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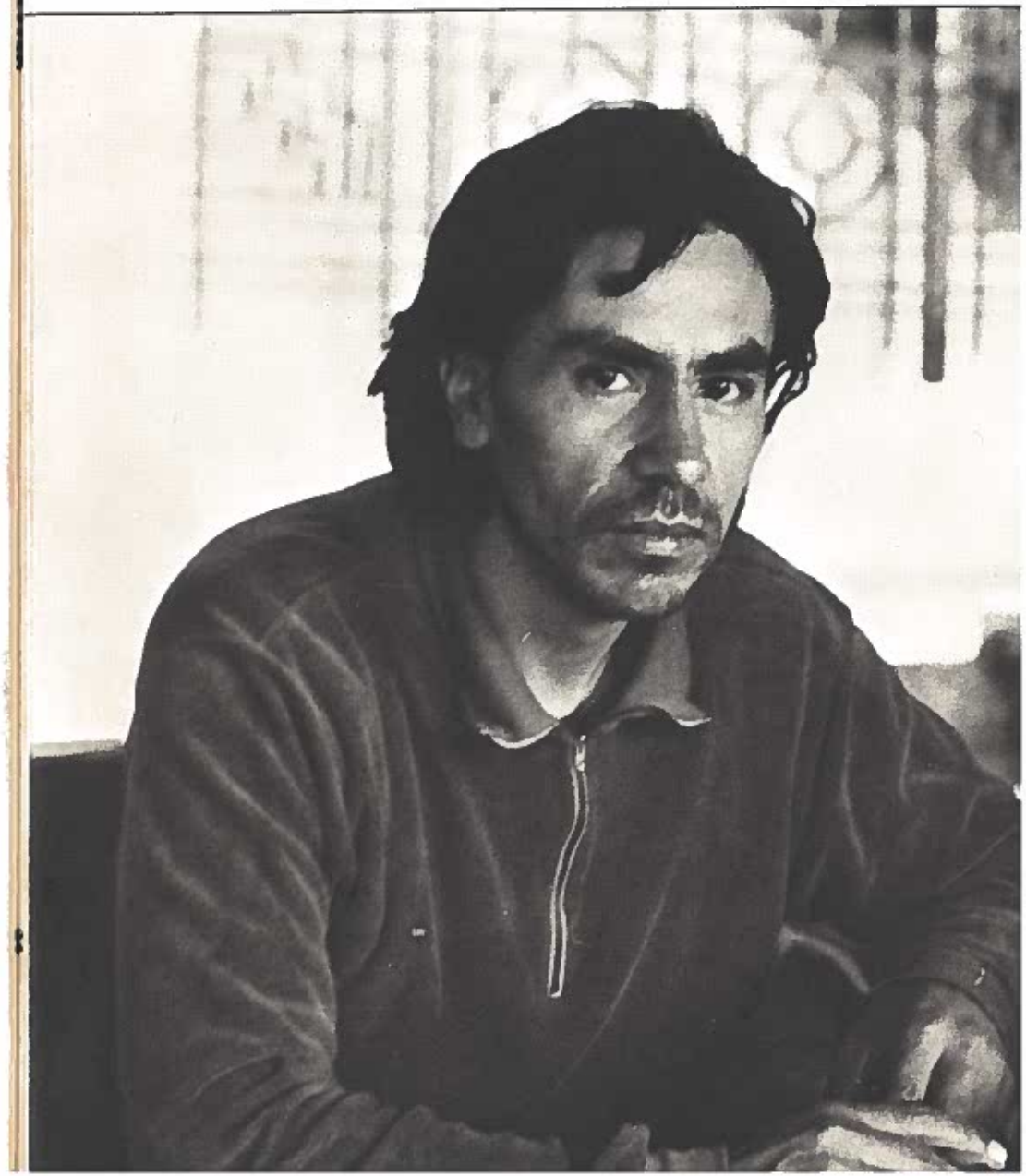
INTERNATIONAL WORK GROUP FOR INDIGENOUS AFFAIRS

Ujvatekvik a/s, København

IWGIA NEWSLETTER

No. 24 April 1980



IWGIA NEWSLETTER
ISSN 0105 - 6387

IWGIA - International Work Group for Indigenous Affairs - is an independent organization concerned with the oppression of indigenous peoples in various countries.

IWGIA publishes the IWGIA DOCUMENT series in English, with summaries in Spanish. The IWGIA NEWSLETTER is also published in English. From 1980 a news bulletin is published in Spanish for distribution among Indian organizations in Latin America. This is not included in the ordinary subscription, but can be purchased separately.

IWGIA DOCUMENTS and IWGIA NEWSLETTERS can be obtained through subscription or can be purchased separately. The subscription fee for 1980 is, for individuals: US $ 12.00 (60 D.kr.), for institutions: US $ 24.00 (120 D.kr.). Please, make your cheque payable to: The International Secretariat of IWGIA

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Cover: Ramiro Reynaga Burgoa, General Coordinator, Consejo Indio de Sud América.
(Photo: Helge Kleivan, IWGIA, Cuzco, March 1980.)

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Salvador Palomino Flores, Assistant Coordinator,
Consejo Indio de Sud América.
(Photo:Helge Kleivan,IWGIA, Ollantaytambo,March 1980.)

THE INDIAN COUNCIL OF SOUTH AMERICA (C.I.S.A.)AND THE SPIRIT OF THE DECLARATION OF BARBADOS

The most important result of the First Congress of South-American Indian Movements, held in Cuzco and Ollantaytambo, Peru, from the 27th of February to the 3rd of March, was the formation of the CONSEJO INDIO DE SUD AMERICA (C.I.S.A.).

The congress was coordinated by Guillermo Carnero Hoke of the Movimiento Indio Peruano (MIP), under the auspices of the World Council of Indigenous Peoples (WCIP). We bring the first Press Release from the leaders of C.I.S.A. on the following pages. In the IWGIA NEWSLETTER No. 24, to be published the first week of July, we will bring reports from the three commissions that were at work during the congress in Ollantaytambo.

Considering the confrontations of different opinions witnessed at some points during the Congress, it is a great pleasure to note that the main objective of the Congress was achieved, i.e. to establish a regional organization for all of South America, as part of the World Council of Indigenous Peoples (WCIP). This event marks a most important step forward in the long struggle for the liberation of the Indian peoples.

The leaders of C.I.S.A. have taken up their important task with great determination. Already in the end of May three of them, Ramiro Reynaga, Salvador Palomino and Nilo Cayuqueo are going to Europe together with Mrs. Marie Marule, the Executive Director of WCIP, to participate in two UN conferences in Geneva. They will also meet with the Ministers of Foreign Affairs in some of the Nordic countries, and with high officials of the UN Human Rights Commission, the World Council of Churches, etc.

C.I.S.A. is being established in a period when "progressive" non-Indian groups try to interfere in the formulation of strategies for the Indian liberation struggle. These people are calling it "racism" when prominent Indian leaders voice opinions that, in essence and spirit, are identical with the viewpoints of the Declaration of Barbados.

Samuel Coronel, Treasurer, Consejo Indio de Sud América.
(Photo:Birna Marianne Kleivan, La Paz, December 1979.)

In this appalling situation we find it most appropriate to welcome C.I.S.A. with a citation from the concluding words of the famous Declaration of Barbados:

> That Indians organize and lead their own liberation movement is essential, or it ceases to be liberating. When non-Indians pretend to represent Indians, even on occasion assuming the leadership of the latter's groups, a new colonial situation is established. This is yet another expropriation of the Indian populations' inalienable right to determine their future.
>
> Within this perspective, it is important to emphasize in all its historical significance, the growing ethnic consciousness observable at present among Indian societies throughout the continent. More peoples are assuming direct control over their defence against the ethnocidal and genocidal policies of the national society. In this conflict, by no means novel, we can perceive the beginnings of a pan-Latin-American* movement and some cases too, of explicit solidarity with still other oppressed social groups.
>
> We wish to reaffirm here the right of Indian populations to experiment with and adopt their own self-governing development and defence programmes. These policies should not be forced to correspond with national economic and socio-political exigencies of the moment. Rather, the transformation of national society is not possible if there remain groups, such as Indians, who do not feel free to command their own destiny. Then, too, the maintenance of Indian society's cultural and sôcial integrity, regardless of its relative numerical insignificance, offers alternative approaches to the traditional well-trodden paths of the national society."

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* We regard it an obvious misnomer that the authors of the Declaration of Barbados(IWGIA Doc. no. 1), refer to Latin-America in stead of Central and South America. The Editor.

Observers to the First Congress of South American Indian Movements. Left: Ole Henrik Magga, representing the Nordic Sámi Council, a joint organization of the Sámi People of Finland, Norway and Sweden. Right: Jörgen Bröchner Jörgensen of IWGIA, Copenhagen. (Photo: Helge Kleivan, IWGIA, Urubamba, March 1980.)

Consejo Indio de Sud América

Casilla 11081 . Obrajes . La Paz . Bolivia.

Press release:

From February 27 to March 3, 1980, in Cuzco, Peru, the Indian peoples of South America were for the first time in history all reassembled in a congress. Present were representatives from Argentina, Chile, Paraguay, Brazil, Bolivia, Peru, Ecuador, Colombia and Venezuela, as well as fraternal delegates from Canada, the U.S., Mexico, Guatemala, El Salvador, Nicaragua, Costa Rica, Panama and the Samí people of Northern Scandinavia.

For a whole week, the various representatives examined the situation of the Indian people on the Americas and in their respective countries. This exchange resulted in the general understanding that the Indian peoples of South America and of both Americas are but one people, with the same communitarian past, and sharing a present of colonial oppression. It was also understood that this reality is fomenting a liberation struggle directed against every kind of racial, cultural, economic and political oppression.

The Congress examined the numerous suggestions that were put to it and reached several conclusions, organizing itself into three commissions:

1. the Commission for Organization and Politics
2. the Commission for Philosophy and Ideology
3. the Commission for Culture.

As an important fact, it appeared in the second Commission, that the majority of the delegates took the standpoint that we, the Indians, are not a social category, but a people with a common philosophical conception, diametrically opposed to the western-european way of thinking. Therefore, it must be an obligation for the Indian organizations to affirm our own personality in our stride towards liberty and in our historical evolution.

There was some deliberation about how this process should be faced. However, it was finally agreed upon that the policy and concrete measures in each country should be elaborated according to local criteria, such as the demographic weight represented by the Indian population, the level of internal organization, the amount of experience, the actual situation and the power available.

In the other two commissions, it remained settled that the foundation of our liberation fight must be the resistance and opposition to all philosophical, ideological, political and cultural influence from Europe, in all its expressions, and whether emanating from the left, the right or the center. The organizations in each country are however free to chose to collaborate with other popular forces that accept and respect the self-determination of the Indian peoples in the process towards liberation.

The Congress was also informed of the dramatic situation experienced by many Indian peoples in the Americas, especially in those countries where the governments are characterized by the constant violation of the human rights, as recognized by the United Nations, such as Brazil and Guatemala. The Congress also appealed to all the democratic governments in the world for their solidarity in order to avoid the prolongation of these anti-Indian aggressions.

The basic objective of this Congress was to create a sub-continental Indian organization, as the South American Indian is the only one without a regional council, while councils already exist in Central and North America, Greenland, the Nordic European countries and Australia.

This purpose was realized by the constitution of the Indian Council of South America (Consejo Indio de Sud-America C.I.S.A.). Its seat - to be designated in rotation after every second year - will be La Paz, Bolivia during the first period.

The C.I.S.A. is formed by 18 representatives, 2 from each of the nine South American participating countries, one being titular, the other alternate.

The board of the C.I.S.A. has been constituted as follows:

General Coordinator titular: Ramiro Raynaga, Quechua from Bolivia.
" " alternate: Salvador Palomino, Quechua from Peru.
Executive Secretary titular: Marco Barahona, Quechua de Ecuador.
" " alternate: to be designated by CRIC, Colombia.
Treasurer titular : Samuel Coronel, Aymara from Bolivia.
" alternate: Noeli Pocaterra, Guajira from Venezuela.
Assessor general : Nilo Cayuqueo, Mapuche from Argentina

The conclusions of the Congress are already in print. 5000 copies will be distributed in different languages. The new Indian Council wil make contact with all the international organizations, the democratic governments and the United Nations, to which the World Council of Indigenous Peoples is affiliated with the status of Non Governmental Organization (NGO).

THE LIBERATION OF THE INDIAN SHALL BE THE WORK OF THE INDIAN HIMSELF

Cuzco, 4 March 1980

(Translation of the Press Release signed by Ramiro Reynaga, Salvador Palomino Flores and Nilo Cayuqueo.)

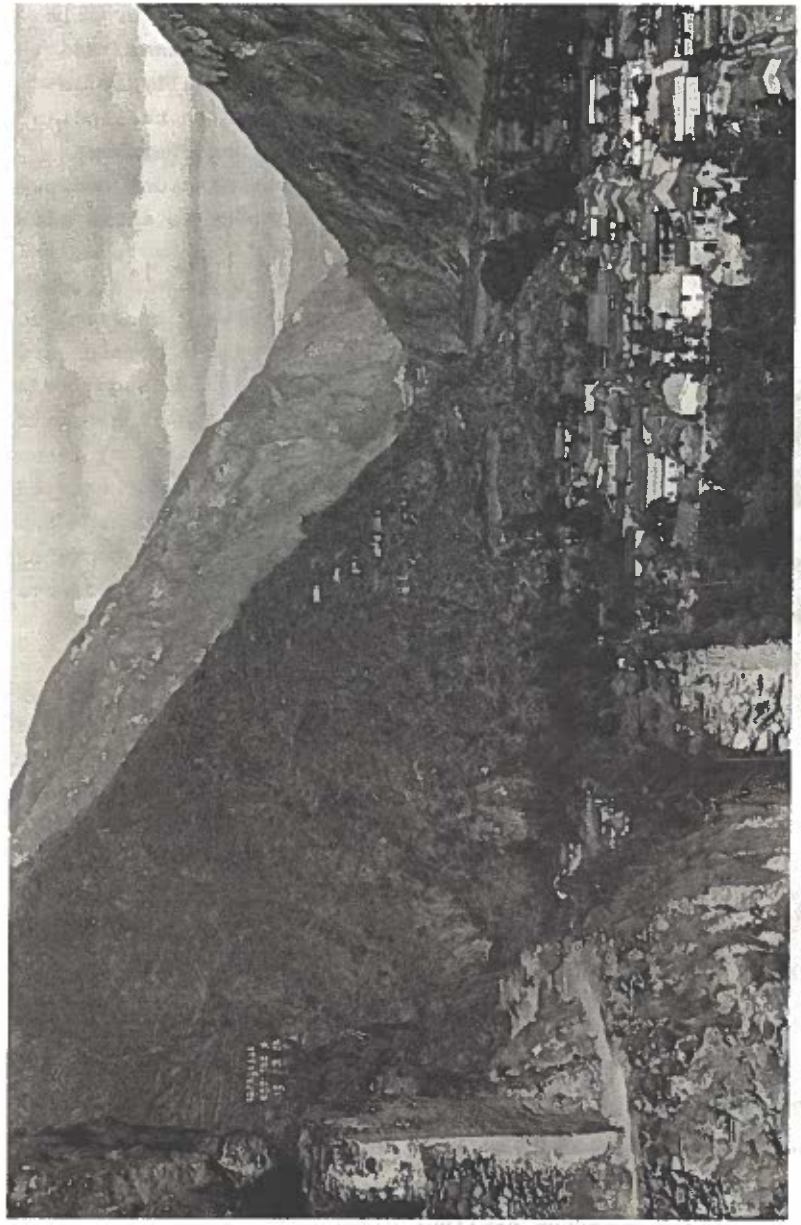
The Congress of the South American Indian issued several declarations of protest condemning the treatment inflicted upon Indians in several Latin American countries:

- The Congress condemned and denounced the government of Guatemala for the continuous massacres of Indians in the Quiche and Chajul provinces and the recent killing of 27 Indian brothers in the Embassy of Spain, on 31 January. The Congress demanded that the United Nations and the Organization of American States intervene immediately, appointing an investigation committee including Indian representatives. It also appealed to all democratic governments in the world to break their diplomatic relations with the Guatemalan government. It appealed to all labour organizations in the world to take joint action, asking for a stop to so many tortures and massacres. It appealed to all the mass media of the world to broadcast as widely as possible these criminal acts being committed against the Indians of Guatemala.

- The Congress denounced the very grave situation faced by the 17,000 Yanomami brothers living on the border of Brazil and Venezuela, because of the highway construction and the mine exploration going on in the area. Acknowledging the racist attitude existing in the Roraima Territory, and aware of the plan to reduce the traditional territory of the Yanomami, the Congress will support their brothers' fight for survival, as well as the different groups that are working for the creation of a Yanomami Park. The delegates also denounced and condemned the Brazilian government and its official Indian agency for Indian affairs FUNAI, for their complete lack of respect for human dignity when putting the Indians under legal tutelage, considering them as legal minors. The fact that Indians may not leave their country as any other citizen was given as an example.

- The Congress also condemned the presence of the film company Wild Life that has been filming the Aguarunas, and making them appear like tourist objects, and finally it deplored the presence of the New Tribes Missions in the Indian territories of Venezuela. It demanded that the government of Venezuela expell them immediately, as the missions manipulate and divide the Indian communities in order to serve oligarchist interests.

Nilo Cayuqueo, General Adviser, Consejo Indio de Sud América.
(Photo: Birna Marianne Kleivan, Lima, Nov. 1979.)



The Sacred Valley of the Incas. Ollantaytambo village and Inca fortress, where the First Congress of South American Indian Movements took place February 27th to March 3rd, 1980. (Photo: Helge Kleivan, IWGIA.)

HOLOCAUST IN GUATEMALA CITY

39 people, including Ixile and Quiche Indians, Spanish diplomatic staff and former Guatemalan government officials, died when police attacked the Spanish Embassy on 31 January.

The peasants were from among some 400 Indian men, women and children who had come to the capital from Quiché Province to complain of the "disappearance" of nine of their leaders arrested by the army in September 1979. The Indians had been in Guatemala City for three weeks asking in vain for a meeting with government authorities. They also wanted the withdrawal from Quiché of military units said to be responsible for abduction, torture and murder in the course of disputes over land tenure in the oil-rich region.

The Indians had in fact gone to seek the mediation of Ambassador Maximo Cajal y López and, he has since said, were prepared to leave peacefully.

The Ambassador was prepared to mediate and has later declared that he tried to contact the Guatemalan Government but was told that "the Foreign Minister was busy". Subsequent attempts to reach the Minister of Interior and other government officials were also in vain as it turned out that the police had disconnected the telephone lines of the Embassy. Seeing that the police forces, instead of retiring, were receiving reinforcements, even of "supermen" armed with machine-guns, the Ambassador got hold of a megaphone and called out at the police not to intervene. Instead the police stormed the Embassy, and Mr. Cajal y López has stated that many of the dead were killed by gunfire as police burst through a door on the second floor, where Indians, embassy staff and visitors had taken refuge.

The Ambassador has confirmed that the ensuing fire was

started by an Indian who threw a home-made petrol bomb as the police attacked. Ambassador Cajal y López said that he was briefly held by the police who openly discussed whether to kill him.

One Indian, Gregorio Yuja Xona, survived the incident with minor injuries. He was taken to hospital at the insistence of the Ambassador, but was abducted from his bed by about 15 assailants. His corpse was later thrown from a car in front of San Carlos University, with a placard saying: "Traitor brought to justice. The Spanish Ambassador runs the same risk."

The Guatemalan Government has blamed the killings on "terrorists." As the only witness able to challenge the government account, Ambassador Cajal y López took refuge in the U.S. Ambassador's residence and has since returned to Spain. Guatemalan authorities now concede that the Ambassador invited the peasant delegation into the embassy, but say the peasants were guerrillas and that the Ambassador had previously "collaborated with the guerrillas." Spanish authorities deny this and have broken their diplomatic relations with Guatemala.

According to an Amnesty International Report (1979) more than 35,000 people have been murdered since 1962, by different rightwing, anti-communist terrorist groups which to a large extent are composed of individuals from the police forces and the army. Among the many killed and missing persons, are a great number of politicians opposing the government, peasant and labor union leaders.

On 24 January, a week before the embassy incident, lawyer Abraham Ruben Iscampari was found murdered after being seized by plain-clothes police as he left a meeting with some of the Indians. Mr. Iscampari was a leader of the political party Frente Unido de la Revolución (United Revolutionary Front).

The occupation of the Spanish embassy must be seen in relation to the dramatic situation in which the Indians of the Quiché province find themselves, especially since 1975, when the army settled in the area, under the pretense of maintaining order. In fact this was the start of a systematic persecution of the Indians, their farms and fields being put to fire, their animals getting stolen, their women raped, their men being abducted, tortured and murdered. Every time the Indians protested, they were met with more violence and more killings.

In August 1979, several demonstrations in the province demanded the return of all the Indians missing, or being held by the army. The result was the arrestation of 9 men. Hereafter a delegation of 50 Indians decided to go to Guatemala City and appeal to the Congress, demanding the liberation of the men emprisoned by the army. The Congress replied by forcing the delegation to leave the premisses and by arresting the workers and the students who had accompanied and supported the delegation. The former were later sent in exile.

In December 1979, once more seven Indians were killed. It was this ultimate massacre that caused 400 Indians, men, women and children, to come to Guatemala City in a last desperate effort to convince the government to stop the repression.

Sources: Amnesty International, February 1980
Cambio 16, February 17, 1980
Declaration made by Indian organizations in IXIMCHE, Guatemala, February 1980

KOLLASUYO-BOLIVIA

MITKA DENOUNCES...

On December 2, 1979, in Huarina, near the Lake of Titicaca, some 50 km. from La Paz, the Bolivian army broke a road blockade put up by the peasants in protest of the 25% devaluation (in relation to the US$) of the Bolivian Peso. Their action was but one of many that occurred throughout the country: in Copacabana, Tiquina, Patacamaya, Yungas, Cochabamba, Santa Cruz...

In Huarina, the army broke the blockade by massacring more than 50 peasants. Many of the victims were later thrown into the Titicaca Lake. Altogether more than 100 peasants were killed in Bolivia in connection with these protests.

Neither the political parties in opposition, nor the Trade Unions have reacted against these massacres perpetrated by a government which calls itself "leftist and for the people." Only Vanguardia Obrera, a political organization affiliated with COB (Central Obrera Boliviana) has commented "that it was a mistake not to have instigated a general strike on December 3, in support of the peasants." (Presencia 10 December 1979). This, once more, demonstrates clearly that the Indians of Kollasuyo-Bolivia cannot expect any help or support from the traditionnal political parties, but must have their own party that can voice their grievances and work for their liberation.

MASSACRES IN PERU

On December 18, 1979, 600 policemen attacked the small peasant community of San Juan de Ondores (Junín). Three Indians were killed during the action, 12 were wounded and 45 detained. All the houses and all the fields were burned; all the animals, 2000 sheep, 150 cows and 57 horses, were slaugtered.

This oustrageous raid was meant as a "punishment" to the comuneros who in September (1979) had seized 14,000 hectares of pasture land from the state-owned agricultural entreprise SAIS (Sociedad Agrícola de Interés Social) "Tupac Amaru".

This land, which for years had been exploited by the US mining company Cerro de Pasco, was in 1970 given back to the community of San Juan de Ondores "in legitimate property" by a court decision, after an 11-year-long lawsuit against the Cerro de Pasco Corporation. Shortly after this, however, the land was taken over by the state organism SAIS, the peasants being made to believe that they would still be able to use the land for grazing their cattle. They were also promised technical assistance, services and more jobs for their cooperation with SAIS. In fact all these promises turned out to be false. The comuneros were not allowed to use the pastures and only three of them got permanently employed by SAIS.

The leaders of SAIS have shown themselves to be just as "anti-comunero" and anti-national as the Cerro de Pasco Corporation used to be.

This led the peasants to reclaim their land and availing themselves of a favorable resolution passed by the Land Tribunal (Juzgado de Tierras) in their jurisdiction, they seized the 14,000 hectares. This legal action was opposed by the Government but, however, it promised not to dislodge the comuneros before the legal problem had been completely eluci-

dated.

Similar tragic events occurred in January, this year, in Huancavelica. Here too, comuneros had been cheated by the local SAIS, and had therefore decided to recuperate their land. The reaction of the authorities came immediately: in a surprise attack by the police, 5 Indians were killed and 15 were seriously wounded.

Both events have attracted nationwide attention and provoked strong protests from well-known organizations and personalities. The national Human Rights Commission has visited the prisoners and is planning to send a report to the United Nations.

In the meantime, the Indians who have been arrested, have been accused of "attacking the armed police forces", "using fire arms" and "disturbing public order".

Sources: RESUMEN SEMANAL, no.51,
15-21 December 1979
RESUMEN SEMANAL, no.56
19-25 January 1980

INTERVIEW WITH ONE OF THE LEADERS OF CRIC

As the corporative organization of the Cauca, CRIC, we wish to clearly state our situation, as there has been people - including the government - who have been interested in harming the Indian movement in Colombia. The government of Colombia has travelled around the world in order to discredit our organization.

As a matter of fact, we stand fighting today for the principles we have defined, and we should like to repeat our seven objectives:

1. The recovery of the land of the "resguardos"*.
2. The extension of these "resguardos".
3. The non-payment of land rents.
4. The knowledge of the Law Decree nr. 89.
5. The education in our own language.
6. The strengthening of our local councils (Cabildos).
7. The recovery of our culture.

We have been working toward these objectives and we have already succeeded in getting rid of the land rents, which was a victory. Now we are working at the recovery of the resguardo lands.

It is true that we also have had victories. The government did make a kind of agrarian reform in response to the struggle of the Indians and of the campesinos (peasants), but it only lasted a short while, and today there is no longer any support of the struggle put up by the Indians and the campesinos. But our struggle has not stopped although the agrarian

* Resguardos: reserves set up in the 16th century by the Spanish king, with the land belonging communally to those Indians who chose to live on the resguardos.

reform was put to an end; our struggle does not stop here, our struggle goes on and we have already recovered thousand of hectares, especially within our own department (Cauca) which is the area we know best. We have recovered more land by fighting for it, than the government - through its agency INCOA - has by buying land from the big landowners.

There are problems connected with these recoveries, and with the organization of the local cabildos, because we have to find out what we can do with this recovered land, and we have to organize them. The production is another problem. Our companions (compañeros) in the indigenous communities are interested in learning to speak and write in their own language, this is also one of the tasks we are carrying out. The cooperatives are in the interest of our compañeros. If we can speak about philosophy, our organization does not have a line of conduct; it is the indigenous communities who give us this line. They are the ones to tell us what to do and to make proposals. For example these communities already know what their production is, and is going to be, where it goes to, how it is being exploited, how the middlemen buy their products at a low price and exchange it with other products of low quality and at a high price.

Therefore it has been necessary for the organization of our compañeros in each region to say: well, here we are going to set up a community shop; the compañeros don't believe too much in the cooperative movement, for as they say: this is a western idea. This does not mean that we are going to impose our views, the compañeros are going to do the things as they see best fit and in accordance with their abilities in order to better manage their own entreprises. Concerning the communitarian entreprises, this is due to the fact that people are accustomed to work in common, they have welcomed what they call communitarian entreprises, which is also an idea that has been introduced from outside. Cooperatives have

been established in certain places, but in others nobody wants to hear about cooperatives, and this is due to the failure experienced by the government cooperatives; therefore they call them "shops". A shop based on community action and with simple accounts they know how to keep.

In order to respond to all these plans, we go on fighting for the enlargement of the resguardos. We go on with our plans for recovering the resguardos, and in other communities they are already extending the resguardos, which is different because these are the two objectives that were established in 1971, as well as the education, the training of bilingual teachers and the creation of bilingual schools, the economic entreprises such as cooperatives and community shops.

Well, we also keep working on the recovery of our culture, because the Church, the State and the Summer Institute of Linguistics have been very involved in exterminating our communities, in the Selva as well as in the highlands.

We can divide Colombia in two areas: the highlands (Cordilleras) and the eastern lowlands (Selva). In both places we find the Summer Institute, the Church and the Government, with its governmental programs; we find the Evangelical Church, the Catholic Church and the Government. Not in order to help us; what they help us with is to divide us and destroy us and oppose us so they can exterminate us; in this, yes, they are helping us. Above anything else, these are the causes, the struggles and the claims that we stand for.

I want to speak about the Colombian government. First of all, the government of Colombia is not a civil government but a military government, it is a puppet that looks like a civil government, but those who really govern the country are the military men. We live in a dictatorship. For 10 or 12 years we have been in an emergency state. What they are interested in is to impose a National Security Act in order to solve the problems of the villages, the land claims of the Indians as well as of the campesinos, to solve the problems

of hunger and poverty in the cities and out in the country, the problems of the high cost of living, the killings, the violations of the human rights, the tortures and the imprisonments. This has been the answer of the Colombian government to our fight. In fact, the Colombian government made a tour of Europe to tell that it was a democratic government, where everybody could voice his own opinion, where the human rights were being respected, that the repression of the Indians was a lie, that it was a lie that those asking for human rights were repressed, but maybe the Europeans did not want to eat that cake, did not want to believe so many lies: the government went to Europe to wash its hands. We can inform them about the accusations, the murders, the imprisonments committed at this moment by the Turbay government - who says it is a civil government but we say it is a military one - in order to show them that everything the government went to Europe to say, is a lie. Despite this National Security Act, this humiliating situation suffered by all the poor sectors and by the campesinos and the indigenous.....

It is a lie when the government with all the means at its disposal accuses CRIC of having changed from being a corporative organization to become a political organization. Our claims are still very much alive and I have already mentioned our 7 objectives, and there is still a lot of fighting to be done. We are only just starting. Although we have 9 years of fighting behind us, we have attained very little, there is still a lot to be done. Our end is not to become a political organization.

We shall not be a sweet and nice dish to eat, we are waking up and we shall submit serious causes, serious programs. This is why they have used the army against us, why they kill our members and go on persecuting us; on account of our struggle, our struggle for land, for culture, for the common rights that the Colombian people has. CRIC in Colombia is being attacked, and we have two kinds of problems: one for being peasants, the other for being Indians; and we fight for

these two special aspects. On the one hand, our claims concern land, technique, credit, technical assistance and all the other things that pertain to the campesino; on the other hand, we have a social organization that is defined by the cabildos, that are the indigenous authorities, by our culture, our language, our customs; and what they call culture, traditions and all these things, for all this we fight. We are thus being attacked from both sides, as campesinos and as Indians and we fight in order to defend ourselves on both sides. And if we fight to defend these two sides, they say that we are threatening the order, that we are being subversive: the fight for our rights as campesinos and as Indians, this they call subversion, this they call to subvert the order in the Cauca department, in the CRIC. And for this reason, the government is determined to get rid of us, to get rid of our organization. But our organization, during the last 9 years, has grown strong roots and it is difficult to exterminate us. But the experience has shown us that we are not alone, that we do not have to be alone. There has been unity, there has been understanding because we have solidarized us with the workers, with the problems of the workers, with the problems of the peasants, but not with the elite of the peasants, because this elite looks for other objectives, they have looked and keep looking for a bureaucratic set-up, and we are not keen of these bureaucratic set-ups. If suddenly it is said that we have differences with the campesinos, then it is not with the masses, it is with the bureaucrats who want to impose their line on us and want to absorb us.

This is a lack of respect on the part of these organizations which appear more politically advanced, that they want to absorb us, the Indians, without taking into account our own situation. Thus, because of this fight we have members on trial by the Military Tribunal (Consejo Verbal de Guerra), in Bogotá, in Calí, and in Popayán. Apart from the other compañeros that are in prison in various cities for having recuperated land. The organization has to help them,

provide them with legal assistance, assist their families, etc.

There is a long list of detained people. Among those in Bogotá, to be tried by the Consejo Verbal de Guerra, is Marcos Avirama, the president of CRIC, and he has already been detained for a whole year; there is the secretary of CRIC. Other members have already been released after serving their term, they were also put on trial by the military tribunal, and are already working in the organization. The list is long: there are 36 in Calí, 6 in Popayán who are waiting for their trial. As for the others, from the other zones and municipalities, only the lawyers know about their situation.

Talking again about the government: in order to kill off the Indians of Colombia, the Colombian government is applying the National Security Act of the cities to all the Indians. This despite the fact that we have a law, the law no.89, which makes some concessions. The government takes no notice of this law, and applies instead the National Security Act. Therefore, they look for our leaders as for fleas, everywhere the army is looking for them, the secret police is looking for them in order to capture them and torture them so they can say what they are not, what they don't have and what they are not doing, only because they are leaders and because they lead and guide the communities. Besides this the government attacks; right now it wishes to give the Indians a new Statute. The dirtiest things could be said about this new Statute. For example it does not concern itself with the Law no. 89 of 1890. This law has positive as well as negative aspects, but there are some good things in it that defend us and we have accepted this law, it respects our culture and maintains our culture, respects our rights. Instead the government wants to refrain the people who solidarize themselves with us, with our struggle and it wants to bar the road, so that no one may visit us, and if someone wants to make a visit, well they have to ask permission at the door: the Indians are sacred and wear beautiful bird-feathers and

you mustn't touch them, because the paint may come off. This was what they wanted to do, but thanks to the knowledge of the different popular sectors, the workers, the peasants, and the intellectuals, conscious of the problems of the Indians, it was possible to stop a while so the Bill on Indigenous Affairs could not be passed, because it would have meant to destroy the Indians completely, finish us off with a law, finish us off slowly. Thus, we remain a little free, but I repeat it was because of this world-wide solidarity, because we told the world that we had this problem. Despite the massacres, despite the Security Act, they want to pass a new Indian statute to fulfil our extermination, but the solidarity of our European friends helped as a power to put pression on the government so that this bill on Indigenous Affairs was not passed.

Besides all this, our struggle gives us many deaths, they go on murdering us in cold blood. The government has its henchmen: the army and the police who are there especially to kill us. Recently our companion Benjamin Dindicue was killed, as many others; he was the vice-president of CRIC, the bil landowners killed him. Our leaders have been killed, not because as some one said: Indians are drunkards, living on chicha and alcohol; no, most of our people have been killed while working, for example at recovering their land, while asking for the respect of their community, and others have been killed by henchmen, by those landowners, and have been killed in secret, on the roads.

This is our situation today, but in no way have we begun to cry or to ask them for forgiveness nor have we asked them to respect us. The organization is the one that makes itself respected, it is the organization as such, not the paternalistic begging "to respect us, for God's sake." Our answer has been strengthened. The government wanted to close down our office and occupied the office; but our councilleaders said: "This is ours, and we are going to have

it respected." And they stayed and this is where we stand now. We have named a new executive committee, even if the president is on trial. Thus, at present, this repression has made us more united, has given us strength, we have seen who was with us and who was against us.

Question: You mentionned the international solidarity which was of great help. I would like to know if you think that this Regional Council of the Indian Peoples of South America also will be able to further your struggle by means of its Indian solidarity?

For this, it must become a strong organization, and have bases. Because the governments are very clever, and one should not be mistaken about them: they know where there is strength and where there is no strength. Therefore, the government fears the Cauca, because it knows that there is strength, that there are bases. Therefore, as long as the governments realise that there is only a bureaucratic device, they will know that this is not worth anything (but the international solidarity is... we understand that it is because it has diplomatic relations with those countries, and it makes one feel a little ashamed, and these military men do not feel any shame). Therefore it seems as if they reduce the oppression but this is not true; but the government, yes, does feel shame in front of the international solidarity of the peoples, because the democratic image it wants to show does not fit in and they do not like the western world to be informed about the situation. The government whenever it has been attacked, whenever the press has asked about the indigenous affairs, about the torture of the political prisoners, the government answers that there is no torture in Colombia, and that everything that is being said about this is being made up by the leftists who lie and only want to make things bad for the government. This way it helps, but when they see that the indigenous organizations have strength, this can also help. But as long as the governments see that these organizations are only devices, then they have no value.

CANADIAN-US FACT FINDING MISSION CONDEMNS NEW CHILEAN INDIAN LAW

> "The thing that really worries me, as leader of the World Council of Indigenous People, is that Pinochet's new law is a threat to indigenous people everywhere. For the first time a government, the Chilean government, has implemented a law which could be an example to other governments, even the Canadian government, for the assimilation of Indian people."
>
> (George Manuel)

According to George Manuel, leader of the Union of BC Indian Chiefs and President of the World Council of Indigenous People (WCIP), the effect of Chile's new Indian law will be "to expropriate all existing Indian land and eliminate the Mapuches as a race of people." Manuel was part of a four-person North American delegation sent to Chile by the Inter-Church Committee on Human Rights in Latin America. The joint Canadian-US team was sent as a result of mounting international criticism of the law in order to examine the human rights implications for the Mapuche Indians of Southern Chile.

Other members of the fact-finding mission included John Hilborn, minister of the Shaunessy Heights United Church in Vancouver; Marthe Lapierre of the Canadian Catholic Organization for Development and Peace (CCODP) of Montreal; and Simon Smith, a Jesuit priest from the United States.

The fact-finding team visited Chile from November 10 to November 20, 1979, spending most of their time on the Mapuche reserves around Temuco, interviewing the Catholic Church's Indigenous Institute and Bishop Contreras from Temuco, and meeting with numerous concerned organizations. They also tried to meet with officials from the Department of Agriculture, but were informed that they had not followed the proper protocol in order to meet with government.

As a result of the fact-finding mission, Canadian and US churches, the United Nations Human Rights Commission, international human rights and native organizations will be urged

to examine the implications of Chile's new Indian law. Says Manuel: "It is a race against time."

Source: News Release of Inter-Church Committee on Human Rights in Latin America (27 November 1979)

A full report from the Mapuche Fact-finding Mission will be available from the I.C.C.H.R.L.A. Please write to this address if you are interested in receiving further information:
40 St.Clair Ave. East
Toronto, Ontario M4T 1M9.

IMPORTANT MEETINGS OF INDIGENOUS PEOPLES

Two important meetings of Indigenous organizations have taken place recently in Venezuela and in El Salvador.

NATIONAL INDIGENOUS MEETING IN PARAGUAIPO

This meeting in Paraguaipo (Territory of Wayoû) took place in October 1979. A number of important resolutions and recommendations concerning political, economical, ecological and cultural problems were issued at the end of the meeting. Among these were:

1. The constitution of a large, national indigenous organization that will fight against the incursions of multinational companies into indigenous territories.

2. The creation of a Supreme Indigenous Council, with elected members from each of the indigenous nations of Venezuela.

3. The amendment of the Venezuelan Constitution in order that the indigenous peoples can be represented in the working commissions established by the Congress.

4. The right of the indigenous peoples to their ancestral lands. The Government of Venezuela should take legal measures to enforce the respect of this right.

The meeting also stressed as a matter of priority, the expulsion from Venezuela of the American "New Tribes Missions". To this effect, the delegates agreed to demand an annulment of the convent signed between the Missions and the State of Venezuela. They also agreed to plan a nationwide march to Congress, claiming the expulsion of the Missions.

ASOCIACION NACIONAL INDIGENA SALVADORENA CONSTITUTED

In El Salvador the National Indigenous Association (A.N.I.S.) held its first meeting in October 1979. The members of this Association recognize that:

1. Possession of land is one of the immediate needs of the Indians in El Salvador.

2. In order to protect the Indians it is necessary to defend the traditions and the culture of the indigenous communities and to put a stop to the acculturation campaigns that have been going on.

3. A.N.I.S. must work for the defence and diffusion of the Nahuatl language, and must ask that it be declared the second official language of El Salvador.

The members of A.N.I.S. will work for establishing a closer contact with all the indigenous peoples of the world, and declare their solidarity with the oppressed Indians, esespecially those in Nicaragua and Guatemala. A.N.I.S. reaffirms that the fundament of the Indian movement must be the Indian spiritual values. If these are taken away from the Indian, it will mean that his soul is also taken away.

A.N.I.S.: Calle Obispo Marroquin
Oficina Antigua Aduana Ferrea 5-1
Sonsonate, El Salvador

THE YANOMAMI INDIAN PARK PROJECT MEETS WITH RESISTANCE

Jornal de Brasilia, 8 February 1980

FUNAI ANNOUNCES DEMARCATIONS

The President of FUNAI, Col. João Carlos da Veiga, announced yesterday, after a two-days visit to the indigenous areas of Roraima, that demarcation works in Roraima would start within 90 days.

The President of FUNAI will meet this week in Brasilia with different organizations which defend the creation of a Yanomami Park, in order to discuss the total area of the Park.

On the other hand, the Governor of Roraima, Brigadier General Ottomar de Souza, refuted the accusations made by CIMI Norte in a letter presented to Minister Mario Andreazza, according to which he is said to be "a formal enemy of the Indians" and to have started a genocide against the Yanomamis.

FUNAI's President, who arrived at Buena Vista on Tuesday, admitted the possibility of mining exploration in Surucucu, an area lying within the boundaries of the future park. According to him, the mining explorations could be undertaken by companies, upon authorization by FUNAI, "always giving the indigenous communities what is provided for them in the Mining Laws."

Colonel Veiga did not inform in which way that exploration should be undertaken, nor did he say anything about what should be done in order to avoid contact between the Indians and the civilized.

At a meeting this week in Brasilia, Colonel Veiga and the defenders of the Park will discuss the reduction of the area of the park. This area, which actually is calculated to be 6,400,000 hectares, should, according to FUNAI's wishes,

be reduced to 4,000,000 hectares. The area to be left out includes the Sierra Couto Magalhães, at the south of the park, where a gold mine has been discovered.

Jornal de Brasilia, 8 February 1980

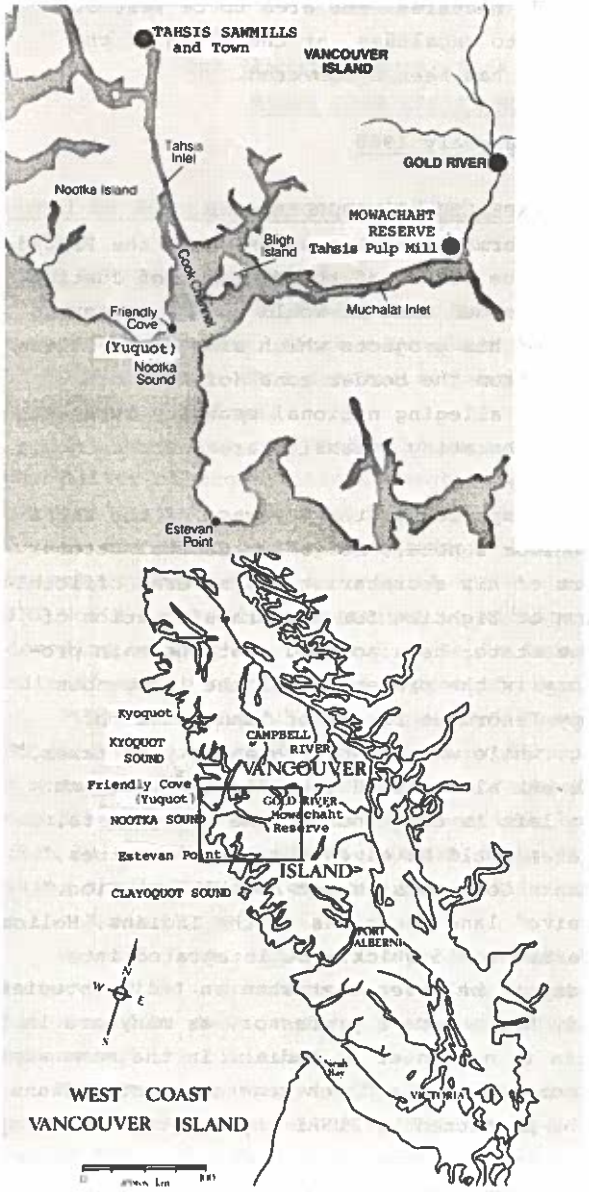
DEPUTY WANTS INDIANS EXPELLED FROM BORDER ZONE

Yesterday, while formalizing his adhesion to the Partido Social Democrático in the office of the Minister of Justice, Deputy Helio Campos informed that it would now be easier to get approval for one of his projects which aims at expelling the Brazilian Indians from the border zone (of Northern Brazil, editor's note), alleging national security interests and the necessity of liberating extensive areas for economic exploration.

Helio Campos, accompanied by the Governor of the Territory (of Roraima, editor's note), Brigadier General Ottomar de Souza Pinto, part of his secretariat and several officials, stated his intention of fighting for the transformation of the Territory into a state; he also said that the main problem in the Territory is the pretension of the indigenous population to occupy "enormous tracts of land, just for fishing and hunting, while we are working and paying taxes."

The new PSD member also stated that "if the indigenous problems were to be left in the hands of the indigenists, the whole Amazone area would be given over to the tribes," stressing that "thanks God, this is not FUNAI's position." Without the "excessive" land donations to the Indians, Helios Campos said, the former would quickly be integrated into civilization. The deputy believes that when an Indian studies medicine, or already has become a professor, as many are in Roraima, this Indian is no longer an Indian. In the same way, those Indians who constitute the "20th generation of Indians do not deserve to be protected by FUNAI any longer."

(Both articles translated from Portuguese)



Map of Vancouver Island and the Mowachaht Reserve.

MULTINATIONAL CORPORATION POLLUTING INDIAN RESERVE

- a report by Sören Hvalkof and Hanne Weber

THE MOWACHAHT BAND AND THE EAST ASIATIC Co.

As announced in IWGIA Newsletter No.23, we bring here the full report by Søren Hvalkof and Hanne Weber on the Mowachaht Band and the East Asiatic Co.

For our new readers, we bring first a short resumé of the article that appeared in the last IWGIA Newsletter:

In July 1979 a Canadian Indian Chief, Jerry Jack, travelled to Copenhagen and contacted IWGIA in an attempt to meet with officials of the Danish government and the owners of a Danish multinational corporation, the East Asiatic Co., to protest the hazard to the lives and well-being of Indian people caused by the operations of the company on Vancouver Island, British Columbia. Jerry Jack is hereditary chief of the Mowachaht, a band of some 300 members, part of the famous and proud Nootka tribe, who have been living on the west coast of Vancouver Island for thousands of years. The East Asiatic Co. subsidiary, the Tahsis Co. Ltd., carries on extensive logging operations in the area and owns two saw-mills and a pulp mill located at Gold River, on the Muchalat Inlet, partly on Mowachaht reserve land.

Jerry Jack's visit to Copenhagen represented a step forward in the struggle of his people to stop the serious pollution on their reserve and the continuous infringement on their rights on the part of the Tahsis Co. activities.

So far the East Asiatic Co. has denied any responsibility for the Gold River situation, and the senior-vice-president of the Tahsis Co. maintained in an interview (September 27, 1979) that "... someone is trying to make an issue out of something that is really not significant."

This attitude is rather surprising, in view of the fact that pulp production involves extensive use of chemicals (e.g. chlorine, caustic soda and sulphur), and that stacks of the mill on the edge of the reserve continuously pump into the atmosphere thick clouds of saltcake, fly ash, steam, soot and potent gas mixtures of hydrogen sulphide, chlorine dioxide and strong smelling bivalent sulphur compounds. These emissions represent a tremendous health hazard to the people living close by, and exceed permissible provincial standards set by the B.C. Pollution Control Board (PCB). But the Tahsis Co. thus far has failed to supply adequate measurement of its pollution as called for in their permits.

Earlier this year about 600 tons of diluted caustic soda from the Tahsis Co. Gold River Pulp Mill was spilled into Muchalat Inlet. The spill, involving a 50% solution of the chemical used for bleaching pulp was said to have stemmed from a number of unfortunate coincidences. Bill Thomas, regional manager for the PCB's coast region described it as "a pretty major spill." However, the PCB was not notified by Tahsis Co. until three days after the accident.

Over the years, water pollution from the mill has caused a decline in the fish population of Muchalat Inlet by Gold River, where salmon and herring used to abound. Birdlife too has suffered. The Indians remember the times when flocks of seabirds used to be seen offshore. After the pulp mill was built, the birds became scarce.

Much of the ambient air quality data supplied to the PCB has been rejected as being suspect. Around the pulp mill and the Mowachaht reserve the air is filled with sawdust which gets in everywhere. It settles in clothing and causes discomfort and rashes. The measurement for dustfall has at times been ten (10) times the allowable amount. A number of people on the reserve suffer from skin infections and respiratory diseases due to pollution from the pulp mill. Children and old people are the ones who suffer the most. Living on the reserve means living under a constant and depressing cloud of smoke and dust - except on the few lucky days when the wind blows away from the reserve. But the smell of sulphur is always there, even behind closed doors. Indeed, the noxious odor can be detected as far as 25 miles from the mill, and sometimes even further away.

Residents of the town of Gold River 8 miles away suffer persistent headaches, diarrhea and nausea obviously linked to the air emissions from the pulp mill.

The pollution has been going on for 12 years now, but the long term consequences to the health of human beings from this particular kind of pollution has not been fully investigated. The Indians look at the dead trees on the mountainside close to the mill and wonder what is in store for themselves unless the pollution is brought under control immediately. Last year Dr. Cortland McKenzie, chairman of the PCB, was quoted as saying: "There are potential long-term problems from exposure to sulphur dioxide, even without the acute inhalation suffered here (Gold River)... the kinds of conditions you see, are permanent deterioration of the lung function." A preliminary study by Dr. Theodore Sterling of Simon Fraser University has shown that 17% of the mill workers at Gold River suffers work-related lung damage, believed to be caused by exposure to sulphur compounds inside the mill. Workers have been angered by the high incidence of gassing inside the mill. Gassing is characterized by a direct hit in the face by chlorine, chlorine dioxide, or sulphur dioxide, leaving the victim gasping, choked and panicky at his inability to received oxygen in the lungs. Its effects last anywhere from minutes to several hours or even days. The Labor Union report as many as 1000 gassings during one year. The Union, local 11 of the Pulp, Paper and Woodworkers of Canada, has asked the Workers Compensation Board to investigate Gold River and have appealed to the PCB. The situation is bad enough for mill workers, but what about the Mowachaht ? As the local Union President, Len Woods, remarked: "At least we can go a bit further away at night; the Indians live with the mill 24 hours a day."

In a recent report to the PCB, Tahsis Co. explained that the high levels of pollution have been tolerated because of "the fact that the nearest habitation is the town of Gold River which is 8 miles distant from the Pulp Mill." Obviously the Tahsis Co. does not regard as habitation the Indian Reserve community of some 300 people who live but a few hundred yards from the mill. Company disregard for the Indian

people is seen in other ways as well. A roof has been built covering the parking lot on the mill site to stop deterioration of employees' cars caused by sawdust and smoke emissions from the mill. A carwash has recently been installed at the exit from the parking lot so that after work every day company employees can clean their cars of the deposits which would otherwise ruin them within a very short period of time. Should it be proposed that the Tahsis Co. roof over the Mowachaht Reserve and install shower facilities at the entrance?

The Mowachaht Band has for years tried to seek redress for their grievances with Tahsis Co. concerning not only the pollution but also a number of other issues, such as trespassing on Indian land, destruction of the tribal burial site, employment of Band members by the company, flooding and erosion of the reserve caused by company activities and infringement on the foreshore rights of the Band. The company however has so far not been inclined to enter into meaningful negotiations with the Band. This total lack of progress led the Band in 1975 to set up a barricade at the border of their reserve, thus blocking for a week access to the pulp mill by way of a road developed by the company across Indian Reserve land without the consent of the Band. At that time the company promised a settlement, but has failed thus far to take any action on the issue. Appeals by the Band to the PCB resulted in the issuing of directives for Tahsis Co. to install major pollution abatement equipment. But the company pleaded financial difficulty and convinced the PCB to extend the deadline from December 1978 to December 1980.

Because Tahsis Co. is a private company it is very difficult to learn anything about its true financial position. But the company is completely owned by two other major companies and the profit levels of these multinationals make it very hard to accept Tahsis Co.'s claim to poverty. The Tahsis Co. is owned by the East Asiatic Co. and the International Paper Co. Inc. According to the EAC's own statement

the Tahsis Co. seems to be a very prosperous business:

> "In the forest and pulp-industry in Canada, marketing conditions improved considerably in the second half of 1978 and prices were on the increase. The outlook for 1979 is promising." (EAC annual Report and Accounts 1978, Danish version. The East Asiatic Company, Ltd. Copenhagen 1979.)

THE BACKGROUND

The history of East Asiatic Co.'s business on Vancouver Island starts back during World War II, when EAC had one of their ships sunk while sailing for the Canadian government. As indemnification the government transferred $ 2 million to EAC, with the clause that the money had to be invested in Canada.

What is now the Tahsis Co. was originally a small logging operation owned by the Gibson Bros. This small outfit had started producing timber for the war effort. After the war the Gibson Bros. built a sawmill at Tahsis (about 50 miles from Gold River) - and that is when the EAC first came in. EAC arranged for J.V. Christensen, director of EAC-Canada and later president of Tahsis Co., to be sales agent for Gibson Bros. When the first sawmill burned down in 1948, the EAC moved in to take over. They bought the Gibson Bros.' logging rights and built a new mill of their own. This was in 1953. The new company, fully owned by the EAC, was called Tahsis Co. after the name of the place.

In 1954 the provincial government of British Colombia began issuing Tree Farm Licenses. A condition attached to these licenses was that holders had to build pulp-mills within ten years, using the timber base in the license area. Thus Tahsis Co. acquired a license in 1954 (TFL no. 19), to which other types of licenses were later added, so that the company today operates an area of app. 1 million acres.

By the beginning of the 1960's the Tahsis Co. had approached the Mowachaht Band, offering to buy their reserve in Gold River (Ahaminaquus Indian Reserve no. 12). Tahsis Co. offered the sum of $ 5,000 for the whole 39 acres reserve. The Indians rejected the offer.

According to the federal legislation for Indians of Canada, the Indian Land can, in fact, be sold or leased out*. The mediator and broker in such negotations is the Department of Indian Affairs (D.I.A.), a federal agency supposed to look after Indian interests.

When Tahsis Co. did not at first succeed in buying the reserve they let D.I.A. take over. Thus in 1963 the EAC-owned Tahsis Co. succeeded throught D.I.A. to accomplish a 75 years lease. Two years later this was prolonged by D.I.A. to 99 years. This new longterm lease was put in effect and runs from May 1, 1965 to April 30, 2062, covering a lot of 30,79 acres out of the total 39 acres of the Mowachaht Reserve in Gold River.

It has been indicated however, that the validity of the lease contract is dubious. First, there has been much doubt about the authenticity of the signature, and much doubt about when it was signed. Secondly, such a contract has to be agreed to by Band members through a referendum. Such a referendum or vote was never taken. Nevertheless, D.I.A. asserts that they are in possession of a document with signatures from a vote on the subject. Unfortunately they cannot find it in their files. The Indians do not find this very strange.

The construction of the pulp-mill was first initiated when Canadian International Paper (CIP) in 1964 joined Tahsis Co., and took over 50% of the shares in the company. The EAC, however, kept control of the company. CIP obtained 4 seats on

* "Indian Land" in this case has mysteriously been reduced to tiny reserves scattered all over the area. No treaties or other agreements in this regard have ever been signed with the Indians of British Colombia.

the board of directors, but EAC maintained the majority with 5 seats. In the companionship CIP brought know-how on pulp-mill construction, while EAC had the timber supply and marketing organization. The 60 million $ mill started working in 1967.

THE STRUGGLE OF THE MOWACHAHT

The Mowachaht have not hesitated to confront this multinational alliance, despite their small size and despite the fact that the Tahsis Co. operates the Gold River area as a kind of industrial fiefdom, wielding vast power over land and labor. The labor force employed at the pulp mill live at the town of Gold River. This town of some 2500 non-Indian people was built within a few years to provide housing for company employees brought in from all over Canada. Through Ucona Holdings, set up by Tahsis Co., the company owns all the land in the townsite, except for a number of lots which Ucona has sold off to the workers, supplying mortgages and building houses - a very profitable sideline through which the Tahsis Co. owners extend their control to "off-the-job" sectors. Little goes on in Gold River that is not in some way or other related to the Tahsis Co., and it is not unlike any other "instant town" with all the social problems which attend this kind of development. The nearest town is Campbell River, some 90 km. away or one and a half hours of driving through uninhabited areas through a winding mountain highway.

That the town of Gold River owes its existence exclusively to Tahsis Co. was clearly expressed by the mayor of the town, who has made herself wellknown for saying that the ever present smell of sulphur from the pulp mill is "the perfume of progress."

The pollution and the health hazards are not popular subjects around here. The same goes for medical care, which is not too surprising in so far as the only doctor in town is

employed by the company.

Indeed the Indians are all too often met with the attitude that they have only themselves to blame for whatever diseases they happen to suffer. In spite of the fact that the Mowachaht people maintain a very high standard of cleanliness they are told that "Indians get sick because they don't keep themselves clean." !. This prevalent racist bias represents yet another means through which the Tahsis Co. can disregard Indian grievances over pollution from the pulp mill.

The geographical isolation of the area and the lack of other employment opportunities for the families dependent on the Tahsis Co. are further reasons why the company has managed to get away with a level of pollution that would certainly not be tolerated anywhere else.

During August 1979 the Mowachaht Band held a public hearing, one purpose of which was to establish adequate health and pollution standards. The hearing was attended by representatives of PCB, the Department of Indian Affairs, National Health and Welfare, the B.C. Medical Association and the Pulp and Paper Workers of Canada. The Tahsis Co. officials were also invited, but chose not to attend.

The hearing was very successful. It is the first time in Canadian history that Indian people have developed a health by-law of their own to protect against pollution. The Mowachaht Band is supported by some 100,000 Indian people from all over Canada and their cause has received much publicity by the media. It would seem that the East Asiatic Co. and the Tahsis Co. will have a hard time further denying responsibility for the pollution at Gold River.

On September 6, 1979 the Mowachaht Band Council adopted three (pollution control) by-laws dealing with the permissible limits of noise- and air-pollution within the village zone of the reserve. According to the Indian Act (section 81) by-laws passed by Band Councils become federal law unless the Minister of Indian Affairs refuse to approve. The Mowachaht health by-laws however have been duly accepted. The question remains

though whether the by-laws can be enforced, and whether the Tahsis Co. is going to comply with the laws, having to install millions of dollars worth of major pollution abatement equipment and clean-up systems. Otherwise the Mowachaht will have to take the case into court, which may delay any action on the pollution for years.

It is well known, that the East Asiatic Co. management is well trained to handle difficult situations wherever the company is involved throughout the world. In Gold River the company has been able to pacify the Labor Union by various temporary welfare-programs, letting workers decide the color on the walls of the cafeteria and by establishing friendly relationships with Union leaders. Recently the company granted 50,000 $ for a golf course in Gold River so local officials from the Labor Union, the Municipality and the company together can enjoy the foul emissions from the pulp-mill.

This strategy is not employed towards the Indians. The Tahsis Co. may resort to mobilizing the non-Indian population against the Mowachaht thus converting the pollution issue into a racist one. Like any other multinational corporation the East Asiatic Co. is expert at the technique of divide-and-conquer. However the company may not be too happy about further developing an image of being so much of a disgraceful example of Danish entreprise contributing to the oppression of indigenous people. Hopefully the East Asiatic Co. will choose to find a solution to the problems in Gold River that will be acceptable and beneficial to the Indian people.

Søren Hvalkof & Hanne Weber
Copenhagen, January 1980

ADDRESSES: Tahsis Co. Ltd.
1201 West Pender St.
Vancouver B.C., V6E 2V4
B.C. Canada.

Mowachaht Band Office
Box 459
Gold River, B.C. VOP 1GO
B.C. Canada.

The East Asiatic Company, Ltd.
Holbergsgade 2
1057 Copenhagen K.
Denmark.

APPENDIX

EAC and CIP

The East Asiatic Company (Det Østasiatiske Kompani - Ø.K.) was founded in 1897 by captain H.N. Andersen on the basis of a trading and shipping business which H.N. Andersen had started 13 years earlier in Thailand. The initial capital he had got by running a brothel in Bangkok called Oriental Hotel.

Today EAC is the largest Scandinavian multinational corporation in terms of sales. The company has 68 branch offices and 180 subsidaries in which the company owns half or more of the shares. These 248 areas of activity are spread over 47 countries and have a combined personel of some 32,000. In 1978 the share capital was 765 million D.Kr. (some 132 million US$) and the shareholders equity was 1,033 billion D.Kr. The turnover was more than 18,5 billion D.Kr.

"The head-office in Copenhagen is the center for the EAC organization. The range of activity consists of a shipping firm, whose management is centralized in Copenhagen, and by means of regular routes has contact with a number of countries that have their own offices, trade divisions abroad and home, which direct trade with the different offices and which negotiate with other firms, and finally, industrial and agricultural interests, which include forestry production, saw-mills, plantations, oil wells, soap-, medicine-, and milk-factories, preserved foods and other forms of food production, etc. Included also is participation in other firms, partly in shipping and partly in trading and industrial areas, both inside and outside Denmark...."

"At the head-office the plans are made for the lines that the subsidiaries and branch offices in five continents follow in their daily activity. Here all thoughts and ideas from outside are collected and coordinated, so that the head office remains the dominating factor for the whole organizations." (Helge Andersen: Danmarks Tre Multinationale Giganter, Fremad, 1974 Copenhagen. Quoted from : Annerstad/Gustavson: Towards a New International Economic Division of Labor? Ruc Boghandel and Forlag, 1975 Denmark. p.51).

The EAC has always played a significant political role in Denmark, although as "back stage" performances. The company "adopted" a poor branch of the Royal Danish family, and became entitled to use the official swallow-tailed Danish flag, as the only private company in Denmark. This was an important step in building a noble image. Since then the Royal family has been known to hold important vested interests and has a seat on the board of directors of the EAC. Obviously the company also has a very good relationship with the Danish government and has managed to get the majority of the state-guarantees issued by the Danish State for investments in developing countries - so-called "development aid."

In 1973 the EAC branch in apartheid South Africa was accused of paying wages below the "poverty-datum-line" to its black South African workers. The managing director (until 1980) and head of the board of directors, Mogens Pagh, rejected the accusations referring to his own statistics instead, and refused to discuss the issue further in public. Indeed he stopped Danish reporters from visiting EAC industries in South Africa to check the information. The case never went any further. The company does not like publicity on their activities.

As EAC stands behind Tahsis Co., so does a large American paper-concern buttress CIP. This is owned by International Paper, which is the second largest pulp producer in the world, and no.2 forest company in America. In 1977 their profits were $233,7 million out of sale of $3,67 billion. CIP started in 1925 to buy up mills. In the late 1950's, the company expanded beyond the logging and pulp business, and in 6 years bought up 4 different Canadian companies directly involved in paper production.

The EAC-Group in 1978:

The EAC and subsidiaries are operating in the following countries:

ASIA: Thailand, Burma, India, Malaysia, Brunei, Singapore, Indonesia, Vietnam, The Philippines, Hong-Kong, China (People's Rep.) Japan, South Corea, the Arabian Peninsula, Iran. AUSTRALIA, NEW ZEALAND. AFRICA: Kenya, Tanzania, Uganda, Burundi, Ruwanda, Nigeria, Cameroon, Gabon, Liberia, Ivory Coast, Malawi, Rhodesia, South Africa, Zambia. NORTH AND SOUTH AMERICA: Canada, U.S.A., St. Thomas, Mexico, Guatemala, Brazil, Venezuela, Colombia, Ecuador, Bolivia, Argentine. EUROPE: Belgium, Denmark, France, Holland, Italy, United Kingdom, Germany.

EAC-Group Companies in Canada:

(Only companies in which EAC owns 50% or more of the shares are listed below.)

Food processing and canning: Plumrose (Canada) Ltd., Toronto.
Forest Industries: Tahsis Company Ltd., Vancouver, B.C.
Trading Companies: The East Asiatic Company (Canada) Ltd.
Vancouver, B.C. (wholly owned by EAC)
Discovery Investments Ltd., Vancouver, B.C.
Eacomb Timber Sales Ltd., Vancouver, B.C.
+ (Mid-Atlantic Lumber Terminal Corp. New Jersey, USA).
Johnson, Walton Steamships Ltd., Vancouver, B.C. (wholly owned by EAC).
Nootka Transportation Co. Ltd., Vancouver, B.C.
Resolution Investments Ltd., Vancouver, B.C.
Ucona Holdings Ltd., Vancouver, B.C.

According to the EAC annual "Report and Accounts of 1978":

The East Asiatic Company (Canada) Ltd., in Vancouver, engages in import business and timber trade and participates in exports of large volumes of grain and pulp, notably to China (People's Republic).

Eacomb Timber Sales Ltd., in which EAC Vancouver holds 50 per cent interest, acts as export office for several Canadian timber producers, including the Tahsis Co. Ltd., which EAC owns jointly with Canadian International Paper Co.

Tahsis Company Ltd. operates a pulp mill and two sawmills on Vancouver Island. The demand for cellulose improved during the year with rising prices, partly as a result of depletion of surplus stocks in the second half of 1978, primarily in Sweden. The sawmills also experienced favorable marketing conditions, and the overall result showed a considerable improvement on 1977.

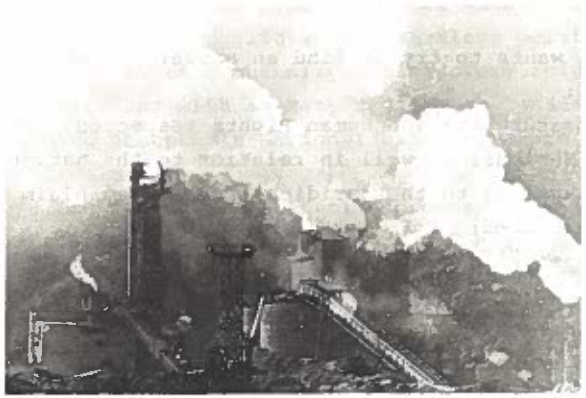
EAC's shipping interests are looked after by Johnson, Walton Steamships Ltd., representing Johnson Scan Star, the Transpacific Service, and Barber Blue Sea Line. The company also acts as agent for EAC's bulk service between British Colombia and the East Coast of the United States, and as regional office for North America for our Company's Transpacific Service.

Plumrose (Canada) Ltd., Toronto, imports and distributes foodstuff from Plumrose factories in Denmark and Australia. (Quoted from "Report and Accounts 1978." The East Asiatic Company Ltd., Copenhagen, March 1978).

In 1973 EAC initiated a close cooperation with the large Canadian industrial concern, Canadian Development Corporation (CDC), in the pharmaceutical business.

CDC would enter the EAC subsidiary Dumex (pharmaceutical industry) and through this be represented in Dumex affiliates in Africa and the Far East. The agreement also includes the CDC owned Connaugh Laboratories, which are doing research in, and producing biological products.

CDC was founded on the initiative of the Canadian government, with the purpose to engage in oil-refineries, natural-gas industries, pharmaceutical industry, etc. The share capital in 1973 was 200 million Can.$.



"... someone is trying to make an issue out of something that is really not significant"...(Senior-vicepresident of the Tahsis Co. in interview, September 27,1979.)

THE IVth RUSSELL TRIBUNAL
to be held on
THE RIGHTS AND THE SITUATION
OF THE INDIANS OF NORTH- AND LATIN-AMERICA

The IVth Russell Tribunal will take place in the autumn of this year (1980) in the Netherlands. Exact date and place will be given later. The organizing Committee, the Working Group Indian Project, of Amsterdam, is preparing this tribunal in cooperation with Indian Organizations in the Americas and with other European organizations, such as Survival International, Die Gesellschaft für Bedrohte Völker, Incomindios, Wiza, NANAI, KIVA, and IWGIA.

In a press-release dated 18 February 1980, the organizers informed of their aims:

"1. To put forward the case of the Indians Nations on a big scale and in a broad context, to bring their situation at the attention of political, religious and international organizations and authorities. At the same time the Tribunal claims to mobilize the public opinion in favour of their case;

2. To give an international platform to bring forward the grieves and complaints of the Indian Nations;

3. To give advise on a solution of the signalized problems.

The Tribunal wants to try to find an answer to the following questions:

1. In what measure are the Human Rights respected, concerning the Indian Nations, as well in relation to the national and international laws, as to the juridical rules they claim themselves to be respected;

2. In what measure are the international laws sufficient to respect the Human Rights for the Indian Nations, like they claim these for themselves;

3. In what measure are the treaties - in so far applicable - signed between the Indian Nations and the National Governments, respected."

ADDRESS: Working Group Indian Project
Postbus 51.322, 1007 EH Amsterdam, Nederland.

CANADA'S NATIVE PEOPLES AND THE CONSTITUTION

by Peter Jull

Meetings between Canadian government ministers and Indian, Inuit (Eskimo) and Metis leaders to clarify and strengthen their constitutional rights have now begun. On December 3, 1979, a delegation of national and provincial cabinet ministers met the national native association presidents in Ottawa to discuss a process for joint work.

The Canadian federal Constitution divides power between the federal (national) government and the ten provincial governments. (The federal government, however, has direct control of the Yukon and Northwest Territories.) Neither federal nor provincial governments can interfere in the jurisdiction of each other, but the complexities of modern government and its expanding role mean that the courts very often resolve conflicts and ceaseless political negotiations are held to find mutually satisfactory solutions. In a country so large and with so many regions as Canada, the problems of finding acceptable nationwide policies are extremely difficult.

The federal Constitution creates special problems for native peoples. While the national government has responsibility for protecting "Indians and lands reserved for the Indians" (including Inuit), reserved lands are few and often poor, while the provincial governments have full initial ownership and perpetual control of all other lands and resources. When the Constitution was written in 1867, the separation of native and land jurisdictions was seen as a way to protect native people from local developers, and most

native leaders still agree that this federal protection is essential. The federal government has also stated explicitly that in the Constitutional discussions it will not seek to shift its historical responsibilities to the provinces.

An example of the constitutional difficulties, however, was given by Judge Hartt two years ago in an important study for the Ontario provincial government. He found that the federally-protected poor Indian reserves of northern Ontario were too small to support ecónomic lifestyles, while the province controlled all the land and resources surrounding. Unless the federal and provincial governments could jointly establish a regional native government to which both would give some of their powers, the federal government could do no more than continue to hand out social payments to the people on the reserves and they would never have a better life.

The Canadian work on the Constitution has a schizophrenic character. The present work began in June, 1978, in an attempt to meet the concerns of various Canadian regions unhappy with the present Constitution, notably Quebec which is the home of a majority of Canada's French-speaking population. To meet particular regional and cultural demands is the basis of the whole effort, and yet many Canadians associate regional and cultural demands by native people with attempts to break up Canada.

Part of the problem is that the English-speaking majority in Canada generally subscribes to the same "melting pot" view of society as has been a tradition in the USA. In this view, all individuals have equal rights, but no special rights exist for any group. Despite the historical dominance of one group, the British, in both Canada and the USA, and their assumption that their particular cultural and political traditions are somehow universal, later immigrants of other nationalities have accepted this, having chosen to immigrate into the existing situation, after all. But in Canada the French were here before the British, and the Indians and

Inuit long before anyone else. And few Canadians realize, for instance, that even in Constitutional law the native peoples have always had special status and collective rights.

In fact, the Canadian political experience is not a melting pot at all. The Constitution has special provisions to protect regional (and also de facto ethnic) minimum political representation, religious minority schools, minority language rights, Quebec's ancient legal system, etc. What is more, each region of Canada has entered the Canadian state on terms which varied greatly and involved considerable negotiation of local/regional interests. The Dene leader, Georges Erasmus, has asked the Prime Minister to accept that in the Northwest Territories, Indians and Inuit have expressed regional political positions through their land claims and that these should become the basis for negotiating full political sovereignty like the provinces of the south now have.

Another Canadian problem is that nine of the ten provinces are dominated by English-speaking majorities who have a strong cultural bias against written Constitutions. English-Canadian children are taught in school about the evils of "inflexible" written Constitutions like the French and American ones, and rejoice in the evolution of custom in British institutional history. And, more self-servingly, many provincial governments even oppose a Constitutional charter of human rights which would take power away from them and give it to the people, albeit they argue this on grounds of unnecessary inflexibility. On the other hand, most Canadians approve of the human rights activism of courts in the USA and the same trend may emerge in Canada. However, for minorities like the French-Canadians and the native peoples, there is no comfort in the vague good intentions of the national English-speaking majority; the minorities insist that written Constitutional guarantees protect their rights.

In this general climate the native people are struggling

to obtain the legal protections that assurances, proclamations, treaties, land reserves, government programs and the white man's courts have failed to give. They have pointed out repeatedly that they are not trying to threaten the unity of Canada, but rather they simply want the right to survive and live a free and fulfilling life in Canada, a right shared by everyone else. Unlike all the other nationalities now living in Canada, they note that they alone have no other cultural homelands to return to and are by necessity as well as desire, more "Canadian" than anyone else can be. Some native leaders have also proposed that a new Constitution should incorporate their cultural experience and values in a statement of ideals and purposes for all Canadians to replace the present legalistic and almost unreadable Constitutional document.

The present Constitutional review began in June, 1978, when the federal government invited the provinces to consider changes which might improve the relations between federal and provincial governments. From the outset this process has been publicly criticized because it has involved governments only, with their various immediate and vested interests, rather than the population as a whole. Simultaneously, it has been criticized as an abstract and legalistic preoccupation of no interest or meaning to most people, and Prime Minister Trudeau's emphasis on it has often been cited as a reason for his governement's defeat in May, 1979.

For native people, it has much different meaning. The initial federal documents made clear that native rights and needs would be important to the review, and native leaders were specifically invited to contribute ideas. Since then native conferences, native news media and native associations have discussed the subject more and more. They quickly saw that they could not easily translate their fundamental historical, cultural and political concerns into the tidy language of constitutional experts from another culture. They

sought to participate directly in Constitutional talks so that their concerns would not be limited to one or two "special" sections of the Constitution, but would influence the real problems as they experienced them. There was no point talking about hunting rights if governments were left complete freedom to overrun the last native homelands in the north with projects and workforces which eliminated the wildlife, for example.

In February, 1979, following repeated demands from the National Indian Brotherhood, Native Council of Canada and Inuit Tapirisat of Canada, representing the interests of all Canadian native people, Prime Minister Trudeau and Premier Davis of Ontario obtained agreement at a meeting of all Canadian heads of government to open direct talks with native leaders and to establish a continuing study process on native constitutional concerns with native spokesmen actively participating. Following that meeting an election campaign and then a new government inevitably delayed action. However, the new Prime Minister, Joe Clark, told Indian leaders on September 28, 1979, that his government recognized aboriginal rights and wanted the native leaders to be able to participate directly in meetings on all issues with "direct legal impact" for them.

Now the federal government has promised over $1 million of funds to the native associations to carry on their Constitutional research for 1980, has shown itself ready to discuss the key issues such as aboriginal rights, etc., and is committed to carrying on this work over the next years regardless of the pace of work on other elements of Constitutional reform. However, despite the agreement in February, 1979, some provinces are extremely reluctant to become involved, or to see any but the most minimal opening of the Constitution to native concerns. Because the federal government cannot alter important sections of the Constitution without provincial agreement, this may pose serious problems.

The reluctance of some provinces is confusing. While the fear of native claims to provincial lands and resources is obvious enough, the rising costs to provinces in social, prison, police spending due to unresolved native problems is a more tangible and immediate concern. Perhaps the provinces recognize that the Task Force on National Unity (Pepin-Robarts Report) was right in saying all governments had to do more to help native Canadians, and prefer to risk postponing action and costs a little longer. There certainly is no humane or rational basis for their gamble, although misunderstanding of what native land claims mean creates many unnecessary fears among the Canadian majority.

While the native leaders have not yet formulated any final positions, and while different groups will have different interests for regional, historical and cultural reasons, three broad themes are already clear, and of concern to all groups: These are:

1. Collective recognition as distinct peoples, including the protection of traditional cultures and lifestyles, and aboriginal rights;
2. Political rights to self-governing institutions of various kinds within the Canadian state; and
3. Economic rights to lands, resources and their benefits as a base for self-sufficiency and development of native communities and families, including protection of existing economic resources.

The native leaders, the federal government and some provinces want the Constitutional work to be broader than specific amendment of Constitutional documents. They hope that through the process of meetings and discussions on the range of basic native concerns, a new understanding and productive

relationship will develop and one which will make progress easier on all concerns of native people in Canada.

The opportunities are great, but so are the difficulties. The native leaders are raising issues that Canadian history and present governments would rather see forgotten, or at least see interpreted through the eyes of the dominant European cultures. Canadian governments have never successfully discussed these matters even among themselves in terms of their respective administrative roles and costs.

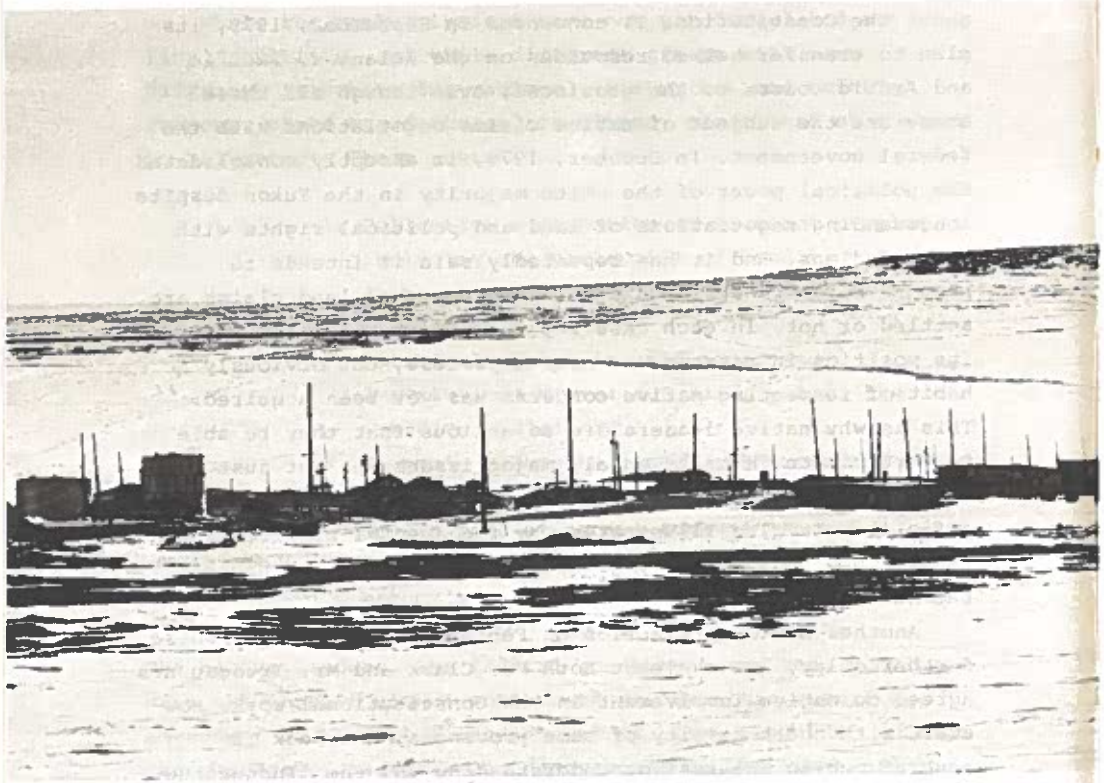
Recent federal decisions have not all been helpful either. Despite the Clark government's stated goodwill, it refused the Indians a meeting with the Queen in July, 1979, to talk about the Constitution. It announced in September, 1979, its plan to transfer seabed resources on the Atlantic, Pacific and Arctic coasts to the provinces, even though all these areas are the subject of native claims negotiations with the federal government. In October, 1979, it abruptly consolidated the political power of the white majority in the Yukon despite longstanding negotiations of land and political rights with Yukon Indians. And it has repeatedly said it intends to promote northern resource development whether land claims are settled or not. In each case the government has later modified its position in response to native protest, but obviously no habit of respecting native concerns has yet been acquired. This is why native leaders are so anxious that they be able to participate in talks on all major issues and not just narrow ones on "native rights" as defined by white lawyers and officials. It also illustrates why fundamental protection rather than government programs alone are needed to protect the native peoples.

Another national election on February 18, 1980, may cause further delay, but at least both Mr. Clark and Mr. Trudeau are agreed on native involvement in the Constitutional work. However, with the hostility of some provinces, the lack of general public interest or understanding and the fluctuating

will and changing personalities within the federal government, the native leaders have a hard task ahead.

Peter Jull
December 1979.

(Peter Jull is a researcher on national issues with the Canadian Inuit. He previously was a constitutional adviser in the Prime Minister's department in Ottawa.)



Community of Baker Lake. Photo by Cliff Gazee

ABORIGINAL RIGHTS RAISES DIFFICULT QUESTIONS

Inuit living in the Arctic community of Baker Lake need public support to raise $100-thousand to pay for their legal struggle against the federal government and six mining companies involved in uranium exploration in the Keewatin.

The national organization INUIT TAPIRISAT of Canada and the Baker Lake Inuit were forced to go to court to stop uranium exploration and future mining on several thousand square miles of caribou hunting grounds.

In April 1978, the Inuit took the federal government to court and persuaded the judge to impose a temporary land freeze until the issues could be properly debated in court.

Although the Inuit tried to avoid further legal action, hopes rapidly diminished over the year for a satisfactory political solution.

ITC and Baker Lake Inuit resumed their case in May 1979 to seek a permanent injunction.

This time they were pitted against the federal government and a powerful array of legal experts representing the interests of six mining companies.

On November 15th, Judge Patrick Mahoney of the Federal Court of Canada gave his decision on the Baker Lake court case. The case has great importance for all Inuit.

Inuit Tapirasat and the people of Baker Lake had asked the court to order six uranium mining companies in the area to stop their exploration activities. According to local hunters, this exploration work was harassing the caribou, and was harming the community's economy; this economy relies very much on hunting.

The Inuit also asked the court for a declaration saying that they had aboriginal rights in the area. They asked for additional declarations to state that those aboriginal rights protected the people against the activities of the mining

companies.

The federal government, which had permitted the mining companies to carry on their activities, would not agree to this, and assigned lawyers from the federal Department of Justice to argue against the Inuit claims. Later, these lawyers were joined by lawyers for the mining companies themselves - Pan Ocean Oil, Urangesellschaft Canada, Western Mines, Noranda Exploration, Cominco and Essex Minerals.

The people of Baker Lake were predictably nervous when they decided to take the government to court: this was the first time that any group of Inuit had taken the government to court, and it was also the first time that Inuit aboriginal rights would be discussed in court. The people knew that the results of the court decision would have a large impact on Inuit throughout the rest of Nunavut, who are facing the same kinds of issues.

In order to win, the Inuit would have to prove two things: that they had aboriginal rights and that the activities of the mining companies were illegally violating those aboriginal rights.

The first point would be a complex thing to prove. It would require three elements: The Inuit would have to prove they had virtually exclusive use of the area since earliest times, the Inuit would have to show that this possession entitled them to aboriginal rights and the Inuit would have to show that subsequent laws never deprived them of those aboriginal rights.

The federal government admitted the first point, but denied the other two. The mining companies denied all three points.

A large amount of evidence was presented to show that the Inuit had occupied the Baker Lake area for centuries. It was successful: except for the southwest corner of the area (which had some time ago, been occupied by Indians) the judge agreed that the Inuit had occupied some 30,000 square miles in the Baker Lake area.

Did this give the Inuit aboriginal rights? The federal government lawyers along with the lawyers for the mining companies, argued that aboriginal rights were never really recognized by Canadian law. In saying this, the federal government lawyers were taking a different position from the statements which the government had made since 1973; those statements had at least recognized some kind of aboriginal rights. Similarly, these lawyers were taking a decidedly strange view of Canadian history: if aboriginal rights did not exist, then why had the federal government gone to so much trouble signing treaties, over the last hundred years, with Indians? Why would the federal government ask for treaties extinguishing aboriginal rights if native people had no aboriginal rights in the first place?

The judge agreed: he stated that aboriginal rights did exist in Canadian law. In saying so, he was agreeing with principles which Canadian courts had asserted a hundred years ago, but which had become less clear in more recent court cases.

The judge also examined various laws which had been passed over the years, and found nothing in those laws which extinguished the Inuit aboriginal rights in Nunavut. He therefore concluded that the Inuit still have aboriginal rights around Baker Lake and he made a formal declaration saying so.

The next question was more difficult: were these aboriginal rights being violated by the mining companies?

That question was also a complicated one. To answer it, it would first be necessary to analyse exactly what the mining companies were doing, and the effects upon the caribou. It would then be necessary to analyse whether these effects were violating aboriginal rights.

The question of whether mining company activities harmed caribou was complicated even further by technicalities. A debate arose over whether the evidence had been presented to the court in the proper form; and the federal lawyers (along

with the mining company lawyers) argued that the judge should not pay attention to much of the evidence because, according to them, it had not been presented according to the right procedure.

This argument was rejected by the judge with respect to most of the evidence; but there was some evidence which the judge did reject, on technical grounds.

On the basis of the evidence which he accepted, the judge concluded that there was little proof that ground operations by mining companies harassed the caribou, with the exception of activities at water crossings. On the other hand, the judge agreed with the Inuit that low-flying aircraft do harass the caribou.

The next question was whether this activity violated aboriginal rights. How much damage had to occur before the court would step in ?

If aboriginal rights had been property rights the answer would have been easy: any activity by mining companies would probably be illegal if it was on land over which there were aboriginal rights. This answer is easy in the case of aboriginal rights because these rights have been defined over and over during the last several hundred years.

However, the judge said that aboriginal rights were something different. These rights were not property rights because Charles the Second gave all the property rights in the Baker Lake area to his cousin Rupert and to Rupert's friends in the Hudson Bay Company in 1670. This transaction according to the judge, deprived the Inuit of any property rights which they may have had over their homeland. The judge would not challenge the effect of this act by the King of England.

But if aboriginal rights were something different from property rights then what were they ? This was a confusing question to answer- because no courts or laws had ever really defined what aboriginal rights were.

The judge naturally found it difficult to say exactly what aboriginal rights could be used for. For one thing, they

were a right to hunt, to fish, to trap and to move about the land.

Did the activities of the mining companies interfere with this right ? The judge apparently concluded that, for the time being, it had not been proved that this interference was serious enough to justify a halt to the exploration activities.

The reason why the judge reached this conclusion is not outlined in very great detail. Apparently, the judge believed the testimony of the Canadian Wildlife Service that the caribou population was going down everywhere. Unfortunately, said the judge, no one knows why this is happening; in fact, the judge said that because of the huge areas involved and the sparse population, it is difficult to assemble enough proof on what is happening in any area of Nunavut.

Nevertheless, the judge felt that in order for the Inuit to win their case, they would have to show solid proof that the decline in the caribou herds was caused by the mining companies. For the time being, there wasn't enough proof. Perhaps under a different set of circumstances (for example, a mine beside a major water crossing), there might have been enough proof to show that the caribou were being seriously affected, and thus that aboriginal rights were being violated; but this, according to the judge had not been shown in this case. Consequently, the judge refused to order a stop in the exploration activities of the mining companies.

What is the case likely to do for the rest of the Inuit ? First, it declares that Inuit have aboriginal rights; if they have such rights around Baker Lake, they probably have aboriginal rights around other communities as well. In fact, it is likely that courts would recognize Inuit aboriginal rights over the overwhelming majority of lands which Inuit have traditionally used and occupied in Nunavut. Furthermore, the court has outlined (in fairly clear terms) what procedure should be followed by any Inuit who are claiming aboriginal rights in court.

On the other hand, the case is not 100 per cent clear on the uses to which these aboriginal rights can be put. Because they are not property rights and because they are so difficult to define, it is possible that any attempt to use these rights in court in the future might involve still more debate, and more complicated court cases. This would necessarily be expensive to the Inuit who tried to use the courts to protect their aboriginal rights. Nevertheless, the door is at least open for the Inuit who try this route, if future mining projects present serious threats to Inuit hunting - as long as enough evidence can be assembled.

The deadline for the appeals from either side has been moved to February 29. In the meantime, a very active local committee in Baker Lake is working with the lawyers to lay the ground work for a negotiated settlement to gain whatever protection it can from the mining companies.

Needless to say, the legal costs for Inuit continue to rise while they struggle for a just conclusion to their case.

In the meantime, ITC has launched a national fund-raising effort to help the Baker Lake Inuit pay the legal costs involved in this trial.

The final question which must be faced is this: are the Inuit content to take this judgement at face value ? Should the Inuit try to use the statements of the judge in future court cases and negotiations ? Or should the Inuit instead appeal this case to the Federal Court of Appeal, and hope to get a better decision ? Finally, is it possible that the federal government or the mining companies will appeal ? The companies might be worried that the existence of aboriginal rights might affect some future projects - although the likelihood of this is unclear.

These are all difficult questions.

Marc Denhez
ITC lawyer.

ITC: 176 Gloucester St., 3rd Floor
Ottawa, Ont. K2P 0A6

Toronto Globe and Mail, 1 February 1980

INUIT BABIES DIE AT 5 TIMES NATIONAL RATE, STUDY SHOWS

Edmonton - Native babies in the Northwest Territories die at rates up to five times higher than infants elsewhere in Canada, a study by the federal Health Department and the University of Alberta has shown.

... Dr. Donald Spady (associate professor of pediatrics at the University and co-author of the report) blames social and economic problems for the high infant mortality rate among natives.... The study covered 1,191 children born between April 1, 1973, and March 31, 1974. Sixty-two, most of them native, were either stillborn or had died before their first birthday from infection, poor nutrition, parental neglect or a combination of these. In addition, native babies were sick from 10 to 14 times in their first year, while white babies experienced only four illnesses.

"Natives are at a distinct disadvantage when it comes to health - they're sicker than whites," Dr. Spady said, and the main culprit is cultural change.

... Dr. Spady points out that because of social upheaval, medical problems in the North are like those in developing countries. The infant death rates "are the kind of thing one would expect. We're dealing to some extent with a developing country. It's called the Territories. And those are the kinds of diseases that people in the developing countries die from."

Debbie Jones

BI-LINGUAL AND BI-CULTURAL EDUCATION IN LATIN AMERICA

There is presently in Latin America an increasing interest for the development and practice of bi-lingual and bi-cultural teaching, and in some indigenous areas, schools are already giving this kind of training. The importance and necessity of this form of teaching is obvious, considering that the indigenous peoples have the right to live and educate themselves according to their own culture and own language, according to their economic and social structures, and according to their objectives and specific goals.

But the economic and political problems faced by the promoters of these pedagogical programmes are manifold.

VENEZUELA

Since 1978, in Catatumbo, District of Maracaïbo, an infant school "Tepichipalajana" has based its teaching of small children on the concept of bi-lingual cross-culture and ethnic identity. Various Venezuelan institutions, such as universities, kindergardens and ethnic movements, as well as individuals interested in this project, have supported its realization and are helping to maintain its continued existence.

In May, at the national indigenous meeting of Paraguaipo, the actual situation of the indigenous peoples was exposed and resolutions for the defence of their rights were made. In this meeting great importance was given to the promotion of a bi-lingual and bi-cultural teaching that could be adapted to the different indigenous nations and cultures. To this effect, it was recommended to work for the official recognition of the indigenous languages, for a closer relationship in the indigenous communities between teaching and productive activities, and for the creation of local radiobroadcasting systems that could broadcast educational programmes to the indigenous, in their own languages. Another very important objective should

be the increase of cultural exchange between the different indigenous nations of Venezuela, of the rest of America and even at an international level.

MEXICO

In June 1979, the first National Seminar for Bi-Lingual and Bi-Cultural Education was held in Oaxtepec (state of Morelos). Along with other international organizations, IWGIA participated in the funding of this event. New plans and new programmes for this type of education, and for all school levels, were presented. At the close of the Seminar, the co-ordinator Franco Gabriel Hernández (of the Alianza Nacional de Profesionales Indígenas Bilingües) said: "Since the conquest and up to now, the education that has been provided by our schools has not been an indigenous education but an education for indigenous children, elaborated with the sole purpose of reproducing at each historical phase, the cultural domination, the racial discrimination, the economic exploitation and the political manipulation."

Franco Gabriel Hernández also pointed out the necessity of organizing a national technical council, as well as local ones, which could help to implement these new teaching programmes, by, for instance, setting up programmes for bi-lingual studies, providing bi-lingual text-books, etc.

PERU

The first non-S.I.L. (Summer Institute of Linguistics) experiment in the Napo area in bi-lingual and bi-cultural education was made in the beginning of 1973 in Puca-Barranca, with the support of the organization of the Napo Kichwaruna. But it took six years before bi-lingual and bi-cultural teaching was officially recognized. It was only in July 1979, when the new Constitution was promulgated, that the different ethnic groups of Peru were guaranteed the protection of their cultural and linguistic heritage. The Art. 35 of the new Constitution also guaranteed the right of native communities

to receive a bi-lingual and bi-cultural primary school education.

Unfortunately, the general teacher strike which broke out by the end of 1979, and in which bi-lingual teachers from various regions participated, has created some grave problems for the bi-lingual educational programmes. Bi-lingual teachers who took part in the strike have been prosecuted, and in the case of the Shipibo-Conibo communities, replaced by teachers speaking only Spanish and with no knowledge whatsoever of either the language or the culture of these communities.

These drastic measures were taken by D. Carlos Moreno Quinones, Director of Education for the Provinces of Coronel Portillo and Ucayali, with the full support of the Minister of Education. It is feared that this repressive policy will also affect other native groups in the selva areas of Peru.

The Shipibo-Conibo have appealed to international organizations for support because they also fear that the Peruvian government will allow the Summer Institute of Linguistics to operate in their territory. A ten-year contract has been signed recently between the S.I.L. and the Peruvian government and the Shipibo-Conibo are fully aware of the threat it would represent to their cultural traditions and whole life were they to be taught by the S.I.L. missionaries.

Letters of protest and support should be sent to:

S.E. General Francisco Morales Bermudez
Presidente de la República
Palacio Presidencial
Lima, Peru

and to:

General José Bubaloche Rodríguez
Ministro de Educación
Parque Universitario
Lima, Peru.

Sources: KARIYANKI - Bulletin published by "Wangurina", the Napo-Kichwaruna Organization.
Apart. 216, Iquitos, Perú.

"SURVIVAL IS THE ISSUE"

Who should own the uranium resources that are found in the ground? Who should decide whether these resources should be exploited and how it should be done?

These were some of the questions asked at the international conference, Uranium Mining: A new Threat to the Peoples of the Third and Fourth World, held in Copenhagen, 19-20 October 1979, and in which participated representatives from the Indian Nations of the U.S.A., the Aboriginals of Australia as well as from the Namibian and the Greenlandic people. The meetings were attended by more than 300 persons, and were given an extensive coverage by the international press and the Danish radio and TV.

And indeed the peoples of the Third and Fourth World have a right to ask these questions: most of the world's known uranium reserves - 72% to be exact - are found on their land; in many cases within those reservations which were so "generously" left to the indigenous peoples, at a time when no one suspected their value and after everything else had been taken away from them.

In the U.S., almost 100% of the uranium mining is done on Indian land: in New Mexico in the Grants Uranium Belt which encompasses the lands of Navajo and Pueblo Indian people, and in South Dakota, in the Black Hills, the sacred center of the Lakota people.

In Australia the government has recently decided to open up several mining sites located in the Northern Territory, on or near Aboriginal lands. Three of the sites, Jabiluka, Ranger and Koongarra, are found on a 140 km long strip, the so-called "Uranium Province", within the Kakadu National Park. The fourth site, Nabarlek, is within the Arnhem Land Aboriginal Reserve. The Ranger project Area is close to the sacred dreaming places of the Aborigines on the face of Mount Brockman.

In Namibia, where some of the world's richest uranium deposits are found, uranium is being mined by a multinational corporation with British, French and South African capital interests. All the uranium ore is exported, some of it being flown directly to Europe where it is redistributed among the EEC countries. This is a clear violation of the U.N. Decree of September 1974 which forbids all exploration, exploitation and removal of mineral resources from Namibia without the permission of the U.N. It is also in contradiction with the Security Council Resolution 301 of 1971 which requests all the U.N. member-nations to refrain from all acts with South Africa that would imply recognition of the occupation regime installed in Namibia

In Greenland, exploration is presently being done by the Danish government at Kvane Fjeld, in the southern part of the country.

The representatives of the peoples of the Third and Fourth World gathered in Copenhagen and who already have seen and experienced the effects of uranium mining left no doubt as to how they want to answer the questions as to whom owns the right to the mineral resources on their lands, and as to whether these resources should be exploited. One of the main purposes of the conference was indeed to inform and warn other peoples around the world about the effects of uranium mining.

Several participants spoke about the hazards of uranium to the environment and to the people living near the mining districts. Uranium mining is a dirty activity. The mines are often open-cut mines; this means that radioactive dust blows freely all over the mining area and affects the miners. In places like Australia and Namibia where miners wear very little clothing because of the heat, the dust can be particularly dangerous.

Whether the mining is open-pit or underground, radio-

active radon gas is emitted freely into the air. Millions and millions of tons of uranium tailings are dumped and form huge mountains of radioactive dust. One of the Indian representatives, Winona Laduke, reported that in South Dakota over 3.5 millions tons of radioactive tailings are lying on the ground. The dust from these piles is carried away by the winds; it settles on houses, on crops, it contaminates the food, it gets into peoples' lungs. The dust from the tailings is also washed off by rainfall, and pollutes both surface and underground water supplies for domestic and livestock use. In New Mexico, dangerous high levels of selenium and radium have been found in potable water. Mick Miller, one of the Aboriginal representatives, told about the extensive area around Rum Jungle, a former uranium mining site, which has been left like a desert, with withered vegetation, dead rivers and no animal life.

Hadino Hishongwa, the SWAPO representative from Namibia, said that although the South African government makes it very difficult to gather information about the situation at the Rossing Mine, it is known that the conditions for the 5000 Namibians working there are appalling: they live in barracks, close to the open-cut mine, within a fenced-in mining area which has been declared off-limits to the general public. Their living and working conditions can be compared with slavery.

In New Mexico, where uranium has been mined for the greatest number of years, it is the very life of the Indians which is being threatened. Lung cancer has already caused many deaths among the miners. Babies are being born with defects, children die of leukemia. Herb Blatchford reported at the Conference: "People come to me and ask: 'why is our hair falling out? why are our teeth falling out? why do our children always sleep without getting rest? why do some of them wake up and cannot breathe?' We have asked and been told that these symptoms are the same as in Nagasaki and Hiroshima. The radioactive radon gasses come to us like a criminal

with the wind. People, trees and crops die. We loose the purpose of life."

Winona Laduke added: "It is like a genocide. In a way this is the last Indian war."

Up to now no government and no mining company has ever consulted these indigenous peoples of the Third and Fourth World, nor shown any concern about the devastating consequences the uranium mining has or will have. Rather to the contrary: In Australia, the government decision to open up the mining sites was taken in spite of the very active opposition of the Aboriginals. Mick Miller told how the North Queensland Land Council had decided to fight uranium mining: "For six years now, we have told the Government that we did not want uranium mining to take place on our reservations. The Government listened to us - and then did exactly what they wanted to do. So in order to put pressure on the Australian Government, we decided to send representatives to as many countries as possible and explain our situation. This is one of the reasons for my being here."

Bindy Williams, also an Aboriginal, gave a concrete example of the Government's line of procedure: "Last year, the Government used a trick to have the landowners near a place called Old Pelly, on the reserve of Arnhem Land, sign a document saying that they were in favor of uranium mining. Now on that reserve, there was a recognized number of aboriginal landowners. They showed up for the meeting, but when they found out what the meeting was all about and the way it was going to be run, everyone but three walked off. And the Federal Minister for Aboriginal Affairs had the three Aboriginal people sign the document saying that they wished for mining to take place. And in return for their signature on this piece of document, he handed them a silver pen as a memento for the great day of signing. This was a trick because the Aboriginal people have a power of veto over mining but there is a little clause that says that when the

national interests are at stake, the Government can make the decision to mine against the veto of the Aboriginals."

In the U.S., the energy corporations sign leases with the Tribal Councils who are administered by the Bureau of Indian Affairs, under the U.S. Department of the Interior which has the final jurisdiction over Council decisions. In fact this means that the leases may be signed without the consent or even knowledge of the local Indian people, and hardly any information about the effects of uranium mining is given to the native people.

The Danish Government was also criticized by the representatives from Greenland for not having given the local population sufficient and adequate information about the hazards of uranium mining. Karl Kleist, of the Siumut Party (Denmark) said: "It is first now that we are beginning to realize the risk of having an uranium mine near a populated area, i.e. the town of Narsaq, and right in a district where fishing and sheepbreeding are the main economic resources." Professor Robert Petersen added: "Certain damages can never be compensated for by money. One such irreparable damage would be the spoiling of the main economic activity of Narsaq and of its possibility in the future. If uranium is to be accepted in Greenland I think we must have new safety guarantees, totally different from the ones we have been given up to now."

At the Conference, large multinational companies were also attacked for their total lack of responsibility toward the environment and the welfare of the local population. Until now the impact of open-pit mining has been unassessed and uncontrolled. This is also the case with the radon gas emissions. Companies assume no responsibility for the tailing ponds. When their lease is terminated and there is no more mining to be done, they just leave the mess behind. Compensation claims of cancer victims or their relatives have been rejected or totally ignored by the companies.

All the participants in the Conference agreed that sovereignty over their land and self-determination are the only solution to their problems. For the Indians and the Aboriginals this means preserving their reservations and acquiring a true right to their land. For the Namibians it means getting rid of the South African occupants. As for the Greenlanders, their main problem in relation to the Danish Government is the fact that their rights to the mineral resources and their exploitation have not been clearly stated. Jens Carlsen, a fisherman who had come all the way from Narsaq in order to attend the Conference, and who spoke in Greenlandic on behalf of the Association of the People Opposed to Uranium Exploitation in Greenland, said: "We demand that all mining activity, all exploration for oil and for uranium in our country Greenland be stopped until we, the Greenlandic people, have obtained our definite rights to self-determination in our own country."

Tommy Smith from Australia put it this way: "Instead of uranium we want the right to our own land; instead of oppression we want self-determination; instead of exploitation we want freedom. Instead of a radioactive death we want to live. Let that dangerous stuff remain in the ground. We believe that it will come back one day as a boomerang to our children and descendants in the form of diseases and bombs. We rather keep on being poor than participating in the spoliation of the world."

Herb Blatchford expressed the feelings of all the participants by saying : "Survival is the issue."

The participants admitted that only through international pressure would it be possible to stop the different governments' uranium programmes. Therefore information about the hazards of uranium mining should be widely publicized in order to impress international opinion. To this effect, for instance, a committee with members from Greenland and Denmark

was established for the purpose of gathering information about the consequences of an eventual uranium exploitation of the Kvane Fjeld. The committee will also inform the people of Greenland about the social, economic, cultural and environmental consequences that uranium mining has entailed especially for indigenous peoples in existing mining districts.

Similar committees will be established in Narsaq as well as in other parts of Greenland.

As a further indication of concern, a telegram was sent to the Secretary General of the United Nations, Mr. Kurt Waldheim, asking him to make it possible for representatives of the peoples of the Third and Fourth World to submit their case to the General Assembly of the U.N. through a specially designated investigating committee

U.S.A.: WISCONSIN HUMANITIES COMMITTEE SAYS NO TO FILM ABOUT MINING EFFECT ON INDIAN TRIBE

The Wisconsin Humanities Committee has turned down the funding of a film which should have examined the effects of an EXXON mining project on the Sokaogon Chippewa tribe of the Mole Lake Reservation in Wisconsin. The filmmaker, Al Gedicks from the Center of Alternative Mining Development Policy, believes that the EXXON Corporation has pulled strings to stop the grant by distributing several articles on the mining industry written by him and by refusing cooperation in the film.

Less than a mile from the Sokaogon Chippewa Reservation EXXON has discovered deposits of zinc and copper, which may be one of the world's largest.

The Sokaogon Chippewas fear that the mine operations will pollute the water in the area and thereby jeopardize their rice harvest. Rice is economically important to them and also a food staple.

The land, on which EXXON wants to mine, is claimed by the Chippewa tribe. The area in question was given to them as part of a treaty. But through an unfortunate set of circumstances, the written copies of this treaty have disappeared. The claim, however, is supported by documented testimony dating from the turn of the century and two medals given to the tribe in recognition of the treaty.

The Wisconsin Humanities Committee explains the reason for refusing the grant to the film project with fears of subjectivity from the filmmaker and because of "insufficient endorsement" of the film project by Native Americans. To this Daniel H. Poler, the tribal secretary of the Chippewas, replies in an open letter to WHC:

"... I am surprised that you or any other member of the Wisconsin Humanities Committee did not approach the

Sokaogon Chippewa Community to confirm our intent to cooperate in the making of this film..... The other reason given for the funding denial was the fear of lack of objectivity by the filmmaker. If by lack of objectivity you mean that the truth would be hidden, we would agree with you and ask that the request be denied, but we are of the contrary opinion. We wish to enlighten other people through our situation. Let the truth speak for itself.

I fear that EXXON has excerted its influence and that the EXXON Corporate philosophy prevails in the Wisconsin Humanities Committee." (Madison Press Connection, 26 February 1979).

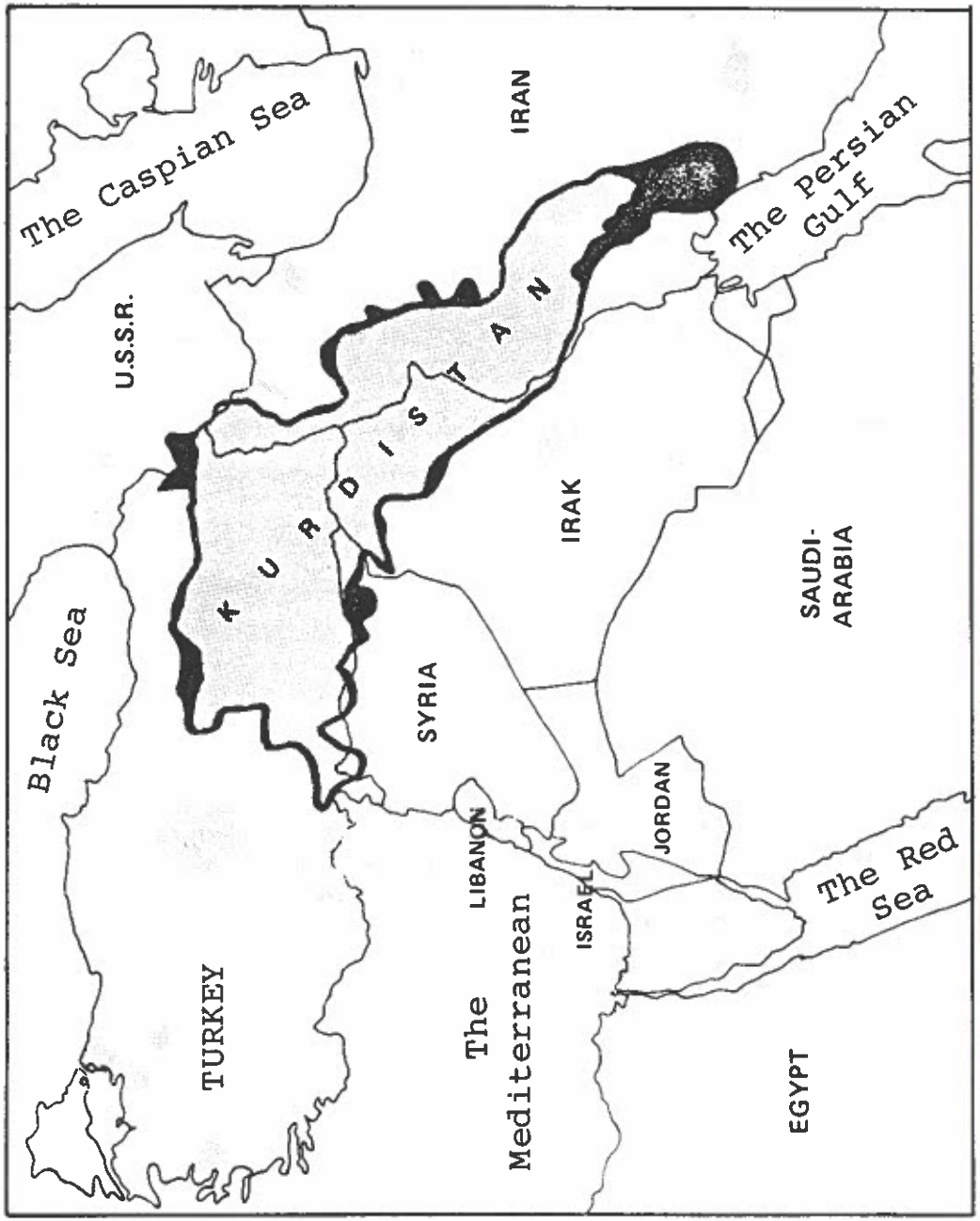
One thing is that EXXON may have tried to influence the WHC. Another and very sad thing is that a "humanity" organization is receptive for such influence.

Once again an indigenous people has been neglected. This, however, is an old story. What is more surprising, is that this time a "humanity" organization is involved.

Jørgen Brøchner Jørgensen

Any information about articles, books, etc, concerning the Tierra del Fuego Indians in general, and the Kawaskar (or Alacalufes) in particular, would be welcomed by:

Advokaat Stefaan Oplinus
Wilgenstraat 54,
8800 Roeselare, Belgium



THE KURDISH QUESTION

The latest events in Iran have once more drawn the world's attention to the Kurdish question.

In a very instructive book published recently in Norway (Kurderne, et folk i Midt Østen, Oslo 1979: Dreyers Forlag), Dogan Kilic (a Kurd living in exile in Norway) and Torstein Kongslien give a short survey of the situation of the Kurds as it has developed throughout the centuries. The following account is based on their book.

There are some 6 million Kurds[1] living in the western part of Iran. They are a tribal people, and although there are a few large cities in the region, (Kermandshah, for instance, with a population of over 300,000), most of the Kurds live in small villages as peasants, or practice pastoral nomadism.

As a minority group, the Kurds have always been exposed to harsh oppression by the central power in Iran. Their language has been prohibited, they have had no political rights and they live in poverty, exploited by the big Iranian landowners who control most of the resources in the region. Therefore, the history of the Kurds is a long series of revolts in an effort to win their liberty. In 1946, availing themselves of the international situation after the Second World War, and while northern Iran was still under Soviet occupation, the Kurds proclaimed "the Republic of the Kurds." Their independence only lasted a year though, and in 1947 the Iranian army once more restored the Shah's authority; the President of the Kurds, Ghazi Muhammed, was hanged.

Not surprisingly, the Kurds were the first minority group in Iran to seize arms when the Shah's regime broke down in early 1979, and they immediately demanded local autonomy. But once more their hopes seem to have been disappointed. Khomeiny has taken most of their rights away from them; several Kurds have been executed, and the situation became

very critical last fall (1979) with the insurgency of the city of Mahabad.

The Kurds of Iran are but a part of the large Kurdish nation. Numbering some 20 millions[1], they live in the extensive area known to themselves as the land of Kurdistan. In fact there has never been an independent Kurdistan, as the area was already divided in 1639 between Turkey and Persia. The idea of an autonomous Kurdish state, however, has existed since the 19th century, and when the Ottoman empire was broken up after the First World War, the Kurds hoped that they, like many other nations in the Middle East, would obtain their independence. Instead the Kurdish people were divided between four countries (not counting Iran): Turkey, Irak, Syria and the Soviet Union[1].

Except for those who live in the Soviet Union and who enjoy a certain cultural liberty, all the other Kurdish groups have experienced the most cruel repression; but, time and again, the Kurds have answered back.

In Turkey, the long and bloody revolt of 1929 lasted for two years. Kurdish villages were systematically bombed, and numerous atrocities were committed against the population, but nevertheless the Kurds arose again in 1936. This time more than 60,000 people were killed and several hundred thousand Kurds were displaced to other parts of Turkey. In more recent years, every attempt to promote Kurdish language and culture within Turkey has been repressed severely and important Kurdish personalities have been thrown into prison.

In Irak the region traditionally inhabited by Kurds is very rich in oil. At the same time it borders on the Kurdish provinces of Iran. These two facts have had a decisive impact on the fate of the Kurds of Irak. Since 1975 the policy of the government has been to displace the Kurds from their native region, so that the Arabs could move in to control the oil resources and the border with Iran. Thousands of Kurds now live in refugee camps all over Irak. The Syrian

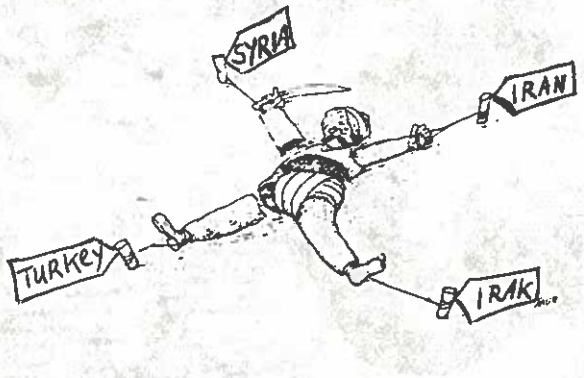
Kurds face a similar situation.

In past decades, many Kurds have left their homes, some by force as we have seen, but many others because poverty compelled them to go and find a job and a living elsewhere - in the big cities of the Middle East for instance, or even in Western Europe.

But according to Dogan Kilic and Torstein Kongslien, this does not mean that the Kurds have given up their dream of liberty and independence. More oppressed than ever, and despite the frontiers that divide them, they stand united in their common struggle. When the Kurds of Iran started fighting against Khomeiny, they were joined by their brothers from Turkey, Irak and Syria who came to help them in their guerrilla warfare. A state of emergency has been declared in the Kurdish zones of Turkey, Irak and Syria, and the Kurds themselves say: "There will be no peace in the Middle East as long as we do not have our liberty."

1) Population estimates vary a great deal, whether they are given by the Kurds themselves (column on the left) or by the Middle East Yearbook (1979) (column on the right):

Turkey:	11.5 million	5.0 million
Iran:	6.0 -	3.0 -
Irak:	3.0 -	2.0 -
Syria:	900,000	400,000
Soviet Union:	300,000	100,000
KURDISTAN:	21.7 million	10.5 million



Ainu. Photo by Genichiro Kakegawa in Ainu no shiki (The Four Seasons with the Ainu), Kyoto 1966.

THE AINU PEOPLE OF JAPAN

by Kirsten Yumiko Taguchi

THE BEGINNING OF A SEARCH FOR ETHNIC IDENTITY

The Ainu people of Japan are scheduled to become in 1980 members of the World Council of Indigenous Peoples (WCIP). This is a startling development in view of the fact that not much more than 10 years ago, most scholars as well as politicians and lay people seemed to agree that the Ainu people were on the verge of extinction, if not already extinct. The Ainu language seemed to be forgotten except by a few very old people, who might remember some words and phrases from their early childhood, when Ainu had still been spoken in a few remote areas. The Ainu culture had degenerated to profitable performances of imitation bear festivals and other arrangements for tourists, and their craftsmanship was exclusively directed in channels of cheap souvenir production. The people itself had been totally Japanized, and the only thing to remind them of their Ainu origin was the racial discrimination they encountered in their contact with the Japanese race. And even that could be avoided to some extent, for many decades of intermarriage between the two races had erased most of the racial characteristics of the Ainu, so that a large majority of them could easily pass for Japanese. What then has happened to encourage the Ainu people to seek a renewal of their ethnic identity, and to feel pride in their ethnic and cultural origins?

During the latter half of the 1960's, the industrialized countries witnessed a world-wide mobilization of extra-parliamentary movements, and Japan too had its share of these. Most well-known to the world outside of Japan was the student movement, the Zengakuren, who at first imitated the European students, and then in turn became an inspiration for fellow revolutionaries in the Western world. However, although Zengakuren was by far the biggest and most noisy movement of those years, it was after all only one of many. Citizens' groups organized against environmental pollution, against the war in Vietnam, and against the planned building of Tokyo's new international airport in Narita, just to mention a few. Out of the students' movement grew a new women's liberation movement - and in the optimism of the late 60's and early 70's, even more timid groups, such as the elderly, the handicapped, the Koreans, etc., succeeded in organizing pressure groups of varying strength.

In this connection it was only natural that somebody should come to think of the Ainu people in northern Japan. One of those was a person by the pen name of Ryu Ohta, a Japanese writer, critic, and more or less professional revolutionary. In 1973, he published a highly inflammatory book entitled The Theory of the Ainu Revolution. However, the majority of the Ainu showed no reaction - or at most a slight irritation - at the writings of Ryu Ohta; apparently he found a much more responsive audience among the fringe fractions of the by then rapidly disintegrating Japanese student movement.

AINU HISTORY

Geographical Distribution

The Ainu indifference towards such attempts at revolutionary mobilization is a measure of the degree of suppression this people has been exposed to over the centuries. Originally

a numerous and widespread people, the Ainu once occupied extensive areas in northern Japan and its vicinities: Kamchatka, Sakhalin, the Kurile Islands, Hokkaido, and northern Honshu. Today they only live on the island of Hokkaido, where they are by far outnumbered by the Japanese population. If Ainu are defined as people who consider themselves more Ainu than Japanese, then a fair estimate of their numbers will be between fifteen and twenty thousand - but a count of racially pure Ainu will hardly reach one hundred. This is due to a great deal of intermarriage between the two races, partly brought about by the fervent desire on the part of the Ainu to be integrated into Japanese society, partly by the scarcity of women among the early Japanese pioneers who colonized Hokkaido in the 19th century.

Racial Characteristics

The word ainu in Ainu means "man, human being", and the Ainu are probably the oldest inhabitants of the Japanese archipelago. Formerly they showed considerable physical differences from the Japanese race - early Western explorers even speak of fair hair and blue eyes among them. Whether that may have been true, or merely wishful thinking, must necessarily remain unproven, but at least the present-day Ainu of Hokkaido are far from such a Nordic image; they all have brown eyes and black hair. The most distinctive feature of the racially pure Hokkaido Ainu is their extreme hairiness (which of course to the rather hairless Japanese must have seemed especially odd and frightening - and even animal-like). Ainu men used to grow long beards, and both men and women have a great deal of body hair. The Mongolian spot (a large bluish birthmark on the back or buttocks of babies - usually disappearing around the age of six), with which close to 100 % of the Japanese are born, is only found on about half of the Ainu babies; and another distinctive difference is that almost all Ainu have double eyelids, while more than half of the Japanese have the kind of eyelids which have given rise to the expression "slit-eyed".

Traditional Life

Originally the Ainu were hunters and gatherers. Their primary game was bears and deer, and they also caught salmon and other fish in the rivers. Ainu who lived near the northern sea caught seal and salt water fish as well. This food was supplemented by sea-weed and various wild plants gathered by the women. The hide of animals and fish was used for clothes and shoes, and clothes were also made by weaving shreds of elm bark.

The brown bear has played an important role in the daily life of the Ainu. Not only was it one of the main sources of nourishment during the long and severe winter - it was also a central figure in the animistic religion of the Ainu people. Starvation during the winter was a very real threat, and the meat of a bear, which would feed the whole village for days, was considered a present from the Bear God. Thus the killing and butchering of the bear became a grand ritual event in which everyone took part. This was intended to show respect to the bear - he was an honored guest, who they very much hoped would visit again. Every spring the Ainu would set out to catch bear cubs, which they would then keep in a cage and feed well until late winter, when the stored up food began to be scarce, and then they would eat the bear.

Suppression and Revolt

Like many other indigenous peoples, the Ainu fell victim to an expanding civilization, and the recent history of the Ainu is one of repeated encroachments and defeats. In the beginning of the 16th century quite a number of Japanese immigrants had settled in Ezo (this was the name for Hokkaido until 1868), and in 1514 they were untied under the powerful samurai Kakizaki Mitsuhiro. There were many bloody incidents in which Japanese immigrants clashed with the Ainu over

matters of fishing rights and other territorial problems, but at first the immigrants were mainly on the defensive. Gradually, however, they grew stronger and more numerous, so that finally in large areas they were able to subjugate the native population. In 1604 Ezo was given in fee to the Matsumae clan (descendants of Kakizaki Mitsuhiro), and this clan ruled for the next 250 years. Their rule was broken only by a short but significant interval from 1799 to 1821, in which the central government of Japan assumed direct control over the island.

Extensive trade relations had been established between the Japanese and the Ainu over the years. The Ainu were accorded a small part in the blessings of civilization: rice, sugar, sake (rice wine), tobacco, lacquerware, cloth, etc. in return for which the Japanese received fish and edible seaweed in large quantities, hawks, and a number of rarities such as bear liver, seal skin, eagle feathers, etc. In 1631 gold was discovered in Ezo, and subsequently Japanese miners spread all over the island. The demand for fish and the expansion of the Japanese immigrant farmers and miners, who disturbed the Ainu hunting and fishing grounds, soon destroyed the ecological balance on which the survival of the Ainu culture was based. Many Ainu could no longer feed their families by means of their traditional livelihood, and thus they were forced into labor for the Japanese - often under dire threats and for little or no pay. This naturally caused a great deal of malcontent, and a number of revolts against the Japanese imperialism and the Matsumae rule flared up. In 1669 the unfair trade regulations and the blatant dishonesty of the Japanese traders caused a widespread rebellion led by the chieftain Shakushain, but the Ainu were easily defeated by the more disciplined and better armed Japanese, and Shakushain was killed. In 1789 the Japanese maltreatment of the Ainu again brought about a revolt, this time on a more local scale. It was easily put down and the dissidents executed, but since the revolt happened to coincide with news of active

Russian expansion down along the Kurile Island chain, it aroused the interest of the central government in organizing a more effective Ainu policy.

Native Policy in the 19th Century

In 1799 the central government assumed direct control over eastern Ezo and later over the whole island. This lasted until 1821, when the rule was returned to the Matsumae clan. During these years of direct government, the general principles were laid down for a policy towards the Ainu. As a means of appeasing the Ainu and ensuring that they would not enlist on the Russian side, trade regulations were standardized and measures were taken to grant fair treatment of the natives. Among other things the Matsumae ban on the Ainu studying Japanese was repealed, and the Ainu could now trade directly with the Japanese merchants without having to use the interpreters. Furthermore various relief measures, such as medical aid and care for widows and the aged, were instituted, and at the same time attempts were made to assimilate the Ainu into Japanese society. They were encouraged to give up their native customs, which the Japanese found barbarous: for example the men's long hair and beards, the women's tattoos on hands and arms and around the lips; also the yearly bear festival and other native celebrations were outlawed. However, the central government was far-sighted enough to realize that harsh enforcement of prohibitions against such customs would lead to unrest, so instead a plan was made for a slow campaign of appeasement, followed by guidance and finally assimilation. But the results were slow in coming, and only a few years later the campaign was more or less abandoned before it had progressed very far. By then those Ainu who had begun to adopt Japanese customs began drifting back to the old ways.

Native Policy after 1868

In the 1860's the arrival of American warships forced the Japanese to open up their country to western influence; this ended a period of more than 200 years of self-imposed isolation. The so-called Meiji Restoration of 1868 provided a new government and a new constitution. After a while the effects of this upheaval in central Japan began to make themselves felt in Hokkaido as well. In 1876 the Ainu came to be enrolled in the Japanese census registers, and thus they came to be considered Japanese citizens. Land was distributed among them, and they were encouraged to take up farming like the Japanese settlers. It should be noted, however, that until 1946 Ainu registration papers were stamped kyudojin i.e. "aborigines", and when this practice was forbidden by the new constitution, the stamp was simply crossed out. In effect this means that only Ainu born after 1946 can show "clean" papers when applying for a job or entering a school.

Under the Matsumae rule, education had been explicitly denied the Ainu, and this made exploitation easy. Special care was taken to keep the Ainu from learning Japanese, and all business was conducted through interpreters, who came to be very prosperous and powerful. During the period of direct government (1799-1821), the Japanese language and some arithmetic had been taught to the Ainu on a small scale. By the end of the 19th century, Ainu children were allowed to attend Japanese schools, but attendance was slight, and from 1901 it was decided that Ainu children should attend separate schools. Nevertheless fewer than 30% attended these Japanese-run schools until, in 1916, four years of schooling were made obligatory for Ainu children. (Japanese children were obliged to attend school for six years.) This segregated school system continued until 1937. During the American occupation of Japan after the Second World War, the educational system

Kinarapok Sugimura (1888-1976), one of the last fluent speakers of the Ainu language. Asahikawa, 1969.

Ainu dwellings in Chikabumi near Asahikawa, 1969.

remodelled after the American pattern, and this in general meant better educational possibilities for the Ainu as well as for the Japanese. However the percentage of Ainu receiving higher education is still much lower than the corresponding percentage for the Japanese.

Educational opportunity meant disaster for the Ainu language - and thereby for many aspects of the Ainu culture as well. Especially religious beliefs and traditional cosmological concepts, which are based in and enforced by linguistic expression, rapidly gave way to Japanese influence. By adopting Japanese customs, Japanese beliefs, and the Japanese language, most Ainu saw a way out of the abject poverty which had been the fate of their people for 300 years. With almost pathetic eagerness they sought to be even more Japanese than the Japanese. An Ainu woman in Ashikawa told me how her mother used to scrub her face till it hurt, before sending her off to school, in order that she might look less dark-skinned. This woman was later forced by her parents into an unhappy marriage to a Japanese man, in order that her children might be considered Japanese.

THE PRESENT SITUATION

Prejudice and Poverty

The Japanization of the Ainu has not brought racial equality - neither economic, nor social. The racial prejudice of the Japanese is still strong enough to keep the Ainu people in an inferior position. Quite a number of Japanese will even today with great sincerity tell you, that the Ainu are unreliable, bad at arithmetic, careless with their personal hygiene, smelly, wildly passionate, unstable, etc...

Poverty is still a basic feature in Ainu life, and with poverty follows disease. Tuberculosis is found five times as often among the Ainu as among the Japanese, and also eye disease is very common. Unemployment - or at best temporary employment as day labourers or seasonal workers - is the fate

for the majority of those Ainu who are not permanently engaged in farming or fishing. Average income is much lower than for the Japanese population, and four times as many Ainu as Japanese live on welfare or receive some kind of government assistance. Almost no Ainu are employed in the professions liberal, and those few Ainu who are reasonably well off economically have usually made their money in areas connected with tourism.

The Shakushain Statue

In 1968 the 100-year anniversary of the renaming of Ezo to Hokkaido and the formal inclusion of the island into the Japanese Empire was celebrated with great festivity all over Hokkaido. In all the arrangements planned, and all the enthusiastic speeches about "Hokkaido's short, but prosperous history", the existence of the Ainu was totally ignored. This generated a great deal of complaint from Ainu organizations, and the ensuing wave of remorse (as probably most Japanese had not been consciously arrogant; they had merely forgotten), made it possible to raise a large sum of money for the erection of a statue of the chieftain Shakushain. He was the Ainu hero who had led the rebellion of 1669.

The statue was the creation of a Japanese artist, and in order to show his goodwill the then governor of Hokkaido, Kingo Machimura, contributed his signature in a calligraphic inscription attached to the pedestal of the statue. The Japanese governor's name inscribed next to the statue of an Ainu rebel was by many Ainu considered in extremely bad taste - almost as if to emphasize the Japanese dominance - and the fact that the statue was made by a Japanese artist did not help matters at all.

The Beginning of Violence

One dark night in September 1972 the inscription was chiseled off by persons unknown. A month later two bombings

were carried out simultaneously in Sapporo and Ashikawa, the two largest cities on Hokkaido. In Sapporo the target was the Northern Regions Research Center of Hokkaido University, and it was interpreted as a protest against the hermeneutic monopoly Japanese scholars have assumed with regard to the study of Ainu culture. In Asahikawa the bomb destroyed a monument in the Tokiwa Park which represented an elderly Ainu sitting down with four young and virile Japanese men standing around him. The symbolic content of this monument had been harshly criticized already at the time of its erection.

During the years 1973 and 1974, close to 30 bombings of historical monuments took place in various parts of Hokkaido, and in March 1974 a young Japanese attempted to assassinate the mayor of Shiraoi, a town on the southern coast of Hokkaido, which is one of the largest centers for the tourist trade based on the Ainu culture. Later that year another young Japanese set fire to the tourist bureau of the same town, and although these two men had no direct connection with the Ainu, they both claimed that their motive had been to protest against Japanese businessmen exploiting the Ainu culture for personal profit.

Arrests and Ainu Reactions

In October 1974 the police arrested a number of Japanese leftists on suspicion of involvement in the bombings. Among those arrested was Ryu Ohta and one Ainu, Shoji Yuki, who had been an active advocate of a strong and independent Ainu minority for many years. Yuki was a well-known and rather respected figure among the Ainu at that time. In his native Kushiro district in eastern Hokkaido he had worked for years to organize the tourist trade under Ainu management instead of Japanese. He had even been the Kushiro representative on the board of directors of the Utari Association - a politically moderate organization working for the welfare of the Ainu. In 1972 Yuki had, however, moved to Sapporo to organize a more radical group, the Ainu Liberation League.

The arrest of Yuki finally made a number of leading Ainu realize that they could no longer remain passive and allow the bombings and violence to be linked with the Ainu. Several came forward to defend Yuki and to disclaim on behalf of the Ainu community all responsibility for the bombings and vandalism. Yuki had confessed his participation together with Ryu Ohta in the vandalism towards the Shakushain monument, but apart from that, all other incidents had, they said, been the work of Japanese radicals. The Ainu wished to dissociate themselves from terrorism as a political strategy, and they pointed out that as a matter of fact they were themselves being victimized by the way the word "Ainu" was being used as an eye-catcher in the media in connection with the bombing incidents. To a superficial glance it indeed appeared as if the violence was caused by the Ainu.

Yuki was released, and charges against him were dropped. He was not even indicted for the vandalism towards the Shakushain monument, which he had claimed responsibility for. Instead Ryu Ohta, whom the authorities considered much more subversive and "dangerous", was charged with that crime and convicted.

The End of Violence

The bombings did not stop after these arrests. In November 1974 the main hall of the largest Shinto shrine in Sapporo was burned down, and in a letter to the newspapers the group behind the action claimed that it was intended as a step forward in the Ainu revolution. Some months later a bomb exploded in the entrance hall of the Hokkaido Local Administration Building in Sapporo, and many people were injured. In May 1975 the police finally arrested eight Japanese radicals, who confessed to all the bombings, and thereby the violence was brought to a stop.

The Awakening of an Ethnic Consciousness

No connection to the Ainu could be demonstrated for any of these eight young radicals, and thus the Ainu were finally cleared of suspicion. Nevertheless these years of unrest have brought an awakening of ethnic consciousness - especially among the younger generations of Ainu. Many have joined together to form study groups (some also with Japanese participants) to learn the Ainu language. Books on Ainu language and culture, out of print for years, have now been reprinted, and many new books have appeared as well - books with titles like The Ainu Language Lives, Never Shall Perish the Land of the Ainu, We are Ainu - in Nature we Stand, etc. Several conferences on Ainu matters have been held, and every summer since 1976 a camp has been arranged in which the participants try to live like the Ainu of the past. Here they also study the Ainu language and traditional world view.

The Japanese Reaction

The Japanese establishment shows minimal interest in these activities. In the autumn of 1978 I had occasion to speak informally to a group of Japanese bureaucrats in the local administration of Hokkaido. In spite of statistics which clearly show that the Ainu as a whole are both socially and economically much worse off than their Japanese fellow citizens, these officials refused to acknowledge even the existence of an "Ainu problem". To prove his point, one told me that he had accompanied a representative from the Liberation Front of the Alaskan Eskimos on a visit to a prominent Ainu family in the Nibutani area. The head of this family, who is well-known for his conservative views, had refused to take part in any kind of united front of ethnic minorities. Furthermore he had stressed the absolute non-aggressive mentality of the Ainu people and their deep-felt desire for integration into Japanese society. The Eskimo from Alaska has thus returned without having been able to

accomplish his purpose.

The Future

However, this subservient attitude is no longer the prevailing one - especially not among younger Ainu - and through membership in the WCIP the more progressive Ainu may succeed in drawing strength from other people with the same kind of history and similar problems. The sensitivity of the Japanese establishment toward world opinion is a well-known fact, and this may justify a hope that the Ainu will be able to create a framework within which their language and culture can be revived and survive.

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THE CASE OF LEONARD PELTIER

Leonard Peltier is still in prison. After having escaped from the federal prison at Lompoc California, he was recaptured on July 26, 1979, and was sent back to the federal prison at Marion (Illinois). In view of these latest events it becomes more important to exert public pressure to obtain a full review of Leonard's case. Supporters of Leonard have never asked for a pardon, only that the full truth be revealed, and the mis-conduct of the FBI and federal government be exposed.

THIS IS WHAT YOU CAN DO:

1. Publicize Leonard's case; write to the committees for more information and petitions. (see below).

2. Write to (your) representative in congress to act on Leonard's case.

3. Rosalynn Carter has stated that if there was any violations in Leonard's case she would personally investigate those violations. We urge people to write to her to put those words into action. Write to Rosalynn Carter at: White House Washington, D.C.

4. Write to the warden at Marion Federal Prison, demanding that Leonard's mail not be censored, demand that Leonard be brought out of isolation into the prison population. Also demand that he not be sent to the control unit. Demand that Leonard be granted his religious freedom. Write to the Warden at Marion Federal Prison, Marion, Illinois 62959.

5. Write to the International League for Human Rights to investigate Leonard's case at: International League for Human Rights, 236 East 46th Street - 5th floor, New York, N.Y.10017.

6. Have your group or organization adopt Leonard as a

political prisoner.

7. Send needed contributions to the committees.

Leonard Peltier
Defence Committee
P.O.Box 1
Port Angeles, Washington 98362
(206) 457-1028

Leonard Peltier
Support Group
c/o Ericsen-Leone
RFD≠ 1 Lexington Ave.
Mohegan Lake, N.Y. 10547
(914) 528-5977.

(Reprinted in part from pamphlet published by above mentioned committees, undated.)

BURMA:
THE SITUATION OF THE INDIGENOUS PEOPLES

From a Karen living in exile in a Far Eastern Country, we have received the following letter which depicts the very grave situation of the indigenous peoples of Burma.

"... Burma was granted complete independence in 1948. The party in power claims itself to be a socialist governmental body. In fact, it is a one-party system of government which does not give any privilege to the dissident groups and as such it is a dictatorial regime, a departure from democratic modes of administration. Having no arms to support them, the rival parties have no bargaining power to interfere with the affairs of the state. The result is that there is anarchy in the country though it appears to the visitors that there is law and order, peace and prosperity. There is disagreement, disatisfaction, and opposition throughout the country.

The indigenous races suffer most; they are the Karens, the Kachins, the Arakanese, the Pa-os, the Was, the Shans, the Mons, and the Karenis. These border races are treated by the Burmese as minorities, and are persecuted by the major race as they had done in the pre-British era. We had a breathing spell only during the British occupation. Before Independence our leaders appealed to the Labour government to grant us an area where the Karens are predominant. The British told them to negotiate with the Burmese rulers. When approached, the Burmese leaders urged that our leaders should fight for a state within constitutional channels. Meanwhile they were making extensive preparations to exterminate us. When they were sure of their strength they told our people bluntly that to get a state the Karens should have to fight for it with arms. The belligerency started with the Karen headquarters being attacked by the Burmese on the 28th January 1949. The Karens had no other option but to accept the challenge and fight back, though it is a venture against

overwhelming odds.

Our people have fought for more than 30 years. There have been reverses and successes. But we still can hold our grounds. But we cannot be aggressive and in the offensive; because of lack of arms, our fighting men cry all the time, "Give us tools; we will finish the job." Now all of the minorities have their separate defence forces fighting the Burmese army, excepting the Chins. It has turned out to be a fight between the Burmese army and the forces of the indigenous races. This dictatorship government should have been toppled, if it is not aided yearly by foreign countries such as Western Germany, Japan, World Bank, etc.

It has proved to be a war of attrition. Our people have gone through untold hardships and sufferings. The chief problems are 1) food, 2) health, 3) destitution, 4) security, 5) refugees.

The bulk of our people earns its livelihood by cultivation which is interrupted by enemy action, especially in the areas close to the enemy troops who destroy crops by cutting and levelling plants with knives, and by burning paddy in barns, and in the process of threshing and garnering. Those people whose paddy is destroyed by the enemy have to eat roots, leaves, fruits, bambooshoots and have to depend on those whose paddy is not destroyed.

Health is a vital problem also. The most common disease is malaria. There are cases of dysentery digestive disorders and isolated cases of cancer and tuberculosis. As there is no supply of medicine the patients use only herbs and jungle medicine which are in most cases inoperative.

Destitution: here it means poor and penniless. The enemy introduces a blockade system which prevents the Karen villagers who are not yet subdued by them from going to the Burmese towns and villages to buy or sell things. Thus the villagers have no way of earning money. They do business among themselves in the jungle, but they do not get enough

money they need to use for each year. They buy cloth and commodities brought by pedlars from Thailand and they are very costly due to transport difficulties and charges. Many of them have only clothes they are wearing.

Security: From time to time the Burmese soldiers especially during the last four years do not follow the rules of warfare observed by civilized people. They carry on war against the civilians. They kill civilians, including children without any question. When they do not kill they force (them) to serve as porters carrying very heavy loads, or they torture and kill them when they fail to serve them. There are times when they send these porters in front of their troops during clashes. What we detest most is the raping of our women folks. Our people on the hills maintain strict morals. When our women folks are raped they, through shame and resentment, mostly commit suicide afterwards. No one can be sure of his security. Everyone is on the alert. On sight of the Burmese soldiers every one runs away.

Refugees: Many refugees are on the Salween River banks. They do not represent one fourth of the total number of refugees who are scattered all over the hills generally inaccessible to the Burmese troops. Those on Thailands border get some help in kind such as clothes, cloth, medicine, rice and so on from some private, charitable, and humanitarian organizations. Such aids are not regular and sufficient. But something is better than nothing. Such aids never reach refugees on the hills. These aids are not enough for those refugees along the Salween River even. Through great hardship the refugees manage to go through each years with the help of God, kind and considerate fellow Karens, and the Kawthoolei Government.

Our people can still survive because of our strong will and determination to resist aggression and because of the general understanding that this is a national struggle for survival. No doubt there are Quislings among all indigenous races. But the struggle will go on.

No census can be taken because of disorderliness throughout the country, but our rough estimate, which we believe will not be far incorrect, is that our total population throughout Burma only is between 6 and 7 millions.

We shall be very grateful and appreciate very much if you can do something, within your powers, for my people."

(signature).

ABORIGINAL LAND CLAIMS IN AUSTRALIA

The Central Land Council, Alice Springs (Northern Territory (Australia) asks for international support in its claims to gain title over two sacred places ULURU and KATATJUTA. Both places, which are of enormous significance, not only for the local descent groups immediately responsible for them, but for a wide range of Aboriginal people, are in danger of being cut out of an area of Aboriginal land because being located within the boundaries of a National Park.

The Central Land Council has made proposals about how those places can become Aboriginal Land under the Land Rights Act, while continuing to be a National Park and open for tourists to visit. However, despite promises made both by Senator F.M. Chaney, Minister for Aboriginal Affairs, and Mr. Fraser, Prime Minister, to consider the matter, nothing so far has happened.

Letters of protest can be sent to Senator F.M. Chaney, Parliament House, Canberra, to the Prime Minister, Mr. Fraser, Parliament House, Canberra, to the Rt. Hon. J.M. Fraser, Prime Minister of Australia, House of Representatives, Canberra, A.C.T. 2600, and to some of the larger newspapers: THE AGE, 250 Spencer St., THE AUSTRALIAN, 402 Latrobe St., NATIONAL TIMES, 394 Little Collins, - all in Melbourne, 3000, Australia -, FINANCIAL REVIEW, Box 506, 6 P.O., SYDNEY MORNING HERALD, Box 506, 6 P.O., both in Sydney, 2001, Australia.

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