

indigenous people representing hundreds of nations who are struggling for their liberation. For these struggles not to be small and isolated ones, we must know and understand each other's efforts, and know that although cultures and languages vary, the fundamental problems are similar. Understanding and strength are achieved through respect and the right of all people to be different and to develop fully.



SAIIC relies on the contributions of its members and friends. Your support is needed and greatly appreciated to assist us in continuing our newsletter, publications, radio program, and in sponsoring the visits of South American Indians.

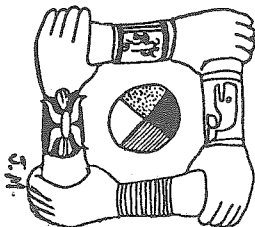
All contributions, which are tax deductible, will go directly to furthering SAIIC's work. Checks should be made out to the American Friends Service Committee/SAIIC and sent to P.O. Box 7550, Berkeley, CA 94707.

For more information about SAIIC's work and the projects we are planning, please write us or call: (415) 521-2779 or 527-5687.

Sincerely,  
Nilo Cayuqueo  
and the SAIIC Committee



UNITED NATIONS WORKING GROUP ON INDIGENOUS POPULATIONS, July 29-August 2, 1985

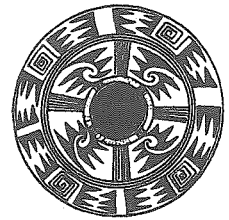


#### Preparatory Meeting

In preparation for the 4th session of the United Nations Working Group on Indigenous Populations, a meeting of indigenous representatives from throughout the world was held in Geneva, Switzerland, the week before the Working Group session. The five days of preparatory meetings brought together more than 100 indigenous representatives who exchanged ideas, drafted and endorsed a new Declaration of Principles on the Rights of Indigenous Peoples, adopted other joint proposals and achieved an unprecedented level of unity in relation to the Working Group.

Among those participating in the preparatory meeting were the Union of Indigenous Nations (UNI) of Brazil; AIDSESP of Peru; CONFENIAE of Ecuador; CIDOB of Bolivia; Centro Chitakolla of Bolivia; The National Federation of Land Councils of Australia; The Center for Tribal Conscientization of India; Confederation Campesina del Peru; the South American Indian Council (CISA); CORPI (Central America); Movimiento de la Juventud Kuna of Panama; MISURASATA of Nicaragua; Coalition of First Nations, the Dine Nation, the Union of Ontario Indians, the Conne River Micmacs and many others of Canada; the World Council of Indigenous Peoples, and many more. The sponsoring organizations were the

Indian Law Resource Center, Inuit Circumpolar Conference, International Indian Treaty Council, National Indian Youth Council, Four Directions Council, and National Aboriginal and Islander Legal Services.



To prepare for the Working Group session the representatives decided to develop a draft declaration of principles to assist the Working Group in carrying out its mandate of developing new standards. The draft Declaration of Principles was endorsed by six indigenous NGOs (non-government representatives to the United Nations) and more than 17 other indigenous organizations and groups. It is expected that future discussion of standards will focus on this draft and the changes and additions which are expected.

In addition to adopting the Declaration of Principles, the participants in the meeting adopted two other proposals to be made to the Working Group. The first recommended that the members of the Working Group prepare a draft text of just two principles which would synthesize the proposals and drafts that had been submitted thus far. The principles would be those dealing with (1) land rights and (2) rights to culture, religion, education and language. The second recommendation asked the Working Group to take the necessary measures to have the U.N. Secretariate prepare an analytical compilation of the documents and other information received concerning indigenous peoples in various regions.

The success of this year's preparatory meeting is encouraging because a very diverse group of indigenous organizations and individuals were able to develop unified proposals and act together in presenting them to the Working Group. The meetings proved to be an effective way to develop and implement a united strategy based upon the broadly shared human rights concerns of indigenous peoples. The experience gained this year and the relationships that have developed will permit even broader participation and greater unity next year.

#### Working Group

When the Working Group began its session on Monday, July 29th, well over two hundred people filled the meeting room, one of the largest available at U.N. facilities. Attendance was more than double that of last year and was predominantly made up of indigenous representatives. In addition, twenty countries and the Vatican had official observer delegations. Numerous non-indigenous support groups, human rights experts and non-government organizations were also present. This enormous show of interest is practically unprecedented for a working group and constitutes a strong political statement about the importance and urgency of the issues being considered by the Working Group.



According to the Working Group's plan of action, the Group was to consider this year the right of indigenous populations to develop their own culture, traditions, languages and way of life, including the rights to freedom of religion and traditional religious practices. These matters were

given consideration, but, as always, indigenous speakers focused primary attention on the questions of self-determination and land rights.

Again this year, many speakers were interrupted by the Chair when the Chair regarded statements as "complaints" against a particular country. The Group is extremely sensitive about allowing "complaints" because many nations will try to put an end to the Working Group if it becomes a "chamber of complaints." On the other hand, it is difficult to discuss human rights problems without giving the impression of making complaints. It is generally agreed that Indian people must continue to explain to the Group that such statements are not complaints but are discussions of developments affecting the human rights of indigenous peoples.

International Indian Treaty Council spokespeople feel that the primary benefits of the Working Group are indigenous peoples coming together to speak for themselves and, with their united strength, advocating for positive change. In the past, it was only the governments which caused and perpetuated the intolerable conditions under which indigenous people live who had a voice in the U.N. Since the first session of the Working Group many important points have been brought to world-wide attention.

(Prepared from materials sent to SAIIC by the Indian Law Resource Center and the International Indian Treaty Council.)



#### DECLARATION OF PRINCIPLES

1. Indigenous nations and peoples have, in common with all humanity, the right to life and to freedom from oppression, discrimination, and aggression.
2. All indigenous nations and peoples have the right to self-determination, by virtue of which they have the right to whatever degree of autonomy or self-government they choose. This includes the right to freely determine their political status, freely pursue their own economic, social, religious and cultural development, and determine their own membership and/or citizenship, without external interference.
3. No State shall assert any jurisdiction over an indigenous nation or people, or its territory, except in accordance with the freely expressed wishes of the nation or people concerned.
4. Indigenous nations and peoples are entitled to the permanent control and enjoyment of their aboriginal ancestral-historical territories. This includes surface and subsurface rights, inland and coastal waters, renewable and nonrenewable resources, and the economies based on these resources.
5. Rights to share and use land, subject to the underlying and inalienable title of the indigenous nation or people, may be granted by their free and informed consent, as evi-

denced in a valid treaty or agreement.

6. Discovery, conquest, settlement on a theory of terra nullius, and unilateral legislation are never legitimate bases for States to claim or retain the territories of indigenous nations or peoples.

7. In cases where lands taken in violation of these principles have already been settled, the indigenous nation or people concerned is entitled to immediate restitution.

8. No State shall participate financially or militarily in the involuntary displacement of indigenous populations, or in the subsequent economic exploitation or military use of their territory.

9. The laws and customs of indigenous nations and peoples must be recognized by States' legislative, administrative and judicial institutions and, in case of conflicts with State laws, shall take precedence.

10. No State shall deny an indigenous nation, community, or people residing within its borders the right to participate in the life of the State in whatever manner and to whatever degree they may choose.

11. Indigenous nations and peoples continue to own and control their material culture, including archeological, historical and sacred sites, artifacts, designs, knowledge, and works of art.

12. Indigenous nations and peoples have the right to be educated and conduct business with States in their own languages, and to establish their own educational institutions.

13. No technical, scientific or social investigations, including archeological excavations, shall take place in relation to indigenous nations or peoples, or their lands, without their prior authorization, and their continuing ownership and control.

14. The religious practices of indigenous nations and peoples shall be fully respected and protected by the laws of States and by international law.

15. Indigenous nations and peoples are subjects of international law.

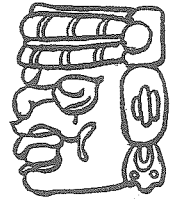
16. Treaties and other agreements freely made with indigenous nations or peoples shall be recognized and applied in the same manner and according to the same international laws and principles as treaties and agreements entered into with other States.

17. Disputes regarding the jurisdiction, territories and institutions of an indigenous nation or people are a proper concern of international law, and must be resolved by mutual agreement or valid treaty.

18. Indigenous nations and peoples may engage in self-defense against State actions in conflict with their right to self-determination.

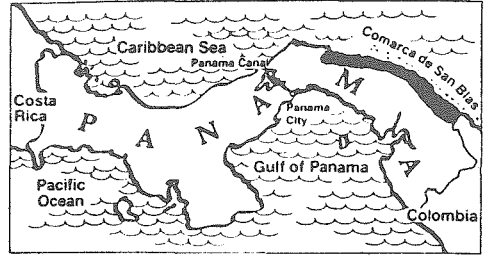
19. Indigenous nations and peoples have the right to travel freely, and to maintain economic, social, cultural and religious relations with each other across State borders.

20. In addition to these rights, indigenous nations and peoples are entitled to the enjoyment of all the human rights and fundamental freedoms enumerated in the international Bill of Rights and other United Nations instruments.



## THE KUNA: THE BENEFITS OF INDIAN AUTONOMY

The relationship between Indian people and the political and economic structures of the non-Indian societies around them remains an important issue today, nearly 500 years after the European invasion of the New World began. In Chile, where the Mapuche are struggling to maintain communal land rights in the face of a privatization campaign by the Pinochet government, in Brazil, where Indians are demanding the right to elect their own representatives to the assembly which will write Brazil's new constitution, and in Nicaragua, where the goals of the Miskitu, Sumu, and Rama people have been complicated by the United States government's efforts to end the Sandinista revolution, Indian people are promoting their rights as autonomous entities within non-Indian states. To better understand this concept, it is useful to examine the history of the Kuna people of Panama, whose resistance to outside domination over the centuries has resulted in a legally-sanctioned, independent status which affords them considerable self-determination in their political and economic affairs.



The Kuna include 30,000 people who live in some 60 villages in the Comarca of San Blas, a strip of land about 10 miles wide which runs about 130 miles along the Caribbean coast of eastern Panama (see map). Today most Kuna live on a string of small coral islands located a mile or so off the coast, but during the colonial period their villages were located on the isolated upper reaches of the mountain rivers of the Darien isthmus. Secure in the rugged mountain terrain, the Kuna successfully resisted all Spanish efforts to settle in the region. Although they traded regularly with French, English, and other European rivals of the Spanish whose commercial interests brought them to the Darien coast, the Kuna never lost control of their land and were never subjected to European political authority.

With the independence of the Spanish colonies early in the 19th century, Darien was formally governed from distant Bogota, Colombia, and the diminished threat from Spanish-speaking authority combined with increased British commercial activity to encourage a gradual migration of Kuna out of the mountains to the healthier coastal islands where they cultivated coconuts for sale to British ships.

Panama's secession from Colombia early in the 20th century made Kuna territory a disputed frontier between the two nations, and Panama sent police into the area to secure Panamanian authority. Missionaries settled permanently among the Kuna for the first time, and the development of the Panama Canal brought industrial technology and its cultural values to the Kuna front door. Conflict between Kuna who encouraged adaptation of new ways and those who resisted change erupted in a rebellion by the traditionalists in 1925. They

expelled Panamanian authorities and were spared a counterattack by the presence of a sympathetic former United States ambassador who evoked Washington's protection for their cause. In 1953, the Republic of Panama formally recognized the territorial integrity of the San Blas reserve and the authority of traditional Kuna political organizations within the area.

The benefits of autonomy are clearly reflected in the current economic and political situations of the Kuna people. Control of their own lands allows both a healthy subsistence agricultural economy (centered on the mainland) which along with fishing provides most of the food consumed locally and a continuation of coconut production for sale in the cash economy outside the reserve. The persistence of Kuna cultural traditions is such that molas, the reverse applique cloth panels which form the front and back of women's shirts, are sold to collectors throughout the world, contributing significantly to the Kuna economy. The prohibition against non-Kuna economic enterprises within the reserve means that the modest hotels and other aspects of the tourist trade remain in Kuna hands. Kuna insistence on self-reliance means that most workers in the islands' schools, health centers, and other social agencies are Kunas rather than outsiders. Kunas also work temporarily and permanently as wage laborers in Panama City, on the Panama Canal, and on non-Indian agricultural estates off the reserve, but the integrity of Kuna communities makes it possible for them to maintain community membership and identity, which is often difficult for Indians elsewhere in the Americas who leave home to seek work in urban areas.

Political autonomy has meant that local community assemblies have persisted as the primary source of political authority among the Kuna. Each village holds secular or religious meetings almost every night. Leaders are elected to serve as village heads, secretaries, policemen, managers of communal tasks and rituals, and in other capacities, but the community assembly exercises ultimate decision-making authority on all substantial issues. The assembly organizes religious functions, social services, and communal work projects, such as coconut farms and house construction, resolves disputes among community members, establishes policy for relations with outsiders, and monitors travel of community members.

Village leaders travel frequently to neighboring Kuna communities to discuss common issues, and three regional groupings of Kuna villages bring local leaders together regularly. Each regional group selects a head, but his authority is not such that he can impose decisions on local communities. Representatives from all Kuna communities gather in semi-annual congresses, but there is no single leader of the Kuna nation.

The government of Panama appoints a non-Kuna superintendent of the Comarca of San Blas, but his authority does not extend to the internal affairs of Kuna communities. The Kuna choose three representatives to the Panamanian national legislature.

Autonomous economic and political institutions do not eliminate the numerous problems that develop from the clash of traditional Indian cultures with the indus-



trialized, non-Indian societies which surround them. But they provide a means of self-determination by which Indian communities can reach accommodations with the outside world on Indian terms. In the case of the Kuna, community autonomy also provides a model of participatory democracy which non-Indian communities would do well to heed.

--Pete Hammer

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## MEXICO

Alvaro Vasquez, representative of the Assembly of Zapotec and Chinantec Peoples of the Oaxaca Sierra (Asamblea del Pueblo Zapoteca y Chinanteca de las Sierras de Oaxaca), was in the San Francisco Bay Area to organize an exposition of Zapotec-Chinantec lithographs and to show videos about his people. For information regarding the Zapotec-Chinantec newspaper write: Iopil, c/o Miguel Cabrera, 351-1 C.P., Oaxaca, Oaxaca, Mexico.

## COLOMBIA

On June 29th the Colombian army bombed the municipality of Caldono, destroying 16 houses and many crops. In other land-based operations the army searched homes, stealing cattle, chickens and household items. Similar violations took place in the Indian community of Pueblo Nuevo on July 1. Prior to that, the village of Tacueyo had been bombarded twice, and the villages of Corinto and Jambalo once each.

The army changed its tactics against alleged rural guerrilla forces from bombarding the mountains to directly bombarding the areas occupied by Indian villages, which have suffered constant hostilities due to the militarization of the Cauca region. The worsening situation of Indian communities is also demonstrated by the death of Maximiliano Quiguanas, the president of a local cooperative, who was killed while working.

(From Unidad Indigena, Colombia)

## ECUADOR

Ecuador, along with Bolivia and Peru, is one of the countries in South America with the highest Indian population. It is estimated that 50% of Ecuador's 7 million inhabitants are Indian. The thirteen Indian nations in Ecuador are in three distinct regions: the Andean region (Quichua), the Pacific coast region, and the Amazon jungle region. The

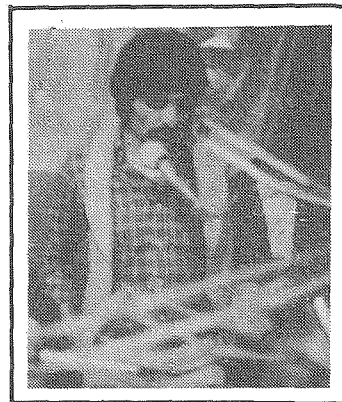


Photo: S. Lobo