

# **TEMUCO-WALLMAPUCHE DECLARATION ON THE NORTH AMERICAN FREE TRADE AGREEMENT, INDIGENOUS PEOPLES AND THEIR RIGHTS**

The Mapuche nation's organization Aukin Wallmapu Ngulam-Consejo de Todas las Tierras (Council of All the Lands), convened a conference on November 30, and December 1-2, 1994 to analyze the implication that the North American Free Trade Agreement (NAFTA) will have for Indigenous peoples that live in Chile and in America. Among those attending were Indigenous representatives from Peru, Mexico, and Argentina. The event concluded with a religious ceremony in a Mapuche community.

The conference addressed the North American Free Trade Agreement in relation to the following themes:

- Indigenous lands and territories and their natural resources;
- Mapuche knowledge, Indigenous people's intellectual property;
- economy and development with Indigenous identity;
- international and national legislation;
- Indigenous peoples right to free-determination;
- the international decade of Indigenous peoples of the world.

## **NATURE OF THE FREE TRADE AGREEMENT**

Considering that the free trade agreement is essentially economicist, serving to accumulate wealth for a small minority and to create poverty and exclusion for the great majority of Indigenous and non-Indigenous people, Being a new form of expansion of colonialism and neocolonialism expressed in the economic sphere,

Considering that the free trade agreement responds to the needs of the transnationals and economic blocks interested in making the world economy uniform, and that the United States, through expansion of the free trade agreement has among other objectives the goal of competing economically with the European Economic Community and the Asian Market headed by Japan, without regard for the consequences this will have for humanity, for the Indigenous peoples and their rights,

## **MAPUCHE POSITION ON THE FREE TRADE AGREEMENT**

We do not accept the entry of Chile into the free trade agreement, because its principal purpose is the exploitation of the territories in which we Indigenous people live; as well as the extraction of natural resources found in the mountains, forests, rivers, and lakes, altering the biological diversity in these physical spaces where Indigenous cultures are practiced.

We do not agree with Chile's entry into the free trade agreement because our knowledge, the intellectual property of the Indigenous peoples will continue to be usurped with greater efficiency, in view of the fact that biotechnology has become the mechanism and tool of

usurpation and extraction of our knowledge at the service of the northern country's transnationals.

We do not accept the Chilean government and businesses actions toward entry into NAFTA, in view that it will attack our self-sustaining economic systems, based on equality and reciprocity; violating our communal forms of life, and of the equilibrium with our mother nature and the elements making it up such as biodiversity.

We oppose the free trade agreement because the economy and development which have occurred under its framework has not respected nor taken into account our own development and economy which is grounded in our culture and specific identity.

We manifest our opposition to the free trade agreement for having a colonialist and neocolonialist, hegemonic and competitive character in relation to the markets of the European Economic Union and the Asian countries, putting the future of humanity and world peace in danger.

We make known our opposition to the free trade agreement because it will directly affect Indigenous peoples' natural and essential right to free-determination, autonomy and self-determination.

We oppose Chile's entry into the free trade agreement because it obeys a pre-established covenant, responding to the economic and political interests of the states-governments and of the national and transnational groups of the north.

We express our disagreement with the free trade agreement because it jeopardizes the interests of the Chilean people, especially the dispossessed sectors and the Mapuche, as we have been impoverished by the neoliberal economic policies promoted by the government.

Considering that the free trade agreement looks toward the extraction and exploitation of the natural resources that are found within Indigenous peoples' land and territories, as well as the exploitation of labor,

Considering that the entry of any Latin American State Government into the free trade agreement will result in the external subordination of national sovereignty which these same State Governments have been defending and also because the free trade agreement is regulated by the northern countries pre-established juridical covenant which will change the structure of the national juridical order affecting the Indigenous and non-Indigenous peoples,

Considering the colonialist nature of the free trade agreement, it implies a genocide and ecocide for Indigenous peoples, which stands in contrast to the Indigenous economies of reciprocity and self-sustainability which have been the expression of a different culture, based in an equilibrium with the natural order and the knowledge of biological diversity,

Considering that the Indigenous peoples have never renounced any of our natural and essential rights, such as the right to free-determination, self-determination, autonomy, and the restitution

of the ancestral territories with all their resources which make up the material base of our existence and our identity,

Considering that the Indigenous peoples have been victims of the usurpation of our knowledge by the multinational companies of the northern countries, through the systems of patenting intellectual property, a situation which will be promoted and aggravated by Chile's entry into the free trade agreement,

Considering that the Mapuche Nation is a historical reality predating the establishment of the Chilean State which was established through force and violence, and that it has negatively intervened in our people's future, and in the recognition and exercise of our fundamental rights. And being convinced that participation is an inalienable right, such that the decision on a bilateral economic agreement with the United States or absolute adherence to the free trade agreement cannot be the exclusive monopoly of government and business,

Considering that the International Decade of Indigenous Peoples of the World proclaimed by the United Nations should contribute effectively in establishing a new relation with the states-governments of the world based in respect of our cultural differences and the recognition and exercise of our fundamental rights of which we have been deprived by the uniformity and unilaterality of the states-governments,

We do not accept the Chilean State's entry into the free trade agreement because it has neither recognized, nor respected the fundamental rights of the Mapuche People. This continues to be a historical debt in terms of justice, right and dignity, the re-establishment of which is a challenge for guaranteeing the Indigenous peoples' cultural future.

We do not agree with the free trade agreement in view of the fact that it violates national sovereignty which until this moment the governments have defended. Its imposition will multiply the oppression of the Indigenous peoples from the juridical economic point of view.

We call on our Mapuche people to generate mechanisms of debate and analysis regarding the consequences of the free trade agreement in order to establish a strategic position aimed at safeguarding our fundamental rights, such as the restitution of the lands, territories, natural resources and free-determination.

## **TO THE INDIGENOUS PEOPLES**

We exhort the Indigenous Peoples of Americas, Wallmapu-Abya Yala to initiate a process of dialogue, with the purpose of forming a collective position, with the perspective of guaranteeing our fundamental rights, as well as the territorial spaces in which our people are settled, putting into practice the historic legitimacy we have over our ancestral territories and the juridical legality that supports the states-governments.

The Indigenous Peoples and the Mapuche in particular have not authorized anyone to adopt agreements or take decisions that compromise the rights and future of the Indigenous Peoples.

For this reason, we press firmly for respect of our physical and cultural integrity and the guarantee of our rights.

We alert the Indigenous Peoples of America that the multilateral economic agreements which are being adopted by the Latin American governments compromise the future of the continent, in which the Indigenous Peoples are a reality that posses historical legitimacy over the territories in which the states-governments have been established.

## **TO THE GOVERNMENTS**

We urge the Latin American states-governments that when they adopt decisions and establish economic and political agreements they should recognize and take into account that the Indigenous Peoples are not only a reality, but that our existence and socio-cultural conformation predates those same states, while at the same time, those agreements are foreign, unilateral, and lack our consent.

We exhort the governments to commit themselves to a process of recognizing the Indigenous Peoples and their rights before the International Decade of Indigenous Peoples of the World proclaimed by the United Nations. Recognizing the right to free-determination, the restitution of lands and territories that have been usurped through violence.

## **TO THE ECOLOGISTS AND SOCIAL MOVEMENTS**

We invite the organizations, movements, groups and ecological parties and other political parties to continue strengthening their relations with the Indigenous Peoples, in facing the continental and global assault of neoliberalism, based on productive accumulation of material wealth, putting the future of humanity and the planet at risk.

We call on the non-Indigenous civil society at the continental-America-Wallmapu level and in particular the non-Mapuche Chileans who have been, and continue to be affected by the expansion of neoliberalism which will be aggravated with the entry of Chile and the other Latin-American states into the free trade agreement.

## **TO THE NON-GOVERNMENTAL ORGANIZATIONS**

We invite the non-governmental organizations of the North to accompany the organizational process with Indigenous political identity and the restitution of fundamental rights, as well as to take this into account and revise their forms of procedures in treatment and relation with a different culture.

We urge the organizations in solidarity with the Indigenous Peoples to continue strengthening our relations and forms of work in order to achieve a better understanding and collaboration on proposals being made by the Indigenous Peoples.

## **PLAN AND PROGRAM**

1. Constitute a national commission on the free trade agreement in order to maintain information on the topic and generate permanent debate in the communities and the city.
2. Promote a conference with the non-Indigenous sectors in order to establish dialogue, coordination, and a common action program in relation to the free trade agreement.
3. Search for international support and coordination with other Indigenous Peoples in America and the world in order to demonstrate the implications which the free trade agreement holds for Indigenous Peoples.
4. Hold a conference in Chile with congressional representatives from Canada, the United States and Mexico and other participants to generate opinion and a political position, such that the governments become aware of our dissent.
5. Convoke a continental meeting with Indigenous participation on the free trade agreement, with the objective of establishing a common position and program.
6. Carry out a tour with Mapuche delegations to the countries of Canada, United States and Mexico in order to understand the impact that the free trade agreement has had for the Indigenous Peoples and other sectors of civil society.
7. Hold bilateral conversations with the embassies of the United States, Canada and Mexico to make them aware of our concern and positions on the free trade agreement.
8. Hold a conference of the Mapuche People with the goal of identifying and deepening the nature of our culture, establishing a mechanism of protection, preservation and development according to the will and necessity of our communities, detaining the manipulation and usurpation practiced by people and organizations outside of our nation.
9. Carry out an independent technical study to identify the impact that the free trade agreement will have for the Indigenous Peoples of Chile.
10. We demand sufficient information from the Chilean government concerning the distinct steps of the conversations it will carry out for the free trade agreement.
11. Because of the importance that the free trade agreement will have for the Indigenous Peoples and other sectors of Chile, we believe that the decision to join this accord or a bilateral economic agreement should be a sovereign decision made in a national plebiscite.
12. Hold conversations with the Chilean government to make our proposals known, and to assure the specific rights of the Indigenous Peoples that inhabit Chile.

Wallmapuche December 2, 1994. Temuco, Chile.

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