



TREATY COUNCIL NEWS

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10th TREATY CONFERENCE

The Tenth International Indian Treaty Conference will be held June 28th through July 3rd on the Sisseton-Wahpeton Dakota reservation in northeastern South Dakota. It is our sincere hope that you can join us for this historic event. Indian Nations from throughout this hemisphere will be sending delegations to Sisseton to exchange information and develop strategy for our survival as nations and peoples. Many Indigenous Nations, organizations and movements are seeking international support and recognition and we must seize this opportunity to inform each other and develop a mutual strategy and common understanding of the basic principles on which we can agree and occasionally disagree.

This year we will once again be submitting the International Covenant on the Rights of Indigenous Peoples to the people of the conference for their review.

International Human Rights Law is an area that the Treaty Council and our allies need to concentrate, especially with the establishment of the Working Group on Indigenous Populations in 1982. There have been major changes in the make-up of the Working Group which will be meeting 30 July through 3 August in Geneva, Switzerland, and we need to be prepared to deal this year with the definition of Indigenous peoples and protection of indigenous land and resources.

As many of you know, the struggle in Latin America is an Indian struggle for human dignity, land rights, self determination and sovereignty. There will be Indians from Latin America to address this issue and we also expect our relatives from Australia, New Zealand, Canada, the Middle East, Africa and Asia to be in attendance, as well as various support groups from Europe.

Fargo, North Dakota is the nearest airport to the conference and we will provide transportation to and from the airport. Most of the participants will be camping, but there are hotels in the area. In the evenings we will have cultural presentations of music and dance. Movies and slide shows will be shown throughout the conference.

There will be a minimum registration fee of ten dollars U.S., which includes two hot meals per day and admission to the nightly concerts and cultural activities. If you cannot afford the ten dollars, we ask you to pay whatever you can.

The weather should range from 60° F at night to 85° F during the day. We expect from fifteen hundred to three thousand people to attend.

Enclosed is the tentative agenda, if there are any questions, please contact our office in New York or San Francisco.



Treaty Conference: 1974 - Mobridge, South Dakota

M. Vignes

Dennis Banks Reminder

Dennis Banks is still under the protection of the Haudenosaunee. However, his, and his family's well being is still jeopardized by the Department of "Justice". He still needs the support of concerned individuals. People are encouraged to write their congresspeople and ask for an end to the use of the judicial system to persecute Indian People. Your help in this matter would be greatly appreciated. It should also be noted that The Longest Run, which Dennis Banks organized, got off to a successful start and at press time was in Minneapolis, Minn. For more information: Dennis Banks Defense Committee, P.O. Box 881984, San Francisco, CA 94188, 415-641-9010; Syracuse Cultural Workers Project, Box 6367, Syracuse, N.Y. 13217, 315-474-1132. Also write the following to ask an end to Dept. of "Justice" persecution of Dennis: Associate Attorney General Lowell Jensen, Dept. of Justice, Washington D.C. 20530.

UPDATE

Here is a list of important happenings that people should try to attend and support. For more information call IITC.

- July 19** - The Longest Run arrives in L.A.
- August 9-12** - Pit River Elders and Youth Conference
- August 13-16** - Northwest Elders and Youth Conference
- August 22-26** - Great Basin Elders and Youth Conference
- Early October** - Pit River International Gathering

Okinawa Anti-Bases Conference

On April 26-30, 1984, the Treaty Council sent delegate Dennis Jennings to the Okinawa International Conference against Military Bases and Blocs in Naha, Okinawa, Japan. Japan maintains a strong central government with a system of prefectures close to the U.S. systems of states.

The conference was sponsored by Gensuikyo and delegates from all the prefectures were well organized and well-disciplined. The schedule was precise and exhausting with special emphasis on tours to the edges of United States military bases, peace museums, graveyards, and caves which were used on Okinawa in WWII. A well-organized effort to show the reminders of the horrors and desperation of 40 years ago, when U.S. forces ravaged the island to secure a land base for the final assault on Honshu—Japan's main island—a tactic which was unnecessary after the atomic blasts on Hiroshima and Nagasaki.

Delegates were the guests of the Okinawa Landowners Associations who were very strong in their opposition to the 62 U.S. bases on the 70 mile long island. They stated that every square hectare of land dominated by the U.S. military policy represents food that is not being produced on their tiny island. They stated that after 40 years of this domination only two (2%) percent of their ranks had signed leases with the U.S. military apparatus.

Another tactic that Okinawans are using is the establishment of Nuclear Free zones usually by the decree of city councils and referendums—a movement that has spread on mainland Japan also in that over 130 cities have declared themselves free of nuclear technology whether it's manufacture, transport or storage.

The IITC delegate gave his first testimony at the International Solidarity Meeting in Nago, Okinawa on April 28, the 32nd anniversary

of the 1952 San Francisco Treaty, a Japan-U.S. security agreement which places Okinawa under permanent U.S. occupation, and therefore is referred to as the "day of humiliation" or "day of shame" by the Japanese Peace Movement.

Presentations were also given by representatives of Hawaii, Guam, Micronesia, Fiji, the Philippines, Belau, the U.S. Peace Movement, Green Party from Europe, and Kwajalein, a U.S. Marshall Island trust responsibility which has been turned into the world's first radioactive slum by the Pentagon. The Pacific Islanders' testimony was especially close to the history and philosophy of traditional Indian peoples in that their territories were taken by military conquest, they were moved about on their own land base, their traditional means of obtaining food eradicated by war or contamination, their traditional leadership undermined by outside missionaries and government bureaucracy, their traditional beliefs assaulted by colonial pressure to assimilate into the military administration, their indigenous governments replaced by the military administration, their indigenous governments replaced by the military administrations, their economics "stabilized" by dependence on military allocations, their cultures exploited for purposes of "tourism development," and the dependent status maintained so the Pentagon can keep using their islands as for their war machine. The overall perception of the Pacific Island peoples is that the U.S. military presence is not only dangerous to their cultures, but also makes them targets of foreign powers who are not their enemies but U.S. enemies. They spoke of their own politicians being influenced to participate in this destruction by becoming benefactors in the colonial system. Eloquent statements were made by many islanders about the sanctity of water, the nurturing quality of Grandmother Ocean, the kinship

with our brothers and sisters in the animal world, and the arrogance of the invaders to this indigenous worldview. This was reflected in a strong anti-bases statement made by the islanders and signed by the Treaty Council delegate at the final session of the conference.

The delegate from Kwajalein was very persuasive in getting delegations from Japan to sponsor an independent medical study of his people to determine future needs in their struggle with radioactive illness predicated by U.S. nuclear bomb tests. In view of the overwhelming violations of International Law and agreements that have been broken, invitations were extended to all international delegates to attend the 10th Annual Treaty Council Conference in Sisseton, South Dakota.

Also Gensuikyo expresses interest in sponsoring a group of Native Americans and Pacific Islanders on a tour of their prefecture delegations to explain to them the indigenous world-view perhaps this winter or early next year. And other invitations were extended to us to participate in Salmon ceremonies in Hokaido, the northernmost island of Japan, with the Inu people next September. The Inu are the indigenous people of this part of the earth and they want other Salmon-cultures to participate in their ceremonies.

The two major national peace coalitions in Japan are Gensuikin and Gensuikyo. Both groups are augmented and actively supported by a broad base of religious communities, the most active of these being Nipponzan Myohoji, whose patriarch Venerable Nichidatsu Fujii, is over 100 years old—has walked tens of thousands of miles—chanting a peace song given him by his ancestors.

As a highlight of the trip, our delegate was humbly received in audience by this holy man, who told him that the future of earth belongs with our beliefs, that all our future is in us, the Indians.

Fast for Life

friends, in his resolve to achieve spiritual liberation behind the walls.

In solidarity with the struggle of these three patriots, Clergy and Laity Concerned, a national ecumenical group, has called for international day of prayer at Marion, Illinois to be held on June 16, 1984. Efforts are being made for Medicine People of our own nations to participate in this spiritual observance.

Also important—but a separate issue from the fast—is Leonard's attempt for a retrial on the charges of eight years ago. On April 4, 1984, the 8th U.S. Circuit Court of Appeals made its decision to grant Leonard Peltier an evidentiary hearing on the basis of fabricated evidence which was submitted by the FBI. While the evidentiary hearing is a certainty, the date has not been set at this time by Judge Benson. The Judge has made some extremely biased public statements against Leonard and the lawyers will file a motion for him to remove himself from the case on this basis. Your letters to him will help. Tell him we know he is biased. Tell him to remove himself from the case. Write:

Judge Paul Benson
U.S. District Court
Room 333
Fargo, North Dakota 58102

Normal Carlson, Director
U.S. Bureau of Prisons
320 First North West
Washington, D.C. 20537

Jerry Williford, Warden
U.S. Penitentiary
Box 2000
Marion, Illinois 62959

Representatives Don Edwards/John Conyers
House Office Building
Washington, D.C. 20515

Rep. Bob Kastemeier
2136 Rayburn Building
Washington, D.C. 20515

For more information contact in Seattle:

Leonard Peltier Defense Committee
National Office
2524 16th Avenue South
Seattle, Washington 98144

As of June 7, 1984 three Indian prisoners in Marion Federal Penitentiary were enduring the 59th day of a spiritual fast for religious freedom. These three, Leonard Peltier, Albert Garza and Standing Deer began the spiritual fast on April 10 with eloquent indictments of the federal prison system for the bureaucracy's refusal to allow them to practice traditional prayer with the Sacred Pipe, the Inipi, or anything else which is sacred to traditional religion. The second front in this struggle involves the prisoners' lawyers' attempts to get a ruling from U.S. District Court in Alton, Illinois, specifically to address the issue of religious freedom in the prison system. So far the judge has refused to address the issue, allowing prison officials to threaten to force-feed the three prisoners. On the advice of their attorneys, Leonard has consumed a token amount of food from his tray since last week; Standing Deer also has been encouraged to eat since his health is in serious danger—he has lost his sight—but Albert Garza (also known as Rechaza Lorede Chingatu) has not consumed any solid food since April 10, daring officials to force-feed him and expressing himself eloquently in letters to

Anishinabe Akeeng: The Peoples' Land

The 1980 International Indian Treaty Conference was held at the Many Point Boy Scout Camp on the White Earth Anishinabe reservation. That camp, like the 40 or so other camps on the reservation, is on lands illegally taken from Indian people in the big land stealings of allotments. After the Allotment Act of 1887, in the period to 1934, some two-thirds of all lands within reservation borders were removed from Indian control, through a variety of illegal means, and on the White Earth reservation some four-fifths of these lands passed into non-Indian hands. For some Indian people it is their uranium, coal, and other resources, but for the White Earth Anishinabe, it has always been our timber, prime agricultural lands, and "resort setting" that makes our reservation a target for the outsider.

To rebuild our nations, we must have a land base with which to build an economic, cultural, and political base. Land has always been the source of our political power, and continues to be this today. When the inside of our reservations is so badly "checkerboarded" it is hard to build an economic base. At White Earth, we have one of the very worst cases of this "checkerboarding," and have begun to do something about it.

The federal government, mandated under USC F.R. 28, Section 2415 began a federal investigation of the land title in these checkerboarded areas. The investigation began in 1978 at White Earth, and a group of committed people from the Minnesota Chippewa reservations began to look at the problems on all Minnesota reservations, except Red Lake, which is a "closed reservation." They found that land had been illegally taken from Indian people during the allotment period through a variety of mechanisms, including:

TAX FORFEITURE in which Indian lands were taxed, and when the people could not pay their taxes the lands were taken. This was illegal because these lands were federally protected, and thus non-taxable.

MIXED BLOOD AFFADAVITS: Full bloods were judged to be incompetent by the BIA, and thus incapable of making land transactions. As a result, only mixed bloods could sell land, and many full bloods mysteriously turned into mixed bloods. In a 5 year period at White Earth, approximately 600 full bloods "disappeared" and became mixed bloods. These transactions—most of them "thumb printed affidavits"—were illegal also.

FORCED FEE PATENTS: Many Indian allotments were made saleable through the Bureau issuing fee patents without the consent of the allottee. This again was illegal, and resulted in many people losing their lands.

There are many other way in which Indian people lost hold of our allotments; these happen to be just three of the most common ones. But minor sales, unfulfilled contracts, the taking of lands for debts, etc., are all ways we lost our land—and most of them are illegal.

The investigation was going quite well until 1982, when funding and staff were cut back

and then eliminated. At White Earth, this was after the investigating team had found some 200,000 acres (out of about 800,000 acres) that were illegally held under the 2415 statute. On a national scale, it was after the investigation had opened up on some 40 separate reservations facing the "checkerboarding problem" that the funding ended and the deadline for claims on these lands September of 1983 passed. In the end the federal government had only opened the door to the problem, and not completed the investigation, nor made even a feeble attempt to educate the people about their rights to reclaiming the lands, and what lands they might be able to get back. Finally, although the original intent of the investigation was to provide the legal background for a federal lawsuit (the Department of Justice was to sue for Indian heirs to these lands), so far no legal suits have been pressed by the federal government for Indian heirs. Because no one has done anything, the White Earth Anishinabe decided it was time to do something ourselves.

In 1982, we began a community education program aimed at developing high school level curriculum materials on the history of White Earth. The materials were based on interviews with elders and research into lands on the reservation. We did these interviews with high school aged students conducting a great part of the interviews, and, in this way learning the skills as we all developed the curriculum materials together. Although the final curriculum book is not yet completed, the process in itself has been quite educational.

From this, we also began putting out a newspaper dealing with the land issue and working on informing heirs to lands at White Earth about the history of our lands and reservations. Although many people know that each of our families used to have allotments, not many of us know exactly how these allotments were lost, and what our rights are in getting them back. One of the most important things we found is that the resistance to the allotment policy and the taking of lands within the reservation was quite strong by our people, and really teaches us a lot about today and the future. Our Chief Wabunoquot said a century ago:

"...Land cessions always mean the loss of political power. Cash payments for lands mean little if a tribe has no political power, and consequently no control over the money paid for the land. Land cessions always lead to poverty. Poverty always leads to further removal of the land..."

We remembered this and by early 1984, many of the heirs to White Earth, the majority who live in the Twin Cities, had begun to realize what was happening to the land at White Earth.

Minnesota congressmen and representatives proposed some legislation for congress which they said would be "the solution" to the land claim problem at White Earth. Their sol-

ution (in an election year) has been to "compensate" Indian heirs to the lands, in return for clearing non-Indian land titles, and terminating any future claims to those lands in question. TO THE INDIAN PEOPLE AT WHITE EARTH, THIS MEANS TERMINATION OF OUR LAND RIGHTS TO SOME 94% OF THE RESERVATION. They proposed (at the last "deal") to offer us \$17 million for "clearing" land titles at White Earth. To the White Earth Anishinabe, and in fact to all other Indian people, this is a very dangerous idea, yet the Reservation Business Committee (Tribal Council) at White Earth, began NEGOTIATIONS on this legislation. Of course, the Heirs to White Earth became very angry, and have been mobilizing aggressively to stop these discussion, and to stop the legislation.

Anishinabe Akeeng, or "The People's Land," is a coalition of heirs to lands at White Earth and the 1867 treaty which created our reservation. Our position is that land should be returned to the Anishinabe people, and that damages must be paid the Anishinabe people, for illegal land takings, and illegal occupation of our lands over a 70+ year period. We say, for example, that while the federal government at this point is "offering" us \$17 million in "compensation" for lands on the reservation, we are owed at least \$50 million in back rent for these same lands. That is just the beginning of the damages owed; they must pay us for the timber they took, the buildings they put up, and waters that have been polluted,

Anishinabe Akeeng testified in Congress against the legislation, testified and held a vigil at the Minnesota State Legislature, in opposition to legislation that allows the state to participate in this actions; and finally, is preparing to enter the courtroom to fight for our land rights.

At the same time, Congress is now going to vote on Dockets 18 S and U which are those Indian Claims Commission "settlements" for our traditional areas, including the Mesabe Iron Range, and the rich copper areas of the Great Lakes. Many of our people are also talking about refusing these payments as MONEY FOR LAND is not the solution. That we remember from what our Chief Wabunoquot said a century ago.

The White Earth Anishinabe Akeeng organization, the Coalition of Heirs is committed to reclaiming our lands, and through this rebuilding our nation. We will be talking about this at the 10th International Indian Treaty Council to be held at Sisseton and hope other people on "checkerboarded" reservations will come talk about strategies also. The people can do something about this as those lands have been illegally taken. But only through grassroots community mobilization can we reclaim our lands. And only if we do take this kind of action, can we reclaim our economy, people and nation. What is happening at White Earth is the same on many other reservations. And as heirs, we can make the difference.

Continuing Struggle in Brazil

In 1983, the legislative activity in Brazil was particularly intense and unfavorable to Indian People. There were law projects, decrees, and regimentations which attacked Indian Peoples' legal rights and rights to the land as well as actions and omissions which put their culture, health and lives in danger.

The law project of the new Civil Code takes away Indian Peoples legal rights. An example of this can be found in the chapter about personality and the capacity of physical persons. Article 3 states;

"Are absolutely incapable of personally exercising acts of civil life:

I. People under the age of sixteen.

II. Those who, because of infirmity or mental retardment, do not dispose of the necessary discernment to practice such acts.

III. Those who, for some momentary reason, cannot express their own will.

IV. The Indians, depending on the special legislation."

This article contradicts the present Civil Code which considers, since 1917, Indians to be "relatively capable." The task of representing, as opposed to assisting, Indians will belong to the National Foundation of the Indian (FUNAI) the Brazilian neo-colonial version of the Bureau of Indian Affairs.

If this is approved it will be a set-back to the Brazilian legal tradition, violating international resolutions concerning Indigenous People which Brazil has signed and undo recent Indian victories in the legislative and judicial levels.

It is also racist since Indian People know perfectly well how to direct their person, and is another example of how a colonial power attempts to arbitrarily dominate Indigenous People.

The president of Brazil issued a decree, that established a Working Group of government officials that will have the final say in the establishment of boundaries of Indian land. The decree also stated that FUNAI and the Brazilian Working Group must take into ac-

count the presence of non-Indian settlers, corporations, land improvement projects, and "official projects".

Another presidential decree issued later in the year opened all Indian land to "mechanized mine exploitation" by State companies and "exceptionally" to private companies. This is in direct violation of the Brazil federal constitution which states:

"The lands inhabited by the Indians is untransferable according to the terms which the federal law will determine, their permanent possession is theirs by right and the right to the exclusive life interests of natural wealth and all resources which are found there is recognized."

The decree contradicts this by stating:

"On the other hand, there is no sufficient reason to justify the non-exploitation of surface mine resources fundamental for national security and the country's progress, only because their layers lie in Indigenous territory."

This was done because Brazil needs to export 500 million dollars worth of ore to be able to pay back the interest of Brazil's foreign debt. Indian lands were the first to be targeted.

As reported last year one of the Indian Nations most affected by these actions are the Yanomami. They are being faced with highway construction, mining, deforesting, and colonization by the Brazilian government. Their situation has deteriorated this past year with these new attacks and the fact that Yanomami Park has not yet been formed.

The National Department of Mining (DNPM) transferred mining rights of Cassiterite Strata; which contains gold, copper, zinc, charcoal, titanium, columbium and tin; from "Vale do Rio Doce" Company (CVRD) to the Roraima Development Company (CODESAIMA) in land that lies in the heart of Yanomami territories. Four-thousand (4,000) Indian People live there, and they are not immunized against outside diseases which could very well be fatal to them.

The CVRD issued a report which con-

tradicted the need for mining this land. It stated:

"that the country has other productive spots... of long term sufficient capacity to fulfill the internal needs or generate exportable excedents." It also stated that the cost of transportation—necessarily by air—make the research, extraction, and commercialization of ore non-competitive. In spite of this, other companies have also expressed an interest in this land.

Brazil is a signer of the International Convention for the Elimination of All Forms of Discrimination. The evidence shows that they are violating the Covenant and we make an urgent appeal to Brazilian humanitarian organizations, as well as other concerned people, to aske the Brazilian government to follow ther own laws and abide by their agreements. The genocide being committed against Indian People in Brazil must end.

For more information contact:

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c/o CIMI
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70835 Brasilia DF, Brazil

Telegrams and letters expressing serious concern may be addressed to:
Excmo. Sr. Joao Batista Figueiredo
Presidente da Republica
Palacio do Planalto
7000 Brasilia DF, Brazil

Excmo. Sr. Mario Andreazza
MD Ministro do Interior
Esplanada dos Ministerios
70054 Brasilia DF, Brazil

Excmo. Sr. Otavio Ferreira Lima
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