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European Communities

EUROPEAN PARLIAMENT

Working Documents

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10 JANUARY 1980

DOCUMENT 1-634/79

MOTION FOR A RESOLUTION

tabled by Mr M. CAPANNA

pursuant to Rule 25 of the Rules of Procedure

on the /violation by the U.S.A. of the
human rights and right of self-government
of the MOHAWK people and of the
Six Nation Iroquois Confederacy

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The European Parliament,

- having regard to the fact that the Indian reservation of Akwesasne (which has an area of 15,000 hectares, is inhabited by about 6,000 members of the ancient MOHAWK people and is situated by the St. Lawrence river in New York State on the border with the Canadian provinces of Quebec and Ontario) has been in a state of extreme tension for some months because of highly illegal actions on the part of the authorities of New York State,
- having regard to the fact that on the basis of information which has been gathered with scrupulous care and examined impartially the tension seems to have come about and grown in the following way:
 - (a) Last May, on the instructions of New York State, gangs of workmen, without the authorization of the Council of Chiefs of the Mohawk people, began to cut down trees and erect fencing on the bank of the St. Lawrence river (in Indian territory) with the intention of beginning the construction of a river port,
 - (b) The Mohawk Chiefs LORAN THOMPSON and JACK SWAMP contacted the workmen to ask for an explanation and were treated with contempt. A scuffle broke out during which the Mohawks seized some equipment used for the work which they could show as proof against the authorities of New York State,
 - (c) On 29 May, a large demonstration was held by the Mohawk people at the local headquarters of the New York police in Akwesasne. The police were disarmed, the building was occupied for three days and a request was made for it to be turned over to the Mohawks and for the police detachment to be withdrawn,
 - (d) Negotiations began between the Mohawks on the one hand and New York State and the federal government on the other. A meeting between the Mohawk chiefs and Joseph Rayan, district attorney of the County, came to nothing. Rayan called the Mohawks a 'herd of cattle' (the phrase was recorded on tape) and asserted that Chief THOMPSON would continue to be held under arrest and that other charges would follow,
 - (e) On 13 August, a further 22 arrest warrants were issued on charges of conspiracy, assault on a public building, grand larceny, aggravated violence etc.,

- (f) On 17 August, after the Mohawks had refused to accept the arrest warrants, the police surrounded the Mohawk camp,
 - (g) On 22 August a new attempt at mediation failed at the meeting between the Mohawks and a high official from the Department of Justice,
 - (h) On 27 August, in the small town of Massena, a meeting was held between the Mohawks and Raymond Hardy, special assistant to governor Carey. At the meeting, Hardy stated that the warrants of arrest would be executed and that it would be less distressing and more responsible on the State's part if the warrants were executed quickly and on the order of the Court, rather than if the matter were handed over to others who would act with less restraint but would nevertheless be acting within the law, as they had the right to do. (This was a clear reference to the use of the white vigilantes, who are notorious as professional racist killers),
 - (i) On the next day, 28 August, at 5 o'clock in the morning, huge squads of police made an armed raid on the Mohawk camp, which offered no resistance. The police withdrew after arresting a few dozen people,
 - (j) Fearing the worst, the Mohawks fortified RACQUETTE POINT the head village of the reserve. Subsequently, the New York state police surrounded the village, and there they remain as they have done for months,
 - (k) Since 29 August, there have been a further 7 arrests, of which the latest, that of ERIN OAKES, was made 9 days ago,
 - (l) Two Mohawks have been murdered: on 18 September, RICHARD CHOOCK was killed by a gunshot fired by one of the white vigilantes (the murderer was immediately acquitted by the district attorney), and on 29 October DAVID CROSS was killed by the Canadian police,
- whereas, following the surrounding of the village, the living conditions of the Mohawk people have given cause for serious concern, as for some time now they have had no food, clothing or medicine, even though they have the support of large sectors of American public opinion,
- whereas the government of New York State and the U.S. Federal Government, in view of the facts outlined above, are in flagrant breach of:
- (a) The Fort Stanwix Treaty of 1784 (the first peace treaty between the U.S.A. and the Six Nation Iroquois Confederacy, of which the Mohawk Nation form part) which guarantees (Article 3) the sovereignty and territorial integrity of the six Iroquois Nations,
 - (b) The Canandaigua Treaty of 1794, which confirms the preceding Treaty, and of which Article 7 places the U.S.A. under the obligation 'not to interfere in the internal affairs of any Indian nation, tribe or family',

- (c) The resolution, approved - significantly, with the U.S.A. voting against - by the United Nations in Geneva in 1977, devoted to the defence of the indigenous nations and the peoples of the Western hemisphere, which recognizes 'the indigenous nations which have a permanent population, a defined territory, a government and the possibility of entering into relations with other states',
- (d) Articles 8 and 10 of the formal Helsinki declaration,
- having regard to the fact that the right of the Mohawk people and the Six Nation Iroquois Confederacy to self-government has been established to the point where, for some time, they have had their own passport,
 - having regard also to the fact that on 11 February next the Winter Olympics will begin at Lake Placid, a small town in the Adirondack mountains, which belongs to the Six Nation Iroquois Confederacy under the two treaties cited above,
 - having regard to the fact that a sports village has been built in that area and that the decision has already been taken to turn it into a prison when the Olympic games are over. There have been continual protests against this decision in the U.S.A. from many sections of public opinion,
 - having regard to the appeal which was sent to the proposer of this motion early in December by the Council of Chiefs of the Six Nation Iroquois Confederacy with the request that it be communicated to all members of the European Parliament and which, therefore, is attached to this motion for a resolution,
1. Invites the Political Affairs Committee of the Parliament to look urgently at the question of the respect for human rights and the right to self-government of the Mohawk people and the Six Nation Iroquois Confederacy, requesting a meeting with their lawful representatives;
 2. Invites the Foreign Ministers meeting in political cooperation to make suitable approaches to the United States Government and the UN to ensure total respect for the legitimate rights of the Mohawk people and the Six Nation Iroquois Confederacy;
 3. Instructs its President to forward this resolution to the Council and Commission of the European Communities and to the Foreign Ministers of the nine Member States of the European Community meeting in political cooperation.

ANNEX

Honourable Mario CAPANNA

Dear Signor Capanna,

The people of the Haudenosaunee, the Six Nation Iroquois Confederacy, are currently the victim of serious human rights violations perpetrated by the United States. The following is a statement from our nation to the Parliament of Europe requesting your attention to our situation.

We appeal to you to share our words with the other Members of the European Parliament, to the distinguished Members of the European Parliament. The Chiefs and people of the Haudenosaunee send greetings and best wishes that you are of good health and mind.

Brothers, this communication is to inform the nations of Europe of the grave violations of the right of self-determination that is presently being perpetrated by the United States of America against the Government and people of the Mohawk Nation, a member state of the Haudenosaunee - also known as the Six Nation Iroquois Confederacy. A number of international treaties recognize the sovereignty of our nation and our perpetual right of self-government in our territories. In recent times, however, the Congress of the United States has unilaterally attempted to extend the laws of New York State over our people and our land. Despite our protest and without our consent. Under these laws, the traditional government of the Mohawk Nation, the Council of Chiefs and many of our people have been charged with crimes by New York State for acting to implement the laws of our nation. Although the charges are ostensibly criminal, they are in actuality a political attempt to override the vows of the Haudenosaunee and to abrogate our ancient right of self-government. The Mohawk nation is governed under the authority of Gayamerakoa, the Great Law of Peace of the Six Nation Iroquois Confederacy. Our mandate is to defend those laws as a sovereign nation according to our ancient tradition and our conscience. We cannot submit to the laws of another nation and retain our integrity and independence as a people. We have therefore determined not to surrender our government and people to the judicial process of New York State. As a result, the government of the Mohawk Nation has been forced into an encampment in a part of our national territory, and has been held in a virtual state of siege by the armed forces of the State of New York. We are now prisoners in our own land. Nevertheless, we continue to exercise our governmental responsibilities from within the encampment. The Haudenosaunees will never consent to the colonization of our people or of our remaining territory. The effort of the United States and its political subdivisions, the State of New York, to destroy the government of the Haudenosaunee by imposing its alien laws

in our lands is an intolerable violation of our human and national rights.

The most sacred and fundamental of human rights is the right of a people to continue to exist as one of the distinct peoples of the earth. It is this, our birth right, that is so seriously threatened by the actions of the United States. Any attempt to subjugate or dominate the peoples of another race particularly in their homeland, has been universally condemned by the nations of the world. Our right of self-determination has been recognized in treaties with the United States, and the United Nations Charter, and in Articles VIII and X of the Helsinki Declarations. The acts of the United States are clearly contrary to international law. The United States has asserted that its municipal laws take precedence over solemn treaty commitments that recognize the sovereignty and territorial integrity of the Haudenosaunee. It has committed acts of power under these laws that render the United States an outlaw in the world community.

Brothers, we call upon the nations of Europe to hold the United States accountable to the standards of international law and the spirit of the Haudenosaunee Declaration. In our history we have ancient treaty relations of peace and friendship with the Netherlands, Great Britain, and France. We urgently request that these nations and other nations of Europe join with the Haudenosaunee to defend our mutual right of self-determination.

The Council of Chiefs and the People of the Haudenosaunee

