



INTERNATIONAL NGO CONFERENCE ON DISCRIMINATION AGAINST
INDIGENOUS POPULATIONS IN THE AMERICAS – 1977

20 - 23 September 1977

Geneva, Switzerland

STATEMENTS AND FINAL DOCUMENTS

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REPORT OF
INTERNATIONAL NGO CONFERENCE ON DISCRIMINATION AGAINST INDIGENOUS POPULATIONS
IN THE AMERICAS - 1977

20-23 September, Palais des Nations, Geneva

organised by the
Special NGO Committee on Human Rights (Geneva) - Sub-Committee on
Racism, Racial Discrimination, Apartheid and Decolonization

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OFFICERS OF THE CONFERENCE

CHAIRMAN OF THE CONFERENCE :

Ms Edith BALLANTYNE, General Secretary, Women's International League for Peace and Freedom; President, Conference of NGOs in Consultative Status with ECOSOC.

OTHER OFFICERS :

Mr. Niall MacDERMOT, Secretary General, International Commission of Jurists; Chairman, Geneva Special NGO Committee on Human Rights.

Mr. Romesh CHANDRA, Secretary General, World Peace Council; Chairman, NGO Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization.

Ms Rolande Gaillard, International Council of Women, Vice-Chairman of the Sub-Committee.

Mr. Lars-Gunnar Eriksson, International University Exchange Fund; Vice-Chairman of the Sub-Committee.

Mr. I. Matéla, World Federation of Democratic Youth, Vice-Chairman of the Sub-Committee.

Mr. Abderrahmen Youssoufi, Arab Lawyers Union, Treasurer of the Conference.

OFFICERS OF COMMISSIONS :

ECONOMIC COMMISSION

Chairman: Rev. José Chipenda, World Council of Churches

Rapporteurs: Ms Karen Talbot, World Peace Council, and
Ms Roxanne Dunbar Ortiz, International Indian Treaty Council

LEGAL COMMISSION

Chairman: Mr. Niall MacDermot, International Commission of Jurists

Rapporteurs: Prof. Lev Entine, International Association of Democratic Lawyers, and Mr. Armando Rojas Smith, Nicaragua.

SOCIAL AND CULTURAL COMMISSION

Chairman: Mr. Antonio Fernandez, World Federation of Democratic Youth.

Rapporteurs: Mr. Hussain Khan, International University Exchange Fund,
and Ms Allene Goddard, International Indian Treaty Council.

FOREWORD

The Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization was established by the Geneva Special NGO Committee on Human Rights in 1973, following the decision by the United Nations to declare 1973-1982 the Decade for Action to Combat Racism and Racial Discrimination. The Sub-Committee was given the task of initiating and organizing activities to further the objectives of the UN Decade.

With this mandate, the Sub-Committee has conducted a variety of activities of which the most important has been the organization of a series of international NGO conferences dealing with different areas of racism and racial discrimination and their manifestations.

The International NGO Conference on Discrimination against Indigenous Populations-1977-in the Americas is the fourth in this series and the first on discrimination against indigenous peoples.

The rights of indigenous peoples are not a new concern of the world community. The International Labour Organization, for example, began in 1926 to deal with the conditions of indigenous workers. It has produced a number of important studies and has prepared conventions on indigenous labour. In 1957, the ILO adopted Convention 107 concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries.

Regional and national conferences have been held and institutes established, particularly in the Americas. The Inter-American Commission on Human Rights a few years ago appointed a rapporteur on indigenous populations and has considered several communications concerning violations of human rights committed against them.

A few years ago the United Nations began an extensive study of discrimination against indigenous populations. Monographs are being prepared and the study is expected to be completed by 1978/79.

Non-governmental organizations have for long called world attention to violations of the rights of indigenous peoples and have pressed for needed changes.

But perhaps the most important development in recent years has been the emerging ability of the indigenous peoples, in a number of regions, to organize themselves, to make their situation known and to state their needs and aspirations through their own spokesmen to the national and international communities.

The International NGO Conference on Discrimination against Indigenous Populations-1977-in the Americas sought to bring together first-hand information about the situation of the indigenous populations and to recommend actions that would help eliminate discrimination against them.

Representatives of indigenous peoples took an active part in the conference as well as in its preparation. They submitted many documents (now available for consultation at the Henry-Dunant Institute at Geneva) and assisted in the drafting of the commission reports and the program of action contained in the final resolution.

The Conference also benefitted from the participation of representatives of the United Nations, the ILO and UNESCO.

The organizing committee expresses its appreciation to the United Nations for making it possible to hold the conference at the Palais des Nations. It also wishes to thank the representatives of the United Nations, of the Geneva Conseil d'Etat, of UNESCO and of ILO for the messages they conveyed at the opening plenary session.

Geneva, October 1977

Edith Ballantyne
Chairwoman of the Conference

The organizations participating in the conference shall not be bound by the resolution adopted by the conference until such document has been ratified by the appropriate constitutional authorities in accordance with each organization's internal juridical procedures.

FINAL RESOLUTION

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

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

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

The Director of the United Nations Division on Human Rights addressed the participants on behalf of the United Nations Secretary-General. Representatives of the United Nations, the International Labour Organization and UNESCO addressed and participated in the conference. The representative of the Conseil d'Etat of the Canton of Geneva welcomed the participants. Observers from 27 UN Member States followed the proceedings.

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

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

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

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

PROGRAMME OF ACTIONS

The Conference recommends:

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

In the Legal Field:

- that international instruments, particularly ILO Convention 107, be revised to remove the emphasis on integration as the main approach to indigenous problems and to reinforce the provisions in the Convention for special measures in favour of indigenous peoples;
- that the traditional law and customs of indigenous peoples should be respected, including the jurisdiction of their own forums and procedures for applying their law and customs;
- that the special relationship of indigenous peoples to their land should be understood and recognized as basic to all their beliefs, customs, traditions and culture;
- that the right should be recognized of all indigenous nations or peoples to the return and control, as a minimum, of sufficient and suitable land to enable them to live an economically viable existence in accordance with their own customs and traditions, and to make possible their full development at their own pace. In some cases larger areas may be completely valid and possible of achievement.
- that the ownership of land by indigenous peoples should be unrestricted, and should include the ownership and control of all natural resources. The lands, land rights and natural resources of indigenous peoples should not be taken, and their land rights should not be terminated or extinguished without their full and informed consent.
- that the right of indigenous peoples to own their land communally and to manage it in accordance with their own traditions and culture should be recognized internationally and nationally, and fully protected by law.

*Intergovernmental Committee for European Migration

- that in appropriate cases aid should be provided to assist indigenous peoples in acquiring the land which they require;
- that legal services should be made available to indigenous peoples to assist them in establishing and maintaining their land rights.
- that all governments should grant recognition to the organizations of indigenous peoples and should enter into meaningful negotiations with them to resolve their land problems;
- that an appeal should be made to all governments of the Western Hemisphere to ratify and apply the following Conventions:

- (i) Genocide Convention
- (ii) Anti-Slavery Conventions
- (iii) Convention on the Elimination of all Forms of Racial Discrimination
- (iv) International Covenant on Civil and Political Rights
- (v) International Covenant on Economic, Social and Cultural Rights
- (vi) American Convention on Human Rights.

In the Economic Field:

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

In the Social and Cultural Field:

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

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

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

DECLARATION OF PRINCIPLES FOR THE DEFENSE OF
THE INDIGENOUS NATIONS AND PEOPLES OF THE WESTERN HEMISPHERE

PREAMBLE:

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

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

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

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

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

Be it affirmed, that,

1. RECOGNITION OF INDIGENOUS NATIONS

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

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

2. SUBJECTS OF INTERNATIONAL LAW

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

3. GUARANTEE OF RIGHTS

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

4. ACCORDANCE OF INDEPENDENCE

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

5. TREATIES AND AGREEMENTS

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

.../...

6. ABROGATION OF TREATIES AND OTHER RIGHTS

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

7. JURISDICTION

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

8. CLAIMS TO TERRITORY

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

9. SETTLEMENT OF DISPUTES

All states in the Western Hemisphere shall establish through negotiation or other appropriate means a procedure for the binding settlement of disputes, claims, or other matters relating to indigenous nations or groups. Such procedures shall be mutually acceptable to the parties, fundamentally fair, and consistent with international law. All procedures presently in existence which do not have the endorsement of the indigenous nations or groups concerned, shall be ended, and new procedures shall be instituted consistent with this Declaration.

10. NATIONAL AND CULTURAL INTEGRITY

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

11. ENVIRONMENTAL PROTECTION

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

12. INDIGENOUS MEMBERSHIP

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

13. CONCLUSION

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

* * *

REPORT OF THE ECONOMIC COMMISSION

PREAMBLE

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

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

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

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

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

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

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

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

REPORT OF ECONOMIC COMMISSION

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

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

Preamble Documentation :

1. Draft Report for the Economic Commission
2. Economic Situation of American Indian People Today
3. A Question of Genocide
4. Special Geneva Issue of Akwasasne Notes.

I. MULTINATIONAL CORPORATIONS

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

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

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

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

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

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

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

Multinationals Documentation

1. Map. U.S. Mineral Reserves on Indian Reservations
2. Coal Gasification. U.S. Government Report.
3. Energy and Nuclear Policy Statement
4. Black Mesa: the Effect of Development (Hopi-Navajo)
5. The Black Mesa Crisis
6. Water as a Tool of Genocide
7. Navajo Municipal Development
8. Meteorological Investigation on the Wupatki Blowhole System (Water-Navajo)
9. AMAX - War Against Humanity. (Northern Cheyenne)
10. Natural Resources
11. No Last Frontier (Dene-Canada)
12. Outlook for Cluff Lake (Saskatchewan, Canada)
13. Nuclear Power (Saskatchewan)
14. Investigation into the Hiring and Employment Policies of the Dept. of Northern Saskatchewan.
15. The Social-economical position of the Indians of Surinam
16. Brazil . René Fuerst
17. International Denunciation of the Flagrant Extermination of Indian People of the Tahuantín Suyu and the Present Rhodesian Invasion
18. Bilan de 5 ans de dictature en Bolivie
19. Situation of Indigenous Seasonal Migrant Workers in Bolivia and Guatemala
20. ARC Newsletter (Amazon)

II. THE LAND QUESTION

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

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

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

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

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

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

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

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

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

All native lands, however, are threatened by continued reckless exploitation and call for protection. Multinational corporations, agri-business and ranchers are accelerating their efforts to separate indigenous peoples from their land base. In areas of majority native populations, the attacks on the land base are particularly intense and brutal. A plan to allow Rhodesian and other Southern African settlers to move on to Indian lands in Bolivia is an example of the conscious determination of colonial governments to destroy the native land base, using racism as a justification.

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

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

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

Land Question Documentation

1. Dene Nation: The Colony Within (Canada)
2. Dene Declaration
3. Dene Rights: Supporting Research and Documents. 9 Vol. (available by Committee)
4. The Economic History of the Han De N Sau Nee (Iroquois)
5. Who owns the Land? (Land Claims in U.S.)
6. Documents on Agrarian Reform in Latin America.
7. Legal, Economic and Cultural Aspects that Affect Indians of Venezuela (French only)
8. Colonization and Genocide of the Lakota Nations by the U.S.A. (Sioux)
9. The Great Sioux Nation (Sioux Treaty)
10. Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere.

PLAN OF ACTION

The Economic Commission recommends the following Program of Action:

1. That the Non-governmental organizations widely publicize the results of this conference in order to mobilize support and aid for the indigenous peoples of the western hemisphere in their struggles in their homelands.
2. That conferences, seminars and colloquia be organised by NGOs, intergovernmental bodies on all levels - regional, national, global - with the full participation of indigenous people, to keep alive the issues that have come to world-wide attention at this conference, and to hear new testimony that will be presented in the future.

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Plan of Action - Continued

3. Establishment of a working group on indigenous populations under the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the Human Rights Commission of the United Nations.
4. A clear need was expressed by the Economic Commission for a United Nations Convention on Discrimination against Indigenous Peoples.
5. That the United Nations Committee on Decolonization be asked to hold hearings on relevant problems affecting indigenous populations.
6. That the U.N. Committee on Trans-National Corporations conduct investigations into the role of multinational corporations in the plunder and exploitation of native lands, resources, and peoples in the Americas.
7. The presentation of all documentation from this conference to the General Assembly of the U.N. and other appropriate bodies of the U.N.
8. That the following issues be focussed upon in action taken:
 - A. Unqualified condemnation of the military junta of Chile for the genocide being committed against the Mapuche as well as attacks by other military and fascist dictatorships against native peoples in Latin America. Immediate aid to the Mapuche to alleviate starvation and deprivation taking place.
 - B. Investigation of the inhumane and exploitative use of the labor of indigenous peoples in Latin America. Steps by the U.N. to effect the immediate enforcement of the U.N. Convention and Supplementary Convention on Slavery, with Particular Regard to the Forced Labour and Induced Indebtedness of Indigenous Peoples.
 - C. Recognition of United States treaties with Native Nations. The Commission supports the claims of the Great Sioux Nation to gain the territory defined by the Fort Laramie Treaty of 1868, as well as all other properly executed treaties.
 - D. Support the Dene Nation in their struggle for recognition of their rights and self-determination for a Dene Territory and a Dene government.
 - E. Support the Inuit of Canada in their struggle for recognition of their rights and self-determination for an Inuit Territory and that no pipeline be built on Inuit territory.
 - F. Investigation of the Alaskan Native Land Claims Act in cooperation with Alaskan Natives.

Plan of Action (Cont'd)

- G. Immediate action to arrest the genocide being committed by governments and multinational corporations and multilateral aid in the Amazon Basin, including the halting of the Amazon Highway construction and the Electronate Tucuruí Dam Project.
- H. We call for international protest against the settlement in Bolivia of white racist colonizers from Rhodesia and Southern Africa.
- I. Immediate halting of strip-mining in the Black Mesa/Four Corners Area (Navajo-Hopi) and Northern Cheyenne of the United States.
- J. Protection and preservation of existing Native land bases from exploitation by multi-national corporations.
- K. Environmental impact investigation of the exploitation of non-renewable natural resources on Indian land, especially water - a necessity for survival.
- L. Support the right of self-determination of aboriginal people in the development of their land and resources according to their own values and social structures and laws.
- M. Expel the Summer Institute of Linguistics because of its direct complicity with multinational corporation activity in Native Lands throughout Latin America.
- N. The Economic Commission presents the recommendations made by the Lakota Nations, the Hau de No Sau Nee (Iroquois Confederation) and the Declaration of Principles of Indigenous Nations and defense of Indigenous Nations and peoples of the Western Hemisphere submitted by the delegation from indigenous organizations.

* * *

REPORT OF THE LEGAL COMMISSION

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

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

The Legal Commission:-

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

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

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

Summarises them as follows:-

I. Legal Status of Indigenous Peoples

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

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

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

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

The Commission also recommends that international instruments, particularly ILO Convention 107, be revised to remove the emphasis on integration as the main approach to indigenous problems.

II. The Land Question

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

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

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

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

Various solutions were proposed by spokesmen of different groups. For some, the deprivation of their lands by the conquerors was an act of aggression and robbery which cannot be condoned or accepted by them; they refuse to recognise any claims by the white man to land ownership and demand the return of all their lands to the indigenous peoples. Others are prepared to rest their claims on the territories recognised as theirs in treaties made between sovereign states. These territories have since been whittled down to small reserves by means which the indigenous peoples regard as fraudulent, or which were agreed to by tribal authorities whose validity they do not recognise and who were usually ignorant of the true consequences of the agreements. These speakers demand the restoration in full of their tribal lands as defined in the treaties. Yet others would agree to accept a territory which has been

(*) The Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere is appended to the Final Resolution of the Conference.

freely negotiated by their own traditionally elected representatives, being a territory which would be economically viable for their people and which would enable their full economic development at their own pace. Other speakers stressed the need for land reforms which would transfer the ownership of land worked by indigenous people to those who tilled it. Finally, some speakers stressed the enormous differences, sometimes tenfold, between prices paid for their lands by foreign immigrants or investors and the prices at which they were sold to indigenous people; indigenous peoples should be able to purchase their lands at fair prices and should receive outside aid for this purpose.

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

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

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

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

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

After a full discussion of different aspects of the land problem, the Commission agreed the following -

Recommendations

1. The special relationship of indigenous peoples to their land should be understood and recognised as basic to all their beliefs, customs, traditions and culture.
2. The right should be recognised of all indigenous nations or peoples to the return and control, as a minimum, of sufficient and suitable land to enable them to live an economically viable existence in accordance with their own customs and traditions, and to make possible their full development at their own pace. In some cases claims to larger areas may be completely valid and possible of achievement.
3. The ownership of land by indigenous peoples should be unrestricted, and should include the ownership and control of all natural resources. The lands, land rights and natural resources of indigenous peoples should not be taken, and the land rights should not be terminated or extinguished, without their full and informed consent.

4. The right of indigenous peoples to own their land communally and to manage it in accordance with their own traditions and culture should be recognised internationally and nationally, and fully protected by law.
5. In appropriate cases aid should be provided to assist indigenous peoples in acquiring the land which they require.
6. Legal services should be made available to indigenous peoples to assist them in establishing and maintaining their land rights.
7. All governments should grant recognition to the organisations of indigenous peoples and should enter into meaningful negotiations with them to resolve their land problems.

III. Indigenous Laws and Courts

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

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

Customs are the sources of law.

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

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

- "Ama Sua" or don't become a thief.
- "Ama Llula" or don't become a liar.
- "Ama Khella" or don't be idle.

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

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

IV. Legal Discrimination

Items nos. 4 and 5 of Agenda:

- (4) Discrimination against indigenous peoples in existing laws and their application.
- (5) Creation of protective laws.

The tone of the testimony and related documentation is best expressed by those delegates who said: We have exhausted all legal means - the existing laws, courts, commissions of inquiry, etc. - on the national level, and that is why we have come to the international arena, to the non-governmental organisations of the United Nations, for urgent cooperation.

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

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

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

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

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

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

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

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

The Commission also recommended that

- (1) Indigenous peoples should be given legal assistance to help them in formulating agreements they seek to make with governments, e.g. in the field of education.
- (2) The further settlement of immigrants in the territories of indigenous peoples should be recognised as a continuing act of racism. It is wholly intolerable when the immigrants come from the racist regimes of Southern Africa, as is now proposed in parts of South America.
- (3) An appeal should be made to all governments of the Western Hemisphere to ratify and apply the following Conventions: -
 - (i) Genocide Convention
 - (ii) Anti-Slavery Conventions
 - (iii) Convention on the Elimination of all Forms of Racial Discrimination
 - (iv) International Covenant on Civil and Political Rights
 - (v) International Covenant on Economic, Social and Cultural Rights
 - (vi) American Convention on Human Rights.

The Commission also received three documents from representatives of the indigenous peoples containing recommendations which they wish to have considered and acted upon by the non-governmental organisations. These documents, which will be found in the Appendix, are

1. Recommendations by representatives of the Iroquois Six Nations Confederacy.
2. Recommendations by the representatives of the Lakota Nation.
3. Proposals submitted by the Liberation Front of Tahuantinsuyo.

* * *

Recommendations of the Representatives of the Six Nations

The following recommendations are submitted to the Legal Commission by the representatives of the Hau de no sau nee (The Six Nations Iroquois Confederacy) on behalf of our people and the future generations:

1. The assistance of the NGO's to have our voice heard and our case stated in the international community. This assistance can be provided in the form of individual NGO's committing themselves to aid us in attaining full and formal recognition in the United Nations as the true nations of the Western Hemisphere.
2. The assistance in the recovery of our aboriginal land bases for the purpose of securing sufficient territories for the continuance of our cultures, societies and nations.
3. Positive action on the part of all NGO's to assist us in promoting the protection and continuance of all things in the natural world.
4. NGO assistance in bringing about clear and true understanding about the real nature of our continuing sovereignty and world view.
5. Finally, in respect to the messages delivered here by all of the indigenous peoples on behalf of their peoples, their struggles, and their homelands, we wish to strongly emphasize that the oppressors occupying our lands will be awaiting our return. For many of us, return to our lands and the future awaiting us is very unclear. We feel that some may be imprisoned, others assassinated, still others may be forced into exile. We call upon you, as fellow human beings, to continue the concern and sincerity you have expressed in the passed few days. We call upon you to carry this concern to our various lands, to help insure that the leaders or the participants (people) are not molested or caused any harm or hardships because we have come here to speak the truth about the realities of our lives.

Recommendations of the Representatives of the Lakota Nation

The Lakota Nation recommends the following actions for non-governmental organisations and the international community on behalf of the Indigenous Peoples of the Americas:-

1. A hearing before the Committee on Decolonisation on:-
 - a. Legal Status of American Indians under international law.
 - b. Violations of United Nations covenants and agreements.
 - c. Treaty recognition by the United Nations.
 - d. Land reform, autonomy and increased land base.
2. Censure by the non-governmental organisations for violations of the 1948 Genocide Convention by member nations of the UN. Pressure to be brought upon the United States of America to ratify the 1948 Genocide Convention.
3. Recognition by individual nations of the multi-national 1868 Fort Laramie Treaty with the United States of America as a valid international document.
4. This Conference has proved to the world the need for the United Nations to convene an international convention on the same issues in the year 1978.

Proposals submitted by the Liberation Front of Tahuantinsuyo

1. Support should be given to the struggle of the indigenous peoples of South America to rebuild the nation of Tahuantinsuyo, with its own territory, population and government.
2. The United Nations should ^{admit} a representative of Tahuantinsuyo to submit this question to the United Nations Organisation.
3. There should be an international agreement for the establishment of an international university for the Indian peoples, with its main centre at Kollasuyo (Bolivia).
4. The continent of the Western Hemisphere should be correctly named ABYA-YALA; instead of receiving through the invaders the false name of America.
5. The invasion of racist white men from Rhodesia and other countries should be condemned and terminated in the territory of Kollasuyo (Bolivia).
6. October 12 should be recognised as a day of international mourning commemorating the exhumations, robberies and slave trading practiced over a period of 500 years, for which compensation is demanded.
7. November 15 should be recognised as the "International Day of the Indian Peoples", commemorating the sadistic and ferocious quartering by 4 horses of Julian Apaza Tupae Kotari.

REPORT OF SOCIAL AND CULTURAL COMMISSION

INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

- VI. The onslaught on native culture through education addresses itself in the first place against the native languages, both by neglecting education in Indian languages and by the positive discouragement of their use.

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

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

- VII. Various interventions were made on the subject of health and welfare programmes, primarily to denounce the physical reduction of Indian populations in the guise of health services. Evidence was presented to show that sterilizations are operated with little or no informed consent on the part of the women patients. Family-planning programmes are able to extend their operation through the use of various threats or positive inducements. The "godparent" programmes in North and South America are one instance of the use of material rewards to discourage births. Some discussion was also held on specific problems of health among indigent populations, and the destruction of Indian Communities through alcoholism and drug-addiction.
- VIII. Religion, and spiritual leaders, are another special object of attack (legal prohibition, subversion, etc.) especially since these are at the forefront of resistance to cultural absorption by the dominant society.
- IX. A final note must be reserved for the various efforts currently taking place among the Indians of America for the rescue and defence of their culture. The Commission heard with much appreciation of movements initiated by indigenous people all over the Continent to provide their own education for their children, to promote the use of their language, to provide foster-care services, family and handicrafts projects, and generally to assume control over their own lives and protect their own identity as native communities. We have also heard of the repression exercised against these movements and the killings and imprisonments of their leaders.

CONCLUSIONS :

1. Culture is the heritage of all peoples. Its preservation among a community is a fundamental guarantee of that community's physical survival and well-being. It is the human right of all peoples to develop and transmit their own culture.
2. Throughout the American continent, national and local authorities are involved in deliberate acts tending to the destruction of native cultures and native social systems. In several instances, the nature of these acts are proof of a clear intent to achieve this result and must therefore be qualified as Ethnocide.
3. The commission of Ethnocide must be defined as both a cause and a part of Genocide, in that the ulterior purpose is the disappearance of the indigenous community. Individual acts made with the intent of disrupting cultural and social bonds (e.g. the separation of children from families) are also to be characterized as acts of Genocide, and their relation to acts of physical extermination must be acknowledged.

4. Culture

Guarantee must be secured where necessary for the right of indigenous peoples in the Americas to participate in the national life of their countries wherever they live, on the basis of their own culture, values and ideals. Cultural and social assimilation into the dominant society must proceed from the free choice of individuals and never from the coercive effort of the dominant society.

5. Education

The indigenous communities of the Americas must be guaranteed the control and supervision of both the form and content of education for their people. Action must be taken both in support of this principle and in opposition to the subversion of Indian society and culture by existing methods and programmes of education.

6. Family and Community

The indigenous population of the Americas must be protected from the following practices by government, Church or private agencies.:

1. Sterilization operations in the absence of free and informed consent
2. Adoption, sponsorship and foster-home programmes that remove Indian children from their native community and culture.
3. Medical-experimentation practices made at the risk of the health and integrity of their subjects.

RECOMMENDATIONS

Conference is requested to call upon all NGOs to apply the following :

1. to respect and implement the above conclusions in all relevant circumstances.
2. to undertake all possible action to promote respect for the cultural and integrity of indigenous populations of the Americas. Such respect should be especially promoted among local and national governments and appropriate intergovernmental organizations, and be based on the conclusions enunciated in this document.
3. to give all possible financial and moral support to efforts initiated by American Indians in defence of their culture and society, and in particular to the various education programmes launched by Indian movements.
4. to reserve special attention to the policies of ethnocide and genocide practiced against the indigenous tribes of non-Andean South America and to call upon the governments of Brazil, Paraguay and Colombia to provide all necessary guarantees for the protection of these populations.

Documents

The following documents were presented at the Conference to support the claims of the indigenous peoples of the Americas. These documents are located in the Library of the Institut Henry-Dunant, 114 rue de Lausanne, Geneva, Switzerland.

Land Rights

U.S. Indians General

Forty-First Congress. Sess. III. Ch. 120. 1871. Yankton Tribe of Sioux. No Indian nation or tribe to be recognized as a power with whom to make a treaty. Existing treaties not affected. 1 p.

The Indian Reorganization Act of 1934. 5 pp. [June 18, 1934]

P.L. 68-233--Citizenship Act--June 2, 1924. 1 p. [All non-citizen Indians are declared citizens]

MC LAUGHLIN, Robert: Who Owns the Land. A Native American Challenge. Juris Doctor Magazine, September 1976, 17-25

Chickasaw, Choctaw, Creek, Cherokee etc.

Fifty-Fifth Congress. Sess. II. Chs. 502, 503. 1898; Ch. 517, 1898. An Act for the protection of the people of the Indian Territory, and for other Purposes. 20 pp. [Allotment of lands]

Dene

Agreement in principle between the Dene Nation and Her Majesty the Queen in right of Canada. Presented to the Federal Government on October 25, 1976. 4 pp.

Dene Nation--the colony within. Ed. Mel WATKINS for the University League for Social Reform. Toronto-Buffalo: Un. of Toronto Press 1976. 189 pp. [A revision and abridgement of material presented at the Mackenzie Valley Pipeline Inquiry (Berger Inquiry) by the Dene themselves and by others on their behalf]

Dene Declaration. Statement of Rights. poster.

Iroquois

81st Cong. 2nd Sess. Ch. 946, 947--Sept. 12/13, 1950. To confer jurisdiction on the courts of the State of New York with respect to civil action between Indians or to which Indians are parties. 2 pp.

The Economic History of the Hau De No Sau Nee. Prepared for the Non-Governmental Organization's Conference. Typescript 23 pp. Cf. "Akwasasne Notes" Fall 1977, 21-24. [Hau De No Sau Nee--"People of the Long House"--six Nations of the Iroquois]

Ganienkeh Ne Iaiak Nohononwentsakeh Kanonsonnionwe. To the Non-Governmental Conference on Indigenous Peoples. Typescript, 4 pp. [Community of the Mohawk Nation founded 1973]

Public Law 88-533--Aug. 31, 1964. To authorize payment for certain interests in lands within the Allegheny Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social and economic development of the members of the Seneca Nation, and for other purposes. 6 pp.

Treaty with the Six Nations 1784. Articles concluded at Fort Stanwix, 22 October 1784, 2 pp.

Treaty with the Six Nations 1794. A Treaty between the United States of America and the Tribes of Indians called the Six Nations, 4 pp. [November 11, 1794]

Treaty with the New York Indians, 1838. Articles of a treaty made and concluded at Buffalo Creek the 15th day of January 1838, 15 pp.

Lakota

Colonization and Genocide of the Lakota Nation by the United States of America. Typescript 42 pp. [Contents: Introd. and Prayer; II. Religion; The Structure of the Lakota Nation; Lakota Government and Social Structures; III. The Coming of Western Civilization; IV. Wars and Treaties between the Lakota Nation and the United States; V. Colonization and Genocide--The Colonial Context of Lakota Territory; Dependency, Genocide and the Colonial Structure in Lakota Territory; Pine Ridge and Standing Rock, a Brief Case in Point]

The United States' Illegal Occupation of the Black Hills: 100 Years of Continuing Injustice. Ed. Institute for the Development of Indian Law, Inc. (Robert T. Coulter, Alex Skibine) 12 pp. Typescript.

ORTIZ, Roxanne Dunbar: The Great Sioux Nation. Sitting in Judgment on America. An Oral History of the Sioux Nation and its Struggle for Sovereignty. Based on and containing testimony heard at the "Sioux Treaty Hearing" held December 1974 in Federal District Court, Lincoln, Nebraska. Introd. Vine DELORIA, Jr.-New York: American Indian Treaty Council Information Center; Berkeley, Calif.: Moon Books 1977. 224 pp. [Bibliogr. 218-224]

Alaska

Alaskan Natives Claim Settlement Act of 1971 (ANCSA). Ms. 3 pp. [Contents: This U.S. gov't act is contested because of "easements" on land given to Alaskan natives, because of end of tax-exempt status in 1991, because of possible loss of shares of the "Regional Corporations" to outsiders]

Venezuela Indians

COAGRO. Coagro propone una politica alternativa de emergencia para enfrentar el grave problema de la tenencia de la tierra. "El National" (Venezuela) 11.9.1977, 2 pp.

Curso de Capacitation para Organizaciones Economicas Indigenas. Marco Conceptual y Metodologia. Ed. Universidad Central de Venezuela. Facultad de Ciencias Economicas y Sociales. Escuela de Sociologia y Antropologia (Gerald Clarac N.) Typescript, 4 pp.

Memoria. Programa de Desarrollo Indigena. Instituto Agrario Nacional. Agosto 1971-Marzo 1974. Caracas, Marzo 1974, 21 pp.

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 - Legal Questions Concerning Indians in the United States
 - U.S. Illegal Occupation of the Black Hills
 - American Indian Prisoners in the U.S. and Canada
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Gaiongwilode (Ray Halbritter)

Cayuga Nation: Hoyaneh Chisnohn (James Leafte)

Seneca Nation: Hoyaneh Gandahgowah (Frank K. Abrams)
Hoyaneh Soganjowah (Corbett Sundown)

Mohawk Nation: Hoyaneh Kahnasarakah
Hoyaneh Takaronieken

Tuscarora Nation: Hoyaneh Sequarisera (Leo Henry)

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CZECHOSLOVAKIA

Mr. Evzen Zapotocky, Permanent Mission, Geneva

DENMARK

Mr. Michael Wagtmann, First Secretary, Permanent Mission, Geneva

ECUADOR

Mr. José Serrano, Permanent Mission, Geneva

FRANCE

Ms Christiane Aveline, Ministry of Foreign Affairs, Paris

GERMAN DEMOCRATIC REPUBLIC

Mr. Werner Wenning, Ambassador, Committee of the German Democratic Republic for the Decade for Action to Combat Racism and Racial Discrimination

HUNGARY

Mr. Raymond Toth, Permanent Mission, Geneva

IRAQ

Dr. Mohammed Aldouri, Faculty of Law, University of Bagdad

ITALY

Ms Daniele Occhipinti, Permanent Mission, Geneva

ISRAEL

Ms Ruth Raeli, Permanent Mission, Geneva

JAMAICA

Ms Joy Webster, Permanent Mission, Geneva

MEXICO

Ing. José Pacheco Loya, Instituto Nacional Indigenista de Mexico

MAURITANIA

Mr. Mohamed Abderrahim Hadramy, Embassy of Mauritania, Paris

MOROCCO

Mr. Mohammed Ghraibi, Permanent Mission, Geneva

PEOPLES REPUBLIC OF MONGOLIA

Mr. Dugersurengiin Erdenbileg, Ambassador, Permanent Mission, Geneva

Mr. Don myn Davaa, Third Secretary, Permanent Mission, Geneva

NETHERLANDS

Mr. F.P.R. van Nouhuys, First Secretary, Permanent Mission, Geneva

Mr. A.J. Meerburg, Second Secretary, Permanent Mission, Geneva

NORWAY

Mr. Harold Høstmark, Permanent Mission, Geneva

Mrs. Kari Grønn-Nielsen, Non-Governmental Organisations Division, Norwegian Agency for International Development, Oslo

PANAMA

Ms Delia Chevalier Villamonte, Permanent Mission, Geneva

SYRIAN ARAB REPUBLIC

Mr. Clovis Khoury, Permanent Mission, Geneva

UNITED STATES

Mr. K. Kirke Kickingbird, Attorney, Washington, D.C.

Ms Gloria Gaston-Shapiro, Human Rights Officer, U.S. Mission, Geneva

VENEZUELA

Prof. Francisco Aurelio Rengifo, Director, Ministerial Office, Min. of Education
Mr. Braulio Gomez, Federacion Campesina de Venezuela
Mr. Alberto Herrera, Federacion Indigena de Venezuela

ARAB REPUBLIC OF YEMAN

Mr. Ahmed Al Haddad, Ambassador, Permanent Mission, Geneva

National Liberation Movements:

PALESTINE LIBERATION ORGANISATION

Mr. Shaukie Armalie

* * *

UNITED NATIONS

Mr. Theo. C. van Boven, Director, Human Rights Division
Mr. P.J. Sanon, Deputy Director, Human Rights Division
Mr. A. Willemsen-Diaz, Human Rights Division
Ms Natalia Borejnaia, NGO Liaison, Information Service
Ms Raymonde Martineau, NGO Liaison Officer, ECOSOC

UNITED NATIONS HIGH COMMISSIONER FOR REFUGES (UNHCR)

Mr. Georges Koulisher, Chief, Regional Section for the Americas

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Mr. Elias Mendelievich, Working Conditions and Environment Department
Mr. Lee Swepston, International Labour Standards Department

UNITED NATIONS' EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANISATION (UNESCO)

Mr. Benedict V. Mtshali, Human Rights Division

WELCOMING ADDRESS BY MR. THEO VAN BOVEN, DIRECTOR OF THE DIVISION OF
HUMAN RIGHTS OF THE UNITED NATIONS

"On behalf of the Secretary-General of the United Nations and the Director-General of the Office of the United Nations at Geneva, I would like to extend to you all, and in particular to the representatives of indigenous peoples' groups and organizations a hearty welcome here in the Palais des Nations.

I am most grateful to the Special NGO Committee on Human Rights and its Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization for organizing this Conference on Discrimination against Indigenous Populations in the Americas, which, as a part of activities in the framework of the Decade for Action to Combat Racism and Racial Discrimination follows similar conferences on the subjects of Apartheid in southern Africa (1974), migrant workers (1975) and Political Prisoners in South Africa (1976).

This initiative shows once again the indispensable role of non-governmental organizations to the cause of human rights. This role is vitally important for the United Nations inasmuch as NGO's serve as a two-way means of communications between the World Organization and large sectors of the public. Without non-governmental organizations as active partners in the promotion and encouragement of human rights the United Nations can hardly function in a satisfactory manner in its efforts to enhance the rights of peoples and persons.

This Conference is particularly important because of the participation of indigenous peoples' groups and organizations themselves. Much too often matters are discussed and decisions taken, without the persons directly involved having a voice in it.

May I now, as the Director of the Division of Human Rights, say a few words on work being done in the United Nations concerning indigenous populations and in which the Division of Human Rights is giving its fullest co-operation.

The Study on Indigenous Populations now in progress resulted from conclusions and proposals contained in a study on Racial Discrimination.

In that study it was proposed that for making a more thorough analysis of the extent of the problems confronting indigenous populations in the world and of the national and international measures necessary for eliminating discrimination against these populations, the pertinent United Nations organs should prepare a complete and comprehensive study of this problem, in cooperation with the competent international organization. The Sub-Commission on Prevention of Discrimination and Protection of Minorities was authorized to make such a study and it decided to appoint one of its members, Mr. José R. Martínez Cobo (Ecuador), as its Special Rapporteur.

In furthering the study, close cooperation has been established with the ILO, with UNESCO and WHO, as well as with the Inter-American Indian Institute.

From the start it was evident that, indeed, many aspects of the problems confronting indigenous populations could not be approached from the point of view of racial discrimination alone, since also complex ethnic, social, cultural, linguistic and religious aspects and fundamentally distinct world views were very much involved.

Pushed by the onslaught of conquerors, colonizers and settlers, into unproductive areas of what was once their land, indigenous peoples had become identified with depressed areas and had survived as marginal peoples for hundreds of years. They were often forgotten, overlooked or exploited by members of the other segments of the population. Those groups or individuals who had moved to urban centers in search of a better chance to survive had been subjected to all known forms of discrimination and ill treatment. They became a veritable "underprivileged people": They faced seemingly unsurmountable problems in health services and housing which were hopelessly inadequate. Indigenous occupations, medicinal practices, culture, language and religion were not given adequate attention and protection. Self-government, autonomy and true political rights were either denied or shamelessly manipulated.

Their land base was constantly eroded by abuse. Encroachment upon indigenous land continued as a consistent practice, forcing indigenous peoples into unwanted employment, at least on a seasonal basis.

Education and vocational training were imposed from the outside, with alien conceptions and methods geared towards cultural assimilation and "integration into the mainstream or the work-force", as it was put.

Administration of justice did not develop enough to take due account of the important differences in fundamental notions of substance or procedure. Lack of communication and mutual respect between law enforcement authorities (most often non-indigenous) and indigenous persons led frequently to the victimization of the latter. Indigenous people constitute an inordinately high percentage of the total inmate population in local and national prisons.

Only recently is the policy of cultural pluralism being looked at as a plausible course of action in connexion with indigenous populations. The realization is dawning in many countries only now, that an enormous amount of work is to be done in order to remedy this unfair situation.

Yet, in numerous instances the changes being forced on indigenous peoples or their environment still entail such disastrous consequences for indigenous peoples, that also the most basic right, namely the right to life, is at stake for large groups.

All these problems will surely be discussed at this Conference and proposals for their remedy will be made.

This Conference provides a good opportunity for people to work together in search of paths for the better understanding of the problems affecting indigenous populations and possible ways for the protection of their human rights and fundamental freedoms as well as their legitimate interest and aspirations. We hope that the discussions here might help clarify ideas on fundamental principles on which national or international action can be based.

To these ends, which are the basic aims and goals pursued by the U.N. in its study on indigenous populations, this Conference can make a great contribution.

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EXCERPTS OF STATEMENTS MADE AT PLENARY SESSIONS & IN COMMISSIONS

RUSSELL MEANS, International Indian Treaty Council - Plenary Session

We've come to you once again to tell you that for centuries since the invaders came to our shores we have shown the world mutual respect. We have come to show that respect. ... We are approaching the international community this first time for support and assistance to stop not only this rape of our sacred mother earth, but also to stop the genocide of a whole people. A people with international rights backed up especially in North America by treaties between the United States and Indian Nations. The United States, the monster, and its multinational corporations have dictated foreign policy in this world. They no longer care about the future as witnessed by the Dene, as witnessed by my people, as witnessed by Central and South America. We all know that the multinational corporations of Europe are investing heavily and increasing their investments ten fold in the last four years., We also have documentation about the secret activities of the CIA and multinational corporations that are now in Brazil, Ecuador, Peru, Columbia and Venezuela, because everyone knows that the next major exploitation will be in South America.

You see, there is only one color of mankind that is not allowed to participate in the international community, and that color is red. The black, the white, the brown, the yellow - all participate in one form or another. We never, until this day, have had a voice within the international community.

OREN LYONS, Onondaga, Six Nations Iroquois Confederacy, - Plenary Session

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

The president of the USA has brought forth into the forum of the international world the issue of human rights. It affords us the opportunity at this time to present our position on the issue of human rights. It is strange indeed that we have to travel this far to the east, to the European continent, to turn and face the president of the US and ask him about our human rights.

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

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

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

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

JOSE MENDOZA ACOSTA, Representacion de Autoridad y Pueblo Indigena de Panama,-
Plenary Session

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

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

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

RENIR ARTIST, KANO Organization, Surinam - Plenary Session

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

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

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

MANUEL TZOC MEJIA, Association Quiche-Mayan, Guatemala - Plenary Session

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

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

NATALIO HERNANDEZ HERNANDEZ, Mexico - Plenary Session

People think that we, the indigenous peoples, are the problem. We are not the problem. The problem has been created by the outsiders. We have the right to our land, and to own it. We have the right to education, an education which would really allow us to interpret our history, to become conscious

and understand the historical process taking place. Our culture has been disintegrated by the imposition of the invaders' cultures. We must have the means to speak up and address the problems. After this conference we will have a clearer view of our common problems and be more united in this struggle of ours so that we can really arrive at effective liberation of our peoples. Indeed there are not a few of us but millions and millions of us living in the Americas and we must go on fighting and winning our struggles.

ANTONIO MILLAPE, Mapuche Confederation, Chile (in exile) - Economic Commission

I am president of the Confederation of Mapuche. I was selected by the leadership of the Confederation, before the coup in Chile in 1973. The Confederation is composed of 63 regional associations of Mapuche, which includes 3,098 indigenous communities. It represents a population of 900,000 Mapuche,, I have to say that many years ago there were many more Mapuche.. There are 450,000 Mapuche in the countryside and the rest live in various cities. Those in the cities were organizing themselves to join the confederation.

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

In 1973 when the coup took place in Chile, my own house was surrounded by two police wagons with 16 military men who invaded my house without respect for anyone. They put me against a wall with my wife as dangerous criminals. In that moment I was detained at least ten times, but only myself but also the president and leaders of the 63 regional associations of Mapuche, more than 3,000 leaders of communities. In my community was a deaf and dumb man who was ordered to halt by the military. He did not understand, so he was killed. He was no leader, nor guilty of anything.

A massive extermination of the Mapuche occurred. In some places only a hen or two exists. People are starving. There is no food, not even for the hen. The land is arid. The people cannot even eat the eggs, for they have to sell them to get medicines and soap. Go to any Mapuche home today, and you will find that the dog outside will not bark, because it is too weak. If you go inside you will find one or more children lying sick, dying of starvation. There may be children outside and they will tell you their parents are not home. Do not believe them. If you go inside you will find them, too, dying of starvation and extreme malnutrition. That is the form of extermination today under Pinochet. The goal is to totally wipe out the indigenous population of Chile. More than 70% suffer this misery.

I will say something which might be dangerous. I will say it anyway even if there will be gentlemen waiting outside for me. I will go back to my country because I am wasting my life. My life does not belong to me. It belongs to the people who had the confidence in its leader. No banks or corporations will take my people out of this misery. I beg my brothers from North America to go and see. All these realities in Chile are taking place in other countries

of the Americas, except not so extreme. Millions and millions of children at this moment are crying, and their parents do not have enough to feed them.

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

PHILLIP DEERE, Creek Nation, International Indian Treaty Council, - Plenary Session

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

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

DAVID MONONGYE, Hopi Elder, Hotevilla, Arizona - Social/Cultural Commission

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

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

ED BERNSTICK, Cree Nation, Canada, American Indian Movement - Economic Commission

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

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

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

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

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

The Government uses "legal" tactics to keep Indian people in poverty. They try to assimilate entire reserves and have succeeded on some in destroying the language, education and livelihood of the people, and the Canadian government is responsible. The corporations are looking for resources and look more and more to Indian land. We need protection. The death rate has climbed three-fold in the last 10 years. Our elders tell us from their oral history, that land that was ceded through treaties included only one foot down, and does not include water and most minerals. The timber and water that exists would be enough for all if shared equally. The world community should think of the human rights of Indian people. We are not saying we do not want to share our resources, but we are saying that we must think of a future where everyone can survive.

MARIE SANCHEZ, Northern Cheyenne Tribal Judge - Plenary Session

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

Therefore, again I state, we are the target for the total final extermination of us as people. The question I would like to bring forth to this conference, to the delegates from other countries here present, is why have you not recognized us as sovereign people before? Why did we have to travel this distance to come to you? Had you not thought that the United States Government in its deliberate and systematic attempt to suppress us, had you not thought that that was the reason they did not want to recognize us a sovereign people. The only positive thing that I feel should come out of this conference, if you are going to include us as part of the international family is for you to recognize us, for you to give us this recognition. Only with that can we continue to live as completely sovereign people.

There are other concerns of the Native American women. They do not stop at the concern of being sterilized. They go beyond that because of our relationship to Mother Earth. The raping, plundering, because of the greed of the United States of America for our natural resources is still yet a form of sterilization, because we depend on Mother Earth for life. And you also, because you are part of the family of this world, you should also be very concerned, because the common enemy is your enemy too, and that enemy dictates policy to your governments also. I warn you not to be so dependent on the country that we are under, on the government that we are under. We have demonstrated to you how many hundreds of years we have survived, but only because we are still united, we can only still be together in struggle. We wish to continue to exist.

EXCERPTS OF CLOSING ADDRESSES

EDITH BALLANTYNE, Chairwoman, International NGO Conference on Indigenous Populations of the Americas

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

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

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

I want to thank the United Nations for again making it possible to hold a conference in this building. As non-governmental organizations we appreciate this very much. I want to thank now the interpreters who worked very hard. I am certain it has not always been easy for them.

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

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

ART SOLOMON, American Indian Movement, Toronto

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

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

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

JUAN CONDORI URUCHI, MINK'A, Bolivia

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

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

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

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

Now we shall see what the heart of every country represents, let's hope we shall, let's hope we will. Perhaps they'll not let us come back in another fifty years, perhaps we shall have to wait another generation. I don't know. Perhaps there may be some doubts of that unity^A. Brothers from the Indian continent, brothers, by and through unity, brothers in our claims, brothers in behalf of oppressed people.

MIKE MEYERS, Onondaga Nation, Institute for the Development of Indian Law

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

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

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

NIAL MacDERMOT, Chairman, Special NGO Committee on Human Rights

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

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

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

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

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

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

opportunity to participate in our discussions but in general have chosen not to do so. That is their decision and we can understand and respect their reasons.

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

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

ROMESH CHANDRA, Chairman, NGO Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization

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

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

This document is not the end. It is the beginning for the NGOs, for each one of us. This has been a glorious three days, four days, for we have learned so much. My brother says, if anyone dies. I tell you clearly there will be harassment and repression against many who participate in this conference. Why? Is it because the conference is a hoax? No repression if you attend conferences which are a

hoax. Repression and harassment because this has been real and people have heard you. Even the most cynical have heard you in their hearts, have been shaken up as never before. But this I pledge, and it is in this resolution, on behalf of all the NGOs and all the others who are here that if there is victimization, harassment, repression, terror, murder against anyone who participated in this conference - and that has been done already, make no mistake - then you can count on a world-wide out-cry by the non-governmental organizations who stand beside this conference. Do not touch a hair of our brothers. What can we do against the powerful who might touch you. We can do a lot by public opinion. We can do a lot by raising our voices. And so we say clearly here that we shall take all possible measures to support and defend any participants in the conference who may face prosecution and harassment on their return.

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

We propose to take the results of this conference to the United Nations General Assembly's meetings. We propose to take it with your help to all the appropriate audience of the United Nations. But that is only the beginning. The whole program of action which is here is one which has opened up a new stage in the struggle which people of the world are waging for the justice and the right of the indigenous nations and peoples of the Americas. Whatever the position of each one of us might be, whether we were with you before this much or with you a little this is certain: after hearing you, we'll do more.

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

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

We stand together. We fight together. We struggle together. We carry forward the light of these days, the knowledge of these days, the spirit of these days, the spirit of this earth, of ours, of yours and ours. We carry it forward together. I would like to present you this final resolution with these words and ask you to adopt it together and carry it out together. This is not the end. It is the beginning of our work.

STATEMENT SUBMITTED ON BEHALF OF THE GOVERNMENT OF BOLIVIA

Mr. Romesh Chandra, Chairman of the Sub-Committee on Racism, Racial Discrimination, Apartheid and Decolonization, sent to His Excellence, the President of Bolivia on July 15, a letter suggesting the assistance of a government representative as a guest, in order to be informed of its work and eventually to make statements on behalf of the government regarding the subjects to be covered.

The Permanent Representation of Bolivia has followed the work of the Conference in accordance with this kind invitation.

Bolivia is fully conscious of the problems, historical in origin, faced by the indigenous and tribal populations, and therefore it welcomes all serious and constructive action towards facilitating their solutions and believes that this Conference can make effective contributions in the matter. With full awareness of the reasons for choosing a regional perspective for the Conference, this should not, nevertheless, give the erroneous impression that the problems treated are more serious in the Americas than in other parts of the world.

On the other hand, I think that the Conference has pointed out the enormous variety of situations and particular problems which can be observed in this more restricted area - the Americas.

For instance, in the Bolivian case, we have found that a strict application of the concepts of protection and integration included in the international instruments - the ILO Convention Number 107 and the relevant International Labour Office recommendations, could have brought us to the paradoxical result of a protectionism unsuitable to our country's reality, where it would be totally improper to speak of indigenous "minorities", excepting of course the forest groups of our Amazonian Region.

It is not necessary, Mr. Chairman, that I occupy the time of this Conference with descriptive declaration of the Bolivian situation in the matter of its interest. The substantial progress attained during the last twenty-five years by the Bolivian peasant populations, principally identified as of indigenous origin, has already become American history. The main elements of this progress are:

Radical agrarian reform ended the latifundio regime, of colonial origin, changing the situation as far as land tenure is concerned and also the system of free services imposed by the former regime; concession of the universal vote, without restrictions, obstacles or qualifications; the unhampered right to form trade unions which has made the Bolivian rural population one of the organized forces with most weight in the life of the country; improvements in matters education, health and the extension of social security. This brief survey would not be complete without pointing out the very important acceleration of Bolivian economics in the last five years, and my government's positive efforts towards development, creating tangible and dynamic conditions which permit the Bolivian urban and rural population to take advantage of these rights and possibilities with much better results.

All these aspects cannot be neglected in the serious and objective study which the Conference certainly wants to achieve as the only conceivable base for the success of its efforts. The fact that outright subjective individual declarations have taken place in it must not result in the Conference's losing sight of the indispensable need of historical and scientific discipline and objectivity.

The Government of Bolivia awaits with interest the final report and conclusions of this Conference, in which, given its nature, my delegation has preferred not to intervene.

Armando Loaiza-Mariaca
Permanent Alternate Representative
In Charge of Affairs a.i.

Geneva, 23 September 1977

STATEMENT SUBMITTED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The United States' guests to the International NGO Conference on Discrimination against Indigenous Populations in the Americas - 1977 - have listened with great interest to the discussions which have taken place in these meetings the last four days. We are pleased that the original people of our country have gathered here in Geneva to discuss these matters of vital importance to human rights. We are warmed by the initiative you have shown in carrying your concerns to this forum. This kind of dialogue can only happen in open societies, societies that are not afraid to learn from past mistakes.

As you know, President Carter insists that the United States will discuss human rights violations wherever they occur. It would be useless and, moreover, a disservice to gloss over the injustices suffered by native peoples in the United States, as well as by other ethnic groups. Ambassador Andrew Young has positively supported the United States' participation here out of his conviction that vigorous efforts must be made to eliminate grievances at home as well as abroad. While rejecting hyperbole, the United States remains concerned about and is sensitive to any serious charges of human rights abuses committed against United States citizens. In accordance with President Carter's statements on our human rights policies, the United States will investigate any serious charges presented and take corrective actions which prove necessary.

It is fitting that we meet together at this time in solemn recognition that this week we should observe the anniversary of the deaths of two courageous Indian men: Chief Joseph of the Nez Perce and Richard Oaks of the Akwesasne Mohawk Nation.

The new Administration intends to learn from the past. Therefore, it is committed to hearing the truth from the voices of the native peoples themselves. An important step in that direction has been the American Indian Policy Review Commission's two-year study of present conditions. Much that is worthwhile has come from this investigation. In fact, perhaps the single most important aspect of this investigation is that it authentically represents the voices of Indian people. The next step will be for us to carefully consider the recommendations coming from this conference here in Geneva.

We share the concern of native people over the question of sterilization of Indian women. We welcome the forthcoming investigations of the U.S. Commission on Civil Rights and the General Accounting Office as constructive preliminary steps towards the resolution of the problem. As an open society we welcome investigations that will aid us in enforcing the U.S. policy against sterilization without informed consent. However, the United States categorically rejects the charges of genocide which is defined in Article II of the Convention on the Prevention and Punishment of the Crime of Genocide as "acts committed with the intent to destroy" a group.

The question of prison systems and processes is of great concern to the U.S. Department of Justice and to all Americans. Specific issues requiring special attention relate particularly to the criminal justice system and to those who are incarcerated.

We appreciate the opportunity now before us to develop a unique relationship between the United States and the native governments and groups within our own geographical borders. The decisions being entered into in relationship to the native People in the State of Maine signal a new kind of relationship in the making: the Carter administration has requested that the Justice Department represent the efforts of the Indian people in their overdue claims in that region.

We are encouraged by the possibility of the establishment of an international organization of indigenous peoples of the Americas - one that would go beyond the borders of the U.S., to include all of the Western Hemisphere.

The United States and the native people of our country share a common spiritual and governmental origin by the fact that we have based our constitution upon the governmental example designed by the ancient League of the Iroquois, as acknowledged by Benjamin Franklin.

We have heard it said over the past few days that spirituality in government is the Indian "way". A reverence for nature and the world of the spirit should be an integral part of all governments. We look forward to the day when an ethical, moral and spiritual regeneration everywhere in the governments of the world has been achieved.

The U.S. Administration is committed to continuing the policy of Indian self-determination under the recent Indian Self-Determination and Educational Assistance Act (P.L. 93-638). As Secretary of State Vance has indicated, the U.S. does not claim perfection and is anxious to learn how to improve the success of its own efforts to further the achievement of human rights in the United States. The special difficulties and problems involved in the preservation of traditional cultures within modernizing societies are shared by indigenous peoples the world over. These cannot be minimized. The status of indigenous populations throughout the world is now being studied by a special rapporteur for the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities. The United States hopes that this will engender wider understanding of and suggest creative ways of ameliorating the special problems of the indigenous peoples of the world.

As President Carter recently wrote:

"The struggle goes on here at home.... In the long run, I am optimistic. Changes will not come quickly, but they will surely come. History moves slowly and fitfully; but as long as we are true to ourselves, history, where human rights are concerned, is on our side."

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