have excellent knowledge and expertise about traps and their efficiency. As a result of this the Assembly of First Nations, the Native Council of Canada and the Metis National Council are lobbying to get an indigenous representative on the International Standards Organisation, which is currently setting the new trapping standards.

Aids. Health and Welfare Canada reports that across Canada, 41 aboriginal men have AIDS, compared to five Native women. In 34 of the cases the HIV infection was contracted through homosexual or bisexual activity, two from needles in drug use, and four from a combination of the two. Two people got AIDS through receiving blood, three contracted it through heterosexual activity, and one baby was born having the virus.

As a direct result of these HIV-cases different committees are being established by indigenous groups in Canada to inform about HIV and AIDS. The groups put emphasis on the elimination of the widespread myths about AIDS i.e. "AIDS is a white man's disease" and "AIDS only affects homosexuals".

British Columbia. The Mount Currie community of 1,400 people lies in the Pemberton Vally, 100 Miles north of Vancouver, British Columbia. They are part of the Lillooet tribe within the larger Lil' Wat territory (Salish) Nation.

For some years the International Forest Products has logged in

the area and has now taken up roadbuilding in the Boulder Vally. This construction destroys the forests and violates Lil' Wats' sacred burial ground. To stop this construction the Lil' Wat Nation set up a blockade in February 1991 (IWGIA Yearbook 1991, p.43). Eleven persons were arrested on the site and seven of them were given one month sentences suspended if they kept the peace for one year. The court refused to hear Lil' Wats sovereignty argument. Lil' Wat state that "Sovereignty means that we govern ourselves in all important aspects of our lives and our communitites, and that our hereditary high council court determines rights and settles disputes. Sovereignty also means that we coexist with non-Natives in a relationship of peace, friendship and respect, and that we will co-manage the land and resources in accordance with our laws which obligate us to protect the land and live in harmony with nature."

To get their legal rights recognised the Lil'Wat went to the International Court in the Hague which also refused to hear the case.

Quebec. On October 1st, 1992, the Algonquins of Barriere Lake stood in front of the bulldozer in a stand-off with Gatineau lumberman Claude Berard, who tried to start his forestry operation in La Verendrye Park, approximately 5 miles south of Le Domaine on Highway 117. The Algonquins asked the loggers at the site to respect the Trilateral Agreement which they signed with the Governments of Canada and Quebec. The Algonquins handed loggers a copy of the report of the mediator, Judge Réjean Paul of the Quebec Superior Court, dated September 14, 1992, which recommends that the Trilateral Agreement take precedence over the Quebec Forestry Act and Forestry Contracts (CAAFs).

The Trilateral Agreement was signed on August 22, 1991, with the purpose of developing an integrated resource management plan, based on conservation and sustainable development, over the traditional territory of the Algonquins. The Agreement also provides for the provisional protection of sensitive zones and the identification of measures to harmonise forestry activities with the traditional activities of the Algonquins of Barriere Lake. The Algonquins have, from their own Band budget and to the detriment of their other programmes funded certain anthropological studies and have produced maps indicating, among other things, these sensitive zones and sacred territories. Differences in the implementation of the Trilateral Agreement occurred when the Quebec Ministry of Forests refused to respect and adhere to the intent of the

Agreement. The Quebec Cabinet appointed a mediator to resolve the differences, but was unable to bring about a resolution. So Judge Paul issued a report which was very critical of the non-observance of the Trilateral Agreement by both Canada and Quebec. He expressed the opinion that the Agreement was a treaty or, at the very least, he said the Agreement takes precedence over Quebec Forestry Laws and Forestry Contracts (CAAFs). He also commented on other problem areas, recommending that the Special Representatives appointed by Canada and Quebec be given a full mandate, as required by the Trilateral Agreement, and make adequate budgets available. Furthermore, he recommended the establishment of a permanent dispute resolution mechanism for the trilateral process.

In a further effort to resolve the impasse, Judge Paul convened a meeting with the parties in Montreal and put forward a tentative proposal with respect to the cutting operations of Mr. Berard, which were scheduled to commence again on the 1st of October and which he wanted to have approved on an urgent basis. The Algonquins agreed with the proposal but it was rejected by Berard, who indicated that he would commence forestry operations on October 1, 1992, as so instructed by Mr. Albert Coté, Quebec Minister of Forests. The loggers appeared at the cutting in the morning of October 1st. They proceeded to go in with their bulldozer, but were met by the Algonquins. Judge Paul intervened at the last minute with Mr. Berard's lawyer, Yves Lettelier, and the confrontation was averted. Chief Matchewan of the Algonquins of Barriere Lake blames the situation on the intransigence of the Quebec Ministry of Forests. Since then, the situation for the Algonquins of Barriere Lake has grown worse, and they now need immediate support. The logging company recently sent in "security-guards" to protect their operation, although the Algonquins have made no attempts to block the loggings.

Mohawk. The acquittal of 34 Mohawks on charges arising from the 1990 Khanasatake (Oka) crisis (See IWGIA Yearbook 1990, p.50-53 and IWGIA Newsletter no. 62, 1990 p. 49-53) has given some Indians faith in Canada's justice system. "The acquittal means recognition, recognition that we are a people," said Robert Skidders, a Mohawk who used the nickname Mad Jap during the confrontation with the Canadian army and Quebec police, "Our issues were brought before the courts,". The defendants faced a number of charges, including assault, participating in a riot, obstructing police,

and possession of a weapon for purposes dangerous to the public peace. In January, Ronald Cross and Gordon Lazore were convicted of offences in connection with the stand-off. Their case is under appeal. About 30 other people pleaded guilty or were convicted of various offenses in non-jury trials.

Ever since the 78-day stand-off in 1990, tensions and confrontations between the Natives and the police have occurred frequently, mainly due to repeated provocations by the police. To put an end to this unbearable situation, the grand chief of the Mohawks of Khanasatake, Verry Peltier, and the Quebec provincial police have initiated an agreement according to which a police liaison officer will be expected to notify a member of the Khanasatake "community watch program" whenever police are called to the settlement near Montreal. The 12-member Native team will be led by Crawford Gabriel, a leading Mohawk negotiator.

The Mohawk language is in danger. In 1991, the Mohawk council of Kahnawake appointed an ad hoc committee to investigate the state of affairs of the Mohawk language in Kahnawake. The results of the survey which appeared in a report on December 1st, 1992, show a very alarming situation. Only ten percent of the people of Kahnawake speak Mohawk. Aboriginal languages statistics compiled by the Assembly of First Nations indicate that when only fifteen percent of a population speaks their language, there is only ten years remaining before that language becomes extinct. To avoid this tragedy, the Kahnawa'kehró;non suggest that among other things:

- The radio should broadcast in Mohawk more often.
- A Mohawk language children's video production should be started.
- Get-together with elders and youth.
- Private teaching by elders of small groups.
- Creation of cartoons, comics and storybooks with tapes.
- Creation of Mohawk Immersion Daycare.
- A Mohawk summer camp for children.

However serious and alarming this situation seems, it is very encouraging to know that steps are being taken by the Mohawks themselves to try to turn the trend of affairs.

Northwest Territories. At the Treaty 11 Dogrib tribal council meeting, which was held on the 21-28 of August, the main topics were: a regional land claim for Dogrib people in the four communities, self-government and economic development. On the 28th of

August, a motion was passed asking the tribal council to "Initiate negotiations with federal government of Canada" concerning regional land claims. The Dene/Metis agreement in principle, which died in November 1990 will be the basis for the regional claim. The Treaty 11 council is asking for loan to begin the planning and the negotiations of the land claim.

Alberta. On the 17th of June, Regina Crowchild was re-elected as president of the Indian Association of Alberta (IAA). Crowchild was the first female to be president of the IAA.

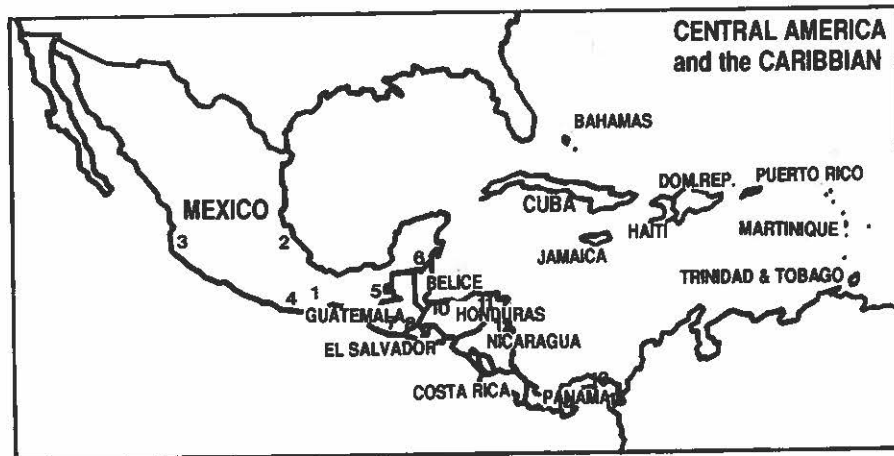
The 64th annual assembly of the Metis Nation of Alberta (MNA) was the longest in the history of the MNA. The six-day assembly was hosted in Slave Lake in mid-August. At the meeting, which was attended by more than 1,000 participants, MNA's president Larry Desmeules expressed his belief that the current round of constitutional talks could be the most critical juncture in the history of the Metis Nation. Even now that the constitutional talks have failed, the MNA still clings to the three-way deal with the provincial and the federal government that was discussed at the 64th annual assembly. This three-way deal contains some form of self-government.

In Northern Alberta the Lubicon Lake Indian Nation has continued its more than 50-year-long battle to have its legitimate land rights recognized (see IWGIA Yearbooks from 1986 to 1991, IWGIA Newsletter no. 43/44 1985, and no. 3 1991, and IWGIA Document no. 62 1988/89). When at the turn of the last century Canada entered into a treaty with the other tribes in the area (Treaty 8), it did not have any contact with the Lubicon Cree Nation. Lubicon Cree therefore still have aboriginal rights and authority over their traditional lands since they never gave up their sovereignty. Large-scale environmental damage due to oil extraction in the area has destroyed the Lubicon Indian Nations traditional subsistence economy based on hunting and trapping. Despite protests from the Lubicon Indian Nation, the province of Alberta has leased out extensive areas of the Lubicons' traditional territory for logging. The land is leased to the Japanese multinational paper company Daishowa whose products are sold throughout most of the world. In 1991 the Lubicon Indian Nation began a campaign to boycott Daishowa paper products in both Japan, Europe and Canada. The successful boycott led to new negotiations which broke down in August 1992. Chief Ominayak rejected the governments offer saying "only minor, cosmetic changes" were included and it was basically the same as the "take

it or leave it offer" put forward by the federal government in 1989. One of the main obstacles in settling the Lubicon Cree Nations land claim is how Ottawa and the Lubicon value money. Ottawa describes its offer in 1992 dollars while the Lubicon position has been defined by the purchasing power of a dollar in 1988 when the federal government made a proposal of 45 million dollars as compensation for what the government owes the Lubicons. The 1988 Lubicon demand of 70 million dollars for community and economic development plus a 100 million dollars trust fund would cost 248 million dollars today while Ottawa's 1988 offer of 45 million dollars would inflate to 65 million dollars. When the government ignores the inflation it will consequently undermine the land claim negotiation and weaken the future possibilities of the Lubicon by each year which passes by.

The federal government has throughout 1992 continued its misinformation about the Lubicon Cree case, that is, a memorandum was sent to over 50 Canadian Embassies and offices around the world, containing what the cover-sheet calls a letter "which can be used as a standard response to questions on the Lubicon situation". In the standard response letter was a remark that: "...the Lubicon band has made various claims including for an area nearly the size of the Netherlands and Belgium combined..." This would mean that the Lubicon are claiming an area that covers nearly 72,000 km². In fact the Lubicon demand is an approximately 230 km² reserve over which they would exercise full governmental control. In addition they claim undisturbed hunting, fishing and trapping rights over an area of approximately 10,000 km² land. Information spread by the Canadian government about Native issues should therefore always be checked with the people concerned.

Sources: Secwepemc News May 1992; Ha-Shllth-Sa May 6 1992; The Press Independent July 10, August 7, August 14 and November 27 1992; Trappers News 4 1992; Native Network News February and July 1992; Eastern Door No.24 1992, Windspeaker vol 10 no 11, Alberta Native News January 1992, Lubicon Lake Indian Nation, Lil'Wat People's "Quest For Justice" - background information.



Map of México and Central America

Indigenous Population: 13 million

1. Mixe
2. Nahua
3. Hichol
4. Triqui
5. Tzotzil
6. Maya
7. Cakchiquel
8. Conjobal
9. Nahuatl/Lenca
10. Rama
11. Sumo
12. Miskito
13. Kuna
14. Guaymí
15. Embara-Waunan

MEXICO AND CENTRAL AMERICA

Mexico is one of four countries which have to date ratified the ILO Convention 169 on the rights of indigenous peoples. However, there is still a long way to go in order to comply with the Convention. The modification of Article 4 of the Mexican Constitution, adopted in 1991, officially declared Mexico an ethnically plural country. Nevertheless, the Article is very ambiguous and talks only of cultural rights. In order to make any advances in the plurality of the country, the Indigenous Peoples' Independent Front (FIPI) presented a proposal to modify three Articles of the Constitution. The proposal included a call for a guarantee for the participation of 40 indigenous Deputies in the Parliament, where at present, there are none.

It is feared that the precarious situation of the indigenous peoples will deteriorate still more with the treaty signed between Mexico, US and Canada which, together with Article 27 of the Constitution opens up the possibility of the privatisation of communal territories known as 'ejidos' (see Newsletter 1/93).

Meanwhile, in the early hours of the 12th of October, 220 indigenous prisoners began a hunger strike to demand their freedom and that of the 6,000 indigenous peoples of Mexico who are at present in prison. The majority are being held on charges of cultivating narcotic plants, which have a traditional use for the indigenous peoples, and because of action taken to recover their lands. Many indigenous peoples know no Spanish and therefore do not know of what they stand accused.

Parallel with the rest of the Continent, the indigenous peoples of Mexico showed their repudiation of the celebrations for the 500th anniversary of the arrival of Christopher Columbus in America. In Chiapas, some 10,000 indigenous peoples demonstrated in the streets of San Cristobal de las Casas. At the same time in the city of Mexico, 5,000 indigenous peoples, accompanied by a multitude of 200,000 people, constituted the largest protest on the Continent.

El Salvador has been slowly moving towards peace by means of an agreement between the Farabundo Marti Front for National Liberation (FMLN) and the government. Nevertheless, there have still been a series of violations of indigenous peoples' rights. On the 27th



Mexico: On the 12th October thousands of indigenous women took part in a march for the 500 Years of Resistance. Photo: Heidi Moksnes

of February, some 1,500 police carried out a violent raid against the indigenous cooperative, Corte Azul, detaining 60 men, women and children and at the same time destroying houses and crops belonging to the cooperative.

However, there have also been advances in the organisation of the indigenous people. The Salvadorian National Indigenous Association (ANIS) pressed on with the coordination of the 'First Meeting of the Original Peoples of El Salvador' on the 3rd and 4th of September. At the event it was decided to pressure the authorities to resolve the problem of land ownership, improve protection of the ecology and demand a special fund from the government for the development of the indigenous peoples.

In the first 'Congress of Indigenous Lands' in the Department of Gracias de Dios in Honduras, indigenous representatives of the Pech, Misquitos and Tawankas demanded that the government quickly legalise their territories and warned that government indecision on this subject was threatening their subsistence. The invasion of colonists on traditional indigenous territories continues to generate constant conflicts. The national government has conferred provisional land titles to various indigenous communities but until they

complete the legal procedures the clashes will continue. Also in the Department of Gracias de Dios, in the forest of La Mosquita, which is considered to be the country's 'lungs', indigenous organisations and ecology groups denounced plans to grant a concession for 40 years to a North American company which wants to fell one thousand hectares of forest. The indigenous people were never consulted about the concession in spite of the grave consequences they will suffer. Later, on the streets of Tegucigalpa, they carried out various demonstrations against the proposed timber concession and, at the same time, governmental offices were bombarded with protest letters from all over the world. Due to all these pressures, the Parliament suspended the agreement.

From the 7th to the 12th of October the 'III Continental Meeting of Indigenous, Black and Popular Resistance' was held in Nicaragua attended by more than a thousand delegates from the Americas. The meeting ended with the 'Declaration of Managua' which reaffirmed the commitment to form a Continental Indigenous, Black and Popular Movement' upholding, among others, the following objectives:

- 'To demand and defend recognition of our autonomy and the free determination of our peoples, in particular, the right to land and our territories'
- 'To promote respect and strengthen women's culture and their incorporation in the distinct social, economic, political and cultural spaces.'
- 'To consolidate the process of solidarity, coordination and unity on a foundation of recognition and respect for diversity.'

The Congress also decided to plan a Continental Meeting of Original Peoples for 1993.

The award of the Nobel Peace Prize 1992 to indigenous Quiche leader, Rigoberta Menchú Tum was a cause of immense satisfaction in Guatemala and throughout the indigenous world. Since 1981, Rigoberta Menchú has lived in Mexico as a political refugee. Since then, as a member of the Committee for the Guatemalan Peasant Unity (CUG), she has worked intensely to raise awareness of the oppression of the indigenous peoples of her country and of the whole American continent.

In April 1991, the government and the guerillas (URNG) began direct dialogue to end the three decades of armed conflict whose



Guatemalan refugees. Photo: UNHCR. M. Vanappelghem.

main victims have been the indigenous peoples. The URNG proposed that, in order to deal with the problems of the indigenous peoples at the negotiating table, it needed to be assured of the full recognition of the identity and rights of its culture and language. The war in Guatemala has led to the displacement of more than half a million people, 100,000 refugees, the bombardment of communities and 45,000 disappearances. In this context the URNG is working on a programme for returning the refugees. In Mexico, for example, there are 46,000 refugees in camps and approximately 75,000 dispersed refugees.

In Nahuala, in the Department of Solola, the national coordination of the National Movement for the 500 Years of Resistance demanded that the government ratify the International Labour Organisation's Convention 169 on the Rights of the Indigenous and Tribal Peoples which has been waiting since 1992 for Congressional approval. Political sectors represented in the Congress are resisting ratifying the ILO Convention because they consider that its articles referring to land rights are a threat to private property.

As part of the coordination's campaign, on the 12th of October, Guatemala awoke to black banners flying from the houses as a sign of mourning, *Maya* ceremonies in the hills, strikes and demonstrations demanding lands.

In Costa Rica the image of respect for human rights which the country tries to show to the world is being contradicted by the situation in which the indigenous peoples live. The Commission for the Defense of Human Rights in Central America (CODEHU) announced at the United Nations that an anti-drug operation on the 21st of February in the indigenous communities of Talamanca, left two people dead, two women raped, the destruction of houses, threats and left many of the inhabitants injured. The denunciations made by CODEHU also included the precarious state of health and health care for indigenous communities and the fact that 10 of the 21 indigenous reserves continue to be in the hands of non-indigenous persons.

In Panama the indigenous *Guaymi* continue their demands that a 700,000 hectare reserve be delimited in the provinces of Chiriqui, Veraguas and Bocas del Toro. In a document handed to the national authorities, the indigenous peoples ask that an ante-project to delimit the reserve be sent to the National Parliament. This is a hope that the Guaymi have nurtured since 1980 but their initiatives have never been successful due to pressure exercised by powerful agriculturalists who work in the area to be demarcated. On the other hand, the *Kuna* who live in the San Blas Comarca (reserve) bordering on Colombia, declare that they will defend their territories on a war footing against invasions by Colombian gold prospectors. The gold extraction has led to the contamination of various rivers in Kuna territory. The Panamanian police insist that they do not have sufficient resources to defend the border, which has meant that many indigenous peoples have had to arm themselves with rifles.

Also in Alto Bayano, the Kuna and Embera have had different clashes with colonists. In order to build the Bayano dam, the Kuna were thrown off their lands and moved to the region which is being demarcated for the Madungandi Reserve. However, in spite of the process of demarcation, the colonists continue to enter and the violent conflicts begun in 1991 will not stop until the borders of the indigenous area are defined and respected.

Sources: IPS, CODEHU



Indigenous Population:
 Lowlands: 1 million
 Highlands: 19,5 millions

- | | |
|-------------------------------|--------------------------------|
| 1. Macu-Nukak | 9. Aymara |
| 2. Embera | 10. Chiname |
| 3. Huaorani | 11. Toba |
| 4. Quichua/Siona/Secoya/Cofan | 12. Guaraní |
| 5. Quichua | 13. Mapuche/Pehuenche/Hulliche |
| 6. Aguaruna | 14. Pataxo Ha-Ha-Hae |
| 7. Yanasha | 15. Munduruku |
| 8. Ashaninka | 16. Kaiabi |
| | 17. Sateré-Mawé |
| | 18. Kaiapó |
| | 19. Yanomami |
| | 20. Wayúu |

SOUTH AMERICA

In Venezuela, the President, Carlos Andres Perez took up office and began by announcing an economic adjustment. This was greeted by violent public protests which left 300 dead. At the end of the year, however, Perez survived a second attempted military coup but faces serious accusations of corruption.

The distance between the class which became rich in the years of the oil boom and the majority of the population increases day by day in Venezuela. Among the latter are, without doubt, the 32 indigenous peoples who live in the country. For the indigenous *Wayuu*, whose territory is divided between Venezuela and Colombia, the poverty has forced many of its women to try to make a living through ferrying contraband drugs from Colombia. This traffic has generated a high level of violence where many indigenous people have been murdered and some 40 are in prison. All indigenous women are also subject to a humiliating search when they cross the border.

At the same time the search for foreign exchange has meant that the government has begun indiscriminate extraction of natural resources which has had a series of consequences for the environment and its inhabitants. In the Sierra de Parija the indigenous *Bari* and *Yupka* communities run the risk of disappearing altogether through the exploitation of coal and gold for which different companies are lobbying the Ministry of Mines and Environment. The plans for exploiting the coal will destroy the Hidrica Sur Reserve in Zulia State, the subterranean water and the sources of 7 rivers which carry three quarters of the fresh water which supplies the Lake of Maracaibo. These coal projects will leave the majority of the indigenous communities in the Sierra de Parija without lands. Moreover, the coal will destroy the most important flora and fauna in the west of the country which comprises a high degree of biodiversity.

The new constitution of Colombia is considered one of the most advanced in America in human rights issues for the indigenous peoples but, nevertheless, the national government does not appear to respect the magna carta. In the Department of Choco where the *Embera* and *Waunana* live the government is continuing with its plans



Wayúu people from Venezuela. Photo: Alejandro Parellada

to construct a new section of the Panamerican highway without the consent of the indigenous peoples as the Constitution demands. To this we have to add the lumber concessions authorising the Maderas del Darien company to extract 303 thousand cubic metres in the same region. Furthermore, it should be borne in mind that the exploitation that took place in previous decades has destroyed the rainforest of the zone and there have been no promises of reforestation.

However, important achievements have been made by utilising one of the most important articles in the Constitution on indigenous rights, Article 86, known as Protection Action. In the month of August, Colombian Frontiers of Exploitation Inc., began its oil exploration work in the Department of Guaviare where the *Nukak* Indians live. The National Indigenous Organisation of Colombia (ONIC) moved a 'Protection Action' for the damage done to the indigenous peoples by oil exploitation, which was accepted by the authorities. It also obtained compensation for the harm caused by the construction of a road which affected the *Embera-chami* community and the authority to make the indigenous community of La Paila in the Department of Cauca into a reserve.

In Ecuador on the 21st of April, 2,000 indigenous peoples from the province of Pastaza marched on Quito to demand recognition of their territories and that the National Constitution include the protection of the country's different nationalities and cultures. The march was organised by the Organisation of Indigenous Peoples of Pastaza (OPIP) in response to three years of fruitless negotiations between the government and the indigenous organisations. In the face of indigenous demands for control of part of Amazon, President Rodrigo Borja partially satisfied their demands by officially recognising more than two and a half million of the almost five million hectares of the lands that they occupy (see Newsletter 3/1992).

In November, paramilitary groups ejected 750 indigenous people in a highland community near to the town of Ibarra. The problem concerned the 600 hectares Yuracruz hacienda which was handed over to the indigenous people twelve years ago by its former owners. Nevertheless, years later, the Agroindustrial Company of Yuracruz, comprising local impresarios and mestizos who work on the hacienda, ignored the earlier cession of lands and divided the hacienda between its 60 shareholders. In 1992 the Ecuadorian Institute of Agrarian Reform and Colonisation resolved that the lands be handed over definitively to the indigenous people on payment of 150,000 dollars to the agroindustrial company. The latter disregarded the official ruling and demanded a sum of money three times larger from the indigenous people. The dispute culminated in an attack against the indigenous community by the shareholders supported by armed groups which destroyed their houses and raped several women.

In the middle of December, the North American oil company, Maxus, began the construction of a road through the territory of the *Waorani* Indians for the extraction of oil from the Ecuadorian rainforest. The road penetrated the zone of the Yasuni, which in 1979 was declared a 'World Biosphere Reserve' by the United Nations. According to official calculations, in this region there are reserves of 300 millions of barrels of crude oil. The Yasuni is the largest natural reserve in the country where some 3,000 *Waorani* live, one of the most isolated ethnic groups in Ecuador. While the Ecuadorian government recognises part of the *Waorani* area as belonging to the indigenous peoples, they deny them the right to prevent the oil companies operating on their territory.

At the end of the year, the indigenous peoples suffered a new

blow to their rights. This time the Confederation of Indigenous Nationalities of Ecuador (CONIIE) denounced the derogation of the decree which gives legal status to bilingual education in the country. On the 11th of June, the previous administration of president Rodrigo Borja decreed that bilingual education was obligatory where there were aboriginal communities. The bilingual programme was administered by the indigenous peoples themselves and developed in 16 out of the 21 provinces in the country. CONIE warned that with this measure "the government is creating chaos and provoking a social conflict with unpredictable consequences".

On April 5th, 1992, Alberto Fujimori, President of Peru, unilaterally closed the Congress and dismantled the judiciary. This coup against the democratic institutions of the country gives government technocrats and the military control of Peru. In the period immediately after the coup, the military made several inroads against Sendero Luminoso, the Maoist guerilla force. Over the last 13 years estimates of deaths from the guerillas and armed forces number over 25,000. On 12th September, Sendero's leader, Abimael Guzman, was captured.

In spite of these developments, Sendero Luminoso, continues to wage war. Areas of the highlands are still in guerilla's hands and migrants continue to flee from the fighting to Lima. There, the severe economic policies of the government's 'Fujishock' have led to a severe recession. Whereas inflation has fallen, the poor, mainly indigenous migrants from the Highlands, have doubled in number since 1990. One out of four Peruvians receives food aid from international donor organisations and over 90 per cent of the population is under or unemployed.

Coca exports contribute as much as \$2.8 billion to Peru's exports (the country's legal exports are \$3 billion). Currently over 300,000 hectares are used to cultivate the leaf. The peoples of the Huallaga Valley and now Aguaytia in the Ucayali are forced physically and economically to grow coca while a war for control over the trade between the Peruvian Armed Forces, Sendero Luminoso, the Movimiento Revolucionario Tupac Amaru and drug barons wages all around.

In the Amazon, the eagerness of the Fujimori regime to encourage private enterprise has led to a surge in extractive initiatives. In the territories of the *Aguaruna* and *Huambisa* oil exploration has already led to land invasions. The gold rush in Madre de Dios

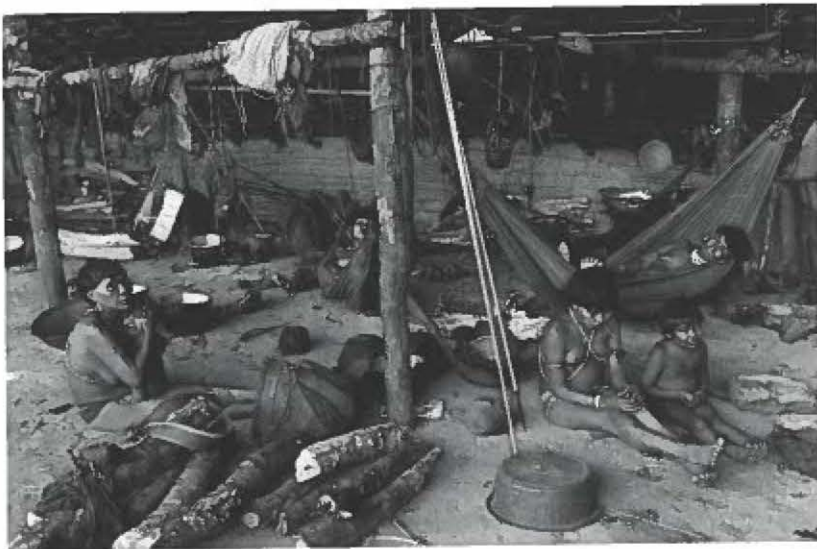
continues and there are currently over 1000 illegal miners on *Harakmbut* lands threatening communities with violence. In spite of a temporary government ban on logging concessions, the timber companies of the central rainforest continue to intimidate *Ashaninka* communities and lobby against their territorial rights.

In spite of the problems, 1992 has seen some positive developments. After a three year project organised by the Inter-Ethnic Association for the Development of the Peruvian Amazon (AIDSESEP), 114 indigenous communities in the Ucayali Region received legal recognition to their land titles during the year. Plans are also under way to title and support a similar number of *Cocama/Cocamilla* communities in the Pacaya-Samiri reserve in Loreto.

The current debate on indigenous affairs in Peru rests between two sides. On the one hand there are those who argue for conserving the rainforest, respecting indigenous rights and sustainable development practices. On the other the 'developmentalists' want to extract whatever resources are available to pay off the national debt while giving human rights, sustainability and conservation a low priority. It remains to be seen which side has the most influence in the ears of the military, the technocrats and the autocratic President, Alberto Fujimori.

In Bolivia some 150 indigenous leaders met in La Paz to take part in the Assembly of Nationalities. During the meeting, they stressed the need for unity, for setting up a political party of their own, as well determining that an Indigenous Federation be established with its own laws.

In 1992 the attention of the whole world was on the United Nations Conference on the Environment and Development (UNCED) in Rio de Janeiro, Brazil. Among the documents which were approved by the Heads of State, Article 21 is notable as it concerns the programme for action for a sustainable development. The document mentions the role of indigenous peoples in the management and development of the environment on the basis of their knowledge and traditional practices. It recommends that states recognise and support indigenous cultures and their interests and enable their effective participation in the realisation of a sustainable development. Parallel to the official conference, representatives of 100 indigenous nations from the five continents held a meeting at Kari-Oka, some 40 kilometres from the city of Rio, where they discussed their own agenda as well



By the end of the year, 11,000 *garimpeiros* had invaded the Yanomami area.
Photo: Alejandro Parellada

as how they could participate in the UNCED as indigenous peoples and nations (see Newsletter 4/1992 and this Yearbook, page X).

Up until the day of the Conference, the Brazilian government tried to improve its image in relation to indigenous peoples by accelerating the processes of land demarcation. However, of the 510 indigenous areas in Brazil, more than half have not yet been demarcated and only 16 per cent of these are not in danger of being invaded.

Possibly the most well-known case of land invasion has been that of the *Yanomami* Indians in the state of Roraima, on the border with Venezuela. The 11,000 indigenous people who live there have suffered from a systematic invasion of gold prospectors, the so-called *garimpeiros*, who numbered almost 40,000 in 1991. The consequences have been catastrophic: the rivers have been contaminated with the mercury used in the gold extraction and purification and there has been an increase in diseases which are fatal for the indigenous people. The tenacious campaign waged by the Commission for the Creation of the Yanomami Park (CCPY) and different international organisations forced the Brazilian authorities to throw the *garimpeiros* out and demarcate an indigenous area of 9,000,000

km². On the 25th May, 1992, the last legal phase of the establishment of the Yanomami territory was finally completed, that is to say the ratification of their lands by President Collor de Mello. Nevertheless, the peace for the Yanomami did not last long. A few weeks after the Rio Conference, the National Indian Foundation (FUNAI) announced that at least 1,000 gold prospectors had invaded the Yanomami area in Aracaça, Alto Catimani and at various places in the Sierra Parima. By the end of the year, the number of *garimpeiros* had reached 11,000, dispersed throughout all of Yanomami territory. The Brazilian government appears to have lost its energy to do anything about the invasions in the face of pressure from the military who are afraid of losing control of the border with Venezuela and the interests of the mining and lumbering companies who want to exploit the area. Therefore, once again, the CCPY and Yanomami solidarity organisations have begun a campaign to have the territory respected and for the existence of the Yanomami people.

In November, the Coordination of Indigenous Organisations of the Brazilian Amazon (COIAB) publicised a letter which showed concern for the possible reactivation of the Calha Norte Project, which could affect the 63 thousand indigenous peoples in the north of the country. The Calha Norte Project was approved in 1985 with the objective of defending and developing some 6,500 km² of border with Guyana, Surinam, Venezuela and Colombia. In this area there are 63,000 Indian people belonging to 54 nations and living in 83 Indigenous Areas. To date, the Project has completed 50 per cent of its main military objectives and, according to the Minister of Defence, Zenildo Zoroastro de Lucena, it foresees a greater military presence in the Amazon in 1993. COIAB, together with the Ecumenical Centre for Documentation and Information (CEDI) and the Indigenist Missionary Council (CIMI), denounced the Calha Norte Project as, up till now, "...not bringing any social benefits, any increased economic benefits or completing the demarcation of indigenous lands, as well as concluding that the social programmes to date have been unserviceable and have been discontinued." They also consider that the Project ought to be analysed and discussed. "It is now time to show that the country is changing and becoming more aware, and this implies various positions such as the search for alternatives and solutions to problems by consensus and not through imposition by certain government and military politicians.

Meanwhile, in Mato Grosso del Sur suicides among the *Guarani Kaiova* continue. In the last few years almost a hundred indigenous *Guarani* have taken their lives. In 1992, the number of suicides reached 20, all of whom were less than 20 years old. One of the causes of this appears to hark back to the 1930s when the Brazilian authorities forced the *Guarani* to divide their scarce lands with the *Terena* Indians, their traditional adversaries, which has generated conflicts between groups since then. At the same time, the lack of sufficient land forces the *Guarani* to take work as cheap labour in sugar plantations and alcohol plants in the region. While the government has demarcated some areas to solve the problem, the incompatibility of the traditional *Guarani* way of life with the conditions imposed by Brazilian society have reached a point whereby the demarcation of lands is not in itself sufficient to put an end to the suicides.

In **Paraguay** the inclusion of rights for indigenous peoples in the National Constitution was an important advance. Furthermore, the new Constitution recognises and guarantees the right of indigenous peoples to preserve and develop their ethnic identity. They have the right to follow their own systems of political, economic and cultural organisation. Any legal cases will also have to take into account indigenous customary law. The right to communal ownership of land is recognised while the removal and relocation of indigenous people from their habitat is prohibited without the express permission of the people concerned.

While the new Constitution has been an important step forward for the indigenous movement, invasions continue in different *Mbya-guarani* communities. This is the case of the *Mbya* of Ka'a Jovai, Arroyo Hu and Pindo'i where there have been invasions by landless peasants.

Although the indigenous peoples of **Uruguay** were exterminated in 1930, the country at present has some 14 families of *Mbya-guarani* who emigrated from Paraguay in recent years. The Indigenist Association of Uruguay (AIDU), which is in charge of resettling these immigrant families, organised the 'First Regional Meeting of Indian Peoples' in Montevideo with the participation of representatives of 70 *Guarani* peoples, together with *Mapuche* and *Aymara* leaders. The indigenous leaders present agreed to intensify their demands for lands, autonomy and self-government.

The indigenous peoples of **Argentina** have become accustomed to only receiving the attention of the authorities when they are victims of diseases which might be transmitted to the rest of the country. This time it was cholera which reached the north of the country and taking its first fatalities from among the *Mataco* Indians of Santa Victoria Este, in the province of Salta. The focus of the epidemic was a zone already devastated by deforestation known as the 'Great Chaco', where the *Matacos* and *Chorotes* live. The provincial government immediately ordered the area be isolated and brought under military control. It accused the indigenous peoples of causing the epidemic. The present situation is reminiscent of the smallpox epidemic in 1930 where, in order to contain the epidemic, the military burned the *Mataco* houses with the affected indigenous people inside.

The *Wichi* Indians of the Chaco province presented a protection notice to the Federal Justice against the Ministry of the Economy and the sugar company, Las Palmas, for the sale of lands which belonged to their communities. While the indigenous people claimed the 30,900 hectares where 335 indigenous families live, the National Government was prepared to give the indigenous people only 2,300 hectares.

Meanwhile, in the south of the country, the first *Mapuche* meeting since the last century took place. One hundred *lonkos*, spiritual leaders, from Chile and more than 200 Argentinean leaders met in Neuquen to analyse the marginal and oppressive situation in which the *Mapuche* in both countries live. There they reaffirmed their historical rights as a nation and the right to use their traditional laws and maintain their own language.

In April, 150 *Mapuche* communities in **Chile** took part in the First *Mapuche* Tribunal to denounce violations of land rights, exploitation of the environment and political rights. The Tribunal resolved, among other measures, to:

- 1) recuperate traditional *Mapuche* lands usurped by farmers and the Chilean State;
- 2) Constitute a commission of human rights to investigate the wrongs perpetrated against the *Mapuche* people;
- 3) Approve and promote the first emblem of the *Mapuche* Nation.

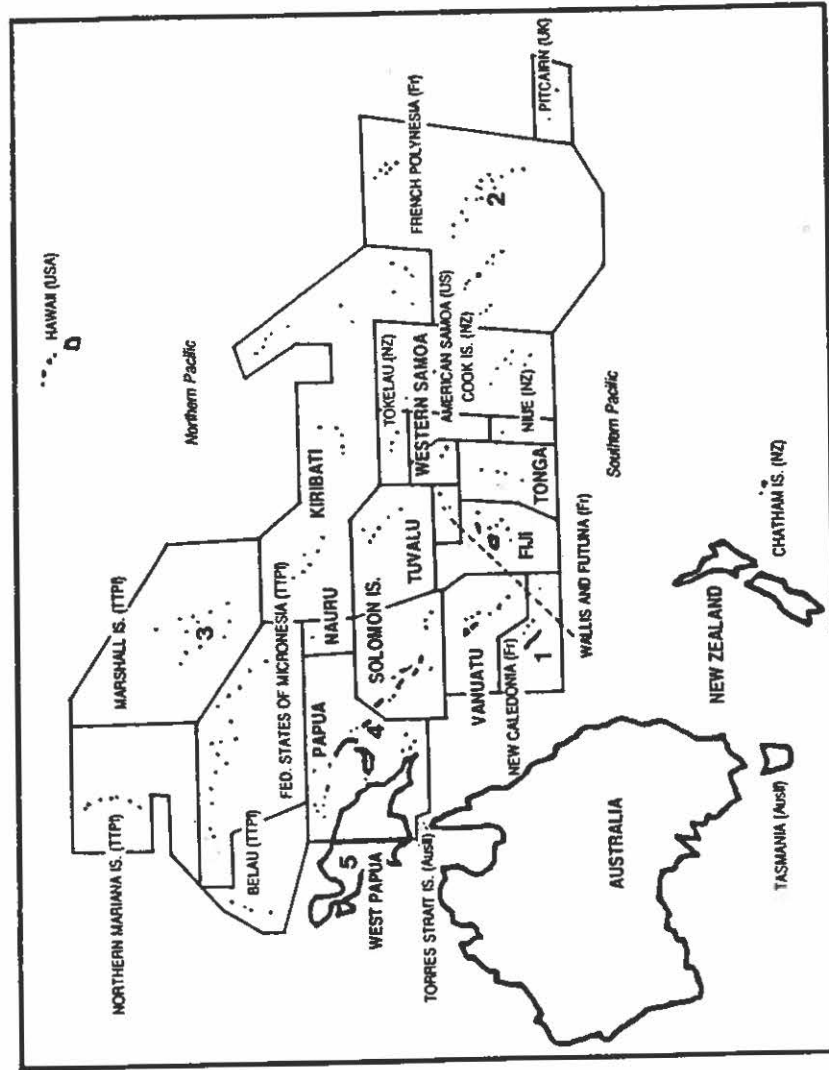
Two months later, in June, during celebrations for the *Mapuche*

New Year (24th of June), communities of the IX and X Regions began the Process of Recuperation of Usurped Lands. The Chilean government, which during its electoral campaign promised the Mapuche it would promote and respect indigenous rights, reacted strongly by imprisoning 130 indigenous people and overrunning different communities. The Chilean government also pointed a finger at the Mapuche organisation, the Council for All Lands, as instigating the sit-ins and pressed charges which sent its leaders to prison for from 3 to 5 years. In the days following the sentencing, there were demonstrations throughout the country and the prisoners were given conditional freedom.

In October the first Mapuche flag was approved, which represents the Mapuche in both Chile and Argentina. The inauguration was attended by 4,000 indigenous peoples who collected in the main square in Temuco with the permission of the Mayor of the city. Nevertheless, the Regional Mayor gave the order to repress the demonstration.

Meanwhile, the construction of seven hydroelectric dams has been planned for the River Bio-Bio, on the border of Mapuche territory, which will destroy seven indigenous communities.

Sources: South and Meso American Indian Information Center, IPS, Survival International, Comissao Pro Indio de Sao Paulo (CPI), Poratim, CIMI, Comisión por la Creación del Parque Yanomami (CCPY), Survival International, DIM Jorge H. Fave, ALAI, El SAAIC, Consejo de Todas las Tierras, Semanario Aquí.



1. Kanay
2. Moruroa & Fangataufa
3. Johnston Atoll
4. Bougainville
5. W. Papua

MELANESIA, THE PACIFIC AND AUSTRALIA

Melanesia

The indigenous Melanesian peoples of **West Papua** in the former Dutch colony of West New Guinea, have been living under virtual military occupation since 1963. By then control over the territories of West New Guinea was handed over to Indonesia after a seven month's interim period under UN temporary executive authority - instead of being decolonized as an independent nation. Six years after, amidst severe repression, West Papua was formally annexed after an apparently flawed plebiscite as the Indonesian province of Irian Jaya, with the approval of the United Nations who endorsed the so called plebiscite, the "Act of Free Choice" when 1.025 apparently handpicked members of a referendum council voted unanimously in favour of the country's fate as part of Indonesia. Demands for a democratically conducted plebiscite were crushed, and repression continued.

Already in 1965, the first anti-Indonesian uprising occurred in Bird's Head, a rebellion which started the armed resistance to Indonesian occupation when the first units of the Free Papua Movement (OPM) were set up. In 1969, the year of the Act of Free Choice", the resistance spread to the Central Highlands. In 1971, the OPM proclaimed a Government of West Papua, with little attention from the international community. The struggle of OPM received some support however, when the Swedish Social Democratic Party (in opposition), last year (1992) urged parliament to recognize the OPM as the legitimate representative of the West Papuan people. Sweden has given refuge to several OPM members in exile.

In 1992, human rights violations by the Indonesian security forces occurred in the context of Indonesian military offensives against the West Papuan armed wing of the independence organisation "Free Papua Movement" (OPM). Organisations such as Tapol, are concerned that Indonesia continued extrajudicially executing OPM insurgents.

On May 30, Indonesian security forces attacked OPM camps on the Indonesian - Papua New Guinean (PNG) border. In the first attack, Martin Pravar, military chief and northern commander of the OPM, was reportedly shot dead by an Indonesian special task force,

whose orders were to capture Prawar, dead or alive. On the same weekend, Indonesian troops crossed into PNG and attacked an OPM camp near Wutund, wounding two men and burning down the camp. The PNG government has apparently raised no complaints at the border incursion.

Indonesian crack down on the civil resistance centers on the arrests and sentencing of supporters of the 1988 flag raising ceremony, the non-violent demonstration proclaiming the nationalist aspirations of the indigenous Papuan peoples for the independence of West Melanesia. Further arrests occurred at demonstrations commemorating the first anniversary of the flagraising. There are (as estimated by Tapol) at least 144 identified political prisoners who continued being detained in 1992, accused of subversion because of their struggle for an independent West Papua. Half of their sentences stretch for between five and ten years, others have been sentenced for between 10 and 20 years. An aggravating circumstance of the political sentences is the fact that more than half are imprisoned in Java, many thousands of miles away from their homes, with only the remotest possibility for families to visit them, Tapol writes. This, not only violates principles for the humane treatment of prisoners, it is also a clear violation of the right to equality before the law, as it is evident that West Papuan receive harsher sentences, in terms of the deprivations suffered, than non-indigenous prisoners detained closer to their homes and visiting families. In Indonesia, East Timor and West Papua there are altogether at least 2000 political prisoners, Tapol quotes Indonesian NGO sources. Many believe it could be far more.

In 1992, reports were received from Asia Watch, which documented the practice of forced labour in the Asmat areas of West Papua. Reports are rare and infrequent, as the Asmat area is far more inaccessible than even East Timor. The plundering of West Papuan resources by logging and mining companies have long been documented. The new information describes a reportedly well established pattern in West Papua, of how indigenous Asmat workers are being exploited in practices where they effectively end up becoming bonded labour for the logging companies. In July 1992, in Uus near Agats, a group of Asmat workers went to collect wages for several months logging for the PT.Phoenix company. Here they were told that their credit was overextended, so they received nothing. Asmat workers reportedly have no ways of checking how

their individual wage/credit accounts are kept, or companies take advantage of Asmat's being too unfamiliar with the opaque system of credit to ask. Workers are encouraged to receive their wages on "credit cards" only usable to purchase goods at the company stores. Here, they wind up in permanent debt to the company store, and thus become bonded labour for the company.

Another tactic of forced labour reportedly used by logging companies in the Asmat area, is to have government inspectors declare logs too small in diameter, and then ship the logs out anyway, as the inspector looks the other way. In this way, two month's work of the Asmat clans working for companies such as Artika Optima, can be left uncompensated, with workers receiving no pay at all, except for the legally shipped logs, Asia Watch report.

For more than three years the people of Bougainville have been THE subject of military actions and a devastating blockade from the government of Papua New Guinea.

In 1992, the relationship between PNG and the Bougainville was further aggravated.

The blockade of medical supplies has caused the death of hundreds of people in central Bougainville. Despite promises made by the PNG government, most of the planes and boats headed for Bougainville carrying these items have been turned back, or essential supplies have been confiscated.

After the national elections in July, the opposition came to power in Papua New Guinea. The new Government was met with some expectations from Bougainville. Before the elections the opposition stated that the Bougainville question would be one of the government's priority areas, and indicated that it would be more open for negotiations. A new ministry of Bougainvillean affairs was created, headed by Michael Ogio. Unfortunately, Paul Tohian, one of the hard-liners in the Bougainville question, was appointed as Minister of Defense. In all, it seems that the change of government has not resulted in change in the policy towards Bougainville. The government control of the army seems to be very weak, and in relation to Bougainville the military seems to have the last word. The outrages committed by the troops in Bougainville are still either being denied or excused as "individual acts not ordered by the government."

Australia is still supplying the PNG army (PNGDF) with expen-

sive and advanced military equipment for use in the conflict. Among these are four Australian operated Iroquois-helicopters. These are delivered on the strict term that they are not used for offensive purpose, but several testimonies indicate that they are equipped as gunships used for air-attacks on villages and Bougainville Revolutionary Army (BRA) positions.

The Solomon Island's are slowly being drawn into the conflict. In March PNGDF twice attacked a fuel-depot on the islands and blew it up. Several other episodes have been also reported. Prime Minister of PNG Namaliu excused the incident, but Defence Minister Sabumei called it "regrettable but necessary."

The provincial government of the Choiseul province now calls for a commonwealth peace-keeping force because of the "widespread feeling of insecurity PNG Defence Force incursions have created among the people of Choiseul and Western Province."

Within the last year several attempts have been made to end the conflict. The International Red Cross has urged PNG to lift the blockade on medical supplies.

In April, the Solomon Island's sent out three parliament delegations to collect views on a possible solution. One delegation travelled to Micronesia, the second to Polynesian countries, and the last to Vanuatu, Australia and London.

The Pacific Conference of Churches (PCC) has taken several initiatives. In a letter to the Government of PNG (printed in IWGIA Newsletter 1-1992) they list six resolutions passed in plenary session by their 6th General Assembly:

1. That PCC calls on the Papua New Guinea Government to lift the blockade thus allowing fuel, medical and other essential supply through.
2. That PCC calls on the Papua New Guinea Government to allow the International Red Cross League and other international and national humanitarian organizations access to Bougainville.
3. That PCC call on the Papua New Guinea Government to facilitate the composition of an independent supervisory team for deployment of Bougainville.
4. That PCC call on the Papua New Guinea Government to withdraw from Bougainville and the Bougainville Revolutionary Army to lay down its arms in accordance with the Honiara Accord.
5. That PCC recognise the right of the people of Bougainville to self-

determination and urge the Papua New Guinea Government to agree to a referendum in Bougainville on its future relationship with Papua New Guinea, to be supervised by international observers.

6. That PCC call on the Papua New Guinea Government to allow the churches, through their National Councils to make a pastoral and humanitarian visitation to Bougainville as soon as possible.

The Pacific Conference of Churches has also called for a round table meeting to discuss long term issues for Bougainville.

The UN Subcommission on the Prevention of Discrimination and Protection of Minorities adopted at its meeting in August a resolution, calling for the Papua New Guinea Government "To restore without delay the freedom of movement to the people of Bougainville in the interest of protecting and promoting human rights and fundamental freedom." The UN Committee on the Elimination of All Forms of Racial Discrimination has requested the Papua New Guinea Government to provide it with a full report on human rights violence on the island.

Also, the World Council of Churches, the Unrepresented Nations and Peoples Organisation, the International Commission of Jurists and the Commonwealth Secretariat has urged for a peaceful solution.

But in spite all these efforts for a peaceful solution, the army headed for a quick military solution. In October, the military issued a major attack on central parts of the island, trying to capture Arawa, center of the Interim Government and BRA (Bougainville Revolutionary Army). At the end of the year, fierce fighting and bombings was still devastating the island.

Although no journalists or NGO's are granted access, serious Human Rights abuses are reported from Bougainville. Burning of villages and massacre of entire families by PNGDF is reported, as well as torture, rapes and casual killings.

After years of pressure from the American Government, the people of **Belau** opened up a road for the ratification of The Compact of Free Association. This has been difficult until now because of Belau's nuclear free constitution. According to the constitution, 75% of the population must approve any change. The USA has threatened Belau with "immediate and complete independence"(!) if the Compact is not ratified, and the United States has rejected changes in the

Compact. Until now, seven referenda have been held on the Compact, and two on the constitution, in an attempt to make it possible to ratify the compact with a simple majority vote.

The third referendum on the constitution was held at the same time as the general elections in November. According to the constitution, changes need only to be accepted by simple majority in 75% of the 16 states. Fourteen states said yes and only two said no, which opens up for a new referendum on the compact. The enabling legislation that the congress passed to set up the constitutional amendment referendum said that the parliament "shall schedule a reasonable date" for the next referendum on the compact, after Belau receives "a favourable response from the United States on the requested compact modifications." Two important changes have been suggested. The first requires the United States to use *specific* areas of the islands for military purposes, rather than *any* area. The second modification requires these areas to be used for 15 years, rather than 50 years.

The US-representatives, George Miller and Ron de Lugo, introduced these changes to the American Congress, but it is doubtful this will have any effect, because of the elections in the United States in November.

However, president Bill Clinton will hopefully be more reasonable in the negotiations than former president Bush was.

In **Kanaky** the tension has somehow eased after some years with the Matignon-accord.

The experiences with the Matignon accords have been mixed. The massive investments in infrastructure have drawn resources away from the social and cultural project in the villages, and in the southern province the Kanaks feel that the benefits are going to the French and settler communities, rather than to the indigenous population. Activists are now more engaged in business and administration than in the fight for independence. On the other hand, this may prepare Kanaks for management of funds and administration, useful skills when New Caledonia (Kanak) is independent.

Anyway it has changed the strategies for the people who seek independence from France. At its 22nd congress in January the Kanak United Liberated front (FULK) decided to dissolve itself as a party, but continues to work as an organisation. Work is now being done to review the accord, and to unite the organisations and people

involved in the independence struggle. Stated in the accord, 1998 is the year where elections will be held to decide whether New Caledonia shall have its independence or not.

Palika, the pro-independence party, is calling for a boycott of the legislative elections, claiming that the French government has broken commitments to modify electoral boundaries, and protesting that France is allowing anti-independence supporters to dominate the economy.

The Pacific

Aotearoa. In 1992 the Waitangi Tribunal ruled that according to the Treaty of Waitangi, almost all of the South Island Fisheries rightfully belonged to the Ngai Tahu tribe. The catch has an estimated value of 800 million US\$. The government immediately took initiatives for negotiations to get a deal with Maori. A group of Maori leaders agreed on an once-and-for-all offer that would settle the Maori fishing claims for good. The agreement grants the Maori tribe an amount of 80 million US\$ to buy 50% of the shares in Aotearoa's biggest fishing company, Sealords.

Unfortunately there are other parts in the agreement, which may have great impact in the future implementation of the Treaty of Waitangi. The Maori will have to "agree to stop all Court actions and claims to the Waitangi Tribunal concerning commercial fisheries, and to extinguish all Maori commercial fishing rights." It also moves the regulation of fishing from Maori to the Ministry of Agriculture and Fisheries. Many Maori groups strongly opposed the deal, and complained to the Waitangi Tribunal. In many ways, the tribunal confirmed the deal, but asked, among other things, the government only to impose a 25 year halt to Maori claims, instead of "extinguishing all Maori commercial fishing claims forever." When the enabling legislation was presented, none of the tribunal's recommendations were carried out, and the deal is seen by many as a grave violation of the treaty.

The deal also requires Maori to accept that the money paid through the deal and limits the government's capability to "meet other claims arising from the Treaty of Waitangi." This means that the government from now on can turn down other claims, on the excuse that it can not "afford" to meet with them.

In **Fiji**, parliamentary elections were held in May, the first election since the 1987 coup. Siteveni Rabuka became Prime Minister sup-

ported by the Fiji Labour Party, the General Voters Party and the Fijian Nationalists United Front. Rabuka's party, the Fijian Political Party, won thirty of the thirty-seven Fijian seats, the Fijian Nationalists United Front won three, and four went to independents.

The Labour Party, which the day before decided *not* to boycott the elections, won thirteen of the Indians twenty-seven seats, and the remaining fourteen went to the National Federation Party. The four seats for "other races" were all won by the General Voters Party, and the single Rotuman seat went to a supporter of Rabuka.

To get the support from the Fiji Labour Party, Rabuka had to make several agreements, one of them being a promise to begin immediate talks on reform of the constitution. The constitution, created by Rabuka after the coup in 1990, has been heavily criticised for being unfair and racist.

On the 20th of November, Rabuka announced a review of the constitution, and said it would take five years.

In December, Rabuka shocked the parliament by offering to step down from the leadership to ease the formation of a government with national unity.

After massive criticism from Fijian nationalists, he modified this by saying that his talk about "national unity" was to be interpreted as giving away the special position conferred on Fijians and the Rotuman Islanders, as the host community in Fiji, under the 1990 constitution.

In **French Polynesia**, the protests and actions against the testing of nuclear bombs on Mururoa and Fangataufa have been going on for more than 23 years. Nevertheless it was a great surprise when the newly appointed french PM, Pierre Berezgouy, announced a moratorium on nuclear testing for the rest of 1992. At the end of the year, the French President Mitterand said that France would refrain from nuclear testing, as long as the United States and Russia did likewise.

The total unpreparedness for these steps has highlighted other serious problems. The economy in French Polynesia is completely dependent on the economic influx from the military and its personnel. This means that the territory now imports more than 90% of its needs.

However, these bad economic predictions have not eased the struggle for independence. But now severe economic problems will make it even more difficult.

And still radioactive contamination is leaking from the underground of Mururoa and Fangataufa, into the waters of the Pacific.

Kiribati, Niue, Nauru, Tuvalu and the Cook Islands have formed a group called *Small Island States*. These small countries are inhabited by only 100,000 people, but cover a territory of more than seven million km². The group will handle problems such as fishing rights, shipping lanes passing through their economic zones and ecological problems. As one of its first projects, they formed a consortium for the joint management of development projects.

Niue is also loosening its ties with Aotearoa in other ways. They are taking over control of the Public Service Commission, which implies a de facto recognition of the decision-making power of the Niueans. The takeover is planned to take place over a three year period.

Nauru filed a lawsuit against Australia at the International Court of Justice in The Hague. They wanted compensation for the destruction of the island during the intense phosphate strip-mining under Australian trusteeship up till 1968. Sixty million US\$ was the estimated profit during this period. Restorations of the island will cost 55 million US\$. The court has temporarily ruled that Australia must face a multimillion dollar claim, and that it might have implications for the legal situation of Aotearoa and Britain.

Australia

No doubt that the main issue in Aboriginal affairs in 1992 was the rule by the Australian High Court in the so-called Mabo-case.

In 1992, Eddie Mabo, from the Meriam tribe on Murray island in the Torres Strait, brought to court a claim to test the "Terra Nullius doctrine," the assumption that Australia was uninhabited when it was occupied by English settlers. The court held that Australia was not, legally or in fact, a vacant, non occupied territory, but was occupied and possessed by indigenous communities, with traditions and customs of their own.

Formally the case was not about sovereignty or self-government, but about whether the Queensland Crown or the Murray Islanders owned the island. On this subject the High Court concludes, that although the British Crown acquired sovereignty over the country at the time of colonisation, indigenous title to land was not extinguished. Indigenous title, where it can be proved, can be recognised in Australia's common law.

What consequences the Mabo case will have on the future is unsure. The case only relates to the claims on the remote Murray island, and not the Australian mainland, and although the conclusions are quite broad, they refer to this specific case. Time will show: In the beginning of December, Aboriginals claimed 40% of the Northern Territory, a claim worth billions of dollars.

But one must not underestimate the "moral value" of the harsh statements from Judge J. Brennan: *"The first stages of the conflagration of oppression and conflict which was, over the following century, to spread across the continent to dispossess, degrade and devastate the Aboriginal peoples and leave a national legacy of unutterable shame."*

Brian Keon-Cohen wrote in *Aboriginal Law Bulletin*: *"[...] anybody engaged in Aboriginal and Islander affairs in this country should understand that the judges have not only radically changed the law: They have dramatically altered the relationships between indigenous communities and governments, and cast a heavy onus on governments to justify any denial of native title when it can properly be claimed."*

The follow-up on the 339 initiatives as indicated in the report from Royal Commission into Aboriginal Death in Custody, show that there still is a long way to go. The government pledged 400 million dollars over five years to carry out the recommendations. In 1992, another 33 Aboriginals died in custody.

In July, legislation was introduced, so that Aboriginal people were given the formal right to complain direct to the United Nations about discrimination and police mistreatment.

Sources:

Tok Blong SPPF, Pacific News Bulletin, Land Right News, UNWGIP statements, Aboriginal Law Bulletin.



1. Tibetans

CENTRAL ASIA

Tibet. Although there are still many small demonstrations in Lhasa and other parts of the country, it is now nearly four years since there last was a large uprising against the Chinese occupation of Tibet. The liberalisation which the Tibetans experienced in the 1980s and the loosening of control and consequent political exodus have now given way to tight political control. Under Den Xioping's slogan of 'socialism with Chinese characteristics' they have tried to maintain political control while at the same time gradually opening up Tibet to market forces.

In 1992 Tibet was opened up to foreign investment in earnest. The Lhasa region was called the 'economic and technological zone' and there was a policy attractive to Chinese and foreign investors. Recognition of the new liberal economic policy has been accompanied by direct and indirect invitations to the Chinese people to take part in the economic dream in Tibet. In this way the official Chinese news bureau, Xinhua, announced on the 12th of August that according to leaders of the Tibetan Autonomous Region "outside units and individuals will be permitted to come to Tibet to run developmental or export-oriented village and town enterprises on their own or in cooperation with Tibetan peasants and herdsmen, and will enjoy the same preferential policies enjoyed by Tibet's village and town enterprises". The Chinese journal, the *Beijing Review*, wrote in January 1991 that there 300,000 workers were needed for a large-scale agricultural development project, the 'Yarlung Tsangpo River Project', involved in which were scientists and technicians "from all over China".

The Tibetan government in exile issued a press release on 24th August that expressed serious concern that the real motives behind the Chinese opening up of the Tibetan economy were a "demographic aggression" and a "final solution" for Tibet. The government in exile wrote that more than 100,000 Chinese had already settled in Tibet in June and July.

Chinese immigration to Tibet is one of the most important problems for the Tibetan people. On the one hand, it undermines their right to self-determination and, on the other hand, it is a threat to Tibetan culture and identity. While the Tibetan provinces of



Tibetan nomades. Photo: Anders A. Andersen

Kham and Amdo are now incorporated into the Chinese provinces of Sichuan, Yunnan, Qinghai and Gansu and the Tibetans are already a minority, it is increasing economic integration with China that provides grounds for the fear that the Tibetans in the Tibet Autonomous Region (TAR) will soon also be in the minority. In most of the towns in TAR the Chinese are now a majority. While before the occupation Tibet was self-sufficient in foodstuffs and also provided for 600,000 monks and nuns, now TAR imports between 70,000 and 100,000 tons of wheat per year while at the same time there are a lot fewer monks and nuns.

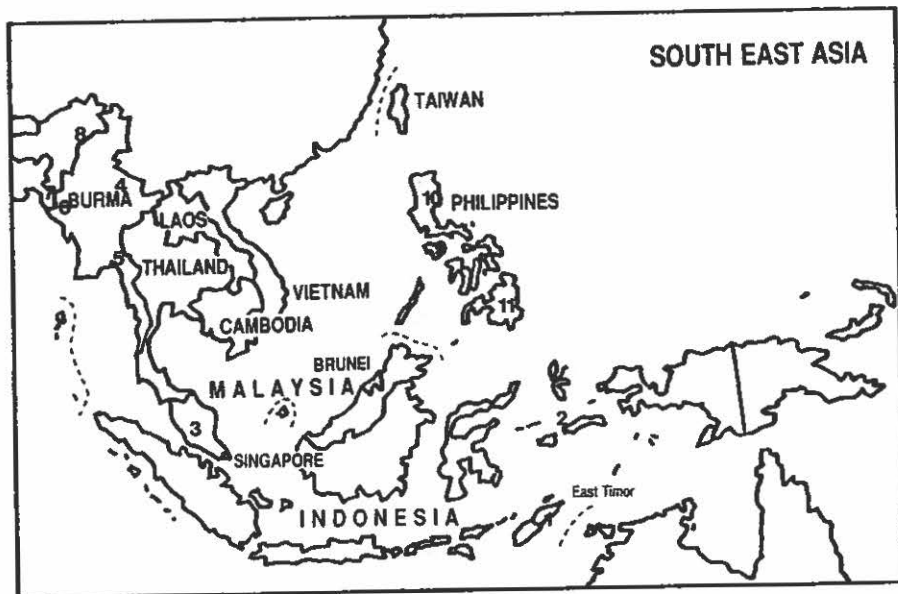
With Tibet's exiled political and religious leader, the Dalai Lama, at the head, members of the Tibetan government in exile took part in the UNCED conference in Rio in June in order to, among other things, present Tibet's national report on environment and development. The report describes China's policy in Tibet as a classic example of colonialism. It focuses especially on the ecological consequences of increasing Chinese immigration to Tibet and the ruthless exploitation of the rich natural resources that is taking place with no regard for the fragile environment of the mountainous regions and future conditions for Tibetans. That the Chinese authorities also force Tibetan farmers and nomads to use new methods of production that are not supportable makes Tibet a clear example

of the large extent to which human rights and environmental questions are interrelated.

In 1991 the UN Sub-Commission on the Prevention of Discrimination and Protection of Minorities passed a resolution in favour of Tibet. The resolution marked a breakthrough in international recognition of Tibet's problems and it was the first UN Resolution on Tibet since 1965. At the meeting of the UN Human Rights commission in spring of 1992 the Tibetan government in exile's UN office was successful in getting the EC countries to promise to propose a resolution on the 'Situation in Tibet' at that forum. Meanwhile, the American lobby, which was more interested in getting China to sign a non-proliferation of nuclear weapons agreement, meanwhile thwarted the plan by having the resolution changed to the 'Situation in China/Tibet' because they knew that the resolution would be harder to push through because of lack of support from African countries in particular to completely condemn China. Instead, a 'no action' proposal from Pakistan was passed. Even though the Tibet resolution not passed, the negotiators knew that more countries are ready to both discuss and support Tibet without naming China, which can be seen as recognition of Tibet's national identity and the will to press China to respect it.

There is no indication that the human rights situation in Tibet has improved in 1992. In February, Asia Watch and the Tibet Information Network published in February a report with details of 360 named political prisoners detained since 1987, of which 240 were still under arrest at the end of 1991. Over two thirds of the political prisoners are monks or nuns and the same fraction are under 25 years of age. Almost a third of them are women. Twelve of the prisoners are under 18. According to the report, people are often held for months or years without being sentenced which is a contravention of Chinese law. By far the majority of sentences handed out are for non-violent protests such as waving the Tibetan flag, distributing broadsheets and writing slogans on walls. Accounts from the 2,000-3,000 Tibetans who flee to India and Nepal every year, show that torture and ill-treatment are still widespread in Tibet and apparently used systematically in connection with interrogation and imprisonment.

Sources: Tibet Information Network, Tibetan Review; Asia Watch and Tibet Information Network: "Political Prisoners in Tibet" London 1992.



Indigenous population of Mainland Southeast Asia: 15 million
Indigenous population of Southeast Asia archipelago: 15 million

1. Timorese
2. Moluccans
3. Orang Asli
4. Shan
5. Karen/Mon
6. Arakene
7. Nagas
8. Jumma
9. Iraya-Mangyan
10. Aggay, Isneg, Ibaloi, Kankaney
11. Manobo, Maranao

SOUTHEAST ASIA

The issue of the controversial geothermal power plants at Mt. Apo continues to strike the headlines in the **Philippines**. Government plans are targeting rich potentials in the depths of the country's highest peak for exploitation. Mt. Apo is not only unique as a wildlife sanctuary and one of the last remaining contiguous stretches of primeval canopy forest in the country, but also at the heart of the territory and the spiritual world of the 80,000 strong Bagobo tribe. Declared a National Park in 1936, the area figures in the list of so-called ASEAN Heritage Sites. Local and Manila-based alliances of the indigenous groups, environmental and church organizations have been opposing the project for five years.

The opposers have been fighting an uphill battle since January 30th, 1992 when, former President, Aquino, segregated by decree the project area from the National Park to clothe the construction of the power plants with legality. Arguing that the Apo-plants are indispensable in the light of the country's grave energy crisis, the new Ramos administration has put the project on the fast track. By December 1993, the Philippine National Oil Company (PNOC), which is in charge of exploring and developing the potential below Mt. Apo, hopes to generate the first 20 MW. The power output is supposed to be raised to 120 MW by the end of 1994.

Construction activities have been stepped up despite stiff resistance on the part of the local Bagobo communities and their environmentalist and church allies. Mountain slopes were bulldozed and forest areas cleared for the building of additional access roads to a total of six well sites by the beginning of 1993. The presence of a labour force of almost 450 PNOC personnel is reported to have spawned prostitution in the area and a growing dissatisfaction even among formerly pro-PNOC tribes people who have been promised everything from employment to a socio-economic programme and generous compensation for land and property lost to the company. None of these seem to have materialized as of now. Instead, local inhabitants complain about skin irritations contracted while bathing in the two major rivers of the area. PNOC is reported to discharge contaminated wastewaters from the drilling into Marbel River and Matingao Creek.



Philippines: Demonstration defending Monte Apo. Photo: Danilo Geiger

Military force and assaults on the lives of Lumad leaders are resorted to, to get the project through, in striking analogy to the events of the second half of the nineteen seventies when the Philippine army was called in to quell indigenous resistance against construction of the Chico Dams in the Cordillera of Northern Luzon. A high-ranking military officer was quoted as saying before a Senate panel: "if blood needs to be shed, let it be ours. We will protect PNOC and its project at all costs" The army has eight battalions on and around Mt. Apo and is planning to deploy another five. Moreover, PNOC has recruited a private army of 88 fighters called the "Special Civilian Auxiliary Army" (SCAA) to tighten security in the project area. Meanwhile, a plan by the military to kill Datu Tulalang Mawai, a revered Bagobo elder who is particularly vocal against the PNOC, was revealed. When information about the plot leaked to the public, PNOC took to bribing Mawi to try to make him reverse his stand. A month before, on August 17, two spokespersons of the more than 126 Manobo families, so far displaced by the construction, were gunned down by a militiaman at Brgy, Llomavis and Kidapaawan, near the project site. Heavy armed encounters occurred between government troops and rebels of the New People's army (NPA) on the slopes of Mt. Apo. The fighting sent some 30,000

Lumad to flight. The NPA had declared PNOC targets for attack and assaulted a drilling site on November 22, resulting in three casualties among PNOC personnel.

The Lumad's courageous defense of their territory and national heritage, seems to bear fruit on an international level. Prospective funders are apparently wary of financing a project that has to be forced upon the local population at the cost of human lives and enduring strife. Such is the case with the Export-Import Bank of Japan, while their U.S. counterpart prefers to "neither deny nor confirm" involvement.

In East Timor, Indonesia, despite calls for an international, impartial investigation of the Santa Cruz massacre November 1991, none took place. Ten soldiers involved in the massacre were brought to trial in May and June 1992 before a Courts-martial. None of those sentenced were on the scene when the massacre started; which means that those responsible have still not been brought to justice. The highest sentence handed down, to one officer who admitted firing into the crowd, was 18 months in prison. Two months earlier, in March, trials took place in Dili and Jakarta, this time against East Timorese accused of the planning to or participation in the November 12 Demonstrations in Santa Cruz 1991- the demonstrations into which Indonesian troops opened fire on unarmed demonstrators, killing at least 75. One man, Gregario da Cunha Saldanha, who allegedly had planned the demonstrations, was sentenced to life in prison. (Asia Watch)

The capture of the guerilla leader of Fretilin, Xanana Gusmao, in November, shocked East Timorese at home and supporters worldwide. On 20 November 1992, Xanana Gusmao was captured in Dili. Members of his family, who were caught with him, are being held hostage, and allegedly subjected to inhuman and degrading treatment. While in detention Xanana was presented on television as the now defeated Timorese leader, urging his comrades to surrender. He was evidently speaking under duress, sources quoted by Tapol tell. Xanana's arrest was followed by mass arrests of several dozen people.

Xanana Gusmao was caught during a campaign of intensified army control in anticipation of unrest in connection with the first anniversary of the 12 of November Santa Cruz Massacre. Documented cases of torture immediately prior to Xanana's capture include the case of one detainee who had all his fingernails and

toenails pulled out, his ears slashed and both his arms broken, and it is speculated by observers that the arrest of Xanana Gusmao was not incidental; that it could only occur after necessary information on the whereabouts of the Fretilin leader had been beaten or tortured out of available Timorese prisoners.

International pressure forced the Indonesian authorities to allow an IC Red Cross delegate to visit Xanana in prison. Since the visit, however, Xanana continues to be held incommunicado. The same apparently applies to all those rounded up in the wake of his arrest.

In the forthcoming trial, Xanana will be denied the right to a defence of his own free choice. Early in December, the Jakarta-based Legal Aid Institute (LBH) announced that they were ready to defend Xanana, on request from a member of his family. The LBH were however refused access to him, and there is reason to fear that Xanana may have been under duress to reject the Legal Aid Institute's offer to defend him. Instead, an Indonesian appointed lawyer will be acting as Xanana's defence, at the trial which will take place in Dili.

In Burma, with the ruling State Law and Order Restoration Council (SLORC) still in power, gross violations of human rights have occurred throughout 1992. Although the regime took some positive human rights steps, most notably the abolition of summary martial law tribunals, and took some steps towards the drafting of a constitution, the fundamental human rights situation has remained unchanged. Nobel Peace Prize winner Aung San Suu Kyi continued to be under house arrest, and an unknown number of political dissidents remained in prison. In the ethnic minority areas, military abuses continued. Where the Burmese military regime is encountering armed resistance from opposition and indigenous insurgency, defenseless civilians have been arbitrarily arrested, routinely tortured and killed.

In 1992, the pattern of gross violations was extended to include vulnerable minorities where little or no insurgence has been reported. In Northern Arakan, bordering Bangladesh, the armed insurgency is small and in no way comparable to that of the armed insurgency on the Thai-Burmese border. During the 1990s, the Rohingya Muslim minority have become the latest targets of military persecution and abuses. By June, almost 300,000 Rohingya refugees had fled into Bangladesh from Arakan state. They brought with them horrifying accounts of rape, forced labour and religious

persecution, in what can only be described as a genocidal wave of atrocities aimed at ridding the country of its so-called non-national populations. The Burmese regime claimed that the Bengali speaking Muslim refugees belong to Bangladesh.

Throughout the ethnic minority regions, systematic patterns of gross abuses and atrocities are endemic in the following contexts:

In a pattern of indiscriminate brutality against the civilian population during the army's counter-insurgency operations. This includes the routine practice of retaliatory attacks or torture (including rape) on civilians after army encounters with the indigenous insurgents;

In waves of atrocities aimed at ethnic cleansing and the expulsion of ethnic minorities such as the Rohingyas belonging to the weakest sections of the Burmese society;

In the widespread practice of forcible relocation of civilian villagers to military controlled "strategic hamlets"; and,

In the widespread practice of detaining civilians to work as army porters or as forced labourers.

In this report, six areas of concern are raised:

1. Substantial evidence by human rights organizations documents that beatings and mistreatment of political prisoners have routinely taken place since the SLORC takeover of power in 1988. This pattern continued to take place in Burmese prisons and detention centres. New information was received describing the conditions of indigenous political prisoners.
2. The Government continued its "four cuts" campaign against indigenous minority areas, although a halt to the military offensives against the Karen insurgency was declared. The Burmese military, according to credible reports from interviews with indigenous refugees, frequently engaged in forcible relocation of the civilian rural population as part of its counterinsurgency campaigns. Over 14,000 predominately Christian Karenni villagers were forced to relocate in the Karenni state in March 1992. Thousands reached the Thai border where they either stayed on Burmese soil in ethnic opposition-controlled territories, or took refuge in camps on the Thai side of the border. Relocation camps are fenced settlements of totalitarian military control; conditions are such that human rights violations are particularly likely to flourish as the villagers in their destitution are made easy, vulnerable scapegoats in retaliatory abuses by the army. Of special concern are the persistent reports of summary executions of civilians not complying with

relocation orders in connection with the strategic hamlet programme; and the reports of forcible conscription of civilians to carry out military duties, such as being used as human mine-sweepers.

3. Credible reports from indigenous refugees and human rights organizations monitoring the situation in Burma (there are no such groups allowed inside Burma, information comes mainly from refugee-testimonies), continued to indicate the extensive use of forced labour throughout Burma, especially in the ethnic minority areas. Civilian villagers are forcibly drafted to serve as army porters during military campaigns - considered a serious form of illegal detention - and have to work under the harshest conditions. Porters are conscripted for an unknown periods, often for months, and in some cases rounded up often without warning, and taken to hidden jungle areas where they are subjected to army brutality, beatings and frequently tortured. Forcible labour is used everywhere to intimidate the civilian village population on ethnic, political or racial grounds, or intimidations are founded in a basic disrespect and contempt for civilian rural life in general. A high rate of porters never return alive. If they do not die from torture, porters are killed through a combination of physical strain, starvation, brutal treatment and lack of care for those who fall, dying from sickness or exhaustion.
4. In late 1991 / early 1992, the Burmese army persecutions and gross abuses of ethnic Rohingya Muslims triggered the exodus of more than a quarter of a million Rohingya refugees from Burma to Bangladesh. In 1992, a repatriation agreement was reached between the two governments. The prospects of Rohingyas being repatriated give reason for special concern. One very alarming detail of the plan is the reported creation of "reception centres" inside Burma, under military control, where those returned are to be held for an unspecified period of time. From Bangladesh there have been very little safeguards to monitor that those who return, do so voluntarily.
5. In 1992, there were serious reports that forced labour is being used under inhumane conditions in foreign aid sponsored projects, including the use of such labour at the SLORC Border Areas Development Programme. The Karen National Union, at a meeting in Copenhagen, expressed their concern that this programme is presently being supported by at least seven UN Agencies, led by



Karen refugee camp in Thailand. Photo: Jørgen Abelsen.

the United Nations Development Programme.

6. The year 1992 witnessed some efforts by the SLORC regime to improve their human rights profile. The most notable of these concessions included the release of a proportion of the political prisoners of the regime, and the lifting of the state of martial law on 26 September 1992. The last section of this report discusses whether these formal changes provide reasons to expect any valid guaranties for the restoration of human rights in Burma.

In ethnic minority areas, potential opponents of the Burman dominated military dictatorship are mainly held arbitrarily in cluster villages. In such camps, entire villages are placed under military control and surveillance to punish or prevent their suspected moral support or other support to the ethnic insurgents. Others are held in prison, such as a number of Palaung who are among the 500 or so political prisoners and the 7,000 ordinary prisoners in Mandalay prison. Information has been received on prison conditions from Palaung convicts who have escaped from Burma while serving as frontline porters at the Naw Hta front of the SLORC dry season offensive against Marnerplaw. After escaping to the KNU controlled territories at Marnerplaw, the Palaung could relate their experiences of inhumane and degrading treatment to a Canadian human rights activist working with refugees displaced inside Burma (docu-

mented in a series of reports, containing testimonies of refugees who had sought sanctuary in the DAB, Democratic Alliance of Burma, controlled territories near the Thai border, referred to here as "Interviews with refugees inside Burma").

In Mandalay, when political prisoners are first brought in, they're put alone into a "dark cell". These cells are about 4 feet by 4 feet with windows and no light. Prisoners have to urinate and defecate on the floor and the cells are never cleaned, except maybe between prisoners. Under interrogation prisoners are badly beaten, and most suffer from broken ribs or teeth.

When the interrogation period finally finishes, most prisoners are taken out of the special cells to go before the judge. By this time most of them can't walk and they're very weak. Most of them suffer from loss of memory. The judges dress as civilians, but they're under the control of the military. "You have no lawyer", said a Palaung former prisoner.

In the Karen state, deteriorating human rights have long been reported in the context of a military imposed system of tightened army control over the indigenous population in the mountainous districts along Burma's borders. The strategic hamlet programme aims at destroying every indigenous village in areas of insurgency, and set up compounds of larger fenced settlements around military camps within the distance of surveillance. A strict curfew is observed. Civilians are living their lives at gunpoint and can be detained without a trial or sentence. Karen refugees and the Karen National Union (KNU), frequently describe conditions of life in these strategic hamlets as nothing but concentration camps. The new settlements serve as a continuous supply of forced labour for the military, where villagers work shifts for months under forced, slavlike conditions, without pay and with little or no respect paid to their human dignity or basic human rights. Inside the cluster villages, people are starving.

Similarly, in the Karenni State, entire areas have been forcibly relocated to military controlled cluster villages, according to refugees interviewed in Burma. As with such relocation camps all over Burma in ethnic minority areas, these are guarded, no one is allowed out without a special pass.

In mid-March 1992, the SLORC relocation campaigns had reached the Pruso, Deemawso and Loikaw townships. This led more than 1,000 Karennis to flee the area to Thailand or to territories held by

DAB. In Pruso and Deemawso the military passed relocation orders to 76 villages and 20,000 people were forced to leave their villages by March 21. An estimated 7,000 people were interned in the relocation camp outside Deemawso, and a similar number in the Pruso camp.

Many cases have been reported where humans are being used as mine-sweepers to clear roads, walking in front of Burmese soldiers. Karen National Union soldiers interviewed at Marneplaw related how they had witnessed Karen villagers being forced by SLORC troops to act as human mine-sweepers in Bilin Township. This information confirms the pattern of violations against civilians published by Amnesty International and Asia Watch in the preceding years. KNU interviewees report that every time a military convoy is to pass along a road (at least once a week in the dry season), all the women and children within several miles are brought to the road. The women will be ordered to take stems of palm leaves, and with these are forced at gunpoint to sweep the road. When the convoy passing along the road comes to a stretch where the military are particularly suspicious of mines, the troops round up the children from the surrounding villages and make them all ride along with them on the trucks.

Since a wave of state sanctioned persecutions started in 1989, Burmese military abuses against the Rohingya Muslim minority in northern Arakan have been pushing hundreds of thousands of Rohingya men women and children across the border to Bangladesh.

As an ethnic group, distinct from both the Bangladeshi Bengali Muslims and the Arakan Rakhine Buddhists, the Rohingyas can trace a history of belonging to an Arakanese Muslim minority since the 12th century. The Rohingyas have suffered from being denied full citizenship since 1947. Laws passed in 1982 gave full citizenship only to Burmese who could trace families of both parents living in Burma several generations back. Those considered "non-nationals" were barred from serving in state or party positions, from serving in the army or police or receiving higher education. Such people also have no recourse to compensation of land, property or business by Burmese authorities. With the 1991-92 expulsion of the Rohingyas (the second of its kind, the first occurring in 1978), there were numerous instances where Rohingyas would present identification to army patrols, proving their right to Burmese citizenship, only to

watch the military officers destroy it.

Rohingya agricultural lands have been distributed to non-Muslims (mainly from Rangoon) in housing projects build with forced Muslim labour. Newcomer majority tenants have received not only land, but also military training. The training of settlers in the use of arms contributed to the level of abuses against Muslims, where non-Muslim civilian settlers frequently joined soldiers in beatings of Muslims and looting of their property, a Rohingya refugee reported (source: Asia Wach). Mosques throughout the area were destroyed with forced Muslim labour, and Buddhist temples erected in their place.

In late 1991 and early 1992, thousands of refugees were arriving at camps in Bangladesh each day. Here a quarter of a million Rohingyas have been suffering from rapidly deteriorating conditions in the camps at Cox Bazar, southern Bangladesh. On 28 April 1992, Bangladesh and Burma signed an agreement for the "safe and voluntary" repatriation of Rohingya refugees (for further details of the repatriation process, see the Bangladesh section).

According to the agreement, Burma would open five reception centres, scheduled to repatriate 5,000 refugees each day. It was discussed that the UNHCR would be involved in the process, but Burma agreed to the services of the UNHCR only "as needed at an appropriate time". The rapid repatriation plan was openly criticized by the UNHCR, who stated its concern that there were "no mechanisms to ensure that repatriation would be voluntary or to monitor refugees' safety upon their return". The agreement was further criticized by Asia Watch, which raised the concern that there was "no indication of how long or under what conditions refugees would be held in the reception centres". This is an important concern, considering the grave reports of the concentration-camp like conditions within military controlled cluster villages inside Burma.

There were some positive developments in Burma in 1992, which seemed to indicate at least some changes in the policy of the ruling State Law and Order Restoration Council (SLORC).

For the first time, in April, the regime admitted the existence of political prisoners, and hundreds who were considered to pose "no threat to state security" were released. The majority, however appear to be still imprisoned. The military regime further offered a

suspension of its offensive against the Karen. However, the offer came at a time, observers noted, when the dry season offensive would have come to an end anyway.

In June-July, representatives of SLORC hosted a consultation with 28 members of parliament nominated by the remaining seven legal political parties. The consultation was seen as a coordinating meeting for the calling of the national convention. The agenda was determined by the SLORC leading committee, and the regime later stated that it was determined to acknowledge only a constitution which ensured the military's future leading role in the development of the country.

In September, as a final concession, SLORC abolished summary martial law tribunals and lifted a nationwide curfew. Political prisoners will now face a civilian court system. Martial law was lifted on September 26, and the military tribunals were dissolved. Since their establishment in 1989, military tribunals had summarily tried and sentenced hundreds of Burmese who had participated in non-violent political activities. There were no efforts, however, to provide redress or compensation to the thousands of persons or their families who have been victims of extrajudicial killing, torture or unlawful detention.

With martial law lifted, the curfew was abolished. Civilians can however still be arbitrarily arrested and legally held for up to 5 years without charge or trial, DAB notes.

On 28 April 1992, the SLORC announced that it was suspending its major offensive in Karen State. The halt would include operations near the Thai border against Marnerplaw, the stronghold of the Karen National Union and the opposition Democratic Alliance of Burma (DAB), which since late 1990 has also been hosting the provisional National Coalition Government of the Union of Burma (NCGUB). However, the announcement occurred at the onset of the rainy season when military operations normally come to a halt anyway. Nothing appears to have changed in the context of military abuses against the civilian indigenous population.

On 5 October, the foreign minister of the ruling military regime informed the UN General Assembly that all military offensives against all ethnic peoples had been suspended. The very next day, DAB reports, the KNU base of Saw Hta was however attacked and taken, after which fierce fighting continued in the area as well as in the Karenni State to the north.

In July 1992, a military controlled leading committee hosted the national "pre-convention" to recommend delegates to the planned National Convention for the writing of the basic principles for a new constitution. The agenda was set by the SLORC, and the 28 civilian participants to attend the pre-convention were apparently hand-picked by the regime. Human rights issues were not discussed in the SLORC controlled environment, and no guarantees were given (an issue raised by a Shan delegate) of freedom of discussion or freedom from prosecutions, legal actions and interrogations in connection with the discussions and reports at the coming national convention. There was nothing in the pre-convention which indicated that SLORC had any intentions of a qualitative transition to civilian rule. Indeed, SLORC made its position clear when, on 3 October, it announced that any constitution would ensure "participation of the armed forces in the leading role of national politics".

In Laos, more than 30 per cent of the population belongs to tribal ethnic minorities, linguistically composed of Thai, Mon-Khmer and Mio-Yao speaking peoples. They have faced much of the same problems as the hill peoples of Vietnam, described below. Their lives were disrupted by the Vietnam War, as their communities lay on the supply routes between North Vietnam and Laos. The Meo of northern Laos was swept into the war in a number of ways: as opium producers, or recruited as soldiers on both sides, and their homelands were subjected to bombings. At the present, the government is reportedly engaged in an unprecedented resettlement programme to bring the upland communities under more firm state control and to gain access to community forests for commercial logging. Within the next eight years, the programme aims to remove some 900,000 people from the upland forests of the country and resettle them as sedentarized agriculturalists. The Lao PDR government's intention is to allocate some 5 million hectares of upland forests for timber production, while the remaining 2.5 million hectares will be set aside for nature conservation. The project is being developed with assistance of the World Bank and the International Union for the Conservation of Nature.

In Vietnam, there are 53 ethnic minority groups, totalling about 8 million people or 13 per cent of the country's population of 69 million. Apart from ethnic Chinese and Khmer, most of the ethnic minorities are tribal people living in the northern mountain and

central highland regions. The highlands have a long history of resistance to outside political pressure.

During the French-Indochinese war and after the Vietnam war, the indigenous hill peoples were caught up in the nationalist struggles. Following the proclamation of the Democratic Republic of Vietnam (North), an autonomous zone for the tribal peoples of northern Vietnam was established. Meanwhile, in the Republic of Vietnam (South), a process of Vietnamization was initiated after 1954 aiming at the assimilation of the montagnards (hill peoples) into Vietnamese culture. The programme involved the resettlement of lowland majority Vietnamese in the tribal region, and was met with indigenous resistance. A major uprising occurred in the region in 1958, with a number of indigenous leaders speaking for tribal coalitions in the highlands. Eventually the South Vietnamese government was forced to back away somewhat from its policy of Vietnamization. With the Vietnam War, tens of thousands of indigenous peoples were uprooted and resettled in the US strategic hamlet programme, often in areas where it was impossible for them to earn a living. The central highlands became an area of intense fighting and thousands of tribal people were killed or died from disastrous consequences of the war. Crops were destroyed and tribal lands were denuded by defoliation, leaving large tracts of land barren and uncultivable even after the fighting had ended.

After the war, Hanoi's policy towards the indigenous hill peoples aimed at encouraging the communities of mainly shifting cultivators to resettle. This policy might in part have been necessitated by the massive ecological destructions caused by the defoliation during the war but in fact it appears to have been implemented with a view of furthering a more firm state-control and assimilation of the hill peoples, who were encouraged to settle in fixed villages and give up their traditional farming systems. Other assimilative measures today include the setting up of boarding schools for minority children, and the insistence of Vietnamese as the single language in the educational system. The government have promised some reforms, however, concerning the use of minority languages as a second language in the higher grades.

Since 1968, 1.9 million of the country's 2.8 million shifting cultivators have been resettled in the government programme. Production in resettled villages has proved meagre. Most villages will have rice shortages of three to nine months every year, and most of the villagers have taken up shifting agriculture at the relocation sites.

With the resettlement programme, the government has encouraged the indigenous cultivators to give up their traditionally occupied fallow lands, their agricultural system and forest resources, a policy aimed at assimilating the tribal farmers into the rice growing culture of the lowlands. Indigenous claims to traditionally occupied fallow lands appears to be conceived of (from Hanoi) as being de facto extinguished, in spite of the fact that 70 per cent of resettled villages nevertheless still practice shifting agriculture and has to continue doing so in order to keep up with subsistence needs, and in spite of indigenous vested rights to ancestral lands). Coupled with the resettlement scheme, the government has undertaken a programme of populating the hills with farmers from the plains.

The hill districts are considered of key strategic importance for Hanoi; the areas comprise about 75 per cent of Vietnam's land area and contain most of the country's forest and mineral resources. Since 1975, the government has been encouraging lowland farmers to set up new economic zones in the highlands in an attempt to reduce population pressures in the deltas. Several million ethnic Vietnamese migrated from the overcrowded deltas to the highlands in the late 1970s and early 1980s, and the indigenous communities who themselves are experiencing a period of increased demographic growth after the wars, are already having to struggle with the problems of severe land shortage.

Coupled with logging, transmigration has, as elsewhere in Southeast Asia, led to a rapid destruction of the highland forests. In order to halt the deforestation of the country, in 1992 the Vietnamese government introduced a ban on the export of raw logs and roughly milled timber. However, it is still unclear to what extent the ban can be enforced; Hanoi officials quoted in FEER are concerned that local officials and logging companies will find ways of circumventing the ban.

The increasing land pressure in the hills and the subsequent shorter fallow periods within the remaining lands under shifting cultivation has led to a rapid deterioration of the regeneration capacities of the fallows after intensified cultivation pressure. Adding to problems of depleted means of subsistence is a deteriorating health situation. Health problems are endemic among minority hill peoples, who further find themselves disadvantaged in the national health system. A nationwide immunization campaign among the hill peoples is lagging far behind the national coverage and only reaches just over half of the child population under five, according

to health surveys quoted in FEER. Whereas the health situation in the ethnic mountain areas improved as the incidence of malaria was reduced in the 1960s and 1970s, now malaria is reappearing at an alarming rate, thought to be due to its resistance to known drugs, and also by the disappearance of the country's cheap supply of pesticides, formerly delivered by the Soviet Union.

Deforestation in Vietnam has created 9.7 million hectares of barren hills in the northern mountain region. Since the late 1980s, tens of thousands of Hmong and Dao farmers have been forced by land shortage and ecological destruction to migrate south to the central highlands where they cannot help becoming embroiled in land disputes with the local population.

More significantly, land disputes have periodically erupted between indigenous communities and Vietnamese transmigrants. These tensions appear to have increased since the government moved to divide collectively held land titles and dismantle farming cooperatives. Five years ago, Hanoi launched a scheme based on distributing one third of the country's 19 million hectares of forest land to individual families (who, as individuals were considered to show greater ecological responsibility towards the forest lands when held as privately property) in 35-50 hectare lots. Details are still lacking however, of this programme and whether it has further encouraged transmigration, what the status of transmigrant land-occupations are, and to what extent the scheme has served to extinguish traditional collective land rights of the indigenous peoples.

In 1991, Vietnamese press (quoted in FEER) reported that demands for indigenous land rights were being raised by many minorities in Lai Chau province in the northwest. The indigenous peoples engaged in the protests demanded the return of their former ancestral lands. In an effort to solve the disputes, several thousand ethnic Vietnamese were forced to leave the province and return to their former homes in the lowland delta.

In Chittagong Hill Tracts, **Bangladesh**, the first seven months of 1992 were some of the most violent in recent years. The year witnessed the resumption of large-scale massacres of indigenous Jumma hill people by security forces and Bengali settlers.

In the worst of these massacres, several hundred Jumma villagers were reportedly killed by security forces and Bengali settlers in the military controlled cluster village Logong, on 10 April 1992, in reprisal to the death of a Bengali settler youth.

Hundreds of Jumma houses were torched, and the area was "turned into a cremation ground." The paramilitary Bangladesh Rifles from nearby camps reportedly opened fire into the crowd of Jummas trying to escape the fire, while settlers attacked with axes, spades and other weapons. Surviving witnesses told stories of babies being thrown into the fire, and cut into pieces. Other reports spoke of villagers being forced into their homes, the doors locked and their houses being burnt to the ground. Four days after the massacre, two Hill organisations reported hundreds of corpses covered in black cloth being carried away in trucks by the security forces.

Largescale reprisal killings by security forces and armed Bengali settlers, have been part of the brutal and violent repression of the Jumma struggle for autonomy in the Hills for more than a decade.

The Chittagong Hill Tracts have been the seat of armed conflict since the 1970's, when the Shanti Bahini (peace force) was formed by the Hill peoples political organisation Jana Samhati Samiti, JSS, to carry out an armed struggle for autonomy of the Hill Tracts.

The present days cycle of violence starts back in 1971, in the aftermath of the civil war when Bangladesh became independent from Pakistan. Towards the end of the war, the Hill peoples were treated as collaborators by the new Bangladesh Army, and the first massive reprisal actions in the Hills began in 1972, against alleged Pakistani supporters among the tribals. The atrocities committed by the Bangladesh army in the Hill Tracts led to the new political awakening of the tribespeople, and the formation of the JSS. After initial attempts to negotiate with the government for a legal and political solution to the CHT problem had failed, an armed resistance, the Shanti Bahini (peace force) was formed under the JSS.

Massive resettlement of Bengalis into the Hill Tracts have been part of the Bangladeshi attempts to curb the Hill peoples resistance, and make tribal village lands accessible for colonisation. Since the late 1970's the Bangladesh government has been sending more than 400,000 lowland Bengali settlers from the Plains into the Hills. Even in the Hill Tracts, land was scarce, and new-comer Bengali settlers found themselves unable to make a living on the lands they were promised, and encroached onto tribal wet-rice lands, harrasing the Hill people who owned the land and forcing them out of their villages. Since 1989, a program of forcible relocation of tribal villages into cluster villages, has served similar ends. Thus upon their arrival, settlers have received both arms and military training, and

have been encouraged to set up paramilitary defence guards, Ansars, and civil defense forces, the Village Defence Party (VDP). Together these paramilitary groups are known to take part in the counter-insurgency operations of the regular Bangladesh police and armed forces.

The massacre at Logong clustervillage on April 1992, indicates the resumption of largescale massacres in the Hill Tracts, even while democracy and justice have been restored in the rest of Bangladesh. The Logong massacre is but the latest incidence in a long process of genocidal crimes in the Hill Tracts.

With the transmigration program and the militarisation of the Hill Tracts, there have been massive human rights violations experienced by the Hill people in the CHT. Hill people have been killed, villages have been destroyed, lands have been stolen and women have been raped. Hill people's Buddhist, Animist or Hindu temples have been desecrated, destroyed and burnt. Such crimes have been committed during counter-insurgency attacks and in a numerous instances reprisal killings have been committed by security forces and settlers against civilian Jumma villagers. Forcible relocation of Jumma villagers to cluster villages, have given rise to further atrocities.

Logong in Panchari Upazilla, Khagrachari District, is a cluster village set up in 1989 as part of the military's counter-insurgency programme. Each cluster village is monitored by security forces, who come from a military camp nearby. In Logong, 803 families from several Jumma hamlets were resettled, with a total population of 3212 people.

The news that a massacre had occurred at Logong, first reached the world outside of the Hill Tracts on 11 April. Dhaka Newspapers reported that 12 persons, including 11 tribals had been killed, allegedly by the Shanti Bahini.

The Chittagong Hill Tracts are generally sealed off from access to all outsiders, particularly journalists, so most of the atrocities committed against the tribals remain shrouded in secrecy. That day, however, a visiting group of 23 people consisting of politicians, university professors, writers, lawyers, journalists, student leaders and human rights activists were invited to join the traditional Jumma Bai-sa-bi celebration at Khagrachari in the Hills. Although prevented by the military from going to Logong village itself, the group heard from survivors the story of a mass-slaughter of tribals the previous day at Logong cluster village. ... The witnesses inter-

viewed by the visiting group, told three different stories of the possible cause of the killings: (i) A Bengali youth was killed, allegedly by the Shanti Bahini. He was hacked to death while tending cows, and two others were wounded. (ii) Three young Hill girls were assaulted by three Bengali youths; as the youths attempted to rape them, the women to defend themselves, injured one of the boys who later died of his wounds. (iii) The third version was that the three Bengali youths were playing marbles in the hills, fought among themselves and one was killed by the other two. According to the last two versions of the story, the two other boys spread the rumour that their companion had been killed by the Shanti Bahini. His dead body was brought to the Logong Bengali village, where the youth was presented as the victim of Shanti Bahini killings.

Whatever the actual history behind the killing of the Bengali youth, the fact of his death was evidently used by the Village Defense Party and the Ansars to stir up the settlers to attack the tribal Logong cluster village: "See how this boy was chopped and killed. Don't you feel anything? You should also do the same to the Jumma people. Otherwise they will chop you like this boy", the VDP were agitating.

According to JSS (20 April 1992), the Ansars, VDP and Bengali settlers while shouting agitating slogans encircled the entire cluster village and resorted to arson and killing while the Bangladesh Rifles personnel gave cover fire. Villagers were ordered to remain in their houses at gun point by the VDP personnel, while the settlers set fire to the houses, burning the Jumma inhabitants alive.

A local Bangladeshi doctor later visited the spot to help the injured and counted three hundred dead bodies. Then he could not bear the sight any longer, he told the visiting group. The visiting group also met one survivor who had seen 150 bodies being carried away by military personnel and Bengali settlers. One survivor returned to the site of the massacre, the day after the killing, to claim his wife's body. The military refused to give him her remains for cremation, but allowed him to see thirty-nine bodies lying around the site of his burnt house. Many of the dead were buried in a mass grave over which bushes were hurriedly planted to conceal the evidence. (JPNE 22 April) Other reports spoke of wounded people being buried alive with the dead. (Hill Watch HRF July 1992)

On 23 April at midnight, 12 trucks were seen at Chengri Square by many witnesses (shopkeepers interviewed by visiting group) at

Khagrachari Town. After they left, a water truck was brought in to wash away the blood from the place. A local human rights group (quoted by AI) reported that on the trucks among the dead were injured people crying for help. The drivers reportedly did not divulge where the bodies were taken. They said, however, that the dead and injured were buried together.

From the testimonies quoted above, the visiting group reached the clear conclusion that a massacre had occurred: "The Ansar and VDP in collaboration with Bengali settlers had attacked the Chakma and Tripura cluster village in reprisal to the death of a Bengali youth. More than 400 houses were burnt to ashes, and more than 200 children, women and elders were killed."

Some reports claim the casualties to be even higher - more than 1200 people had been murdered in Logong, reported the Hill Students Association and the Hill Peoples Association four days after the massacre.

The Logong massacre was the worst, but not the only incidence of army and paramilitary atrocities or communal violence in the Hill Tracts during 1992.

At Malya, Langadu, two bombs exploded on a motor launch on 2 February. Jumma survivors who managed to reach the shore were attacked by armed Bengali settlers, and about 30 people were reportedly killed.

On 30 March, at Baukhali, Rangamati, four Jummas were reportedly shot dead while fishing, as the army indiscriminately opened fire against them.

At Dighinala, on 13 October, three hundred Jumma students gathered for a general meeting by the Hill peoples organisation Pahari Chatra Parishad. Bangladesh armed forces and Bengali settlers reportedly stirred up the settler community causing them to attack the students in clashes of communal violence. The unarmed students and villagers were driven by the attacking crowd of settlers towards a bridge. Here, reportedly on army signals, they were attacked by Bengali rioters with knives and spears. One Jumma was beaten to death, and 41 other Jumma men, women and students were seriously injured, JSS reports.

The year 1992, witnessed the resumption of political dialogue between the Bangladesh Government and the Jana Samhati Samiti, JSS, the political organisation of the Jumma people. A nine members political commission had been formed by the Bangladesh govern-

ment, led by the Minister of Communication, to negotiate with the Jummas.

In August, the JSS and the Shanti Bahini proclaimed a unilateral cease-fire, which led to the scheduling of peace-talks between the Jana Samhati Samiti and the Government.

On 5 November and 26 December, two rounds of talks were held. These were introductory in nature, discussing the maintainance of the ceasefire on both sides, and prepared for the next dialogue in the rounds, to be held in spring 1993.

On 4 December 1992, the JSS submitted a Modified Charter of Demands to the Bangladesh Government. So far, there have been no official reaction to the Charter, which will be on the agenda at the forthcoming round of peace-talks.

The JSS initiative of negotiations propose a compromise concerning the form of autonomy for the Hill Tracts. So far, the prior JSS demands have been denied by the Bangladesh Government as being contrary to the Unitary system of Bangladesh. With the new proposal, JSS no longer insists on Provincial Autonomy with a seperate legislature for the CHT. Instead of a seperate legislature, the JSS now call on the government to make guarantees within the constitution for a system of autonomy for the CHT.

This means establishing the provisions necessary for the CHT to get a constitutionally protected status as an autonomous region. Also the establishment of a constitutionally recognised elected body in the CHT, such as a regional council - as different from the present District Councils which are without constitutional protection.

The proposed regional council should have the powers of controlling and regulating the general administration of the CHT, including jurisdiction over land, agriculture, forestry, education, etc. Concerning land rights under the modified demands, the regional council should have legislative powers over land; the legal powers to make acts, rules and sub-rules. Control over land rights all over the CHT territorial area should be handed over to the council.

Regarding the system of justice and the enforcement of law, the regional autonomy must also include a special judicial system for the CHT. The regional council should have a seperate police force under its control. These, as any officials and employees in the CHT, must be appointed from the Jumma people.

Any solution to the CHT problem must find a way to demilitarise

the Hill Tracts. With the JSS Modified Charter, the Jummas continue to demand that security forces be withdrawn from the CHT, except for some presence of the Bangladesh Rifles for maintaining border security only.

Regarding the influx of Bengali settlers, JSS uphold their demand that Bengali Muslims who have been settled into the CHT since 1947 should be withdrawn to other districts of Bangladesh. The parliamentary seats of the CHT should be reserved only for the Jumma candidates.

Even as negotiations with the JSS take place, the Bangladesh Government has plans for the Hill Tracts, which will result in further dispossession of the Jummas and an increased military presence. There are plans for an Asian Development Bank funded afforestation project which will displace about 40,000 families. Other plans have been made for military installations to be built on 11,000 acres of recently acquired land in the Bandaraban District.

Of even greater concern are the government's plans to conduct a cadastral survey, i.e. reevaluate the existing land holding system. Much titled Jumma land owned by the Hill people has been illegally occupied by the settlers. Many Jummas have lost their land records when their villages were burnt to force their inhabitants away from their land. Jumma Land records kept at the Deputy Commissioner's office were set ablaze in September 1991, the fire incident resulting in the destruction of all the land settlement records. Several Jumma observers indicate that they were intentionally burnt by Bengali settlers.

Apart from those Jummas who have had land records, but have lost them, most of the Jummas can only indirectly prove ownership to their lands. Since the British period of indirect rule in the CHT, the Jummas have been enjoying land occupation rights under a special land settlement system. Only plow-lands were formally registred. Individual families' rights to Jhum-lands under shifting cultivation, were de facto recognised, since it was taxed; Jummas have been paying an annual tax to the Raja or Headman for each Jhum plot. Although the revenue has fallen considerably, payments have continued till present.

A cadastral survey will be confronted with the problem of taking into account the loss of land records and the occupation rights of Jummas to their Jhum-lands, problems which can only be solved by the participation of the Hill peoples concerned. As a political signal,

a cadastral survey at this moment, with the negotiations with the JSS still ongoing, is likely to be understood by the JSS as a final attempt to legalise the Bengali settler presence and to deprive the 56,000 Jumma refugees in Tripura their rights to return to their original lands.

The fate of the Jumma refugees in India, is still uncertain and tragic. The lack of food, medicines and shelter continue to further the intense suffering of the refugee community. Towards the end of the year, it was feared that the Indian government intended to cut off their meager rations by 31 December 1992 and thereby force the refugees to return to the Hill Tracts.

For the first time, in 1992, the Bangladesh government made public an official enquiry into disturbances in the CHT. On 7 October, the Government released a 25-page English version report concerning the Logong massacre, signed by Justice Sultan Hossain Khan who conducted the investigations. The report acknowledged the participation of law enforcement personnel in the killings: "I may reasonably hold that a section of the Bengalees of the locality along with the members of Ansars and V.D.P. were responsible for the incident of burning of the huts of the Chakma village and firing at them resulting in the death of the tribals." (p.18)

Concerning the casualty figure, Justice Sultan Khan stated: "...I have no hesitation to hold that the number of deaths did not exceed more than 12 tribals and the number of huts were admittedly about 550." (p.20)

The conditions under which the investigation was conducted has been strongly criticised, especially the environment under which witness testimonies were gathered. At a conference on the CHT in the Hague in November, it was stated that the military had been present in the building where Sultan Khan had been conducting his interviews, and that witnesses had been intimidated by the military presence. A number of students who were willing to testify to Justice Khan, were reportedly arrested.

Commenting on the procedure of the inquiry and the reported arrests of Jumma students seeking to testify, the CHT-Commission stated its concern that "These mere facts were intimidating for the people who wanted to give their statements...Consequently many people did not dare to go...and others who had the courage to go, did not feel free to speak out. Therefore many statements cannot be taken at their face value. However, Justice Sultan Khan does not take this in consideration while judging the statements."

This may explain, for instance, why the Khagrachari District Council Chairman who was allowed to visit part of Logong vilage the day after the killings, changed his initial statements when he was interviewed by Justice Sultan Khan to whom he confirmed the official military casualty figure that just 12 Jumma villagers had been killed. Earlier, he had reportedly told members of the visiting group that he had counted 138 dead bodies.

It has been reported that Justice Sultan Khan was interviewing people in the 2nd floor of the Khagrachari Circuit House while the military were on the ground floor selecting all the witnesses, thoroughly briefed them and send them upstairs for the interview with the inquiry commission. None of the Hill People had any opportunity to give evidence in privacy - they were not interviewed alone, but, reportedly, in the presence of Bengalis send along with them by the military to present them before the Justice Sultan Khan commission.

Based on this information, there is substantial reason to be concerned that the inquiry commission did not create a sense of confidence and security among the Jumma witnesses necessary for an impartial and objective investigation. Subsequently, this is reflected in the one-sided conclusions of the report which merely serve to repeat the official military statements after the massacre.

In a response to the critique, by Amnesty International, Sultan Khan denies any presence of the military in the building while interviews were conducted.

The findings and recommendations of the inquiry commission report, were completely in line with the military analysis of the Logong "disturbances" and attempted to explain the brutal facts behind the massacre not by acknowledging its extent, but by seriously distorting the burden of responsibility. The conclusion reached by Justice Sultan Khan, speaks for itself:

"The incidence in Logong... is the result of the planned objective of the insurgents. The armed Shanti Bahini killed a Bengalee boy... and it was aimed to create a tension between the Bengalee and tribals so that the Bengalees would retaliate and avenge the murders of Bengalees."(p.17)

While introducing his readers to this alleged terrorist line of reasoning among the Shanti Bahini, Sultan Khan draws on the military explanations of the insurgent strategy in the Hills: "Hence the insurgents Shanti Bahini were always looking for opportunity to create enmity and tension between the Bengalees and Tribals

which could result in violence against the tribals by the Bengalees so that the Tribals would leave the clustered village and go elsewhere if not to India. The aim of the Shanti Bahini is to take tribals to India so that they could recruit and train a large number of insurgents in Indian bases and operate in Hill Tracts." (p.17)

In his recommendations, Justice Sultan Khan advised the gradual dismantling of both the Chakma and Bengali cluster villages. Both communities should be dispersed to their respective villages.

The degree of impartiality and objectivity of the Justice Sultan Hossain Khan commission must be judged from the above mentioned conclusions and recommendations. When the one-man inquiry commission is asked to place responsibility for the killings, he considers the Chakma insurgents to be the main group behind Bengali attacks on Chakma villagers - a serious attempt of explaining responsibility by blaming the victims. Later on, Justice Khan actually asks for the Bengali villagers' militias to be given more arms and more training - in a report which just established the fact that such paramilitary forces committed a reprisal mass killing of defenceless Jumma villagers, while they were being collectively held in the custody of the Bangladesh armed forces as part of the cluster village program.

Southwest of the Chittagong Hill Tracts, at Cox Bazar, the fate of more than a quarter of a million Rohingya Muslim refugees from Arakan, Burma continued to be uncertain. The fear of repatriation and the extremely poor living conditions in camps furthered the suffering of the Rohingyas in exile.

Of serious concern, is the repatriation agreement reached between Burma and Bangladesh. The news of the repatriation plan was met with demonstrations by the Rohingya refugees who feared for the consequences of their repatriation to Arakan. In Arakan they were considered non-nationals targeted for expulsion, and Burmese soldiers had often destroyed their identity cards and threatened to kill any Rohingya (whom they all considered "Bangladeshis") who would cross the border back to Burma. In the plan, the Bangladesh authorities were to hand over lists of refugees to the SLORC regime. During the demonstrations, on May 14, Bangladesh paramilitary troops opened fire on a crowd of 2000 demonstrating refugees, killing one and injuring twenty.

With the implementation of the repatriation program, Bangladesh has been "coercing Rohingya refugees to return". (UNHCR

Sadako Ogata and US State Department Richard Boucher). This is something the Dhaka administration categorically has denied. The UNHCR was prevented from conducting private interviews to ascertain whether the returning Rohingya were volunteers. Subsequently, the UNHCR found it necessary to dissolve itself from the repatriation process, a decision provoked by Bangladesh on 25 November, when 935 people were to be repatriated. UNHCR approved the departure of 780 returning Rohingya, but raised objections about the remainder who they said were unwilling to return. In spite of these objections, Bangladesh returned all 935 Rohingyas.

According to Bangladeshi officials, quoted in *Far Eastern Economic Review* 28/1-1993, up to 6 January a total of 8,571 Rohingyas have been repatriated out of a total of 243,771 registered refugees. Another 14,936 awaited repatriation and were placed in transit camps.

The living conditions in the camps have been extremely poor; the lack of food, medicines and shelter being a major humanitarian concern.

Sources:

Marcus Colchester, *UNRISD Report, "Sustaining the Forests"*, May 1992; Murray Hiebert in *Far Eastern Economic Review* 23/4-1992



Indigenous Population: 51 million

1. Santals, Mandi
2. Dalits, Adivasis
3. Dalits

SOUTH ASIA

In India, one of the main indigenous issues in 1992 has been the strong popular opposition to the controversial 1,5 billion US dollars dams project on the Narmada river. For the past four years tens of thousands of rural villagers; peasants and tribals alike, have organized to resist forcible relocation and the destruction of their villages and sacred sites. The homes, agricultural land and community forests of nearly 500 villages will be submerged by the Narmada Sagar and Sardar Sarovar Dams - if they are ever completed. Together, the two dams are planned to displace over 300,000 people, a large number of them belonging to tribal communities. The dams will submerge more than 130,000 hectares of land, including 56,000 hectares of agricultural land and almost an equal area of forests.

At the Sadar Sarovar, the first dam to be build, the main dam is now about half built, 20 billion rupees (of a total estimated Rs 130 billion cost) have been spent, the turbines have been ordered, but only a small start has been made on the canal system. Critiques argue that if the project proceeds, the final costs may be almost double the present budget. In favour of the project, New Delhi states the combined hydroelectric and irrigation project will supply household water to some 30 million people and support irrigated agriculture that will feed 20 million people. Environmental critique, do not agree. Instead, they show, the canal system will simply send more water to the already fertile areas of Gujarat for the benefit of rich farmers only, who will switch from grain crops to high-yield crops like sugar-cane. Most other areas will become even more deprived of funds, the critique holds.

The Narmada dams project has been implemented without the consent, or even consultation of the local population facing eviction. Protest intensified in 1992, triggered by the coming of the monsoon, when it was anticipated that the submergence zone would be naturally flooded by the rain, and officials attempted to evict villagers.

Throughout the planning and implementation period, the Narmada program has failed to provide a realistic solution to the problem of resettlement and rehabilitation of the hundreds of thousands to be uprooted and displaced by the project. The point

has been raised, that there may not be any realistic and acceptable solutions, as lands of a similar quality for compensation, is either lacking, or in case a cash compensation (an unacceptable solution) is given, the lands of similar quality are already too expensive to buy, and the prices will be dramatically inflated by speculation in the sudden rise in demands.

The popular organization Narmada Bachao Andolan (Save the Narmada Movement), has organized mass anti-dam rallies along the Narmada river - an ancient pilgrimage route now revived by the movement. Tens of thousands have joined the peaceful protests and campaigns of the movement. The Narmada Bachao Andolan stresses villagers right to civil disobedience, to resist being evicted from their lands and forests of profound spiritual and cultural value to them. Villagers have a distinctive and profound relationships to their land and to the river itself, where dozens of sacred sites thousands of years old, are now threatened with being submerged by a project that will not last more than a hundred years, and only serve to uproot people. Many of the villagers are tribals, they have right to claim their traditionally occupied land; communally controlled forests, hunting grounds as well as agricultural lands and fallows.

Like everywhere in India when indigenous Adivasis (tribals) or rural Dalits (the "untouchables" within India's caste system) organize to resist encroachment from their lands and rights to subsistence, whether by wealthier landowners or, as here, by billion rupees' development interests, they are being assaulted and harrassed by the police.

The mounting village protests and the rallies of the Narmada movement have been met with excessive force by the police. Police forces have cracked down upon the popular resistance and have broken up large rallies by beating the demonstrators and detaining leading activists from the movement. By mid- 1992, more than 1000 people in the Narmada Valley had been arbitrarily arrested and detained for periods ranging from several days to several weeks, in many cases without being brought before a magistrate. The organization is concerned that persons detained during peaceful protests or acts of civil disobedience are routinely subjected to abuse in custody. In the cases of abuses during detention, the police after beating or otherwise illtreating the persons in their custody, reportedly have been denying detainees access to medical care.

The police have also used naked force during attempted evic-

tions of village residents. In July, one woman was shot and seven wounded as police and forest officials attempted to evict villagers from a tribal area, and opened fire on demonstrators opposed to the dam. A World Bank team was visiting the Dam site when the demonstrations and the killing occurred.

A crucial issue in the government's attitude towards the tribals, is the fact that human and environmental concerns inevitably will be subordinated to the construction demands set by the Narmada plan. Besides the increasing resort to force to silence the opposition to the dams, this attitude has implicated the failure of state governments in India to recognize any of the legal claims of tribal peoples to the forest lands they have been cultivating for centuries or used as communally controlled fallows, hunting grounds or grazing pastures. The question of compensation (most often in insufficient cash, not in land) is treated of as an offer which cannot be refused, not as a legal question of tribal ownership and rights to restitution and rehabilitation. Already in 1990, the Commissioner for Scheduled Castes, Dr. B.D. Sharma called for an immediate suspension of the work on the Sardar Sarovar Project, as it violated both constitutional and human rights.

Compensations for land and homes have been "discriminatory, inadequate and in violation of the law", and leading to gross injustice. In one example quoted (op.cit), unirrigated land from Kunvarpura, a rich (Bhagat) Patel's village was bought at a price more than 66% higher than the irrigated lands of the poor Rajput farmers of Koliyari next door.

The fundamental conclusions reached by the villagers on the social consequences of the dams project; that they had no chance of receiving fair compensation, in terms of land for land lost, was echoed in the findings of an independent study commissioned by the World Bank. During the 10-months study, the team led by Bradford Morse met with villages affected by the project.

The conclusions reached by the Morse team on the project was that it was "flawed, that resettlement and rehabilitation of all those displaced...is not possible under prevailing circumstances, and that the environmental impacts...have not been properly considered or adequately addressed." Given the strong opposition to the project by local residents, completing it would be "impossible except as a result of unacceptable means", Morse continues. Stopping short of calling for the scrapping of the project, the Morse team urged the

bank to "take a step back", and halting work "until more adequate resettlement and rehabilitation benefits could be ensured for all of those villagers to be displaced or otherwise affected, and until much delayed environmental impact studies are completed."

The World Bank, responding to the critique, said it would continue funding, but on the condition that India would move to remedy those aspects of the programme raised by the Morse team including "the impacts on shifting tribal people to non-traditional areas, the replacement land for displaced people, and the effect of changed water flows on the Narmada estuary fisheries".

The bank further called India to report on progresses on the social and environmental planning of the project, and set a deadline for the progress report on 31 March 1993.

In an unexpected move, on 30 March 1993 New Delhi - as a matter of the "infringement" on India's dignity as an independent nation - told the World Bank to keep the remaining US dollars 170 million of the 450 million dollars loan to the Narmada project.

Although some work had been done to meet the conditions set by the bank, the Indian government appears to have been well behind schedule, and observers noted that the rejection of the loan may simply have been forced by necessity, or is an attempt to escape the administrative burden of planning for, not against, the people affected by the project.

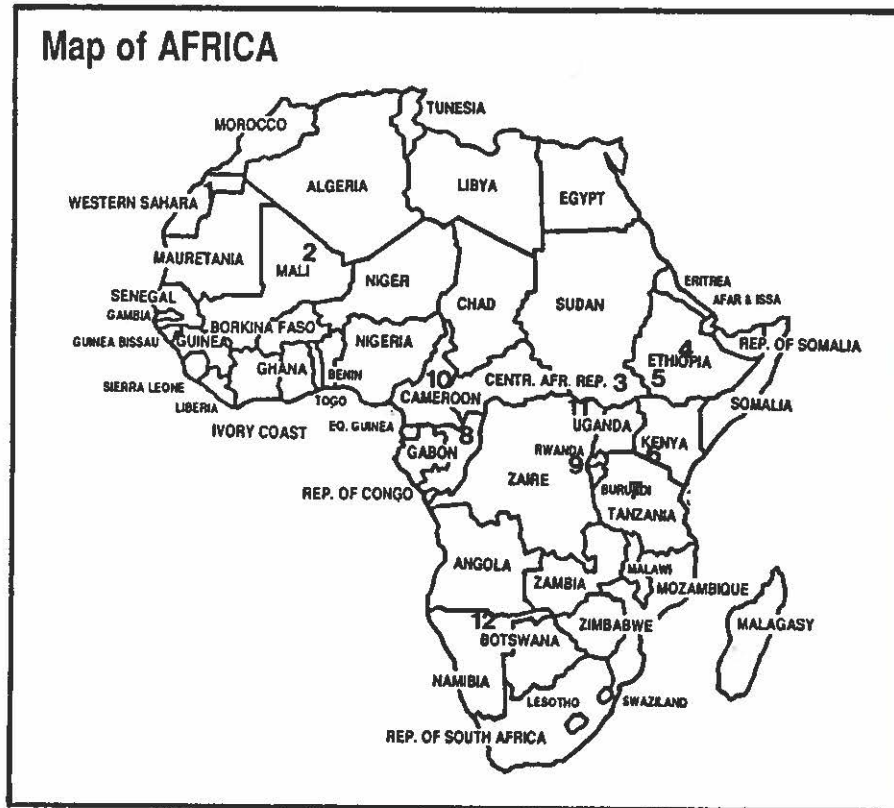
Among the opposition to the dams, the exit of the World Bank is considered a major breakthrough, also because the Bank no longer lend credibility to the controversial project.

The World Bank has only been financing a minor fraction of the project's total costs (World Bank funding amounted to almost one third of the project, but the remaining loan rejected is only slightly above one tenth of the total estimated costs) and India will continue work on the Narmada alone, and even exceed the standards set by the Bank, New Delhi promised as they turned down the conditioned loan. Easier said than done perhaps, as it is still hard to see any acceptable and realistic solution to the problem of providing the tens of thousands of ouste-families included in the rehabilitation schemes with land or forests on a scale and quality sufficient to meet their needs - a demand which must be an absolute minimum condition (together with the demand of proper consultation and of free and informed consent among those to be displaced), before any relocation scheme can be acceptable. The question still is, whether these

lands and forests, for lands and forest lost, are available at all, or in other words if the human and social costs can be too great for the project to continue, unless through unacceptable means.

Sources:

Gautam Appa in Economic and Political Weekly, November 28, 1992; Far Eastern Economic Review (FEER); Human Rights Watch (Asia Watch) Reports.



Indigenous Population:

North African nomadic peoples: 8 million

East African nomadic peoples: 6 million

Pygmies: 200,000

San (Basarwa/Bushmen): 100,000

- | | |
|----------------------------------|-------------------------------------|
| 1. Sahrawi | 7. Barabaig |
| 2. Tuareg, Maure, Arab | 8. Mbuti (Pygmy) |
| 3. Shilluk, Nuer, Dinka, Mandara | 9. Hutu, Tutsi |
| 4. Oromo | 10. Ba Aka (Pygmy) |
| 5. Anuak | 11. Batua Ekonda (Pygmy) |
| 6. Maasai | 12. San (Basarwa, Ju/Wasi, Bushmen) |

AFRICA

In Southern Africa the *Bushmen* of Botswana, Namibia, Angola and Zambia were allowed to meet and to discuss matters of mutual concern for the first time. The meeting took place in Windhoek, the capital of Namibia.

This June conference in Windhoek was preceded by a preliminary meeting among the *Bushmen* of Namibia in May 1992. The May meeting took place at Mangetti Dune, and was an unprecedented event in Southern Africa in that it was the first time that *Bushmen* representatives from throughout a country had come together in one place to discuss mutual concerns. At this preliminary meeting, representatives from 12 different areas in Namibia discussed and agreed upon issues which needed to be presented at the regional conference in June. Twenty-seven delegates were elected to represent their groups and partake in the June consultative process with governments of the region.

The *Bushmen* of Botswana were represented by three *Bushmen* employed and appointed by the government; one *Bushmen* came on his own initiative. No *Bushmen* from Angola came to the meeting and the *Bushmen* from Zambia were represented by the Zambian High Commissioner in Namibia.

The resolutions from the regional conference dealt with issues of land, education and culture, health and social welfare, economy, water problems and communication. The *Bushmen* requested that children be taught in their own languages in school, that hunting and gathering should be recognised as a specific land use, that economic opportunities in tourism, wildlife management be created for them, etc.,

The *Bushmen* of Namibia raised a lot of complaint about their situation, whereas the three *Bushmen* from Botswana had very little to say, which could be taken as an indication of the different political climate towards the *Bushmen* in the two countries. The openness of the Namibian government and the reconciliatory tune was also reflected in the opening speech as given by the Namibian President Dr. Sam Nujoma. He said: "We agree that there is a peculiar problem confronting the *Bushmen* people today. Their traditional way of nomadic life has been disturbed by the private ownership of land



East Bushmanland, Namibia. Photo: Jens Dahl

and the demarcation of national game parks for the protection and conservation of our game and vegetation. This prevents them from hunting game for survival as they used to do". And he continued: "...in the case of the Bushmen people it is fair to say that these original inhabitants of Namibia were disposed of their former hunting fields by the later wave of communities and settlers who entered our country. Furthermore, their traditional way of life was destroyed by their introduction to the modern economy. Social amenities such as hospitals and schools were organised very late in the Bushmen communities and are still inadequate.

Therefore, it is little wonder that the Bushmen people are apprehensive of any move to further encroach on the little land they have left. They cry out for clinics, schools and job opportunities to which they were previously excluded... In short, they need our respect and understanding as fellow human being."

This speech was in absolute contradiction to the harsh tone used by the official participants from Botswana when confronted with very modest criticism. It is also in Namibia that Bushmen have organised in two effective NGOs, the Nyae Nyae Farmers Cooperative and the Nyae Nyae Development Foundation. An initiative to establish an NGO among the Bushmen of Botswana, The First People of Kalahari, has still not developed further than the first steps.

A delegation of Bushmen travelled to the Botswana capital Gaborone in May to discuss the situation and to raise the idea of some kind of autonomy for the Bushmen people. Government officials rejected these ideas completely, they could not accept a suggested advisory council to be elected by the Bushmen themselves. (see the reprint of the letter which was handed over to the Honourable Minister by the small delegation).

In a very important seminar in September, in Ghanzi, the Bushmen were given the opportunity to meet with government officials and researchers. As a follow-up on a report written by the Centre for Human Rights in Botswana, several speakers gave reports on human rights abuses of the Bushmen and asked for the protection of this indigenous group.

The Bushmen, furthermore, complained about the lack of hunting rights and asked for thorough consultation on re-settlement, access to land and access to water. They spoke strongly against the ill-treatment of Bushmen by wildlife officials. They said that wildlife officers abused and harassed them.

In Tanzania in East Africa, the Pastoral Network (PANET) was established during the year. The PANET is a loose and informal organisation that aims to provide pastoralists in Tanzania with opportunities to interact at a personal, individual and informal level with researchers, policy makers and executive officers of the Government. It is a non-profit and non-political alliance of people interested in the development of pastoral peoples. It is an alliance that will publicise pastoral viewpoints, and discuss issues and problems raised by the alliance, in an effort to improve mutual understanding between pastoralists and the government.

Its First Organisational Meeting was held on May 6, in Dar Es Salaam, the capital. The meeting brought together 23 people, including representatives of governments and donor communities, who were interested in pastoral development and pastoral research. In an effort to establish a priority list of issues that PANET would discuss in its future meetings, eight topics were proposed: land tenure and land use; equity and pauperisation of pastoral communities; pastoralists and the environment; pastoralism, wildlife and tourism; improving pastoral production systems; pastoral institutions and empowerment of pastoralists; access to social services; and gender issues.

The first meeting was followed by a Second Meeting in September.

ber 3-4, in Arusha, a town in northern Tanzania. At the second meeting two of the above-mentioned topics were addressed: 'Pastoralism tourism and wildlife' and Pastoral livestock production'. The eight papers presented at the meeting raised issues related both to the Maasai and Barabaig pastoral communities and to the Hadza hunter and gatherers. The meeting was attended by pastoralists, researchers, political leaders and representatives of donor agencies.

PANET issues a Newsletter that is circulated periodically to publicise PANET activities and other developments affecting the pastoral sector in Tanzania.

INDIGENOUS RIGHTS

Draft Universal Declaration on the Rights of Indigenous Peoples

Preambular and Operative Paragraphs of the Draft Universal Declaration on the rights of Indigenous Peoples as agreed upon by the members of the Working Group on Indigenous Populations at first reading

First Preambular Paragraph

Affirming that all indigenous peoples are free and equal in dignity and rights to all peoples in accordance with international standards, while recognizing the right of all individuals and peoples to be different, to consider themselves different, and to be respected as such,

Second Preambular Paragraph

Considering that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Third Preambular Paragraph

Convinced that all doctrines, policies and practices of racial, religious, ethnic or cultural superiority are scientifically false, legally invalid, morally condemnable and socially unjust,

Fourth Preambular Paragraph

Concerned that indigenous peoples have often been deprived of their human rights and fundamental freedoms, resulting in the dispossession of their lands, territories and resources, as well as in their poverty and marginalization,

Fifth Preambular Paragraph

Considering that treaties, agreements and other constructive arrangements between States and indigenous peoples continue to be matters of international concern and responsibility,

Sixth Preambular Paragraph

Welcoming the fact that indigenous peoples are organizing themselves in order to bring an end to all forms of discrimination and oppression wherever they occur,

Seventh Preambular Paragraph

Recognizing the urgent need to respect and promote the rights and characteristics of indigenous peoples, especially their rights to their land, territories and resources, which stem from their history, philosophy, cultures and spiritual and other traditions, as well from their political, economic and social structures,

Eighth Preambular Paragraph

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from adverse distinction or discrimination of any kind,

Ninth Preambular Paragraph

Endorsing efforts to revitalize and strengthen the societies, cultures and traditions of indigenous peoples, through their control over development affecting them or their lands, territories and resources, as well as to promote their future development in accordance with their aspirations and needs,

Tenth Preambular Paragraph

Recognizing that the lands and territories of indigenous peoples should not be used for military purposes without their consent and reaffirming the importance of the demilitarization of their lands and territories, which will contribute to peace, understanding, economic development and friendly relations among all peoples of the world,

Eleventh Preambular Paragraph

Emphasizing the importance of giving special attention to the rights and needs of indigenous women, youth and children, and in particular to their right to equality of educational opportunities and

access to all levels and forms of education,

Twelfth Preambular Paragraph

Recognizing in particular that it is usually in the best interest of indigenous children for their family and community to retain shared responsibility for their upbringing and education,

Thirteenth Preambular Paragraph

Believing that indigenous peoples have the right freely to determine their relationships with the States in which they live, in a spirit of coexistence with other citizens,

Fourteenth Preambular Paragraph

Noting that the international Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights affirm the fundamental importance of the right of self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development

Fifteenth Preambular Paragraph

Bearing in mind that nothing in this Declaration may be used as an excuse for denying to any people its right of self-determination,

Sixteenth Preambular Paragraph

Encouraging States to comply with and effectively implement all international instruments as they apply to indigenous peoples, in consultation with the peoples concerned,

Seventeenth Preambular Paragraph

Solemnly proclaims the following Declaration on the Rights of Indigenous Peoples:

Part 1**Operative Paragraph 1**

Indigenous peoples have the right of self-determination, in accordance with international law by virtue of which they may freely determine their political status and institutions and freely pursue

their economic, social and cultural development. An integral part of this is the right to autonomy and self-government;

Operative Paragraph 2

Indigenous peoples have the right to the full and effective enjoyment of all of the human rights and fundamental freedoms which are recognized in the Charter of the United Nations and in international human rights law;

Operative Paragraph 3

Indigenous peoples have the right to be free and equal to all other human beings and peoples in dignity and rights, and to be free from adverse distinction or discrimination of any kind based on their indigenous identity;

Part 2

Operative Paragraph 4

Nothing in this Declaration may be interpreted as implying for any State, group or individual any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or to the Declaration on Principles of International Law concerning Friendly Relations and cooperation among States in accordance with the Charter of the United Nations;

Operative Paragraph 5

Indigenous peoples have the collective right to exist in peace and security as distinct peoples and to be protected against genocide, as well as the individual rights to life, physical and mental integrity, liberty and security of person;

Operative Paragraph 6

Indigenous peoples have the collective and individual right to maintain and develop their distinct ethnic and cultural characteristics and identities, including the right to self-identification;

Operative Paragraph 7

Indigenous peoples have the collective and individual right to be protected from cultural genocide, including the prevention of and redress for:

- (a) Any act which has the aim or effect of depriving them of their integrity as distinct societies, or of their cultural or ethnic characteristics or identities;
- (b) Any form of forced assimilation or integration by imposition of other cultures or ways of life;
- (c) Dispossession of their lands, territories or resources;
- (d) Any propaganda directed against them;

Operative Paragraph 8

Indigenous peoples have the right to revive and practise their cultural identity and traditions, including the right to maintain, develop and protect the past, present and future manifestations of their cultures, such as archaeological and historical sites and structures, artefacts, designs, ceremonies, technology and works of art, as well as the right to the restitution of cultural, religious and spiritual property taken from them without their free and informed consent or in violation of their own laws;

Operative Paragraph 9

Indigenous peoples have the right to manifest, practise and teach their own spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to religious and cultural sites; the right to the use and control of ceremonial objects; and the right to the repatriation of human remains;

Operative Paragraph 10

Indigenous peoples have the right to revive, use, develop, promote and transmit to future generations their own languages, writing systems and literature, and to designate and maintain their own names of communities, places and persons. States shall take effective measures to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceed-

ings, where necessary through the provision of interpretation or by other effective means;

Operative Paragraph 11

Indigenous peoples have the right to all levels and forms of education, including access to education in their own languages, and the right to establish and control their own educational systems and institutions. Resources shall be provided by the State for these purposes;

Operative Paragraph 12

Indigenous peoples have the right to have the dignity and diversity of their cultures, histories, traditions and aspirations reflected in all forms of education and public information. States shall take effective measures to eliminate prejudices and to foster tolerance, understanding and good relations;

Operative Paragraph 13

Indigenous peoples have the right to the use of and access to all forms of mass media in their own languages. States shall take effective measures to the end;

Operative Paragraph 14

Indigenous peoples have the right to adequate financial and technical assistance, from States and through international cooperation, to pursue freely their own political, economic, social, cultural and spiritual development, and for the enjoyment of the rights contained in this Declaration;

PART 3

Operative Paragraph 15

Indigenous peoples have the right to recognition of their distinctive and profound relationship with the total environment of the lands, territories and resources, which they have traditionally occupied or otherwise used;

Operative Paragraph 16

Indigenous peoples have the collective and individual right to own, control and use the lands and territories they have traditionally occupied or otherwise used. This includes the right to the full recognition of their own laws and customs, land-tenure systems and institutions for the management of resources, and the right to effective measures by States to prevent any interference with or encroachment upon these rights. Nothing in the foregoing shall be interpreted as restricting the development of self-government and self-management arrangements not tied to indigenous territories and resources;

Operative Paragraph 17

Indigenous peoples have the right to the restitution or, where this is not possible, to just and fair compensation for lands and territories which have been confiscated, occupied, used or damaged without their free and informed consent. Unless otherwise freely agreed upon by the peoples concerned, compensation shall preferably take the form of lands and territories of quality, quantity and legal status at least equal to those which were lost;

Operative Paragraph 18

Indigenous people have the right to protection and, where appropriate, the rehabilitation of the total environment and productive capacity of their lands and territories, and the right to adequate assistance, including international cooperation, to this end. Unless otherwise freely agreed upon by the peoples concerned, military activities and storage or disposal of hazardous materials shall not take place in their lands and territories;

Operative Paragraph 19

Indigenous peoples have the right to special measures for protection, as intellectual property, of their traditional cultural manifestations, such as literature, designs, visual and performing arts, seeds, genetic resources, medicine and knowledge of the useful properties

of fauna and flora;

Operative Paragraph 20

Indigenous peoples have the right to require that States and domestic and transnational corporations consult with them and obtain their free and informed consent prior to the commencement of any large-scale projects, particularly natural resource development projects or exploitation of mineral and other subsoil resources, in order to enhance the projects' benefits and to mitigate any adverse economic, social, environmental and cultural effects. Just and fair compensation shall be provided for any such activity or adverse consequence undertaken;

Part 4

Operative Paragraph 21

Indigenous peoples have the right to maintain and develop within their lands and other territories their economic, social and cultural structures, institutions and traditions, to be secure in the enjoyment of their traditional means of subsistence, and the right to engage freely in their traditional and other economic activities, including hunting, fishing, herding, gathering, lumbering and cultivation. In no case may indigenous peoples be deprived of their means of subsistence. They are entitled to just and fair compensation if they have been so deprived;

Operative Paragraph 22

Indigenous peoples have the right to special state measures within available resources for the immediate, effective and continuing improvement of their economic and social conditions, with their free and informed consent, that reflect their own priorities;

Operative Paragraph 23

Indigenous peoples have the right to determine, plan and implement, as far as possible through their own institutions, all health,

housing and other economic and social programs affecting them;

Operative Paragraph 24

Indigenous peoples have the right to their own traditional medicines and health practices. This includes the right to protection of vital medicinal plants, animals, and minerals. The above may not be construed as a limitation to indigenous health systems, if they so wish;

Operative Paragraph 25

Indigenous peoples have the right to participate on an equal footing with all other citizens and without adverse discrimination in the political, economic, social and cultural life of the State and to have their specific character duly reflected in the legal system and in political and socioeconomic and cultural institutions, as appropriate, including in particular proper regard to, full recognition of and respect for indigenous laws, customs and practices;

Operative Paragraph 26

Indigenous peoples have the right (a) to participate fully at all levels of government, through representatives chosen by themselves, in decision making about and implementation of all national and international matters which may affect their rights, lives and destinies; (b) to be involved, through appropriate procedures, determined in consultation with them, in devising laws or administrative measures that may affect them directly. States have the duty to obtain their free and informed consent before implementing such measures;

Operative Paragraph 27

Indigenous peoples have the right to autonomy in matters relating to their own internal and local affairs, including education, information, mass media, culture, religion, health, housing, employment, social welfare in general, traditional and other economic and management activities, land and resources administration, environment and entry by non-members, and the environment, as well as internal

taxation for financing these autonomous functions;

Operative Paragraph 28

Indigenous peoples have the right to decide upon the structures of their autonomous institutions, to select the membership of such institutions according to their own procedures, and to determine the membership of the indigenous peoples concerned for these purposes; States have the duty to recognize and respect the integrity of such institutions and their memberships;

Operative Paragraph 29

Indigenous peoples have the right to determine the responsibilities of individuals to their own community, consistent with universally recognized human rights and fundamental freedoms and with the rights contained in this declaration;

Operative Paragraph 30

Indigenous peoples have the right to maintain and develop traditional contacts, relations and cooperation, including activities for economic, social, cultural and spiritual purposes between indigenous peoples across borders. States should adopt measures to facilitate such contacts;

Operative Paragraph 31

Indigenous peoples have the right to claim that States or their successors honor treaties and other agreements concluded with indigenous peoples, and to submit any disputes that may arise in this matter to competent national or international bodies, according to their original intent, or courts;

Operative Paragraph 32

Indigenous peoples have the individual and-collective right to access and prompt decision by mutually acceptable and fair procedures for resolving conflicts or disputes with States. These proce-

dures may include, as appropriate, negotiation, mediation, conciliation, arbitration or judicial settlement at national courts and, where domestic remedies have been exhausted, international and regional human rights review mechanism for complaints;

Operative Paragraph 33

States have the duty, in consultation with the indigenous peoples concerned, to take effective measures to ensure the full enjoyment of the exercise of the indigenous rights and other human rights and fundamental freedoms referred to in this Declaration;

Operative Paragraph 34

These rights contained herein constitute the minimum standards for the survival and the well-being of the indigenous peoples of the world;

Operative Paragraph 35

Nothing in this declaration may be interpreted as diminishing or extinguishing existing or future rights indigenous peoples may have or acquire;

Operative Paragraph 36

Indigenous peoples have the right to special protection and security in periods of armed conflict. States shall observe international standards for the protection of civilian populations in circumstances of emergency and armed conflict, and shall not;

- a) Recruit indigenous people against their will into the armed forces and, in particular, for use against other indigenous peoples;
- b) Force indigenous people to abandon their land and territories and means of subsistence and relocate them in special centres for military purposes:

Operative Paragraph 38

Indigenous peoples shall not be forcibly removed from their lands or territories. Where relocation occurs it shall be with the free and informed consent of the indigenous peoples concerned and after

agreement on a fair and just compensation and, where possible, the option of return;

Operative Paragraph 39

The application of the provisions of this Declaration shall not adversely affect the rights and benefits of the indigenous peoples concerned or of any other national of a State pursuant to other international instruments, treaties or laws.

(The Working Group has finished the second reading up to Operative Paragraph 18 . Only the first reading is completed for Operative Paragraphs 19 through 39)

INDIGENOUS FOCUS

General Assembly of the United Nations, New York, 10 december 1992.- Inauguration of the International Year of the World's Indigenous People. Statements

Statement of Bimal Bhikkhu, Chittagong Hill Tracts of Bangladesh

Mr. Chairman, Sisters and brothers,

Please allow me to speak a few words in my own language:

Jou Bandhulak (Greetings, dear friends).

Mui Bangiadeshar Parbatya Chattagramma Chakma (I am from the Chakma tribes of the Chittagong Hill Tracts of Bangladesh).

Jou (Thank you).

My mother-tongue is really the only thing which has been left to me. I have already lost my land, my traditional way of life, my family and my friends...

Today, the 10th of December 1992, is finally a day which marks a **Resurrection of Hope** for millions of people designated as indigenous or tribal.

Let me present the situation of these people of Asia as I have seen it.

Throughout Asia you will find indigenous and tribal people. Their lives have become a daily nightmare, an ocean of suffering. It is only the intensity which varies from one country to another, from one moment to another.

The problems have the same roots: **non-respect for human beings and their rights.**

There is no respect for our culture, religions or traditions. The present situation of the indigenous and tribal peoples of Asia is not just a "problem": **it is a drama which dishonours the human condition, and changes must be made.**

The situation has become so intolerable that there is increasing

violence, provoking even more misery. But I have not come to complain nor to seek out the guilty. I have come to propose four **actions** to lessen suffering and to build peace:

A. The Right to Truth

It is only by having the true situation known that we will be able to transform it. I therefore ask that the Working Group on indigenous Populations be made a permanent part of the human rights bodies of the United Nations.

The members of the Working Group should be able to travel freely to see the reality in our areas and to make their findings public to the world's media as well as to the United Nations.

Currently the truth of situation is too often hidden. Our only force is truthful information.

Our lives are menaced because our situation is often unknown. Thus the Working Group should have offices in many countries so that indigenous people can contact them. We will then be able to live in harmony with all the world.

B. The Right to Land

Precise territory must be set out for indigenous and tribal people. We do not want to be a "museum for anthropologists" but we wish to be able to choose our style and speed of development.

Thus the Working Group should encourage each parliament in Asia to guarantee through laws our right to land. The Working Group should monitor that these laws are respected.

Yet in our eyes, the most precious resource is the human person: we wish to see harmonious development of the human potential: physical, intellectual, psychological and spiritual.

C. The Right to Life and to Justice

We must put an end to massacres and prevent armed conflicts.

When there is killing or rape, the law must be respected and the accused brought to justice. The Working Group should encourage respect for law and its re-establishment when it has been weakened.

The "Impunity" of guilty parties is an insult to Justice and Dignity.

In order to avoid armed conflicts, there should be training in active non-violence as taught and practised by Mahatma Gandhi and Martin Luther king. We therefore ask that the Working Group organize such training, drawing upon such people as the Venerable

Thich Nhat Hanh, Sulak Siveraksa and Adolfo Perez Esquivel, and such specialized organizations as the International Fellowship of Reconciliation.

C. The Rights of the Child

You have had the wisdom to recognize the Rights of the Child by an international convention in 1989.

For indigenous people, our children are our only hope. I therefore ask that UNICEF help to implement the rights of the children of indigenous and tribal people -especially the right to education.

Most of our children are currently deprived of this right, through lack of schools, teachers and equipment. I therefore ask UNESCO to mark 1993 by giving scholarships for higher education to indigenous and tribal youth. If their potential is fully developed, these young people will help the whole of world society.

I also ask UNESCO to help preserve and enrich our culture and religions -our identity and way of life. We are all human beings, not superior or inferior. We have so many things to learn from others in the Human Community, and we can also share our values. We have to realise that we are independent: what you do has an impact on us; what we do has an impact on you. Our children are already carrying a very heavy burden: a financial "debt" to the richest countries. For me, this burden is really an injustice against those children.

Conclusions

We, indigenous and tribal people, must also recognize our past mistakes. For instance, we have not fully respected the dignity and rights of the women in our communities. Through education, UNESCO must help to promote the rights of women in our societies.

We must also learn to renounce violence. We share a planet with other societies and we must learn to live together in harmony. We are different, but not enemies. Rather we have common enemies to fight together: ignorance, fear, hatred and violence.

We can be mutually enriched by our differences. In fact, it is the diversity which creates our richness. The path of reconciliation between our peoples must involve respect for justice.

There is no Way to Peace: Peace is the Way.

Thus the United Nations must promote a **new human culture** - that of non-violence based on the respect of the person, truth and the rule of law.

Thank you for your efforts to know us, to recognise us and understand us.

This cry of distress, by your help becomes today, this 10th of December, a cry of hope from my heart.

Sabbe Satta Sukhita Hontu
May all beings be happy

Statement of Premier Lars Emil Johansen

Mr. President, Mr. Secretary General, Members of the General Assembly, Representatives of Indigenous peoples' organizations, Ladies and Gentlemen.

I am pleased and honoured to be able to take part in the opening of the UN International Year of the World's Indigenous People as representative for all the indigenous people of the Arctic, the Inuit.

I stand here not only as leader of the Greenland Home Rule Government, but also as representative of the collective Inuit communities in Greenland, Canada, the USA and Russia. Since 1980 we have worked closely together in the NGO organization, the Inuit Circumpolar Conference, to ensure that our views could be heard in the international society. Therefore, I am especially happy to be able to speak for all of us here today.

Allow me, Mr. President, to begin by using my own life story.

When I was born, my country, Greenland, was a colony. During my youth, the country's status was changed from colony to a totally assimilated part of the Mother Country. As an adult I have played an active part to establish Greenland as a home rule territory in a free partnership with the other part of the kingdom to which we belong.

My experience shows that it is possible to change the world, also for indigenous peoples, so that we -without dissolving the national states to which we belong- can take our independent and rightful place on the world scene, which in these years is changing and intensifying democracy, freedom and international cooperation.

The greatest threat to this progress today is racism. Let me point out at this very start that the struggle for the indigenous peoples' rights is at the same time a fight against the fundamental evils of racism and ethnic cleansing. Even though we in the Arctic have been spared, the indigenous people are all too well acquainted with the concept of ethnic cleansing. Unfortunately we know all too well the destroying power that hate and violence between two people within the same country can have. It is a prerequisite for the fulfilment of the slogan of this year -A New Partnership- that we all combat our own racism and instead fight for the love of the complexity of the world. That we learn to worship the human being the way it was created and that we learn to understand the beauty of the differences.

The UN has, more than any other forum, been the place where liberation from colonialism was made possible for many peoples

who today are called the "The Third World". Through the UN's decolonization programme political freedom, justice and equality have been established for suppressed groups of people the world over.

Today we also celebrate the UN' Human Rights Day. Through the UN' Human Rights Declaration, a number of principles and international conventions for the individual's right to an independent, just and equal life, regardless of race, religion or other affiliation have been established.

Now is the time for those of the Earth's peoples who have been lost between these two great conquests of international cooperation.

The time has come when this international system must focus itself on establishing equality for us in the so-called "Fourth World".

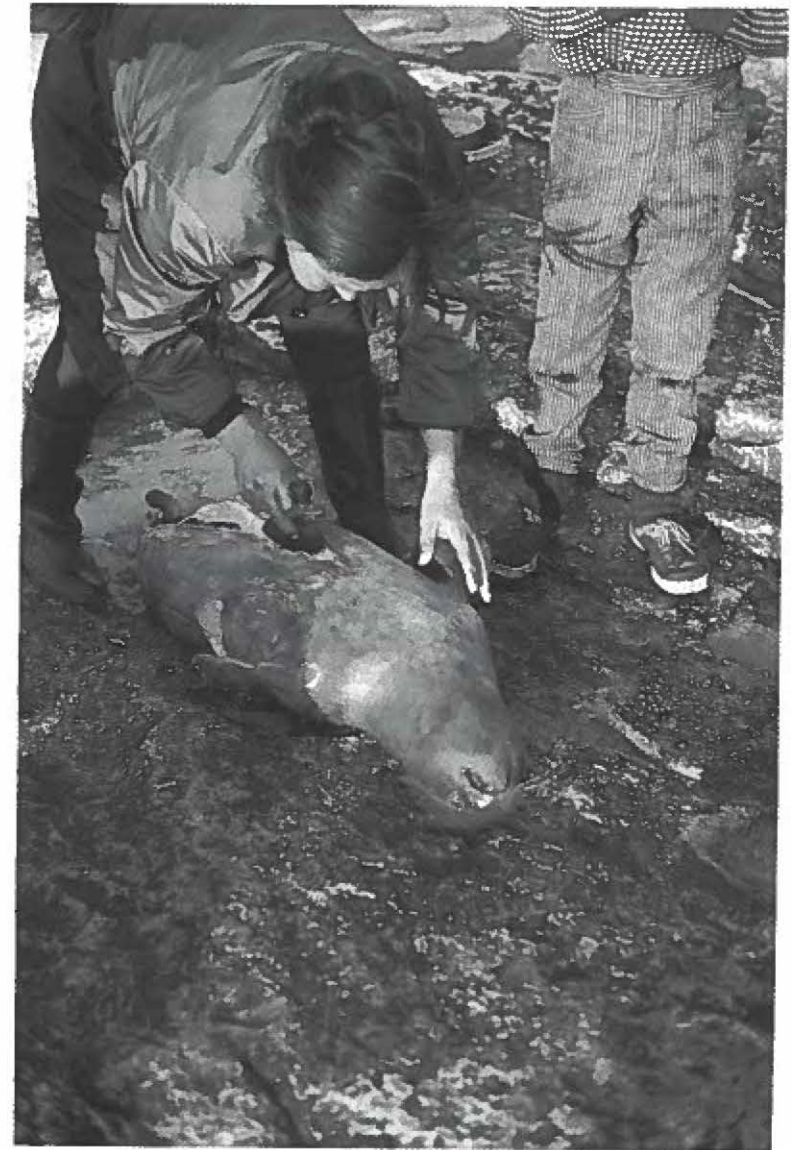
This UN Year opens all possibilities for setting into focus the untenable situation in which indigenous peoples the world over find themselves, and establishing the will and energy required to ensure a change towards justice, democracy and equality, that a true partnership stands for.

Allow me, Mr. President, to refer to the meeting that the UN held in September 1991 in my land, Greenland. Here a number of experts produced a document with conclusions and recommendations about which rights states and the international community should fulfil and guard for indigenous peoples -The so-called Nuuk Conclusions and Recommendations. This UN document includes, in my opinion, all the required elements needed to reach of the main points that were brought out.

I would first and foremost like to point out the necessity that we -regardless that we are locked into other peoples' nation-states- now become accepted as peoples in our own right. We do not wish to become assimilated into a culture, language or life style, that is not ours. We are specific peoples, regardless that we do not have an independent state. This must be accepted.

Secondly, the Year must emphasis our right to self determination over our own lives with as wide a scope as at all possible within a united country. This requires respect for our language, our culture, our land areas and our workskills.

Thirdly, the Year must focus on our right ti take part in the world economy with the resources we have and the background of the culture we represent. By far the most of us have still a hunter culture



"We cannot continue to be passive to the world while our life styles are exposed to emotional and alienated campaigns against our renewable harvest of the wild animals that nature gave us for life's sustenance." Photo: IWGIAs archive.

as our basic identity and we cannot continue to be passive to the world while our life styles are exposed to emotional and alienated campaigns against our renewable harvest of the wild animals that nature gave us for life's sustenance.

We want our rightful place in the new world order. We hope the UN Year will show the world this and focus on the resources - political, economic and commercial- that can help us to ensure that, as the only peoples who, until now, have been neglected - receive not just a new but also a true partnership with the globe's other peoples.

The key word is self-determination. We Inuit from Greenland, Canada, the USA, and Russia have emphasised this many times both individually and collectively via the ICC. We know from experience that there is tremendous creative energy gathered in self determination - both for us and for our mother states.

One of the best way the General Assembly can support this is to back up the work that has been done by the UN's own Working Group on Indigenous Populations, that was established by the Economic and Social Committee in 1982.

We are therefore calling on all members states and UN organizations and the NGO's with UN status to support this very important Universal Declaration on Indigenous Right and call for the proposal to come directly onto the agenda at the next General Assembly Meeting. This will give the General Assembly an exceptional opportunity to close the UN International Year for the World's Indigenous People with a convention that will have meaning for all indigenous people into the future.

Today - more than ever before - we know that no ideology can replace the desire of a people to maintain their independent identity - the desire of a people to be the masters of their own destiny. Therefore - let us together make sure that this UN-year will reflect this understanding by creating the international and moral conditions that will make this possible and at the same time close the doors to racism. If we succeed in this, the UN-year will fulfilled its mission.

Let me close, Mr. President, with a strong hope that this international awareness of indigenous peoples' conditions, both in the coming year and in the time after, will be raised and that work with indigenous peoples is ensured a permanent place in the UN system.

Thank you, Mr. President.

William A. Means, International Indian Treaty Council

Hau Mitakuipi ampetu kile chunte ma waste' napa chuzau.

I want to give you a traditional greeting in one of the classical languages of the Western Hemisphere known as Lakota. The translation means, "Greetings my relatives, today is a good day my heart feels good and I extend my hand in friendship".

I come from the Oglala Band of the Lakota Nation. We are the people of the Black Hills in the upper Great Plains of what is now the United States. My nation's legal relation with the United States is governed by a bi-lateral international treaty signed on April 29, 1868, which is similar to the other 370 existing bilateral treaties between the United States and Indian nations within its borders.

I send my greetings and wish to thank the Secretary -General of the United Nations, H.E. Mr. Butros-Ghali, the United Nations Undersecretary for Human Rights, Mr. Anton Blanca, the Honorable Representatives of the Members of the General Assembly of the United Nations, and to the Members and United Nations Staff of the International Year of the World's Indigenous People, on behalf of the Indian people of the Western Hemisphere, and the International Indian Treaty Council, a Non-governmental Organization in Category II status with the United Nations Economic and Social Council, representing 98 Indian nations and communities throughout the Americas.

It is, indeed an honor to address the General Assembly upon this momentous occasion when, for the first time in history, Indian people of the Americas, and indigenous people throughout the world, stand before the Member Nations of this great body to bring our unique history, our philosophical world view, and our own contributions to the development of world civilization to the attention of the great nations which you represent. As our leaders have often stated, the only voice, the only color absent from this community of nations is the Red Man of the Western Hemisphere.

Until this moment, we have had our place in world civilization determined by the so-called "modern", industrial nations and ranked according to their values, values which have placed indigenous people at the very bottom of the human family.

Today, the United Nations begins the process of knowing us, not through the distorted history of the colonizers, but by hearing our

own voices, looking into our hearts, and coming to understand our humanity. Today, you begin learning the important past and potential contributions of indigenous people to the world.

Today, you begin the process of seeing indigenous peoples of the world not as primitive and backward, but rather as human beings with our own dreams and aspirations, our own values systems, our own yearning for international recognition of our human rights, including the right of self-determination.

Just as the international community has recognized the right of self-determination for peoples in former colonies, the right of self-determination for indigenous peoples should now be recognized by international community. In the case of the indigenous peoples of North America, this self-determination is already addressed through existing bi-lateral treaties.

For years, indigenous people have been the mysterious minority populations scattered throughout the nations of the world, forgotten while the nation-states around them have been wracked by violence, dissension and bloodshed. That is, forgotten until their natural resources are needed, which in turn means additional loss of land for indigenous peoples.

Might does make right. Sovereign people of varying cultures have the absolute right to live in harmony with Mother Earth so long as they do not infringe upon this same right of other peoples, the denial of this right to any sovereign people, such as the Indigenous Nations, must be challenged by truth and action. World concern must focus on all colonial governments to the end that sovereign people everywhere shall live as they choose, in peace with dignity and freedom.

Former indigenous nations and tribes now strain against the artificial and temporary adhesive of colonial empires. Despite intense efforts at acculturation and assimilation by the great multinational forces and empires, the indigenous people of the world still cling to their own culture, origins and their indigenous roots. This has created a new tension in the world, where those who still maintain, an attachment to these old multinational empires, desperately try to hold together that which appears doomed to come apart.

This desperation and fear of a return to multiculturalism and yes, even tribalism, grows from a fear of the unknown by those whom have had their minds washed clean of their own ethnic and indigenous histories. They have been trained to fear that which they have

been taught is not important, is a part of their dark, uncivilized past, that which must be erased in the name of modernization and western civilization.

Many nations, despite having indigenous blood flowing through the veins of the populace, move to eradicate their own links to their indigenous past by the eradication of any remaining living symbols of the same.

Certainly, these actions continue to pose a threat to the very physical and cultural existence of the indigenous peoples of the world.

The international Year of the World's Indigenous Peoples is even more vital because of this continuing and very real threat. This sends a powerful message to those attempting to erase the indigenous identity in their own nations that yes, indigenous peoples do have human rights and deserve the greatest protection, that indigenous peoples have more than just minority status within the geographical boundaries of the lands wherein their live.

We know and understand the earth, and we are humble in her presence, because we know, and have known for thousands and thousands of years, that we exist only with her sufferance. We know that all living things are related, that the web of life is woven together, and that injury to one part of the web does injury to the whole. This is our world view, the sacred map that guides us through life. It is one of the many contributions that we are willing to share with the world, as a part of the international community and the family of nations.

A Great Indian Leader once said, "Our land is more valuable than your money. It will last forever. It will not even perish by the flames of fire. As long as the sun shines and the waters flow, this land will be here to give life to men and animals. We cannot sell the lives of men and animals; therefore we cannot sell this land. It was put here for us by the Great Spirit and we cannot sell it because it does not belong to us. You can count your money and burn it within the nod of a buffalo's head, but only the Great Spirit can count the grains of sand and blades of grass off these plains. As a present to you, we will give you anything we have that you can take with you; but the land, never".

As the attention of the United Nations is focused in the coming year upon the situation of the indigenous peoples of the world, we ask upon the situation of indigenous peoples of the world, we ask and encourage the General Assembly to consider one or more Pan-

Indigenous and Pan-Indian organizations be granted Observer status within the General Assembly and the United Nations system, so that we can play a constructive role in world peace and in international mediation, as well as contribute to the on-going protection and advancement of our indigenous peoples throughout the world.

We are further requesting that the Members of the United Nations support a process that will lead to an International Convention for the Protection of Rights of Indigenous Peoples. We call for this international process leading to international legal mechanisms because indigenous peoples are in particularly vulnerable positions that existing legal norms seem unable to protect. Furthermore, such legal mechanisms would send a message to some existing governments with records of human rights abuses toward indigenous peoples. Such legal mechanisms and expressions of international concern are critical to the survival of indigenous peoples.

The new spirit within the United Nations of International cooperation and action to secure human rights of ethnic populations is indeed promising, if such principles of cooperation and action are applied evenly throughout the world. We are hopeful that the same international cooperation and action will be forthcoming to protect the indigenous peoples of the world.

In the Americas there are over eighty million Indian People. In at least six countries in Central and South America the overwhelming majority are Indian. As democracy spreads around the world it is inevitable that in the near future an Indian Nation will finally take its rightful place here in the family of Nations. Human Rights violations continue from North to South. The Rainforest of the Amazon basin, the lungs of Mother Earth, continues to be ravaged by industrialization endangering the lives of the entire human family.

As Indigenous Peoples still living on the land of our ancient ancestors we have the absolute right to self government sovereignty, and independence. The industrial world must understand that our land, our Mother is not for sale, that the graves of our ancestors must not be desecrated and that we are all related.

In conclusion I will paraphrase one of our great Indian leaders, Chief Seattle of the Sequamish Nation.

"You Europeans did not weave the web of life you only a single strand in it. Whatever you do to the web you do to yourself. Tribe

follows tribe and nation follow nations it is like the waves of the sea it is the order of nature and regret is useless. Your time of decay may be distant but it will surely come, for even your God who walked and talked with you as friends with friend, could not escape the common destiny. Wee may be brothers after all. We shall see".

Mitakuye Oyasin.

Statement of Nomura Giichi, Ainu Association of Hokkaido (Japan)

As the representative of the Ainu people, I wish to extend my warmest greetings to the delegations of each member state and to the other representatives of our indigenous brothers and sisters. Let me also express my sincere thanks to the Secretary-General, the Honorable Mr. Butros Butros Ghali and Mr. Antoine Blanca, Under Secretary-General for Human Rights, for the invitation to speak here today.

Today, December 10th, is Human Rights Day, marking 45 years since the adoption of the Declaration of Human Rights, a day which should rightly be commemorated by all mankind. Moreover, as the occasion of the inauguration of the International Year of Indigenous People, I can safely say that today is a day that will remain deeply engraved on the memory of indigenous peoples. For we Ainu, who have formed a distinct society and culture in Hokkaido, the Kurile Islands and southern Sakhalin from time immemorial, there is yet another reason why today will have a special significance in our history. This is because up until 1986, a mere six years ago, the government of Japan, alone in the world, is a "mono-ethnic nation". However, here today, our existence is being clearly recognized by the United Nations itself. Had these ceremonies been held a few years earlier, I would probably not have been able to make this speech as the representative of the Ainu people. In the eyes of the government, we were a people whose existence must not be admitted. However, you need not worry. I am most definitely not a ghost. I am standing here firmly before you.

In the latter half of the nineteenth century, the land of the Ainu people was unilaterally appropriated by the government of Japan under the auspices of a large-scale colonization and development project known as "Hacked Caduca". We were forced to become a part of Japanese nationals. As a result of border negotiations between the Russian and Japanese governments, our traditional territory was carved up and many of our people suffered forced relocation. Moreover, the Japanese government pursued an aggressive policy of assimilation from the very beginning. Under this doctrine of assimilation, the Ainu language was banned, our traditional culture was denied, our economic livelihood was destroyed, and the Ainu people became the object of oppression, exploitation and severe

discrimination. We were unable to continue our traditional way of life in our ancestral lands, as fishing became "poaching" and cutting wood in the hills was branded as "theft". This is an experience common to indigenous peoples everywhere. Although Japan was reborn as a democratic nation after the Second World War, the policy of assimilation has continued while severe discrimination and economic deprivation remain. Unfortunately, this situation is not even seen as worthy of serious government investigation in Japan, which has never taken our rights as an indigenous people into consideration, although we have been petitioning the government since 1988 for legislation that would provide some minimum guarantees of our rights and dignity as a people.

However, I did not come here to dwell upon the past. In the spirit of the International Year of Indigenous Peoples, the Ainu call upon the governments of Japan and the member states to enter into "a new partnership" with indigenous peoples. We call for the removal of injustices through cooperation and negotiation, values that were at the heart of our traditional societies. We invite the government of Japan to enter into a dialogue with us, as partners in an effort to create a viable role for indigenous people in the future of Japan. This is not merely a domestic issue; the overseas activities of Japanese corporations and the foreign aid efforts of the Japanese government are having serious effects on the livelihood of indigenous peoples all over the world. This situation is linked to the indifference shown towards indigenous people within Japan. Through a new partnership, we believe the government of Japan will come to realize its responsibilities, not just towards the Ainu, but towards all indigenous peoples.

In more concrete terms, as an indigenous people living within a highly assimilationist and industrialized society such as Japan, the Ainu request that the United Nations move speedily to set international standards that guarantee the rights of indigenous peoples against various forms of ethnocide. Furthermore, as an indigenous people from the Asian region, where there has never been a tradition of considering the rights of indigenous peoples, the Ainu urgently request that the United Nations set up an international agency to clarify the situation of indigenous peoples, and put in place a mechanism for positive financial support of this agency by member states.

The Ainu people, through negotiation with the Japanese govern-

ment, desire the implementation of the rights of indigenous peoples being presently discussed here at the United Nations, including the right to self-determination as a people. However, we do not perceive this right to self-determination as being a threat to the national unity and territorial integrity of member states. What we are after is a high level of autonomy based on our fundamental values of "co-existence with nature" and "peace through negotiation". We do not seek to create new states with which to confront those already in existence. We aim to achieve, through our traditional values, the development and realization of a society in which all peoples can live together in dignity. In the Ainu language, we have a word URESHIPAMOSHIRI, which signifies our concept of the world as a interrelated community of all living things. In this new era in which the world is grouping towards a redefinition of the international order following the end of the Cold War, we believe "a new partnership" of indigenous and non-indigenous peoples which includes this world view can make a lasting and valuable contribution to the global community. It is the desire of indigenous peoples to make the future, full of the hopes of all mankind, an even better place.

IYAIRAIKERE. Thank you very much.

Statement of Lois O'Donogue, Chairperson of the Aboriginal and Torres Strait Islander Commission

Mr President:

My name is Lowitja.

I am a member of the Yankuntjatjara peoples of northern South Australia. I am an Aboriginal person.

I am accompanied on the platform by George Mye, a Torres Strait Islander.

Together we stand here before you today filled with immense pride as representatives of Australia's indigenous peoples.

Aboriginal culture is the oldest surviving culture in the world.

When in 1770 Captain Cook sighted what was then described as the great south land, we, the first Australians had been there for more than 50.000 years.

In 1788 Australia became a British penal colony, a dumping ground for the problems of the British Empire.

The British declared Australia terra nullius - "no ones's land".

The indigenous people were deemed to have no legal rights to the land on which they had lived, and cared for so long.

There were no negotiations, there were no agreements, there no treaties.

There was no recognition that we were a people with distinctive cultures.

There was no recognition that Australia's indigenous people, with more than 500 different languages, shared one thing in common - their relationship with the land.

That relationship remains central to our very being.

There followed years of oppression and conflicts which spread across the continent to dispossess, degrade and devastate the Aboriginal people.

It has left a national legacy of unutterable shame.

It took the indigenous people of Australia until 1967 to be recognised as Australians under the Australian Constitution.

This year we celebrate the 25th anniversary of the Constitutional recognition.

We also were given cause to celebrate this year as a result of a decision by the High Court of Australia in what is now known as the Eddied Mabo cases.

Mabo, a Torres Strait Islander, pursued indigenous rights unrelentingly. As a result the highest court in the land overturned the doctrine of terra nullius.

After 204 year Australian law has finally recognised that indigenous people did own their land at the time of European settlement in 1788.

This recognition is greatly welcome.

Indeed, it is more than two centuries overdue.

But it remains to be seen what its practical effects will be.

Our land and our culture are the two things in this world that we cherish above all else.

We have been dispossessed and dispersed.

Our culture has been threatened as a result of colonization.

Many of our languages have been lost.

Our spiritual beliefs have been ridiculed.

We have become marginalised in our own country.

In this international Year for the World's Indigenous People we proudly celebrate one thing - our survival.

But our survival has been against overwhelming odds.

Aboriginal people have a life expectancy 15 to 20 years less than other Australians.

We have unemployment levels six times that of other workers.

We are locked away in prison at a rate of 27 times that of white Australians.

We are also imprisoned by poverty, poor education and substance abuse.

But we take this opportunity not only to reflect on our past and present status, but to look with hope to our future.

We celebrate the fact that we have the challenger to our territory, our culture and our very existence.

We have survived.

As part of this celebration we seek to unlock the door to our history, and in doing so we hope to show the world that there is, and always will be, another side to the so-called discovery of Australia that wrought havoc upon us.

We do not wish to conquer or oppress.

Nor indeed do we wish to retaliate for two centuries of injustice.

Rather we seek to create a new partnership based, upon understanding, co-operation and goodwill.

The past cannot be changed; our future is in our hands.

We will empower ourselves.

To all our indigenous brothers and sisters who have suffered and survived the imposition of an alien culture we offer the hand of friendship and solidarity.

To the world we offer a message - share with us a future of peace and hope based upon mutual respect and understanding.

Share with us a new partnership based on equality, equal opportunity and social justice.

Share with us a partnership based upon proper knowledge and understanding of each other's culture and heritage and an awareness of the forces that have shaped the indigenous experience.

Share with us a partnership to care for the land which nurtures us.

For this partnership to be effective the world must accept that the history of indigenous people has been a history of oppression and the superiority of one race over another.

We do not seek your guilt.

We simply seek your acknowledgement of the brutality that has occurred, and your recognition of the continuous vitality of our cultures.

We need also to accept that our culture is a living and evolving thing that has grown out of an interaction between the past and the present.

By giving recognition to this sharing, I believe we can bring a new insight to the many challenges that face the world today.

As indigenous people we ask no more than the basic human right of being given the opportunity to determine our own future.

Only through self-determination can we begin to address the devastating impact on our people of dispossession and dispersal without consent or compensation.

In Australia we are making progress.

There is a greater Government commitment to self-determination for indigenous peoples.

Our education levels are rising sharply.

Our cultural achievements are gaining international recognition.

But there is so much still to be done.

The next decade in Australia will be significant for its indigenous people as we move towards marking the centenary of our Federation in the year 2001.

It was that Federation which brought together the six colonies that now make up the Australian nation.

The centenary of that compact holds hope for an equally important new compact - a compact of reconciliation between the country's indigenous and non-indigenous population.

That centenary also demands that the Australian Constitution be changed to recognise Aboriginal and Torres Strait Islander peoples as the continent's original inhabitants.

It requires that the land needs and entitlements of Australia's indigenous peoples area appropriately addressed. This will mean seeking land rights not only through proving native title in the courts, not only through improved legislation but also through the establishment of a National Land Acquisition Fund for those of our people who have been dispossessed.

Finally, the years leading to the centenary of our Federation provide an opportunity for Torres Strait Islanders to gain some form of self-governing status over the Islands and waters that they hold so dear.

The International Year of the World's Indigenous People enables us to embark on a new journey of discovery - a journey that I hope will bring about an understanding of the fundamental nature of our history, and the key to a shared future in justice and equality.

It is a journey that we want the Aboriginal and Torres Strait Islander peoples of Australia to share with our indigenous brothers and sisters throughout the world.

Statement of Donald Rojas, World Council of Indigenous Peoples

Mister Chairman, Mister Secretary General, Mr. General Coordinator of the International Year, Indigenous Brothers and Sisters, Ladies and Gentlemen, Representatives of the members States of the United Nations:

It is a honour as well as pleasure to address the General Assembly of the United Nations on this occasion on behalf of the World Council of Indigenous Peoples.

As a preamble, and with your permission, Mr. Chairman, I want to pay tribute to all Indigenous heroes who through their strength have made it possible for us to gather here on this occasion. I would also like to express profound salutations to all Indigenous Peoples of the world - children, youth, men, women and elders - from this stage through their organizations, and to announce our commitment to continue our struggle seeking peaceful solutions towards the exercise of the inherent right to make decisions for our future. We support all your effort in the defense of the recognition and respect of this right.

With the end of the era of celebratory anniversaries in mind, which were inspired by notions of economic, territorial, political and cultural conquests against our peoples, we welcome the proclamation of the International Year of Indigenous Peoples: a year that the peoples themselves through their organizational structures have forged.

We recognize the efforts of the United Nations organs and some member states that have responded favourably to this demand, we note however, with great concern that our peoples are not yet considered as such. Therefore, it is with pride that we emphasize, in this house, once more, that we here present as PEOPLES.

We also recognize, and it is necessary to mention, the important contributions of the United Nation system over the last 20 years, which are reflected in the resolution adopted by General Assembly, as well as the openings for dialogue and possibilities for cooperation with its specialized agencies. It is our hope that tomorrow's session will represent one more incentive in the development of new relationships.

The tasks of the Working Group on Indigenous Populations merits particular attention and we anticipate the final version of

Universal Declaration of Indigenous Rights at the 11th session, which will take place in 1993, so that it can be immediately considered by the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, the Commission on Human Rights and, of course, the member states of the United Nations and Indigenous Peoples. We would strongly recommend, moreover, the consideration of the declaration be directly linked to the agenda of the Commission on Human Rights.

We encourage the activities of the United Nations which are aimed towards promoting meaningful dialogues between Indigenous Peoples and country representatives, such as the seminars on the revision of social and economic relations which took place in Geneva in 1989, and on the practices of self-government and autonomy in Nuuk, Greenland in 1992. However, we want appropriate follow-up on the recommendations emanating from these important events. We would suggest that the United Nations consider the establishment of an Indigenous Peoples officer at the level of High Commission.

It is also opportune to suggest to the United Nations that in the planning of its programs with Indigenous Peoples it fully contemplate the allocation of the necessary funds to ensure the contribution of Indigenous Peoples representatives.

We want to reiterate our support of the meaningful participation of Indigenous Peoples in the consultative processes in the ratification and implementation of I.L.O. Convention 169; we note with satisfaction the number of countries that have ratified the Convention and those that have initiated processes towards its ratification.

Now we want to address particularly the governments of the member states of the United Nations to speed up the advancement of Indigenous Rights in their national legislation and constitutions within the framework of international law, and to facilitate equitable conditions in decision making leading to the enjoyment of democratic plurality.

It is important to highlight the common values of humanity existing in all cultures and the mutual recognition of diversity. This emphasis would produce intercultural dialogues to seek an approximation of harmony and human equilibrium.

Our Mother Earth has given us life and maintains us with all her elements; Indigenous Peoples, Mr. Chairman, are concerned about her deterioration. We offer to the world alternatives given us by our

ancestors. In this regard, it would be important that the United Nations implement the recommendations and agreements manifested in the Conference on Environment and Development, particularly the Biodiversity Convention and the contents of Chapter 26 of Agenda 21.

Indigenous Peoples, Mr. Chairman, in our view must be present and appropriately included in the World Conference on Human Rights. It would be ironic that in the United Nations International Year of Indigenous Peoples, our issues would not be contemplated within the agenda of the United Nations World Conference. As we all know, Indigenous Peoples continue to suffer the legacy of colonialism, which historically led to and contemporarily supports the violation of Indigenous Peoples human rights.

We want to refer to the possibilities that the future awaits us, as the WCIP has named it "BEYOND 1992"; we have great expectations of the creativity of Indigenous Peoples in their activities for 1993 in which they will continue building international Indigenous solidarity, and continue seeking long-lasting solutions for the maintenance of life and sustainable development for our future generations - generations which will evaluate us and also confront challenges with great responsibility.

To conclude, Mr. Chairman, we would like to announce some important activities that the WCIP will be contributing to in 1993: the International Conference of Indigenous Peoples in Mexico in May, the International Conference of Indigenous Women in Guatemala in December, to close the International year.

We would also collaborate with the United Nations' specialized agencies, other international organizations, non-governmental organizations and all Indigenous Peoples organizations in the planning and execution of activities for the International Year of the Family in 1994, the World Conference on Population and Development in Cairo, Egypt also in 1994, and the World Conference on Women in China in 1995.

Thank you very much.

Statement of Mary Simon, Inuit Tapirisat of Canada

(On behalf of the: Inuit Tapirisat of Canada, Inuit Circumpolar Conference (Canada), Grand Council of the Crees (of Quebec), Metis National Council, Native Council of Canada/Congress of Aboriginal Peoples, International Organisation of Indigenous Resource Development).

Thank you for the opportunity to address this distinguished forum. The United Nations plays a crucial role in setting much needed international standards. Your persistent efforts in monitoring the members of the human rights of all peoples are vital. Indigenous peoples firmly support the overall objectives and work of the United Nations.

I am Mary Simon, an Inuk leader from Nunavik in Northern Canada. I am speaking on behalf of Inuit, the Crees of James Bay, Non-status and off-reserve Indians, and Metis, representing a majority of the indigenous peoples of Canada, and the International Organization of Indigenous Resource Development, an international non-governmental organization in consultative status to ECOSOC.

As many of you are acutely aware, indigenous peoples from every region of the globe are among the most vulnerable and exploited societies. We, perhaps more than any other peoples in the world, urgently need international protection that the United Nations can provide.

Although the theme of the International Year is a "new partnership", the reality we face is not one of partnership or cooperation, but rather exclusion and marginalization. Disposition of lands and resources, racial discrimination, and other violations of our most fundamental rights still scar and ravage the lives of indigenous peoples in both developing and developed countries.

On the eve of 1993, a number of State governments still refuse to recognize our collective and individual rights as "peoples". Our rights are inseparable from our cultures, way of life, and our relationship to our lands and territories. We are peoples with the same rights as all peoples; to deny this is to deny who we are.

We are no longer merely objects of international law; we are subjects of international law. Finally, the international community has started to take meaningful steps to address the urgent human

rights concerns of indigenous peoples. In 1989, the International Labour Organization (ILO) adopted the Indigenous and Tribal Peoples Convention (No.169), which is intended to provide international protection to indigenous and tribal peoples.

With a mandate from this General Assembly, and with the direct participation of indigenous peoples, the United Nations Working Group on Indigenous Peoples is drafting a Universal Declaration on the Rights of Indigenous Peoples. To be effective this document must not become the "lowest common denominator" of existing domestic law. Instead, it should conform to the status, rights and perspectives of indigenous peoples themselves, whose concerns must now be addressed by the United Nations.

To advance this effort, we need individuals like Dr. Erica-Irene Daes, Chairperson of the working group. We applaud her dedicated efforts to defend the rights of all peoples. Dr. Daes is an untiring advocate on behalf of our rights at the United Nations.

We believe that the urgent concerns of the millions of indigenous peoples throughout the world can no longer remain a "footnote" to the overall work of the United Nations. At the very least, the "Rights of Indigenous Peoples" must finally gain a place on the formal agenda of the Commission on Human Rights.

More fundamentally, we recommend the following:

- That the institutional framework of the U.N. be appropriately strengthened to recognize the increasing paramountcy of the issues affecting indigenous peoples; and
- the creation of a permanent advisory body within the United Nations, made up of representatives of indigenous peoples themselves. The struggle against apartheid has benefited from such an advisory committee; this is a model we should seek to emulate.

I emphasize that we cannot rely entirely upon domestic law to provide the necessary protection and promotion of our human rights and fundamental freedoms. These include our collective and individual rights. We must go beyond the protection provided for "minorities" under article 27 of the international Covenant on Civil and Political Rights, which are simply inadequate.

Indigenous peoples must have the right to consent to development on indigenous lands. Indigenous peoples are often the first to suffer the adverse social and environmental effects of ill-conceived development projects. The Crees of James Bay are familiar with the effects of massive flooding of their territory in Northern Quebec as

are other people with strip-forestry.

States must respect our right to peace and security. For example in Canada the contamination of indigenous lands because of military activity is of vital concern.

Treaties between indigenous peoples and States must be fully respected under international law. (Such treaties include modern land claim agreements.) Indigenous treaties were not signed only as "domestic instruments". They must not be turned into domestic instruments after the fact.

Respect of our right to self-determination is paramount. Our rights to subsistence, our right to benefit from our own resources, our rights to self-government - many of our fundamental rights are contingent upon respect for our right of self-determination.

The Inuit of Resolute Bay and Grise Fjord have been victims of forced relocation to support Canada's claim to northern sovereignty. The Government of Canada owes an apology and compensation to these high Arctic exiles. The pain and suffering of these Inuit families is further compounded by the Canadian government's attempt to deny this injustice.

The indigenous peoples in Quebec are now threatened by the possible secession of Quebec from Canada. The indigenous right of self-determination must take precedence under these circumstances.

On a more positive note, the Inuit of Nunavut have moved closer to controlling their own lives through a recent comprehensive land claims agreement and political accord on division of the North West Territories. And the Metis Nation has agreed to a legislative accord with governments, the Metis Nation Accord.

During the Canadian constitutional negotiations, the recognition of the inherent right to self government for all Aboriginal peoples by governments was an historic breakthrough. Although the combined provisions of the Charlottetown Accord were not ratified, the self government provisions gained broad support among Canadians.

Today Rigoberta Menchu, an indigenous person from Guatemala, is receiving the Nobel Prize for her courage and determination. We add our heartfelt tribute to her remarkable and on going efforts.

In closing, our presence today before the General Assembly is not an isolated event. We call upon the General Assembly to go beyond

the relatively insubstantial resolution which has been proposed, and to endorse a Plan de Action which will address indigenous issues for the next decade.

Thank You.

Statement by Anderson Mutang Urud, Kelabit People of Sarawak, Malaysia

Mr. Chairman,

My name is Anderson Mutang URUD. I am of the Kalabit people of Sarawak, in Malaysia and I speak on behalf of the International Federation of Human Rights. Before beginning, I would like to thank the following people:

-Andean BLANC, Coordinator and Director of the Geneva Centre for Human Rights

-Erica-Irene A. DAES, Chairman of WGIP

-The UN Secretary General, Mr. Boutros Boutros GHALI, and all Member States

-And finally, I would like to acknowledge the presence of fellow tribal leaders and indigenous representatives.

On behalf of the Dayak peoples of Sarawak, Malaysia, I want to thank the United Nations for making 1993 the year of Indigenous Peoples. It is my hope that the sun has finally risen over the green mountains after our long battle with the cold night. I share this hope with my indigenous brothers and sisters who have come here from all over the world.

I come from Sarawak, which is a state in Malaysia on the island of Borneo. Sarawak is less than percent the size of Brazil, yet is currently producing almost two thirds of the world's supply of tropical timber. As the International Federation of Human Rights has reported in 1991, even if the current rate of logging were immediately reduce by one half, all primary forest in Sarawak would be destroyed by the year 2000.

In areas that are logged, fish, wild animals, sago palms, rattan and medicinal plants disappear. The trees which bear the fruit which feeds the wild pigs are cut down for timber. The pigs disappear, and with them vanishes the main source of meat for our peoples. Many of us are now hungry. Trees and vines with poisonous barks are felled, and find their way into the streams, killing all the fish. Mud from the eroded lands pollutes the rivers, bringing us diseases and destroying our source of drinking water. Even when we mark our burial grounds, the logging companies bulldoze through them, with no regard for our feelings. Hundreds of graveyards have been destroyed in this way. When we complain about the destruction, they sometimes offer us a small sum of money as

compensation, but is an insult to us. How can we accept money that is traded for the bodies of our ancestors?

The government says that is bringing us progress and development. But the only development that we see is dusty logging roads and relocation camps. Their so-called progress means only starvation, dependence, helplessness, the destruction of our culture and the demoralisation of our people.

The government says it is crating jobs for our people. But these jobs will disappear along with the forest. In ten years the jobs will all be gone; and the forest which has sustained us for thousands of years will be gone with them. And why do we jobs? My father and my grandfather did not have to ask the government for kobs. They were never unemployed. They lived from the land and from the forest. It was a good life. We had much leisure time, yet we were never hungry, or in need. These company jobs take men away from their families for months at a time. They are breaking apart the vital links which have held our families and our communities together for generations. These jobs bring our people into a consumer economy for which they are not prepared.

The Penan, the Kelabit, and the other Dayak peoples view the forest as their home. When we see a thief enter our home, we try to defend what is ours. That is why we have been protesting for so long against the loggers. That is why, when these protests fell on deaf ears, we began to blockade the logging roads. Since 1987, our people have been arrested and imprisoned for taking part in these peaceful blockages. An old man I know once asked a policeman why he could not blockade a road on his own land.

The policeman told him that Yayasan Sarawak had been given the licence to log the forest, and so the land belongs to the company. This is what the old man said in reply: "Who is this Yayasan Sarawak? if he really owns the land, why have I never met him in the forest during my hunting trips over the last 60 years?"

A woman I know who has seven children once came to me and said: "This logging is like a big tree that has fallen on my chest. I often awake in the middle of the night, and I and my husband talk endlessly about the future of our children. I always ask myself, when will it end?"

A high government official once told me that in order to have development, someone must make a sacrifice. I replied, why should it be us who must make this sacrifice? We have already given so

much. We have already become poor and marginalized. Now there is nothing left for us to sacrifice except our lives!

For defending our way of life, we have been called greenies, pirates, traitors, and terrorists. Our lives are threatened by company goons. Our women are often raped by loggers who invade our villages. While the companies get rich from our forests, we are condemned to live in poverty.

The IFHR is of the opinion that the situation of indigenous peoples in Sarawak and in so many places elsewhere is that of a child who has fallen into a fast flowing river and cannot swim. The child cries out, extending its arm for someone to help. If no one takes the hand, the child will surely drown.

It is for this reason that the International Federation of Human Rights calls upon the United Nations, the governments, to do its utmost to assist all indigenous peoples which are threatened by their own governments. You must urge Member States to restore immediately the human and economic rights of the weakest and most vulnerable of the world's peoples.

Mr Chairman, Must people die before you respond? Must there be war, and blood running in the streets, before the United Nations will come to a people's assistance? Even though we are desperate, our people have avoided violence. We have used only peaceful methods of protest. Why does this organisation, which is dedicated to peace not take the necessary measures to help peaceful people?

I say to my country, and to other developing countries, that in our race to modernize, we must respect the ancient cultures and traditions of our peoples. We must not blindly follow that model of progress invented by civilization. We may envy the industrialized world for its wealth; but we must not suffer from so much stress, pollution, violence, poverty and spiritual emptiness.

The wealth of indigenous communities lies not in money or commodities, but in community, tradition, and a sense of belonging to a special place. The world is rushing toward a single culture. We should pause, and reflect on the beauty of diversity.

Let 1993, the year of Indigenous People, be a year of peace and hope, a year for the restoration of our bleeding forest and our threatened cultures. Let this year carry its message deep into the forest of Borneo, to a woman who weeps in the night, praying that the days of her children will not be like hers.

Thank you, Mr. Chairman.

INDIGENOUS VOICES

Development and Indigenous Peoples in the Amazon:

An Interview with Evaristo Nugkuag Ikanan

By: Teresa Aparicio

Introduction

The trajectory of the indigenous political struggle of Evaristo Nugkuag Ikanan is as notable as it is extensive. Evaristo Nugkuag, an indigenous Aguaruna, was born and lived until a young man in the community of Napuruka, situated on the bank of the river Marañon, one of the largest rivers in the Peruvian Amazon. It is an area of tropical rainforest in the northeast of the country.



Evaristo Nugkuag. Photo: Alejandro Parellada

Since he was a youth, and after being educated in his own community by bilingual Aguaruna teachers, Evaristo Nugkuag wanted to study medicine so as to be able to help his people fight the diseases brought by the Whites. With this pioneering spirit which would mark his political work in the future, his plans were to combine Aguaruna medicinal and pharmacological knowledge with Western medicine. He began to study medicine but, however, faced with the impossibility of obtaining financial support for his studies he was forced to drop out and return to his community. This was in 1976.

Once again in his own part of the country, Evaristo Nugkuag got together with other young leaders who were equally enthusiastic about finding solutions to the problems which their people were facing. They began to visit the Aguaruna and Huambisa communities in the region. Over the following years they began to identify the most acute problems in the communities, problems of land, education and health. This work culminated in the formation of the Aguaruna and Huambisa Council (CAH) which brings together all the Aguaruna and Huambisa communities of the area. The Aguaruna and Huambisa population is approximately 37,000 persons, comprising around 12 per cent of the total indigenous population of the Peruvian Amazon.

Since the foundation of the CAH, the work of Evaristo Nugkuag has been extended to other zones of the Peruvian Amazon so that today he is one of the people who know them best. This work, with its inter-regional character, was crystallised with the establishment in 1980 of the Interethnic Association for the Development of the Peruvian Amazon (AIDSESEP) of which he was the initiator and founder. Thanks to the effort and constancy of Evaristo Nugkuag and other leaders of the Peruvian Amazon, AIDSESEP is today one of the largest and most representative organisations in the Amazon Basin.

Following the same political trajectory of supporting and fostering the organisation of the indigenous peoples of the Amazon, the Coordinadora of Indigenous Organisations of the Amazon Basin (COICA) was established. Today COICA includes organisations from the nine Amazon countries: Ecuador, Peru, Bolivia, Brazil, Colombia, Venezuela, Guyana, French Guyana and Surinam.

The inter-regional and international experience of Amazon indigenous peoples which Evaristo Nugkuag has amassed, together

with the work he developed in international institutions such as the United Nations and the International Labour Organisation (ILO), the World Bank, the European Parliament and others, caused him to become concerned with other indigenous peoples in other parts of the world. He saw that these peoples also shared many of the problems of neo-colonialism and ecological destruction from which the indigenous peoples of the Amazon suffered. In a few years, Evaristo Nugkuag was one of the prime movers in the foundation of the Alliance of Indigenous Peoples of the Tropical Rainforests, which is the first and only world organisation of this character.

The work developed by Evaristo Nugkuag Ikanan in favour of the indigenous peoples of the Amazon and other indigenous peoples of the world has no parallel. And he has been recognised by the international community. In December 1986, he received the Alternative Peace Prize in Sweden, a prize which he decided to accept only in the name of COICA and not personally. In 1991, he received the Goldman Environmental Prize in the United States for his work for environmental defence and, in particular, for the work he has carried out over more than two decades in defence of the Amazon.

The following interview took place in Copenhagen in April, 1993. In it Evaristo Nugkuag explains what the concept of development means for the indigenous peoples of the Amazon and the consequences that the Western model of development has had for these peoples and for the Amazon. He also explains the process which led the indigenous peoples who live in the tropical rainforests to unite and form a world alliance and draw up their own agenda for a non-predatory development in their territories.

Evaristo Nugkuag alerts us to the role of the large financial institutions, such as the World Bank and the Interamerican Development Bank, concerning indigenous questions, as well as to the role of the NGOs who receive financial backing from these large financing institutions for their research projects. The work of these NGOs can be converted into a double edged sword and a type of intellectual colonialism with which they defend their own interest at the cost of the interests of the indigenous peoples of the Amazon.

Finally, he appeals to people, institutions and organisations which want to support the indigenous cause to follow the lead of indigenous organisations. "Together," concludes Evaristo Nugkuag, "we can fight for the defence of the environment and for the rights of the indigenous peoples and nations of the Amazon."

Evaristo, you have been one of the Amazonian leaders who has contributed most to the Coordinadora of the Amazon Basin (COICA) which is today one of the best known indigenous organisations the international level. You were also the first President and held this position for several years. Can you explain the history of COICA and why it was established?

Up until 1983 the indigenous peoples of the Amazon were unknown by both governmental organisations and international bodies. I mean, at the level of the United Nations, at the level of the European Parliament and other international organisms. In 1983 I was invited on a trip here to Europe and saw then that very few people were aware of the problems of the Amazon. Europeans knew about the indigenous problem in the Andes and its cosmology but did not know what was happening in the Amazon. Therefore, we decided that, instead of waiting for other people or indigenous or non-indigenous institutions to begin to talk in our name and make themselves the promoters of our problems, it was better that we ourselves talked about our situation and our problems.

And so in 1984, the Interethnic Association for the Development of the Peruvian Amazon (AIDESEP) took the initiative and called a meeting with representatives of organisations from all over the Amazon. It was in this very meeting where the communal problems of the Amazonian indigenous peoples were discussed that we were all totally in agreement to form a coordinating group at the level of all the Amazon. There we brought together indigenous representatives from the Union of Indigenous Peoples (UNI) of Brazil; the Indigenous Confederation of Eastern Bolivia (CIDOB) of Bolivia; the Confederation of Indigenous Nationalities of the Ecuadorian Amazon (CONFENIAE) of Ecuador; and the National Indigenous Organisation of Colombia (ONIC).

So the Coordinadora of the Indigenous Organisations of the Amazon Basin was first constituted. In the short term we began to collaborate with indigenous organisations at the local, regional, national and international levels. We developed this contact work between 1984 and 1987 and we made important successes at different levels. The first two COICA Assemblies took place in Lima. Later on we acquired financial support and held the Third Assembly with the participation of all the member organisations of COICA.

The Third Assembly was held in 1989 in Santa Cruz de la Sierra, in Bolivia, where the directive council of COICA was definitively

formed. It was at this Assembly where strategies for the future of the Amazon were defined and a study was initiated into the problems of the region. Moreover, and based on these investigations, COICA drew up a series of recommendations for the alternative development of the Amazon. In 1992 these activities were concluded and presented in proposals and concrete recommendations for the future of the Amazon.

The Amazon is a most privileged place in the sense that it comprises resources of timber, medicinal plants, numerous flora and fauna and also other resources such as oil, gold and even uranium. Many think that these resources are inexhaustible and are not concerned that the indigenous peoples suffer from serious problems such as the contamination of rivers due to the exploitation of mines or timber, diseases which have been introduced and against which many indigenous brothers have no immunity. Nevertheless, the Western world still believes today that the Amazon is the solution to all the economic crises which face the world. And it is there where we indigenous peoples are risking our lives.

Really, COICA has an important role to play in the destiny of our peoples. The Amazonian indigenous organisations are working so that the world knows, the world learns, the world is, in some way, conscious that the Amazon is not the solution to economic crises. The Amazon belongs to all the humans on this planet, not only to the indigenous peoples. It is for this reason we are trying to get a commitment from indigenous organisations, international institutions, governments and other important organisations to help to save the Amazon for future generations. We do not want the institutions with the economic resources to impose any type of development. We ought to be consulted and be the organisation which is taken into consideration in the search for and discussions concerned with finding a solution to so-called development, without affecting a large part of the life of the indigenous peoples, as well as the species and all the resources of the Amazon. This is, concretely, what COICA is doing.

Over the last century, many indigenous peoples, and especially those in the Amazon, have seen their territories expropriated and their lands illegally invaded. They have suffered from the contamination and pollution of their regions which has made a large part of their traditional territories uninhabitable and unserviceable. All this has been carried out in the name of

'development' which has been imposed on you and from which, as you have just indicated, you do not form a part and from whose harmful consequences your peoples are suffering. Can we continue this theme with two questions: does COICA have alternative models to this destructive development? and what significance does the term 'development' have for the indigenous peoples of the Amazon?

At present, the Western world has imposed two, from its point of view, very important terms. One is 'civilisation' and the other is 'development'. Well, faced with this, in COICA we have analysed them and for us the concept of civilisation is not new. Our peoples have always been civilised and that is why they have known how to defend their way of life and have known how to disentangle themselves from the problems, have known how to live, maintain their culture, their language, their customs, etc. Similarly, our parents who, although they do not understand English, German or other languages, through our own languages, through our own customs were also always civilised. Therefore, what is happening is that the Western world wants us to, in their terms, 'integrate'. That is, they want us to abandon our customs, abandon our language, abandon our folklore, abandon our ceremonies and our religion. They are trying to get us to change this life, our life, and imitate the so called civilised Western life, 'civilisation'. The religious institutions have had a lot to do with this and this is also an important theme to discuss.

Parallel with this, we have seen that to be 'civilised' is to be 'developed'. It is to dress the same as others in the Western countries, the developed countries. And, here in our country too, people see this happening elsewhere and so they put on shoes and trousers, put on a watch, cut their hair, do not use tattoos, do not paint their faces, do not put on feather crowns, etc. This is what it is to be a civilised person who is trying to be developed. This has been used in mission schools, in bilingual schools, often not only by the state but also by private foreign organisations invited into the country, here in South America. The Summer Institute of Linguistics (SIL) has played a large part in this issue. For example, when a country values the 'civilisation' of its people by such institutions, there is a certain impact in favour of this institution on the part of the government. They look at indigenous peoples and at their customs and traditions as something backward. Is going naked being backward? This is not

a civilised culture, this is not a culture which is developing, is it? It has to be 'developed'.

Development means, they have told us, that we have to accept and allow firms, companies and the government to carry out activities such as lumbering, gold exploration and petrol exploitation and allow anyone to come to our communities and sell good such as tape recorders, watches, cameras. On the contrary, our pottery, all our artisan goods, are not considered to be 'progressive', not developed, but come from living a backward life out there. Even the medicinal plants have been considered something negative which we ought to give up and in exchange use industrialised pharmaceutical remedies. All this has been imposed upon us in one way or another, through a forceful education. We have seen that this is not a development for our peoples, rather it is a destruction of our cultures, of our lives. All the projects which have not been selected by us, which have not come about by our own initiatives, have been focused so that we can have money with which to buy 'necessities' such as notebooks, clothes, food, medicines, instead of letting our own traditional culture live. And in this way, we enter into ways of becoming developed rather than continuing to live the way we have lived. Now we have to dedicate ourselves to producing products such as cocoa, coffee, plantains, rice, maize and begin to sell them. Moreover, in some places indigneous peoples are beginning to raise cattle. But little by little we have been taking note of which of these activities have been depleting our forests, devaluing our customs and causing our own cultures to disappear.

COICA has begun to stress that development is not only imitating the lifestyle and customs of the developed or developing countries. Development for us is to incorporate our needs according to our customs within a national framework; not that our needs should be established according to the necessities of national policy. We see that so-called 'development' is nothing other than an attempt to rob us of what we have already developed. For example, with reference to intellectual property, many people have been to our communities, to our organisations, to learn, question and live. Some have stayed a short time, others for years. In the case of SIL many of its members have been living 20 or 30 years in indigenous communities. There they have learned everything: language, customs, how the family teaches the new born child, how we live, how we are, the daily routine. They have learned all this and have taken all our

knowledge and later written books about their research. These works are published in the name of SIL and with the names of the members of SIL who have lived in our communities but there is not mention at all of the names of the indigenous people whom they have consulted.

The development which has been imposed on us has signified the irrational exploitation of our natural resources. The lumber and oil companies which have entered our territories have taken all our wealth. They have turned us into paupers, brought contamination and illnesses. Now we must make an effort and rise up. We have to regenerate our environment, reforest our hills and defend our lands. We are also aware that we have to find a solution to our problems of education and health. Regarding the education which is taking place at present in the schools in our communities, we have to pay the teachers and buy materials for the students. Similarly, today there are new diseases in the communities which before we never knew. This means that we have to train not only the curers and midwives which we had before but we also have to train nurses and doctors who know and understand how to treat these new Western diseases.

Our fathers and our mothers are the foundation of our development. When we promote and respect their wisdom we are also reinforcing and strengthening this knowledge which the world is now interested in investigating. How is it that the indigenous people, they ask, have been able to live for thousands of years without destroying the environment? Keeping diseases at bay? It is because we have our own wealth, our own development, guarded in our history and in our myths. It is this development of ours which we want to present and exchange and also have considered and accepted. Our disgrace is the development that comes from outside; it is a development that commits genocide, ethnocide, which takes our lands, which invades us and which brings us diseases.

Development is to have control over our own resources and manage them by in own communities and through our own organisations. This will give us our own development without interference, and allow us to maintain our concerns and knowledge. Development for us means not being beggars in the street, not asking for loans of money from anyone, not having to sell our land, not being colonised by foreigners, but rather being able to maintain our own lives and work according to our own needs.

What role is COICA developing towards development programmes by member governments of the Treaty for Amazon Cooperation and, similarly, what is the position of your organisation concerning the international institutions which finance a major part of these programmes?

This is an extremely important point for the Amazon. Amazon governments, that is, the governments of French Guyana, Guyana, Surinam, Venezuela, Colombia, Ecuador, Bolivia, Brazil and Peru, comprise the Treaty of Amazon Cooperation. Within this international organ the Amazon governments are proposing, drawing up and also preparing strategies with the aim of developing together the natural resources of these countries. With a lot of pressure and diplomacy on these governments, COICA has tried to participate in their discussions and we have managed to participate officially in one of the 6 commissions which exist within the Treaty of Amazon Cooperation - the Special Commission for Indigenous Affairs in the Amazon (CEAIA). In CEAIA they are discussing precisely the need to investigate the customs and situation of the indigenous peoples, and also to investigate the resources which exist on our lands.

The governments have drawn up projects, large projects, which COICA has had the opportunity to study. Four years ago, we analysed 32 projects, 28 of which were not favourable for indigenous communities. Moreover, they were prejudicial to our peoples. We presented our points of view on these projects to the governments of the Treaty of Cooperation, making them see the need for our participation in the design of projects which affect our communities. The 8 remaining projects were on education, health, demarcation and research and in these we could participate but were unable to modify the content.

Quickly we realised that these governments, through the Treaty of Amazon Cooperation, were working in coordination with financial institutions such as the World Bank, the Interamerican Development Bank and the European Economic Community. These institutions have their departments called Environment and Development and it is through these departments that the Amazon governments and the international NGOs receive support to carry out their studies and draw up the projects to be applied in the Amazon. We indigenous peoples are interested in these institutions because for thousands of years we have known how to maintain our form of development and culture, our knowledge, but they have not for a

single moment taken any notice of us as organisations which could participate in the elaboration, implementation, administration and evaluation of the projects. Naturally, this is a big worry for us.

Apart from our work in the Treaty of Amazon Cooperation, COICA has also been in direct contact with the Interamerican Development Bank, the World Bank, and the European Economic Community. We have observed in COICA how the banks give loans to all the Amazon countries, for example for the construction of roads or for the exploitation of resources such as oil and timber and also to cover other needs which governments present to the banks. The resources which they give to the governments are credits, credits which may or may not be repaid but in which the governments entangle their citizens and whom they say are the beneficiaries. In this case, we indigenous peoples are also involved without even being told that, for example, the government is obtaining a loan for the construction of a network of roads which are going to cross our territories.

Faced with this, COICA presented a proposal to all three international finance institutions. Among other things, it proposed that these institutions not only ought to listen to the governments behind the projects but they should also listen to the indigenous peoples. When a project comes from the Amazon they ought to investigate whether indigenous peoples or groups live in the area or its surrounds. If they do, then a team of technicians and experts from the region together with the regional indigenous organisation ought to visit the zone, financed by one of the bodies financing the project. We have also suggested that projects which affect the Amazon be discussed, before their implementation, by representatives of the banks, the governments, the indigenous organisations and the indigenous communities that will be affected by the projects in question. The World Bank responded to our proposal: they agreed that they would take a lot of care in looking at the question of projects in zones where indigenous peoples are living.

On the other hand, the banks have proposed making loans to our organisations. In the case of Peru, after a lot of lobbying, we got the World Bank to consider not a loan with the burden of repayment, but economic support for our organisations for looking after the functioning of their projects without negatively affecting either our communities or the environment. We suggested this because we consider that our organisations are those which are working to find

ways of equitable development and which will ensure life in the Amazon for generations to come.

What is COICA's position on the loans which some banks have offered indigenous Amazon organisations?

The question of bank loans to indigenous organisations is very delicate. To date there has not been an indigenous organisation, at least in South America, which has reached a certain level of economic self-sufficiency which would permit it to carry out financial transactions at the level of loans. Therefore, for good reason, the organisations which we have in the Amazon are in a precarious situation. It is still very premature for us to take these economic steps, at least we would never accept credits from any bank. There is no security that an indigenous organisation accepting bank credits for, for example, an agricultural commercialisation project, could return this loan in maybe 20, 30 or even 40 years. Nor is there any guarantee within either the national or international market could ensure the commercialisation or exportation of these agricultural products up until the loan is repaid. To accept a loan which later we cannot pay back - what would the bank take from us in exchange? It could take our lands, timber or any other resource that exists on our lands. Or if, through being bound to this project, the bank says to us that there is gold or oil in our lands, it could force us to agree to let the bank exploit these resources in exchange for the loan which we cannot repay. This is the danger.

For example, the Aguaruna and Huambisa Council (CAH), the organisation of the central rainforest of Peru, and affiliated to AIDSESEP, was interested in obtaining a loan from the Interamerican Bank some years ago for an agricultural production project. The loan was for 500,000 US\$ and the Bank was interested. The CAH thought it could guarantee the repayment of the loan within the time frame laid down by the Bank through the profits generated by a processing plant for agricultural produce such as plantains and cocoa. The processing plant was to be installed in the zone.

After studying the project in detail, we saw that these products were not those which would fetch the best price on the market. If the sale of these products did not work then there were no other means of guaranteeing an income which would permit the repayment of the loan. Above all, the interest from the loan would continue to

increase and, in the end, the 500,000 US\$ could triplicate with interest over years. And if there was nothing with which to repay, we would be accepting a series of problems which were impossible to foresee. For this reason the CAH decided not to accept the loan which the Bank was disposed to grant. So, to date, we at COICA have not accepted any loans. Not even a donation.

Two years ago, for example, the Interamerican Bank proposed to give COICA a small donation to make a study with the aim of finding important projects in each of the member countries of COICA. Each indigenous organisation affiliated to COICA would receive 30,000 US\$ as a donation. Many of our members agreed that this was a political achievement; we had obtained a small space within the Bank. Nevertheless, after analysing the issue thoroughly we arrived at another conclusion. To accept the donation after many years of defending our resources, we would be making an opening for studies of our communities' resources.

Our study would be given to the Bank. Then the Bank, with its experts from the governments of each of the countries, could make a much more sophisticated and much more technical study of our resources. We could have accepted this proposal without knowing perhaps the consequences of the opening we were making. Therefore, in COICA, we do not want to accept money from the Bank. What we would accept would be an invitation from the Bank for the indigenous Amazon organisations to form part of an integrated commission dedicated to monitoring, supervising and drawing up plans for all the Bank's projects which affect the Amazon.

Another question which worries us is the Indigenous Fund. We know that the Interamerican Bank has given two million US dollars in order to set up the Secretariat of the Indigenous Fund in Bolivia and the governments, among them the Spanish government, have also contributed financially but we do not know how much. The Indigenous Fund controlled by governments and it has not invited indigenous peoples to participate in the control and direction of the Fund. A danger that we see in COICA is that the non-indigenous NGOs also can present their projects and offer their services to the Indigenous Fund. At least in theory, the Fund ought to be directly led by the indigenous peoples and organisations, without intermediaries.

You have explained in detail the consequences of a Western model of development which has been imposed on you and the very negative

consequences which this development has had, and continues to have, for the Amazon and for indigenous Amazon peoples. You have described COICA's work and position in the Amazon and what the concept of development means for you. You have also talked about the problem that the Amazon governments, backed up by international finance institutions, are leading an Amazon development according to the canons of Western countries and not according to the indigenous cultures.

You also alert us to the danger that non-indigenous NGOs run of becoming a double edged sword and, as such, a new means of colonisation of the Amazon. To finish, I would like to ask you if you have any message for the peoples and organisations which would like to actively support the realisation of this vision of the future which you have described and help you find the place within the international community which you are looking for.

Opposite to what we believed in COICA, there is no coordination between support NGOs; each one has its own interests. On the other hand, banks and governments share the same interests. The NGOs who really want to support us, be they environmentalists, ecologists or human rights groups, ought to identify themselves with the indigenous peoples and share our proposals, our goals and the objectives of the indigenous organisations of the Amazon. There are NGOs which are cooperating with economic resources and with projects; there are also NGOs which are only interested in being intermediaries between the multilateral bodies and governments, and not between us, the indigenous peoples, and these bodies.

For example, in a meeting which took place in Washington in 1991, the role of international finance institutions in the Amazon was debated. Apart from the indigenous leaders of the Amazon the meeting was attended by representatives of 180 NGOs throughout the world. We all decided to go to the World Bank and present the conclusions of the meeting, but when the time came there were many NGOs that did not want to go. And so we discovered that these large banks which finance projects in the Amazon also finance investigative socio-economic and environmental studies in our area for NGOs as well as individuals. If, therefore, these NGOs and individuals who receive money from the banks protest at the development policies of these same banks they will stop their funding and lose the work. That was why they were afraid.

There are other people, ecologists, who receive funding from lumberers and transnational companies which extract natural re-

sources (oil, gold) on our territories for carrying out impact studies on the environment. These people and NGOs did not want to protest either because their money would be cut. It was there that we understood that not all NGOs are equal and that some of them work against our self-determination and our right to directly control our own affairs without intermediaries.

In COICA we carried out campaign work in search of an alliance with the environmentalists of the United States and within this alliance we found both positive and negative things. When we participated in the environmentalist meetings at the global level, the indigenous organisations designed common and joint strategies. On the contrary, neither the environmental NGOs nor the environmentalists had common strategies, it was each to its own. Some NGOs accepted our propositions, others did not because, as I mentioned before, they received money from the World Bank or the Interamerican Bank for carrying out studies, for work on economic resources, for environmental impact studies, etc. These NGOs did not want to talk against the banks and did not want to carry out campaigns.

On the other hand, we have also seen that there are NGOs which work for timber and oil companies and who receive funds from these companies, and there are also NGOs who carry out research work. These NGOs do not want to talk, do not want to support the indigenous peoples. This is what prompted us to make a classification of NGOs: the environmentalists, those who cooperate at the economic level, and many more. As we have already said many times, there are NGOs who have committed errors through ignorance, and those we have made aware of our indigenous philosophy, our customs, our needs. If, after listening to us, they are in agreement we can begin to work together and develop a solidarity, leaving aside what is past. So COICA is working to establish links of collaboration and support with all kinds of NGOs which, in some way, share the indigenous cause.

COICA also is establishing links with European city councils, with representatives of European cities, because the cities are the people. COICA began in Germany by forging links between different cities and the Amazon peoples. We began this work in 1989 and in 1991 we signed an alliance with the town of Graz in Austria. To date, we have signed alliances with 250 European town councils - a large number - and they work to support the Amazon and the work

COICA is developing in the Amazon. In Holland, COICA has made alliances with more than 40 cities. These cities are in a position to begin to work together with the indigenous Amazon organisations. For example, when they know that there are companies or banks in Germany, Holland or Italy which are planning to finance a road, a hydroelectric plant or any other project which could affect the Amazon and the indigenous peoples, then these cities will try to exert a political influence on their governments to desist from the project.

There is also an economic aspect to these alliances with European cities and this support goes directly from the European cities to the indigenous communities and organisations of the Amazon. Each European city or town receives a budget from its government and part of this budget is designated for support for projects in indigenous communities. Already funds have been collected to support eight projects in different indigenous communities throughout the Amazon. For example, in the River Negro region in the north of Brazil; in Peru they are supporting different Aguaruna communities for the reforestation of their hillsides; in Ecuador there is a programme on bilingual education financed by the city of Frankfurt in Germany; in Colombia, a Dutch city has just finished financing a project in indigenous training.

COICA is now in the process of constructing a non-profit making civil association with legal recognition in Frankfurt. All the cities which have signed alliances with COICA will be affiliated to this Association in order to guarantee that the support which they bring is not dispersed. These are the steps we have taken here in Europe. And it is our hope that other European peoples and cities will join in these alliances. In this way we are able to fight for the defence of the environment and, above all, not only for the animals and trees, but principally to defend our territories and the indigenous peoples of the Amazon.

Indigenous Culture and Ecological Defense

By: Salvador Palomino Flores

To talk of a life which is in harmony with and respects ecology is to propose alternatives based on understanding and mutual respect, to the way in which the Western world has transgressed with its lifestyle, its way of thinking and its unnatural technology. This is, fundamentally, to present our indigenous religion, which is our way of life.

The Cosmos, the Sacred Pacha-Mama

The Sacred Pacha-Mama which is the great cosmos, is everything: the universe, the world, the earth and, importantly, time and space.

Time and space are an inseparable unity and structured as follows: *nawpaq pacha*, which literally means the 'time in front of us' indicates the past; *kanan pacha* is the present, while *qipa pacha*, means the 'time which comes behind' (the future). These concepts illustrate how, for our peoples, the past is very important; we go forward into the future like everyone, but observing and evaluating all the experience of the past which inspires us. Through the past the present is defined and the future is planned. "The future is inconceivable without the past and without the present" our Wayuu brother, Rivas Rivas, from Venezuela, tells us.

Similarly, our concept of space, *uku pacha*, is the 'inside world', the entrance to the earth. *Kay pacha* is the world of our present life, and *hanaq pacha* is the 'world above', the space around Mother Earth.

In our mythical thinking, according to what the teacher, Luis E. Valcarcel, informs us, there are some beings which unite and interlace these three worlds: these are *Yaku Mama*, the 'Water Mother' and *Sacha Mama*, the 'Tree Mother'. These sacred beings, who are personified as serpents with two heads, inhabit the three worlds: they emerge from within, pass into the here and now and when they

arrive at Hanaq Pacha are transformed into the thunderbolt, *illapa*, and the rainbow, *chirapa*. Then they return to kay pacha and uku pacha, to fertilise them and give colour to the plants and all beings in general.

The three times and the three spaces are the same integrated unity and they are synthesised in the cosmos, *Pacha-Mama*, where life takes place in cyclical spirals of constant change and return. The concept and significance of the word *mallki* (ancestral) is first of all in the historical, immemorial and preterite past of all families and peoples and, secondly, is in the seed bed and shoots of the new plants which try to emerge from the earth. Mallki is past and present at the same time.

In the cosmos, each thing has its place and all things are harmoniously related to each other by forces which we know today as laws. At their most fundamental, as if we are circling around a basic essence, all relations of being come together or start out from, a dual, horizontal, two-part and complementary relation; a relation or conceptual category known among ourselves as *tinku*.

In the Indian world "unity is the couple and not the individual". This is a belief which synthesises our whole observation of the laws of nature. We believe and are convinced that every dual, horizontal and complementary relation always generates collective and communal systems of organisation in every order of things. Furthermore, like the non-written worlds that we belong to, we systematise and codify the organisations through opposed complementary symbols.

Our Mallki, our ancestral father, Don Juan Santa Cruz Pachakuti Yamki Sallqamywa, who lived in 1613, brought us to this great truth through a diagram of how beings were organised in the temple of Quri Kancha, the 'golden enclosure' in Cusco. He showed us that *Wiraqucha* ('foam of the sea'), our *Tayta-Mama* (father-mother) was represented by an oval plaque of gold hung in a central and high place and was the 'original trunk' and unifying entity. On his right was *Tayta Inti*, Father Sun, and at his left, *Mama Killa*, Mother Moon. Below the Sun and forming a hierarchical masculine line was the 'Venus of the Morning' and below the Moon, forming another hierarchical feminine line was the 'Venus of the Afternoon', thus affirming to us the morning half of the day is 'masculine' and that each afternoon half of the day is 'feminine'. Further down, below the Venus of the Morning, was *Pacha Kamaq* (literally 'he who orders the

universe, the world') representing the solid part of the earth and in front on his left was *Mama Qucha*, 'Mother Sea', the liquid part of the earth. And finally, as a culmination of the Sun's masculine line, was the representation of Man and at the end of the feminine line of the Moon, was the figure of a woman. Between them both they represented the conjugal pair, in a horizontal relation of opposed-complementarity of the sexes, symbolically the universal Father-Mother of all the human race.

This message of our ancestral Mallki is very important because it provides us with the key to the classification and interpretation of our surroundings. In the first place it shows the *tinku* ('dialectic', 'general law of nature') of the 'complementarity of opposites' in a horizontal relation which is represented symbolically as a opposed complementarity of right/left as well as masculine/feminine. In the second place it is very important to understand the cyclical movement of all generations: *Wiraqucha* as father-son (the origin and unifying entity of both hierarchical lines) in the course of a fifth generation regenerates in the conjugal pair man-woman symbols of a human generation.

The Western Form of Religion

Western Eurasian society (apart from its new atheistic tendency) is completely idealistic in its religious manifestation. Its fundamental characteristic is the conception of an invisible and unknown world (called heaven by Christians) beyond concrete reality and the material universe. This ideal world is the heavenly home and dwelling of gods who are also immaterial and in whom people believe only through dogma and faith. Christianity (born among the Romans of the first century) is, together with Buddhism and Islam, the most transcendental of current religions and, with its branches of Catholicism, Orthodoxy and Protestantism, is imposed on the world through the use of the power of the state and the sects, which are both imperialist and conquering. This is the religion which the Spaniards, Portuguese, English and others brought and have enforced on the Indian peoples of America through blood and fire since the devastating invasion of our lands five centuries ago.

We live together, but in conflict

One can visualise, on display, two totally different religious expressions, opposed and irreconcilable: the indigenous and the Western. For this reason the encounter between both religions in America was not the origin of a mixing - a new third expression - as many people affirm and try to demonstrate. Instead they could only be phenomena in juxtaposition, super-position, symbiosis or forms of domination according to the manner of contact and the character and tactics of this domination: peaceful-persuasive or compulsive-violent.

What is unquestionably real, however, is the existence or survival of both religions on a daily basis, but in an unequal relationship: Western religion, predominantly Christian, is in the dominant situation and the indigenous religion, varied and multiple, is in a situation of domination.

Moreover, such a relation between the two religions is not one of cooperation and conciliation, of syncretism or even less of mutual recognition, but of conflict. A series of mechanisms of domination have fuelled this conflict: the destruction of temples, the persecution and killings of Indian priests, the prohibition of ancestral rites and ceremonies, burning of materials and sacred objects. These acts were direct and violent during the conquest but in the colonial period today have become more subtle and deceptive. For example, according to the law, only the Western, Christian religion is official in most America countries. We have been forbidden to use sacred elements which are very important to our peoples, such as coca and peyote, and they have been labelled 'narcotic substances'. And there are many more examples.

Reciprocity, the institution of equality and collectivity

Returning to the essence of our relation with the sacred Pacha-Mama, we will explain the great importance of the Indian cultural institution which is known by the term 'reciprocity' in English and which in Quechua is manifest as *ayni*, *minka*, *challay*, *saminchay* etc. which are all forms of manifestations of the indigenous dialectic of the tinku.

In our Indian world, reciprocal practices begin with individuals and families and are principally actions which generate economic values. A practical example in one of our daily activities would be

if, today, I begin to build myself a house, all my family (blood and spiritual relations), my friends and all the members of the community will come to help me, and not only with their labour but also with tools, materials, food and even music, dancing and song. After the work is finished, I will be aware of all the help I have received. In the future the occasion will arise when I can return that help with the same intensity with which I received it. Our ethical values ensure, moreover, that I will give this help in abundance and without deficiencies or stinginess. This reciprocal act, when carried out between individuals and families, is called *Ayni*.

When help or economic acts are not reciprocated then inequalities are generated and benefits of only one kind are accumulated. This is the practice of class societies and economically exploiting societies. The Indian people, whose society is organised to reflect the harmonious cosmos Pacha-Mama, never cast off the practice of *ayni*. This has been in spite of the impositions forced upon us through invasions and being subjugated to Western culture and its models which still exercise control over our autochthonous peoples of America.

The cellular unity of the human group, the *ayllu*, provides an infinity of benefits for the individual, family and group in our collectively organised Indian societies: our reciprocity for generating these communal benefits is called *minka*. This is expressed through communal work such as repairing roads, constructing public buildings, taking care of communal equipment and carrying out the religious, political and social duties which preserve and enrich the collective spirit and essence of our society.

The *ayllus* are the cellular units of our social organisation, and the increasing strength of the alliances between them leads us to the formation of nations. In the pre-Spanish period, the alliances of *ayllus* and then of nations, led us to the formation of Tawantinsuyu: the "great plurinational, pluricultural and multilingual state confederation with a collectivist and communal character". As a consequence of this ancient organisation, Peru today, as other South American countries, conserves its essence as a plurinational, pluricultural and multilingual country comprised of 66 Indian nations and one Creole nation (Westernised and Westernising), although it believes that it is propagating only the existence of one Peruvian nation.

While the *Minka* fulfils a role of reciprocal exchange between

social group and ayllu or community, the *mita* is the work or reciprocal exchange of nations with their great federal state. The grandiose communications network which covers almost all of the Andes, the thousands of temples and forts, the agriculture in its maximum expression, its infinite artificial terraces, canals and aqueducts of a high degree of engineering skills, are all products of the collective work of peoples and nations which have loved, identified with and participated in the great federal state.

In our individual social life and in groups from families to nations and states, we have a broad-ranging practice of exchange covering economies and the construction and preservation of collective and communal practices. The same happens with our relations with mother nature, the sacred Pacha-Mama and it is this relation which in English is called 'religion'.

We Indians consider all the forces of nature which give us life divine. This is not through fear or in order to understand them as supernatural beings, but rather, because we have known them and understood the truth of their laws and so we come close to them, treat them with respect and recognise the daily benefits which we receive from them. The Tayta Inti, father sun, is sacred because without the benefit of his rays the world would not have life; Pacha-Mama is the fertile mother earth; Amaur is the river, the vital water; Wiraqucha and Pachakamaq are the energy forces which regulate the universe, and finally *Wamani*, the *Illa* or the *Mallku Kuntur* are the messenger spirits, the signs manifest in the communion of man with the infinite cosmos.

Today the Crisis of Nature is also a Social and Historical Crisis for our People

If one lives in communion with nature, which in our social and cultural life is also a reflection and transcendence, then all transgression of its laws and its physical integrity is an aggression against our own society and against ourselves.

To be an Indian or indigenous person is to live together with nature and to respect it in a sacred relationship. And this, without being exclusive, is inherent in all races and all peoples of the world in all time and space.

All the peoples of the world have participated in one single collective, natural and communal spirit in our origins, and the

Indians of today are only the guardians of this spirit which survives as a system in spite of the insurgency and persistence of the Western which is an anti-natural and egoistic system.

If the Indian today emphasises special characteristics of life, it is because of the presence of the Western system with its anti-natural and anti-human forms of life. If those pertaining to the Western system returned to the cause of our sacred Pacha-Mama, there would be no more antagonistic and anti-natural conflicts between human beings. Once again there would only be humanity.

Because of our situation as subjected and oppressed peoples, the interpretation of our socio-cultural universe by specialists and social scientists is obscured by Western concepts which interpret us badly. Some of these errors stem from prejudice, others from lack of understanding the new and the different, and yet others because of simply carrying out the intelligent decodification of our culture by means of their oppressive culture. Most of the studies on indigenous religion, for example, are a pastime for Western technology looking at a new and different world, or else an attempt to present a cultural 'mix' where otherwise two antagonistic and unreconcilable forms of life are in conflict. In one sentence: Western religion is idealistic or atheistic, and the indigenous religion is cosmic and spiritual. The West has invented the ideal world - full of gods - 'beyond' the cosmic material reality, or else in its egocentrism it simply tries to eliminate the world of gods in order to believe that the only important being with the quality of 'God', is one's self.

Out of interest or out of ignorance, the West distorts the structure and the essence of our religion: they suppose it equal to their own and, thus confounded and 'identified', they develop it only in a Western form. As mechanisms for this assault, they invent and utilise myths: if they do not call us barbarous, then they label us primitives and savages. Our religions become demonical or pagan rites, and our communion with the sacred cosmos only a pantheistic attitude. Indigenous religion is a religion of knowledge, of wisdom and of general science. "Indian scientific knowledge means living together" clarifies our Wayuu Indian brother, Saul Rivas Rivas. The majority of Western religions are only dogma, belief and faith, which with an anti-natural and castrating morality only advocate (and continue advocating) ignorance in the face of the cosmos and its laws. The Middle Ages and its scientific obscurantism for the religious is the best example of this.

It appears illogical to the Indians that through religious thought idealism, homocentrism, individualism and the inequality of classes between human beings is magnified. Only the anti-natural thought of the West conceives of an invisible world populated by gods, who are also invisible, somewhere beyond the cosmic reality. Man, by being the 'son of God' also has a divine condition and, moreover, is superior to other living creatures. God apparently entrusted mother nature to 'his beloved son' for his use so that he could conquer, submit and transform - distorting its laws - poison it and even annihilate it in order to satisfy his caprices rather than his needs.

This is a belief and a Western attitude which, imposed on our people, is distorting our minds, distancing and alienating us from our sacred Pacha-Mama.

Distorting the concepts concerning our Historical Development

The West conceives of universal historical development in stages, in a unilinear, developmental, vertical and Eurocentric form.

In the Indian America of today, specifically in the Peru of today, the Creole Marxists, in obedience to the unilinear, developmentalist and even unalterable 'five modes of production' - valid only for forms of exchange and development in Western society - have imprisoned the peoples, nations and cultures of South America, among others, in the 'slavery' stage and talk to us about the 'despotic enslaved society of the Inca Empire'. The more benign used the concept to refer to a type of state with an 'Asiatic mode of production' but always enslaving and above all classist, hegemonic and imperialist.

Our Indian peoples of the pre-Spanish era in America were societies and nations organised around a totality of alliances brought together in confederations which had a collective and communal character.

In our surroundings, the great example of this form of organisation is Tawantinsuyu, our great South American Indian state.

Tawantinsuyu, as its name indicates, is the territorial conjunction of four 'suyus' or regions: *tawa* means found, *ntin* is the Quechuan suffix which denotes union or accompaniment, and *suyu* means direction or region. Thus it constitutes a model of socio-political organisation of people whose characteristics are collective and communal and who are interconnected through alliances. These

come together to form a state, or better put, a state with a government united by peoples, for the people, and whose territory comprised the whole of South America.

To explain in greater detail: this is an alliance of the region of Chinchaysuyu (a region is also the result of the sum of small alliances from Ayllus to provinces, as happens in the other three suyus too) which encompassed all the people of the north to the border with Central America; Antisuyu representing all the peoples from the eastern rainforest to the Atlantic coast; Kollasuyu encompassed all the peoples of the south as far as Patagonia; and Kuntisuyu, which was all the peoples of the Pacific coast. The four horizons of the world came together at the administrative and politic-economic-religious centre of Qosqo (Cusco), conceived symbolically as the 'centre or navel of the universe of Tawantinsuyu'.

This capital of Cusco, as we all know, is divided into *Hanan Qosqo* 'Upper Cusco', which is symbolically masculine and right (that is to say identified symbolically with the right side of beings, things, spaces and concepts) and *Hurin Qosqo* 'Lower Cusco' which is symbolically feminine and left. This bipartition of complementary characteristics brings together the four parts of Tawantinsuyu: Chinchaysuyu and Antisuyu unite as Hanan as opposed to Kollasuyu and Kuntisuyu united as Hurin.

These transcendental examples affirm that a conceptual and discursive pollution now taints the development of our conceptions and history. This is very harmful for us and tries to make us forget our collective forms and tempts us towards individualism and classism and, ultimately, distances us or even robs us of our communion with the sacred Pacha-Mama, further inducing us to convert ourselves into its enemy - the image of the Western system.

The social and cultural affront to the Indian people

Today, in any part of the world where the Western system has left its mark on indigenous peoples and cultures, it has installed and imposed different mechanisms for consolidating its domination and oppression.

Every people that - as a social group or as individuals - loses its roots, its identity and its personality, is much easier to beat into submission. The Western strategy for this is much more subtle today than it was in the past. We can enumerate various examples: the

West reinforces the 'superiority' and the 'inferiority' of races. They are the 'superior Whites' and all the subjugated peoples are comprised of Blacks, Indians, Coloureds, Yellows or Mestizos, and above all, 'inferiors'. This racism is a whole ideology which is inculcated in peoples through different media: television, food, preferences for styles of life, etc. The Indian falls in the racism trap because of the colour of his/her skin (and origin, of course), and will always be ashamed of his colour, though it is also the colour of the majority of his people. Thus he will envy all that is white and be dominated by complexes which will rob him of his personality and detract from the free exercise of his own life.

In Peru and South America before the arrival of the invaders, all the races (if one understands by race, differences of skin colour) existed as something natural, together with the variations and multicoloured flowers of the countryside. What did not exist was racism as an ideological and cultural mechanism of mental and social oppression for economic levy. Racism has been introduced in Peru by Europeans, and since then they have been its gratuitous defenders. It is not for pleasure that many social scientists and historians continue to remark to our children that in America "we were all dark (Indians) before the White Europeans arrived."

To this racial discrimination can be added complementary mechanisms of oppression. For example, in Peru, there is geographical discrimination. There are three different geographical regions. The coast is identified with the Whites, the Creoles and ultimately with all that is 'modern' and 'civilised'. The other two regions are subject to discrimination and the inhabitants of the highlands referred to as 'serranos' (highlanders), and the inhabitants of the rainforest as 'chunchos' or 'savages'. This did not just happen accidentally, but was because the inhabitants of the highlands and the rainforest were subjected to a 'negative racism' entrenched by their place of origin, while they longed or pretended to be from the coast.

The discrimination and the indigenous cultural destruction is even propitiated by Creole governments themselves: 'education' (their powerful arm) is, in a plurinational, pluricultural and multi-lingual country, inspired and geared towards only the Creole/West. One single educational programme is compulsorily imposed in a country comprised of 67 nations and different languages. The education only follows the national Creole pedagogy, forgetting or ignoring that there are also Indian forms of education and an Indian

pedagogy with which we have educated ourselves within our villages since time immemorial.

In short, the affront is total and tremendous: our art is only recognised as 'artisan work', our languages only as dialects, our cultural expression only as folklore. These are concepts and attitudes which are propitious for the Westernised Creole, who continues to spread it. Therefore, whether or not it is a reality, these attitudes carry out the function of oppression.

These ideological and cultural attacks on our peoples for more than 500 years have made deep dents in our spirit and in our way of being. They have converted us (a significant percentage of our people) into marginal beings without identity and forgetful of our roots, repentant and ashamed of what is ours, dreaming of being 'Whites' or, at least, being participants in their forms of life and thought.

The Western System's Attacks on our Mother Nature, the Degradation of the Environment

The environment is already suffering from serious degradation caused by the increase in Western style 'modernity' and 'development'. The situation around Lake Titicaca provides a vivid example of this.

In Quechua, *Titi Qaqa* means the 'Feline Rock', and in Aymara *Wiñaymarka*, means the 'Eternal People'. It is the highest lake in the world and for the Ayllu-community members living around it, it is the origin of the generations and the main source of life. Our original fathers, *Manco Capac* and *Mama Occlo* emerged from its waters and founded our civilisations and cultures. The magnanimity of its enormous resources continues to feed the Quechuas, the Aymaras and the descendants of the legendary Uros.

According to the teachings of our Aymaran brother, Roberto Aruquipa Amaru, of the community of Choqasiwi (Bolivia) on the banks of the great lake, "The keeper of Wiñaymarka is Quta Achachila. He is a god of the lake and is identified as the water itself. All of the Lake of Titicaca is God".

Nature moves and lives in rhythms and cyclical periods. There are periods when the waters of Wiñaymarka retract and expand to and from its shores, periods when the volume of water increases and diminishes. These phenomena which coincide with times of drought

and with times of an abundance of rain. In any period during these cycles the lake always supplies us generously with various nourishing resources. These periodical rhythms of nature are observed, known, systematised and transmitted to the people and preserved by the *Qiliri Quta Qilaqata*, priest and wise Indian, who is our communicator with Wiñaymarka.

The forms of life and houses in our villages around Lake Titicaca are harmonically coordinated with these natural cycles.

At the period when the waters contract, extensive areas of lake bed appear called *aynuqa*, which is very fertile because of the sediments deposited there. The Quta Qilaqata divides these areas between all the members of the community and families as well as leaving sufficient areas for the 'communal fund' crops. After the distribution, the Aynuqa populate *chuqllas*, small dispersed temporary houses. An infinity of multicoloured crops appear as well as enclosures for the animals which feed on the fresh products of the Lake.

As we have noted, the Qiliri Quta Qilaqata is the one who determines the times of contraction and expansion of the lake's waters. A means of observing the level of water is the *Maqawi*, a small barren island in the middle of Wiñaymarka which is also an altar for the cult of Quta Achachila.

The permanent houses which are used all year round are always built on the high ground in the hills and it is there, in these *sayanas*, where the people have their main hearths and live when the waters cover all the beaches. In this period they live off agricultural produce which is preserved in different ways and which has a durability of up to ten years or more. They also eat different fish from the lake which are abundant in this period. These fish also serve as a means of barter (exchange) with agricultural products from communities in the distant valleys.

Nevertheless, all this beautiful living side by side has today entered into a slow agony; only very distant and isolated sectors still maintain their ancestral authenticity and wealth.

The wisdom, the authority and the order of the Quta Qilawata are today being converted into the ignorance and chaos of the acculturated Indians and who today, together with the Creoles, populate the shores of the lake with Western lifestyles and urban housing.

With this lack of understanding, and above all the ignorance and the forgetfulness of the different periods of the lake, the Aynuqa are being invaded by urbanised formal houses built from 'noble materi-

als' (cement, iron sheeting and bricks). When the time comes for the lake to rise as part of its natural cycle and they are flooded, they will mistakenly call the 'catastrophe' 'God's punishment'.

The Quta Qilawata are dying and disappearing without being able to leave their knowledge to anyone because their children, already acculturated by Western style education, laugh at the customs and the wisdom of their ancestors and their elders, considering them out of place in the 'modern' world.

The rubbish and the urban waste has begun to pollute the waters of the lake: plastic bottles, detergents, toxic substances, effluent, etc. are leading to the massive disappearance of the fish, birds, the edible algae and all other forms of life.

Launches and motor boats are replacing the reed canoes, not used now only for guarding the natural production and the systematised acquisition of food (as the Quta Qilaqata and the members of their community did and do) but also for large scale extraction, indiscriminate hunting and fishing particularly from the tourists trips and pleasure sports. The petrol and oil residue which today is excreted into the lake are still other factors which contribute to the very serious pollution.

And it is due to all this that the Aynuqa lands of the lakeside communities have begun to become saline and, as if accursed, are becoming sterile and dead. This new reality is shocking and worrying; the consequences will not only be catastrophic for the life and harmony of the lake but also for the very existence of our lives and our cultures around it.

If it is not possible to understand the problem and take precautions, plants which are the basis of the proteins, such as the reeds, the *qanchallaya* or the *oqururo*, fish such as *qarachi* or the *suche*, or the birds such as *chuqa*, *achachito*, *tikitiki* or the *qiwilla* which have exquisite meat and eggs, will disappear for ever. And once more a considerable number of our autochthonous people will come to swell the queues at the 'flour kitchens' (and other products) which the good people of Europe or the US donate for all the poor ('impoverished') of the world.

And so as the learned, knowledgable regulators of optimum ecosystems we are being converted little by little into miserable beggars by the blind affront, which is continually increasing from the Western urban system and life and which exercises an anti-natural industry.

Indigenous Science and Agricultural Production

In order to ensure an optimum life for all its inhabitants, Tawantinsuyu systematised its conception of the world, its science, its technology, even its social and political organisation in terms of its production and agricultural productivity. It constructed and institutionalised the following systems in order to strengthen its own particular agrarian perspective.

1. The ownership and administration of the land was in the hands of the ayllu (the community), which distributed and redistributed it among its members, preserving part for the needs of the group. There was never private, state or personal property.

On marriage, all families without exception received a *tupu* of land from the lands of the ayllu. The *tupu* was measured according to the fertility and quality of the land and was a sufficient size, calculated according to the height and the climate, to maintain the new family in all its needs. The *tupu* was never hereditary. On the death of the person who possessed it, it reverted to the ayllu, to the community, to those who in their turn were destined to be and then produce the next newly weds.

2. The houses and the lands were dispersed and this resulted in a multicoloured and beautiful countryside.

3. Every individual within Tawantinsuyu society was primarily an agriculturalist and then a chief, leader, priest, artist or philosopher. These secondary specialisations were not a means of subsistence but, rather, positions of honour, hierarchy, respect and recognition of the quality and role assigned.

4. The ecological differences in altitude are understood and systematised from the shores of the rivers and the sea to the snow capped peaks of the mountains. Each seed and product is adapted to each zone or ecological level and thus an infinite variety of crops are nurtured.

5. For each family and each product, the tendency was always towards multiplicity. For example, present statistics indicate that they knew more than 1,080 varieties of potatoes and more than 800 varieties of maize.

6. In order to protect the scarce land which exists in our very uneven geography from erosion, and at the same time to gain new lands in the mountains, they made thousands and thousands of 'andenes' (terraces superimposed on the folds of the mountains) throughout

Tawantinsuyu with engineering skills which made use of the rains, the waterholes and filtration, through a system of high quality and, at the same time artistic, canals.

7. The barren and desolate high plains were converted into cultivable land through the *waru* ('ridges'), a system of excavation and accumulation of soil which formed deep furrows. In this way floods were avoided and it was possible to cultivate extensively and even farm fish and cultivate edible algae at the sides of the gardens where the water collected.

Present Problems

The abandonment and disregard for indigenous technology in the Andes - for more than 500 years - has contributed to the deterioration of the folds of the mountains and encouraged streams and ravines which, from year to year during the heavy rains, also contribute to the erosion of the gardens as the good soil is swept away by the rivers to the sea.

Another great threat is that, although today there are some attempts to protect some Indian agricultural products, there is a gradual loss of our natural seeds. This is happening because of the invasion of the market by prepared and imported seeds which are subject to a strong propaganda and leave no alternative to the Western-educated techniques for agriculturalists and Indian peoples.

The gradual loss of seeds from Indian agricultural products is becoming a new catastrophe. Western technology is imposed upon us and it marks the beginning of the total Westernisation of the Andes. This signifies the consummation of a systematic affront to the environment and nature which our Indian peoples still preserve today, though at considerable expense, and defend by applying and practicing their own remembered technology.

Our cameloids, the vicuna, llama, alpaca, *huarizo*, and *huanaco* are animals which adapted to the Andes over thousands of years. The base of their hooves is soft and they do not damage the ground they tread upon, and when they graze they cut the pasture and do not tear it up. Nevertheless, in a similar process to Indian agricultural produce, the vicunas are in danger of disappearing because they are being indiscriminately hunted for their very valuable wool for the world market. The meat of the other cameloids is absent from the

Creole diet and, moreover, it is prohibited to sell it in city markets.

It is necessary to encourage the defence and the large scale breeding of cameloids. Present day specialists indicate that its meat does not contain cholesterol and is, above all, important as a dietary base for our Andean peoples, even though the Creoles do not want it on their table.

Alternative and Immediate Action

The general reasons for the great difference between the Western system and the indigenous system on a world level can be explained as follows: for us, the general force, the principle law which governs the cosmos is known as tinku, and translated as the 'dialectic of the complementarity of opposites'. This is the force and law which confer a harmonic and collective organisation on the universe.

The indigenous societies of the world are the 'micro-cosmos' within the 'macro-cosmos' and we participate in the goodness of this great law. In order to discover it, and co-opt it for our organisations, our thought and life, we became a series of collective communal societies. The West, as an organised society and as an ideology, has distorted this law. From its real essence as 'the complementarity of opposites' it has been converted into a 'struggle of opposites' and above all, with the practice of this law in this new sense, it has become class-based and idealistic in societies with anti-natural forms and attitudes. In our languages there are no words for this situation.

Coming to the end of this brief exposition, we will present a short resume of the indigenous treatment of all aspects of life in contrast to the crimes of the West and its proposed solutions which make not only the well being of the Indian world but the principle project of universal human harmony redundant.

1. Respect and the practice of pluralism is important in all nature for the development of a better democracy, and for casting aside or neutralising all kinds of hegemony.
2. In plurinational and pluricultural countries such as Peru, where there is a very uplifted scientific, technological and cultural tradition, it is necessary and essential that a strategy is traced which devolves and guarantees the full and autonomous functioning of our Indian indigenous peoples. Only the independent exercise of our science, technology and resources in concordance with the positive contributions of the Western system, will permit us to

recapture the variety of species and crops and thus give our peoples back their stolen liberty.

3. Every language is the soul and spirit of the people who talk it. If one transgresses its code and its message or it is left to die out through neglect, one transgresses or kills the people to whom it belongs. It is our duty so ensure that every indigenous language become official in each country, that they are studied in depth and that they are spread with the respect due to their integrity.

4. It is our duty to ensure that there is bilingual and bicultural education in each of the countries where we exist, increasingly directing us towards the total recuperation of our education and our indigenous pedagogy. To achieve this it is necessary that each one of our indigenous peoples trains its own teachers and develops in parallel an appropriate curricular plan, from an indigenous vision but immersed in a wider Western context.

5. There must be respect and a propitious environment for religious cultural, linguistic, ideological, political and racial pluralism. The relation between beings and concepts ought to be understood as an equal relation between differences and in a horizontal not vertical situation.

6. The dialectic of harmony and living together is Tinku, 'the complementarity of opposites', and it is this - as a law and spirit of the cosmos - that orients our thoughts, organisation and acts.

7. We are 'micro-cosmoses' within the 'macro-cosmos' and any danger to the natural laws is a danger to ourselves.

8. Our forefathers in Tawantinsuyu knew radioactive materials, which they called *aya kachi* ('stone, salt of the dead') and they were bricked up in huge walls thus prohibiting (through myths) their use while it was not known how to handle and control them. The West today uses them without knowing how to destroy the radioactive waste which they produce. The sun, water and wind are the greatest sources of clean energy for humanity and the Indian people have developed technologies in order to use them. It is necessary to study them, know them and spread them.

9. The forests which cover the planet are the lungs of the world; the trees and thousands of different plants live together in them providing a habitat to thousands of other animal forms of life organised in vertical levels and in horizontal archipelagos. In this conglomeration everything is indispensable for everyone; the presence of some facilitate the life of others, reciprocally.

Civilisations have flourished in these forests for thousands of years with their own ethics and morality. There are those that have lived together naked with nature, which the West in its ignorance and prejudice labels 'savage' or degenerate', to the extent that the beautiful, complex and multicoloured paintings which they wear on their bodies are not recognised and appreciated for their real value as signs and symbols which preserve and transmit the secrets of the knowledge of the people. Moreover, the substances with which they are made harmonise and bring together the energies of nature with those of the body and thus preserve and protect them from all disease. The West does not even begin to appreciate this great knowledge, and from its lack of imperative knowledge and prejudice inculcates religions, 'sin' and modes of 'civilised' life to peoples who are already more advanced in a really human morality and knowledge of nature.

10. The forest peoples have developed an ecosystem of co-survival with nature. Their approach to agriculture is one which uses a multiplicity of seeds, which is mimetic and in solidarity with all the other forest plants. Its presence, however, is noted in the immense green beauty of the forests. What has the West brought to these forests and its multiplicity of life? Monoculture produces vast lands lacking in any other life, lands which after a few years are deserts poisoned by fertilisers and insecticides which exploit incompassionately its fertility only for money and wealth. The result is rivers with dead fish and extinct birds, Indian people with their backs against the wall and stripped bare of their bonds with Mother Nature.

Does modernity serve only to destroy? Would it not be good to learn about the indigenous ecosystem and develop with the indigenous peoples an appropriate technology for mixed agriculture, one which respects the ancestral rights and the idiosyncracies of the peoples of the forest?

The specialists indicate that 65 per cent of foodstuffs which today circulate throughout the world have originated in America. Therefore, they are contributions from the genetic engineering developed by our forefathers thousands of years ago. It is said that foodstuffs such as the potato and maize have been developed in more than a thousands varieties, and which grow from the shore of the sea to altitudes of 4,500 metres above sea level. There are varieties known for their exquisiteness but others known more for their nourishing properties in different ecological zones both horizontal and vertical.

Today the West produces a very restricted variety of seeds (restricted by market and economic interests) and the quality of the foodstuffs is subject to a duplicity. It is the chemical substances which enhance size, colour and shape which more than anything enhance their sale although they have very little nutritional importance.

11. The land, our Mother Earth, always had a collective importance. We belong to her and she to us. In order to know and enjoy her goodness we have drawn closer to her through our songs and our dances and offer her our sweat when each seed is buried in her entrails. Land, community and collective organisation are the soul of our peoples. Today, private property has been introduced in our dominions and it is destabilising, destroying and alienating us. Collective ownership within a communal organisation is what identifies and characterises our peoples. Although this model is not antagonistic to new planned development, we prefer it over any other form.

12. The national territories of each one of our ethnic peoples has been alienated over time. Now neo-national-states have arisen in these territories but with different borders. Under these new conditions, defence and respect for the lands and communal resources must be a priority. An Indian people without land is a dead people!

13. Politically, we aspire to autonomy and self-government in countries where we are a minority and we aspire to government - with our own plans drawn up on a foundation of indigenous models - in countries where we are the majority.

We hope that the world will understand this path.

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