



THE MANDATE FOR 1992: RESISTANCE...

Bobby Castillo

Coordinator, International Tribunal

"Our call for a dialogue is based upon the idea that all new political relationships should begin with a decolonization of the relations of domination imposed upon Indian peoples and the popular sectors. It is a call to destroy the internal and external colonialism, the racism and the institutionalized violence that have existed for so long. Our proposal for social change is based on the concept that change must be located within the specific cultural traditions, and the geographical, social and ecological contexts of each region. Our call is to construct a society that practices equality between individuals, peoples and cultures."

A Call to Indigenous People

500 Years of Indian Resistance, Quito, Ecuador, April 1989

500 years of resistance to genocide, colonialism and political internment—that is the slogan that the Freedom Now Networks have chosen to help organize for the counter-quincentennial activities. For the American Indian Movement, this spirit of resistance is rooted in activity directed at countering the US government's official propaganda campaign. This is a campaign that insists, not only on perpetuating the historical lie that is Columbus, but of using that to continue to exterminate Native Nations and organizations who organize resistance.

1992 is a time to destroy Columbus. The myth. The legacy. All of its disparate cultural, environmental, political and economic elements that are woven into the fabric of oppression that constitute the US federalist system. One of the principal elements of our resistance is, of course, the demand for the immediate release of Native American Political Prisoner Leonard Peltier and by extension, all of the political prisoners and prisoners of war that are continuing to serve time because of their political opposition to a way of life that can only offer us slow death.

1992 is the time to destroy Columbus. A time to begin to dialogue with other organizations to construct a vision that can outline the next 500 years of peaceful and harmonious development. A vision that takes into account the roots of the cultural resistance that Native and other peoples have developed over the centuries, striving for a different way of relating to our Mother Earth and all other beings.

From our indigenous perspective, there was no "encounter." The contact between the Europeans and Indians did not permit equal conditions and opportunities. On the contrary, it was an armed invasion motivated by the quest for resources and by the crisis of feudal European regimes.

All of the above, however, remains only a historical marker if we do not commit ourselves to resist the contemporary attacks on our struggle for self-determination and sovereignty.

For the American Indian Movement, and the different national liberation movements involved in the organizing of the International Tribunal, our priority is the immediate excarceration and amnesty for Leonard Peltier and the over 100 political prisoners/POWs in the US and their movements for liberation. As Leonard succinctly stated on August

1, 1992 in a message to a public gathering building for the International Tribunal, "I salute those who are in prison: Oscar López Rivera, Geronimo Pratt, Silvia Baraldini, Jan Lamaan, and the many others. These brothers and sisters are my modern day heroes."

The International Tribunal is organized, not as a last-ditch appeal to the international community as victims, but as a clarion call for oppressed peoples and nations within the USA's borders to begin to internalize the fact that we struggle within the belly of the empire, because that is truly what the USA is, an empire. To realize that our cause is a noble and just one, sanctioned by international law and protected by international conventions.

The International Tribunal is part and parcel of the many different facets of resistance during 1992 — a historical year in which to examine our rich legacies of struggle, and a year in which to make history by actively reclaiming those legacies and working to reclaim the land.

1992 is the time to destroy Columbus' legacy — before it succeeds at destroying us.

DESTROYING THE LEGACY OF COLUMBUS

THE BEGINNINGS OF THE INTERNATIONAL TRIBUNAL AND THE COUNTER-QUINCENTENNIAL

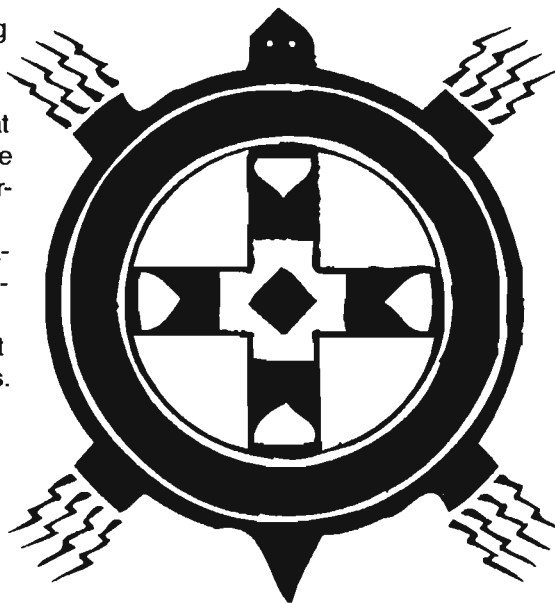
In December of 1990, at the end of the Special International Tribunal on the Human Rights Violations of Political Prisoners and Prisoners of War in the US, the American Indian Movement issued a call to the other national liberation movements and anti-imperialist allies in the US involved in that process. This invitation came on the basis of a general understanding shared about the possibilities of organizing struggle around the upcoming quincentennial celebrations and building, a shared framework for future collaboration on issues that interested us all. This call became the basis for work on the Counter-Quincentennial Celebration and activities embodied in the International Tribunal, the Civil Disobedience/Demonstration and March/Rally to Protest the re-Enactment of Columbus' Landing and others.

We say celebration because the process of organizing this Tribunal has been in the spirit of celebrating resistance to genocide, colonialism and political internment. A resistance that is grounded in the struggle to reaffirm our collective human right—embodied in United Nations resolution 1514 XV on the right to self-determination. We want to determine our own destiny and build our own future with the wealth of human and natural resources that belong to us.

Now, almost two years later, in what has been a truly enriching and respectful process of dialogue, we have made a small but important inroad toward joining together different sectors of the

Native American, New Afrikan(Black), Mexican and Puerto Rican movements, as well as the progressive white, gay/lesbian and women's movements. Ours is a vision based on respect for all human beings and in the eradication of centuries old practices and patterns that promote hatred and inflict psychological and physical violence.

This framework speaks to a process of education and agitation



around three principles:

To Destroy the Myth of Columbus.

1992 is a time to assure that never again will the "big lie" be perpetrated in its contemporary guises: white cultural, racial and genetic superiority. 1992 is a time to build bridges which will assure us an outline for definitive action to challenge the US government and the federalist system it is built upon as a true prison of nations.

Self-Determination—The underlying

theme in many of the world's conflicts today is the principle of self-determination. The national movements involved—Native American, New Afrikan (Black), Mexican and Puerto Rican—have all been denied fundamental power to determine our destinies.

The Release of Political Prisoners/Prisoners of War—All over the world, the US government has insisted on linking foreign aid and recognition of new governments to the release of political prisoners and POWs. Incredibly enough, the US is the only major power in the world to deny the existence of political prisoners and POWs in its own country. Over 100 prisoners are presently incarcerated for political reasons as part of their movements for self-determination. Some have served close to 20 years for crimes they did not commit. Others are serving virtual life sentences for political activities protected by international covenants such as the Additional Protocols I and II to the Geneva Convention, which formally confers POW status on anti-colonial combatants. Still others are serving time for being targets of the US government's campaign to make an example of those white people who have had the courage to struggle in solidarity with the majority of political prisoners and POWs—people of color colonized within the US.

It is often said that history is written by the conquerors and for the past five centuries since Columbus' first voyage, the empire builders of Europe and later the United States have done just that. Who among us does not remember the rhyme: "In fourteen hundred and ninety-two, Columbus sailed the ocean blue...?" learned by young schoolchildren along with the pledge of allegiance to the United States as our

first introduction to the history of the Americas?

How many of us were ever taught anything about the way of life of the Indigenous nations which flourished here for tens of thousands of years before the Europeans invaded? Of the great African civilizations whose people and knowledge were looted by the slave trade?

What are the connections between this violent past and the present global crises of hunger, environmental destruction, economic and political domination, militarism, AIDS and the denial of human rights which threaten to engulf us all?

Now on the quincentennial of Columbus invasion, with the 20th Century drawing to a close and with it the 2nd millennium, an International Tribunal has been convoked to place this history of conquest and colonialism on trial.

Mindful of its responsibilities to this historic moment, the International Tribunal seeks a judgment that the United States is guilty of both historical and present day crimes against humanity in its treatment of Native peoples and other people of color within and adjoining its borders. Joining the representatives of the Native Nations are other colonized peoples: Mexicans and Puerto Ricans who were also invaded and deprived of their fundamental human rights through policies of official violence. New Africans (Blacks) who in the process of being enslaved, were also subject to the same dehumanizing process. We stand together in this common historic project and undertake this work because much more unites than can ever divide us.

For our ancestors and our children, it is a matter of compel-

ling urgency to resist the glittering and deadly American dream. This is why the testimony and verdict which will be rendered by the Tribunal to the international community are so important. Beyond this we know that those who fail to learn the lessons of history are compelled to learn its lessons over and over again with more tragic consequences. In this age of crisis, our project is to re-envision a truly new world order based on justice and harmony with the earth and each other.

To this vision of affirmation and resistance have also been drawn white (Euro-American) north Americans and Europeans who also recognize that the earth cannot withstand another 500 years of the American dream. Motivated by a sense of urgency to

oppose racism, sexism, homophobia, growing polarization of wealth and poverty, they come from many social movements, to ally with us in creating a new resistance.

The key works of international law upon which the judges of the International Tribunal will base their verdict are:

1. *UN Charter and Universal Declaration of Human Rights*
2. *Genocide Convention*
3. *Declaration on granting Independence to Colonial Countries and Peoples*
4. *International Human Rights Covenants 1966*
5. *Geneva Conventions relative to the Treatment of Prisoners of War*
6. *International Conventions on the Rights of Women*
7. *International Conventions on Lesbian and Gays*
8. *International Conventions on the Environment.*

As such, the International Tribunal is part of a broader effort to counter the myth of Columbus and gain justice

for Indigenous and oppressed nations in an international arena dominated by the US. Our vision is to join our humble effort, along with many others to seize this historical time and use it to help advance our peoples one step closer to freedom. We seek peaceful change but not at the expense of the slow death and acquiescence that we are now offered as alternatives.

Human Rights

We live in an age when the US government loudly proclaims its dedication to human rights and international law, while it brutally violates these rights whenever it serves its interest. This is a time when the United States seeks for itself preeminent power, portraying the society it has built in

a few short centuries as the ultimate model for the new world order. With the end of the "cold war" the struggle for human rights, rather than receding into the background, is surfacing with even greater urgency. Despite intense debate over the importance of applying human rights principles, the United States continues to do everything in its power to prevent the world community from systematically examining such violations inside its own borders.

For all of our peoples and nations, the denial of our right to self-determination constitutes the most fundamental violation of our human rights. Prior to the European invasions, our peoples/nations existed throughout North, Central and South America as well as in Africa and the Caribbean in full exercise of our sovereign rights. For thousands upon thousands of years we



developed our own unique cultures, languages, economies, forms of governance, sciences and relation to the earth.

Barely emerging from what they themselves named "the dark ages" the voyage of Columbus, and "age of discovery" was nothing more than an expedition in search of profit. By with force of arms, justified by the belief in their own 'divine right of conquest,' our lands and societies were colonized first by Europeans and later by those who, calling themselves Americans, founded the United States. Columbus himself set the standard for these practices when, in just over twenty (1492-1518) his enterprise reduced the Taino population of the Caribbean from 8 million human beings to 28,000.

By the start of the start of the 16th Century, European colonial powers launched the enslavement and subsequent genocide of African peoples. For nearly 400 years this despicable traffic in African lives continued. Scholars estimate that by the time the slave trade officially ended in 1870, 10-20 million women, men and children had been brought in chains across the Atlantic to serve as slaves into the Americas. And at the bottom of the Atlantic, victims of the Middle Passage, are the unquiet bones of millions upon millions of ancestors who did not survive the voyage. From this stolen wealth, human slaves and our scientific knowledge would come the gold to finance the so-called Renaissance in Europe.

Even a cursory review of "official" history reveals a nearly endless catalogue of human rights violations suffered by our peoples: mass murder, imposition of foreign rule, enslavement, forced dispersal, official policies of rape and sexual servitude of women, denial of language and culture, herding onto reservations and work camps called plantations.

How can anyone calculate the damage done as African families were destroyed with wives, husbands and children torn apart to be sold as slaves? As Native children were forcibly transferred to Mission schools, stripped of their language and birth-right. Mexicans, who as farmworkers grow and harvest the crops yet are denied basic rights and called illegal immigrants in the land of our ancestors.



We will never forget the nation of Puerto Rico, which was seized as "war booty" in 1898, and since then recognized as a US colony in flagrant disregard to international law. These episodes are written into the books we are taught from as cruel and unfortunate chapters in ancient history, evil deeds about which nothing can be really done. Yet when we look into this legacy we see that both the contemporary problem and ongoing resistance of our peoples springs from the violent seizure of our lands and destruction of our civilizations. Our history will never disappear, no matter how much repression and lies is unleashed to bury us. History teaches us that sooner or later these crimes demand to be solved and the criminals brought to justice. Today, the US government continues to refuse to honor the treaties signed with Indigenous peoples and has gone even further to claim arbitrary power to

deceitfully tribes. The Mexican border — imposed after the US seized the Northern half of the country in 1848, is a militarized zone with over one million arrests per year. Africans in the US suffer incarceration rates 7 times greater than in racist South Africa. Without the right to determine our destinies, to govern ourselves and pursue a democratic and sovereign way of life, we will have no earth to stand on against the modern powers of empire. We cite these examples of our collective, centuries long holocaust, not to invoke pity, but to convey a sense of the historical gravity of the crimes we have suffered and the deeply inspired motives for our resistance.

United States in Violation of International Law

For nearly 50 years, the United States has stubbornly resisted signing many basic international declarations protecting human rights. Often the federal government says such laws are unnecessary in this country because we are governed by the US Constitution. The Constitution is often put forward as the most advanced document concerning human rights. The experience of our peoples categorically rejects the claim that the US Constitution is either 'sacred' or superior to other international articles of civilized law. The following brief examples underscore our vehement objection: The Original Constitution referred to Native peoples as savages possessing no rights. 2) Africans were regarded as only 3/5 of a human, 3) Women were explicitly denied equal rights before the law. Over the past twelve years, the appointment of right wing judges to the Supreme Court and Federal Courts has led the way in re-writing, de-constitutionalizing and stripping us

of what few protections we have won. In truth, the United States rejects the application of international standards to our peoples, because it wants to be able to continue our colonial status under the facade that 'we are an internal problem, an internal possession of the US federal state.'

The International Tribunal stands squarely in the historical and legal authority of non-governmental organizations, commissions, human rights organizations and other International Tribunals which have had the courage to condemn the human rights record of the United States. All such bodies have pointed out one simple fact that most US citizens are unaware of: Article VI of the United States Constitution states:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Despite claims that we are an internal affair, the US Constitution itself makes clear that the government itself is bound by force of law to honor all international treaties, compacts, declarations and other agreements it has signed. These treaties have the same standing as the articles of the United States Constitution and take precedence over state, local and federal laws. While the United States has resisted signing many such international laws governing human rights, (laws which have been signed by the vast majority of the world's nations) it stands in clear violation of a number of treaties that it has ratified. Among

these are: the Universal Declaration of Human Rights, the Genocide Convention, the Declaration on the Rights of Colonial Peoples and Countries which are the cornerstones of our appeal.

It is important to realize that the scope of human rights protections



enumerated by the US Constitution are less than those rights inscribed by international law. International laws like the Universal Declaration of Human Rights go beyond the US categories of political and civil rights to include rights in the economic, social and cultural spheres. This means that the International community explicitly recognized that the granting of political/civil rights statutes alone is inadequate to guarantee genuine human rights. Without the right to self-determination, the right to earn a decent living under human conditions, to receive adequate healthcare and education, without the rights of women, the right to maintain our own cultures, all the laws in the world will not change our colonial reality.

On this 500th anniversary of Columbus's invasion of our homelands, We who have borne the brunt of this legacy, believe that the age of "might makes right" must be brought to an end. We believe all countries, including the United States, must be held accountable to universally accepted principles of international law — chief among them being the right of colonial peoples and countries

to self-determination.

What follows are brief statements detailing the violation of our respective rights to self-determination and other human rights.

Genocide

The crime of genocide is the greatest crime against humanity that any government can commit. Crimes against human rights and genocide often go hand in hand — both are used as deliberate state policies to prevent our nations from achieving and exercising sovereignty. While the popularly held view of genocide remains limited to images of Nazi concentration camps, The Genocide Convention of 1948 (which the US did not sign until 1986) states...

GENOCIDE means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such:

- a. Killing members of the group
- b. Causing serious bodily or mental harm to members of the group
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction, in whole or in part
- d. Forcibly transferring children of the group to another group

The crime of genocide and the denial of our human rights, foremost of which is the right to self-determination, are inextricably linked to our experience. The charge of genocide is central to our indictment.

Political Prisoners & Prisoners of War

1990 was a landmark year in the world-wide campaign for the recognition and freedom of political prisoners. The release of Nelson Mandela, other anti-

apartheid fighters and the negotiations for the release of all Southern African political prisoners, showed that even the most repressive regimes will at some point be brought to account for their political prisoners. For decades the South African government denied the existence of political prisoners, branding imprisoned anti-apartheid fighters as criminals and terrorists. However, the growing liberation struggle of the people of South Africa and world-wide solidarity forced the government of South Africa to abandon this farcical denial of political prisoners.

Ironically, the US government has expressed strong support, albeit selectively, for the freeing of political prisoners throughout the world. At the same time, however, the US government vociferously denies the existence of political prisoners at home and

resolutely maintains that those who claim to be political prisoners and prisoners of war are terrorists and criminals.

This Tribunal presents a unique and important opportunity to review carefully our contention that the US does indeed hold political prisoners and prisoners of war.

The Tribunal Judges will approach this responsibility with the utmost of seriousness and careful scrutiny. The US government must be held to the same standard of international law and human rights safeguards that it demands for the other nations of the world. The denial of the existence of political prisoners and the consequent failure to afford such prisoners fundamental protections of humanitarian international law, are serious violations which require the immediate attention of world public opinion and rectification by the US government.

Hopefully, the Tribunal will find that the US judicial system (state and

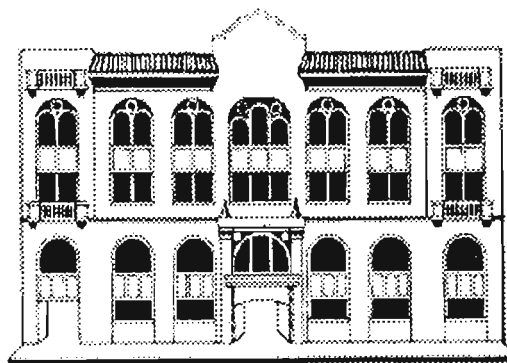
federal) has been used in a harsh and discriminatory manner against people struggling for self-determination within its borders and Puerto Rico as well as against other political opponents of the US government. Some have been falsely accused and had evidence favorable to their defense destroyed or suppressed. Others have been tried on conspiracy charges which rely on associations and beliefs as an essential element, and many have been tried in an armed camp atmosphere saturated with prejudicial publicity designed to intimidate and prejudice the juries before whom they were tried. Most of the petitioners have also received draconian disproportionate sentences and have been subjected to torture, cruel, discriminatory and degrading punishment. *ALM and FS for the Tribunal Organizing Committee.*

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