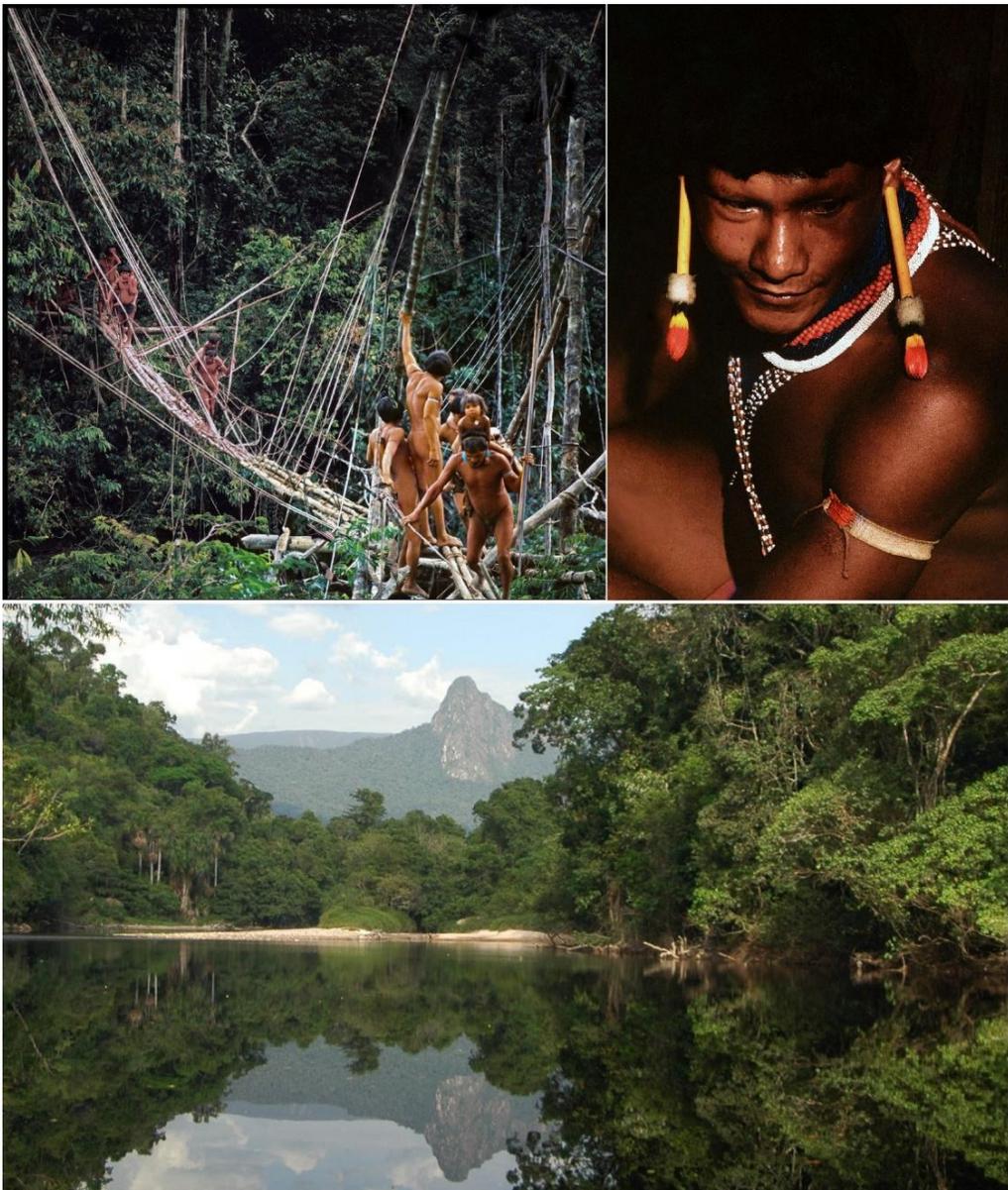


Illegal Mining, Guerrillas and Disease: The Revolution's Legacy to the Indigenous Peoples of the Upper Orinoco-Casiquiare Biosphere Reserve in Venezuela's Amazonia



September 2019

SOS ORINOCO 2019

“.....Nothing has happened here. What we breathe here is harmony and the happiness of our peoples”.

Nicia Maldonado, Minister of Indigenous Peoples at the time.

“Nothing has happened here.” *El Nacional*, 28 September 2012. Ciudadanos/1:

(Claiming that the report of a likely slaughter of Yanomamis by Brazilian *garimpeiros* at the village of Irotatheri was a falsehood.)

“There is no doubt that we are faced with the worst health crisis to have ever been reported in the Upper Orinoco region”

José Antonio Kelly. 2014. “Observations about the Yanomami Health Plan and recommendations for reenergizing it.” Mimeo.

Siglas y Acrónimos

ABRAE

Áreas Bajo Régimen Administrativo Especial
Areas Under Special Administrative Rule

ACAPS

Agentes Comunitarios de Atención Primaria de Salud
Community Agents for Primary Healthcare

ACNUDH

Alto Comisionado de las Naciones Unidas de Derechos Humanos
United Nations High Commissioner for Human Rights

ACTO

Amazon Cooperation Treaty Organization

ACYAPS

Agentes Comunitarios Yanomami de Atención Primaria de Salud
Yanomami Community Agents for Primary Healthcare

ADI

Área de Defensa Integral
Integral Defense Area

AMO

Arco Minero del Orinoco
Orinoco Mining Arc

AMS

Auxiliares de Medicina Simplificada
Simplified Medicine Aides

AO

Municipio Alto Orinoco
Alto Orinoco Municipal District

APYB

Associação do Povo Ye'kuana do Brasil
Ye'kwana People's Association of Brazil

AFN

Assembly of First Nations

AFN/CIDA

Assembly of First Nations/Canadian International Development Agency

AMIGRANSA

Amigos de la Gran Sabana
Friends of the Grand Savannah

AVN

Agencia Venezolana de Noticias
Venezuelan News Agency
(Venezuelan Government-Owned)

BR

Biosphere Reserve

CAICET

Centro Amazónico de Investigación y Control de Enfermedades Tropicales
Amazonian Center for Research and Control of Tropical Diseases

CAMIMPEG

Compañía Anónima Militar de Industrias Mineras, Petrolíferas y de Gas
Military Corporation for Mining, Petroleum and Gas Industries

CBD

Convention on Biological Diversity

CDI

Centros de Diagnóstico Integral
Comprehensive Diagnosis Centers

CEO

Comando Estratégico Operacional
Operational Strategic Command

CERD

United Nations Committee on the Elimination of Racial Discrimination

CESCR

Committee on Economic, Social and Cultural Rights
(United Nations)

CICPC

Cuerpo de Investigaciones Científicas, Penales y Criminalísticas

Corps of Scientific, Penal and Criminalistic Investigations

CIDA

Canadian International Development Agency

CODESUR

Comisión de Desarrollo del Sur

Commission on the Development of the South

COIAM

Coordinadora de Organizaciones Indígenas de Amazonas

Coordinating Body for Indigenous Organizations of Amazonas

COICA

Coordinadora de Organizaciones Indígenas de la Cuenca Amazónica

Coordinating Body for Indigenous Organizations of the Amazonian Basin

CCPY

Comissão pela Criação do Parque Yanomami

Commission for the Creation of the Yanomami Park (Brazil)

CONIVE

Consejo Nacional Indio de Venezuela

National Indian Council of Venezuela

CORE

Comando Regional

Regional Command

CPAL

Conferencia de Provinciales Jesuitas de América Latina

Conference of Jesuit Provincials of Latin America

CPT1

Consultorios Populares Tipo 1

Type 1 Peoples Health Clinics

CPT2

Consultorios Populares Tipo 2

Type 2 Peoples Health Clinics

CRBV

Constitución de la República Bolivariana de Venezuela

Constitution of the Bolivarian Republic of Venezuela

CUFAN

Comando Unificado de la Fuerza Armada Nacional

National Armed Force Unified Command

CVG

Corporación Venezolana de Guayana

Venezuelan Corporation of Guayana

(Government-owned development corporation for the Guayana region)

DGCIM

Dirección General de Contrainteligencia Militar

General Office of Military Counterintelligence

DISIP

Dirección de los Servicios de Inteligencia y Prevención

Bureau of Intelligence and Prevention Services

DRS

Dirección Regional para la Salud

Regional Healthcare Office

DSI

Dirección General de Salud Indígena, Intercultural y Terapias Complementarias

General Office of Indigenous and Intercultural Health and Complementary Therapies

EJ Atlas

Environmental Justice Atlas

ELN

Ejército de Liberación Nacional

National Liberation Army

ESA

European Space Agency

EW

Epidemiological Week

FANB

Fuerza Armada Nacional Bolivariana
Bolivarian National Armed Force

FAO

Food and Agriculture Organization
(United Nations)

FARC

Fuerzas Armadas Revolucionarias de Colombia
Revolutionary Armed Forces of Colombia

FARC-EP

*Fuerzas Armadas Revolucionarias de Colombia -
Ejército del Pueblo*
Revolutionary Armed Forces of Colombia - People's
Army

FUDENA

Fundación para la Defensa de la Naturaleza
Foundation for the Defense of Nature

FUNAI

Fundación Nacional del Indio
National Indian Foundation

FUNVENA

*Fundación Venezolana para la Investigación
Antropológica*
Venezuelan Foundation for Anthropological
Research

GEF

Global Environment Facility

GN

Guardia Nacional
National Guard

GNB

Guardia Nacional Bolivariana
Bolivarian National Guard

GTZ

*Deutsche Gesellschaft für Technische
Zusammenarbeit*
German Corporation for Technical Cooperation

HAY

Hutukara Associação Yanomami
Yanomami Hutukara Association
(Brazil)

HOY

Horonami Organización Yanomami
Yanomami Horonami Organization

IBA

Important Bird and Biodiversity Area

IFJ

International Federation of Journalists

IACHR

Inter-American Commission on Human Rights

ILO

International Labor Organization

INAC

Instituto Nacional de Aeronáutica Civil
National Civil Aeronautics Institute

INE

Instituto Nacional de Estadística
National Statistics Institute

INEA

Instituto Nacional de Espacios Acuáticos
National Aquatic Spaces Institute

INPARQUES

Instituto Nacional de Parques
National Parks Institute

IPC

Instituto del Patrimonio Cultural
Cultural Heritage Institute

IR

Infrared

ISA

Instituto Socio Ambiental
Socio-Environmental Institute

ITCZ

Intertropical Convergence Zone

IUCN

International Union for Conservation

IVIC

Instituto Venezolano de Investigaciones Científicas
Venezuelan Institute for Scientific Research

KUBAWY

Kurripaco, Baniba, Warekena y Yeral del Guainía, Río Negro y Atabapo

Kurripaco, Baniba, Warekena and Yeral of the Guainía, Río Negro and Atabapo
(An indigenous organization)

KUYUNU

Organización Ye'kuana del Alto Ventuari
Ye'kuana of the Upper Ventuari Organization

LOA

Ley Orgánica del Ambiente
Organic Law on the Environment

LOOT

Ley Orgánica para la Ordenación del Territorio
Organic Law for the Territorial Ordinance

LOPOT

Ley Orgánica para la Ordenación del Territorio
Organic Law for the Territorial Ordinance

LOPCI

Ley Orgánica de Pueblos y Comunidades Indígenas
Organic Law on Indigenous Peoples and Communities

LOPNA

Ley Orgánica para la Protección de Niños, Niñas y Adolescentes
Organic Law for the Protection of Boys, Girls and Adolescents

MAB

Man and Biosphere

MARN

Ministerio del Medio Ambiente y Recursos Naturales
Ministry of the Environment and Natural Resources

MARNR

Ministerio del Medio Ambiente y Recursos Naturales Renovables
Ministry of the Environment and Renewable Natural Resources

MBA

Misión Barrio Adentro
Mission Inner Neighborhood

MCTI

Ministerio para el Poder Popular para Ciencia, Tecnología e Industrias Intermedias
Ministry of the People's Power for Science, Technology and Intermediate Industries

MINAMB

Ministerio de Ambiente
Ministry of the Environment

MinAmbiente

Ministerio de Ambiente
Ministry of the Environment

MINEA

Ministerio del Poder Popular para el Ecosocialismo y Aguas
Ministry of the Peoples Power for Ecosocialism and Waters

MINEC

Ministerio del Poder Popular para el Ecosocialismo
Ministry of the People's Power for Ecosocialism

MINPPI

Ministerio para los Pueblos Indígenas
Ministry for the Indigenous Peoples

MOINADDHH

Movimiento Indígena Amazonense de Derechos Humanos
Amazonian Indigenous Human Rights Movement

MPPEA

Ministerio del Poder Popular para el Ambiente
Ministry of the People's Power for the Environment

MPPPEHV

Ministerio para el Poder Popular para Ecosocialismo, Hábitat y Vivienda
Ministry for the People's Power for Ecosocialism, Habitat and Housing

MPPPI

Ministerio del Poder Popular para los Pueblos Indígenas
Ministry of the People's Power for Indigenous Peoples

MPPS

Ministerio del Poder Popular para la Salud
Ministry of the People's Power for Health

MSAS

Ministerio de Sanidad y Asistencia Social
Ministry of Health and Social Assistance

MSDS

Ministerio de Salud y Desarrollo Social
Ministry of Health and Social Development

NGO

Non-Governmental Organization

NIR

Near Infrared

NM

Natural Monument

NP

National Park

NTM

New Tribes Mission

OAS

Organization of American States

OCEI

Oficina Central de Estadística e Informática
Central Statistics and Data Processing Office

OCIUSPA

Organización de Comunidades Indígenas Uottujas del Sector Parhuaza

Organization of Indigenous Huôtтуja Communities of the Parhuaza Sector

OEPA

Onchocerciasis Elimination Program for the Americas

OHCHR

Office of the High Commissioner for Human Rights

OUNHCR

Office of the United Nations High Commissioner for Human Rights

OIPUS

Organización de Piaroas Unidos del Sipapo
Organization of the United Piaroas of the Sipapo

OMIDA

Organización de Mujeres Indígenas de Autana
Indigenous Women's Organization of Autana

OPIJKA

Organización de Pueblos Indígenas Jivi Kalievirrinae
Organization of Jivi Kalievirrinae Indigenous People

ORPIA

Organización Regional de Pueblos Indígenas de Amazonas
Amazonas Indigenous Peoples' Regional Organization

OIYAPAM

Organización Yabarana de Parucito
Yabarana Organization of Parucito

PAHO

Pan American Health Organization

PAHO/WHO

Pan American Health Organization/World Health Organization

PDVSA

Petróleos de Venezuela, S.A.
(Venezuelan government-owned oil company)

PENDDCS

Plan Estratégico Nacional para la Defensa, Desarrollo y Consolidación de Sur
National Strategic Plan for the Defense, Development and Consolidation of the South

PNSLN

Parque Nacional Serranía la Neblina
Serranía la Neblina National Park

PORU

Plan de Ordenamiento, Manejo y Reglamento de Uso
Management Plan and Use Regulation

PROVEA

Programa Venezolano de Educación-Acción
Venezuelan Education-Action Program

PUAMA

Pueblo Multiétnico Unido del Amazonas
United Multi-Ethnic People of the Amazon

PSY

Plan de Salud Yanomami
Yanomami Health Plan

RAISG

Red Amazónica de Información Socioambiental Georreferenciada
Amazonian Georeferenced Socioenvironmental Information Network

RADAM

Projeto Radar da Amazônia
Amazonian Radar Project
(Brazilian)

RBAOC

Reserva de Biosfera Alto Orinoco-Casiquiare
Upper Orinoco-Casiquiare Biosphere Reserve

REDI

Región Estratégica de Defensa Integral
Integral Defense Strategic Region

RGB

Red-Green-Blue

RIGBY

Red de Información Geográfica BYY
BYY Geographical Information Network

RPC

Relational Polynomial Coefficient

SACAICET

Servicio Autónomo Centro Amazónico de Investigación y Control de Enfermedades Tropicales "Simón Bolívar"

The Simón Bolívar Amazonian Autonomous Service Center for Research and Control of Tropical Diseases

SADA - Amazonas

Servicio Autónomo para el Desarrollo Ambiental del Estado Amazonas

Autonomous Service for Environmental Development of the State of Amazonas

SAIME

Servicio Administrativo de Identificación, Migración y Extranjería

Administrative Service for Identification, Migration and Immigration Control

SEBIN

Servicio Bolivariano de Inteligencia Nacional
Bolivarian National Intelligence Service

SENIAT

Servicio Nacional Integrado de Administración Aduanera y Tributaria

National Integrated Service for the Administration of Customs Duties and Taxes

SOAI

Servicio de Atención y Orientación al Indígena
Assistance and Orientation Service for the Indigenous People

SRI

Salas de Rehabilitación Integral
Comprehensive Rehabilitation Units

SUYAO

Shaponos Yanomami Unidos del Alto Orinoco
United Yanomami Shaponos of the Upper Orinoco

SWIR

Shortwave Infrared

UBN

Unsatisfied Basic Needs

UCV

Universidad Central de Venezuela
Central University of Venezuela

UCYABYRN

Unión Curripaco, Yanomami, Baré y Yeral del Río Negro
Curripaco, Yanomami, Baré and Yeral of the Río Negro Union

UMAV

Unión Maquiritare del Alto Ventuari
Maquiritare Union of the Upper Ventuari

UN

United Nations

UNEP

United Nations Environment Program

UNESCO

United Nations Educational, Scientific and Cultural Organization

UNICEF

United Nations Children's Fund

UNICET

Unidad de Investigación y Control de Enfermedades Tropicales
Tropical Disease Research and Control Unit

UNIDO

United Nations Industrial Development Organization

USGS

United States Geological Service

WHO

World Health Organization

WWF

World Wide Fund for Nature

VPI

Venezuela por Internet

(An independent Internet-based news broadcasting service)

YNP

Yapacana National Park

ZODI

Zona Operativa de Defensa Integral
Integral Defense Operational Zone

ZSF

Zona de Seguridad Fronteriza
Border Security Zone

CONTENIDO

EXECUTIVE SUMMARY	14
INTRODUCTION	15
Chapter I	17
THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE	17
Legal Framework	21
CHAPTER II	26
PHYSICAL-NATURAL ASPECTS	26
Climate	28
Hidrography	29
Geology and geomorphology	29
Vegetation and soils	31
Bibliographic References	32
CHAPTER III	34
THE PLIGHT OF THE INDIGENOUS PEOPLES OF THE BIOSPHERE RESERVE	34
Indigenous peoples and communities	34
Los Yanomami	37
Los Ye'kwana	41
Other indigenous peoples	43
Presence of the Venezuelan State and Non-Governmental Institutions	45
National and Regional Governments	47
Ministry of the People's Power for Indigenous Peoples (MPPPI)	47
State and Municipal Governments	48
Bolivarian National Armed Force	48
Border Security Area	49
Public health system	49
Health Districts Administration	50
Type 2 People's Medical Facilities	50
Type 1 People's Medical Facilities	51

	10
Yanomami Health Plan	51
SACAICET	52
Otras instituciones no gubernamentales	53
Indigenous organizations	55
Regional organizations	55
ORPIA	55
COIAM	56
Grassroots organizations	56
SUYAO	56
Kuyujani Originario	57
Horonami	57
KUBAWY y UCYABIRN	58
Current Situation of Human Rights Among the Indigenous People's	58
Principales amenazas a la vida y a la integridad personal y colectiva	59
Garimpeiro invasion of Yanomami territory in Brazil	61
The Garimpeiro invasion of Yanomami Territory in Venezuela	62
Horonami leader denounces illegal mining activity on their territory	67
Observations by the United Nations Committee on the Elimination of Racial Discrimination	67
The right to collective property rights over the lands and the process of demarcation	69
Legal framework regarding the rights to the indigenous lands	69
Development of the national demarcation process	70
Health system crisis	71
Measles outbreak: official reports	73
Reports from NGO's about the measles outbreak in the Upper Ocamo region	74
Bibliographic References	77
CHAPTER IV	85
MINING ACTIVITY IN THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE	85
Guerrilla Forces and Mining Activity in the Biosphere Reserve	92
Mining Patterns in the Biosphere Reserve	94
Mining Operations and Malaria	95
CHAPTER V	97
Demilitarization of the State of Amazonas	98

	11
Mining operations	100
Was there an intention to harm the indigenous peoples?	101
Is the biodiversity of the RBAOC being protected effectively?	104
UNESCO role	105
Some Institutional Formalities	106
APPENDIX	109
I. BIBLIOGRAPHIC SEARCH	110
Strategy used for the bibliographic search	110
Findings resulting from the bibliographic search	110
Physical Natural Aspects	111
Mining operation	112
Health	118
Management of the RBAOC	125
Video	130
II. GEOSPATIAL PROCESSING	131
Selection and downloading of ortho-corrected multispectral images	131
Digital processing of the images	132
Rectification of the boundaries of the RBAOC and vectorization of the courses of the principal waterways	133
III. ARACAMUNI TEPUI	135
IV. SOCIAL ASPECTS OF THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE	145
1. Demographics and Characteristics of the Population	147
Official demographic information	147
Clarification regarding access to official statistical information for the state of Amazonas	147
The Upper Orinoco - Casiquiare Biosphere Reserve and the Municipal Districts Where it is Located	148
Alto Orinoco Municipal District	149
Characteristics of the population	154
Distribution of the indigenous population in rural and urban areas	154
Breakdown by age and gender	154
Fertility characteristics	157
Educational characteristics	158

	12
2. Violence directed against the Yanomami	159
The Massacre of the Yanomami people of Hashimú	159
The investigation and the judicial proceedings	160
The denouncement presented before the Inter-American Commission on Human Rights	162
Petitions presented before the Inter-American Commission on Human Rights	162
The Agreement and the Amicable Solution	163
Execution and compliance	164
Denouncement of the alleged massacre at the community of Irotatheri	165
Reply from the government authorities	166
The investigative commission's tour of the area	167
3. Self-demarcation of the indigenous territories	169
Processes for the self-demarcation of the indigenous habitat and lands in the RBAOC	169
Yanomami	170
Ye'kwana	176
4. The Right to Health	180
The indigenous peoples' right to health under Venezuelan laws	180
Background concerning health in the RBAOC	181
Yanomami Health Plan (PSY)	184
Origins	184
Implementation	185
Stagnation	187
Denouncements from Horonami	188
Attempts to relaunch the PSY	190
5. The status of non-contacted indigenous groups	192
V.CREATION OF THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE AND PARIMA-TAPIRAPECO NATIONAL PARK	195
Background to the notion of the Biological Reserve as a legal construct	195
Casiquiare Initiatives Prior to the Creation of the Upper Orinoco-Casiquiare Biosphere Reserve	196
3. Mining Concessions in the Upper Orinoco Region	200
4. Macro-Projects for Economic Development and Land Use	200
5. Political, Ideological and Institutional Obstacles	202
6. How the Upper Orinoco-Casiquiare Biosphere Reserve Was Finally Created	204

	13
Conclusions	213
Additional References	215
VI. PHOTOGRAPHS FROM THE UPPER OCAMO RIVER BASIN-1985	217

EXECUTIVE SUMMARY

The Alto Orinoco - Casiquiare Biosphere Reserve (RBAOC) comprises one of the geographical areas of greatest cultural diversity in the entire Amazon; Indigenous communities of 17 different ethnic groups live there. Each of these peoples is the bearer of a unique cultural heritage, and as a whole they give an extraordinary universe of linguistic diversity, worldviews, mythologies, history, art and ancestral knowledge, which are a true, unique and irreplaceable contribution to Humanity through the conservation of socio-diversity and biodiversity. Yanomami, Yek'wana and Sanema societies have been developing lifestyles adapted to these ecosystems on which they depend for their vital deployment, having generated dynamic equilibrium situations that are "sustainable" according to the modern concept. Their physical and cultural integrity and the effective defense of their rights are essential to ensure that they continue to develop their societies and conserve their lands and ecosystems. The overwhelming process of social, cultural and ecological destruction, at the hands of miners and guerrilla groups eager for gold and power, with the support, active and passive, of the Venezuelan military and government, constitute an ecocide, an ethnocide and a genocide, in the process of development, which has global repercussions and that humanity cannot and should not tolerate. As part of the Amazon, the RBAOC plays a vital role in regulating the climate of the planet, therefore, the conservation of this enormous environmental heritage is essential in the fight to avoid the catastrophic consequences of global climate change. It is urgent that the destruction of the RBAOC be stopped: for the conservation of the Amazon, respect for indigenous peoples, the future of life on the planet, and because of the ethical responsibility of Humanity. This report provides sufficient evidence and proof of the Maduro Regime's responsibility regarding the catastrophic health, medical and social situation of RBAOC, but also obliges the reader, especially those who have assumed political responsibilities and commitments, to act. It is not just about biodiversity; It is essentially about innocent human lives, and ancestral cultures with which we have an obligation and responsibility, historical, current and transgenerational.

INTRODUCTION

“Connecting people and nature for an inspiring future...” is how UNESCO summarizes its commitment to the wellbeing of humans and to conservation and the sustainable use of nature. With this vision, starting in 1970, UNESCO initiated its intergovernmental scientific “Man and Biosphere” (BR) program, and part of its initiative consists of recognizing and monitoring a land management strategy known as the “Biosphere Reserve” (BR), which has as its objective the integration of human populations and nature in order to foster “solutions for reconciling the conservation of biodiversity with its sustainable use, economic development, research, and education.”¹ What better location for demonstrating this integration than one of the planet’s most heterogeneous ecosystems, and also one of the planet’s richest in biodiversity, where for upwards of hundreds of years, groups of human beings have established a close and fascinating relationship of communion and interdependence with nature? This is the Upper Orinoco and Casiquiare basins of Venezuela’s Amazon and Guyana regions.

Venezuela has one of the largest biosphere reserves in all of the greater Amazonian region. This BR is located in the heart of the Yanomami people’s territory, in the southeastern part of the state of Amazonas, and has been officially designated as the Upper Orinoco-Casiquiare Biosphere Reserve (identified in this report by its Spanish-language acronym “RBAOC”). Its area includes 3 national parks and 4 natural monuments, which are meant to protect the tepui formations of the Guiana Shield, and the wet rainforests that range from the lowlands to the highlands with altitudes of up to 3,000 meters (9,843 feet). These wet rainforests are found in the peneplain of the Casiquiare and in the Upper Orinoco basin, with its intricate system of mountain ranges. This is one of the world’s richest biological areas.

For centuries, the Yanomami and Ye’kwana peoples have lived in this territory. It is disconcerting to hear the denunciations and words of caution concerning the health problems that afflict the Yanomami, deforestation, and contamination resulting from illegal mining operations in their territories, as well as the recurrent cases of violence that miners inflict on the inhabitants, and the lack of protection for the indigenous communities (Grillet et al., 2018; Vitti Rodríguez, 2018; LACCCB,2018), which leads one to ask: Is the RBAOC meeting its objective of conserving and protecting biodiversity while at the same time doing likewise for human beings? If the BR is not fulfilling its objectives, while the original inhabitants have been losing their culture year after year, and the natural heritage is not being used in a sustainable way, then what should be UNESCO’s role, and the Venezuelan State’s responsibility, in rectifying such a situation and ensuring that harmony is restored in this grand eco-socio-system?

For purposes of determining the current state of the Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC), we proceeded to conduct interviews with inhabitants and eyewitnesses, as well as a systematic bibliographic survey on the internet, and an analysis of satellite imagery in order to characterize areas where there is active mining operations. We presented a summary of the

1

<http://www.unesco.org/new/es/natural-sciences/environment/ecological-sciences/biosphere-reserves/>

physical-natural aspects of the RBAOC, and delved deeper into the social aspects of its inhabitants, particularly the Yanomami and Ye'kwana peoples, its principal inhabitants, while at the same time documenting some of the threats to their culture, health and ways of life. We also clarified the scenario of the mining operations scheme and described the situation at the largest mining operation in the BR, namely the mine at Cerro Aracamuni mountain. We concluded with an analysis of the Venezuelan State's responsibility and made recommendations with regard to solutions for some aspects of the current complex situation. As in our previous research, we found it necessary to protect the identities of research assistants and persons interviewed, because the persecution unleashed by the political regime that currently controls Venezuela continues to be unrelenting and has continued to escalate. As proof of this we wish to remind readers of the tragic events of 23 February 2019 on the Venezuelan border with Brazil.

We are especially grateful to the Radiant Earth Foundation, (<https://www.radiant.earth/>), for their generosity in giving us access to their platform and to their extensive satellite imagery database, and to Digital Globe (<https://www.digitalglobe.com/>) for having provided us with high resolution images, specifically pertaining to sites of interest, without which we would not have been able to delve deeper into the impacts resulting from the illegal mining operations. Both institutions have demonstrated an unconditional commitment to the planet's sustainability.

Chapter I

THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE

Venezuela's territorial ordinance assigns the legal nomenclature Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC) (Reserva de Biosfera Alto Orinoco-Casiquiare) to an area covering around 8,700,000 hectares (approximately 21,498,168 acres)² in the southeastern part of Venezuela's state of Amazonas. It is by far the largest protected area³ in Venezuela and one of the largest in all of the greater Amazonian region.⁴ A "Biosphere Reserve" is classified as an Area Under Special Administrative Rule (ABRAE) (Área Bajo Régimen Administrativo Especial) under the terms established by the currently enforceable Organic Law for the Territorial Ordinance (LOPOT 1983) (Ley Orgánica para la Ordenación del Territorio). The RBAOC was created in 1991 and its space includes, in their entirety, three national parks, namely Duida Marahuaka, Parima Tapirapécó and Serranía La Neblina, plus four natural monuments, namely Cerro Vinilla/Cerro Aratitiope, Sierra Unturán, Cerro Tamacuari/Serranía Tapirapécó and Parú Euaja. Meanwhile, part of the RBAOC's area is not taken up by the national parks nor the natural monuments. In this respect, the RBAOC is a mosaic of two ABRAE categories (national park and natural monument) that are included within the matrix of the Biological Reserve (BR), in which there is a portion that has no other pre-designation apart from that of the "biosphere reserve" itself. As will be seen later in this report, this situation is logical within the scheme of things for the territorial ordinance of any biosphere reserve.

An important point to emphasize is that, legally speaking under Venezuela's statutes and regulations, the biosphere reserves are not subject to a specific developmental norm, as opposed to the national parks and natural monuments, which do.⁵ However, this does not mean that the biosphere reserve model does not have some specific conceptual and technical guidelines that must be observed. These guidelines are the ones provided by UNESCO through its Man and the Biosphere Program (MAB). Without being overly explicit, it is clear that Venezuela adopted the territorial ordinance category of "biosphere reserve" in the LOPOT for purposes of adopting the policy promoted by UNESCO. Furthermore, the Venezuelan State actively pursued and successfully obtained the RBAOC's registration in the official list of UNESCO Biosphere Reserves in the year 1993.⁶ Therefore, there is no doubt that the UNESCO guidelines are valid and binding for Venezuela, at least within the realm of soft law.⁷

² http://portal.unesco.org/en/ev.php-URL_ID=14996&URL_DO=DO_TOPIC&URL_SECTION=201.html

³ There is controversy as to whether biosphere reserves are formally protected areas, as defined by the IUCN.

⁴ According to the following source, Brazil's Central Amazon Conservation Complex, with 6 million hectares is smaller than the RBAOC: <https://www.iucn.org/content/largest-protected-area-amazon>

⁵ República de Venezuela. 1989a. Decreto Nº 276 del 7 de Junio de 1989: Reglamento Parcial de la Ley Orgánica para la Ordenación del Territorio sobre Administración y Manejo de Parques Nacionales y Monumentos Naturales. Gaceta Oficial Nº 4.106. Caracas, 9 June 1989.

⁶

<http://www.unesco.org/new/en/natural-sciences/environment/ecological-sciences/biosphere-reserves/latin-america-and-the-caribbean/>

⁷ "Rules of behavior that in principle have no binding legal force, although they may lead to practical results." See: https://editorial.ucatolica.edu.co/ojsucatonica/revistas_ucatolica/index.php/SoftP/article/view/1772

Tabla I- 1. Surface area of the natural monuments and national parks that constitute the Upper Orinoco-Casiquiare Biosphere Reserve

Categoría de Área Bajo Régimen de Administración Especial	Superficie en ha (%total)
Duida Marahuaka National Park	220.743 (2,68%)
Serranía La Neblina National Park	1.410.560 (17,14%)
Parima Tapirapécó National Park	3.729.166 (45,30%)
Cerro Vinilla / Cerro Aratitíyope Natural Monument	3.414 (0,04%)
Sierra Unturán Natural Monument	47.207 (0,57%)
Cerro Tamacuari / Serranía Tapirapécó Natural Monument	22.387 (0,27%)
Parú Euajá Natural Monument	40.003 (0,49%)
Portion of the RBAOC that is not within the above ABRAE's	2.758.521 (33,51%)
Total Surface	8.232.001 (100%)

“Biosphere reserves” are “areas comprising terrestrial, marine and coastal ecosystems,” recognized by UNESCO’s Man and the Biosphere Program, where solutions are nurtured for “reconciling the conservation of biodiversity with its sustainable use,” as well as economic development, research and education. Also, they are “Science for Sustainability sites,” in other words, specially designated places for “understanding and managing specially designated area for understanding and managing changes and interactions between social and ecological systems, including conflict prevention and management of biodiversity.”⁸

A fundamental and conceptual aspect of the biosphere reserves is that they must be zoned, or territorially ordered in their interior, into three types of interrelated areas that fulfill three connected and complementary functions that reinforce each other: a) The “core area,” consisting of a strictly protected ecosystem that contributes to the conservation of landscapes, species ecosystems and genetic variations; a biosphere reserve may have one or more legally established core areas where research may be conducted, as well as other activities causing little perturbation. b) The “buffer zone,” which surrounds the core or borders upon it, where activities compatible with proven ecological practices may be conducted, and which can contribute to research, follow-ups, training, and science education; in this zone activities such as environmental education, recreation, ecological tourism, and basic and applied research may be conducted. c) The “transition area,” which is a fringe area where most of the activity is allowed, aimed at promoting sustainable human and economic growth from social, cultural and ecological perspectives; it is considered to be a multiple-use zone, where activities involving sustainable use of resources can be developed, as for instance agriculture.⁹

In the case of the RBAOC, it is evident at first sight that the core areas are the natural monuments and national parks, leaving the other two zones to be defined, something that needs to be done within the scope of the land management plan and the rules governing use. This should not prevent each of the national parks and natural monuments from having its own internal zoning,

⁸ <http://www.unesco.org/new/es/natural-sciences/environment/ecological-sciences/biosphere-reserves/>

⁹ <http://www.unesco.org/new/es/natural-sciences/environment/ecological-sciences/biosphere-reserves/>

according to their specific norms. Biosphere reserves need to fulfill three complementary functions: conservation, development and logistical support. The conservation function is directed toward protecting genetic resources, species, ecosystems and landscapes. The development function seeks to promote “sustainable” economic and human development (sustainable as defined by the Venezuelan constitution) from socio-cultural and ecological perspectives. In this context, it is possible to execute diverse productive activities that should be subject to current national norms, so as to secure and strengthen the three pillars of sustainable development: social development, economic development and protection of the environment. The purpose of the logistic support function is to promote activities involving research, environmental education, training and monitoring, as they relate to local, national and global issues of conservation and sustainable development.¹⁰

It should be emphasized that the Venezuelan government has not yet presented the required periodic report to UNESCO regarding the status of the RBAOC, which should be done every 10 years, at least since the year 2014.¹¹

¹⁰ <http://www.unesco.org/new/es/natural-sciences/environment/ecological-sciences/biosphere-reserves/>

¹¹ http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/SC/pdf/Periodic_review_BR_june_2014_v2_en.pdf

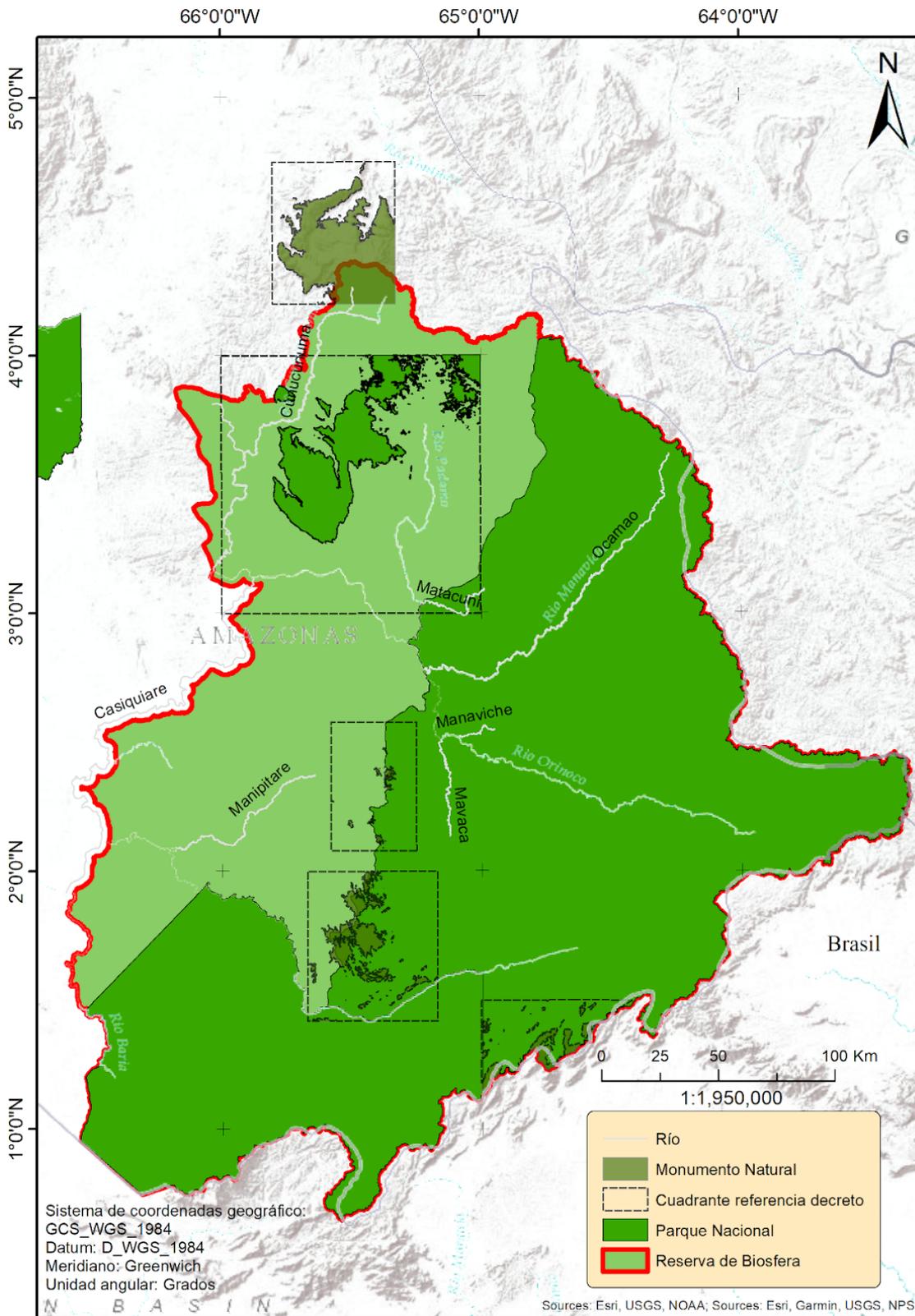


Figura I- 1. Location of protected areas within the RBAOC

Legal Framework

In addition to UNESCO's generic and conceptual guidelines, the fundamental framework for establishing policy for the RBAOC comes from the language of Decree 1635, by which it was created. The most pertinent aspects of the decree are summarized in the following table. Any evaluation concerning the management of the RBAOC must be checked against what is indicated in this decree and also against UNESCO's guidelines.

Tabla I- 2. Fundamental excerpts from the Decree for the Establishment of the RBAOC.

Decree 1635 of 5 June 1991. Official Gazette N° 34.767 of 1 August 1991.
<p>Whereas 1. The Southeast Sector of Federal Territory of Amazonas, pertaining to the area known as the Upper Orinoco, has high natural resource potential, represented in pristine biomes of significant scientific and biological value, which combine in a harmonic way with the indigenous communities that settled there ages ago and possess a cultural and ecological heritage that must be preserved for present and future generations.</p> <p>Whereas 2. It is the duty of the National Executive to safeguard the right of the indigenous peoples to enjoy their lands, woods and waters in territories where they normally dwell, or which they occupy or own. (...)</p> <p>Whereas 4. Recently, the Upper Orinoco area has been menaced by a proliferation of activities that are incompatible with the fragility of the ecosystems, and which endanger the physical and cultural integrity of the people living there, the quality of the waters, the watersheds and the sovereignty of the National Territory. (...)</p> <p>Article 2. The Administration and management of the Upper Orinoco-Casiquiare Biosphere Reserve is to be relegated to the Ministry of the Environment and Renewable Natural Resources, which shall be advised by a Permanent Commission that is to be established, and shall function in accordance with what is established in Articles 4 and 5 of this Decree.</p> <p>Article 3. The Ministry of the Environment and Renewable Natural Resources, shall elaborate, within a period of two (2) years counting from when this Decree is published, the management plan for the Biosphere Reserve and its respective rules governing use, and shall demarcate, <i>in situ</i>, the boundaries of the Upper Orinoco-Casiquiare Biosphere Reserve within five (5) years following the same date.</p> <p>Article 4. The Permanent Commission for the Upper-Orinoco Casiquiare Biosphere Reserve is hereby created, and shall include the Minister of the Environment and Renewable Natural Resources, who shall preside over it, and individual representatives from the Ministry of Foreign Affairs, the Ministry of Defense, the Ministry of Health and Social Assistance, the Ministry of Agriculture and Animal Husbandry, the Ministry of Education, the Ministry of Transportation and Communications, the National Council for Scientific and Technical Research, the National Parks Institute, the Venezuelan Corporation of Guayana, the Central University of Venezuela, Indigenous Representatives from the Yanomami and Yekuana Communities living in the area, and a representative from civil society organizations, appointed by the Minister of the Environment and Renewable Natural Resources.</p> <p>Article 5. The responsibilities of the Permanent Commission for the Upper Orinoco-Casiquiare Biosphere Reserve are:</p> <ol style="list-style-type: none"> a) To coordinate the process for elaborating the Management Plan for the Biosphere Reserve and the Rules Governing its Use. b) To examine the Project for the Management Plan of the Biosphere Reserve before it is submitted for approval by the National Commission for the Territorial Ordinance and by the President of the Republic and his Cabinet. c) To pursue the attainment of resources and to channel the required technical and scientific assistance toward the management of the Reserve through agreements of cooperation. d) To approve necessary measures, in consultation with the indigenous communities, whenever changes in the settlement pattern develop or there is an emergence of new economic activities that are likely to cause damages to the environment within the area of the Biosphere Reserve. e) To lend support to the self-management and ethnic development of the indigenous peoples living in the Biosphere Reserve and to encourage their participation. f) To implement medical and health assistance plans as part of national policy, taking into account ethnomedicine, promoting its implementation. g) To promote Bilingual Intercultural Education among indigenous communities, in line with the Office of Indigenous Affairs of the Ministry of Education.

- h) To advise the National Security and Defense Council and to collaborate with the Ministry of Defense and the Government of the Federal Territory of Amazonas in plans and projects designated for the National Security and Defense, within the categories established by the Biosphere Reserve.
- i) To support the National Parks Institute (INARQUES) in the elaboration of the Management Plan, as well as the Rules Governing Use of the National Parks and other Areas Under Special Administrative Rule (ABRAE) within its jurisdiction that may coexist within the Biosphere Reserve.
- j) To elaborate its Internal Operating Regulations.

Article 6. The lands, and waters occupied by the indigenous peoples, their economic activities that are compatible with the environment, as well as their societal, cultural and linguistic heritage in its entirety, shall be protected by the civil and military authorities. The different kinds of Areas Under Special Administrative Rule that are an integral part of the Biosphere Reserve, as well as the Management Plans, are to respect the territorial unity of the indigenous populations.

Article 7. The execution of acts of colonization within the Upper Orinoco-Casiquiare Biosphere Reserve is expressly prohibited, as well as any other attempts against the rights of the indigenous communities that are settled there, and against the territorial integrity.

Article 8. Until such time as when the management plan and the rules governing the use of the Upper Orinoco-Casiquiare Biosphere Reserve are enacted, whoever attempts to conduct any kind of activity that is likely to cause environmental damage therein, must petition for approval or authorization from the Ministry of the Environment and Renewable Natural Resources, which will grant or deny such, in accordance with rulings by the Permanent Commission. Sole paragraph: When there is an emergence of activities by the indigenous communities that is likely to cause significant damages to the environment, the authorities of the Biosphere Reserve shall take the necessary preventative measures upon consultation with the aforementioned communities.

Article 9. All Public Administration bodies are obligated to lend whatever support is required by the Permanent Commission for the best fulfillment of the objectives of the creation and instrumentation of the Upper Orinoco-Casiquiare Biosphere Reserve.

Article 10. The Ministry of the Environment and Renewable Natural Resources is responsible for the execution of this Decree.

Beyond this, there exists no other framework in and of itself, which may be considered to be an oversight, given that the importance of this ABRAE, as well as the category itself, has for many years merited having the Venezuelan State elaborate a specific set of rules governing the biosphere reserves, analogous to the already mentioned Decree 276. Meanwhile, it is also an oversight that, as of this date, the Management Plan and Rules Governing Use (PORU) (Plan de Ordenamiento y Reglamento de Uso) for the RBAOC have not yet been enacted, as required by the current Organic Law for Territorial Ordinance.¹² The absence of these instruments, particularly of the PORU, makes it so that management of the biosphere reserve (BR) is in a kind of limbo or “grey area,” where unguided and improvised decisions by incumbent officials may lead to inappropriate management of the area. However, this is not entirely so, because the RBAOC has already been zoned at an initial stage, and so have areas of the three national parks and the natural monuments, to a high degree. Only one part of the RBAOC has not received a management plan (the area that is neither a national park nor a natural monument). At such time as when PORU’s for the ABRAE’s are enacted, the entire major unit will then have its management plan and be zoned in accordance with what the law requires.

It is essential to bear in mind that it is imperative that there be legal compatibility among the biosphere reserve (BR), national park (NP) and natural monument (NM) models. Obligatorily, these three entities must be compatible with each other, especially where they overlap. This means that the

¹² República de Venezuela 1983. Ley Orgánica para la Ordenación del Territorio. Gaceta Oficial de la República de Venezuela, N^o.3238-E del 11 de agosto de 1983 (11 August 1983).

most restrictive category must prevail. In our case, the NP and NM models set the pattern for managing the territory. Wherever the three entities overlap, the same principle applies: the entity subject to the most restrictions prevails. Conceptually, there may be a debate over which is subject to more restrictions, the NP or the NM, but it is generally accepted that the natural monument model is subject to stricter restrictions, as is recognized by IUCN. In this respect, the order of restrictiveness or strictness in ecological protection, from greater to lesser, would be the following: natural monument, national park, and then biosphere reserve. Nonetheless, a geographical space that is a biosphere reserve, and nothing more, will be subject to more or less restrictions in accordance with what is determined by its own PORU, whenever such is enacted. This is precisely the case where there is a danger of falling into this grey area, which is the result of the absence of a detailed set of rules, as we have already mentioned.

In the end, legally speaking, most of the RBAOC falls within the legal framework pertaining to national parks and natural monuments, and as such this gives assurances of certainty concerning the types of activity and uses that are permitted, restricted or prohibited.

Under Venezuelan legislation, the national park model, including that of the natural monument, is sufficiently flexible so as to allow one to affirm that these entities may ultimately function as surrogates or analogues of the biosphere reserves. A rigorous demonstration of this would merit a more detailed legal and conceptual analysis, but one can anticipate that upon analysis of Decree 276 it is perfectly clear that the indigenous peoples may continue with their traditional uses and activities within the national parks, and that their cultures are in fact considered to be part of the heritage value that the national park model seeks to protect. In this respect, and given that the PORU's pertaining to the national parks and natural monuments that make up the RBAOC have not been elaborated or enacted, one can affirm that the NP's, NM's and the BR are absolutely compatible among themselves, and are furthermore in compliance with the conceptual guidelines of the BR model, particularly in its cultural and social aspects, and they also seek to protect the ecological integrity of their ecosystems in a very strict way.

The following table presents an excerpt of the specific fundamental determinations made by the decrees for the creation of the national parks and natural monuments that make up the RBAOC.

Tabla I- 3. Fundamental Excerpts of the Decrees for the Creation of the National Parks and Natural Monuments that make up the Upper Orinoco-Casiquiare Biosphere Reserve.

Decree for the creation of Duida Marahuaca National Park. Decree No. 2981 of 12 December 1978. Official Gazette No. 2.417 (Extraordinary) of 7 March 1979.
Article 1. Duida Marahuaca National Park is hereby defined as being the area situated within the jurisdiction of the Department of Atabapo in the Federal Territory of Amazonas and located within the quadrant defined by the following geographical coordinates: Datum La Canoa 3° 00' 00" and 4° 00' 00" Latitude N., 65° 00' 00" y 66° 00' 00" Longitude W, defined by the contour line at the elevation of one thousand meters (1,000.00 m) above sea level
Decree on the creation of Sierra La Neblina National Park. Decree No. 2979 of 12 December 1978. Official Gazette No. 2.417 (Extraordinary) of 7 March 1979.
Article 1. Serranía La Neblina National Park is hereby defined as being the area located in the Federal Territory of Amazonas within the jurisdiction of the Department of Río Negro enclosed within the following boundaries: North: Beginning at Point PNSN 1 at the confluence of the Yatúa, Baria and Pasimoní Rivers, it follows along a straight line heading N 45° E as far as point PNSN 2, the intersection of the aforementioned line with the Siapa or Matapire River;

from this point it follows upstream in a SE direction, along the right bank of the Matapire River as far as point PNSN 3, located at the confluence of the Matapire and Castaño Rivers; East: From the previous point, it continues due South, on a straight line as far as point PNSN 4, located on the borderline between Venezuela and Brazil: South: from the previous point it continues to the West along the borderline between Venezuela and Brazil as far as point PNSN 5, located at the headwaters of the Caño Evubichi stream; West: from the previously cited point, it follows in a northerly direction downstream along the right bank of the Caño Evubichi stream, a tributary of the Baria River, along whose course it continues along the right bank as far as its confluence with the Yatúa River, where one finds demarcation point PNSN 1.

Decree for the Creation of Parima-Tapirapeo National Park. Decree No. 1636 of 5 June 1991. Official Gazette No. 34.767 of 1 August 1991.

Whereas: It is the duty of the National Executive to protect those territorial spaces that display important natural scenic beauties and give shelter to plant and wildlife species of significant national value;

Whereas: It is likewise the duty of the National Executive to safeguard the rights of the indigenous people to enjoy their lands, forests and waters on the territories where they normally live, which they occupy or which they own.

Whereas: In important sectors of the territorial space consisting of the Upper Orinoco-Casiquiare Biosphere Reserve, created by Decree No. 1635, dated 05 June 2019, there are scenic beauties of significant importance, a high potential for renewable natural resources, especially hydrological; and indigenous communities have been living there for ages, whose settlement pattern, occupation of spaces and *modus vivendi* are determining factors in the preservation of the area's environmental values.

(...)

Hereby Decreed:

Article 1. Parima-Tapirapeo National Park is hereby defined as being the territorial space located within the Upper Orinoco-Casiquiare Biosphere Reserve. (...)

Article 2. The Administration and Management of PARIMA TAPIRAPECO National Park is the responsibility of the Ministry of the Environment and Renewable Natural Resources, through the National Parks Institute (INPARQUES), which shall elaborate the Management Plan for the National Park within a period of two (2) years, starting from the date of publication of this Decree and shall demarcate the location of the Park's boundaries within the following five (5) years, starting from the same date. Sole Paragraph: During the process for elaborating the Management Plan, the Yanomami indigenous communities, represented by their organization, S.U.Y.A.O (United Yanomami Shaponos of the Upper Orinoco), is to be included at the respective consultation stage.

Article 3. The Management Plan for the Park shall be elaborated within the guidelines and directives established in the Management Plan for the Upper Orinoco-Casiquiare Biosphere Reserve, provided it does not contradict the objectives of the National Park.

Article 4. There is to be no establishment of limitations to the natural expansion of indigenous communities within the boundaries of the National Park. In any case, the use and exploitation of the natural resources must take into account the load capacity of the ecosystems and the National Park's zoning.

Article 5. Whenever changes emerge in the settlement pattern and use of resources by the indigenous communities that may cause damages to the environment, the Park authorities shall take necessary preventive and corrective measures in consultation with the indigenous communities, having heard the opinion of the Permanent Commission of the Upper Orinoco-Casiquiare Biosphere Reserve.

Decree for the Tepui Natural Monuments. Decree 1233 of 2 November 1990. Official Gazette 4250 (Extraordinary) of 18 January 1991.

ARTICLE 1: The territorial spaces known as the tepuis are declared to be Natural Monuments, which are situated in the state of Bolívar and in the federal territory of Amazonas, are characterized as comprising a group of mountainous ecosystems that are typically and exclusively a part of the Guiana Shield, and are located on the higher parts of these mountains, including the upper slopes, the steep walls and the top or summit of the Tepui, above 800 meters above sea level; enclosed within the polygonal lines...which are described below: ...

21) Cerro Vinilla mountain

22) Cerro Aratitiope mountain

Both included within the following polygonal: ...

23) Sierra Unturán mountain range...

24) Cerro Tamacuari mountain

25) Serranía Tapirapécó mountain range

ARTICLE 2: The Ministry of the Environment and Renewable Natural Resources, through the National Parks Institute, shall formulate the Management Plan for the Tepuis and the respective Rules Governing Use, within a period of one (1) year starting from the date this Decree is promulgated.

ARTICLE 3: The National Commission for the Protection of the Tepuis is hereby created, and its objective will be to advise the National Executive in the process of elaborating the Management Plans and Rules Governing Use of these areas, as well as in everything related to their conservation and defense.

ARTICLE 4: The National Commission for the Protection of the Tepuis shall consist of the Ministry of the Environment and Renewable Natural Resources, which shall preside, and the respective individual representatives from the National Parks Institute, the Venezuelan Corporation of Guayana, the National Congress's Permanent Commission on the Environment and the Territorial Ordinance, the Venezuelan Institute of Scientific Research, the National Scientific and Technological Research Council, the Alexander von Humboldt Amazonian Center for Environmental Research, the Botanical Society of Venezuela, the Bureau of Indigenous Affairs, and a representative from the non-governmental organizations selected by the Commission from a short list of three to be submitted by these organizations.

The RBAOC's administration is in the hands of the "national environmental authority" (the nomenclature used by the Organic Law of the Environment currently in force), and which the government calls the Ministry of the People's Power for Eco-Socialism (MINEC). By law, the administration of the NP's and NM's is in the hands of the National Parks Institute (INPARQUES).

Concurrently, there are two consultative agencies that must also operate in the process: the Permanent Commission for the Biosphere Reserve (Article 4 of Decree 1635) and the National Commission for the Protection of the Tepuis.

Throughout this report, we will use the generic name "Ministry of the Environment" when referring to the Executive's "national environmental authority." The aforementioned authority has undergone numerous name changes during the past 30 years.

CHAPTER II

PHYSICAL-NATURAL ASPECTS

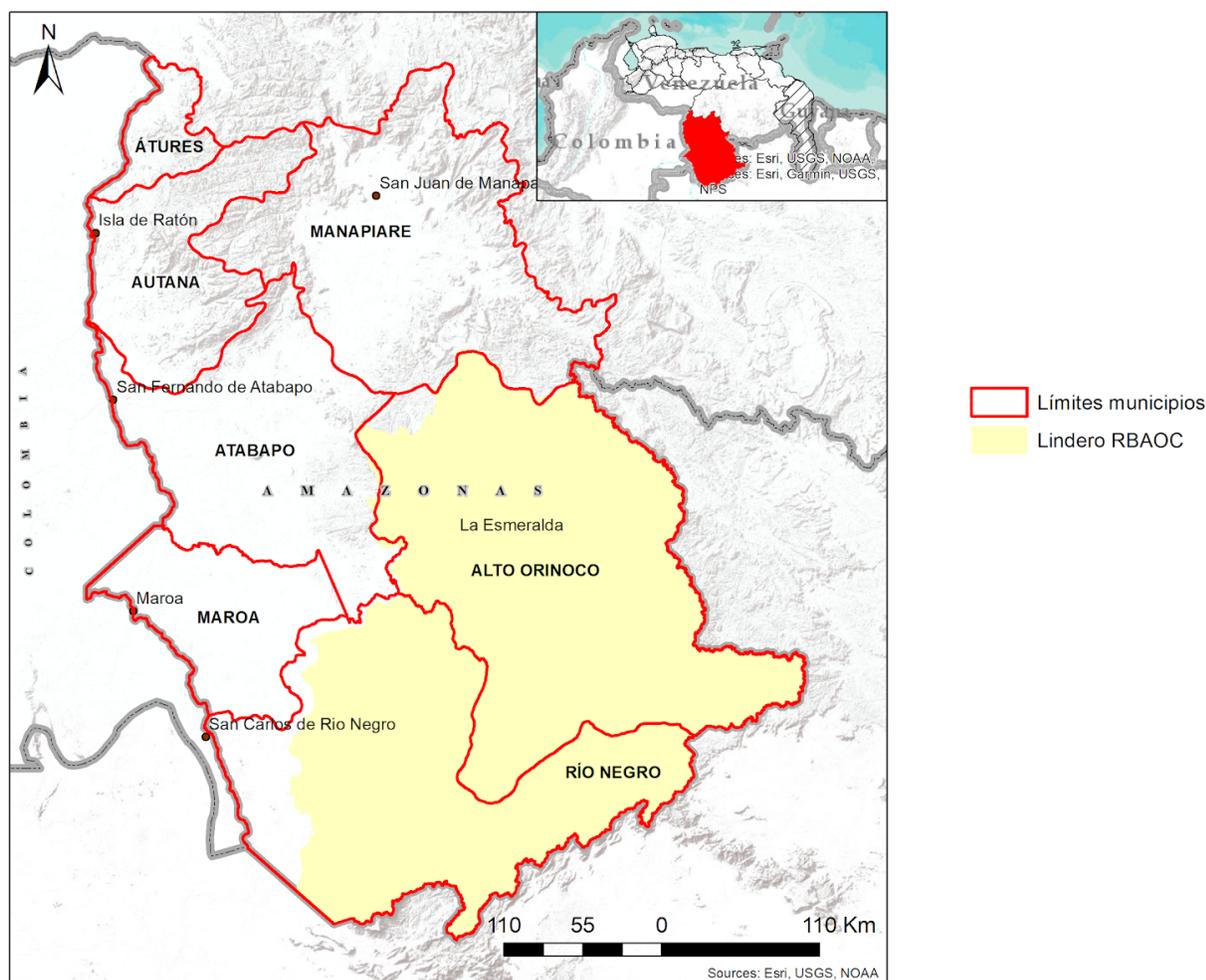


Figura II- 1. Geographical location of the RBOAC in the state of Amazonas, Venezuela

The Upper Orinoco-Casiquiare Biosphere Reserve (RBOAC) (*Reserva de Biosfera Alto Orinoco-Casiquiare*) is located in the southeastern part of the state of Amazonas, occupying close to 45% of the state and about 9% of the national territory. A large part of Alto Orinoco and Río Negro municipal districts lie within its boundaries (Figure 1.1), and encompasses part of the Casiquiare-Upper Orinoco Peneplain and the Guiana Shield (Figure II-1). Since pre-Hispanic times, the reserve's area has been inhabited mainly by Yanomami ethnic groups, and to a lesser extent by the Ye'kwana and Sánema. They are the three most emblematic indigenous peoples in Venezuela (MINEA 2017).

Approximately 95% of the reserve is covered by tropical forests of different kinds, which makes access difficult as there is no comprehensive road network and access by air is limited by the high degree of precipitation throughout most of the year. The main means of access is by way of the Orinoco river and its tributaries, but their navigable courses are limited to the lowlands. Furthermore, river navigation is dependent on the amount of rainfall, as river transportation becomes problematic

during the dry season (MINEA 2017). In the case of air transportation, the biosphere reserve has landing strips at La Esmeralda, Tamatama, Parima A and Parima B (INE 2011).

Four of the six scenic regions of the state of Amazonas are represented in the RBOAC (see Figures II.2 and II.3)

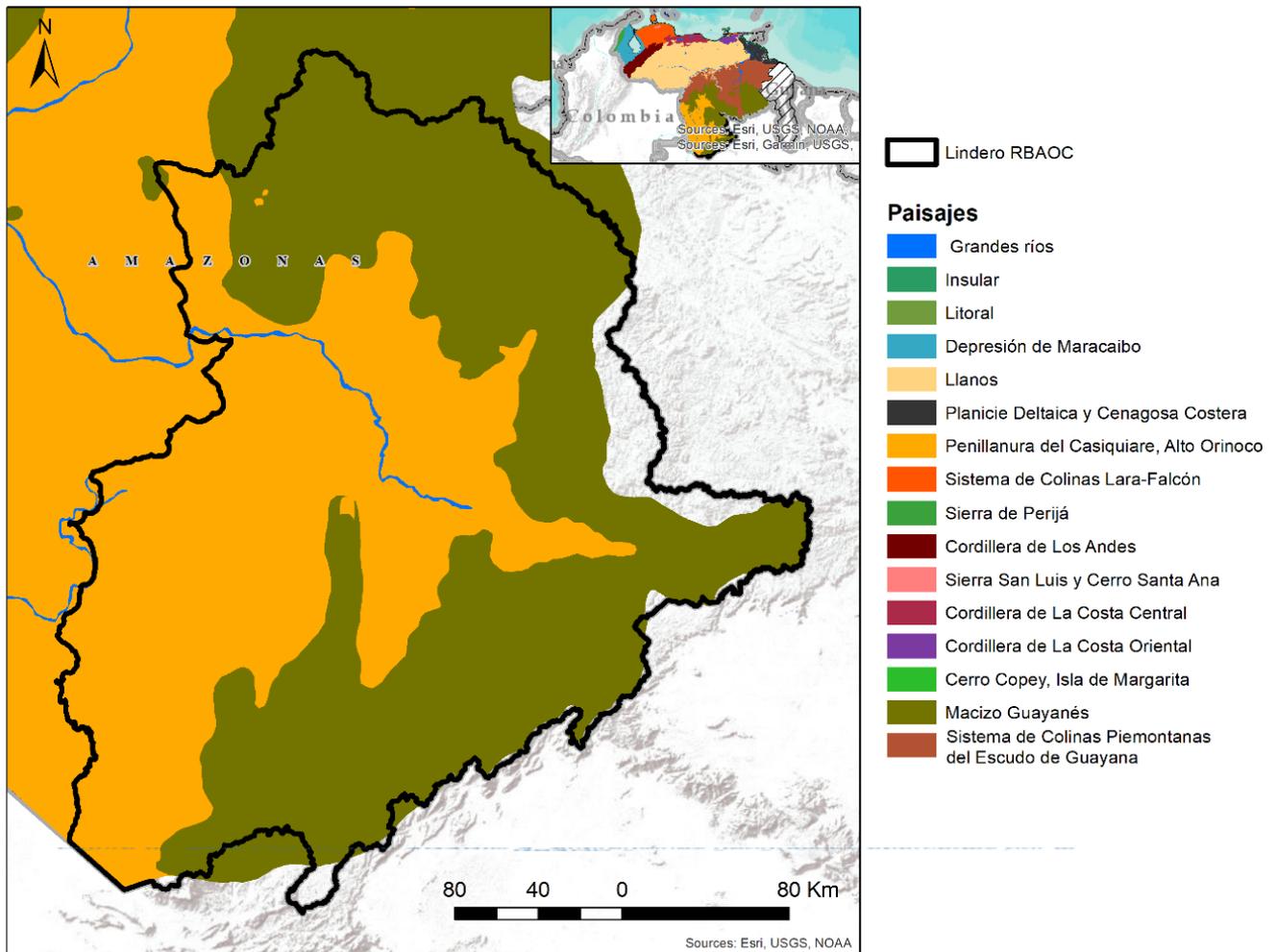


Figura II- 2. Geographic subregions (landscapes) located at the RBOAC

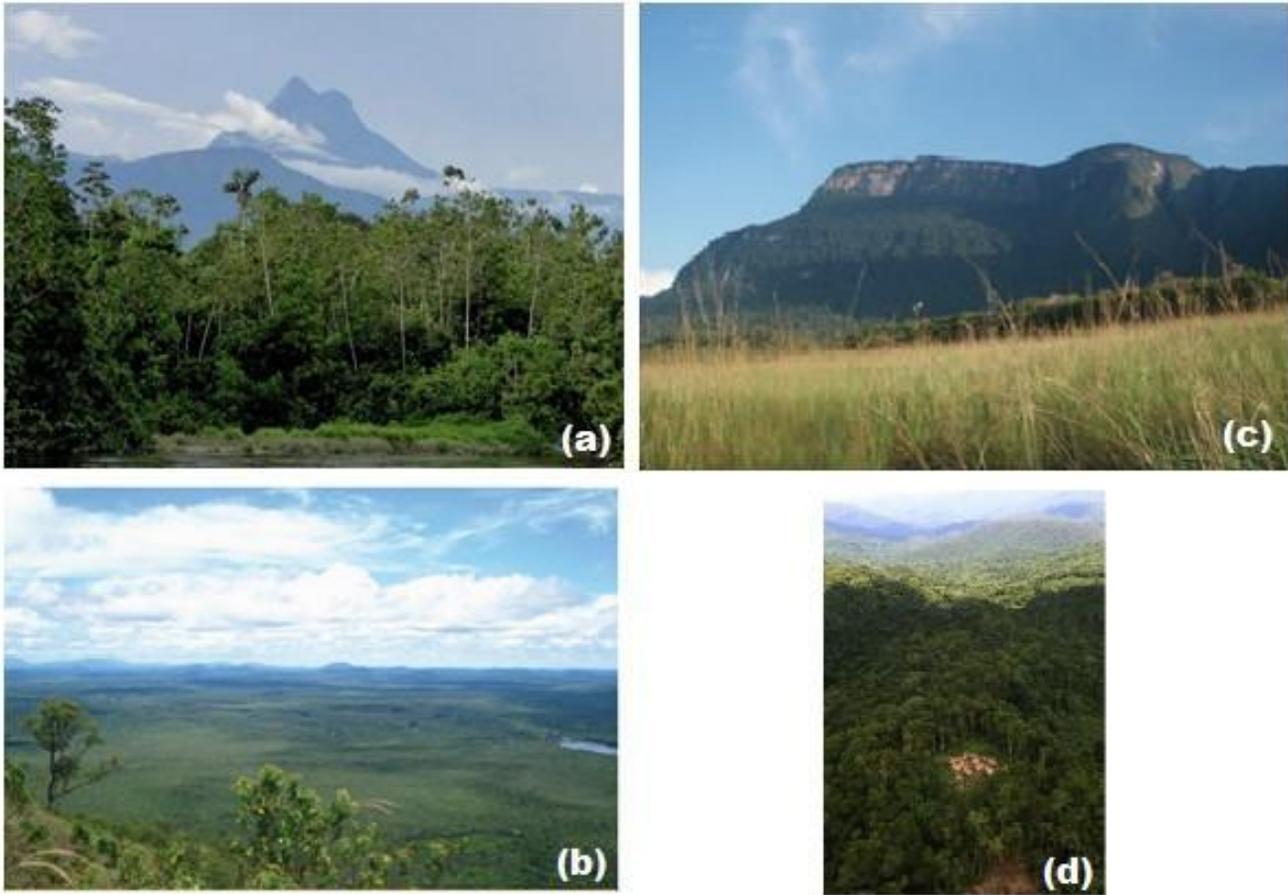


Figura II- 3. (a) Cerro La Neblina. Macizo Guayanés, South. Photo: <https://www.inparques.gob.ve/parque-nacional-serrania-la-neblina/> ; (b) Penillanura del Casiquiare, Alto Orinoco. Photo: Rebecca Miller; (c) Cerro Duida. Macizo Guayanés, Middle South, Photo: Leonardo Ruíz-Díaz; (d) Sierra Parima. Photo: Emilio Guzmán – AVN

Climate

According to the Köppen climate classification system, the climate of the RBOAC is type Af (Equatorial or Humid Tropical). In this type of rainy tropical climate, the calendar for the dry season is not well defined, given that precipitation is dispersed throughout the year. The climate of the RBOAC is under the influence of the Inter-Tropical Convergence Zone (ITCZ), characterized by the continuous presence of large masses of humid air that result in high precipitation rates. The annual precipitation varies from 3,100 mm on the floodplains of the Casiquiare to 1,800 mm in the Sierra de Parima mountain range. Its water balance is positive, with evapotranspiration averages of between 1,200 and 1,300 mm. With respect to temperature, annual average highs are between 27°C and 28°C on the alluvial plains of the Brazo Casiquiare channel and the Siapa, Pasiba and Yatua Rivers; and average annual lows vary between 20°C and 24°C on the high plateaus of the northeastern and southern parts of the reserve. However, on the summits of Cerro Duida, Cerro Marahuaca, Cerro Huachamacare, Cerro Aracamuni and Cerro Avispa, as well as in the Sierra Parima mountain range and in the higher

elevations of the La Neblina Mountain Range, annual averages below 20°C have been reported, as a result of the vertical temperature gradient (MINEA 2017).

Hidrography

The RBAOC encompasses, from southeast to northwest, the upper basin of the Orinoco River, Venezuela's main river, and also its longest and most voluminous. This is where the hydrographic basins of the Orinoco River and the Amazon River are interconnected by way of the Brazo Casiquiare channel (IPC 2009).

The Orinoco River originates at Cerro Delgado Chalbaud mountain at 1,047 meters altitude, at the southern end of the Sierra Parima mountain range, on the border with Brazil. Its basin encompasses 880,000 square kilometers, the third in Latin America and the ninth in the world. It has a total length of 2,141 km, of which 276 km flows through the reserve. Further downstream, and to the north, the Orinoco River bends toward the East, ultimately flowing into the Atlantic Ocean by way of the Orinoco Delta, an area partly protected by another biosphere reserve (IPC 2009). In the area of the RBAOC, the Orinoco River is fed by other tributaries: the Manaviche, Ocamo, Padamo, Iguapo and Cuucunuma Rivers on its right side, and the Mavaca River on its left. Toward the far western end of the reserve and on the left side of the Orinoco River, near a place called Tamatama (southwest of the high plain beneath Cerro Duida mountain), there is a bifurcation that diverts a significant part of the Orinoco's volume, giving origin to the Brazo Casiquiare channel (MINEA 2017).

The Brazo Casiquiare channel flows for 326 km, from its source, where it branches off from the Orinoco, to its mouth, where it flows into the Río Negro, a tributary of the Amazon River. Its basin covers 42,300 km². As it meanders through a vast peneplain it has a very shallow gradient, starting at an altitude of 123 m and ending at 91 m. Its tributaries include the Pasimoni, Siapa, Pasiva and Pamoni Rivers. It should be noted that this connection between the Orinoco and the Amazon, by way of the Brazo Casiquiare channel, has been used by the Ye'kwana and other ethnic groups since ancient times (IPC 2009).

Geology and geomorphology

From the geological point of view, much of the RBAOC lies on the Guiana Shield (Figure II-3), whose origin dates back some 1.8 billion years. Its geological formations had their origin during the Precambrian period, predominantly during the Proterozoic eon, and to a lesser extent during the Mesozoic and Cenozoic eras. In other words, the rocks from the Precambrian period lie beneath the current higher altitude formations, and also appear as outcroppings amidst the peneplains or in the deep valleys that have been carved out by the rivers. The geological provinces that are most representative of the area are the Cuchivero, Casiquiare Complex Group, and Roraima Provinces (MINEA 2017; IPC 2009).

The topography of the RBAOC presents diverse scenery and rugged terrain within a relatively small area, with altitudes ranging from 100 m to as high as 3,014 m at Cerro La Neblina mountain. The reserve consists of lowlands, prominent *tepuí* formations (called "cerros" locally in Amazonas), and mountain ranges. The lowland region includes the peneplain of the Brazo Casiquiare channel (altitude

up to 100 m) and the flatlands among the foothills of the Upper Orinoco (altitudes between 200 and 500 m) (Huber and Wurdack 1984). The high plateau *tepui* formations, which loom over the surrounding scenery, have different degrees of flatness, and consist of sedimentary (sandstone and quartzite) and/or igneous rock. Their altitudes range from a minimum of between 800 and 1,000 meters to a maximum of 3,014 meters (Acta Terramaris 1993). The more representative *tepui* formations (“*cerros*”) of the RBAOC are Cerro Duida (2,400 m), Cerro Marahuaca (2,450 m), and Cerro Huachamacare (1,700 m) in the northwest, and Cerro Avispa (1,600 m) and Cerro Aracamuni (1,600 m) in the south. Also, at the southern end are Pico Phelps (also known as “March 31st”) (2,992 m) on the Venezuelan side, and Pico da Neblina (3,014 m), on the Brazilian side, and which is also the highest point in Brazil. The mountain ranges are mostly granite with rugged formations consisting of crests, glacis and meadows, with slopes greater than 250 m (MINEA 2017). The low hills consist of domes, hillocks and meadows, with slopes less than 250 m. These low hills are found in the vicinity of Cerro Duida mountain and the Siapa River basin (MINEA 2017).

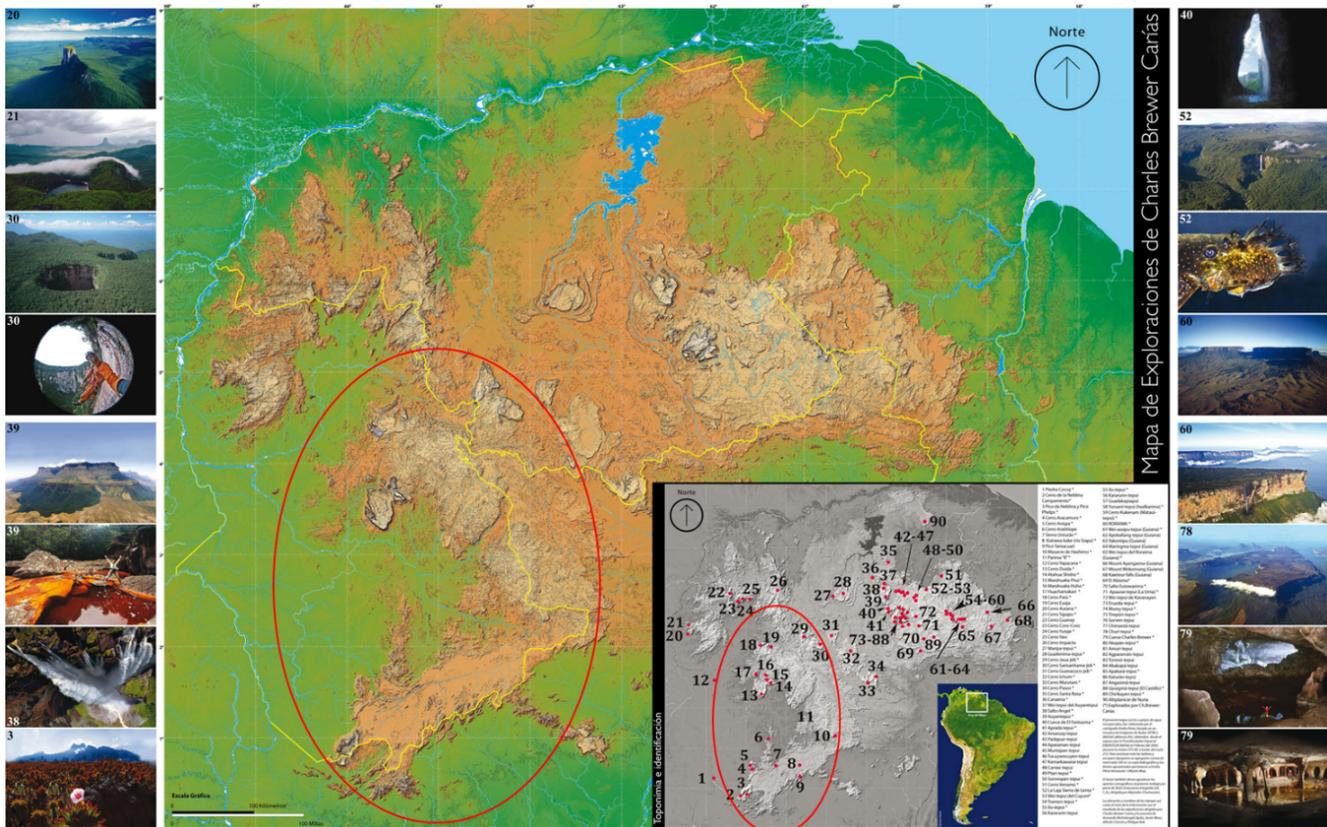


Figura II- 4. Geographic subregions (landscapes) located at t Southern Orinoco Relief’s. In red is marked the are where is located the RBAOC. From: Mapa de Exploraciones de Charles Brewer Carías. Emilio Perez & Charles Brewer. 2012. Printed in drop down.

Vegetation and soils

There is a great diversity of plant life in the RBAOC, with many endemic genera and species (MINEA 2017). According to Huber and Alarcón (1988), most of the reserve's vegetation is represented by submontane evergreen ombrophilous forests, basimontane evergreen ombrophilous forests, and seasonally flooded evergreen ombrophilous forests that spread out along the vast lowlands, mountains and mountainsides; as well as submontane evergreen ombrophilous brushlands (flatlands around La Esmeralda and parts of the Sierra Parima mountain range); and by montane non-brushy grasslands found on the high plateau *tepui* formations, where a high number of endemic species have been reported.

To a lesser extent, there are vegetation formations such as: open non-floodable grasslands (foothills of Cerro Vinilla mountain); non-floodable secondary grasslands with fern thickets (Sierra Parima mountain range, north of Parima B); submontane subevergreen ombrophilous forests (north of Sierra Parima and in the Prima B area); basimontane deciduous tropophilous forests (upper Ocamo River); montane evergreen ombrophilous forests (on Cerro Duida, Cerro Marahuaca, Cerro Huachamacare, Cerro Aracamuni and Cerro Avispa mountains); riparian evergreen seasonally floodable ombrophilous forests (Brazo Casiquiare channel and Orinoco River); and the swampy ombrophilous forests of the lowlands that include palm trees (lower part of the Mavaca River basin, on its right side).

With respect to the soils found in the RBAOC, they are derived from very ancient geological formations that have been subjected to extreme weathering and leaching, due to heavy precipitation levels and high temperatures, thus leaving very low reserves in the soils to serve as a "base." This intense weathering and leaching has resulted in very poor soils that lack fertility, and have hardly any cation-exchange capacity (INE 2007).

An interesting aside that reveals the extraordinarily valuable nature of the RBAOC from the point of view of its biodiversity is the fact that this region has the greatest wealth of mammal species in Venezuela; the lowlands region of the RBAOC alone possesses 57% of all the mammal wildlife in the country.¹³ If we further consider the fact that at the higher elevations of the RBAOC there are four more distinct mammal "zones," it is reasonable to assume that the reserve's total wealth of species is extremely high.¹⁴

¹³

https://www.researchgate.net/publication/308176457_Zoogeografia_y_Diversidad_de_los_Mamiferos_en_Venezuela_Mapa

¹⁴ Op cit.

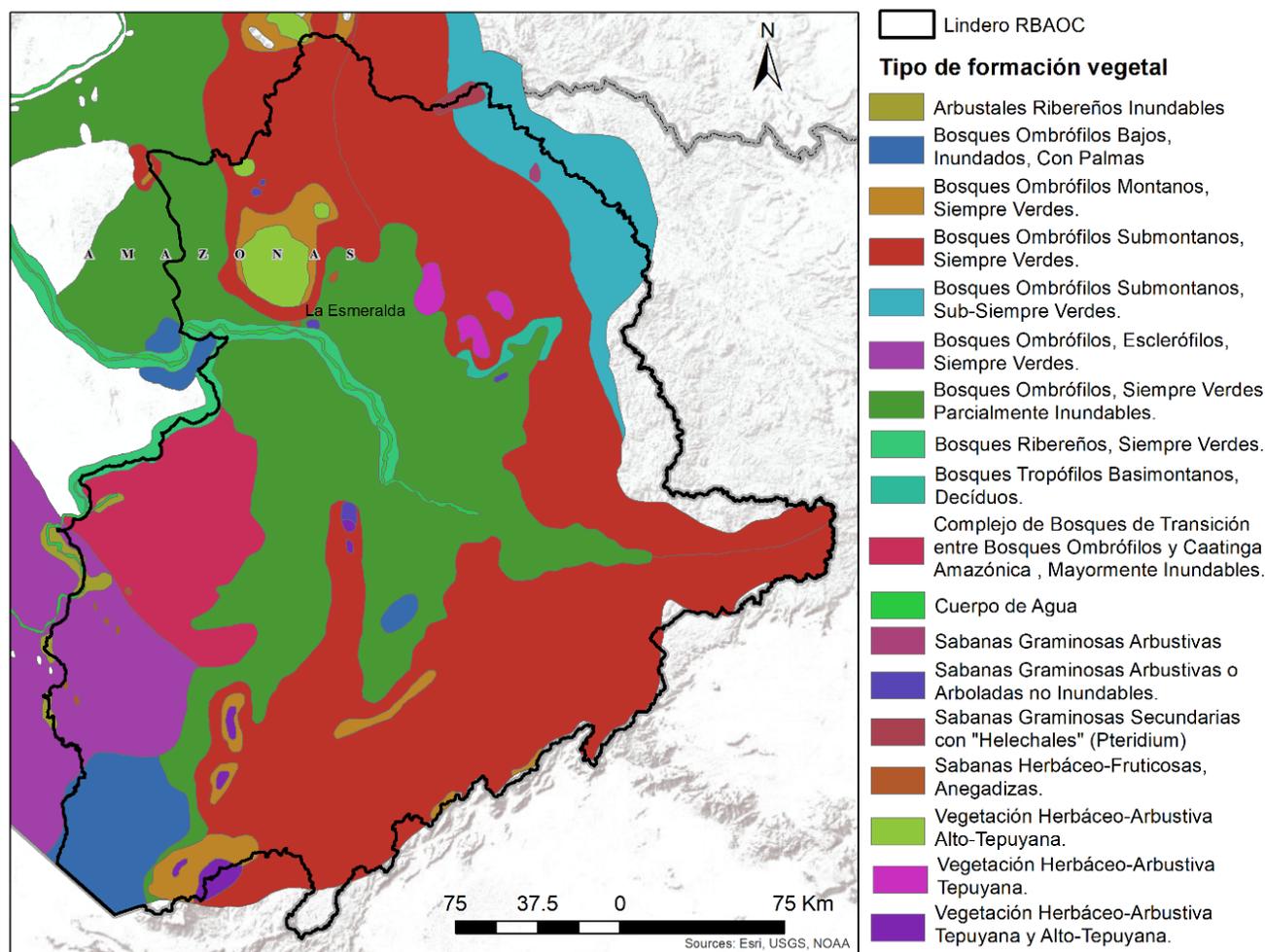


Figura II- 5. Vegetation formations. From Huber & Alarcon, 1998.

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CHAPTER III

THE PLIGHT OF THE INDIGENOUS PEOPLES OF THE BIOSPHERE RESERVE

Indigenous peoples and communities

Among Venezuela's individual states, Amazonas ranks second, after Zulia, in terms of indigenous population, given that 76,314 of its inhabitants represent 10.5% of the country's indigenous people. Nonetheless, Amazonas has the greatest proportion of indigenous population when compared with the totality of inhabitants in the state, with 50.1%, and is characterized by its diverse ethnic composition, with 18 original peoples. Of all the territorial entities in Venezuela, it has the greatest ethnic diversity.

Within this context, the Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC) is home to the largest patrimonial treasure trove in terms of ethnic, cultural and linguistic diversity, with the presence of communities consisting of indigenous members representing seventeen different peoples, namely: the Yanomami, Ye'kwana, Piaroa/Wótüja, Baré, Yeral/Ñengatú, Warekena, Sanema (a subgroup of the Yanomami), the Baniva, Kurripako, Inga, Jivi/Guajibo/Sikwani/Amorúa, Yavarana, Mapoyo/Wanai, Jodi, Mako, Guanano, and Tukano.

It is important to distinguish between the original indigenous peoples who are inhabitants of their respective ethnic area, in other words, those who have been living in the currently occupied by the RBAOC since the time of their ancestors; and those who are not original inhabitants of the area (INE 2015) and have moved in from other sectors of the state of Amazonas, from neighboring states or from other countries.

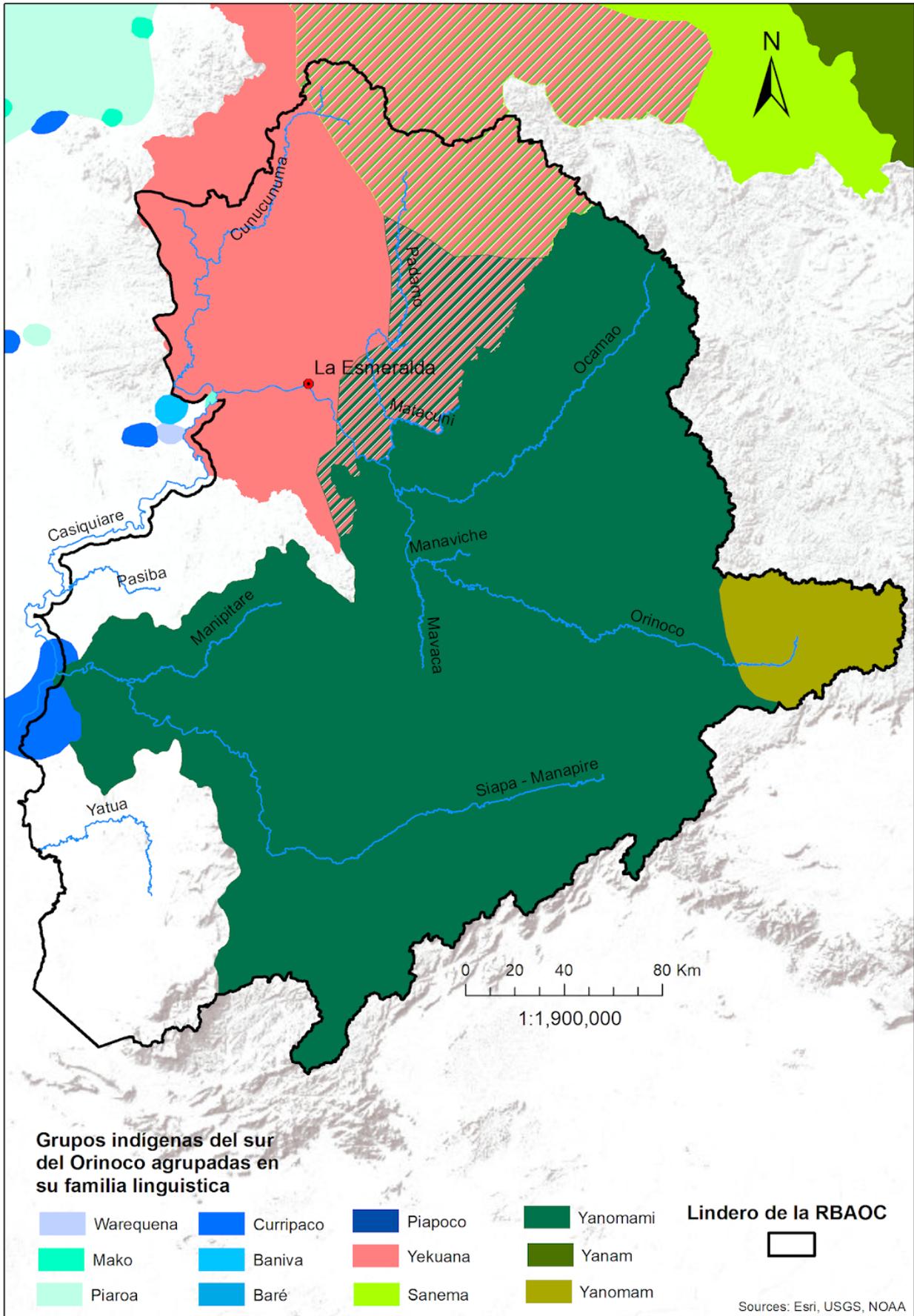
Among the indigenous peoples that are not originally from the area and who appear in the 2011 Census, there are the Mapoyo/Wanai, who came from Cedeño municipal district in the state of Bolívar; the Yvarana, whose traditional territory is located in Manapiare municipal district in the state of Amazonas; the Jodi, inhabitants of the Serranía Maigualida mountain range, which runs along the northern part of the state of Amazonas and the southwest part of the state of Bolívar; and the Mako, whose communities are located along the mid and lower Ventuari River and its tributaries. The Jivi/Guajibo/Sikwani/Amorúa are inhabitants of the *llanos* (plains) of Colombia and Venezuela, and their presence in Venezuela extends throughout the states of Apure, Guárico, Bolívar and Amazonas, mostly in Atures municipal district, and to a lesser degree in Autana and Manapiare. The Inga are from Colombia, the Tukano from Brazil, and the Guanano from Colombia and Brazil.

The original indigenous peoples living in the current RBAOC since ancestral times are mainly Yanomami, Ye'kwana and Sanema whom also happen to be the largest indigenous groups living in this broad expanse of the territory (see Figure III-2). Later in the report, we will delve into further detail about them. Also present, albeit in lesser numbers and limited to certain communities or settlements, are the Piaroa/Wótüja, Baré, Baniva, Kurripako, Warekena, and Yeral/Ñengatú, all of whom have traditionally lived within the territory encompassed by the RBAOC. Unfortunately, the lack of access to detailed information from the 2011 Census prevents us from describing the ethnic composition at the level of the communities or settlements.

It is important to clarify that in the greater Yanomami group there is a subgroup that calls itself, strictly speaking, the Yanomami (Yãnomãmi, Yanomamö), this being the only subgroup whose territory lies totally within the RBAOC. None of the other indigenous peoples confine themselves exclusively and territorially to the boundaries of the RBAOC. In the case of the Ye'kwana and the Sanema (also a subgroup of the greater Yanomami group), their territories are much broader, even though the RBAOC encompasses a substantial part of their ancestral territories. In the case of the other indigenous peoples, they live mainly in areas outside of the RBAOC, even though their traditional territories have a presence within the RBAOC.



Figura III- 1. Indigenous males (a) Yanomami, (b) Ye'kwana. Photo: Charles Brewer Carías



Los Yanomami



Figure III-3. *Yanomami Mother*. Photo: Steve Cox

The Yanomami are a hunter-farmer society in the northern part of the Amazonian region, and their contact with Venezuela's mainstream society has been relatively recent in most of their territory. Their population is estimated to be around 36,000 people, distributed among 637 communities: 258 in the extreme northwestern part of the Brazil's Amazonia and 379 in southern Venezuela (VV.AA. 2014). They constitute a cultural and linguistic grouping consisting of at least five adjacent subgroups that speak languages belonging to the same family. Four of these subgroups are present in Venezuela: the Yanomami (*Yānomāmi*, Yanomamö), the Yanomam (*Yanomae*), the Sanema (*Sanöma*, Sanima) and the Shirian (*Ninam / Yanam*).¹⁵ All five subgroups are present in Brazil, including the Yaroamë. The name Yanomami is used to designate the entire cultural and linguistic family, as well as the majority subgroup that inhabits the southeastern part of the Venezuelan state of Amazonas. Hereafter in this report, whenever we refer to the Yanomami as a subgroup, we will do so using italic letters (*Yanomami*), and normal letters for the group in its entirety.

Their territory (in the broad sense, including the five subgroups) encompasses approximately 23 million hectares (57 million acres) of continuous tropical forest, located on both sides of the border between Brazil and Venezuela in the Orinoco-Amazon interfluvial region (tributaries flowing onto the right side of the Río Branco and onto the left side of the Río Negro, and has as its epicenter the Sierra de Parima mountain range.

In Brazil, 21,627 people live on the Yanomami Indigenous Land, an area covering 9,664,975 hectares (23,882,673 acres) (VV.AA. 2014). By way of a presidential decree signed on 25 May 1992, the Brazilian government recognized the traditional occupation of this land, demarcated it, and gave it official status.

¹⁵ Other ethnonyms or alternate spellings that appear in the literature for these four subgroups are shown in parentheses.

In Venezuela, the 2011 Census recorded 9,497 Yanomami,¹⁶ 1,444 Sanema and 418 Shirian, the total being 11,341 people (INE 2105). However, despite the absence of a complete census, it is estimated that the totality of the Yanomami population in Venezuela (including the four subgroups) is between 12,000 and 14,000 people (Kelly and Carrera 2007), but many of their communities have no contact with the surrounding society and it is calculated that approximately 35% of Venezuela's Yanomami population has never been included in a census (VV.AA. 2014). Most of the Yanomami population, approximately 83% (9,429 reported in the municipal districts of Alto Orinoco and Río Negro), resides inside the Biosphere Reserve.

Their territory still has not been given a collective property title, which is supposed to result from the process of demarcation of indigenous habitat and lands, as provided by Venezuelan law. However, a great part of this territory is protected by the legal mechanisms that give structure to the Upper Orinoco-Casiquiare Biosphere Reserve. Some people are of the opinion that this administrative structure does not explicitly guarantee the indigenous peoples' rights established in the Constitution and the laws pertaining to the demarcation of indigenous habitat and lands in Venezuela, but there are also those who voice an opposite opinion.

The Yanomami's contact with *Criollo* society (Venezuelans of Hispanic cultural heritage) was rather belated. It was not until the start of the second half the 20th century, with the arrival of religious missionaries in the Upper Orinoco region, that the Yanomami began to have sustained contact with the *napë*.¹⁷ This relative isolation, due to the geographical obstacles that make it difficult to enter the tropical forest where they live, has allowed them to conserve their way of life, traditions, cosmogony and language.

Experts have determined there are approximately five areas that are in relative isolation, have very little contact with Venezuela's national society or entities of the State, and are particularly vulnerable according to the criteria used by the Office of the United Nations High Commissioner for Human Rights with respect to indigenous peoples who are in voluntary isolation and initial contact (Bello 2010).

Ever since the Christian religious missions first settled into their territory, and after gradual penetration by personnel from different governmental agencies, and by scientists, miners and the military, the Yanomami have experienced changes in their cultural patterns. Nonetheless, despite these transformations and the negative effects these exogenous agents may have caused, as in the example of the illegal miners, one can say that the Yanomami still maintain a high degree of cultural integrity and ethnic pride as an indigenous people, as evidenced by the everyday nature and vitality of their shamanic practices, idiosyncrasies, language, and the use of, and adaptation to their territorial spaces.

The *Yanomami*, numerically the most significant of the subgroups in Venezuela, live in the Alto Orinoco and Río Negro municipal districts of the state of Amazonas. The distribution of their population occupies a broad territory that includes the upper Orinoco River basin, the Siapa River

¹⁶ The Yanomam subgroup is not identified as a differentiated ethnic group in Venezuela and their population has been counted as part of the Yanomami.

¹⁷ *Napë* (anyone who is not a Yanomami). It also means 'enemy' or 'outsider'. It is used in contrast with *yanomami*, which means 'human being'.

basin and the Padamo, Ocamo, Metacuni, Cuntinamo, Mavaca, Manaviche, and Orinoquito River basins and their tributaries, and the Sierra Parima, Sierra Curupira, Sierra Unturán and Sierra Tapirapecó mountain ranges. There are also some communities that have settled along the Brazo Casiquiare channel.

In numerical terms, the Sanema constitute the second subgroup. Most of the Sanema communities live together with the Ye'kuana, with whom they have established a mutual dependence relationship. Their distribution encompasses a vast territory that extends into the upper basins of the Ocamo, Metacuni, Cuntinamo, Padamo and Ventuari Rivers in the state of Amazonas; and along the Caura and Eretrato Rivers in the state of Bolívar. In the Brazilian state of Roraima, they live along the headwaters of the Auarís River. Inside the RBAOC, the Sanema dwell in the most northern part of Alto Orinoco municipal district, and in the Ocamo, Metacuni, Cuntinamo and Padamo River basins.

The Yanomam subgroup constitutes a majority in Brazil; however, they also live in Venezuela's Alto Orinoco municipal district, in the environs of the National Guard post on Cerro Delgado Chalbaud mountain, and at the headwaters of the Orinoco. The Yanomam population has never been recorded as such in any censuses of indigenous peoples conducted by Venezuela, as they have always been subsumed under the Yanomami category or simply not recorded in the censuses.

The Shirian subgroup lives in the Paragua River basin, in Angostura municipal district, in the state of Bolívar; and in the Brazilian state of Roraima, within the Uraricoá, Uraricoera and Mucajaí River basins (*Comunidades, Tierra y Hábitat Yanomami* 2014). The Shirian have no presence in the RBAOC.

The Yanomami population in the RBAOC, including the three subgroups, is dispersed among an indeterminate number of communities, somewhere between 250 and 300 or more. Each Yanomami village, called a *shapono*, is home to between 30 and 300 people, with an average of 70 individuals per community. The average demographic density is 0.28 inhabitants per km² (0.11 inhabitants per square mile), which suggests a low population density distributed across a vast territory.

Although the Yanomami population is distributed throughout this vast and diverse territory, one must also take into account the fact that during recent decades many villages have resettled alongside the course of the larger rivers and have settled in a semi-permanent manner near the Christian missions and other *Criollo* settlements (schools, health centers, and military posts), and more recently, they have been attracted by political-partisan activities).

The more recent censuses of the indigenous population have reported an important logistical quandary in the attempt to establish a rigorous record of the Yanomami living in the state of Amazonas. In the 1982 Census, the number of Yanomami recorded in Amazonas was 9,717. At that time it was assumed that the population was being underreported to a certain degree, but no suggestion was made as to an estimate of the remaining unreported population. The 1992 Census mentions an estimated unreported population of 5,882 for Amazonas, attributed to the Yanomami group, for whom the total reported figure was 13,347. Similarly, in 2001, out of a total 12,049 Yanomami in the state of Amazonas, 5,000 is based on estimates and not directly recorded. One problem with the estimates is that the figures are attributed entirely to the Yanomami population without any additional specification, given that it is very likely that they include individuals who are Yanomami, Sanema and Yanomam. The 2011 Census recorded 9,424 Yanomami in the state of

Amazonas. However, in this last census, no estimates were made as to the unregistered Yanomami population because of logistical difficulties (see Table III-1).

Table III- 1. State of Amazonas. Yanomami population registered by census. Source: INE; Kelly et al. 2015.

Year	Yanomami Pop.	Observations
1982	9.717	No estimate is given of non-registered population, but the census acknowledges that there was an underestimation.
1992	13.347	Of which 5,882 are estimated to be unregistered individuals in Amazonas belonging to the Yanomami group.
2001	12.049	Of which 5,000 are estimated and not directly recorded.
2011	9.424	No estimates are made of non-registered population, but it is presumed that they exist.

It is noteworthy that even though the national indigenous population shows positive rates of increase starting in 1982, and the registered Yanomami population shows a 3.22% year-to-year rate of increase between the 1982 and 1992 Censuses, in the last three census procedures, between 1992 and 2011, the record shows that the registered population has decreased from 13,347 to 9,424, which represents a negative year-to-year rate of -1,84%, with a population decrease of 3,923 people, equivalent to a 29.4% loss in 19 years. These changes in the total registered Yanomami population in the last four census operations do not seem to be attributable to real demographic changes, but instead show the degree of difficulty encountered in conducting these censuses because of the geographical obstacles and the transportation and logistics limitations for gaining access to communities that are dispersed throughout such a vast, and at times inaccessible, territory.

Los Ye'kwana



Figure III-4. Young Ye'kwana woman. Photo: Charles Brewer Carías

The Ye'kwana¹⁸ speak a language that belongs to the Cariban¹⁹ family of languages, and they are recognized as a singular indigenous people. In the past they were commonly known as the Makiritare, or the Mayongong, as well as by other nomenclatures. The term Ye'kwana is associated with their relation to the water and to navigation and can be translated as the 'dugout canoe people'. They have a strong sense of ethnic pride, which has helped them to keep distinctive cultural features such as their language, kinship system, rituals and view of the world. Meanwhile, and thanks to their long history of relations with the *Criollo* world, they have a broad intercultural experience that has allowed them to become integrated into Venezuela's mainstream society without diminishing their cultural values. Nonetheless, Ye'kwana society is currently experiencing important processes of cultural change associated mainly with their exodus to the cities in search of educational opportunities for their children, adolescents and young adults (Silva 2018).

The Ye'kwana inhabit a vast territory that straddles the area between the Venezuelan states of Amazonas and Bolívar and extends into the Brazilian state of Roraima. In the state of Amazonas they live along the entire length of the Cunucunuma, Iguapo and Padamo River basins; on both watersheds

¹⁸ They also appear in the literature as Ye'kuana, Dhe'cwana or De'kwana, depending on the spelling conventions used, as well as the dialectal variations of the Ye'kwana language itself.

¹⁹ In Venezuela, the indigenous people belonging to the Cariban language family include the Akawayo, E'ñapa, Japreria, Kari'ña, Mapoyo/Wanai, Pemón, Yavarana, Ye'kwana and Yukpa.

of the Orinoco River between the outlets of the Cunucunuma and the Padamo; and at the headwaters of the Metacuni and the Cuntinamo, in Alto Orinoco municipal district; this being an area that coincides with that of the RBAOC. Also, in Amazonas, this includes the upper Ventuari River in Manapiare municipal district. In the state of Bolívar, their communities extend throughout the Caura and Erebató River basins in Sucre municipal district, and also along the Paragua River in Angostura municipal district. In the Brazilian state of Roraima, they live in the area of the Auarís and Uraricoera Rivers. Most of their territory is shared with the Sanema, and on the Padamo River they share the area with Yanomami communities. In recent years there has been a growing presence of the Ye'kwana in cities and towns such as Puerto Ayacucho, Ciudad Bolívar and Maripa (Silva 2018).

Even though the Ye'kwana living in the three large territorial blocs (Upper Orinoco, Upper Ventuari and Caura regions) have followed procedures for the self-demarcation of their lands, and their grassroots organizations have formally presented the results to the respective demarcation commissions, none of these demarcations have been recognized by the national government, and as of now, they do not hold collective property titles to their habitat and lands.

According to the results of the 2011 Census, the Ye'kwana consisted of 7,997 individuals, distributed between the states of Amazonas (58%) and Bolívar (41%) (INE 2011-2012), living in approximately 66 communities (VV.AA. 2014). In Brazil, the Ye'kwana population is reported to be 593, living in three communities (Siasi/Sesai 2015, in Gongora 2017). The Ye'kwana population in Venezuela has shown a sustained increase, according to the results of the latest censuses (see Table III-2), going from 3,038 in 1982 to 7,997 in 2011. This represents an annual population growth rate of 3.4% during 29 years, which has resulted in a population increase of 263%.

Table III- 2. Ye'kwana population in Venezuela recorded by census and by state. Source: Fuente: INE 2001; INE 2011-2012; Kelly 2007.

Year	Amazonas	Bolívar	Other states	Total	PGR ²⁰
1982	1.749	1.284	5	3.038	
1992	2.671	1.789	12	4.472	3,9%
2001	3.783	2.684	56	6.523	3,8%
2011	4.658	3.280	59	7.997	2,1%

In general terms, the Ye'kwana represent an ethnic, cultural and linguistic unit. However, there are internal differences among the geographical groupings or regional blocs that manifest themselves in the dialectical variations in the language, the use of certain ethnonymic locatives, and in the orientation of social relations and matrimonial interchanges (Silva 2018). The distribution of these dialectical and cultural variations, according to Silva Monterrey, is the following:

- 1) De'kwana, or Kunuhana, dialect, in the Cunucunuma, Padamo and Cuntinamo regions, in the state of Amazonas.
- 2) Ye'kwana, or Ihuruana, dialect in the Ventuari region (state of Amazonas), in the communities of the Erebató and the lower Caura Rivers, in Tadakwanña (state of Bolívar) and in Brazil.

²⁰ TCD: Tasa de Crecimiento Demográfico (en % interanual).

- 3) A mixture of these two dialects with their peculiarities, in the communities of Kanarakuni and in San Pedro de Adawaña, as well as in the Paragua River basin (in the state of Bolívar) (Silva 2018).

The Ye'kwana living in the RBAOC are part of the regional bloc that speaks the De'kwana, or Kunuhana, dialect. They constitute 2,615 inhabitants and dwell in approximately 23 communities, distributed along the Orinoco, Cunucunuma, Iguapo, Padamo, Metacuni and Cuntinamo Rivers in Alto Orinoco municipal district. La Esmeralda, the municipal seat of Alto Orinoco municipal district, is a multiethnic community, but is located within territory that the Ye'kwana consider to be their own, and where they are in the majority. The Ye'kwana call the town Kadawanadunña.

Other indigenous peoples

As we saw earlier, in the RBAOC there are several other indigenous people located in certain communities or population centers. The size of their population is considerably smaller than that of the Yanomami or the Ye'kwana.

The Piaroa/Wótüja live in a community on the Caño Tamatama stream, on the right side of the Orinoco, very near the mouth of the Brazo Casiquiare channel. This community is located at quite a distance from what may be considered to be traditional Piaroa/Wótüja territory, which is in the northwest quadrant of the state of Amazonas, in the extreme southwest part of the state of Bolívar, and in Colombia on the western side of the Middle Orinoco.

The Baré, Baniva, Kurripako and Warekena are indigenous peoples whose language belongs to the Maipure-Arawak language family (González Nández 2018) and, within the RBAOC, they live in various communities along the Brazo Casiquiare channel, in the Lau Lao community, located on the right bank of the Orinoco downstream from the mouth of the Cunucunuma, and in La Esmeralda, where they have settled into the La Costa neighborhood (Acuña 2008). These peoples, also known as the Arawak of Southern Venezuela, also dwell throughout Colombia and Brazil in the Guainía and Içana River basins, and on the Río Negro and its tributaries (González Nández 2018).

Most of the Yeral/Ñengatú are descendants of the Southern Arawak peoples and speak Ñengatú, a creole language also known as Lengua Yeral, a term derived from the descriptor *Língua Geral*, which means 'general language' in Portuguese. This creole language is derived from the Tupinambá language, which belongs to the Tupí-Guaraní language family. The Jesuits are credited with having standardized it, and it was widely spoken in Brazil during the 16th and 17th centuries. The speakers of Yeral/Ñengatú currently live along the course of the upper Río Negro, between Brazil, Colombia and Venezuela (Ñe'engatú 2018; Rivero et al. 2002). The Yeral/Ñengatú that live in the RBAOC reside in the communities along the Brazo Casiquiare branch and in the La Lomita neighborhood of La Esmeralda (Acuña 2008). Although the Inga are an indigenous people originating elsewhere, having come from the Putumayo River area in Colombia, they have been living in the state of Amazonas for several decades. In the RBAOC, they are present in La Esmeralda, where they make a living from commercial activities.



Figure III-5. Piaroa shamanic dwelling. Photo: Alberto Blanco Dávila

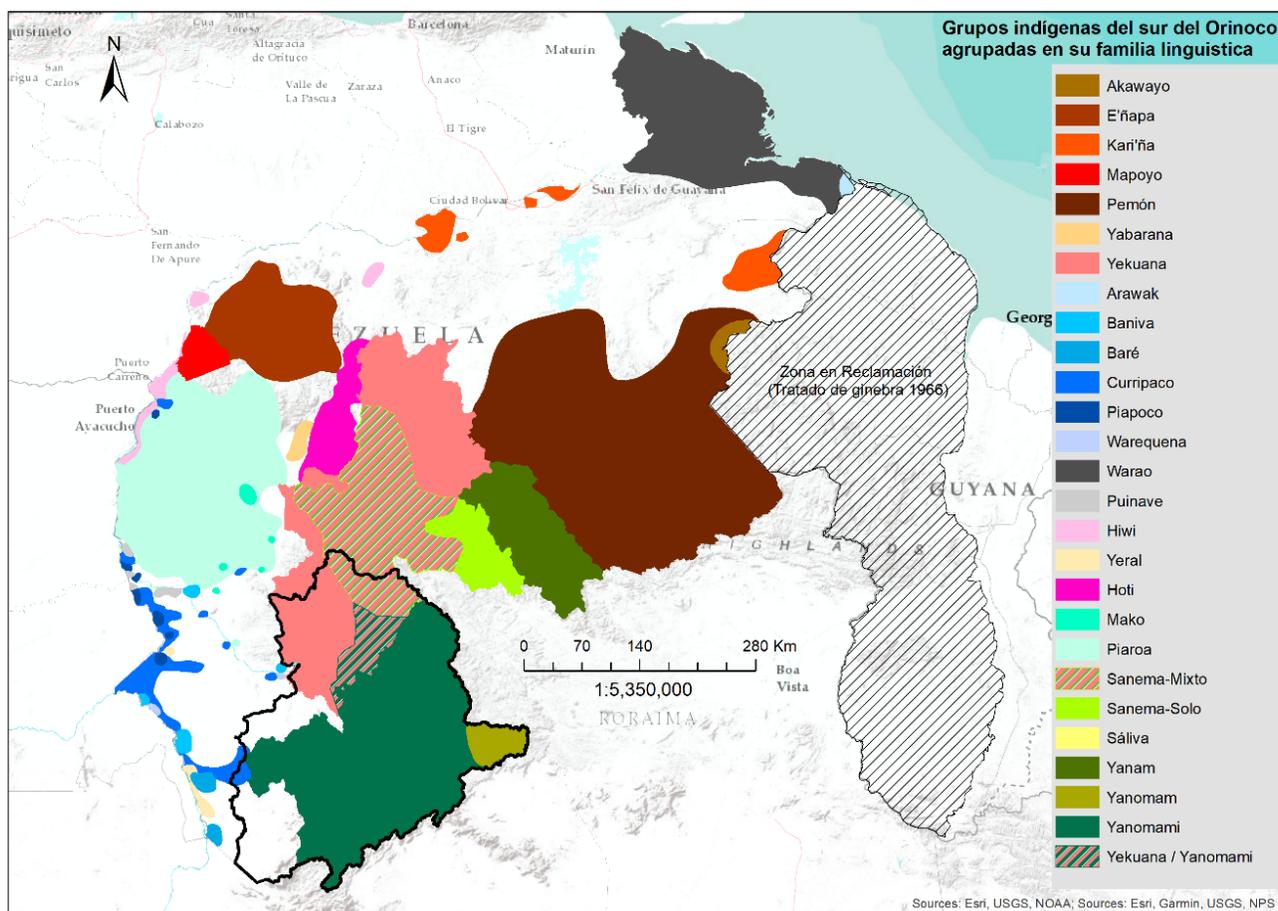


Figura III- 6. Geographical location of indigenous people in the southern Orinoco region. Source: Freire y Tillett 2007, Venezuela 2013, VV.AA. 2014.

Presence of the Venezuelan State and Non-Governmental Institutions

The settings of the Alto Orinoco and Río Negro municipal districts of the state of Amazonas, are characterized by their peripheral nature, in the context of the state and of the nation. Yet this periphery is not determined by the geographical remoteness alone, and even less so by a presumed historical stagnation. If anything, it is necessary to understand that the scarcities and problems suffered by the inhabitants of the RBAOC are a consequence of a chronic state of abandonment by the Venezuelan State.

The feeble presence, or at times, the complete institutional absence together with the lack of adequate policies aimed at guaranteeing the realization of fundamental human rights, and in particular, the rights of the indigenous peoples as established in Venezuela's Constitution and laws, embody the causes of current conditions, which will be described further along in this report.

Among the indigenous societies that inhabit the RBAOC, we find a wide range of situations in terms of the degree of cultural change that results from contact with the surrounding society. The differences we encounter inside these societies are derived from the inherent heterogeneity, and the degree of exchange that takes place with agents of Venezuela's mainstream society, that is to say, private, as well as governmental, entities.

Below we will present a description of the presence of institutions of the Venezuelan State and of other non-governmental actors in the RBAOC (see Table III-3). The goal is not to conduct an exhaustive inventory of public policies implemented in the setting of the RBAOC, but rather to present an overall view of the institutions having a greater effect on the population.

Table III- 3. RBAOC - Presence of the Venezuelan State and religious missions

N°	Community	Indigenous People	Location	Mun. ²¹	Health services	FANB	Religious Missions
1	Acanaña	Ye'kwana	Cunucunuma	AO	CPT1	Ejército	
2	Arimawe	Yanomami	Orinoco	AO			Salesianos
3	Caño Alacrán	Ye'kwana	Padamo	AO	CPT1		
4	Cejal	Yanomami	Orinoco	AO	CPT1		
5	Cerrito	Yanomami	Orinoco	AO			Salesianos
6	Culebra	Ye'kwana	Cunucunuma	AO	CPT1		
7	Delgado Chalbaud	Yanomami	Cerro Delgado Chalbaud	AO		Guardia Nacional	
8	Hapokashita	Yanomami	Orinoco	AO			Salesianos
9	Harurusi	Yanomami	Caño Iyewei	AO			Misión Padamo
10	Huachamacare	Ye'kwana	Cunucunuma	AO	CPT1		
11	Karohi	Yanomami	Manaviche	AO			Salesianos
12	Koshirowë	Yanomami	Padamo	AO		Guardia Nacional	Misión Padamo
13	Koyowë	Yanomami	Orinoquito	AO		Ejército	Ex MNT
14	Kua	Yanomami	Padamo	AO			Misión Padamo
15	La Esmeralda	Multiétnico Ye'kwana/ Yanomami/ Arawako/ Otros	Orinoco	AO	CPT2, CDI, SRI, Jef. Dto. Sanit. N° 4	Armada, Guardia Nacional, Ejército, Aviación y Milicia	Salesianos
16	Lau Lau	Baniva	Orinoco	A	CPT1		
17	Mavaca	Yanomami	Orinoco	AO	CPT2		Salesianos
18	Mavaquita	Yanomami	Mavaca	AO	CPT2		Salesianos
19	Maweti	Yanomami	Ocamo	AO			Salesianos
20	Mawishiña	Ye'kwana	Cunucunuma	AO	CPT1		
21	Niayope	Yanomami	Parima B	AO	CPT2	Ejército	Ex MNT
22	Ocamo	Yanomami	Ocamo	AO	CPT2		Salesianos
23	Payara	Yanomami	Orinoco	AO			Salesianos
24	Piedrita	Yanomami	Orinoco	AO			Salesianos
25	Platanal	Yanomami	Orinoco	AO	CPT2		Salesianos
26	Purima	Yanomami	Orinoco	AO			Salesianos
27	Shakita	Yanomami	Orinoco	AO			Salesianos
28	Sheruana	Yanomami	Orinoco	AO			Salesianos
29	Tamatama	Ye'kwana	Orinoco	AO	CPT1	Guardia Nacional	
30	Thothoropi	Yanomami	Ocamo	AO			Salesianos
31	Toki Shanamaña	Ye'kwana – Sanema	Padamo	AO	CPT2		
32	Wakamaya	Yanomami	Orinoco	AO			Salesianos
33	Warapana	Yanomami	Mavaca	AO	CPT1		Salesianos

²¹ UO= Upper Orinoco, RN= Río Negro, A=Atabapo

34	Watamo	Ye'kwana	Padamo	AO	CPT1	Ejército	
35	Yahanama	Yanomami	Padamo	AO	CPT1	Ejército	Ex MNT
36	Yanatuña	Ye'kwana – Sanema	Cuntinamo	AO	CPT1		
37	Yanoma	Sanema	Metacuni	AO			Ex MNT

National and Regional Governments

Even though, generally speaking, the national government has no direct presence of high relevance in the geographical space occupied by the RBAOC (without mentioning the management of the reserve strictly speaking), it does have an influence by way of the public policies and social programs implemented by the ministries and other institutions that execute the so-called “social missions.” Among which, those of greatest direct involvement with the indigenous communities are: The Ministry of the People’s Power for Indigenous Peoples and the Ministry of the People’s Power for Communes and Social Movements.

Ministry of the People’s Power for Indigenous Peoples (MPPPI)

The MPPPI was created in the year 2007 as “the body for implementing government policies for the indigenous milieu” (MPPPI 2007) with the added objective of “providing short- and medium-term answers to the more urgent needs of the country’s indigenous peoples and communities” (MPPPI 2016). One of the fundamental tasks of the MPPPI in the matter of implementation of indigenous rights is organizing the national process of demarcating indigenous lands and habitats by way of the National Commission on Demarcation.

The MPPPI is organized into Territorial Offices located in states that have a sizeable indigenous population. In the state of Amazonas, it acts through the “General Office of the Indigenous Communal Territory for the Rivers, Mountains and Woodlands of the Amazon Forest.”

The common denominator of the policy developed by the MPPPI has been the channeling of the national government’s policies of social assistance toward the indigenous communities, particularly the “social missions’ and the implementation of the institution of the Communal Councils. The MPPPI’s action has been characterized by welfarism, at one time leveraged by a torrent of financial resources, but which lack a strategic vision oriented toward the design and implementation of public policies. Functions and efforts, as well as the investment of resources are duplicated, and there is little inter institutional coordination, and crucial issues such as the demarcation of indigenous lands are set aside. In this sense, it is worth emphasizing that there is a lack of effort to develop differentiated policies that would consider and respect the specific socio political organizational systems of each of the indigenous peoples, thus dismissing the vision of the affected communities for solving their own problems.

There has been an implementation of housing and infrastructure construction projects, medical initiatives, food and personal products distribution, appointment of salaried positions and community funding, all of which have intensified patronage relationships that have electoral purposes, thus diminishing local leadership and causing internal divisions and conflicts within the communities (Tillet 2010). Meanwhile, the MPPPI has been characterized as not recognizing the indigenous

organizations as valid representatives, because in most cases it wields a certain amount of control over them.

State and Municipal Governments

Amazonas is a state characterized by production that is oriented toward local consumption and where the main source of employment is the State apparatus. The government of Amazonas has limited capacity for executing public works and implementing public policy. However, it is one of the main sources of employment in the region. Through the state government's Secretariat of Education, a significant number of teachers are hired for the schools that operate within the realm of the RBAOC. Likewise, the state government is a source of diverse jobs in the indigenous communities under a wide range of different roles.

The municipal governments in Amazonas, a state where indigenous peoples are in the majority, are characteristic of a territorial government and management model that is completely alien to the peculiarities of the indigenous peoples. Consequently, even though several of the mayors have been indigenous, they have been described as having deficient administrations, marked by inadequate management of resources and a lack of technical and legal skills that would allow them to promote their municipal governments.

In the Alto Orinoco and Río Negro municipal districts, the municipal governments are one of the main sources of employment, and this is utilized as a mechanism for gaining political loyalties, especially during electoral occasions. Meanwhile, the growth of the wage-earning population among the indigenous peoples is having significant impacts on the economy, the food supply and political relations between and within the communities.

Bolivarian National Armed Force

Even though the Armed Force is part of the National Government, we will discuss it separately for purposes of this report because of its peculiar nature and dynamics. In the territory comprising the RBAOC, the main military facilities are located at La Esmeralda, the seat of Alto Orinoco municipal district, where there is a paved airport runway with a length of more than 2,000 meters (6,500 feet), serving as the Air Force's Orinoco Air Base. There is also a Navy post, and the Army, National Guard and Militia are likewise present.

In the Yanomami area of the Upper Orinoco there are two military posts. At Parima B, in the Sierra Parima mountain range, very near the border with Brazil, there is an Army post, and at Cerro Delgado Chalbaud mountain, also next to the border with Brazil, at the headwaters of the Orinoco River, there is a National Guard post.

Following the expulsion of the New Tribes Mission (NTM) from Venezuela, between 2005 and 2006, the Defense Ministry began implementation of the National Strategic Plan for the Defense, Development and Consolidation of the South. Part of this plan consisted of establishing the presence of the Venezuelan State in places where the NTM had been present, by establishing small military detachments. These new military posts have very little structure; however, they do have a telecommunications system, and there are approximately 10 soldiers at each post. In the Upper Orinoco region, the military moved into the Yanomami communities of Koyowë (Orinoquito River),

Yahanama (upper Padamo River) and Koshirowë (lower Padamo River) (Kelly 2007). Nevertheless, some of these military posts have been withdrawn as a result of problems resulting from the presence of this military personnel in the indigenous communities.

In the Ye'kwana area of the Upper Orinoco, in addition to the military base at La Esmeralda, there is a National Guard post at Tamatama, on the right bank of the Orinoco River near the bifurcation where the Brazo Casiquiare channel begins, which serves as a checkpoint for controlling river traffic, and there are two others, created in connection with the expulsion of the NTM, one at the communities of Watamo (Padamo River) and the other at Acanaña (Cunucunuma River) (Kelly 2007).

On the Brazo Casiquiare channel, there is a National Guard post at the community of Solano. Even though it is outside the boundaries of the RBAOC, it serves as a checkpoint for the control and surveillance of traffic along this waterway that interconnects the Orinoco and the Río Negro.

In addition to setting up military posts at places where the NTM had been located, another strategy developed by the FANB for bolstering their control and presence in the area, after expelling the NTM, has been to draft young indigenous men into military service, especially from the Yanomami areas of Parima, Koyowë and Chalbaud. These indigenous draftees are kept at the barracks in Puerto Ayacucho for a period of two years, after which they continue to receive more advanced training until they return to their communities of origin.

Border Security Area

The RBAOC is totally situated within the much larger Border Security Area (Venezuela 1998), as it is part of the area along the border with Brazil and Colombia. This is an ABRAE, which means that it may be subject to regulations concerning uses and activities, in accordance with military interests.²² The FANB is in charge of controlling traffic and access into the area, especially when it is by air (Venezuela 2004). This means that general access to the area, particularly to communities normally accessed by air using airplanes or helicopters, may only be possible by using military aircraft. Civilian aircraft require special approval from the military authorities in the state of Amazonas.

The development of activities by other governmental institutions in the indigenous communities, for example those having to do with health, is also subject to having access controlled by the FANB and is basically dependent on air logistical support from the military. Although it has helicopters and airplanes of different sizes, the presence of military air support is rather limited and is usually subject to the military's own agenda. Nevertheless, this air support is essential for allowing the institutions of the Venezuelan State, especially the health system, to develop their activities in the area, most of all for transportation in cases of medical emergencies, such as patients that need to receive help in Puerto Ayacucho, as well as transporting medical personnel and supplies for the health system.

Public health system

In the state of Amazonas, the public health system is administered by the Office of Regional

²² Further reflections concerning this role may be found in our report on Yapacana National Park: https://drive.google.com/file/d/1akOuQ8aXiBWxbb6_jODPmiTJRx2YHpBs/view

Health (DRS), which is functionally and administratively part of the Ministry of the People's Power for Health (MPPS), since Amazonas is one of the states where public health continues to be centralized.²³

The DRS is organized into seven Health Districts, whose territories coincide with those of the municipal districts. The network of health facilities is directly accountable to the chiefs of the Health District, who in turn answer to the Regional Health Director. The health system that serves the population living in the RBAOC belongs to Health Districts N° 4 (Alto Orinoco) and N° 7 (Río Negro).

The network of health facilities consists of the so-called traditional outpatient network that includes Type 1 and 2 Rural Outpatient Facilities (AR I and AR II) (*ambulatorios rurales*), and the services implemented by the Cuban medical mission by means of the Inner Neighborhood Mission (MBA) (*Misión Barrio Adentro*), which includes the People's Medical Facilities (CMP) (*Consultorios Médicos Populares*), the Comprehensive Diagnostic Centers (CDA) (*Centros Diagnósticos Integrales*) and the Comprehensive Rehabilitation Units (SRI) (*Salas de Recuperación Integral*), among other health facilities. Starting in the year 2015, in accordance with the new classification system for health facilities (MPPS 2015), the AR I's were renamed Type 1 People's Medical Offices (CPT1) (*Consultorios Populares Tipo 1*), while the AR II and the People's Medical Facilities of MBA were both renamed Type 2 People's Medical Facilities (CPT2) (*Consultorios Populares Tipo 1*).

Health Districts Administration

At La Esmeralda, one finds the headquarters of the Alto Orinoco Health District Administration, which administers all health services in the Alto Orinoco municipal district. There is also a CPT2 whose resolute capacity is somewhat greater than that of the rest of the network of outpatient facilities, in addition to a Comprehensive Diagnostic Center (CDI) and a Comprehensive Rehabilitation Unit (SRI), both of which are part of the MBA and are staffed by Cuban personnel.

Situated at San Carlos de Río Negro, are the headquarters of the Río Negro Health District and a CPT2 that serves the communities located along the Brazo Casiquiare channel and its tributaries, although in a very inconsistent manner.

Type 2 People's Medical Facilities

Type 2 People's Medical Facilities are characterized as having a Basic Health Group (GBS) (*Grupo Básico de Salud*) (MPPS 2016) that is supposed to be headed by a physician, together with a group consisting of local indigenous nursing personal, as well as Simplified Medicine Assistants (AMS) (*Auxiliares de Medicina Simplificada*), Community Agents for Primary Health Care (ACAPS) (*Agentes Comunitarios de Atención Primaria de Salud*), microscopy technicians, community health care workers, vaccinators, assistants, and maintenance personnel, all of whom tend to vary from place to place. In the RBAOC there are seven CPT2's, located at La Esmeralda, Parima B, Platanal, Mavaca, Mavaquita, Ocamo and Toki Shanamaña (a description of the current situation at the health care centers is given below). As a result of the departure of the NTM, a CPT2 was established at Koyowë, which operated

²³ The process of decentralizing health services, begun in 1989, sought to transfer responsibility to the states and municipal districts, pursuant to the federal governance model. Nevertheless, budgetary shortfalls and a lack of clear policies rendered this process incomplete (D'Elía 2008). Consequently, today there are 15 states where public health is administered by the regional and local governments; and 9 states where it continues to be assigned directly to the MPPS, the state of Amazonas being one of these.

for a while, but was then abandoned because of the lack of military air support necessary for gaining access to the site. In the Río Negro Health District there is only one CPT2, which is located at San Carlos de Río Negro, and whose area of coverage includes the Brazo Casiquiare branch and its tributaries.

Type 1 People's Medical Facilities

Type 1 People's Medical Facilities (CPT1) are now staffed by what are known as Health Promoters (*Promotores de Salud*) (MPPS 2015), after having been known as Simplified Medicine Assistants (AMS) (*Auxiliares de Medicina Simplificada*) since the 1960's, and who later came to be known as Community Agents for Primary Health Care (ACAPS) (*Agentes Comunitarios de Atención Primaria de Salud*) in 2006. These personnel had once been part of an old MPPS program whose objective it was to provide primary health care in rural communities having no access to medical attention by using individuals selected by their own communities, and who were trained, supervised and given supplies by the regional health systems. They would provide health care, immunizations and other services for treating and preventing illnesses.

Within the Yanomami communities, there are two CPT1's staffed by Yanomami AMS's. One is at the Warapana community on the Mavaca River, very near its outflow to the Orinoco, while the other is at the Cejal community, on the right bank of the Orinoco downstream from the bifurcation where the Brazo Casiquiare branches off from the Orinoco (Kelly 2007). In addition to these CPT1's, a total of 37 Yanomami Community Agents for Primary Health Care (ACYAPS) (*Agentes Comunitarios Yanomami de Atención Primaria en Salud*) trained by means of the Yanomami Health Plan (PSY) (*Plan de Salud Yanomami*), which we will cover below in further detail, many of them originating in communities where access is difficult. According to the MPPS, in communities where there are ACYPS's there is supposed to be a CPT1. However, in practice, this has not been accomplished.

Within the Ye'kwana communities there are nine CPT1's, situated at the Tama-Tama community on the Orinoco River; at the Acanaña, Culebra and Huachamacare communities on the Cunucunuma River; at Watamo and Caño Alacrán on the lower Padamo River; at Mawishiña and Yahanama on the upper Padamo River; and at Yanatuña on the upper Cuntinamo River (Kelly 2007).

Yanomami Health Plan

The General Office of Indigenous, Intercultural Health and Complementary Therapies (DSI) (*Dirección General de Salud Indígena, Intercultural y Terapias Complementarias*) of the MPPI is the agency in charge of establishing health policies and adapting them to the cultural peculiarities of the indigenous peoples. This office is in charge of the Yanomami Health Plan (PSY) (*Plan de Salud Yanomami*).

The PSY emerged as part of an agreement signed by the Venezuelan State before the Inter-American Commission on Human Rights (IACHR) as reparations to the Yanomami people for the Hashimú Massacre that occurred in 1993, where 16 Yanomami were murdered by Brazilian *garimpeiros* (see Appendix). A fundamental objective of the PSY is to enhance health care in the Upper Orinoco, especially in areas where access is difficult, where inhabitants have received no assistance historically. Among the main strategies developed by the PSY has been the enhancement of the network of health care establishments, the creation of Yanomami Agents for Primary Health Care,

and the establishment of travelling health care teams for providing basic assistance in communities that are not easily accessible, and who have no permanent health care services. However, even though the PSY has accomplished significant improvements in health care services to the Upper Orinoco population, its activity has been on the decline in recent years for lack of resources.

SACAICET

Even though the religious missions do not constitute a part of the government's institutions, they have undoubtedly played a role that has been very relevant to the indigenous communities, and they continue to do so today.

The New Tribes Mission (NTM) is an Evangelical Christian group, headquartered in the United States of America,²⁴ that had been working in indigenous communities in several Venezuelan states (Amazonas, Bolívar, Delta Amacuro and Apure) since 1946, with the objective of translating the Bible into the indigenous languages, evangelizing the people and establishing churches. In 1948, the first New Tribes Mission (NTM) North American Evangelical missionary arrived at Platanal, on the upper Orinoco. From that moment on, the NTM proceeded to expand its range of activities in the area. Tamatama, in Ye'kwana territory, was one of the strategic locations where the NTM settled. Among the Yanomami, the NTM had facilities and missionaries at Parima B, Koyowë, Yahanama and Yanoma. At Koyowë and Parima B they trained teachers who would then teach people in these communities to read and write, in the Parima B, Parima A, Parima C and Shamathari sectors, as well as the Koyowë, Tëpëshiwë and Shiauka communities. They also trained a few religious ministers. After the forced departure of the NTM in December of 2005, these teachers continued to work in their communities under the supervision of the MPPE's Education Zone (Kelly 2007). All of these missions were vacated following the presidential decree of 12 October 2005, which ordered their eviction, based on political motives. The arguments directed against the NTM alluded to "ethnocide,"²⁵ threats against Venezuela's sovereignty and security, and strategic minerals exploration (Bello and Tillet 2015), none of which was ever demonstrated. The NTM had an efficient and effective logistical platform that provided radio communications and air transport using well-equipped light aircraft, which provided fundamental support for the communities in terms of assistance, especially in cases of medical emergencies.

The Roman Catholic missions began in the Upper Orinoco in 1957 with the arrival of the first Salesian missionaries at the mouth of the Ocamo River, where they founded the Santa María de los Guaicas Mission. Currently, the Catholic missionary community consists of members of the Salesian order and the Daughters of Mary Help of Christians, as well as laypeople, with main headquarters at Mavaca. They are also present at Ocamo, Mavaquita, Platanal and La Esmeralda. These missionaries are in charge of the implementation of the Bilingual Intercultural Education program in the Yanomami schools located in their area of activity, as well as the Technical Education Unit at La Esmeralda, the only educational institution that teaches secondary education. It also serves as a boarding school. The Salesian mission of the Upper Orinoco also developed a set of projects in support of economic

²⁴ <https://ethnos360.org/>

²⁵ Alleged compulsory methods of religious indoctrination and their heavy cultural impact.

self-management in Yanomami communities by means of establishing production cooperatives that were later grouped into the Yanomami United Shabonos of the Upper Orinoco (SUAYO) (*Shabonos Unidos Yanomami del Alto Orinoco*.)

Finally, the Padamo Mission, consisting of a missionary family from the United States that had separated from the NTM, still has its headquarters at Koshirowë, a Yanomami community on the lower Padamo River. This is in addition to its permanent presence at the neighboring community of Kua. On the Caño Sangre stream, a tributary flowing into the right side of the Ocamo River, they also have facilities, as well as an intermittent presence at the Harurusi community. The missionaries of the Padamo Mission run a Bible school at Koshirowë (Kelly 2007).

Otras instituciones no gubernamentales

Aside from the religious missions and indigenous organizations, which will be discussed below, the presence of other non-governmental institutions has diminished considerably. This is because access to the area is now strictly controlled by the national government and the FANB, which has made access to the area increasingly difficult in terms of transportation and logistics.

Meanwhile, the absence of any well-defined policies or procedures for obtaining necessary permits for entering indigenous communities leads the decision-making agencies, in particular the MPPPI and the FANB, to exercise complete discretion in granting or denying access permits, or in allowing or prohibiting the initiation of projects or activities by non-governmental actors in the indigenous communities

Nevertheless, even though the direct presence of NGO's in the RBAOC is very limited, there are organizations that have carried out projects with indigenous peoples there. Among the more important ones, are the examples of the Office of Human Rights of the Apostolic Vicariate of Puerto Ayacucho (Catholic Church), the Another Future Civil Association, the Socio-Environmental Work Group of the Wataniba Amazonia and the Kapé Kapé Civil Association. Below, we will present a brief profile of these associations.

The Office of Human Rights of the Apostolic Vicariate of Puerto Ayacucho was founded in the 1990's. It defines its mission as “promoting and accompanying the indigenous peoples in their processes of conscience, training, organization and accountability, within their cultural and ethnic identities, and from the point of view of the rights of indigenous peoples” (Office of Human Rights – no date). This organization consists of a multidisciplinary team that focuses mainly on activities dealing with human rights education delivered to the indigenous communities, and on the establishment of a network of defenders of the rights of indigenous peoples throughout the state of Amazonas. They also offer counseling and legal advice to individuals, as well as to indigenous organizations, and monitor human rights violations and issues such as the delivery of health services, education, territorial demarcation, and special indigenous jurisdiction, etc.

The small organization known as the Another Future Civil Association consists mainly of anthropologists and is oriented toward developing research-action projects with indigenous communities. Since 1993, it has delivered technical support to the Ye'kwana of the Upper Orinoco in

the implementation of the “Waiting for Kuyujani” project, whose objective it is to defend and bolster the Ye'kwana culture and its ancestral territory. This project included self-demarcation of their territory, documentation of their oral history in order to establish an historical and cultural account of the occupation of the territory, implementation of their own education project, focused on rescuing their ethno-cultural identity, which resulted in the creation of the Aramare school, as well as the systematization of traditional knowledge related to their land and habitat, all of which were compiled in the *Dekuana Atlas*, among other activities. In the year 2001, under the guidance of the Another Future Association, the Upper Orinoco Ye'kwana organization known as Kuyujani the Originator was founded (Arvelo-Jiménez 2004). In a joint effort between the years 2006 and 2009, the Another Future Association and the Kuyujani the Originator Organization developed the project known as “Sustainable use and conservation of resources in the biodiversity of the Dhekuana indigenous territory,” thanks to a grant from the Global Environment Facility (GEF). A general objective of the project was conservation of the biodiversity through participatory planning, co-management of protected areas, implementation of innovative practices in the management of natural resources and the establishment of a lasting and equitable distribution of benefits on traditional lands belonging to the Dhekuana people (GEF 2010).

The Wataniba Socio-Environmental Workgroup of Amazonia (*Grupo de Trabajo Socioambiental de la Amazonia Wataniba*) was founded in the year 2005 as a non-profit civil association oriented toward the promotion and defense of the rights of the indigenous peoples of the state of Amazonas. It currently consists of a group of ten professionals from diverse areas (anthropologists, physicians, educators, lawyers, biologists and sociologists), who have transformed the original perspective of the organization, shifting from a fundamentally “indigenist” orientation over to a “socio-environmental” perspective. The objective of the Wataniba group is the promotion of “socio-environmentally sustainable territorial management, enhancing the technical and self-identifying capabilities of the peoples that inhabit Amazonia, designing jointly with the Indigenous Peoples public policies that are coherent with social and environmental rights recognized by Venezuelan laws” (Wataniba – no date). The Wataniba group provides permanent technical and political advice to approximately fifteen organizations in Venezuela’s Amazon region, grouped within the (Coordinating Body of Indigenous Organizations of Amazonas (COIAM) (*Coordinadora de Organizaciones Indígenas de Amazonas*). The most recent program to be implemented is the Socio-Environmental Observatory of Venezuela’s Amazonian Region (*Observatorio Socioambiental de la Amazonia Venezolana*), through which a record is kept of cases of pressure and threats, especially those associated with illegal mining activity (idem). Within the scope of the RBAOC, the Wataniba organization has developed projects with the Yanomami concerning bilingual intercultural education, territorial self-demarcation and management, as well as that of accompanying the Horonami organization in defense of their rights. It has also promoted, jointly with Brazilian indigenous organizations and NGO’s, several binational meetings for sharing experiences and exchanging information among the main Yanomami and Ye'kwana indigenous organizations and leaders from both countries.

Kapé-Kapé, a civil association, defines itself as “an organization dedicated to the promotion and enhancement of leadership and democracy in Venezuela,” and its main objective is “to defend and protect the rights of the indigenous peoples” (Kapé-Kapé 2017-2019). For this purpose, they

conduct educational activities centered around human rights and the rights of indigenous peoples with the objective of establishing a network of defenders in the indigenous communities. Their flagship project is the Indigenous Peoples' Rights Observatory (*Observatorio de Derechos de Pueblos Indígenas*), operating in the states of Amazonas, Bolívar and Delta Amacuro, its objective being the permanent observation of the state of basic services, health, education and other rights of indigenous peoples. For this purpose, they have a team of researchers, mostly indigenous, that conduct field work in the three states in order to verify directly the situation in the communities. Kapé-Kapé has published numerous reports about these matters and maintains a steady flow of information and news by way of the social networks.

Indigenous organizations

Las luchas de los pueblos indígenas de Amazonas por la defensa de su sobrevivencia cultural y sus derechos territoriales se remontan a las décadas de 1970 y 1980, cuando ocurrieron las ocupaciones de hacendados criollos en las sabanas de Kakurí y en Valle Guanay, ambos en el municipio Manapiare. Estos casos fueron determinantes en la movilización y reunión de líderes y comunidades indígenas para la defensa de sus territorios, y más adelante, en la conformación de organizaciones indígenas de base como parte del movimiento indígena que se gestaba a nivel nacional y que logró forma definitiva en 1989 con la creación del Consejo Nacional Indio de Venezuela (CONIVE) (Moncada y Tillett 2017).

A partir de la década de 1980 se empezaron a crear en Amazonas organizaciones indígenas con diversos objetivos y niveles de alcance. Existen numerosas organizaciones comunitarias bajo el modelo de cooperativas de producción, organizaciones gremiales que reúnen a maestros y otros profesionales indígenas, y organizaciones que buscan representar comunidades o pueblos indígenas por ámbitos territoriales que varían desde el nivel más local, pasando por el ámbito municipal o étnico, hasta la escala regional, entre otras. A continuación, se presentan brevemente las principales organizaciones indígenas de Amazonas con incidencia en el área de la RBAOC.

Regional organizations

ORPIA

The Regional Organization of the Indigenous Peoples of Amazonas (ORPIA) (*Organización Regional de los Pueblos Indígenas de Amazonas*) was created in September of 1993 as a result of protests against the exclusion of the indigenous peoples in the definitions expounded in the Law of Political-Territorial Division pertaining to the newly created state of Amazonas. This led to a lawsuit that was won in the Supreme Court of Justice. Another determining development was the Haximú Massacre that occurred in July of 1993, which drew national and international attention to the large-scale invasion by illegal miners into Yanomami territory in Brazil and Venezuela (Moncada and Tillett 2017).

ORPIA is the principal indigenous organization in Amazonas. It covers the entire state, and groups together most of the grassroots indigenous organizations, representing twenty indigenous peoples. Simultaneously, it is part of CONIVE and represents Venezuela before the Coordinating Body for the Indigenous Organizations of the Amazon Basin (COICA) (*Coordinadora de Organizaciones Indígenas de la Cuenca Amazónica*). In 2018, the current Coordinator General of ORPIA, José Gregorio Díaz Mirabal, was appointed as Coordinator General of the COICA.

COIAM

The Coordinating Body for the Indigenous Peoples of Amazonas (COIAM) (*Coordinadora de Organizaciones Indígenas de Amazonas*) consists of a diverse set of indigenous organizations that participate in the defense of their rights. COIAM is not an indigenous organization nor does it have legal standing as a corporation, but it does provide a space for meetings where a common agenda is articulated and coordinated, based on debate and consensus. Also, it does not assume a partisan identity. ORPIA and many other grassroots organizations converge on COIAM, which has also received technical support from Wataniba (COIAM 2017).

The COIAM emerged in the 2010 as a result of generalized dissatisfaction among the indigenous peoples and their organizations stemming from the lack of progress in the implementation of indigenous rights, especially in the matter of territorial demarcation. At that time ORPIA was inactive, with an expired Board of Directors that had been co-opted by an indigenous leadership that was partial to the national government. The need arose to reactivate and unify the indigenous movement around a common agenda, where the demarcation of the territories with effective participation by the communities was to be the center of attention (COIAM 2017).

Grassroots organizations

SUYAO

The United Yanomami Shaponos of the Upper Orinoco (SUYAO) (*Shaponos Unidos Yanomami del Alto Orinoco*) was incorporated in 1986 as an organization consisting of Yanomami communities of the Upper Orinoco for the purpose of grouping together all the Yanomami production enterprises that had been founded in the areas where the Salesian missions operate (Ocamo, Mavaca, Platanal, Mavaquita). SUYAO is registered with the National Agricultural Affairs Bureau as an agricultural and artisanal firm. It consists of small enterprises that follow self-management models, as for example: Watota, a women's enterprise for sewing and marketing clothing, hammocks, fishing nets, mosquito nets, etc; Nohimamotma, an artisans' enterprise; Kretetiwe, an agricultural enterprise (Finkers 2007).

However, SUYAO went beyond the production realm and turned into an organization that succeeded in achieving unified representation for the communities it had grouped together, as well as dialogue with government institutions. In this respect, SUYAO's inclusion as representatives of the Yanomami people in the decree that created the Parima Tapirapecó National Park, as well as their leadership at the beginning of the process of self-demarcation of the Yanomami territory, and their

participation in various conferences and events relating to the Yanomami are remarkable accomplishments.

Kuyujani Originario

Starting in 1993, with technical support from the Another Future Association, the Ye'kwana of the Upper Orinoco implemented a project called "Waiting for Kuyujani," in honor of their cultural hero. This was a long-term program whose objective it was to establish relations with the modern world from the point of view of the Ye'kwana world, for the purpose of defending and enhancing their own culture and their ancestral territory. In the year 2001, the Ye'kwana organization that created and administered the project was formally registered under the name Kuyujani the Originator (*Kuyujani Originario*) (Arvelo-Jiménez 2004).

From the beginning, the Kuyujani the Originator organization emerged with the objective of bringing legal certainty to the ancestral lands of the Ye'kwana and to demonstrate to the rest of Venezuelan society the Ye'kwana's ability to administer these lands in accordance with their own culture. Among the principal accomplishments of this organization has been the rescue of the Ye'kwana's ethno-cultural identity as a unifying principle that would supersede the divisions brought about by three decades of evangelization by the missionaries, the documentation of the oral history that establishes the historic and cultural foundations of their territorial claims, the demarcation of the ancestral Ye'kwana territory, the development of the Aramare schools as their own education project in the quest to pass the Ye'kwana culture onto new generations, and the acquisition of knowledge necessary for relating to the modern world (Arvelo-Jiménez 2004).

Horonami

The Yanomami Horonami Organization (HOY) (*Horonami Organización Yanomami*) was established in 2011 as an organization that sought to have the broadest representation among sectors of the Yanomami people of the Upper Orinoco, also including the communities in areas influenced by the Salesian missions, other sectors such as Parima and Koyowe, where the NTM missionaries had been present for many years, the communities in the area of Cerro Delgado Chalbaud mountain, and the Padamo River basin, among others. The name of Horonami, a hero in the Yanomami tradition, was given to the organization, which emerged out of the Yanomami leaders' need to have a mechanism for representing the diverse group of Yanomami communities and sectors, and which would serve as an agency of legitimate discourse for them to be represented as a people before the institutions of the Venezuelan State.

Horonami's priorities are centered mainly around the demarcation of the Yanomami territory, monitoring the presence of *garimpeiros*, liaison with the government institutions responsible for tending to the field of health and education, and reporting and following up on cases where the human rights of the Yanomami have been violated. Furthermore, Horonami maintains communication and a close relationship with the leaders of Yanomami organizations in Brazil, especially with the Hutukara Yanomami Association (*Hutukara Associação Yanomami*). From the very beginning,

Wataniba has played an important role in accompanying and advising HOY during its organizational evolution.

KUBAWY y UCYABIRN

The Kurripako, Baniva, Warekena and Yeral of the Guainía, Río Negro and Atabapo Rivers (KUBAWY) organization brings together the Arawak indigenous peoples and communities living in the basins of these three rivers. This organization was established in order to group together and represent the Arawak Peoples of the South with the objective of defending their territorial rights and enhancing their identities by rescuing their cultural traditions and their use of indigenous languages, which are in danger of extinction in several of these communities. In the realm of the RBAOC, there is a presence of Arawak peoples living in the area of Río Negro municipal district, especially on the Brazo Casiquiare channel, as well as in communities in Atabapo municipal district that are part of the RBAOC.

The Curripaco, Yanomami, Baré and Yeral of the Río Negro Union (UCYABYRN) seeks to bring together and represent a heterogeneous group of communities in the area of Río Negro municipal district. Within the RBAOC area, it includes the Curripaco, Yanomami, Baré and Yeral communities located in the area of the Brazo Casiquiare channel, the Siapa River and some of its tributaries.

Current Situation of Human Rights Among the Indigenous People's

Human rights are recognized and guaranteed by Venezuela's legal system, as established by the Constitution and the more important international treaties to which Venezuela is a signatory, and which have constitutional rank within the country. Likewise, Venezuelan laws recognize the indigenous peoples as collective subjects having a social organization, and their cultural identity is differentiated from the rest of the population. These laws recognize the rights of the indigenous peoples as specific and collective rights that are intended to guarantee their cultural specificity, their territorial spaces and their own ways of life (Bello 2011b).

Venezuela has also ratified several international legal instruments for the protection of the rights of indigenous peoples, such as the International Labor Organization (ILO) Convention Concerning Indigenous and Tribal Peoples in Independent Countries, 1989 (No. 169); the United Nations Declaration on the Rights of Indigenous Peoples; and the International Convention on the Elimination of All Forms of Racial Discrimination. In the national setting, the rights of the indigenous peoples are recognized in the Constitution, which dedicates an entire chapter to these rights, and in the Organic Law Concerning Indigenous Peoples and Communities, as well as in various other statutes. Thus, the indigenous peoples of Venezuela are covered by a broad legal framework that should make it possible to guarantee their human rights, as well as their collective rights as peoples.

Nonetheless, in practice, the Venezuelan State is far from being compliant with its own obligations in the matter of human rights, as violations have increased exponentially and systematically in recent years (cf. ACNUDH 2018). Likewise, progress toward the implementation of policies directed at bringing to fruition the rights of indigenous peoples has been very limited. Some of

the issues, where the rights of the indigenous peoples continue to be infringed upon, include the demarcation of their habitat and lands, health care delivery, and consultation prior to the development of mining projects in indigenous territories.

Below, we will describe the human rights condition of the indigenous peoples within the realm of the RBAOC. The analysis does not attempt to be exhaustive and will focus on three fundamental elements: the more important threats to the lives and personal and collective integrity of the indigenous peoples and communities of the RBAOC; the right to collective ownership of their habitat and lands; and the state of health rights as part of the right to life.

Principales amenazas a la vida y a la integridad personal y colectiva

The principal factor associated with the violation of the right to life and to the personal and collective safety of the indigenous peoples of the RBAOC since the 1980's has been the presence of illegal miners, mainly from Brazil, but also from Colombia and other regions in Venezuela. Their actions, which are not controlled or contained by the State, have caused and are causing, serious environmental damage. They bring in diseases and violate the physical integrity of numerous communities, placing in danger not only people's lives but also their socio-cultural integrity and their chances of survival (Bello and Tillett 2015).²⁶

One can say that in some areas of the RBAOC, indigenous territories have been invaded by illegal miners, mostly from Brazil, and commonly referred to as *garimpeiros*, or more simply *garimpos*. These areas include Cerro Aracamuni mountain and the Siapa River in Río Negro municipal district, the upper Ocamo River, the upper Metacuni river, the Sierra Parima mountains, and Cerro Delgado Chalbaud mountain in Alto Orinoco municipal district, as well as disperse points along the border between Venezuela and Brazil. Toward the end of the 1980's, this entire situation, as well as the threat of destruction of the headwaters of the Orinoco, led the Venezuela State to enact Presidential Decree N° 269 (1989), which prohibits mining activity in the entire state of Amazonas, creates the Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC) (1991) and the Parima-Tapirapecó National Park (1991), not only for the purpose of lending legal jurisdiction and protection to Venezuela's Amazonian region but also to offer an initial legal framework for guaranteeing the environmental and territorial rights of the indigenous peoples of the area (see Appendix).

In this context, the Yanomami people have been one of the indigenous groups to be most affected by the mining problem. Not only have they seen their habitat invaded, with serious environmental consequences, but they have also suffered attacks resulting in numerous injuries and deaths as a result of massacres on both sides of the border between Venezuela and Brazil. Faced with this situation, in terms of concrete actions to control entry by illegal miners and protect the environment, responses by the Venezuelan State have been rather deficient and poorly structured, and specific plans are not being followed. Meanwhile, the *garimpeiros* bring in and spread diseases that result in deaths among the indigenous peoples, who have little immunity against the pathogens to which they are being exposed. Meanwhile, there is a lack of health care services available to them.

²⁶ Most of the information used in this subchapter comes from Bello and Tillett 2015, unless another source is cited.

The illegal miners also contaminate the river waters with mercury and destroy the forests. They exploit Yanomami people in the gold mining operations and resort to armed violence against them when they are at odds with the occupation of their ancestral space. They rape the women and/or abduct them in order to exploit them sexually, and create numerous problems for everyday community life, which result from the introduction of behavioral patterns that are alien to the indigenous reality (alcohol, drugs, and industrial food, among other things) (Bello and Tillett 2015).

Meanwhile, there are reasons for assuming that the Venezuelan State itself intends to launch mining projects in the area, which would constitute a potential threat to the individual and collective integrity of the indigenous peoples of the RBAOC. A precedent from the past, established in a different legal and political context, involved the concessions granted in the year 1984 to the firm MAVA C.A. for exploring and extracting different minerals in the midst of Yanomami territory in the Upper Orinoco. Thanks to pressure from groups defending the indigenous peoples, that concession was subsequently revoked by the Ministry of Mines and Hydrocarbons.

However, more recent events are signs of the threat of a possible flexibilization of the legal framework that would allow for the development of mining activity in the area. An example of this was the agreement signed with CITIC Group, a Chinese company, in September of 2012, as part of the initial proposal by the Venezuelan Government to implement the so-called “Orinoco Mining Arc,” decreed in August of 2011. The agreement signed with CITIC Group had as its objective the certification and quantification of the country’s principal mineral reserves, particularly in the southern region (Bolívar and Amazonas), and the creation of a “Mining Map.” For this, the plans were to conduct field explorations, including the establishment of mining camps on indigenous territory in the states of Bolívar and Amazonas (Zerpa 2013). Should this project be implemented, it would affect the rights of the indigenous peoples of Venezuela’s Amazonian region, as well as the RBAOC, as the plans include explorations in the Upper Orinoco region, and the establishment of a camp at the Yanomami community of Ocamo. It is noteworthy that the agreement was signed despite the existing legal framework that not only prohibits mining activity (including explorations) but also mandates that there be free and informed prior consultation with the indigenous peoples and communities. This was never done.

Recently, the Kapé-Kapé Indigenous Rights Observatory has called attention to various debates taking place at the State of Amazonas Legislative Council and at that state’s municipal district councils. Consultations with people associated with indigenous movements, as well as statements by none other than the governor of Amazonas, highlight the need for the State to reconcile or normalize (“*sincerar*”) the mining situation in Amazonas. However, what is being planned there is not a war against illegal mining, but quite to the contrary, the legalization of such mining, the argument being that there is a need “to establish order” so that the Treasury can avail itself of a flow of revenue that would otherwise be lost, as this currently involves an illegal activity (Kapé-Kapé 2018).

The Kapé-Kapé Indigenous Rights Observatory has also issued warnings about the serious threat that may result from the eventual legalization of mining in Amazonas, through concessions to transnational companies in following with the scheme being applied inside the so-called Mining Arc.

This may conceivably evolve into genocide against the indigenous peoples and an ecocide of major proportions (Kapé-Kapé 2018).

Below, we will present some cases of violations of and threats to the rights of the indigenous peoples of the RBAOC to life and to personal and collective safety, perpetrated by the illegal miners, and the legal actions that have been taken to protect the lives and territories of the indigenous peoples, as well as the response of the Venezuelan State to address these problems.

Garimpeiro invasion of Yanomami territory in Brazil

The *garimpeiro* invasion of Yanomami territory in Brazil was the result of various projects implemented by what was then Brazil's military regime, which sought conventional development of the Amazonian region and the extraction of its natural resources. The year 1973 marked the beginning of construction of Brazil's north perimeter highway, known as BR-210, whose objective it was to join Brazil's east coast with the border area between Brazil and Colombia by crossing the northern part of Brazil's Amazonian region. Construction of this highway meant cutting through more than two hundred kilometers (125 miles) of Yanomami territory, thus jeopardizing the indigenous population that had remained relatively isolated up until that time. The front line of highway construction crews, followed by gold prospectors and settlers in search of land, brought in epidemics and conflicts that resulted in extremely high mortality rates, and the "destruction" of many communities among the Yanomami of Brazil (Ramos 1979).

In 1975, Brazil's Project RADAM²⁷ identified rich cassiterite (tin ore) deposits in the area of Surucucus, in the heart of Yanomami territory, which encouraged the arrival of hundreds of miners (Taylor 1979). The escalation of mining activity, with the complicity of the Brazilian state, cast a spell of destruction over the Yanomami territory and population. It is estimated that in late 1988, at the height of the *garimpeiro* invasion, there were as many as thirty to forty thousand miners on territory where no more than ten thousand Yanomami lived. Many of the *garimpeiros* carried firearms and enjoyed safe haven provided by "the *laissez-faire* policy of the military forces that were present in the area" (Aparicio 1989). There has been ample documentation of this invasion, with its ties to the Northern Corridor Project (*Projeto Calha Norte*²⁸), and the consequences that brought about numerous deaths from diseases and violence, as well as environmental and cultural damage.

More than 2,000 Yanomami died, most resulting from epidemic and endemic diseases introduced or exacerbated by the invasion, but also from violence directed against the Yanomami by the miners. In 1982, five Yanomami were murdered by miners in Brazil's Catrimani region. In August of 1987, four Yanomami were murdered in the Paapiú region, likewise in Brazil. In May of 1988, the

²⁷ Project RADAM (radar in Amazonia) is a surveillance project of the Brazilian government that uses radar imagery and other remote sensors for collecting data about mineral resources, soils, vegetation, land use and for mapping the Amazonian region and adjacent areas in the Northeast region.

²⁸ The Northern Corridor Project (*Projeto Calha Norte*) was a project of the Brazilian government, begun in 1985 that sought to "fortify the national presence" in the Amazonian border areas by means of military occupation along 6,500 km (4,063 miles) of the northern border of Brazil with French Guiana, Suriname, Guyana, Venezuela and Colombia (Projeto Calha Norte 2017).

garimpeiros inflicted wounds on a group of indigenous people, including several women, in the Serra do Urucuzero mountains, on the Venezuelan border. Between 1988 and 1989, miners killed approximately 15 Yanomami in acts of violence along the border between Brazil and Venezuela. In 1990, *garimpeiros* murdered two Yanomami individuals in the Auaris River region, also in Brazil. Furthermore, the murder of four Yanomamis was reported in Venezuela's Ocamo River region. In March of 1991, there were reports of *garimpeiros* inflicting shotgun wounds on Yanomami individuals near a clandestine landing strip in Brazil's Surucucus region. In 1993, the Hashimú Massacre took place, where 16 indigenous persons were cruelly murdered by *garimpeiros*. In addition to these acts of violence, there were numerous deaths from diseases such as malaria and measles, as well as from malnutrition, all of which increased as the miners came through. This link between the deterioration of the Yanomami population's health and the presence of illegal mining activity is set forth in several reports that give an account of the circumstances under which people were living in those years (Instituto Socioambiental - ISA 1996).

These actions are part of what has been called "the strategy of the genocide of the Yanomami people," planned and implemented by sectors within the military, *garimpeiro* entrepreneurs, representatives of Brazil's Federal Government and the ruling political class of the Brazilian state of Roraima, as a strategy for the occupation of Yanomami territory for purposes of conducting mining activities (Moreira 1991). Starting in 1968, different anthropologists and indigenists in Brazil began to propose the demarcation of Yanomami lands as a protective measure. Following the invasion of the territory several organizations, allies of the Yanomami, called attention to the genocide that was developing (Ação pela Cidadania 1990). The well-known Yanomami leader, Davi Kopenawa, thus expressed his concern regarding the future of his people: "If the *garimpeiros* continue to move about on our lands, if they do not return to their own places, the Yanomami are going to die, they will really die off, there will be no people (...) Many people have already died, they want to take over our lands..." (Kopenawa 1990). The campaign initiated by several Brazilian and international NGO's in favor of the demarcation of the territory and the protection of the Yanomami reached its goal upon completion of the demarcation of 94,000 km² (36,294 square miles) of Yanomami lands, which was recognized by the Brazilian State in 1991.

The Garimpeiro invasion of Yanomami Territory in Venezuela

Ever since the *garimpeiro* invasion began in Brazil's Yanomami area, miners have been entering and operating in Venezuelan territory, often unaware that they are in Venezuela. Even though the numeric presence of *garimpeiros* in Venezuela has been rather small, the environmental destruction, as well as the attacks and violence directed against the indigenous population, has been similar to what had been happening on the Brazilian side of the border. Toward the end of the nineteen eighties (1989), the headwaters area of the Orinoco River on Cerro Delgado Chalbaud mountain was almost destroyed by the *garimpeiros*. In response, the Venezuelan State established a National Guard post there, but without sufficient logistical resources for controlling such a critical situation, located along such a vast border region. Despite the fact that in individual cases some efforts have been made to evict the *garimpeiros* from certain places, the Venezuelan State has not succeeded in effectively

controlling the entry of *garimpeiros* into the territory, given that the procedures utilized have been practically ineffective, and sufficient specialized equipment and logistical support has not been made available to the authorities in charge (Bello and Tillett 2015).

The Yanomami living along the vast border expanse along the border with Brazil have been left to fend for themselves against the criminal actions of the *garimpeiros* and cannot rely on sufficient protection from the Venezuelan State. In Venezuela, there has been a rather permissive attitude toward the *garimpeiro* presence in the area, and effective measures have not been taken to safeguard the life and integrity of the Yanomami people, leaving them in an unprotected situation, subjected to a series of aggressive actions by criminal agents. This entire situation of violence suffered by the Yanomami is a matter of public record and well known to the national and international news media (Bello and Tillett 2015).

Following the Hashimú Massacre (1993), the *garimpeiros* continued to operate in massive numbers, with impunity, in Venezuelan territory, without there being any solution to the underlying problem that had brought about the killings. Several press reports gave accounts of new armed attacks and other aggression directed against the Yanomami in Venezuela. In late November of 1993, three months after the massacre, it was reported that two Yanomami individuals had been wounded by *garimpeiros* in the Parima area (Venezuela), near Hashimú. In June of 1994, it was again reported that a Yanomami group had been wounded by illegal miners in the vicinity of Parima A (Venezuela). Likewise, reports from the years 1994, 1995 and 1996 indicated that the *garimpeiros* were still invading Yanomami territory in Venezuela.

The Venezuelan State has implemented some operations to evict the *garimpeiros* in a few isolated instances. An important case was the so-called “Operation Siapa 96” on Cerro Aracamuni mountain, located near the Siapa River. According to the media slant launched by the then local Governor,²⁹ hundreds of Brazilian and Colombian miners had been working at the gold mines. Between 800 and 1,000 military troops participated in this operation, but the real outcome was the detection and detention of no more than 46 miners. All that was found were artisanal gold mining tools (sieves, picks and shovels), the result being that there had been very little government intervention in the affected area (Senado de la República 1996). Even though, in general terms, this operation accomplished the objective of evicting the miners from Cerro Aracamuni mountain, it was learned some time later that the miners’ activities had resumed on the Siapa River.

In the year 2003, the Office of the Ombudsman (*Defensoría del Pueblo*) of the state of Amazonas issued a report on illegal mining in the region and requested intervention by the Ministry of Defense, the Ministry of the Environment and the Public Prosecutor, in response to the serious damage that was being done to the environment and to the indigenous communities on the Siapa River (Cerro Aracamuni mountain) and the Yapacana National Park, resulting from illegal mining activity over vast territories. The request sought the intervention of the national authorities for the purpose of coordinating efforts toward a plan of permanent vigilance and control that would allow for

²⁹ At that time Governor Bernabé Gutiérrez was publicly promoting the legalization of mining in Amazonas by exaggerating *garimpeiro* activity in the area (See: “30 a 35 mil kilos anuales de oro al año extraen garimpeiros en la mina Arakumuni”. *El Universal*, 1 September 1996).

the eradication of illegal mining activity in the state of Amazonas, given that representatives from the indigenous communities had stated that:

“The illegal mining activity had been generating very negative environmental impact on forest ecosystems of high ecological fragility, causing the destruction of intermittent and/or permanent waterways, the deviation of the natural courses of the rivers, the alteration of the topography, sedimentation on riverbeds, acceleration of the erosive process of soils, accumulation of non-biodegradable solid waste, alteration and deterioration of the natural landscape and the migration of wildlife from their natural habitats... illegal miners have begun repeated acts of aggression against the Yanomami population living on the Siapa River, and they are also having a serious impact on the health and cultural context of the indigenous communities that have settled there. Meanwhile, it has been stated that the miners continue to enter by way of the Brazo Casiquiare channel, evading the controls established by the authorities in charge” (Defensoría del Pueblo Delegada del Estado Amazonas 2003).

In 2010, 2011 and 2012, the Yanomami living in Venezuela took it upon themselves to denounce new conflicts with the *garimpeiros* in the Parima area and at the headwaters of the Ocamo River (as we will see later on).

The situation created by the *garimpeiro* invasion is a chronic and cyclical problem. The miners have been present to a greater and lesser degree as they move in and out of the territory, yet their presence has become permanent. The areas of the Yanomami territory that have had or continue to have the presence of miners, mainly of Brazilian origin, are those where the Venezuelan State does not have a permanent presence, or where there is absolutely no presence. These are areas along the border with Brazil, where the headwaters of the Matacuni and Ocamo Rivers are located, in the area north of the Sierra de Parima mountain range, the Hashimú area, to the south of the Sierra Parima and in the broad basin of the upper and lower Siapa River.

Another element that stands out is the absence of a plan for military surveillance and control of the border aimed at monitoring the presence of illegal mining activity. This may be the consequence of the policies of governmental entities, especially the military, who, we might say, tend to evaluate the situation as a problem of lesser relevance or consequence. The *garimpeiro* camps present in the Yanomami area in Venezuela are characterized by their reduced size, with no deforestation of vast expanses of woodlands, which allows them to remain invisible in the forest under the tree canopy. If we compare this pattern with what is observed in other areas, as for example, in the Yacapana National Park or in the mining areas of the state of Bolívar, where there is great environmental devastation, with significant deforestation of woodlands, deviation of the course of rivers, creation of settlement ponds, high sedimentation in the rivers and the build-up of mining camps, it may give us the impression that we are faced with a minor problem, one that does not present a significant threat. Nonetheless, experience points toward the potential for conflicts and threats coming from these camps directed against the indigenous communities. Up until now, in cases associated with the presence of *garimpeiros* in Yanomami territory, ranging from the Hashimú Massacre (see Appendix) to the alleged Irotatheri Massacre, the common denominator has been the

absence, for one reason or another, of the institutions of the Venezuelan State and the logistical difficulties in entering areas of difficult access.

In several cases, the Armed Forces have acted effectively in clearing out mining camps, normally in response to denunciations filed by the Yanomami independently, but the absence of permanent vigilance and presence has resulted in the return of the miners a short time after they have been evicted. A plan for monitoring and controlling the border would have to be a permanent policy of the State, and part of guaranteeing the national sovereignty. Furthermore, a policy of this nature would have to be articulated between the Governments of Venezuela and Brazil, as established in the Amicable Agreement signed by the Venezuelan State with the petitioners in the case of the Hashimú Massacre. On 20 March 2012, the Inter-American Commission on Human Rights issued an amicable solution report based on the request prepared by the petitioners. Furthermore, in this report, in addition to preparing a detailed analysis concerning compliance with the agreements, the Commission states that it values efforts made by both sides for achieving this solution that turns out to be compatible with the objectives of the American Convention on Human Rights (IAHRC, 2012).

The new *garimpeiro* invasion: consequences for the Yanomami people

Starting in the year 2002, there are reports that present evidence of a new invasion of Yanomami territory on both sides of the Brazil-Venezuela border, according to which hundreds of *garimpeiros* took advantage of the apathy and lack of coordination on the part of the authorities in Brazil with respect to vigilance and control, and again invaded the Yanomami's indigenous land (Duarte do Pateo 2006). In December of 2002, the Yanomami of Papiú, one of the Brazilian regions most affected by the gold rush in the 1980's, wrote a letter to the National Indian Foundation (FUNAI) where they stated that groups of aircraft had been arriving in their territory carrying miners intending to continue work prospecting for gold in different places. In 2003, there was a report of the presence of at least one thousand *garimpeiros* on Yanomami indigenous land on the border with Venezuela. They were being brought in on two-engine aircraft several times a week for purposes of extracting gold from the area (Instituto Socioambiental 2006: 360). The rise in the presence of *garimpeiros* intensified between 2004 and 2005, as a result of changes in the area's health policy, during which the radio communications network had been dismantled, thus limiting the capabilities for territorial surveillance by the Yanomami. Another contributing factor was the rise in the price of gold on international markets.

In December of 2005, 52 Yanomami from the Haxiú community detained a group of *garimpeiros* that were looking for new sites for gold exploration and extraction on their lands and in areas near the Homoxi community along Brazil's upper Mucajaí River. Pressured by indigenous and social organizations, in December of 2005, in the Brazilian city of Boa Vista, FUNAI announced a new operation to remove the *garimpeiros*; however, this effort was limited to meeting with the Federal Police a few times and conducting surveillance flights over the area. It was not until April of 2006 that any actions were initiated to remove the *garimpeiros* from indigenous land; however, the invasion of these lands has resumed in a cyclic and permanent way. By this time the introduction of firearms was becoming apparent, as well as the escalation of violent conflicts, as one of the main problems created

by the *garimpeiros*. “Among the innumerable social, health and ecological problems brought about by the illegal presence of *garimpeiros* on Yanomami indigenous land, the indiscriminate introduction of firearms and ammunitions among the indigenous communities is considered to be one of the most critical. After being Introduced by way of numerous pathways, these weapons are then incorporated into the socio-political relations networks. Their proliferation exacerbates the lethality of the conflicts between communities, so characteristic of some regions, thus resulting in a worrisome increase in the mortality rate” (Duarte do Pateo 2006).

Early in April of 2010, several Yanomami leaders from the area of the Sierra Parima mountain range in Venezuela reported that several indigenous individuals had been murdered by the *garimpeiros* in the communities of Ushisiwe and Momoi in the Shimaraoshe sector of the upper Ocamo River, and in their written information they stated that the miners had been operating in the area for several years. They requested intervention by the Venezuelan Armed Forces to evict the miners and prevent a massacre. Several days later a team representing institutions of the Venezuelan Government, headed by military and health authorities traveled as far as Momoi, but they did not encounter any *garimpeiros* at that moment, as the latter had already left the area in anticipation of the arrival of Army troops. Nevertheless, the commission found ample evidence of their presence and of mining activities in the vicinity of the communities. According to Yanomami individuals living in the area, three children had died after drinking water from the river. They had been bleeding from their mouths and noses, and later died. Sometime later, two pregnant women died. Later the captain of the community died from an illness and his son was murdered by the miners, according to what was stated. They made reference to a total of nine deaths. The Yanomami individuals stated that the river that goes through their community was highly contaminated, which may indicate that the deaths were from acute mercury poisoning (Tillett and Kelly 2011).

The truth of the matter is that, even though no *garimpeiros* were to be found, it was possible to verify the presence of recently abandoned mining camps, where evidence was found that proved that they had been in the area going back at least to the year 2004. The camps were destroyed by the military troops, but the remains of the dead Yanomami individuals were not found. Even if the reports were to be true, it was expected that corpses would not be found, since the Yanomami cremate the bodies of the deceased and eliminate all physical evidence that would serve to remember them. According to the Yanomami report, it is reckoned that the deaths occurred in January of 2010. In total, reference was made to nine deaths, one of them without proof, but possibly due to violence at the hands of the *garimpeiros*. The rest of the deaths (8 in total: 3 children, 2 women and their 2 newly born infants, and 1 adult) were consistent with a very rapidly evolving morbidity condition, with nasal hemorrhages that may be associated with acute mercury poisoning, and which the Yanomami attribute to the miners as the direct originators (Tillett 2011).

Likewise, by the year 2010 the Haraú community in Venezuela, consisting of survivors from the Hashimú Massacre, again became victims of the presence of illegal miners on their lands, which led to serious epidemics that caused several deaths in the area. A Yanomami group reported that, throughout the year, three women and seven children had died, all showing febrile conditions. It was also reported that the area had been invaded by *garimpeiros* that had set up their base of operations

and a clandestine landing strip on the Brazilian side of the border. During the latter months of the year 2010, Venezuelan health personnel were able to confirm a total of seven deaths (2 adults and 5 children), and that the area was occupied by *garimpeiros* operating out of Brazil and entering into the Hashimú³⁰ area.

Horonami leader denounces illegal mining activity on their territory

In February of 2012, Andrés Blanco, at the time Coordinator General of Horonami, denounced at a public proceeding before representatives of the Armed Forces, the Office of the Ombudsman and the Public Prosecutor, the presence of *garimpeiro* camps in close proximity to the Momoi and Hokomawë communities in the Sierra Parima mountain range and in other areas of the Yanomami territory in Venezuela. The new denouncement resulted in two military helicopter overflights with the participation of members of the indigenous organization, during which the presence of mining camps in the reported areas was confirmed. However, despite repeated denunciations by the Yanomami about the presence of *garimpeiros* in these and other areas of the indigenous territory, the necessary measures have not been adopted for the purpose of clearing out the camps permanently and controlling the presence of illegal miners from Brazil.

Observations by the United Nations Committee on the Elimination of Racial Discrimination

In August of 2013, in its 83rd session, the United Nations Committee on the Elimination of Racial Discrimination published its final observations on the 19th and 21st periodic reports on the Bolivarian Republic of Venezuela. With respect to the matter of aggression by the illegal miners against members of the Yanomami communities, the Committee stated the following:

“Despite the State party’s efforts to protect the peoples of the Amazon region, the Committee is concerned about the situation of the Yanomami people, particularly in view of the presence of illegal miners and their attacks on members of the indigenous communities living in this region (arts. 5 (b) and 6).

The Committee urges the State party to increase the protection afforded to the indigenous peoples living in the Amazon region and recommends that it conduct a thorough investigation into violent attacks by illegal miners against members of the Yanomami people.

The Committee urges the State party to increase the protection afforded to the indigenous peoples living in the Amazon region and recommends that it conduct a thorough investigation into violent attacks by illegal miners against members of the Yanomami people. The Committee urges the State party to take into account the guidelines on the protection of indigenous peoples in voluntary isolation and initial contact in the Amazon Basin, El Chaco and the Eastern Region of Paraguay, as adopted following consultations organized by the Office of the United Nations High Commissioner for

³⁰ 20,000 *garimpeiros* in Yanomami territory:

<https://www.jb.com.br/pais/2019/05/1000133-invasao-em-terra-indigena-chega-a-20-mil-garimpeiros--diz-lider-ianomami.html>

Human Rights in the region of the Plurinational State of Bolivia, Brazil, Colombia, Ecuador, Paraguay, Peru and the Bolivarian Republic of Venezuela” (CERD 2013).

As part of the follow-up of the final observation, the Committee requested from the Venezuelan State the presentation of information within one year concerning the course of action taken in response to the recommendations, including those referring to the Yanomami people. The deadline was met in September of 2014, yet the website of the Office of the United Nations High Commissioner for Human Rights shows no record of the follow-up report being sent by the Venezuelan State.

Recent reports and denouncements

According to the indigenous organizations from the state of Amazonas, grouped together under ORPIA and COIAM, as well as the Amazonia Socio-Environmental Work Group, known as WATANIBA, during recent years, especially starting in 2013, an increase in illegal mining activity has been observed in several areas of the state of Amazonas, and the periodic entry by the *garimpeiros* into Yanomami lands continues, with reports of an increase in their activity along the Padamo, Metacuni and upper Ocamo Rivers (Bello and Díaz 2017).

The gravity of the situation motivated the indigenous organizations of the state of Amazonas to send a communiqué to the President of the Republic in March of 2016, where they expressed their deep concern about the increase in illegal mining activity in several areas of the state of Amazonas, resulting in serious environmental impact and the proliferation of illegal activities of different kinds. Included among the areas listed in the letter were those around the Ocamo and Siapa Rivers, which are part of the RBAOC. They also reminded the President of the existence of protected areas and of Decree N° 269, which prohibits mining activity in the state of Amazonas; and they ratified the state of Amazonas’ commitment to the preservation of water resources, the conservation of biodiversity, the attainment of sustainable economic activities and the promotion of alternative energy sources. In this respect, they appealed to the National Government to take effective measures that would protect the Amazonian region from environmental and socio-cultural impacts brought about by the mining activity, and requested a meeting for coordinating concrete actions and measures that would allow for control and eradication of illegal mining in the state of Amazonas (ORPIA-COIAM 2016a).

In a communiqué published by ORPIA and COAIM on 9 August 2016 on the occasion of the International Day of Indigenous Peoples, the indigenous organizations of the state of Amazonas made public the same concerns they had expressed in their correspondence to the President, together with other matters, and asked the authorities in charge and State agencies for the opportunity to deliver their proposals for the coordination of actions (ORPIA-COIAM 2016b).

The right to collective property rights over the lands and the process of demarcation

Legal framework regarding the rights to the indigenous lands

The Constitution of 1999 recognizes the indigenous peoples “as collective subjects with their own cultural and social identities, differentiated from those of the rest of the Venezuelan population, which give them special rights, attributes and authorities” (Bello 2011). Article 119 establishes that *“The State shall recognize (...) their habitat and ancestral rights over the lands they have been occupying ancestrally and traditionally and which are necessary for developing and guaranteeing their way of life. It shall be incumbent upon the national Executive, with participation by the indigenous peoples, to demarcate and guarantee the right to the collective property of their lands, which will be inalienable, essential, not subject to seizure and non-transferable in accordance with what is established in this Constitution and the law.”*

The Constitution utilized the terms “habitat” and “lands” as being synonymous with “territories,” but explicitly avoided the use of this term in referring to the territorial unit of the indigenous peoples and communities. This formula was inspired by Article 13 of International Labor Organization Convention 169 (C169), which establishes that *“The use of the term “lands” (...) shall include the concept of territories, which covers the total environment of the areas where the peoples concerned occupy or otherwise use (...)”* (Bello 2011).

According to Bello (2011), legal recognition of ancestral rights over the lands that the indigenous peoples and communities occupy in an ancestral and traditional way and which are necessary for developing their way of life, constitutes the foundation for the exercise of indigenous territorial rights, their implementation by way of public policies and their enforceability in case of denial. The Constitution defines indigenous territorial rights as a form of “special property that is defined as the ancestral right to collective property over the lands belonging to the indigenous peoples and communities, and whose essential characteristics consist of it being an ancestral, collective and undivided property with limitations on the freedom of disposition” (Bello 2011).

In accordance with Article 119, this then has to do with a constitutional mandate that obligates the National Executive to conduct the demarcation of indigenous habitats and lands as a totality; and this process must include direct participation by the indigenous peoples and their organizations. In other words, “the State has the duty to guarantee the territorial rights of the indigenous peoples by means of the demarcation” (Bello 2011). Meanwhile, the Constitution itself established the time interval in which the demarcation was to be conducted: *“The demarcation of the indigenous habitat, referred to in this Constitution in Article 119, is to be conducted within a time interval of two years counting from the date this Constitution takes effect (twenty-second transitional disposition).”*

In the year 2001, the National Assembly enacted the *Law on Demarcation and Guarantee of the Indigenous Peoples’ Habitat and Lands*, which develops and regulates matters relevant to the process of demarcation, creates the administrative structures for implementing this legislation, foremost among them being the National Commission and the Regional Commissions on Demarcation, and

defines the general procedures under sufficiently broad and flexible criteria (Bello 2011). In the year 2005, the *Organic Law on Indigenous Peoples and Communities* (LOPCI) was passed, which established in detail the complete demarcation process.

Development of the national demarcation process

Despite the advances at the legal and normative level, and even though the National Demarcation Commission was created and initiated in the year 2001, the first titles to indigenous lands were not issued until the year 2005. By the year 2016, a total of 102 collective property titles to indigenous lands had been issued for a total of 3.28 million hectares (approx. 8.11 million acres), benefiting 683 communities among twelve different indigenous peoples (MPPPI 2016).

In 2014, on the occasion of the fifteenth anniversary of the ratification of the 1999 Constitution, COIAM-ORPIA published a communiqué giving a progress report on the demarcation process, where they stated that *“the demarcation process has been rather slow, there are a few advances with respect to the number of recognized hectares and to the indigenous peoples being benefitted, we have observed flaws related to the reduction of territorial spaces as originally requested, the fragmentation of the territorial integrity of several indigenous peoples (Yukpa, Hoti, Pemón, Warao), the issuance of titles according to individual communities and not as collective subjects (villages with specific identity); the lack of information given to requesting organizations by way of self-demarcation concerning the status of the processing of their applications, the legitimization, in some cases, of the presence of third parties on indigenous lands and the proposal of environmental concepts (national parks) in order to substitute the demarcations of the habitat and lands, as in the case of the habitat of the Ye’kuana-Sanema of El Caura in the State of Bolívar”* (COIAM-ORPIA 2014).

According to the information available at the time, the indigenous organizations estimated that the process of demarcation had reached approximately 12.4% of the indigenous communities, with approximately 87.6% of the indigenous habitat and lands remaining to be demarcated. Furthermore, they stated that in the case of the state of Amazonas only one demarcation of lands had been conducted, in the Hoti community known as Caño Iguana, which was also affected negatively by a 40% reduction in its territorial space, as had been defined by the self-demarcation presented by the Hoti. Thus, most of the habitats of the indigenous peoples of the Amazonian region had yet to be demarcated (COIAM-ORPIA 2014).

In August of 2016, the indigenous organizations of the state of Amazonas, grouped together under ORPIA and COIAM, published a new communiqué relating to the lack of progress in the process of demarcation, stating that *“the standstill in the national process of demarcation is a matter of concern, particularly in the state of Amazonas, where the Regional Commission on Demarcation, coordinated by the Ministry for Indigenous Peoples (MINPPI), has not convened for more than two years, and we have been informed by its Executive Secretariat that there is no budget for processing the dossiers that await substantiation. We are saddened not only by the slow progress of the dossiers of the Yabarana-Multiethnic (Manapiare), the Uwottüja-Jivi (Autana), and the Ye’kuana-Sanema*

(Manapiare) peoples, but also by the fact that they are at a standstill and that there is little likelihood that they will be processed” (ORPIA-COIAM 2016).

The most recent issuance of titles to indigenous habitats and lands were reported in the year 2016. Since then the national process of demarcation has been “de facto and unofficially paralyzed, with no significant progress in terms of accomplished demarcations and titles being issued” (Wataniba 2018).

Health system crisis

In the Upper Orinoco region, the historic shortages in the health care system for the indigenous population have been exacerbated by the ravages of the “complicated humanitarian emergency” that afflicts the entire country. The collapse in the ability to deliver health care, resulting from the dismantling of the public health system, especially during the past five years, is reflected in an increased shortage of physicians and nurses. The supply of medications and supplies has dropped to a minimum, hospitals and other facilities in the public health care system have broken down, there are serious limitations on the delivery of services and an inability to control public health problems, there is a lack of adequate care for people with chronic illnesses that are potentially terminal, as well as an increase in the maternal mortality rate and in the mortality rate for infants younger than one year. The outbreaks of diphtheria, measles and malaria that have propagated in most of the country’s states present clear evidence of the inability of the national health system to handle, contain and reverse the health emergency (Provea 2018b).

Together with the collapse of the national health system, the lack of access to official epidemiological information, which is totally censored by the Venezuelan State, makes it difficult to ascertain the health situation pertaining to the people living in the RBAOC. Likewise, one has to consider that there is significant underreporting of vital statistics (birth and mortality rates) and morbidity for indigenous communities located in border areas and other areas that are hard to access, where the state has little or precarious presence, and where the absence of medical personnel or other actors from the health sector tends to be the norm. Because of this, the information records are marked by prolonged gaps or “epidemiological silence.”

Meanwhile, even though the MPPS had been including ethnic variables in the patient information that is recorded by the national epidemiological information system, and some health care programs had already included such entry in their patient registration systems, such information is not available to the public.

Current situation in the Upper Orinoco region

The health facility network in the Upper Orinoco region continues to present a chronic crisis situation, with ups and downs, but with many deficiencies, generally speaking. Most of the outpatient facilities are not staffed, have no physicians, nor even a minimum supply of medications, which means that the indigenous health care personnel are unable to help patients for lack of supplies. Currently, only the outpatient facilities at La Esmeralda, Parima B and Ocamo have physicians, but just

occasionally. The infrastructure of some of the outpatient facilities has deteriorated drastically. To give two examples, the ones for Koyowë and Mavaquita have been abandoned. The fuel shortage is permanent, which is why health care services in areas accessible by river is being seriously neglected.

The malaria abatement network is in very poor condition. Hardly any microscopes are being used and the nursing personnel have no access to supplies or treatment facilities. Currently most of the diagnoses are being conducted using rapid tests, but even these are not always available. The ACYAPS's received an allotment of medications in late 2018 during the measles outbreak emergency, after not receiving any kind of supplies for 4 years. Currently there are 35 active ACYAPS's that are part of the PSY. These personnel are a very important for the strategies employed for health care services in communities that are remote and difficult to access. However, they are very discouraged and they require follow-ups and supervision that are not available. Efforts have been made by the PSY to keep these personnel active, and a new group began to be trained, but the budget for the PSY hardly covers their salaries and they have no resources for developing any kind of activity.

Nevertheless, the SACAICET, under which the onchocerciasis ("river blindness") program is administered, is able to receive economic support from the Onchocerciasis Elimination Program for the Americas (OEPA), which is part of the PAHO/WHO. The last vestige of active transmission of this disease in the Americas has been among the Yanomami, in the contiguous area between Venezuela and Brazil, encompassing around 300 communities in Venezuela, where the disease is endemic. The onchocerciasis program has made it possible to establish an important team at the levels of leadership, research and monitoring, as for instance in the field, where they have a team of technicians from the indigenous communities themselves that is in charge of making the rounds distributing treatments (2 or 4 times a year, depending on the area), in communities where the disease is prevalent, mostly located in areas of difficult access to Alto Orinoco, Río Negro and Manapiare municipal districts, and in the Caura River basin in the state of Bolívar.

A very important accomplishment for the onchocerciasis elimination program was the "Memorandum of Understanding between Venezuela and Brazil for Strengthening and Integrating Actions to Accomplish the Elimination of Onchocerciasis in the Yanomami Area," signed in 2014. This agreement seeks to bring together the leadership and cooperation between the onchocerciasis elimination programs in both countries through the sharing of experience in the training of Yanomami community health agents, thus promoting joint and coordinated work with binational health teams in order to gain access to border area communities, and to develop a binational mapping of the Yanomami communities, among other things (Venezuela and Brazil 2014).

Thanks to the strengths of the onchocerciasis program and articulation with the PSY, the DRS, and the PAHO, there has been success in maintaining itinerant health teams that serving remote communities that are accessible by river, but which also require support by air for easier access. These itinerant teams not only develop and implement rounds for treating onchocerciasis but also diagnose and treat malaria, administer immunizations and general medical care, despite serious common limitations on the entire health system: the shortage of qualified personnel, a very limited amount and variety of medications and immunizations, as for instance against yellow fever, and others that are not being implemented.

Another one of the recurring problems in the delivery of health services to these communities is the absence of a reliable immunization registry. There is no way to know what immunizations have been received by whom, which is why all eligible persons are always vaccinated. There may be communities where everyone has been vaccinated several times, while in others nobody has been vaccinated. There are no good statistics, and therefore, there is no way of knowing what the total coverage is. In part, this is due to the Yanomami's settlement pattern that is characterized by a high degree of mobility, where individuals, family groups, or entire communities relocate frequently.

Another one of the main obstacles to the operating capacity of the itinerant teams is that they are highly dependent on air support from the FANB, basically by helicopter, since many of the remote communities are accessible only by way of helipads from which it is possible to cover groups of communities that are otherwise accessible only by means of pathways through the forest. The only helicopters authorized to operate in the state of Amazonas are those belonging to the military, which means that the capacity for air support, in terms of numbers of aircraft, and the times they are available for health care activities, is rather limited. This has forced the health team to optimize the use of landing strips that permit access by private light aircraft that can operate in the area, albeit with authorization from the military. For this reason, several old abandoned landing strips are being restored, and new ones have been built, as is the case with the first landing strip in the upper Siapa River area, among others.

An example that dramatically illustrates the health care system in the Upper Orinoco region is the measles outbreak that affected numerous communities during the year 2018.

Measles outbreak: official reports

According to PAHO, the first confirmed case of measles in Venezuela was reported in July of 2017. Since that date and up until the time of Epidemiological Week 52 (EW), from 23 to 29 December of 2018, there were 9,116 suspicious cases reported, of which 6,202 were confirmed. There were 727 in 2017, and 5,475 in 2018. Between 1 January and 27 February of 2019, 283 cases have been reported, of which 40 have been confirmed. "76 deaths were recorded, 2 in 2017 (in the state of Bolívar) and 74 in 2018 (37 in the state of Delta Amacuro, 27 in the state of Amazonas, 6 in the state of Miranda, 3 in the Capital District, and 1 in the state of Bolívar)" (PAHO/WHO 2019).

By the middle of March of 2018, most of the confirmed cases had been reported in the state of Bolívar, where the epicenter of the outbreak was located, in Caroní municipal district. The dissemination of the virus toward other regions in the country was due to the increase in the human migration generated by mining and associated commercial activities. According to the PAHO's epidemiological update of 4 March of 2019, the cumulative rate of incidence for 2017-2019 at the national level was 19.6 cases per 100,000 inhabitants, the states with the highest rate of incidence were Delta Amacuro (212.3 per 100,000 inhabitants), Capital District (114.7 cases per 100,000 inhabitants) and Amazonas (79.9 cases per 100,000 inhabitants), followed by the states of Bolívar, Vargas and Miranda (PAHO/WHO 2019).

The PAHO also expressed its concern because “the indigenous peoples that live on the Venezuelan border area are extremely vulnerable to epidemic diseases. Of special concern are the Warao, living in the border areas between Venezuela and Guyana and now emigrating toward northern Brazil, the Wayú people living on the border areas between Venezuela and Colombia, and the Yanomami living in areas along the border between Venezuela and Brazil” (PAHO/WHO 2018d).

According to the March 2019 PAHO epidemiological update for measles, during 2018 there were 153 confirmed cases in indigenous villages in the state of Amazonas (134 in the Sanema ethnic group, 16 Yanomami, 2 Ye’kuana, 1 Baniva), and in addition, 27 deaths were reported, all among the Sanema ethnic group (PAHO/WHO 2019). However, a report from PAHO/WHO from July of 2018 stated that “the measles outbreak in the Yanomami communities of Alto Orinoco municipal district, state of Amazonas, Venezuela began in EW 11 (11 to 17 March) of 2018, and it was reported that up until EW 27 (1 to 7 July) of 2018 there had been 126 cases confirmed by laboratories and/or epidemiological nexus, including 53 deaths that are currently under investigation for purposes of establishing a causal relationship with measles” (PAHO/WHO 2018b). Later, according to another report in October of 2018, reports in indigenous communities in the state of Amazonas totaled “170 cases, of which 135 were in the Sanema ethnic group, 24 were among the Yanomami, 3 among the Ye’kuana, 3 among the Baniva, 3 among the Piapoco, 1 among the Chaima and 1 among the Yeral,” in addition to 27 deaths among the Sanema ethnic group, and the report clarifies that “other deaths among these indigenous communities are under investigation” (PAHO/WHO 2018c). What the PAHO/WHO bulletins do not explain are the reasons for the decrease in cases that had already been confirmed among the indigenous peoples of the state of Amazonas, which went from being 170 in the report from October of 2018 down to 153 in the March 2019 report.

In Brazil the measles epidemic has also affected the indigenous people living in the Brazilian states of Amazonas and Roraima, along the border with Venezuela. In Roraima, between February of 2018 and February of 2019, there were reports of 596 suspected cases, of which 361 were confirmed, and there were 4 deaths. Of the confirmed cases, 61% (219) were Venezuelan *Criollos* and 41% (145) were indigenous persons (127 from Venezuela and 18 from Brazil), of these most were from the Indigenous Health District of Auarís (Brazil), on the Yanomami Indigenous Land, on the border with Venezuela (PAHO/WHO 2019). This means that many of the confirmed cases were indigenous Venezuelans who had gone for help in Auarís, Brazil. According to the laboratory analyses, the genotype in all of the confirmed cases is D8, the same strain identified in Venezuela in 2017 (PAHO/WHO 2018a).

According to the PAHO, among the factors that contribute to the propagation of the epidemic, inside and outside of the country, one finds: “1) insufficient vaccination coverage, which leaves focal points of susceptible populations; 2) an inadequate vigilance system; 3) the delay in applying control measures; 4) scarce capacity to isolate patients and manage cases adequately; 5) intensive cross-border movement of the population during the virus’s incubation or transmissible period” (PAHO/WHO 2018d).

Reports from NGO’s about the measles outbreak in the Upper Ocamo region

On 15 June 2018, Wataniba, an NGO, published a news item on its website stating they had received information from a Yanomami group about the existence of a measles outbreak that had been affecting communities for more than three months in the upper Ocamo River area, in the Sierra de Parima mountain range and in the Onkiola region, in Brazil. The Yanomami were very alarmed by the danger this disease posed for their communities, given their immunological vulnerability.

According to the news report, in the month of March, Yanomami health personal at Delgado Chalbaud received information by radio from the Hutukara Yanomami organization, from Brazil, about people being ill from the measles in the Hokomawe and Momoi area, which encompasses 11 communities that are difficult to access at the headwaters of the Ocamo River, near the border with Brazil. Later they ascertained that 23 Yanomami individuals from that area had arrived at the hospital in Boa Vista (Brazil), that one of the cases had been confirmed as being measles and that the others were still under suspicion. Afterwards, a health team from Amazonas reportedly visited the area in the month of May, identifying 25 new cases in the communities of Oroshi and Irotha. Most of the patients were males, older than 25.

Finally, they expressed great concern because these communities were located in areas of very difficult access, where contact with the outside world had been very recent, and “who have not been able to receive vaccinations against this and other diseases that are alien to them” and that “are associated with contact with the *garimpeiros*, and as is now well known, illegal gold mining activity is increasing significantly.” For this reason they called attention to the highly vulnerable situation of these communities stemming from possible contact with people that are carrying the disease, and they appealed to the national health authorities to take measures as soon as possible, by bringing medical assistance to all of the affected communities, as well as initiating vaccination drives in all communities having recent contact with the outside world (Wataniba 2018a).

On 10 July 2018, the Horonami Yanomami organization published a communiqué giving information about the “measles outbreak in the Upper Ocamo area, Tocori sector, that had affected several communities, causing several deaths, mostly among the adult population.” The information had been provided by the ACYAPS, who had determined that “the communities most affected were Oroshi, Kuayampú, Irotha and several others in the Hokomawe sector, and it threatens to spread to other communities such as Ushishi, Momoi, Tentei, Yakleobe and Kremopë. This represents a great threat to our people and our communities” (HOY 2018). Furthermore, they suggested that the cases may have entered by way of the border with Brazil, “since several cases have been reported in the communities of Awaris and Onkiola, and deaths in Boa Vista.” According to the communiqué, there is a significant presence of *garimpeiros* in the region and they “may have transmitted the disease to the Yanomami communities.” According to statements made by Davi Kopenawe, the Yanomami leader from Brazil, there are currently more than 5,000 *garimpeiros* on Yanomami indigenous land (HOY 2018).

The communiqué acknowledged the MPPS’s steps to assist the affected Yanomami population and avoid the spread of the outbreak toward other sectors, but they appealed to the Ministry of Health, the Minister of Indigenous Peoples and the Ombudsman to “take all the urgent steps necessary to guarantee the lives and health of the Yanomami people, especially a massive vaccination campaign throughout the entire affected area and coordination with the Brazilian authorities in order to take binational measures” (HOY 2018).

A few days later, the Wataniba NGO published some more news on its website that revealed that in early July some of the ACYAPS's and Yanomami leaders had reported the presence of some 212 individuals with the same symptoms in the upper Ocamo and upper Padamo River areas, reporting that there had been approximately 53 deaths as of that moment" (Wataniba 2018b). This information is consistent with what was published by the PAHO in reference to the time period starting with EW 11 and ending with EW 27 in 2018 (see above), in which 53 deaths were reported among the Yanomami population (PAHO/WHO 2018b).

According to the report from Wataniba, "alarming as these figures may be, the total impact of these outbreaks is not known," because these communities are located in remote areas and are difficult to access, and also because in Yanomami funeral rites the remains of the deceased are cremated, therefore eliminating any possible evidence. According to the Venezuelan Public Health Society, it appears that the outbreak among the Yanomami is the result of a boomerang effect. The cases exported by Venezuela during the mass exodus from the states of Bolívar and Delta Amacuro spread the epidemic toward northern Brazil starting in early 2018, and the virus may have reached the Yanomami on the Venezuelan side "as a result of heightened cross-border movements by illegal miners carrying the virus. However, this hypothesis has not been proven" (Wataniba 2018b).

Another factor in the Wataniba report, according to information from the ACYAPS's, is that the cases were not limited to patients younger than 19, as in the rest of the country, but instead affected groups of all ages. This is explained by the fact that contact with the outside world has been recent for the populations affected by the outbreak, which means that "they have not benefited from massive vaccination drives" (idem), and for this reason there was a high number of cases and deaths. Likewise, there is information that the health care agencies had made a field visit to verify the status of the outbreak of April 2018, and conducted two vaccination drives, one in April and the other in late June and early July, during which 27 communities were visited. Nonetheless, according to Wataniba, "the actions still appear to be insufficient, given the vastness of the area that needs to be covered and the dispersion of the communities over that area. (...) The vaccination drives are compelling and need to reach, in the case of the Yanomami having recent contact, all of the inhabitants, given that none of them has been previously vaccinated and entire communities are at risk of dying" (Wataniba 2018).

Even though there are communities that have been inaccessible and others that continue to be unknown to the health care system, one has to acknowledge that people in several of the villages where the measles outbreak showed a high incidence of cases and deaths, had been vaccinated a year earlier, in 2017, when several drives were conducted by itinerant teams in areas of difficult access. Even though the immunization plan was not implemented completely for lack of vaccines, the fact remains that the triple viral vaccine (MMR – measles, mumps, rubella) was administered. However, only children were vaccinated, as established by the national immunization program, and that is why the outbreak affected adolescents and adults that had not received the vaccine to a greater degree than it did the children.

Meanwhile, even though the boomerang theory about the path followed by the contagion that reached the Yanomami appears to be more coherent, given the evidence, what is still not clear is the role of the *garimpeiros* as the apparent key factor in spreading the virus. The presence of miners in

the area of the outbreak and other adjacent areas in both countries has been known for years, but as a consequence of military operations in Venezuela, together with the attempt to sustain the presence of health care teams by using military air support, the *garimpeiros* have been withdrawing. Furthermore, the communities in the headwater areas of the rivers in the border strip stay in regular contact with communities on the Brazilian side, which they visit very often, even travelling as far as Boa Vista, which means that there is a constant flow of people and permanent contact among the indigenous population and also with the Venezuelan *Criollos* living in the neighboring country. Likewise, after the departure of the *garimpeiros*, the Yanomami and the Sanema have continued to mine for gold on a small scale and go to places such as Onkiola, Auarís and other locations in Brazil to sell or exchange the gold. Therefore, the presence of *garimpeiros* does not necessarily explain the spread of the virus to the affected communities. It is likely that the indigenous people were the ones that contracted the disease in Brazil and carried it back to their home communities.

The total impact of this outbreak among the Yanomami and the Sanema is very difficult to determine. Total deaths very likely exceed one hundred. The outbreak began in March, and the health care system received the first reports in April and sent a team to the area, but were unable to offer promptly the much needed help to a very large group of disperse communities that was accessible only by air, not only in the upper Ocamo river area, but also at the headwaters of the Padamo and Cuntinamo Rivers, as well as adjacent areas. For many communities the help arrived much too late and the survivors were angered by the lack of help received and from being left to fend for themselves amidst a deadly epidemic. This delay was largely due to the limitations on available air support, which again brings up for discussion the need to create viable alternatives so that the regional health care system can have autonomous access to logistical support provided by air.

The measles outbreak in the Upper Orinoco region demonstrates the major flaws that persist in the health care system, despite efforts, and reveals the inability to tend to the recurring epidemiological emergencies. This demonstrates once more the need for the State to assume its obligations by making necessary investments, sustained over time, in the way of personnel, equipment, supplies, logistics, infrastructure and communications, among other things, in order to guarantee the right to life and health for the indigenous peoples that inhabit this territory, which is a very pressing matter from a logistical and organizational perspective. Meanwhile, the epidemic highlights the need for planned articulated action in the border region, in terms of epidemiological vigilance and health care, to be implemented jointly whenever and wherever possible by both countries.

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CHAPTER IV

MINING ACTIVITY IN THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE

We already explained in our previous report about mining activity in Yacapana National Park the legal reasons why mining is totally illegal in the entire state of Amazonas and in the national parks.³¹ Since mining is illegal in a national park (NP), it then follows, conceptually and legally, that it is even more illegal at a natural monument (NM), an entity whose essential objective it is to preserve the natural qualities of some physical or biological feature. Article 16-2 of Decree 276³² explicitly prohibits mining activity there. Furthermore, all the legal framework that lays the foundation for the national parks and natural monuments applies in this case. It is further established by Venezuelan government policy that the NM's are subject to greater restrictions than are the NP's, as they are considered to fall under Category III according to the IUCN's classification system.³³ Meanwhile, even though there are no specific regulations governing the biosphere reserves, legally speaking, it is obvious that mining is also prohibited in such biosphere reserves, namely those areas that are neither NP's or NM's, at least for the RBAOC. Upon analyzing the "whereas clauses" of Decree 1635, in connection with its Articles 6 and 7 (see Chapter I of this report), one can only conclude that mining is not allowed anywhere within the confines of the RBAOC.

As if this were not enough, the Venezuelan State is also under legal obligation to prevent any activity by mining interests in the indigenous territories within the RBAOC. Stemming from the international case brought against the Venezuelan State by the Apostolic Vicariate of Puerto Ayacucho, PROVEA and other human rights advocates concerning the slaughter of indigenous individuals at Haximú (also spelled Hashimu), which occurred in 1993 as a consequence of the failure to prevent, in an effective way, the presence of *garimpeiros*³⁴ in Yanomami territory, the Inter-American Commission on Human Rights (IACHR) issued a ruling in 1999 that pertained to the two countries in question. The case was heard by that Commission and settled by means of a friendly agreement whereby the Venezuelan State committed itself, among other things, to pursue an agreement with the Brazilian government aimed at establishing a joint permanent vigilance and control plan to monitor and control (prevent) entry by the *garimpeiros*, as well as illegal mining in the Yanomami area.³⁵ But the results

³¹ https://drive.google.com/file/d/1akOuQ8aXiBWxbb6_jODPmlTJRx2YHpBs/view

³² Decreto No. 276 del 07-06-89, Reglamento Parcial de la Ley Orgánica para la Ordenación del Territorio, sobre Administración y Manejo de Parques Nacionales y Monumentos Naturales. Gaceta Oficial de la República de Venezuela. No. 4.106 Ext. (1989), 09 June 1989. Caracas.

³³ MARNR. 1985. Plan del Sistema Nacional de Áreas Protegidas - 1ra Etapa: Marco Conceptual. Serie Informes Técnicos DGSP/OA/IT/213. 332 p.

³⁴ Garimpeiro is a Portuguese term that may be translated as "artisanal miner." See *Brasil: Conoce a los garimpeiros, mineros informales sin fronteras* <http://lasrutasdoloro.com/brasil-conoce-a-los-garimpeiros-mineros-informales-sin-fronteras/>

³⁵ REDES CRISTIANAS: Comunicado de las organizaciones indígenas del estado de Amazonas (Coiam) a propósito de los 20 años de la masacre de los yanomami de Haximú [en línea]

have been negative aside from the fact that a case was brought to trial in Brazil that resulted in the sentencing and jailing of miners who had been involved in the crime of genocide, for which they received definitive sentences in 2009.³⁶ The commitment to provide vigilance and control, as agreed to under the ruling by the IACHR, has not manifested itself through actions taken during the two decades that have transpired, and the invasion of the Yanomami territory by miners, coming mainly from Brazil, has continued, and has had serious socio-cultural impacts on those communities, especially in the way of health. The invasion has also impacted the ecosystems of the Upper Orinoco, where there has been a total disregard for the environmental protections measures legally applicable to the RBAOC and the national parks and natural monuments that are located therein.

Today, inside Yanomami territory, supposedly protected by the RBAOC, mining activity has been confirmed at focal points on Cerro Aracamuni mountain, on the Siapa River (Río Negro municipal district), on the Upper Ocamo River, in the Sierra Parima range, and on Cerro Delgado Chalbaud mountain (Alto Orinoco municipal district).³⁷ This information may be verified on the interactive digital map, “Illegal Mining,” which covers the Amazon region on a continental scale, published in 2017 by the Amazon Geo-Referenced Socio-Environmental Information Network (RAISG) ([Red Amazónica de Información Socioambiental Georreferenciada](#)).³⁸ This cartographic resource allows one to see that for all the “illegal mining” points in the state of Amazonas that have been located by organizations participating in the research project³⁹, not much detail is presented (the legend indicates “no information”). On the other hand, for adjacent territories on the Brazilian side, specific information is provided about the mining sites, and they are identified as being active.⁴⁰ Meanwhile, according to the “Map of Illegal Mining in the Yanomami and Ye’kwana Territories (Brazil-Venezuela) 2017,” prepared by the Socio-Environmental Institute (ISA) (*Instituto Socio Ambiental*), the Wataniba NGO, and other organizations,⁴¹ and which was substantiated by the aforementioned RAISG map, the existence of mechanized and/or semi-mechanized “illegal mining activity” has been reported inside the Upper Orinoco-Casiquiare Biosphere Reserve in the following locations and river basins:

- Ocamo River basin – At places bearing Yanomami toponyms, located in the Sierra Parima range, mostly near the border with Brazil: Hokomawe II, Irotha, Pirisi (North), Oroshi, Warapahi Tiwaroope, Yakreopä, Koparima, plus other unidentified points. Likewise on the

<<http://www.redescristianas.net/comunicado-de-las-organizaciones-indigenas-del-estado-de-amazonas-coiam-a-proposito-de-los-20-anos-de-la-masacre-de-los-yanomami-de-haximu/>> Consulta del 15.03.19.

³⁶ BELLO, Luis y Aimé TILLET: *Minería en la Amazonía Venezolana: Derechos Indígenas y Ambientales. El caso del pueblo Yanomami*. Grupo de Trabajo Socioambiental de la Amazonía Wataniba / Red Jurídica para la defensa de la Amazonía RAMA. Caracas, 2015. P. 151.

³⁷ Op. cit. Pág. 15.

³⁸ <https://mineria.amazoniasocioambiental.org/>

³⁹ In the case of Venezuela, these are the PROVEA and Wataniba NGO's.

⁴⁰ A matter that is addressed later in this chapter, in the context of the Amazonian region.

⁴¹ In addition to the Wataniba Socio-Environmental Work Group for the Amazonian Region and the Socio-Environmental Institute (ISA), there was also participation in preparation of the map by the Geographical Information Network (RIGBY), the Yanomami Hutukara Association (HAY), the Ye'kwana People's Association of Brazil (APYB), the Yanomami Horonami Organization (HOY), the Kuyunu Indigenous Civil Association, the Kuyujani the Originator Association, and the Kuyujani Civil Association of the Caura Basin (Medeqadi).

map, reference is made to two clandestine landing strips, but upon consultation with people knowledgeable about the area they explained that these are helipads, one at Hokomawe, equidistant from Oroshi and Yakreopä, and the other at Momoi, in the same area a few kilometers from the Brazilian border. The aforementioned map also identifies “manual” mining operations that, according to knowledgeable persons interviewed, are part of traditional mining operations, as practiced by the indigenous peoples, and which they guard closely.

- Upper Orinoco River basin – Specifically on Cerro Delgado Chalbaud mountain, where there are at least seven mechanized and/or semi-mechanized mining operations. Among them are Maikohi, Herapi, Arokohipi, Hashimu and Ehereshimapi.
- Padamo Riever basin – At the headwaters of the Matacuni River, northwest of the Yanomami communities of Ashiwei and Kashiiwei; in the upper basin of the Padamo River at (or near) the sites known as Adajamenña, Atajeni, Cujañama, Wasareko and other points located a short distance from Duida Marahuaca National Park, north and south of Koriyomi.

In the vicinity of Duida Marahuaca National Park, on the eastern slope of Cerro Marahuaca mountain. Perturbations are clearly visible on the Google Earth satellite images (latitude: 3° 38 ' 30" and longitude: 65° 24' 00").

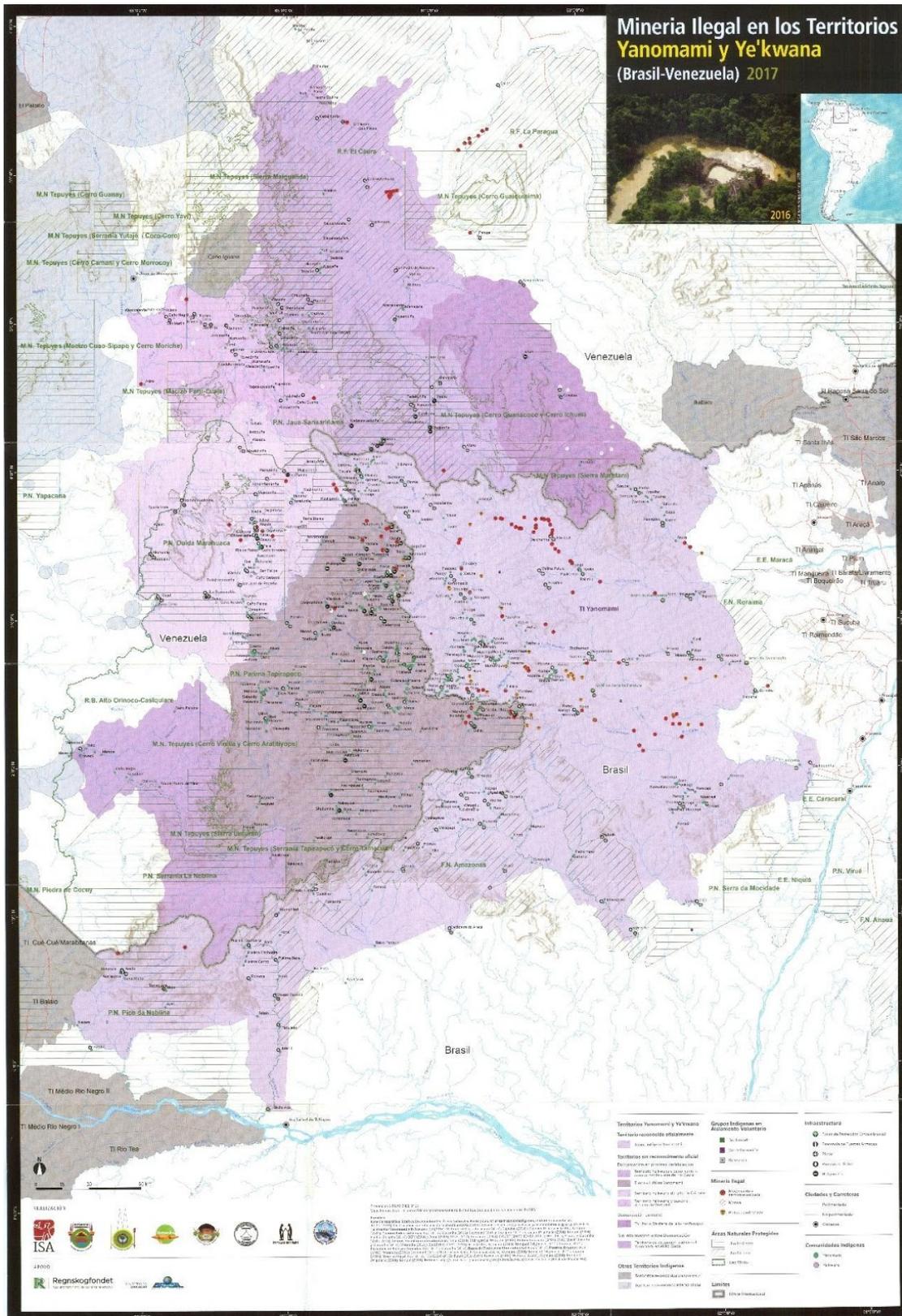


Figura IV- 1 Illegal mining activity in Yanomami and Ye'kwana Territories 2017 (Venezuela y Brasil). RBAOC boundaries indicated by green dotted line. Available at <https://acervo.socioambiental.org/sites/default/files/maps/2018-08/yad00485.pdf>



This map, prepared by ISA/Wataniba, identifies 47 mining operations (30 are manual mining and 17 are mechanized or semi-mechanized) inside the RBAOC, but it does not report the mine at Cerro Aracamuni mountain in the Siapa River basin, which is one of the oldest and most conspicuous. In the interactive digital map “Illegal Mining” one can count 35 mining sites that have been corroborated (included among them is the Cerro Aracamuni mine) and 20 additional sites that have not been corroborated, for a total of 55 sites. In this respect, given its recent date, one may assume that there has been some under-reporting in the ISA/Wataniba map, or that the mining activity has increased. In any case, one may say that there are currently between 50 and 60 mines in the RBAOC, and that this sum is excessively high, especially if we consider that this mining activity is absolutely illegal.

The Aracamuni mine, which is inside the Serranía La Neblina National Park and has been active as a mining operation since the 1980's, is currently the largest mine in the Biosphere Reserve. This report (see Appendix) gives special attention to this mine because of its age, size and the actors that control it.

Also of particular relevance is the mining activity near La Esmeralda, the seat of Alto Orinoco municipal district. Several informants interviewed by us, and who earn a living in the area, stated that miners, originally from Colombia, have spread their invasion from Yapacana all the way to La Esmeralda using as a penetration route the Caño Yagua channel, which is being mined using dredge rafts along its waterway. Near La Esmeralda a mechanized, or semi-mechanized, mining site has been established, and its operations have been under the control and custody of the Revolutionary Armed Forces of Colombia (FARC) since approximately 2016.

A list of the names of some of the more relevant mining sites, inside the RBAOC, are found on Table IV-1.

Tabla IV- 1. The names of some of the gold mines in the RBAOC

Name	Reference location
Aracamuni / Aracamoni	Siapa River basin, Serranía La Neblina National Park
Shimaraoshe (cerca de Momoi)	Ocamo River basin. Sierra Parima range
Hokomawë *	Ocamo River basin. Sierra Parima range
Hokomawë II *	Ocamo River basin. Sierra Parima range
Irotha *	Ocamo River basin. Sierra Parima range
Pirisi (Norte) *	Ocamo River basin. Sierra Parima range
Oroshi *	Ocamo River basin. Sierra Parima range
Warapahi Tiwaroope *	Ocamo River basin. Sierra Parima range
Yakreopä *	Ocamo River basin. Sierra Parima range
Koparima *	Ocamo River basin. Sierra Parima range
Maikohi *	Orinoco headwaters. Cerro Delgado Chalbaud mount.
Herapi *	Fuentes del río Orinoco. Cerro Delgado Chalbaud
Arokohipi *	Fuentes del río Orinoco. Cerro Delgado Chalbaud
Hashimú / Haximú *	Fuentes del río Orinoco. Cerro Delgado Chalbaud
Ehereshimapi *	Fuentes del río Orinoco. Cerro Delgado Chalbaud

Haraú *	Fuentes del río Orinoco. Cerro Delgado Chalbaud
Adajamenña *	Padamo River basin
Atajeni *	Padamo River basin
Cujañama *	Padamo River basin
Wasareko*	Padamo River basin
Koriyomi I **	Padamo River basin
Koriyomi II ***	Padamo River basin
Marahuaca I ****	East Slope of Cerro Marahuaca mountain
Marahuaca II ****	Cerro Marahuaca mountain

* In the vicinity of a place with this name (generally pertaining to a Yanomami village).

** Identified as such by this report; it is to the north adjacent to a place with this name.

*** Identified as such by this report; it is to the south adjacent to a place with this name.

**** Identified as such for this report.

SOURCE: **Map: Minería Ilegal en los Territorios Yanomami y Ye'kwana (Brasil – Venezuela) 2017**, ISA/Wataniba, and the survey of journalistic articles

One must emphasize that the Yanomami communities in the state of Amazonas have suffered serious episodes as a consequence of actions by the *garimpeiros* in their territories (explained in the previous chapter and in the Appendix to this report). This involved not just the Haximú Massacre, where 16 members of the ethnic group were slaughtered by Brazilian miners, but also what happened at Momoi in the upper Ocamo region in April of 2010, and the massacre (not officially verified) at Irotatheri in the year 2012, also in the upper Ocamo region, where it appears that out of an undetermined group of indigenous people only three survived.⁴²

In addition to this bloodshed, there have been tragic health situations that have resulted from the miners' invasion of the Yanomami lands, which is also discussed in the previous chapter. "Mining activity was a sword of Damocles hanging over the Yanomami 20 years ago and it continues to be so to this day,"⁴³ states anthropologist Hortensia Caballero, who was interviewed by Vanessa Davies for *Correo del Orinoco* shortly after she received a prize in recognition of the publication of her book on the subject. She explains, "The problem is control: if the *garimpeiros* come in and the Yanomami don't do what they tell them to do, ethnocide may occur. Driving out the miners 'a problem of survival' for the Yanomami (...). In addition to the ecological impact it causes as it contaminates the waterways, the mining activity also puts lives at risk."⁴⁴

The miners' invasion of the region is closely related to the State's failure to have a real and positive presence, and to the lack of public policies for territories of global and ecological importance that are inhabited by vulnerable indigenous communities. The situation brought about by the *garimpeiro* invasion is a chronic and cyclical problem. The Yanomami territories where there has been and continues to be mining activity are precisely those where the State has been disengaged historically. These areas tend to be along the international border, and some of them are at the

⁴² APORREA: *Denuncia y Pronunciamiento sobre la masacre de indígenas Yanomami en la comunidad Irotatheri* Ago. 29, 2012 [en línea] <<https://www.aporrea.org/actualidad/n213165.html>> Accessed on 11 April 2019.

⁴³ CORREO DEL ORINOCO: *Hortensia Caballero: El Yanomami contemporáneo mantiene su identidad en el dialogo intercultural* Oct. 29, 2013 [en línea] <<http://www.correodelorinoco.gob.ve/yanomami-contemporaneo-mantiene-su-identidad-dialogo-intercultural-sociedad-criolla/>> Accessed on 12 April 2019.

⁴⁴ Idem.

headwaters of the Matacuni and Ocamo Rivers, in the area north of the Sierra Parima range, as well as in the Haximú area, and within the vast Río Siapa basin.”⁴⁵

That said, it is necessary to consider the nature of mining activities in the Upper Orinoco. Geographer Héctor Escandell, a scholar knowledgeable about the state of Amazonas, former officer of the Ministry of the Environment, and currently with the Human Rights Office of the Vicariate of Puerto Ayacucho, explained this in an interview: “Mining activity is spotty, it is carried out at small sites, where a mining operation may cover two, three or ten hectares, depending on how much gold is there. What is certain is that the environmental and socio-environmental effects do not stay at that site, but also have an impact elsewhere by way of contamination.”⁴⁶ Because mercury is being used to separate the gold, there is an impact through water contamination and sedimentation, and the food chain is also affected: “In illegal mining areas of the Upper Orinoco, high levels of mercury have been found in the sediments of the bodies of water (between 1.37 and 37.74 mg/kg) and in fish that are used as food (3.71 µg Hg/g), yet the maximum allowed by the World Health Organization is only 0.5 µg/g (Milano 2014).”⁴⁷

Nevertheless, the sociocultural impact of mining activities in the Biosphere Reserve is very likely the most critical, as it affects the indigenous communities’ traditional way of life. According to an informant, a specialist in indigenous sociocultural matters, and knowledgeable about the Upper Orinoco, the mining operations there have developed in a way that is very different from those of the Autana-Yapacana-Atabapo-Manapiare corridor.⁴⁸ In Yanomami territory, upstream from La Esmeralda along the Orinoco River, the FARC, and/or other Colombian armed organizations, do not yet have much influence. There, the fundamental players in the mining activities are the Brazilian miners, known as *garimpeiros* or *garimpos*, as they are called locally. Actually, inside the RBAOC, in Yanomami territory, the indigenous communities have been involved with the *garimpeiros* and gold mining for decades. It is a known fact that even in the absence of *garimpeiros*, there are Yanomami communities that work the mines. Now, in places where there is a partnership agreement with the *garimpos*, there are generally conflictive relations. According to the source, the mining relationship is “*garimpo-Yanomami*” and consists of a bartering arrangement that the indigenous people call “*matohi*.” It consists of having the miners provide machetes, knives, fishhooks, shoes, clothing, and other supplies in exchange for having the Yanomami allow the outsiders to cohabit with their women (frequently considered to be rape) and also allowing them access to their territories so they can work the mines “in peace.” Basically, what the Yanomami are offering in exchange is their women and access to the mine, and occasionally manual labor.⁴⁹

It is important to note that the Horonami Yanomami Organization has filed complaints with the Public Prosecutor’s Office, the Ombudsman’s Office, the Seventh Environmental Prosecutor for the State of Amazonas, the 52nd Brigade of the Jungle Infantry and the Commission for Indigenous Peoples of the National Assembly requesting that an investigation be launched into the impacts that the illegal

⁴⁵ https://issuu.com/wataniba3/docs/mineria_en_la_amazonia_venezolana_d_ed6438a1d5d0cd

⁴⁶ Reportaje Periodístico.

<http://www.noticiascandela.informe25.com/2017/07/mas-de-60-minas-ilegales-funcionarian.html>

⁴⁷ Milano, S. (2014). Venezuela. En: C. Heck and J. Tranca (eds.). La realidad de la minería ilegal en países amazónicos. Lima: Sociedad Peruana de Derecho Ambiental, Negrapata S.A.C. pp. 219-247.

⁴⁸ Informante # 8992, marzo 2019.

⁴⁹ Informant # 8992, March 2019.

mining activities are having on the Upper Ocamo region and urging the application of necessary measures by the agencies of the Venezuelan State. The organization has also reported that there have been instances of the Yanomami communities resisting entry by the miners into their territories, despite the fact that “the indigenous people are outgunned by the superior weapons carried by these and other invaders. This has brought about a situation where the denunciations have diminished, given the high levels of intimidation.”⁵⁰

In those areas of the RBAOC where the Yanomami and the Ye'kwana interact, it would seem that an economic relationship is developing, whereby the Yanomami continue to provide the manual labor and the Ye'kwana would be the *matohi* suppliers. The Ye'kwana have established their own gold trade, in association with the Colombian guerrilla forces that already has operations in their territories and serves to complete the trade circuit as far as Inírida, in Colombia. In Ye'kwana territory, the FARC have control, starting at La Esmeralda and going north as far as Tenkua and Kakurí, in the Ventuari River basin. They entered there in 2016. Currently the Ye'kwana and the FARC have established a partnership, after years of pressure from this guerrilla force, without there being any protective response by the Venezuelan State. They were forced to negotiate after being the target of abductions, surveillance and threats. In exchange for the Ye'kwana's cooperation, the guerrilla forces offer goods and supplies (fuel, outboard motors, etc.) in an exchange that is more or less equitable, but always subject to the delivery of gold and having the guerrilla forces be the ones to commercialize it.⁵¹

Guerrilla Forces and Mining Activity in the Biosphere Reserve

The presence of Colombian guerrilla forces in the state of Amazonas is a notoriously public fact, well documented since at least the year 2013, the evidence being that between that year and the year 2014 different indigenous organizations from the state of Amazonas filed documents, with evidence and testimonies, with the Prosecutor's Office, the Ombudsman's Office, the National Assembly and the Office of the Vice President, denouncing the presence of miners and guerrilla soldiers belonging to the FARC, and/or their dissidents, in the Sipapo, Cuao, Autana, Guayapo and mid Orinoco Rivers.⁵² None of this has prompted any response in defense of national sovereignty, or in defense of the indigenous peoples. The FARC's spheres of influence, endorsed by the Army of National Liberation (ELN),⁵³ also Colombian, have since increased daily throughout the entire region, in addition to the fact that their activity in Amazonas goes back at least three decades, during which they have gone in and out stealthily, restricting themselves to the narrow border area, including Puerto Ayacucho and other riverside populated centers.

⁵⁰ EJATLAS: Comunidades yanomami de la cuenca del río Ocamo afectadas por minería ilegal, Venezuela < <https://www.ejatl.org/print/afectacion-de-comunidades-indigenas-yanomami-de-la-cuenca-del-rio-ocamo-por-mineria-legal> > Accessed on 02 April 2019..

⁵¹ Informant # 8992, March 2019.

⁵² See article by PROVEA: <https://www.derechos.org/ve/actualidad/desde-2013-comunidades-indigenas-denuncian-presencia-de-guerrilla-e-irregulares-a-amazonas-y-bolivar>

⁵³ Local sources state that there is an alliance between the FARC and the ELN, whereby the FARC are in command. FARC activity in Venezuela continues to be rampant, in apparent disregard for the accord signed between the FARC and the Colombian government.

The presence of guerrilla forces in the RBAOC dates back to the 1990's, especially in Siapa (see Appendix concerning this particular case). But their visible presence in the heart of the Upper Orinoco-Casiquiare Biosphere Reserve is recent, since 2016, and is related, as we discussed earlier, to gold prospecting in the vicinity of La Esmeralda and activity by Colombian miners. Nonetheless, some of the interviewees that have been at the Yapacana mines reveal that the guerrilla forces have already begun prospecting for gold in Yanomami territory. It is foreseeable that at any moment evidence may be forthcoming of interactions between the guerrilla forces and the Yanomami, and between the *garimpeiros* and the guerrillas in the Upper Orinoco. Very likely, this may already be happening, but we have no evidence. Of course, in Siapa and Aracamuni, this interaction has already existed for a very long time (see Appendix).

At the moment, guerrilla activity in the state of Amazonas is flagrant and visible to the communities. They cling to their geostrategic spaces and expand as a result of their mining activities. They openly present themselves as being allies of the Venezuelan government, and arrogantly display photocopies of the agreement signed between the FARC and Hugo Chávez, Venezuela's then-president, whose distinctive signature stands out in the photocopy. The intention is to have skeptics in the communities see these photocopies, but not allow them to keep copies..

The FARC, either under the rubrics of their traditional structure, or under that of would-be "dissidents," as well as the ELN, have been gaining control over territories where there are gold deposits and other valuable minerals, such as coltan (a mineral consisting of the columbium or niobium/tantalum).⁵⁴ According to our local sources, in 2019 the situation is the following: The FARC that operate in Amazonas are the same FARC as always, and they have reached agreements with the ELN with the intention of creating a confusing scenario as to who is in command of the military and the mining operations. They have spread the misconception that the ones in command are dissidents from the FARC, or that the FARC have "transferred" their emblematic armbands over to the ELN, or that members of the FARC have defected to the ELN. These have all been decoy tactics meant to hide the truth: The FARC are in command, and the ELN is a subordinate associate. It is important for them to convince their audience in Colombia that they are now demobilized; however, their structure remains intact in Venezuela. Their strategy is to use Venezuela as a base from which to operate, without really abandoning the Colombian scenario, waiting for "better times."

The gold and coltan extracted from the southern part of the state of Amazonas are transported to Inírida, in Colombia, where its exportation is negotiated, always through the FARC. According to our sources, two individuals in particular arrive periodically in Inírida, one known as "The Canadian" and the other as "The German," where they purchase the gold and coltan directly. Indigenous people from San Carlos de Río Negro bring in the bags of coltan that has been mined in Venezuela and sell it at increasingly higher prices at Inírida, as the traders pay a higher price for this coltan than they do for Colombian coltan due to its color, which is a deeper blue. The coltan extracted from Atures municipal district, especially along the Manapiare-Ayacucho corridor (northern part of the states of Amazonas and Bolívar), is sold in Colombia, at Puerto Carreño. That is the corridor along which the Venezuelan Government says the country's major coltan deposits are found, and which forms part of what the

⁵⁴ Further clarification is necessary as to whether other mineral resources such as cassiterite (tin ore) and wolframite (tungsten ore) are included. Tungsten ore is being extracted from neighboring Colombia's Guainía Department, in Colombia, and is being trafficked by the guerrilla forces.

Government calls “Orinoco Mining Arc.”.⁵⁵ Colombian guerrilla forces, Chinese companies, and enterprises owned by the Venezuelan military coexist there, and cooperate in the extraction of coltan.

Mining Patterns in the Biosphere Reserve

Having viewed the foregoing elements of evidence, it is important to establish whether there are any patterns to the mining activity inside the RBAOC. Everything appears to point toward the oldest focal points, which are Siapa/Aracamuni and Cerro Delgado Chalbaud mountain. The former is more closely associated with the economic and social dynamics of San Carlos de Río Negro, to the Casiquiare region and to the *garimpeiro* syndicates of San Gabriel de Cachoeira (Brazil), while the latter relates more to the *garimpeiro* syndicates of Boa Vista (Brazil). Aracamuni/Siapa appears to have been a relatively diversified focal point of mining with respect to its actors in the 1990’s, but as time moved on, it evolved into a *garimpeiro* mine that operates with support from the Colombian guerrilla forces in partnership with the Venezuelan military. This case is addressed in more detail in the Appendix III. Meanwhile, the focal point of mining at the headwaters of the Orinoco (Cerro Delgado Chalbaud mountain) has been continuous and expanding since the 1990’s and we venture to say that this is an “endemic focal point.” The *garimpeiros* usually hike in on foot from their bases in Brazil. Acting on their own or in partnership with the Yanomami, they cut clearings in the forest, or seek out low-growing vegetation (abandoned or active cornfields) where they receive logistical support that is dropped from aircraft flying overhead. On occasion, helipads or landing strips have been established, but they prefer not to do so in order to avoid drawing the attention of the Venezuelan authorities.

However, the gold rush that has been brought on by the evermore precarious presence of the Venezuelan State, and by the severe economic and humanitarian crisis that the country has been experiencing, has led the indigenous communities of the Upper Orinoco (Yanomami and Ye’kwana) to begin to work the mines on their own, even though this obviously requires maintaining a commercial and technological connection with the *Criollos* (of various nationalities). In this respect, mining partnerships have been established between the Yanomami and the Ye’kwana, and between both of them and the *Criollos*. Furthermore, the *Criollos* may be broadly categorized as being Brazilian *garimpeiros* or Colombian guerrilla soldiers, even though Venezuelan *Criollos* (military and civilian) are also present. These relationships are summarized in the following table.

Tabla IV- 2. Interaction between groups involved in mining inside the Upper Orinoco-Casiquiare Biosphere Reserve. Does not include the Siapa/Aracamuni region.

	Ye’kwana	Yanomami	Guerrilla	Garimpeiros	Criollos venezolanos*
Ye’kwana	++				
Yanomami	+	+			
Guerrilla	+++	? ³	+++		
Garimpeiros	? ¹	+++	? ⁵	+++	
Criollos venezolanos*	? ²	+ ⁴	+ ⁶	+ ⁴	? ⁷

⁵⁵ There is no public information, nor any maps showing the approximate location of the ore deposits, and it is now known whether there have been any studies made of the ore reserves, among other things.

The symbol [+] indicates that the relation is positive and current. The number of [+] symbols reflects the relative importance of this relation within the RBAOC mining realm.

The symbol [?] indicates that there are no recent reports of such interaction.

¹: In Ye'kwana territory this interaction was not reported to us, perhaps because the garimpeiros are present mainly at the headwaters of the Orinoco.

²: Interaction probably exists, particularly around La Esmeralda, but none was reported to us.

³: It is likely that this interaction has already begun, especially as a result of movements up the Orinoco River by the guerrilla forces.

⁴: Particularly with the *Criollo* military personnel at the GNB posts in the Upper Orinoco region.

⁵: This relation is well established in Aracamuni, but we have no reports regarding the Upper Orinoco.

⁶: Given the demonstrated cooperation and agreements between the guerrilla forces and the Venezuelan military, it is very likely that the guerrilla forces are settling in wherever these two groups coexist.

⁷: We have no reports of mining operations being run exclusively by Venezuelan Criollos.

The symbol [*] refers to Venezuelan military and civilians, most of whom are government officials.

This “gold rush” associated with the economic, social and political collapse that Venezuela is experiencing, is relatively recent and has grown increasingly, especially since 2013-2014.

Within the Upper Orinoco region, aside from the endemic focal point of mining at the headwaters of the Orinoco, which has expanded, we are now aware that two additional focal points of mining have been established: one in Ye'kwana territory, around the Duica Marahuaca National Park, in the Padamo River basin, and the other in Yanomami territory, in the Ocamo River basin.

In sum, we can talk about the following four large mining areas in the RBAOC: 1) Headwaters of the Orinoco (in Yanomami territory), 2) Ocamo River basin (in Yanomami territory), 3) Duida Marahuaca (in Ye'kwana territory) and 4) Siapa/Aracamuni (in Yanomami territory).

Mining Operations and Malaria

Venezuela has suffered a setback in controlling malaria, which tripled during the 2010-2015 period, resulting in a cumulative record 200,000 cases, according to official information that has not been divulged.⁵⁶

Grillet et al. (2018) state that this increase has coincided with increasing deforestation and the increase in legal and illegal mining activities in the southern part of the Orinoco region. In the case of open-air mining, the resulting deforestation alters the local ecological conditions, as for example the microclimate, the soil, the water and, most of all, the ecology of local species, among these being the mosquito species that inhabit the bodies of water during their pre-adult stages. Specifically, the perturbation of a wooded area will create bodies of water as a result of the soil being excavated, where disease-carrying mosquitoes can colonize and complete their life cycle. The deforestation creates a process known as fragmentation, which results in clusters of isolated woodlands. Along the fringes of these wooded clusters, there is a transitional zone between the deforested areas and the wooded areas where conditions produce a loss of biodiversity. Furthermore, it has been shown in several regions of the world that the disease-carrying species, or secondary hosts to infectious diseases, adapt better to this kind of habitat than do other species that are not disease-carrying. Thus,

⁵⁶ Grillet, ME.; Moreno, J.; El Souki, M. 2018. Minería y Malaria en Venezuela. En: Una mirada al soberbio sur del Orinoco: entendiendo las implicaciones del arco minero. Explora 01: 135-140-106. Caracas. 234 pp. Available at <https://www.exploraprojects.com/explora-orinoco.html>

in degraded environments, and along their fringes, there is greater exposure to the mosquito species that transmit malaria. In a forest having few cleared fringes, exposure to these mosquitoes would therefore be less than in a fragmented forest, where there has been an increase in the surface area of the cleared fringes

Venezuela is suffering its worst malaria epidemic in 75 years despite the fact that it had been an exemplary public health model in the tropical countries of the Americas. Acknowledgement of the fact that mining activities in forest areas exacerbates a disease such as malaria would allow us to address ways to control this disease in a more rational and effective manner. There can be no effective malaria control without first controlling and regulating illegal mining activities. Only the reestablishment of an epidemiological vigilance program in our country (currently non-existent), as well as the establishment of a risk ranking system for this infection, thus identifying areas of greater intensity of transmission (“hot focal points”), would help to implement effective measures for controlling malaria associated with mining activities in Venezuela.

Control over mining operations in the southern part of Venezuela, and in particular the RBAOC, is of vital interest for the neighboring countries. Otherwise the movement of people who become infected in Venezuelan territory and then go into Brazil and Colombia (miners, guerrilla soldiers, indigenous individuals) would continue to be a factor in propagating the disease toward those countries. Stopping the flow of miners and guerrilla fighters is an essential part of a public health strategy that would involve the three countries.

CAPÍTULO V

MANAGEMENT OF THE UPPER ORINOCO-CASIQUIARE BIOSPHERE: IMPACTS, RESPONSIBILITIES AND GUIDELINES

The Upper Orinoco-Casiquiare Biosphere Reserve, as conceptualized, seeks to integrate nature and human beings into a sustainable space, with the understanding that both are one and the same indissoluble natural-cultural heritage that must be protected from negative changes and bring to fruition a truly live and sustainable formula. This needs to be fulfilled in a material way in the RBAOC, something that should have been addressed in the management process that was supposed to begin in 1992. However, there is little doubt that the RBAOC has as its mission to create a space where the indigenous peoples living there can continue to develop their traditional ways of life, one of their own choosing, free from all pernicious interference from the surrounding society, particularly the negative interference that would disrupt the cultural integrity of their people and threaten their lives as individuals and as a society, while at the same time safeguarding the integrity of the ecosystems, biodiversity and their ecological processes, within a framework of respect for the world view that each one of the indigenous peoples has held since time immemorial. This mission may have its peculiarities, but in any case, by legislative mandate, it is one that must be assumed by the Venezuelan State as part of a just, participatory, equitable and wholesome governance policy⁵⁷ toward all legitimate actors that live in that geographical space. This setting leaves no room for guerrilla forces, miners, or *garimpeiros* as legitimate actors.

This mission necessarily leads to two fundamental objectives: 1) to guarantee the health and life of the indigenous peoples and, 2) to guarantee the integrity of the biodiversity, understood in its broadest sense.⁵⁸ The Venezuelan State has the obligation to guarantee compliance with these two objectives, and this chapter's discussion focuses especially on this.

Is the State safeguarding the lives and health of the indigenous peoples of the RBAOC?

All the evidence we have gathered points toward a certain reality, namely that the indigenous peoples' health and the health care services they receive are in a deplorable state whose causes originate in the surrounding world, and that the Venezuelan State is not making sufficient or appropriate efforts to guarantee people's health and good health care services.

Nevertheless, this situation is not due to endogenous causes characteristic of these indigenous peoples; the principal agent causing sickness and death among the indigenous peoples is exogenous and derives from the lack of an effective *cordon sanitaire* that would prevent contagion by diseases against which the indigenous peoples have hardly any immunity, and which derive basically from

⁵⁷ Governance is defined as "the interactions and accords between governing entities and those that are governed, in order to generate opportunities and solve the citizenry's problems, and to establish the institutions and norms necessary for generating such changes." . <http://territorioindigenaygobernanza.com/web/>

⁵⁸ ● "Components of biodiversity are all the various forms of life on Earth including ecosystems, animals, plants, fungi, microorganisms, and genetic diversity." <https://www.un.org/en/events/biodiversityday/convention.shtml>

people from outside the traditional indigenous communities (traditional communities established hundreds of generations ago in what is today the RBAOC). Without any kind of preventive measures, interaction with people from the outside world, especially in the context of the continuous invasion by *garimpeiro* miners from Brazil, is without a doubt the most obvious cause of this situation.

But even if there were no gold rush, it would still be necessary to establish health safeguards to prevent the entry of pathogens brought in by carriers from the *Criollo*⁵⁹ world: military personnel, government officials, missionaries, tourists, etc. Currently, none of that exists; there is no evidence of Venezuela's health care authorities having implemented any mechanisms and procedures for the prevention of this negative interaction. Meanwhile, their work today is further stymied by interference from, and dependence on, the military authorities. These mechanisms would have to deal not only with controlling entry by people into the RBAOC in a setting that includes legal, as well as illegal activities, but even more so with the clandestine entry by armed individuals that work the mines and are responsible for criminal activity in general. What one would expect in this case is to have the State implement effective mechanisms for preventing entry by miners and associated agents, and for the early detection of the presence of such agents so as to detect them in time and send them back to their place of origin. The mining activity in the RBAOC is the principal agent responsible for the deterioration of the health of the indigenous peoples and the medical attention they receive.

In this context, it is necessary to establish a system that would permit the gathering and publishing of health and epidemiological statistics, a system that would have to be totally open, transparent and immediate, without any kind of political interference, and where the mortality and morbidity records are basically maintained by the indigenous communities themselves, or by organizations that are not susceptible to political meddling. Currently, all the information related to the health and medical care situation in the state of Amazonas is handled as a "State secret," that stands in the way of support and collaboration by national and international academic, scientific and welfare organizations that should all be included and encouraged to seek a common goal: good health for the indigenous peoples. The political establishment that currently governs Venezuela believes that they are the "owners" of the territory, its inhabitants and its resources, which is the exact opposite of what they should be: exemplary leaders and promoters of participation by all of society in defense of good management practices in the RBAOC, and in defense of its inhabitants and its ecosystems. Without a doubt, in recent years, the Venezuelan Government has taken a primitive and negative stance in all aspects of its policy toward the state of Amazonas.

Demilitarization of the State of Amazonas

One of the immediate causes of the health and medical care crisis in the RBAOC is the military's inefficient logistical support, which is consistently insufficient and untimely, and has been so for the past 10 years. This untimeliness often has to do with the military's stakes in the mining operations.

⁵⁹ We use the term "*Criollo*" in this chapter in referring to all "non-indigenous" groups or individuals, regardless of nationality or role, which may include *garimpeiros*, military personnel, government officials, Brazilians, Colombians, Venezuelans, etc. In general they are "non-indigenous," especially local "non-indigenous."

The logistics for maintaining efficient operations in the management of the RBAOC needs to be absolutely independent of the military sector.

In order to improve this situation in the future, most of the logistics will have to fall upon the civilian sector, governmental as well as non-governmental, if in fact an agreement is to be reached for improving the socio-environmental situation in the RBAOC. Autonomous support from non-governmental civilian society should be given the green light, even though that would have to be coordinated. The militarization of the state of Amazonas needs to be eliminated, as it has served only to conceal shady activities associated mainly with the mining activities and with the drug trafficking activity that originates in Colombia and has links to Colombian guerrilla forces. This explains, in part, the inefficiency of the logistical support the military are supposed to provide. To give an example, when faced with the dilemma of providing air support for a vaccination drive or for the illegal delivery of supplies to a clandestine mine, it has often been demonstrated that top level officers of the FANB will give preference to the second alternative, which proves to be even more outrageous when considering the precariousness of the FANB's logistics readiness.

Likewise, the absurd ban on civilian flights over the air space of the state of Amazonas needs to be lifted, as well as military control over such flights. This ban, and its control mechanism, has been nothing more than a way of casting a cloak of secrecy, with no witnesses or evidence, over the participation in illegal activities by members of the FANB, which has a bearing on their failure to lend support to the indigenous communities. Instead, the State should be guaranteeing sufficient funding to enable optimized logistics that are fully functional and are in the hands of civilian entities, such as health and environmental agencies. This logistical support necessarily relies on air transportation and must be provided using helicopters and aircraft suitable for short and irregular landing strips. Civilian air transport systems, air taxi services and other resources would be required on a large scale in order to provide required support in an efficient and effective way.

The military should be there primarily to ensure the prevention of entry and settlement by foreign and Venezuelan mining and guerrilla interests. This would obviously require a whole new military doctrine and strategy for the state of Amazonas, and in general for all of southern Venezuela: One that would guarantee operational and logistical superiority, better than what the *garimpeiro* syndicates and the guerrilla forces now have, and which would guarantee absolute territorial control in cases of emergencies or transgressions. This does not mean militarization, but rather an intelligent alliance with the indigenous society, who would then recognize the Venezuelan armed forces as their protectors, as defenders of their interests and as guarantors of their culture, free of interference from the miners, guerrilla forces and other pernicious agents. For such purpose, the military sector needs to operate in coordination with the indigenous leaders under mechanisms that would minimize negative cultural and human interactions between indigenous people and military personnel. There is no need, nor is there any benefit to be gained from a presumed "cordiality" or "integration" between military troops and the indigenous communities. Likewise, there is no need to have the military facilities occupy spaces that overlap onto areas already inhabited by indigenous or other civilian communities. The participation of indigenous people, who are autochthonous to the RBAOC, as

soldiers or officers, commissioned as well as non-commissioned, is a possibility that needs to be weighed and evaluated.

It must be recognized that it is absolutely essential for Venezuela to have a perfectly operational military system that would prevent entry by outsiders, and make that transgression costly, and that the indigenous peoples accept this system socially and culturally, without having it interfere with their societies. That is the big challenge.

Mining operations

The Aracamuni mines need to be vacated and subjected to a process of ecological restoration. It is possible to achieve some of this in a single major operation, which will then require establishing a permanent mechanism for strict territorial control to prevent the miners from re-entering. This would necessarily require an entire intelligence unit having operational capabilities that would include the indigenous communities in a way that these communities would appreciate the benefits of participating in such mechanism in a significant and positive manner. The process of ecological restoration will take hold automatically and spontaneously once the presence of miners and guerrilla forces has ended permanently. The process of stopping mining activities on the Siapa River, throughout the Casiquiare region, and in the rest of the national park needs to be undertaken using mechanisms that resemble those applied in the Upper Orinoco region, however using different autonomous operational bases. San Carlos de Río Negro could possibly be the operations center for the containment of pressure coming from Brazilian mining operations in the Casiquiare region. La Esmeralda could likewise be the operations center for the Upper Orinoco region.

Mining operations run by the indigenous peoples, and associated with any kind of commerce, must be evaluated, river basin by river basin, and community by community. Agreements must be reached with agents of these mining operations, so that such activity is included in a schedule for eradicating it in a gradual and sustained manner. Emphasis should be placed on suppressing perverse incentives that favor this mining activity, and if necessary, implementing mechanisms of assistance and temporary subsidies that would encourage abandonment of this non-traditional activity that is increasingly eroding the indigenous cultures. Nevertheless, one has to recognize that only a reactivation and total recovery of Venezuela's economy will serve as the incentive that would discourage mining operations run exclusively, or mostly, by the indigenous peoples. But locally, the main factor in discouraging the mining activity will be the removal of the Colombian guerrilla forces from the state of Amazonas; they are the main disruptive factor, and are the ones that need to be the target of all action by the Venezuelan State to subdue them. Such eradication, in the context of a healthy national economy, with a solid and responsible presence of a demilitarized Venezuelan State, with full and free participation by the civilian authority and with active and controlled participation by the civilian society (national and international) is what will allow the indigenous societies to adequately manage their own territories and the RBAOC, of which they are ultimate co-owners, together with the entire Venezuelan nation.

It will be necessary to establish a surveillance system managed exclusively by the indigenous communities with the support of the Biosphere Reserve authorities that would give early warnings of ongoing mining activities so that within hours there would be an effective response from the military authorities.

Was there an intention to harm the indigenous peoples?

It becomes clear that the State has shown indolence and negligence in protecting the indigenous peoples of the RBAOC, but there is also evidence that this has not been fortuitous, as there has been a decided intention to be indolent and negligent, or so it seems. In applying the two concepts from criminal law, “negligence” and “willful misconduct” it is important to determine whether or not such apparent indolence or negligence has been “involuntary” or “with criminal intent.” With the evidence we have gathered in this research, we may be close to drawing a conclusion.

It could be argued that the Venezuelan State’s failure to act is due to logistical, financial and other difficulties, and that this is the reason why the State has not removed the *garimpeiros* or the guerrilla forces from the RBAOC, or that such difficulties have been the reasons why the State has not conducted appropriate vaccination drives or controlled the disease carriers, has not been prompt in addressing the epidemic outbreaks, has not been timely in transferring patients, and has not lent medical assistance to the indigenous communities. Nevertheless, it is hard to believe that this same State, which has had at its disposal huge sums of money in U.S. dollars during the past 20 years, has not had the wherewithal to overcome such financial and logistical difficulties, which are relatively small. Between the years 1999 and 2014, the Venezuelan State received 844 billion U.S. dollars, just from oil revenues.⁶⁰

It is also logical to say that if the State has as its priority enforcing the law and lending safeguard and protection, in every sense of the word, to the indigenous communities, then it must make its political decisions only after doing a conscientious cost-benefit, or pro and con analysis, and opt for decisions that result in the lowest cost and the greatest benefit, or ones that entail the least amount of cons and the most pros, all within the higher objective of protecting and safeguarding the human rights of the indigenous peoples and the conservation of their ecosystems. Knowing the efficient political performance of Venezuela’s current political regime, in terms of retention and accumulation of power, it is hard to believe that an analysis of this nature is not being performed before making any important decisions.

In this respect, we found a controversial decision taken by the Government, pursuant to the will of the then President of the Republic, Hugo Rafael Chávez Frías, that shows evidence of willful culpability, which was detrimental to the indigenous peoples, and which entailed the expulsion or eviction of the New Tribes Mission (NTM) from the state of Amazonas. This decision left nearly 18 Venezuelan indigenous communities unprotected, at the mercy of the *garimpeiro* mining operations,

⁶⁰ Mora et al. 2017. Venezuela: Estado rentista, reparto y desigualdad 1999-2014. p. 165-203. En: Peña, C (compilador). 2017. Venezuela y Su Tradición Rentista: visiones, enfoques y evidencias. CLACSO. Buenos Aires, Argentina.

the guerilla forces and the dismal consequences of the brutal culture shock resulting from contact with the *Criollos* (the military included among them). This was a setback, without any attenuation or buffer that would serve to lessen or avoid the undesirable consequences. This decision was announced on 12 October 2005, the date commemorating the “Discovery of America,” traditionally celebrated as the *Día de la Raza* and now euphemized in a cynical way as the “Day of Indigenous Resistance.” The “premises” of this measure were based on arguments⁶¹ that were never proved. Accused of espionage, forced acculturation, and contraband among other things, this evangelical missionary organization⁶² (Christians of the Baptist faith) obeyed the decision.⁶³ Whereas Chávez had already expressed the term “expulsion,” the truth of the matter becomes apparent when the Ministry of Internal Relations issued the formal decision in November of 2005 to revoke the occupation permit that had been issued to the NTM many years earlier, whereby such permit would expire within 90 days. Within this 90-day period, the missionaries turned the mission’s properties over to the indigenous communities and vacated their dwellings without any kind of violent incidents. A short time later, Yanomami spokespersons were already reporting the injurious situation that this measure had brought upon them.⁶⁴ Later, military or government personnel moved in, and there are testimonies that attest that there had been negative interactions between these outsiders and the indigenous peoples, where disease transmission and some cases of rape stand out. The evangelical missionaries were always extremely cautious in trying to avoid this kind of interaction, and acted as an agent that attenuated such influence, some might say in a “paternalistic” sense. Meanwhile, the eviction of the missionaries also brought about the arrival of gold mining operations in areas where such activity had never existed before, as for example in the vicinity of the Caño Iguana stream, north of the RBAOC (Hoti territory) and in the Upper Padamo region, inside the RBAOC (Yanomami territory). The contact with the miners brought in all the cultural and health degradation we have already presented. In this respect, if the will of the then President of the Republic and of his ministers, had been to assume the role of the *pater familias* and look out for the welfare of the indigenous peoples (as was their obligation), given that it was obvious that a forward-looking analysis would have indicated how disadvantageous it would be for the indigenous peoples if the presence of the New Tribes were totally removed, then such a decision should never have been made or executed.

Going beyond the polemics concerning the evangelization methods used by the New Tribes, one must consider the fact that the Catholic missions, which were never threatened by a similar governmental measure, have continued to evangelize and operate in the RBAOC. Evangelization, which is something that perhaps should have been discussed, was not the subject of analysis by the government authorities. On the other hand, a high government official revealed that the Catholic Church had given its approval of the “expulsion” of the New Tribes⁶⁵, which leads one to suspect that a political feud may have influenced the decision.

⁶¹ <https://www.servindi.org/actualidad/109>

<https://www.christianitytoday.com/ct/2005/octoberweb-only/53.0a.html>

⁶² <https://espanol.ethnos360.org/>

⁶³ <https://www.worthynews.com/836-new-tribes-obey-order-to-leave-tribal-venezuela>

⁶⁴ <https://www.nytimes.com/2008/10/07/world/americas/07venez.html>

⁶⁵ <http://hoy.com.do/apoyan-la-expulsion-religiosos-venezuela/>

Meanwhile, as of 12 October 2005, there were 176 religious missions in Venezuela; however, the decision only affected the NTM. A source close to the then President of the Republic revealed to us that what motivated him the most in making that decision was the fact that these missionaries were of U.S. nationality, given that there were missionaries of other nationalities (Brazilians, Swedes, Canadians, Colombians, etc.), and there were no similar decisions affecting people of those nationalities. As a matter of fact, membership in the NTM also included Venezuelans, *Criollos* and even indigenous people.

Several people familiar with the indigenous world that were interviewed for this research and are not parties to this controversy, recognize that for years the NTM had filled the void created by the State's absence, in matters of health in places where they operated. The NTM also had access to resources and medications that were practically unavailable at the Catholic missions. They state that they have no evidence of NTM missionaries being involved in illegal actions (espionage, mining operations) and that their real impact had been basically in health care and providing material goods (fish hooks, machetes, cooking pots, clothing, etc.) for the indigenous people, and that the vaccination drives that they conducted in their communities had been truly positive, and that they even transported critically ill indigenous patients to private clinics in Caracas for treatment. They had at their disposal international funding, technology and medical advisors, as well as a fleet consisting of three light aircraft (*Alas de Socorro* – Wings of Aid), which helped them to provide good and efficient logistics for the sites where they operated. The aircraft were also used to lend support to the indigenous people in cases of emergency. All of this was executed in good coordination with the authorities of the local governments of the states of Amazonas and Bolivar. Nevertheless, it is true that once they had achieved a certain level of interaction with the indigenous peoples, the NTM missionaries insisted on prohibiting indigenous rituals and religious systems, and did not permit development of any religious syncretism (in contrast with the Catholic missionaries).

The departure of the missionaries resulted in the arrival of miners into areas that had been under their influence. When we asked the interviewees as to what conclusions they might draw from the expulsion, they agreed that the presence of the NTM was “a lesser evil” for the indigenous peoples compared to what the “expulsion” has done to them, and that, at this time, the indigenous people from the communities that interacted with the NTM resent the fact that the government did not consult with them before resorting to that measure, and they especially resent their current state of abandonment, for which they hold the Venezuelan Government totally responsible.

In conclusion, essentially, the decision was taken in the midst of the political confrontation maintained by Venezuela's deceased Chief Executive vis-à-vis the United States of America, and possibly to ingratiate himself with social actors and political groups that had been antagonistic toward the work of the NTM in the state of Amazonas, knowing that there would be real injury to Venezuela's indigenous peoples, which means that this case constitutes criminal liability based on willful intent, as evidenced by its motivation and its consequences.

Is the biodiversity of the RBAOC being protected effectively?

The Yanomami and Ye'kwana peoples have been interacting with, and depending on their natural ecosystems, of which they are a part, in accordance with their own worldview and practices. The indigenous peoples' "ecological footprint,"⁶⁶ to use current western technical terminology, is very slight. Obviously, the inhabitants living within the RBAOC ecosystem make use of the biodiversity in their daily lives; they clear fields to plant corn, gather produce from the forest, hunt and fish. None of these activities have made enough of an impact that would lead one to detect a significant detrimental change in the ecosystems, and in fact, up until recently mining operations had not been a part of their traditional or ancestral activities. In fact, these ecosystems might be considered to be "natural" or even "wild" as such, without a doubt. Nevertheless, it is well known that there are times when the presence of indigenous peoples can transform forest and scrubland ecosystems into savannas. This has been demonstrated by the Pemón people in the Grand Savanna (Canaima National Park), and also by others in the Sierra Parima range, which is Yanomami territory, inside the RBAOC, where there are savannas showing anthropic influence.⁶⁷ It is possible that the "savannized" surfaces have increased due to human influence, especially since the establishment of the landing strip at Parima B, and the settlements that have been created around it.⁶⁸ But even considering this process, the ecosystems of the RBAOC continue to be dominated to a high degree by processes where there is very little human intervention, with the exception of sectors where gold mining operations have been established.

Mining activity certainly causes deforestation, but even in situations where it is done beneath the tree canopy to avoid detection, its effect basically involves removal of the underbrush, propagation of fires, sedimentation, modification of drainage patterns and the introduction of mercury contamination into the ecosystem. In the previous chapter our estimate was that there were 60 mining sites inside the RBAOC. If we were to assume that each mining site covered 10 hectares, we would be talking about 600 hectares for the entire RBAOC. This could very well amount to 1,000 hectares if we take into consideration the Siapa and Aracamuni mines. Even then this would be a relatively small number, considering the size of the entire Biosphere Reserve, which means the mining sites would be covering just 0.01% of its area.

Some of the persons interviewed, who are knowledgeable about the mining process in the state of Bolívar, maintain that for obtaining 1 gram of gold it is necessary to destroy 5 square meters of

⁶⁶ https://es.wikipedia.org/wiki/Huella_ecol%C3%B3gica

⁶⁷ Huber et al . 1984. The Vegetation of the Sierra Parima, Venezuela-Brazil: some results of recent explorations. *Brittonia* 36(2): 104-139.

⁶⁸ *Op cit*: In this context we understand "savannas" to be open herbaceous vegetation formations, conspicuously dominated by gramineous and cyperaceous vegetation, which may create mosaic patterns showing isolated thickets and shrubs. There are different kinds of savannas at the upper altitudes of the Sierra Parima range. Some of them are probably representative of relicts of former vegetation communities associated with prior climactic conditions that were drier. Some of the present species are pyrophilous. The intentional use of fire has certainly increased the effect of fire on these savannas, even though such effect is being superimposed on preexisting conditions. This increase appears to have a correlation with the increase in human population density, greater access to accessories that generate fire, and the recent tendency to establish human settlements on the savannas rather than in the forests, as had been the traditional practice. There is no doubt that fire has had a role in the process of modifying the scenery in the Sierra Parima range.

forest, and that every gram of gold that is extracted requires the use of 1 gram of mercury. If this were the case, we could estimate that 2,000 tons of gold have been, or could be, extracted from the RBAOC, and that likewise 2,000 tons of mercury may have been dumped or released. Not only may this mercury be poisoning the local soils and the rivers near the mines, but it may also be travelling through the ecosystem by way of the live creatures that dwell amidst the complex bio-accumulation network. However, this does not take into account the spillage of gasoline and diesel fuel, used for motorized pumps and electric generating plants, nor the “void” effect reflecting the disappearance of game wildlife resulting from the mining operations in the environs of each mine, since the miners hunt down all the edible wildlife (mammals and birds) intensively, to the point of local extinction, in the areas surrounding the mining camps, within a radius of several kilometers. Evidently, the most relevant and pernicious impact sustained by the ecosystems originates in the mining operations. If it were not for mining activity none of these impacts would exist. Mining activity exists only by virtue of the State’s commissions and omissions.

UNESCO role

All evidence reveals that management of the RBAOC is non-existent. Nor are there any signs the Permanent Commission mandated by Article 4 of the decree creating the RBAOC is functioning. In answer to such a situation, it is logical to assume that there is no coherence in the plans or programs that the national, regional and local governments deploy in the area. It can be affirmed with certainty that the Biosphere Reserve is not meeting its objectives, which makes it hard to believe that this situation has not been adequately detected by the entity responsible for the World Network of Biosphere Reserves (UNESCO).

Nevertheless, even if the RBAOC did not exist, the Venezuelan State’s abandonment of this region of the country would be a shameful act. The fact, in and of itself, that this is a Biosphere Reserve is not sufficient reason to obligate the State to tend to the indigenous peoples and communities of the Casiquiare and Upper Orinoco regions. The State has the obligation to do so since this is what any half-responsible State would do by way of its government and its political establishment, especially when it is so mandated by its legal system and its Constitution. The State’s responsibility to prevent depredation by miners does not rest exclusively on the fact that this is the most biodiverse part of the world. Regardless of what its natural heritage may be, the State has the political obligation to prevent such depredation. However, despite the fact that the Upper Orinoco-Casiquiare region is one of Humanity’s richest and most extraordinary live cultural heritages, it has been completely abandoned by the Venezuelan Government, and furthermore, is being exposed to the most pernicious socio-destructive agents in the region: mining operations and guerrilla forces. Positive intervention by the Venezuelan State, once the State has been reestablished, must be integrated into an administrative or managerial framework for the RBAOC, providing governance that will abide by internationally accepted standards⁶⁹ and attend to matters of health, medical services and security as a matter of urgency.

69

https://www.iucn.org/sites/dev/files/content/documents/governance_of_protected_areas_from_understanding_to_action.pdf



We know that UNESCO's role is more that of an advisor and promoter of policies, which countries may or may not abide by. We also know that it is every country's obligation to file a periodic report with UNESCO that indicates the administrative status of the Biosphere Reserve. However, it is unacceptable that UNESCO should have only a passive role, one that is limited to render a cold and distant technical endorsement, in the way of a "certification" or "green seal," as to whether or not a biosphere reserve is being managed properly. We also know that UNESCO, as a United Nations entity, is *par excellence* a political body that does not always act, or almost never acts, in defense of an ethical or legal position, but instead acts within the framework of the political interests of its members (especially within UNESCO). Just to give an example of such politicization, one sees FAO's systematic denial of the food crisis in Venezuela.⁷⁰ Nevertheless, in order to lend meaning to this whole apparatus created by the United Nations, it becomes necessary and urgent for UNESCO to send a mission to the RBAOC to verify the administrative status of the Biosphere Reserve, and the alarming condition of the health and medical care services available to the indigenous peoples, and to pressure the Venezuelan State to take effective measures to eradicate activities that are damaging the ecosystems and the indigenous cultures, namely mining operations and activity by transnational criminal organizations such as guerrilla forces and the *garimpeiro* syndicates. It is obvious that the current Venezuelan Government is not going to request this, nor is it going to submit a status report, given that this has already been the case. For this reason, UNESCO should proceed of its own accord and actively solicit information about what is happening here, and later send in its own observers so as to make a comparison with what is presented in this report. In fact, this report should be considered to be a report on the status of the RBAOC, prepared by Venezuelan citizens within the framework of the legitimacy bestowed upon them by the Constitution and by internationally accepted policies of good governance.

Some Institutional Formalities

The classic spatial planning scheme for a Biosphere Reserve consists of "three zones" and is depicted in the following figure.

⁷⁰ http://www.el-nacional.com/noticias/economia/fao-reconoce-crisis-alimentaria-venezuela_178887/
<https://www.hrw.org/report/2019/04/04/venezuelas-humanitarian-emergency/large-scale-un-response-needed-address-health>



Figura V- 1 Esquema de una Reserva de Biósfera. Fuente:
<http://www.sinac.go.cr/ES/reserbiosfe/Paginas/zonif.aspx>

As was already indicated in a previous chapter of this report, this “zoning” (spatial planning) has already been delineated in the case of the RBAOC.

While implementation of the RBAOC’s administration requires prior development of a Management Plan and Use Regulation (PORU), there is no requirement that this should be carried out formally as a necessary prior step. Obviously, this instrument needs to be planned, agreed upon and approved, but the fact that it does not yet exist is not the real reason why a management plan has not been implemented for the RBAOC, and it would be absurd for the Venezuelan authorities to put forward such an argument. In this respect, general zoning for the BR has already taken place by virtue of the existence of three national parks (NP’s) and four natural monuments (NM’s), in other words, most of its surface area has been “zoned” within the context of the legal framework currently in force. By definition, the NP’s and NM’s constitute “core areas,” while the “buffer” and “transition” zones have yet to be determined for those parts of the BR that are neither an NP nor an NM. This is why a PORU in and of itself is not what is needed to activate the BR’s administration.

The Permanent Commission, which was designated by decree as the jurisdiction that was to advise the Ministry of the Environment (a ministry that does not currently exist) in its management of the Biosphere Reserve, is an excessively governmentalized body where participation by the indigenous peoples is not significant in terms of quantitative or qualitative representation. To make matters worse, the Permanent Commission exists, yet it is inactive; however, if it were to be activated, this Commission needs to be reformed, and a Management Commission for the BRAOC must be created, where governance would be ample and horizontal. It would have to be a true regulator and administrator of the BR, and not just an advisory body. This Commission should have an Executive Secretariat that would enforce decisions made by this Management Commission, preferably by consensus. A governmental entity of this nature befits such an important and vast territory with such a diversity of actors. In an entity of this kind there should be participation by the municipal district governments, but it is even more important to establish mechanisms that would guarantee autonomy

in the representation of the indigenous peoples from each of their communities, in their heterogeneity of interests and in their cultural heterogeneity, in answer to the partisan political power of the *Criollo* society that generally ends up wielding power over the municipal district governments, as is currently the case.

The fundamental linchpins for managing the RBAOC should be: 1) the eradication of mining operations of every type, as well as the presence and actions of their promoters; 2) the permanent, constant, efficient and effective guarantee of health and health care assistance that would prevent the entry of deadly pathogens, reduce the propagation of endemic pathogens and drastically reduce morbidity and mortality rates in the local population. All other managerial programs should pivot around these two fundamental linchpins.

From a physical-natural point of view, it is important to establish a benchmark to gauge the levels of mercury contamination in the waters and fish life of the RBAOC in order to determine with greater spatial and functional specificity the health and ecological impacts that result from the mining operations.

From a conceptual point of view, the establishment of the RBAOC is an excellent solution for addressing the spatial planning for this gigantic territory that is of such extraordinary value for Humanity. Nevertheless, recognition of the self-demarcated indigenous territories is not an essential factor for guaranteeing the protection of the indigenous cultures, since the conceptualization of the Biosphere Reserve and of the National Parks and National Monuments, is in and of itself a formal recognition that such geographical space has been designated for the protection of the indigenous peoples and cultures. In any case, the interethnic or intercommunity conflicts may prove to be the conflicts that will be truly solvable, at least theoretically, by means of the self-demarcation processes.

APPENDIX

I. BIBLIOGRAPHIC SEARCH

Strategy used for the bibliographic search

- **Search engines:** CLACSO, SciELO, Dialnet and Google
- **Language:** Spanish, since most of the search terms were proper names and they would not vary by using English. If a search gave an English result that complied with Filter 1, then it was checked.
- **Years searched:** 2010-2018.
- **Key words:** 85 for search engines specializing in anthropological and social topics. Only 71 key words were used for Google searches, as we omitted searches with names of communities and variations in place names, since these had already been addressed using the specialized search engines and no further tasks were expected in order to answer the questions that defined the search.
- **Objective:** To ascertain the current status of the Upper Orinoco-Casiquiare Biosphere Reserve in a comprehensive way: condition of the environment, cultural safeguards and sustainable productivity.
- **Strategy:** We established three filters, the first one being the relation between the title of the study or website entry and the subject of the study, the Biosphere Reserve, and the problematics, condition of all its conservation objectives and effectiveness of management. We then proceeded to a general overview of the information contained in the filters, in search of information, denunciations, photos, maps, and scientific, socio-productive or conservation initiatives and projects that would serve as input for a joint analysis. Finally, those that contained pertinent information were carefully read before being compiled in a report and subsequent analysis.
- **Results:** From the specialized search engines, only 18 scientific articles, technical reports and official summary reports reached Filter 3. Meanwhile, for Google, of the 6,710 results that were checked, 186 reached Filter 3, from which we obtained: 2 video links, 89 images, 53 PDF files (technical reports, annual reports, segments from books, scientific articles and theses) and national and international entries in blogs, radio station releases, periodic journals, newspapers, and reading platforms, among other digital media.

Findings resulting from the bibliographic search

Words that appear in blue/magenta and/or are underlined are linked to their internet source. In order to gain access, hold the cursor over them and press the “control” key, or depending on your platform, you may simply double-click.

The Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC) was decreed on 1 August 1991 in order to protect the southeastern part of the State of Amazonas, known as the Upper Orinoco region, in consideration of the wealth of natural resources and the rights of the indigenous people, as well as of the threats presented to them by activities that are incompatible with the fragile ecosystems, which endanger the physical and cultural integrity of the inhabitants that live there, as well as the quality of the waters, watersheds and the sovereignty of the Territory. (Decree 1635, Official Gazette 34.767 of August 1991) (PDF: [Decreto 1635, GACETA 34.767 de Agosto de 1991](#)). It consists of the Duida-Marhuaca, La Neblina and Parima-Tapirapecó National Parks, plus Los Tepuyes Natural Monument above certain altitudes.

An analysis of the Information System for the Sustainable Management of the Parks and Monuments System conducted by the Ministry of the Environment for the Second International Workshop for the Information Network of the Conservation Areas of the Amazon Region, identified the following threats: (1) the vegetation cover is being affected by anthropic activities, mainly areas being cleared for planting corn (*conucos*) and lumbering operations; (2) tourism is affecting the identity of the indigenous peoples; (3) the quality of the water is being affected; and (4) there is a proliferation of crimes associated with biopiracy and other activities. Likewise, it becomes apparent that the program for monitoring and controlling needs to be directed toward

the demarcation of the boundaries, conducting a census of the population, and addressing problems posed by lumbering operations, mining activity, and brush and forest fires (PDF: [APAmazonas_Inparques-OAS](#)). Even though mining activity is not one of the important threats reported by the Ministry of the Environment, it was one of the reasons that prompted the issuance of the decree creating the Reserve, as it was thought to be a strategy for curbing repeated invasions by Brazilian miners in the year 1989. Nevertheless, a satellite imagery analysis in the year 2013 indicates that the Upper Orinoco-Casiquiare region stands among the four natural areas losing the most forest area (819 hectares – 2014 acres) in South America. ([Terral](#)).

The principal ethnic group living in the RBAOC are the Yanomami, and there are also Ye'kwana and Sanemá communities. One of the initial criticisms directed against the Biosphere Reserve project, funded by the UN, was the claim that “participation by the local inhabitants was given little attention when making decisions in the project’s planning as well as in its implementation” (PDF: [Naturalezacercada....](#)). In 1996, the Apostolic Vicariate lodged a complaint with the Inter-American Commission on Human Rights directed against the Venezuelan Nation following the murder of 16 **Yanomami** indigenous individuals in the Haximú region, which occurred between the months of June and July of 1993, for failure to effectively prevent the presence of *garimpeiros* in Yanomami territory. This complaint was resolved by way of an amicable settlement in 1999 whereby the state agreed “to promote the signing of an accord with the Brazilian government aimed at establishing a Joint Permanent Plan of Vigilance and Control for monitoring and controlling entry by *garimpeiros* and illegal mining operations into the Yanomami area,” and in matters of health the state committed itself “to design, fund and set in motion, through the Ministry of Health, and in coordination with the Regional Health Council of the State of Amazonas, a Comprehensive Health Program for the Yanomami People, in order to address the critical health issues in the area. The program is to include, among other aspects, building an infrastructure, allocating medical equipment and training for members of the ethnic group.” This and other agreements were later renegotiated by the state in 2004 when it considered maintenance of the annual health plan to be too much of a financial liability. (PDF: [CIDH, 2012](#)).

The demarcation of protected areas in the state of Amazonas in the early 1990’s for the purpose of preserving the biodiversity and safeguarding the indigenous peoples has not resulted in having the environmental laws enforced by the government authorities in these remote areas; quite to the contrary, surveillance and control is sporadic, difficult and even non-existent (PDF: [Yerena, 2011](#)). Meanwhile, it becomes a matter of concern when we learn that, at least for the year 2016, there were 3,165 Bolivarian National Armed Force troops stationed in the state of Amazonas, divided into 5 large groups in accordance with the municipal district boundaries of the state of Amazonas, yet their Command Headquarters were located elsewhere, at the Caruachi Hydroelectric Complex, near the city of Puerto Ordaz, in the state of Bolívar (PDF: [Estructura FANB, 2016](#)). Furthermore, “not only did the municipalization of the Upper Orinoco disrupt the development of the Yanomami’s gradual approximation to the rest of the nation’s society, but it also weakened in a decisive way the active role of that transcultural interaction. Likewise, the creation of the municipal district directly altered the principles of protecting and safeguarding the autochthonous cultural integrity that had been sustained by the decrees that created the national park and the biosphere reserve.” (PDF: [Caballero-Arias and Cardozo, 2006](#)).

What is the current condition of the reserve? What has happened with the health program and the threats against the initial inhabitants? Below, we present a survey of what we were able to find on the internet that would draw us closer to an answer:

Physical Natural Aspects

A description of the region can be found in the book [Desencuentros y Encuentros en el Alto Orinoco](#), (Engagements and Disengagements in the Upper Orinoco), which synthesizes the incursions into the Yanomami territory. Of the rivers located inside the reserve, the only ones for which we found information related to expeditions by researchers or naturalists were the Siapa and Mavaca Rivers, where an ethnoichthyological study had been conducted (PDF: [Royero, 1994](#)). The website *Conciencia Colectiva* (Collective Conscience) offers general information about the parks, including a short review and a brief description of the wildlife, vegetation

and geomorphology, as well as access routes and photographs ([oficial website](#)). One may also read a general description of the state of Amazonas, its flatlands and promontories in the historical summary written by [Otto Huber and John Wurdack](#) about the botanical explorations in what was then the Amazonas Territory (1800-1982), with lists of plants, maps of places that were visited, a description of the journeys, and the means of transportation. Also available is a visual portfolio of the [Parima Tapirapecó National Park](#), published by the Polar Foundation. Meanwhile, information about the Serranía La Neblina mountain range can be found in articles in [El Universal](#) and in [Río Verde](#).

There was a project funded by the government of Spain that lasted two years (1991-1993), and which focused on the Duida-Marahuaka National Park. “This project is the first, and is considered to be the most important of the program for providing Venezuela’s protected areas with management plans for the purpose of preventing current or potential uses from endangering their conservation,” states Glenda Medina, an ornithologist and director of FUDENA, the Venezuelan organization affiliated with the World Wide Fund for Nature (WWF). The purpose was not only to discover its attributes and their susceptibility vis-à-vis tourism and mining activities, but also to decide whether or not the current park boundaries are sufficient. “We will probably propose the extension of the park toward the lowlands as a buffer zone,” adds Medina. Another author describes this NP in the following manner: “It is not normal. Its boundaries are determined by the altimeter. The park begins at an altitude of 1,000 meters (3,281 feet) amidst a mountainous massif in Venezuela’s tepui area, which includes some of the oldest geological formations on Earth, and ends at the summits of these spectacular mountains that reach up to 2,700 meters (8,858 feet). It is cold at the top, and the scenery, one of desolate beauty (unusual plants, many of them carnivorous, growing over swampy peat), does not resemble in any way the Amazonian forest below, which reaches out to the banks of the Orinoco River. The same painstaking high relief topography that makes it so that access is possible only by helicopter explains why every summit is a natural island unto itself, different from the neighboring summits, with flora and wildlife species that are found only there or that are shared only with other tepui formations (endemisms in biological terms)...” (PDF: [Ruiz, M. 1993. En el corazón de la Selva](#)) (In the Heart of the Forest).

In the [Catalogue](#) of the *Hemiptera*, *Heteroptera* and *Coreidae* insect species that are found in the environs of Puerto Ayacucho, in the municipal district of Atures, there is a map of the vegetation found in the state of Amazonas, which can be vectorized if necessary. It also has photographs taken in the Cataniapo River basin.

The [Catálogo de Patrimonio Cultural 2004-2009](#) (Catalogue of Cultural Heritage 2004-2009) provides a record of the natural and cultural heritage of the municipal districts of Alto Orinoco and Atabapo, through which one may find general information and unique characteristics of the natural physical aspects of the principal rivers, the protected areas, and the principal communities and settlements.

One of the least studied factors in Venezuela is Climate Change, and there is no plan of action in our protected areas. In Venezuela’s Pantepui biogeographical province, which includes the RBAOC, in order to predict the effect of the temperature variations associated with future global climate change on the geographic distribution of the amphibian endemic genera *Oreophrynella*, *Stefania* and *Tepuihyla*, a calculation was made of the temporal loss of the inhabitable areas of their known and potential distribution. (PDF: [Roos, Y. 2015 TEG](#)).

Mining operation

1996-1999.

The [World Bank Report](#) regarding the loan to INPARQUES mentions a three-year project in the state of Amazonas where a study was made of the impact of mining activities inside the national parks in Amazonas. This needs to be found to set the record straight. INPARQUES is supposed to have a technical report, but none was to be found on the web. (SADA-Amazonas 1996-1999).

2007.

Two Brazilians were prosecuted for committing the criminal offenses of DEGRADATION OF THE SOIL, TOPOGRAPHY AND SCENERY; ACTIVITIES IN SPECIAL AREAS OR NATURAL ECOSYSTEMS and ASSOCIATION, foreseen and sanctioned by Articles 43 and 58 of the Penal Law on the Environment with the aggravating circumstance found in Article 10 and in Article 6 of the Law Against Organized Crime in concordance with Article 83.3 of the Penal Code to the detriment of the Venezuelan State. ([Jurisprudencia](#)).

2004.

The [Plan de Ordenamiento Territorial de Amazonas](#) (Territorial Ordinance Plan for Amazonas) recognizes metallic mining as a productive activity, even though it mentions this as an illegal activity, yet no acknowledgement is made of the volume of minerals that are extracted nor of the environmental and cultural impact caused by such activity.

2010.

- [Communiqué from HORONAMI](#): "...4. We are of the opinion that, even though, as of this moment, no signs of a massacre have been determined in the area, which is for us a reason to be glad, we wish to make known to the court of public opinion that there is a plethora of illegal miners from Brazil who have settled into the area of the Upper Ocamo. Through the media, it has been said that "there is nothing" happening in the Upper Ocamo, that everything is quiet and that the people are happy. We, the Yanomami of Horonami, who were part of the commission, saw the illegal mining camps, we saw a light aircraft fly by, we saw a clandestine landing strip, we saw some *garimpeiros* fleeing from the commission that was walking through the forest. We have the evidence that supports what we say. Members of the Armed Forces, the Prosecutor's Office and the CICPC that were on the commission were also witnesses to this. 5. It is very easy to think that the Yanomami and their Horonami organization are lying because the commission did not find there had been a massacre of Yanomami indigenous people. The reports that arrived concerning violent acts are not lies; they are clear signs that there is a lot of conflict in the area of the Upper Ocamo. The real lie is saying that everything in that area is alright..."
- The illegal extraction of alluvial deposits is a matter of concern for many sectors in the country, as it results in critical impacts among which the destruction of woodlands stands out, especially in areas adjacent to the edges of rivers and streams, where the waters have been obstructed and diverted, causing sedimentation, especially where mercury is contaminating the waters, all of which causes major problems for inhabitants living near the extraction sites. The Armed Forces do not exercise proper control and the miners evade such inadequate control in various ways, which makes the military accomplices in multiple cases of damage being done to the environment, most of which is irreparable. ([DDHHA Amazonas](#)) (Human Rights Amazonas).
- In April of 2010, several media sources reported the deaths of one man (the captain of the community of Momoy in the Upper Ocamo region), three women and two adolescents, members of the Yanomami ethnic group, which had occurred in previous weeks in the Upper Orinoco region. The investigations pointed out that the four adults had died "from drinking water that had been contaminated by the illegal miners, who utilize mercury to separate the gold from the crushed rocks. Meanwhile, the two adolescents had been murdered presumably by unidentified aggressors who had sprayed them with a toxic substance, according to a communiqué issued on Thursday by the Public Prosecutor's Office." (PDF: [Provea Informe Anual 2010-2011](#)) (PROVEA Annual Report 2010-2011).

2012.

Report of Alleged Massacre at Hirotaheri: "The settlements are located along the upper basin of the Ocamo River. Apparently, of the group of 80 native inhabitants, only 3 survived, and they are calling for justice

to be done at Puerto Ayacucho. According to witnesses that contacted *Survival*, 'burned bodies and bones' were found when they visited the Irotaheri community in Venezuela's Momo region. ([Blog PUCP](#), [Aporrea](#), [pronunciamiento](#), [Ecoticias](#), [ElImpulso](#), [Survival](#), [Aserne](#), [Noticias24](#), [Maniapure](#), [DiarioRepublica](#), [ElMundo](#), [BBC](#), [Taborita](#), [ElMundo](#), [Forajidosdelanetwar](#)). "The Minister of the Interior and Justice, Tareck El-Aissami, affirmed that on Friday his office had sent commissions to verify the 'veracity' of the information about the slaughter of 80 individuals belonging to the Yanomami ethnic group in a remote community located on the border between Venezuela's state of Amazonas and Brazil. According to a representative from the Executive Branch, teams consisting of officers of the Public Prosecutor's Office, the Corps of Scientific, Penal and Criminal Investigations (CICPC) and the Bolivarian National Armed Force (FANB), were on their way to reach the two most remote Yanomami settlements in the Amazonian forest to verify the situation." ([El Impulso](#), [The Guardian](#), [Horonami](#), [El Mundo](#), [MasVerdeDigital](#), [FMComunitaria](#), [Servindi](#), [Horonami](#), videos: [Aporrea](#)).

- STATEMENT BY THE INDIGENOUS ORGANIZATIONS OF THE STATE OF AMAZONAS (COIAM) on the latest actions by the Regional Commission for the Demarcation of Indigenous Habitat and Lands in the State of Amazonas that are infringing upon the constitutional rights of the indigenous peoples. ([Aporrea](#)).
- Research conducted in areas inhabited by the Yekuana and Sanema peoples reveals that the contamination may reach as far as 200 kilometers (124 miles) from the point of discharge of the contamination generated by the mines. ([Tatuy](#)).

2013.

- A commission consisting of 12 indigenous leaders from the southern Orinoco region travelled to Caracas, [representing COIAM](#), to meet with Vice President Arreaza and petition for the revision of the New Mining Policy. The Vice President did not receive them, however they submitted several letters where they proposed to the National Government a MORATORIUM on the execution of the Orinoco Mining Arc and of the Contract with CITIC, a Chinese company, so that a thorough revision of current indigenous and environment policy would result in sustainable projects in indigenous territories and communities that would respect and guarantee their way of life, and the SOCIO-ENVIRONMENTAL INTEGRITY OF THE AMAZONIAN REGION in harmony with the global protection of the planet.
- Tranquility came to an end for the Yanomami in 1980 when the gold rush exploded in the Amazonian region. The latest threat to the Yanomami comes from CITIC, a Chinese company that signed a 700 million dollar contract with the government for the exploration of minerals in the Orinoco Mining Arc. ([Aporrea](#)).
- The [Yanomami of Brasil and Venezuela](#) deliver an open letter where they state: "The situation is very critical along the border between Brazil and Venezuela, where they have set up illegal mining camps that result in violence, epidemics, destruction of our lands and contamination of the rivers. (...) It is impossible to enjoy good health when our territory is not protected."
- "The mining activity was a sword of Damocles hanging over the heads of the Yanomami 20 years ago, and continues being that way today. Hortensia Caballero was recently in Puerto Ayacucho and heard that there is activity in the Upper Ocamo region: 'People have seen gold mining pans; they have seen materials and have heard that there are miners in that area.' For this reason, she affirms, 'the threat from the mining activity is present,' especially in areas where there is very little access.' Caballero, who is an anthropologist, proposes conducting real evaluations, with people from the area, with the Yanomami themselves "and it should be done rather quickly" because there is no other way of verifying what really happens in one or two days. The mining activity 'is a problem having to do with control: if the *garimpeiros* arrive and the Yanomami fail to do what they tell them to do,' there may be ethnocide.

Banning the mining operations ‘is a matter of survival’ for the Yanomami.” ([PDF El Yanomami Contemporáneo](#)) (Today’s Yanomami).

- [COMMUNIQUE FROM THE INDIGENOUS ORGANIZATIONS OF THE STATE OF AMAZONAS \(COIAM\) ON THE OCCASION OF THE 20TH ANNIVERSARY OF THE MASSACRE OF THE YANOMAMI OF HAXIMÚ](#): ...5. “We celebrate the results of the investigation and the judicial proceedings against the illegal miners in Brazil, who were sentenced in a definitive way in the year 2009, for genocide and associated crimes, with penalties of more than twenty years in prison for the *garimpeiros*, in accordance with a decision of that country’s Federal Supreme Court. This sentencing by the Brazilian judiciary is important not only because it condemns the *garimpeiros*, but also because it determines that the Case of the Massacre at Haximú was a Crime of Genocide that goes beyond that of simple homicide, because it has to do with a crime against humanity perpetrated by someone who intentionally tries to destroy, totally or partially, a national, ethnic, racial or religious group, and Brazil’s courts have recognized that the judicial right referred to in this case is not just the life of one person as such, but rather the shared life of a group of people, specifically in this case, that of the Yanomami indigenous people.” 6. “We believe it is important for the Venezuelan Government to abide by the accords signed, within the context of the Haximú case, before the Inter-American Commission on Human Rights in the sense that ‘The State agrees to promote the signing of an accord with the Government of Brazil for the purpose of establishing a Joint Permanent Plan of Vigilance and Control for monitoring and controlling entry by *garimpeiros* and illegal mining operations into the Yanomami area.’ Likewise, given that ‘The State agrees to design, fund and set in motion, through the Ministry of Health and in coordination with the Regional Health Council of the State of Amazonas, a Comprehensive Health Program for the Yanomami People in order to address the critical health issues that are being experienced in the area.’...”

2014.

- Alexander Luzardo (“*Legalizando los negocios del desarrollismo*”, *Tal Cual*, 03-February-2014) (Legalizing the business deals of the pro-development agenda) denounces the manipulations taking place in the National Assembly for approving a Border Law that “would decree the disencumberment and liquidation of the system of national parks, and forest and biosphere reserves, while contemplating the promotion of mining, oil extraction, lumbering activities and other developments in Areas Under Special Administrative Rule (ABRAE), such as the Parima Tapirapecó National Park and the Upper Orinoco-Casiquiare Biosphere Reserve, which protects, among other things, the headwaters of the Orinoco River.” The language of the aforementioned law “has a pro-development style, representative of the thuggery of the Brazilian military, associated with the so-called expansionist geopolitics that preys on the environment and is the enemy of the indigenous peoples, and which wielded so much influence of the different foreign ministries and military academies in Latin America and which can be summarized in the idea of: “populating and developing border areas, even at the cost of biological diversity, the bodies of water and the indigenous population.” He also adds that the mining industry “wreaks havoc and has sold out to the voracity of Chinese capitalism.” (<http://cris-unamontanadegente.blogspot.com/2014/02/> .
- [Informe de Derechos Indígenas de Provea](#) (PROVEA Report on Indigenous Rights): Somehow, the illegal extraction of gold is being conducted with the blessings of the FANB. The deforestation resulting from illegal mining operations in Venezuela’s Amazonian region is estimated to be 1,000 km² (429 square miles) per year.

2015.

[Minería en la Amazonía Venezolana: derechos indígenas y ambientales](#): (Mining Activity in Venezuela’s Amazonian Region: Indigenous and Environmental Rights): This study does an historical analysis of the

problematics presented by the mining operations. It points to the gravity of the mining activity in the cultural, environmental and health setting. Three of its conclusions are of interest for the analysis: “A fundamental element for increasing the presence of the Venezuelan State in remote zones of the Yanomami area has been the training of Yanomami Primary Health Care Agents in communities that are hard to access. These Health Agents have become key sources of information, not only for the necessary epidemiological vigilance, but also for providing information relating to the presence of *garimpeiros*. Providing radios for use in areas that are hard to access is a fundamental factor for guaranteeing the flow of information. All those communities with trained Health Agents need to have radios for communicating; however, the radiotelephony network can be expanded toward other sectors that are hard to access and where there the Venezuelan State is totally absent. For example, in the entire Siapa River basin, where a large, yet unknown, number of Yanomami communities dwell, there isn’t even one radio in operating condition. 7. The design and implementation of plans for the surveillance and control of the illegal mining operations, plans for health care and all other public policies directed toward the Yanomami need to contemplate having the Yanomami assume a leading role. In this sense, the “Horonami” Yanomami Organization represents a sufficiently legitimate representative space....”

2016.

[La Minería ilegal en Amazonas ¿Cómo llegamos a esto?](#) (Illegal Mining in Amazonas: How did we get here?: “....In another noteworthy event from the previous decade (2000-2010), Commissioner Oscar Rosales, Director of the DISIP [at the time the top political intelligence agency, which has since been replaced by the SEBIN] for Amazonas, in the year 2005, apprehended two members of the United States military belonging to Plan Colombia, who had entered the country illegally and at that moment were involved in purchasing and trafficking in gold originating in Yapacana National Park. They were subsequently released, and the DISIP director retired early. Magic Realism? At that time the FARC had already settled into the Yapacana National Park, and were collecting ‘the tax’ from the ‘owners of the mines.’ Since 2007, we have observed intensive mining operations in the Sipapo River basin conducted by individuals not belonging to the indigenous communities, who were apparently conducting research work for a foreign research company and were using drills to extract soil samples, and were being transported by helicopters to places that were hard to access, an activity that has nothing wrong with it, provided it has to do with cooperative agreements for exploring the potential for mining activity, something I have had to speak on publicly in response to accusations and questions, but if there is this kind of activity, and there ought to be because it is the government’s obligation, the fact remains that information was not given to the local population and to the owners of the territory, furthermore, this activity was intertwined with ‘environmental’ research by foreign researchers in the company of Venezuelans and ‘extreme sports’ explorers with participation by international businesses such as Red Bull on Autana Tepui, a *tepuí* that is sacred to the Piaroa and Hiwi, with logistical support from the Venezuelan military and would-be permits from Nicia Maldonado, the then Minister Indigenous Peoples, and from the Ministry of Science and Technology, demonstrated by the inhabitants, but later denied by both ministries, who then requested an investigation....”

2017.

- Fact sheet on the socio-environmental problem: Aside from the constant publication of statements, the Horonami organization has filed complaints with the Prosecutor’s Office, the Office of the Ombudsman, the Office of Prosecutor Number 7 of the State of Amazonas, the 52nd Jungle Infantry Brigade and the National Assembly’s Commission on Indigenous Peoples requesting the launching of an inquiry concerning the impacts of the illegal mining operations on the Upper Ocamo area and the adoption of necessary measures by agencies of the Venezuelan State. Horonami has led marches to Puerto Ayacucho, the capital of the state of Amazonas, demanding an improvement of the poor health conditions afflicting the Yanomami. The organization has also expressed its repudiation of former Minister of Indigenous Peoples, Nicia Maldonado, for trying to divide them. There has been resistance from the Yanomami whenever miners enter into their territories, even though this indigenous group is outgunned by the weapons superiority of these and other invaders. This has resulted in a situation

where the official complaints have diminished, given the high levels of intimidation. ([EJATLAS Cuenca Río Ocamo](#)) (EJATLAS Ocamo River Basin).

- An [informational brochure from RAISG](#) about illegal mining operations in territories belonging to the Yanomami and the Ye'kwana showing the location of mining areas, photographs and historical milestones regarding the problematical situation in Venezuelan and Brazilian territories.
- Through its Joint Commission, the National Assembly prepared a preliminary report evaluating the environmental and economic impact resulting from extractive operations in the Mining Arc, where they mention: (1) that the mining operations have been causing damages in areas that are under special administrative control in the state of Amazonas, among these being the RBAOC, (2) as for mercury contamination of the waters, they mention the Ocamo, Cataniapo, Sipapo and Guainía Rivers, among others; (3) the social problematics brought about by the illegal Colombian and Brazilian miners that affects the indigenous communities, and which was denounced by Dr. Ramón Iribartegui, a priest of the Salesian order, and Dr. José Bortoli, the Pro-Vicar of the Apostolic Vicariate of Puerto Ayacucho. ([Report on Slideshare](#)).
- “Héctor Escandell, a geographer with a degree from the Central University of Venezuela, retired from the Ministry of the Environment and currently facilitator of projects at the Human Rights office of the Vicariate, said in an interview: ‘They were able to identify more than 63 mining sites on their territory, which they know well and they know these sites exist, and that there are miners there. We’re talking about places such as Upper Ventuari, Manapiare, Guainía, Sipapo and Autana.’ (...) ‘The mining activity is compact and takes place in small areas where a mining site may cover two, three or ten hectares, depending on how much gold there is. The fact remains that the environmental and socio-environmental effects do not stay at that site, but are part of the total impact, such as contamination.’ Escandell explained.” ([Noticias Candela - journalistic report](#)).
- “The situation resulting from the *garimpeiro* invasion is a chronic and cyclic problem. The Yanomami territories that have faced, and continue to face, the presence of mining operations, are in areas where the State has been absent historically. These areas tend to be along the international border, among them being the headwaters of the Matacumi and Ocamo Rivers, in the northern part of the Sierra Parima range; the Haximú zone; and the broad basin of the Siapa River.” ([Book available for reading at ISSUU.COM](#)).

2018.

- Professor Luzardo is interviewed: “There is an ongoing migration of miners from neighboring countries, especially into the states of Delta Amacuro and Bolívar, and this is sometimes encouraged by the local authorities. The government has turned into a transnational agent of the mining sector. Likewise, the *garimpeiros* are returning to the Parima-Tapirapecó National Park, located in the Upper Orinoco region, in the state of Amazonas.” ([Costa del Sol FM](#)).
- Denunciation/Activism: The #Yanomami, permanently threatened by the illegal miners, and now by the FARC, dwell in the western part of the Guiana Shield (#EscudoGuayanés), in the basins of the Matacuní, Ocamo, Mavaca, Malvice, Siapa and Upper Orinoco Rivers, in the state of Amazonas. #sosorinoco @Survival Fotos: ©JAK ©ACL/SPV. ([SOSOrinoco](#)).
- Fact sheet on conflicts: Effect of illegal mining operations on Yanomami indigenous communities in the Ocamo River basin. ([Observatorio de Eco política](#)).

- This year there have been many demands and denunciations made by ORPIA, mostly having to do with the complex humanitarian emergency, as there are many epidemics that are decimating the indigenous peoples. José Gregorio Díaz Mirabal, General Coordinator of the Regional Organization of the Indigenous Peoples of Amazonas (ORPIA), stated that the Yanomami people of the Upper Ocamo have been struck by a measles epidemic. “This measles outbreak is in the Alto Orinoco municipal district, especially among the Yanomami people of the Upper Ocamo and this is one of the many critical situations faced by these people resulting from the proliferation of epidemics. Therefore, we organized in order to demand immediate attention from the authorities.” ([Amnistía](#)). (Amnesty)
- The Network of Defenders of Indigenous Rights and the Rights of Nature of the state of Amazonas devised a Socio-Environmental Diagnosis of the state of Amazonas that warns about the expansion of the illegal mining operations during the past four decades, and has identified at least 55 current mining sites, dispersed throughout the principal hydrographic basins of the Orinoco, Atabapo, Guainía, Negro and Ventuari Rivers, and of many of their tributaries, such as the Parú, Parucito, Marieta, Wanay, Cunucunuma, Ocamo, Caño Iguapo, Padamo, Pasimoni, Pasiba, Siapa, Caño San Miguel, Yagua, Yureba, Caño Picua, Puruname, Maraya, Moyo, Fibril, Caño Caname, Guayapo and Cuaó Rivers, and other tributaries of lesser magnitude. The Network warns that “the extraction techniques have increased their negative impact on natural resources and human health, having graduated from artisanal methods to more mechanized mining methods that now include motorized pumps, dredges, explosives, water cannons, and chemical substances such as mercury and cyanide. All the while, the modalities have gone from individual participation to having a concentration of hundreds of miners at a given mining site, thus establishing collateral labor relations characterized by the exploitation of manual labor to the benefit of investors, suppliers, traders and other actors that render diverse services. There have even been reports of participation by public officials and individuals representing diverse State organizations, in clear violation of regulations.” ([CPALSOCIAL](#)).

Health

2003.

A group of researchers developed a Bayesian model for human onchocerciasis (river blindness) and for studying the factors that influence the prevalence of microfilaria in the Amazonian focus of onchocerciasis, thus allowing the prioritization of treatment using ivermectin. This model allowed for the correct 25/29 (86%) classification of villages in reference to their need for prioritized treatment using ivermectin, as well as to observe the effect of river-dependent altitude at the community level. ([Carabin, et al. 2003](#)).

2007.

- The book [Salud Indígena en Venezuela](#) (Indigenous Health in Venezuela) urges development of specific health care measures for reducing infant mortality from diarrhea, acute respiratory infections and malaria, so as to lend greater efficacy to efforts to consolidate and expand the health care system among the Yanomami. In the matter of research on health, the study of the productive systems in the different Yanomami regions, with respect to their nutritional characteristics, is an aspect that is vital for the definition of sustainable alternatives from the cultural and environmental perspective of social food programs. They also mention some difficulties in administering treatments due to the Yanomami’s idiosyncrasies: (1) A problem of particular concern for the program to control onchocerciasis has to do with allergic reactions (mainly pruritis or itchy skin) in persons heavily infected with parasites. In addition to receiving treatment with ivermectin tablets they need to take antihistamines in areas where the inhabitants have not yet received treatment or where the control program is not regular and patients are unable to get to the outpatient clinic in a timely manner. (2) Particularly in the case of small

children, belated treatment of patients by physicians where there is little chance of patient improvement is an important factor in complications or fatalities from afflictions such as diarrhea where treatment is relatively simple; in this sense regular visits by the medical team to the communities and a careful examination of all infants is a measure that helps to detect and treat, in timely fashion, cases of dehydration, diarrhea or respiratory infections, thus avoiding their progression to more complicated stages. The book also does an exhaustive analysis of the Yanomami people.

- [Una Evaluación Rápida de la Malaria](#) (A Quick Evaluation of Malaria) organizes and analyzes this disease in the state of Amazonas from 1998 to 2017.

2008.

A study revealed that the intestinal flora of the Yanomami is much more diverse than that of any other world population studied thus far, including that of another more westernized Amazonian indigenous group, and also more diverse than that of a tribe in Malawi, in southeastern Africa ([EsNoticia](#)). The researchers mentioned that this heterogeneity may prove to be a key for analyzing modern diseases such as diabetes and improve eating patterns.

2009.

- Seven Yanomami died as a result of the November influenza outbreak and it is believed that approximately 1,000 may have been infected. The government isolated the area and sent in medical teams. ([ComunicasVenezuela](#); [CULTURAVARI](#)).
- The [Annual Report of the Office of the Ombudsman](#) provides some statistics from the Yanomami Health Care Plan and mentions that: At the Koyowe community in Alto Orinoco municipal district, 19 young indigenous individuals were trained as Yanomami community agents for primary health care, and 11 assistants were given instruction in entomology in the context of the malaria epidemic. Also trained were 10 microscope technicians and 11 teachers.

2010.

- According to the [Annual Report of the Ministry of the People's Power for Health](#): (a) With the execution of the "Yanomami Health Care Plan" (PSY) 4,467 patients were treated; 2,995 were treated by Yanomami Community Agents for Primary Health Care (ACYAPS) located among Type II rural outpatient clinics in 72 communities of Alto Orinoco municipal district; (b) Strengthening articulation with the Bolivarian Air Force by means of the air transportation groups, with an increase in the presence of the Group 10 helicopters at the seat of Alto Orinoco municipal district (La Esmeralda), thus guaranteeing the air medical evacuations that may be required by Yanomami communities in areas where access is difficult. Furthermore, the [Annual Report from the Office of the Ombudsman](#) acknowledges that there was a Measles Outbreak in several indigenous communities belonging to the Yanomami ethnic group, located in Alto Orinoco municipal district, where most of the fatalities were among the infant population.
- Andrés Blanco, an indigenous technician of the health care team reported that, in recent months leading up to October, the Upper Orinoco community had reported the death of at least 50 individuals and that they were requesting medical attention ([YanomamiHilfe](#), also available in Spanish: [ESPAÑOL](#), [LaGuayanaEsequiba](#)). The first word of warning came on 31 July from Koyowe in a radio message concerning some cases of malaria in Maiyotheri. The message described consistent symptoms of fever, vomiting, diarrhea and jaundice. 48 people still showed symptoms, but it was impossible to treat them all ([MagicaRadio](#)). A warning was issued concerning the need for visits by air to Hashimú, Yaritha, Koyowe and Siapa, as it was entirely possible that the situation faced at Maiyotheri was repeating itself there also. ([IndioSinTierraEsIndioMuerto](#)).

- A doctoral dissertation on existential pathology and intervention focused on ascertaining the indigenous peoples' comprehensive vision of malaria in the Yanomami communities, based on their geographical locations in the Upper Orinoco region of Venezuela. (PDF: [Loaiza, 2010](#)):

Some of interpretations found in the dissertation:

- ✓ In analyzing the interviewees' understanding of malaria transmission, they were grouped by communities, and it was found that 100% of those living in the Ocamo sector recognize that the disease is acquired by way of mosquito bites. For the Mavaca sector it was 97%, and for the Mavaquita sector it was 52%
- ✓ Of the Yanomami from communities in the Mavaquita sector, 19% report that they seek and comply with the anti-malaria treatments offered by Venezuela's Ministry of Health, while 100% of the Yanomami in the Ocamo and Mavaca sectors seek and comply with such treatment. It should be emphasized that the communities that were studied in Ocamo and Mavaca have access to outpatient clinics, while the Yanomami of Mavaquita have to travel downriver for treatment.
- ✓ Of the Yanomami living in communities in the Ocamo and Mavaca sectors, 100% are of the opinion that physicians, as well as shamans, need to intervene in response to the presence of a case of malaria, and none were of the opinion that the intervention should be performed only by the shamans. In Mavaquita, 19% were of the opinion that intervention should be by physicians and shamans, and 81% believed this should be done only by the shaman.
- ✓ Of the shamans, team leaders, and simplified medicine aides that are present in the sectors under study, 100% of them recognized malaria as being a *shawara* disease, thus accepting intervention by a *Criollo* (this may be a physician or other health care worker) for administering medications that have been prepared jointly with the community's shaman using his *hëri* obtained from plants. The simplified medicine aides are available only at the outpatient clinics in the Ocamo and Mavaca sectors. One aide is assigned to a single outpatient clinic, while the other is a Yanomami aide trained in the parasitological diagnosis of malaria and is assigned to another Mavaca community. The communities that were visited in the Mavaquita sector do not have access to these health care aides.

2011.

Onchocerciasis (river blindness) is present in southern Venezuela in the Upper Orinoco area, the Sierra de Parima and Sierra de Untrurán mountain ranges, and in areas of the upper Siapa and upper Caura Rivers. Variations in the endemicity of the infection are associated in a significant way with the spatial distribution of these species, consequently there are hypoendemic areas found in the basins of the Padamo and Mavaca Rivers, and hyperendemic areas in the direction of the upper basins of the Putaco and Orinoquito Rivers. Samples were taken of larvae and pupae from *Podostemaceae* riverweeds found in a clear water stream (pH = 7, conductivity = 158 micro-ohms/centimeter, and a volumetric flow rate of 0.12 m³/second) of the Orinoquito River, in the area of the Upper Orinoco-Casiquiare Biosphere Reserve. The scenery of the area where the samples was taken matched that of a megathermal ombrophilous wet rainforest, and the water of the river that was studied flows over an alluvial plain whose substratum consists of quartz sand and gravel ([Villamizar et al. 2011](#)). Meanwhile, in a longitudinal study aimed at characterizing the mosquitoes (*Culicinae*) found in the state of Amazonas, the greatest diversity and abundance was found in the communities of Santa María de los Guaicas and Carlitos. ([Rubio-Palis et al. 2014](#)).

2012

The [Annual Report](#) states that, when compared with the year 2010, only half as many patients received assistance. A total of 2,322 patients were served: Yanomami Community Agents for Primary Health Care (ACYAPS) assisted 2,212 patients living near the Type II rural outpatient clinics in 47 communities of Alto Orinoco municipal district; and 110 patients were treated during 3 Comprehensive Health Care Drives. Meanwhile, 143 aerial missions were conducted using fixed wing and rotary wing aircraft belonging to the

Airborne Groups No. 5, 6, 9 and 10 of the Venezuelan Air Force, by which 221 people were transported in Alto Orinoco municipal district.

2013.

- "Health is another unresolved matter, anthropologist Hortensia Caballero adds, because it has been several years since the Yanomami health plan was created, yet, in her opinion, it has lost strength and specificity. She reminds us that the area has very special characteristics: extreme isolation, a surface area covering 45,000 square kilometers, more than 200 communities, and the presence of diverse afflictions (such as malaria and gastrointestinal ailments), which is why she insists that there needs to be continuity in whatever is being done. There are areas, such as Mavaca and Ocamo that have physicians, but access to medications and health care personnel should not be limited just to the more populated areas." ([PDF El Yanomami Contemporáneo](#)). (Today's Yanomami).
- [Botto and collaborators](#) write about the life cycle, distribution pattern and consequences of onchocerciasis inside the RBAOC. 2014.

2014.

- A study was conducted to determine the presence of superficial mycosis (SM) in the Yanomami ethnic group in Mawaca. Of 176 persons examined, 64 showed lesions suspected of being SM, and 65 samples were obtained: 10 were pityriasis versicolor (PV) and 55 were dermatophilosis. The results provided evidence of the existence of superficial mycosis among the inhabitants, dermatophilosis being the most frequent, with the *T. rubrum* complex being the causal agent and *tinea corporis* being the predominant clinical manifestation. The *T. rubrum* lesions were located mainly on the backs and ears of adults and children, respectively ([Torrez y col. 2014](#)).
- Announcement of Refresher Course II for Yanomami Community Agents for Primary Health Care ([Prensa Dirección de Salud indígena](#)). Afterwards a review of the course is included in the [Report from the Ministry of the People's Power for Health](#).
- The Annual [Report of the Ministry of the People's Power for Health](#) states that the outpatient clinic network in Alto Orinoco municipal district, in the hands of Yanomami community agents, tended to 3,122 patients.
- [Report on mortality rates in Yanomami communities](#), April-July 2014 in Alto Orinoco municipal district: 43 deaths from diseases and from a lack of medical attention and medications, exacerbated by the gasoline shortage.

2015.

- [Refresher Course for Yanomami Community Agents for Primary Health Care](#) at the headquarters of the state of Amazonas Indigenous Health Center and the Yanomami Health Plan in Puerto Ayacucho, at the formal opening of the Second Refresher Course for the second group of Yanomami Community Agents for Primary Health Care (ACYAPS).

The goal of this second refresher course is to nurture our Yanomami brothers and sisters that participate in the Project with new knowledge and techniques in the matter of primary health care, to be applied in their different indigenous communities, which are difficult to reach, and in most cases require long hikes that may last up to several days, or where access is exclusively by helicopter as these communities are located throughout the vast rainforest territory of Alto Orinoco municipal district in Venezuela's Amazonian region.

- Remote sensors and geographic information systems were utilized for studying onchocerciasis, the study being confined geographically to 12 areas and 31 subareas with 241 communities where onchocerciasis had originally been endemic, and it was determined that transmission of the disease had been abated in 20 subareas, in other words 75% of the communities that had been affected before. ([Botto y col., 2015](#)).
- A research study revealed that the malaria parasite that had been isolated in humans was identical to that found in the *Alouatta seniculus* howler monkey, based on samples taken at the communities of Ocamo, Mavaca, Koyowe and Platanal, on the border with Brazil between the years 2005-2007. ([Lalremruata et al.2015](#)).
- [Annual Reports of the Ministry of the People's Power for Health](#) : some interesting milestones:
 - ✓ Malaria Micro-Mission: Comprehensive Health Operation in Alto Orinoco municipal district (dental work, immunizations, treatment for onchocerciasis, malaria and respiratory diseases), plus fumigation and spraying. This benefitted 10,400 Yanomami individuals.
 - ✓ Specific Action 03: To control the rise of emerging and reemerging metaxenic diseases. In the state of Amazonas, 237,947 activities conducted for the purpose of preventing and controlling endemic diseases that affect the inhabitants, such as Malaria and Dengue. As well as actions directed at the management of Health Risk in order to prevent and control the levels of contamination.
 - ✓ Upon culmination of the three (3) research activities: "Impact Evaluation of the actions aimed at eliminating Onchocerciasis in 10 communities of Alto Orinoco municipal district;" "A historic analysis of the efficiency and scientific production of the CAICET Autonomous Service during the 1996-2014 period;" "An analysis of vaginal biomes in indigenous and mestizo women infected with HPV."

2016.

- Journalistic report on the threats to survival faced by Venezuela's indigenous peoples ([ElPaís](#)).
- The original peoples of the state of Amazonas (Piaroa and Yanomami) enhanced the strategies for controlling hepatitis B, hepatitis C and hepatitis D viruses, and the training programs for their prevention, thanks to research promoted by the Bolivarian Government and supported by the Ministry of the People's Power for Science, Technology and Intermediate Industries (MCTI), and developed by the Molecular Biology Laboratory of the Cellular Microbiology and Biology Center of the Venezuelan Institute of Scientific Research. ([Hepatitis2000](#)).
- UNICEF donates medications for diphtheria and malaria to the Ministry of Health. ([EfectoCocuyo](#)).
- *Misión Alimentación* (Mission Nutrition) tended to 700 indigenous families living in Parima A, B, and C; Mavaca; Mavaquita; Ocamo and Plantanal. Also, dental care was provided by the group known as Assistance and Orientation for Indigenous People (SAOI) ([National Nutrition Institute](#))
- [State of Amazonas Indigenous Organizations Denounce](#): "We are deeply concerned by the growing ILLEGAL MINING ACTIVITY (gold mining) in several areas of the state of Amazonas, which affects numerous indigenous peoples and communities in the region. During recent years (2014 – 2015 – 2016) we have observed an increase in illegal mining activity along the course of numerous rivers and in areas having tall forests. This includes the use of motorized water pumps and vessels equipped with suction dredges that utilize dredging methods for extracting the gold. The result of this illegal activity has been the evident environmental destruction in areas such as Yapacana National Park and the Orinoco,

Atabapo, Guainía and Sipapo Rivers, plus the Guayapo, Alto Cuaó, Ocamo and Manapiare Rivers, as well as the Ventuari, Parucito, Majagua, Parú, Asita and Siapa Rivers, and others; the contamination of the waters due to the presence of mercury and other toxic substances, as well as the alteration of the river ecosystems in general, including the life of numerous fishes that are part of the food supply for the riparian indigenous communities, well as for the seats of the municipal districts. In the affected areas, one can observe environmental impacts such as deforestation in large areas of the tropical rain forests, the diversion of the course of the rivers and streams, the resulting sedimentation, and the effect on numerous Amazonian ecosystems. There are numerous reports, and there is plenty of documentation as well, at the Office of the Ombudsman and the Office of the Prosecutor of the State of Amazonas.”

- In this scientific article one finds evidence of the abatement of hyperendemic focuses of onchocerciasis in 16 Yanomami communities, and it describes the program and affirms that onchocerciasis can be eradicated, as has been done in other Latin American countries ([Botto et al., 2016](#)). News item from [RadioMundial](#) .

2017.

- Venezuelan health authorities, and Venezuelan health organizations worked together with representatives of the Pan American Health Organization/World Health Organization (PAHO/WHO) in Venezuela to validate the guidelines for the treatment of malaria cases in Venezuela. ([OPSVenezuela](#)). .

[Public Letter from Father Ramón Iribertegui of the Salesian Order](#): “As of today, March 14th, we will be without any physicians in the Upper Orinoco region (Mavaca). The reason? The Mavaca Dispensary is not in working order, as it is in ruins and is uninhabitable, It’s a long story. We all know this. Ever since they arrived at Mavaca they have been living at the Salesian Mission. Why does the solution have to be removing the physicians from the Yanomami Upper Orinoco? Whose responsibility is it for maintaining the Ministry of Health’s structures in livable conditions? They want to foist that responsibility on the mayor, when in fact it is the responsibility of the Ministry... When did they ever come by here to see, to supervise or to accompany the physicians that had been here? They never bothered to look at the degree of deterioration and the conditions that were unfit for human habitation... And now, suddenly they make the drastic decision to leave these people without a physician amidst a malaria outbreak, abandoned to their fate, without any health care assistance. IT’S NOT RIGHT. They don’t want to assume their own responsibilities.”

- Report on the plight of peoples living in relative isolation with little contact with the outside world. ([Wataniba and Orpia 2017](#)): “The plight of the Yanomami, going back several decades, relates to the critical health problems resulting from the presence of endemic and epidemic diseases that afflict numerous communities, and have produced an increase in morbidity and mortality, especially in areas that are hard to reach. The situation is characterized by the presence of diseases such as malaria, which is hyperendemic in some places in the Upper Orinoco region; by the increase in acute and critical respiratory diseases; hepatitis in its different types; several outbreaks of onchocerciasis (river blindness); diarrhea in the infantile population; skin diseases and severe malnutrition among children and adults. This situation also entails problems with the running of the medical infrastructure, the allocation of equipment and medications, the permanent logistical support (a shortage of fuel for river transportation and air support), and difficulties in reaching remote communities, obtaining vaccines and ensuring refrigeration chains. As a result, at certain times, there have been limitations on the availability of medical services and access to health care for the Yanomami.” In this respect, it notes that: “There are fundamental problems with the health system that tends to the Yanomami. The first has to do with the system’s scarce coverage, which still leaves approximately 41% of the inhabitants without any health care. The second consists of the accumulated operational failures within the existing outpatient clinic network and its ties to the Regional Health Office.” The report also talks about the impact of the illegal mining operations, the periods of greatest activity, and the key moments in the

conflict. In April of 2016 they issued a communiqué that summarizes the issues: “The result of this illegal activity has been the evident environmental destruction in areas such as Yacapana National Park and the Orinoco, Atabapo, Guainía and Sipapo Rivers, plus the Guayapo, Upper Cuao, Ocamo and Manapiare Rivers, as well as the Ventuari, Parucito, Majagua, Parú, Asita and Siapa Rivers, and others; the contamination of the waters due to the presence of mercury and other toxic substances, as well as the alteration of the river ecosystems in general, including the life of numerous fishes that are part of the food supply for the indigenous communities. In the affected areas, one can observe environmental impacts such as deforestation in large areas of the tropical rain forests, the diversion of the course of the rivers and streams, sedimentation processes, and the effects on numerous Amazonian ecosystems. Because of the extreme ecological fragility of the Amazonian ecosystems, and due to the fact that most of our habitats and lands have not been demarcated as provided by Article 119 of the Constitution of the Bolivarian Republic of Venezuela, we affirm that the natural vocation of the state of Amazonas must be the preservation of aquatic resources for the country’s future, the conservation of biological diversity, and the fulfillment of sustainable economic activities in the Amazonian region (agroforestry, handicrafts, forestry, agriculture that is compatible with the environment such as organic cacao, small scale fishing, small-scale water buffalo breeding, beekeeping and ecotourism).”

- [International Physicians in Venezuela’s Amazonian Region](#): “This kind of health care operation began in 2006, when President Hugo Chávez visited the area and ordered the launching of the Comprehensive Diagnostic Center (CDI) at La Esmeralda, the seat of Alto Orinoco municipal district. Since the year 2008, the Simón Bolívar orbital satellite, the first to be owned by the Venezuelan State, has been providing imagery for the identification of communities, which is fundamental for guiding the operations. The results are evident: the number of Yanomami communities covered by the health care system increased by 153%, reaching 115 communities in 2006, and then 291 in the year 2017. Access to health care is very complicated due to the already mentioned geographical barriers, the delicate ecosystem and the cultural diversity. It calls for coordination between the Ministry of the People’s Power for Health, the Ministry of the People’s Power for Indigenous Peoples, the Bolivarian National Armed Force (FANB) and autonomous organizations such as the Simón Bolívar Amazonian Center for the Research and Control of Tropical Diseases.”

2018.

- Recognition bestowed upon a group of Venezuelans who are fighting against onchocerciasis (river blindness) in the state of Amazonas: Dr. Oscar Noya states: “Each year we add an average of 16 communities to the program for eradicating onchocerciasis; today we are able to cover 16,450 indigenous individuals from more than 350 communities. Most of the communities we tend to are Yanomami; however, we have also been covering the Joti, Ye’kwana and Sanöma indigenous peoples.” ([Alternos](#)).
- The Kapé Kapé organization reported that between May and June of 2018, rapid tests for the diagnosis of malaria were administered to 103 patients suspected of having malaria, 68 of whom proved positive, but none of these patients received any treatment. Cristóbal Poatoawe, a Yanomami male nurse, reported the death of five Yanomami children in the communities of Mioma and Creuwei. The youngsters had not been diagnosed with the disease, but during a follow-up the nurse was able to observe the presence of ulcerations on their upper lips, which then spread toward the rest of the children’s faces, up to the point where their noses had been partially or totally eaten away. ([CotufaNews](#)).
- During the past two months, 6 indigenous individuals have died in the Momi community in the Upper Ventuari region of Manapiare municipal district in the state of Amazonas as a result of an ailment that has not yet been diagnosed for lack of medical personnel in the area. Ariosto Apiama, a member of the Sanema indigenous people and a resident of the area, reported that starting late in the month of July

several members of the Momi community had died from the aforementioned disease, which manifests itself as a high fever, coughing, influenza symptoms, vomiting and sometimes diarrhea. The first fatality was that of an indigenous individual by the name of Tecasi Apiama, age 51, followed by Sito Panapanay (26), Nota Apiasoma (21) and three children, ages ranging from 5 months to 2 years. The funeral rites were conducted in accordance with what is usual and customary among the Sanema people: cremation, which meant that none of the authorities has any official knowledge of these deaths and their causes. After these deaths, another 7 indigenous persons (5 adults and 2 children) that were showing these symptoms were transferred on foot through the forest, which took two hours, to Cacurí, a Ye'kwana community, and then departed by air to the hospital at Puerto Ayacucho, where they are receiving medical treatment, despite the crisis being experienced as a result to the shortage of medications and the breakdown of the infrastructure. We also recall that in the state of Amazonas, the male nurse from the community of Mavaquita recently reported to the Kapé Kapé organization the deaths of 5 Yanomami children at the communities of Mioma and Crepuwei. ([NoticiasDiarias](#)).

- A devastating measles epidemic is afflicting the Yanomami indigenous people in the Amazonian region, along the border between Venezuela and Brazil, aggravated by the isolation and precarious conditions under which these ethnic groups live. That is how [Survival](#) reports it. Since the month of March, there have been reports of indigenous individuals who have become ill during the measles outbreak, and it is not yet known how many have been affected. ([LaPatilla](#), [NotiVenezuela](#), [SenderosDeApure](#), [CauraTV](#), [EfectoCocuyo](#), [France24](#), [wakanoticias](#), [Antropologia](#), [TalCualDigital](#), [RAI](#)). As of now, the only known statistics about the epidemic among the Yanomami living in Venezuela have been provided by the Pan American Health Organization (PAHO), but this is based on a database that was established in Brazil as of June of 2018. For that month, the count showed 280 cases under observation, and of these, 79 were Venezuelan indigenous individuals. ([Mongabay](#)).
- The health care drive tended to 1,440 Yanomami in the communities of Kapariway, Maracapay and Warapawe located in the Parima A and C sectors. ([WakaNoticias](#)).

Management of the RBAOC

Amazonas is one of the states with the greatest number of indigenous organizations that are allied to the [Peace Laboratory in Venezuela](#).

2004.

An analysis of the [land management plan](#) identifies the biosphere reserve as an element that weakens the spatial functioning of the system of settlements. Furthermore, it mentions that the Tama-Tama to La Esmeralda Corridor is among those that draw a spatial dynamic toward the south, despite the lack of roadways and infrastructure, as a result of the economic activities related to the open-pit and below-ground mining operations.

2005.

[Annual Report from the Office of the Ombudsman](#). (1) An evaluation was made of the mining practices in the states of Bolívar, Amazonas and Delta Amacuro, and the detrimental effects this has had on the communities, the environment and the resources that it provides. Also, the Office of the Ombudsman stated its position before the Ministry of the Environment and Natural Resources (MARN) and made recommendations, furthermore urging that the miners be relocated to areas outside of the indigenous lands. (2) The kind of mining operations being described affects the atmosphere, the waters, the soils and the wildlife as a result of the use of mercury. Recent studies conducted in the state of Bolívar, based on urine samples taken from 2019 people and published by the United Nations Industrial Development Organization (UNIDO) in 2004, reported

that 61.7% of these individuals showed mercury concentrations at the alert level (5 µg/g); while 38.3% showed levels higher than the level that requires action be taken (20 µg/g); and 26.6% were above the maximum level allowed by the World Health Organization (50 µg/g), and finally, 15% of these individuals showed urine levels higher than 100 µg/g, a level associated with the manifestation of neurological symptoms. (3) A report was submitted denouncing the illegal presence of 5 tourists in the Upper Orinoco region. (4) There was a follow-up of the critical health situation that afflicts the Yanomami ethnic group in Alto Orinoco municipal district and we proposed the execution of the Comprehensive Health Plan for the Yanomami People. (5) In November, the national Government decreed the expulsion of the New Tribes Mission, a religious association that had been working in the country legally for 40 years, conducting “evangelization” activities that infringed upon the rights to self-determination of the communities with which they worked in various areas of the states of Amazonas and Apure. (6) The Coordinating Unit for Indigenous Health of the Ministry of Health states that it has rehabilitated the outpatient clinic network of the Health District of the Upper Orinoco Region. As part of the Expanded Immunization Program (PAI) and the Onchocerciasis Control Program, 36 vaccination drives have been conducted. Through these actions, it is expected that the percentage of the population that receives no health care will drop from 70% to 40%.

2005-2007.

Description of La Esmeralda: as of the year 2007, the latest census counted 400 inhabitants. “It is divided into 3 neighborhoods: first is La Lomita, where most of the residents are members of the Yeral ethnic group, then La Costa which is inhabited mostly by Arawaks, and finally the Ye’kwana zone. There is also a Catholic church, a boarding school, also Catholic, run by the Salesian missionaries, a Bolivarian bilingual intercultural school, a large runway for heavy aircraft managed by the military, a Humboldt Center belonging to the Ministry of the Environment, whose main purpose is supposed to be scientific research, even though it is currently occupied by the military, and a cultural center, generally occupied by Yanomamis that come and go as they pass through. It is surprising to learn that among the residents of La Esmeralda there is only one person that makes a living from selling fish, mostly laulao catfish (*Brachyplatystoma vaillantii*), payara (*Hydrolycus scomberoides*) and peacock bass (*Cichla*), which he catches every few days, but which is hardly enough to supply the owners of the two restaurants and the people who happen to be among the first to arrive at his sales stand. The only other fisherman that sells fish there comes from Capibara, on the Brazo Casiquiare channel, and he joins this local fisherman every two or three weeks to sell his catch. As for horticulture, there is no one that makes a living by selling his or her produce, as we were able to verify. On the other hand, we were informed by the mayor’s office that it has 167 employees, assigned to various parts of La Esmeralda and to different communities belonging to the municipal district; employees with different positions and responsibilities such as: health, education, infrastructure, transportation or tourism; jobs that, as we were able to observe, turn out to be practically inoperant, often because there is no government entity within which the employee could work, nor any description of what needs to be done, nor any purpose or function that needs to be covered. Other times, this is because the employee or public official assumes that his or her obligation is to draw the salary to which he or she feels entitled rather than to render the service with which he or she has been entrusted.” ([Acuña, A. 2008. Development or Decline](#)).

2008.

[The Amazonian Biosphere Reserve: a compilation of the reports on the status of the reserves submitted to the UN by representatives of the State](#): (1) Airborne Group No. 9 was created, its main mission, in addition to Security and Defense, is that of transporting people and providing direct support to Health Services, the Ministry of the People’s Power for Health. Also, construction began on health care modules for the *Misión Barrio Adentro I* and *II* (neighborhood outpatient clinics) and housing for physicians, and the vaccination campaign, and a program was implemented to train nurses and social technicians, using personnel from the Yanomami ethnic group, known as the Yanomami Health Plan, where, as of this date, 47 nurses and 6 social technicians have been trained. Also, 46 laboratories were created, along with the onchocerciasis program. (2) The Ministry of the People’s Power for the Environment initiated a training program for assistance and financial

support, by way of *Misión Árbol* (Mission Tree), for the purpose of reforesting specific areas, the goal for the RBAOC being 110 hectares. The program consists of 25 conservation committees, reaching regions as far as Sipoiteri, where there is a Yanomami community less than 120 kilometers from the La Neblina region that borders on the Federative Republic of Brazil. (3) Also underway, is a project for the protection and management of *Testudines* (turtles) in Arawak communities located on the Pasiba River, where the basic idea is to give these communities the opportunity to manage these species in order to guarantee their conservation and at the same time encourage people to raise the protein levels in their daily diets; also underway is the construction and improvement of aqueducts and water distribution networks at La Esmeralda, Koshilowatheri and San Carlos de Río Negro.

2010.

The section [Historical Contingencies and Heterogeneity of Intercultural Scenarios: Origins of Yanomami Representativeness and Their Current Political Participation](#) cites examples that describe how Yanomami political participation has developed. This is important background information for the purpose of understanding the current situation inside the RBAOC and to have a look into the future.

2011.

[Book about the Yanomami people by Hortensia Caballero](#): “Finally, one would say that one of the problems that affects the Yanomami the most today is the impact that the unrestrained political proselytism is having in the Upper Orinoco region. Faced with a great number of programs and the current political tendencies, some Yanomami communities have entered into conflict with each other in order to gain access to manufactured goods and political positions offered by the mayor’s office and other governmental entities.

2012.

“On the day of August 27th, 2012, gathered in the City of Puerto Ayacucho, we the Indigenous peoples and communities of the Venezuelan Amazon together as the Coordination of Indigenous Organizations of the Amazon (COIAM), made up of the Regional Organization of Indigenous Peoples of the Amazon (ORPIA), the Indigenous Organization United Piara of Sipapo (OIPUS), the Ye’kuana Organization of the Upper Ventuari (KUYUNU), the Indigenous Organization Jivi Kalievirrinae (OPIJKA), the Yanomami Organization (HORONAMI), the Organization of Indigenous Women of the Amazon (OMIDA), the Organization of Indigenous Huôtтуja Communities of the Parhuaza Sector (OCIUSPA), the Association of Piara Teachers (Madoya Huarijja), the Piara Organization of Cataniapo “Reyö Aje”, the Indigenous Organization of the Negro River (UCIABYRN), the Piara Organization of Manapiare, the Ye’kuana Organization of the Upper Orinoco (KUYUJANI Originario), Yabarana Organization of Parucito (OIYAPAM), the Political Movement- Multi-Ethnic People United of the Amazon (PUAMA), make the following declaration in rejection of the most recent MASSACRE OF INDIGENOUS YANOMAMI PEOPLE which took place in the community of IROTATHERI, Municipality of Alto Orinoco, committed by illegal miners from Brazil. This information was shared by the survivors and witnesses during the month of August 2012...” ([YanomamiHilfe](#)).

2014.

- During the commemoration marking the third anniversary of the Horonami organization, Aloha Núñez, Minister for the Indigenous Peoples, attended the special assembly at Parima B as the specially invited guest. Andrés Blanco, General Coordinator of the Horonami community, delivered a letter to the Minister on behalf of the organization, wherein they petitioned the National Government for assistance in improving health care services, evicting the illegal miners (*garimpeiros*), and demarcating and titling the Yanomami Territory. (The [PROVEA](#) link is no longer accessible, but evidence of the meeting having taken place can be found [HERE](#)).

- A press release from the government's Venezuelan News Agency (AVN): "22 June 2014. This past Sunday, representatives from the Bolivarian Government's institutions and the People's Power of the State of Amazonas held a meeting at the facilities of the Ninth Regional Command for the purpose of creating the Committee Against Extreme Poverty in some of the communities where this has been reported in this jurisdiction. 'As of this date, there have been 29,987 comprehensive visits, 84,707 people have benefited from the Cuban Medical Mission, 69,785 by the partnership, 5,538 people in extreme poverty, 215,174 benefitted by all the missions. The ophthalmology service has tended to 33 people and the José Gregorio Hernández Mission has evaluated 94 patients, with respect to the projection of the active participation of the System of Missions and Grand Missions,' stated Ángel Gort, (the representative from the Cuban Medical Mission)." ([Aporrea](#)).

2015.

- "Today, February 20th, the Yanomami indigenous people, grouped together in the Horonami organization, marched at Puerto Ayacucho, calling for the right to life, health and respect for their culture. The demonstration culminated at the Regional Office of Health of the State of Amazonas, where they were received by the Regional Director, Dr. Enry Bracho, and his team, together with Marta Yavinape, Coordinator of Indigenous Health, and Astrid Martínez, Coordinator of the Yanomami Health Plan." ([Aporrea](#)). [The Annual Report of the Office of the Ombudsman](#) summarizes the facts about the incident and the measures that were taken.
- There are some organizations such as [Yanomami Hilfe e.V.](#) that donate equipment and encourage organization and self-governance among the Yanomami communities by supporting workshops and helping build the infrastructure for schools and health facilities, among other things. The bureaucracy and the current political situation make access difficult; however, some of the donations that were received include a microscope for the Amazonian Center for Research and Control of Tropical Diseases (CAICET) and 5 high-frequency 2-way radios for the communities. In Venezuela, the political organization's political advisor for that year was Alba Rondón.
- [The Vicariate's Office of Human Rights](#) has put into operation a strategy whereby indigenous organizations set up human rights committees for the purpose of training men and women in the indigenous communities to promote human rights and nature's rights.
- Are we facing an insurmountable wall? Atabapo, Río Negro, Alto Orinoco, Manapiare, and Maroa municipal districts all have the same problems: No Electricity, No Water, No Gasoline, No Diesel Fuel, No Oil, No Food, and Students with No Food due to the absence of the School Food Plan (PAE). ([RevistaIglesiaEnAmazonas](#)).
- Statement by the Office of Indigenous Health following the murder of a Yanomami man: "Whereas, last Saturday, May 2nd of the present year, a person was brutally murdered by the municipal district police corps of the state of Amazonas, leaving an immense void in the Family of the Indigenous Health Plan and the entire Yanomami People, who will always remember him as a brother with the spirit of a fighter, a warrior, and a worker for the good of his people and of his family..." There is further information about the incident in the blog [Venezuela Originaria](#) and at [Senderosdeapure](#) .

2016.

- The Yanomami are demanding their territorial rights based on the Constitution in the interest of conserving their home for future generations. Currently, their territory lies within two Areas Under Special Administrative Rule (ABRAE's), but they are of the opinion that a collective territoriality will offer them greater security and protection ([Survival](#), [YanomamiHilfe](#)). This claim had the backing of the

joint task force agenda between the Yanomami and the Ye'kwana of Brazil and Venezuela during the [Third Binational Meeting](#).

2017

- “Spokespersons for the indigenous communities in the municipal districts of Autana, Atabapo, Maroa, Río Negro, Manapiare and Alto Orinoco, in the state of Amazonas contacted PROVEA and the Peace Laboratory to denounce the fuel shortage they have been experiencing since August of 2016. Early this year, they organized into spokespersons’ associations in representation of their respective municipal districts in order to meet in Puerto Ayacucho with the *Misión Ribas* government agency and the government-owned oil company PdVSA, both responsible for fuel distribution. Officers from both government organizations agreed to guarantee that a certain amount would be distributed to each community on a regular basis, through the 52nd Army Brigade.” However, one month after that agreement was reached, the fuel had yet to arrive. ([RafaelUzcategui](#)).
- The socio-environmental problems of greatest importance and magnitude in the Alto Orinoco municipal district are: (1) the emergence of new diseases; (2) the contamination of the waters; (3) the non-recognition of rights over the lands. And with respect to activities that generate negative impacts: illegal mining operations, smuggling and a weak education system. Miners are seen as carriers of multiple diseases and the education system does not contribute to changing the inhabitants’ precarious conditions, especially the Yanomami people, who appear to be receiving little help. ([Analysis available on SlideShare](#)).
- [Yanomami People’s Territorial Occupation Initiative – Horonami](#): Complete and synthesized analysis for management of the territory: problems to be solved and the alternative of self-management in the Upper Orinoco region. There is also Another analysis was also prepared for the [Yekuana](#).
- In mid-September the Vicariate signed an accord with UNICEF for 2016-2019 with an emphasis on excluded peoples and the development of intercultural bilingual education among the Yanomami schools of the Upper Orinoco region where 100% of the enrolled students are indigenous. About 2.3% of the student population in the state of Amazonas drops out of school to go work at the mines, especially in the municipal districts of Atabapo, Manapiare and Alto Orinoco. ([RevistalesiaEnAmazonas](#)).
- “For quite some time, the Venezuelan State, regardless of the political force that governs this legal-political structure, has opted for the militarization of the indigenous territories and likewise for the progressive conquest and colonization of these territories and natural resources... Meanwhile, as evidence of the intensive military presence in the indigenous territories, we have the creation of the Military Corporation for Mining, Petroleum and Gas Industries (*Compañía Anónima Militar de Industrias Mineras, Petrolíferas y de Gas – CAMIMPEG*), created on 10 February 2016 as an enterprise that would start to assume all mining activity in the country. Thus, petroleum revenues and mining revenues are being yielded over to the military powers that be. There is no longer any room for the slogan “*PDVSA es pueblo*” (PDVSA is the people, in reference to the state-owned oil company), and who knows how many more rhetorical slogans. Here the distribution of resources belongs to a minority whose name is known to all. It consists of the military forces and the transnational companies that are placing their bets on the Orinoco Mining Arc as an alternative to the decrease in oil prices.” ([Periódico Libertario](#)).

2018.

- Communiqué from the indigenous organizations of the state of Amazonas in response to the critical situation caused by the Orinoco River’s floods: “This critical situation requires urgent and effective intervention that is coordinated by the different institutions of the Venezuelan State in order to help the indigenous and urban communities (Atures), especially those that are remotely located in the

remote interior of the state of Amazonas, especially in the municipal districts of Atabapo, Maroa, Autana, Manapiare, Alto Orinoco and Río Negro. ([Aporrea](#)).

- The constant rains in the southern part of the country are affecting mostly the inhabitants of the municipal districts in the interior of the state of Amazonas, where the mayors of those jurisdictions have stated that there is flooding in some areas, Governor Miguel Rodríguez announced over the radio. In that same news release, the governor said the municipal district of Alto Orinoco is one of the most affected, especially the communities of Mavaca, Mavaquita, Chaquita and Platanal. “Up until now there have only been material damages from the flooding, and there has been no loss of human lives,” the governor emphasized. ([WakaNoticias](#)).
- Political problems are affecting family dynamics and cooperation in La Esmeralda, which is having an effect on teaching the language and the culture. ([IchamTocolot](#)).
- “...The great challenge faced by the indigenous organizations is the reactivation of the national demarcation project, given the threat represented by the Orinoco Mining Arc megaproject, at a time when the National Constituent Assembly lacks a clear agenda concerning the future of indigenous rights, due to this body’s adherence to an idiosyncrasy that answers to the economic interests of the National Executive Branch. Likewise, these organizations are faced with the powerful presence of certain leftwing intellectuals and representatives of the military establishment, both of whom have tremendous influence within the spheres of government, and remain anchored to the paradigm of a nation that is meant to be homogeneous (monoethnic, monocultural, and monolingual). These individuals continue to see the indigenous peoples’ territorial claims as a threat to the integrity of the national State and the mestizo “national culture...” ([Observatorio de Ecología Política](#)) (Political Ecology Observatory).

Video

- Ye’kwana leader Saúl Kuyujani López Núñez is interviewed in Berlin by Deutsche Welle: <https://www.youtube.com/watch?v=9eVn2B911roentrevista>

II. GEOSPATIAL PROCESSING

The large surface area of the RBAOC and the lack of precision available for its demarcation make it necessary, for purposes of this report, to establish a precise cartographic framework. Meanwhile, after performing a general reconnaissance of the total area of the RBAOC using medium-resolution images, we concluded that the mining activity does not lend itself to being analyzed quickly and adequately by means of satellite imagery, as was done in the previous SOS Orinoco reports. In the RBAOC, mining activity takes place under the cover of the rainforest, which means that none of the deforestation is visible from the air. Furthermore, it is hard to distinguish the occasional mining activity on the riverbanks from the natural alluvial or sedimentary deposits along these same riverbanks. In this case, verification in the field, especially field interviews, can offer greater certainty as to the location and extent of the mining operations. Therefore, preference was given to using remote sensors only for the more conspicuous mining sites, as in the case with the *tepui* known as Aracamuni.

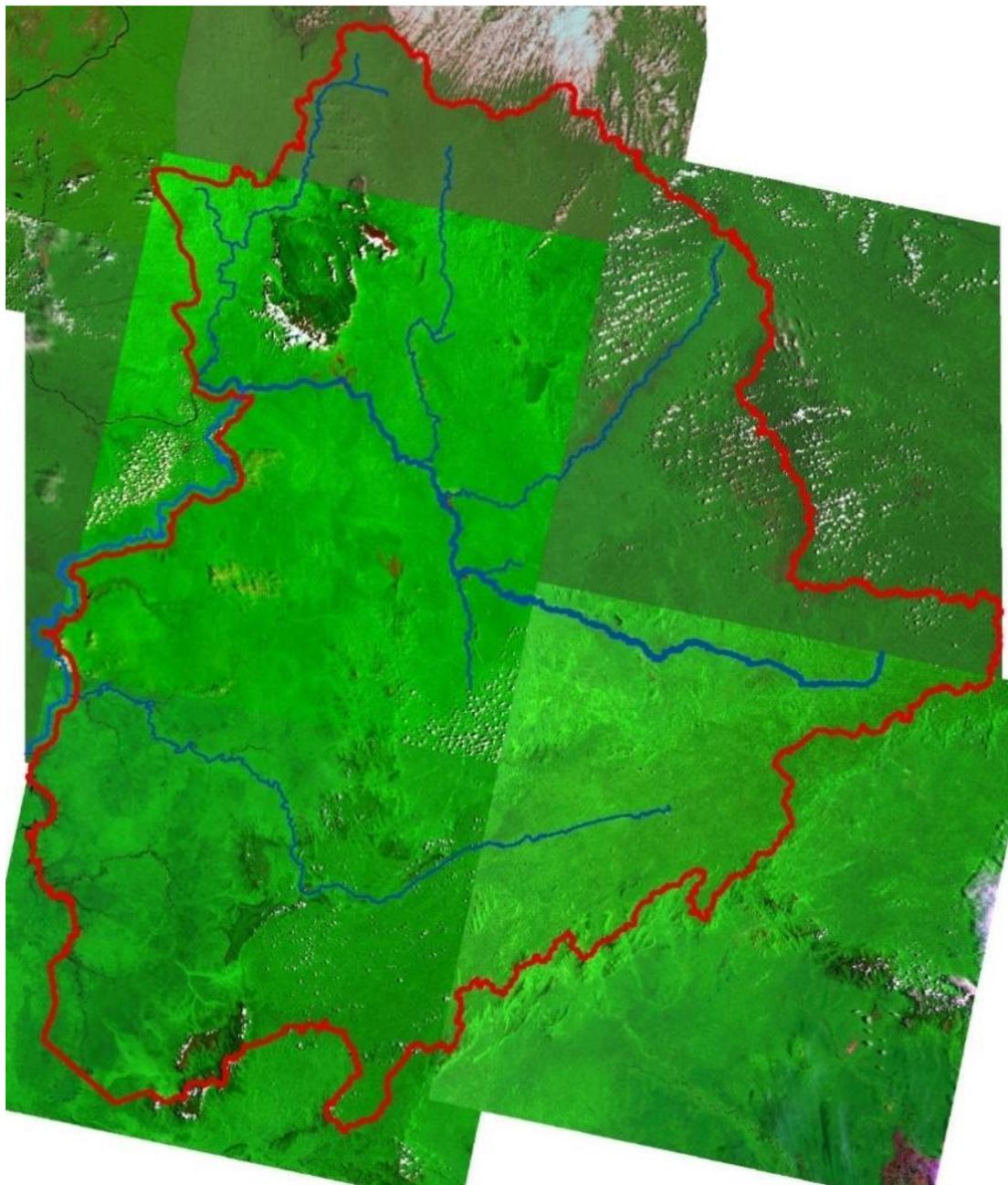
Meanwhile, it was found that the databases for that region's hydrographic network normally utilized by Venezuelan governmental entities are out of phase with respect to adequately georeferenced images. Therefore, the RBAOC boundaries that are usually shown in the government's databases are also distorted. For this reason, it was necessary to go to great lengths to correct this defect. This report will utilize the RBAOC boundaries that have been duly rectified. Therefore, we must assume that any map or image presented in this report that has not been prepared specifically for this report (third-party sources) will certainly contain inaccuracies and errors with respect to the spatial configuration of the RBAOC.

Selection and downloading of ortho-corrected multispectral images

We selected and downloaded, from the Landsat 8 satellite, 7 images, from recent dates, of the area pertaining to the project. (Table A-II.1 and Figure A-II. 1).

Table A-II. 1. Characteristics of the Landsat 8 satellite images

Image Path & Row	Date	Type	Pixel Size meters	Processing Level	Spectral Resolution
1-58	16 MAR 2018	multispectral & panchromatic	30 & fused 15	Ortho-rectified with control points (T1)	3 visible bands, NIR, SWIR (7 bands)
1-59	16 MAR 2018	multispectral & panchromatic	31 & fused 15	Ortho-rectified with control points (T1)	4 visible bands, NIR, SWIR (7 bands)
2-57	19 FEB 2018	multispectral & panchromatic	32 & fused 15	Ortho-rectified with control points (T1)	5 visible bands, NIR, SWIR (7 bands)
2-58	19 FEB 2018	multispectral & panchromatic	33 & fused 15	Ortho-rectified with control points (T1)	6 visible bands, NIR, SWIR (7 bands)
2-59	5 APR 2017	multispectral & panchromatic	34 & fused 15	Ortho-rectified with control points (T1)	7 visible bands, NIR, SWIR (7 bands)
3-57	25 NOV 2018	multispectral & panchromatic	35 & fused 15	Ortho-rectified with control points (T1)	8 visible bands, NIR, SWIR (7 bands)
3-58	12 JAN 2019	multispectral & panchromatic	36 & fused 15	Ortho-rectified with control points (T1)	9 visible bands, NIR, SWIR (7 bands)



Digital processing of the images

The multispectral Landsat 8 images were fused with their respective matched panchromatic images in order to improve the spatial resolution from 30 meters per pixel to 15, so as to facilitate vectorization of the different coverages. (The characteristics of the Landsat 8 images appear in Table A-II.1).

The very-high-resolution images of the Cerro Aracamuni *tepui*, taken by the World View 4 satellite on 15 September 2018, covered an area measuring 7x7 kilometers. These images were accessed courtesy of Digital Globe. This scene consisted of 4 multispectral images with resolution of 1.24 meters per pixel and 4 panchromatic images with resolution of 30 centimeters per pixel, with processing level 2 A; we created 2 mosaics (panchromatic and multispectral), and ortho-rectified them using the *Proyecto CARTOSUR I* digital

elevation model of 5 meters per pixel and the RPB file with the relational polynomial coefficients (RPC) that came with the image. The multispectral image has three bands from the visible spectrum (R, G, B) and one from the near-infrared region (NIR) of the spectrum, the pixel size being 1.24 centimeters. It was then fused with the panchromatic image for the purpose of improving the spatial resolution.

Rectification of the boundaries of the RBAOC and vectorization of the courses of the principal waterways

In addition to information from the Official Gazette announcing the creation of the reserve, we used the satellite imagery and the SRTM 30-meter elevation model to verify the boundaries that had been plotted by INPARQUES and the IVIC. We proved that they do not match the boundaries described by the Official Gazette and proceeded to correct them accordingly. The surface area of the Reserve using the corrected boundaries is 82,320.0 square kilometers (Figure A-II. 2).

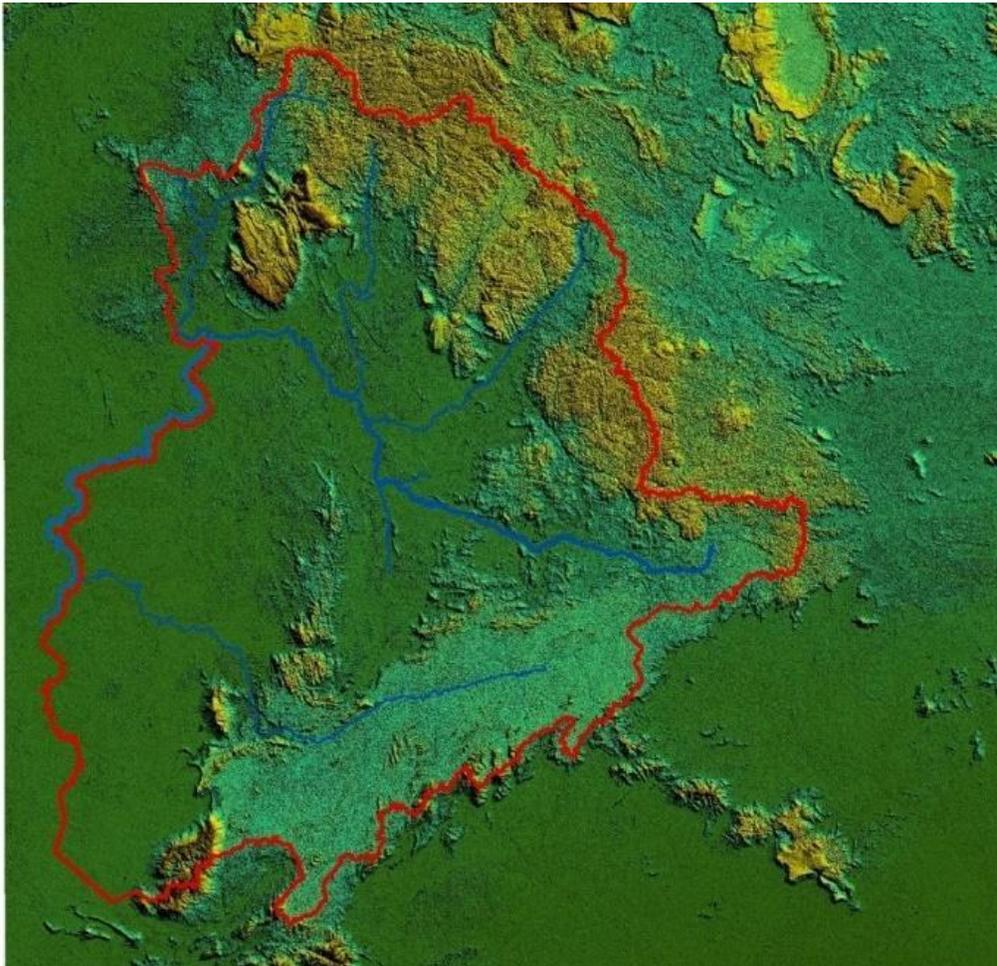


Figura A-II. 2 Digital elevation model (SRTM de 30 m) and RBAOC polygon.

We utilized the processed images for creating the coverage of the principal waterways. The vectorized rivers were: Orinoco, Casiquiare, Cunucunuma, Padamo, Ocamo, Manaviche, Mavaca, and Siapa or Manapire. (Figure A-II.3).

In conclusion, the total surface area of the RBAOC is 82,320 km² or 8,232,000 hectares.

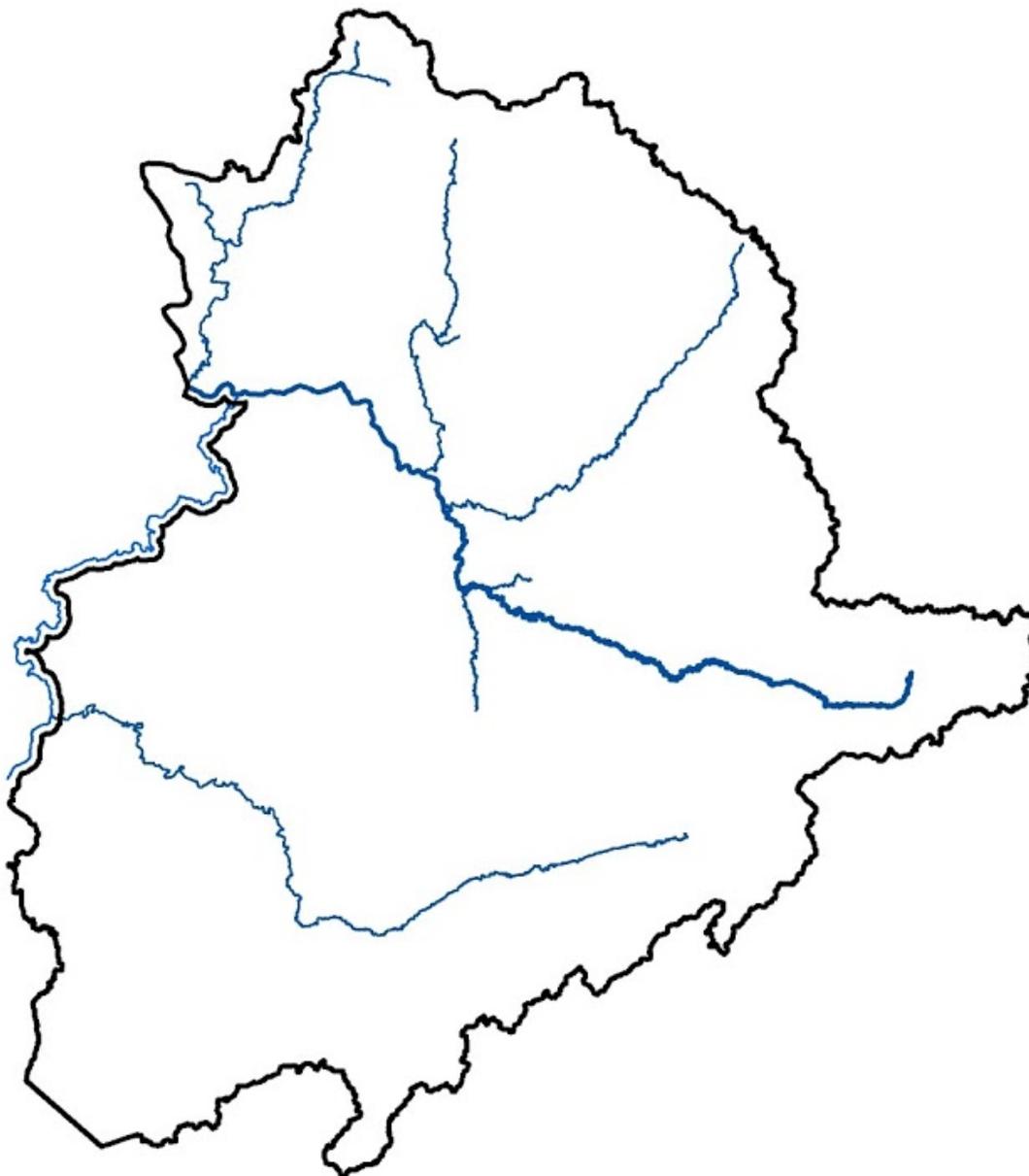


Figure A-II. 3 Polygon RBAOC's corrected with the main rivers also fixed and vectorized.

III. ARACAMUNI TEPUI

Aracamuni *tepui* (sometimes spelled “Arakamuni”) is part of the Aracamuni-Avispa geographical complex, located in the northeastern part of the Serranía La Neblina National Park (PNSLN) between the Siapa and Pasimoni Rivers, which are tributaries of the Brazo Casiquiare channel. The maximum elevation for Aracamuni *Tepui* and Avispa *Tepui*, is approximately 1,600 meters (5,250 feet). Aracamuni is the most northerly in a sequence of three *tepuis*, separated from each other by depressions. They are aligned in a north-south direction and are part of a larger mountainous massif. Its approximate geographical coordinates are latitude 01° 28' 36" north and longitude 65° 50' 07" west, located in the northern part of the PNSLN. The massif in question, of which this *tepui* is a part, has a length of approximately 24 kilometers, aligned in a north-south direction, and a width of approximately 10 kilometers, aligned in an east-west direction. In this report we will refer to Aracamuni as a *tepui* in the technical sense, rather than as a *cerro*, meaning ‘hill’, which is the local term used in the state of Amazonas. We will do so in order to emphasize that it is part of the peculiar tabletop mountain formations of the Guiana Shield. Furthermore, these formations are known worldwide as *tepuis*, regardless of the local nomenclature that may be used in the state of Amazonas.

The western faces of these *tepuis*, especially that of Aracamuni, are vertical and abrupt. The eastern faces are less pronounced in steepness and in height. The part of the massif to the east of Aracamuni consists of rugged terrain that is more or less concave, a kind of depression, with grooves that have been carved by the watershed network that also serves as the headwaters of the Siapa River, which flows toward the south and the southwest. Generally speaking, the Siapa River, as well as the Yatua, the main tributary of the Pasimoni River, originates in the Aracamuni-Avispa complex. The western edge of this depression is Aracamuni itself, and the eastern edge presents itself as a crest of sorts, where the elevations reach up to 1,100 meters (3,600 feet). This concave part of the massif, located between both extremes, where the western edge is Aracamuni itself, may also resemble an irregular inclined plane. This area is where the mines are located, and it is covered mostly by evergreen rainforest. The mines are located at elevations between 800 and 1,300 meters (985 and 4,265 feet). There are Yanomami communities living in the vicinity of the massif, especially along the main course of the Siapa River and its tributaries.

For many years, Aracamuni, or *Aracamoni*, the Yanomami toponym by which it is also known, has been a controversial site that has been coveted by many economic interests, and has been used as an excuse for proposing the legalization of mining operations in the state of Amazonas, despite the fact that it is located inside a national park. In the year 1996, the names Aracamuni and Siapa were given recognition by the news media, thanks to the emphatic denunciations made by Bernabé Gutiérrez, then Governor of Amazonas, who stated that Aracamuni had been invaded by more than 800 armed *garimpeiros* from Brazil and Colombia, who were reportedly extracting “between 30 and 35 kilos of gold per year...from what has been identified as the richest mine in the state of Amazonas and its environs.”⁷¹ At the moment of his denunciation, the state governor maintained that it was necessary

⁷¹ EL UNIVERSAL: 30 a 35 mil kilos anuales de oro al año extraen garimpeiros de la mina Arakumuni 01.09.96. [1 September 1996].

to allow mining operations in the state of Amazonas, and to repeal Decree No. 269 of the year 1989 (National Executive), which prohibited, and still prohibits, mining operations within that jurisdiction.

By that time, mining activity had already been detected and “abated” by INPARQUES. In late 1995, INPARQUES had built two forest ranger posts, one at the mouth of the Siapa Rivera and the other at the mouth of the Pasimoni, thanks to funding provided by the Project for Planning and Managing Protected Amazon Areas (European Union and the Amazon Cooperation Treaty); nevertheless, these forest ranger posts were burned down and obliterated by the miners during the first half of 1996; all in reprisal for the fact that area personnel from INPARQUES had dismantled and eliminated some “camps allegedly belonging to miners.”

The governor’s denouncement motivated the National Executive to proceed militarily and organize Operation Siapa 96, which was conducted between August and September of 1996. As a result, 46 miners were detected in the area, all Venezuelans, some being *criollos*, and some being indigenous, against whom legal proceedings were initiated. Well-informed sources believe that the miners had been “tipped off” before the operation began and had vacated the mining sites. During this military operation it became obvious that the space was being subjected to rudimentary mining operations that used sieves, gold-mining pans, shovels, and picks, along approximately 7 kilometers of the edges of one of the headwater streams that converge into the Siapa River.⁷² This was a very costly military operation with a relatively poor outcome when we consider the magnitude of the governor’s denouncement, but which received much coverage in the news media. It would appear that the intention was to create a current of public opinion favorable to the repeal of the ban on mining in the state of Amazonas and to establish a system of mining concessions. The reasoning behind the proposal was that it was preferable to “legalize” gold mining operations so that they would yield revenue to the State, rather than to allow the gold to be “stolen.” Another argument maintains that this gold is to be enjoyed by Venezuelans, and not by foreigners. This idea has been latent among some of the “live forces” in the region, especially today among political players inside the Legislative Assembly of the State of Amazonas.

In an article published in *Aporrea* (2004), Li Min Wu, a medical doctor who at the time was Director of the Río Negro Health District, then part of the Ministry of Health and Social Development, stated that “The Yanomami (...) are being pushed out of their place of origin by the *garimpeiros*, who became the local lords when they agreed to pay the Venezuelan military officers responsible for combatting their activities a commission of 1.6 million bolivars per month (in the year 2003) so that they could conduct mining operations that are banned in our country. In the Río Negro municipal district there are well over 500 *garimpeiros*. They can be found in the area of Cerro Aracamuni [technically a *tepuí*], by the Siapa River.”⁷³ What the article fails to mention, and this needs to be addressed, is the fact that all the available fuel in that municipal district since the early 1990’s has been under the control of the military authorities in charge of that area.

⁷² COMISIÓN DE AMBIENTE DEL SENADO DE LA REPÚBLICA: El Operativo Siapa 96 y la Problemática Minera en el Sur de Amazonas. Septiembre de 1996 [September 1996].

⁷³ APORREA: 17 Yanomami mueren por negligencia del Sistema Regional de Salud-Amazonas Ago. 30, 2004 [online] <<https://www.aporrea.org/actualidad/n50019.html> >Accessed on 23 February 1919.

According to information provided by indigenous activists interviewed in Amazonas, mining operations skyrocketed in the year 2003, when there was a convergence of illicit activities by miners from Brazil and Colombia, as they came into Venezuela's indigenous spaces. Added to the alternating process of invasions and withdrawals, initiated in the 1980's by Brazilian *garimpeiros* along the southern and eastern border, were the invasions from the west, originating in Colombia. We were informed by a local source that in that same year (2003) representatives from indigenous communities in the area of the Siapa River and the Brazo Casiquiare channel denounced before different government agencies the presence of Colombian and Brazilian miners using mining dredges along the aforementioned rivers, as well as mining operations on dry land up on the Aracamuni *tepui*, and that they had entered by way of the Brazo Casiquiare channel, where the Venezuelan authorities fail to wield any real control. In their denouncements they pointed out the environmental effects of the mining operations, along with the acts of aggression perpetrated by the miners against the Yanomami of the Siapa River region. The Siapa River corridor, which provides access to the Aracamuni *tepui*, has been well-penetrated by the mining operations, all within the National Park. These are seasonal operations, given that accessibility is highly dependent on the seasonal level of the waterways.

In December of 2005, the National Guard detained, at a landing on the Siapa River, 12 individuals as they were getting ready to transport equipment toward the mines at Aracamuni, among them were several underaged youths. This led to a legal proceeding where several of them were indicted for environmental crimes, which led to a ruling⁷⁴ more than a year later, where two Brazilians and two Colombians were sentenced to 10 months and 15 days in prison for a crime that violated Article 58 of the Penal Law on the Environment.

One of the National Guard soldiers participating in the proceedings testified:⁷⁵

"(...) in the year 2005, the Operations Division. On 24 November, I became part of a commission. I stepped on board to conduct operations in La Neblina National Park. At Aracamuni we began an operation in that area, and then we moved on by river as far as the beginning of Mountain Range A. And we arrived at Siapa on 26 November 2005. At that moment we conducted an operation directed at a group of miners at the edge of the stream. There, we detained some people, about 12 individuals. In that sector we seized gold-bearing material, parts for the machinery, as well as radio transmission equipment, about 50 drums of fuel, outboard motors. This group of people that I'm looking at. Based on respect for human rights, likewise for the adolescents. They were transferred to the town of Río Negro and were turned over to the LOPNA.⁷⁶ That operation ended in early January. I withdrew in order to coordinate the air support. And I travelled on a faster boat, and they went on a *bongo*,⁷⁷ along those rapids they know so well, and that is dangerous. That is all the information I have to offer."

⁷⁴ Tribunal Primero de Juicio del Circuito Judicial Penal del Estado Amazonas, Puerto Ayacucho, 19 de Enero de 2007, ASUNTO PRINCIPAL : XP01-P-2005-000702 [19 January 2007].

<https://vlexvenezuela.com/vid/fiscalia-septima-olmick-carlos-paula-sousa-286468399>

⁷⁵ Op cit.

⁷⁶ The witness is referring to the Organic Law for the Protection of Boys, Girls and Adolescents – *Ley Orgánica para la Protección de Niños, Niñas y Adolescentes (LOPNA)*.

⁷⁷ A *bongo* is a small flat-bottomed riverboat used for navigating shallow waterways and is usually propelled by the use of poles.

It is important to note that the detentions did not take place at the mine, but rather on the Siapa River.

The following information was provided by a highly credible witness.⁷⁸ That same year (2005), the Army conducted airborne incursions in the direction of the Aracamuni tepui to evict the miners. On one of those occasions they found children living in the mining camps, which led them to abort the eviction operation for fear that during a skirmish between the miners and the troops the children would become victims of collateral damage. At that time, military intelligence sources were pointing to Brazil as the driving force behind the mining operations at the Aracamuni *tepuí*. Supplies were being delivered continuously by helicopter from that neighboring country. São Gabriel da Cachoeira, Brazil is the epicenter of all the *garimpeiro* mining operations in the region, which takes place on the Brazilian side of the border, as well as in Venezuela. The *garimpeiro* apparatus has no fear of operating on Venezuelan territory, the reason may be that they have no fear of the Venezuelan authorities, or that they have entered into agreements with the FARC, or both. Nonetheless, up until the year 2005 there were sporadic responses from the Venezuelan military. In one of these operations they detained two heads of the *garimpeiro* syndicates, and they were ultimately jailed in Puerto Ayacucho; that same year (2005), in an outrageous incident, the two escaped from the detention center with the help of police officers that had been bribed. Every time a relatively important *garimpeiro* is detained, the Venezuelan authorities receive calls from, and are pressured by, Brazil's political establishment, the consular authorities included, for the purpose of obtaining their release. The Brazilian legislators from the states of Roraima and Amazonas are particularly insistent.

The mining activity at the Aracamuni *tepuí* and in the Siapa River region, in Venezuelan territory, have as their gravitational center the town of San Carlos de Río Negro. From there, one can trace a Río Negro-Casiquiare-Pasimoni-Siapa corridor. Along this corridor, there is a National Guard military post called "Solano," from where, one may assume, police and military control is wielded. However, by the year 2005, this has become the corridor along which Colombia's FARC guerrilla forces operate. In that year, the Army neutralized the FARC's guerrilla commander that was operating in the area. Along this same corridor there is significant mining activity. That same year, there was at least one case of HIV reported, that of a Yanomami woman, in Siapa, possibly a consequence of contact with the *garimpeiros*.

Starting in the years 2006 and 2007, the situation changed drastically; the military began to have a different attitude toward the mining operations. In December of 2016, a military helicopter disappeared,⁷⁹ with 13 people onboard. The official story claimed that the flight was going from Puerto Ayacucho to La Esmeralda. Our sources assure us that the aircraft had in fact crashed during a mission to deliver supplies to the mines at the Aracamuni *tepuí*. This mine was reportedly controlled by the FARC, supported and coordinated by high ranking officials of the FANB, in a scheme similar to what we already documented for Yapacana National Park.⁸⁰

Our report about the RBAOC, within which the Sierra La Neblina National Park is located, conducts a detailed analysis with help from very-high-resolution satellite images (see Appendix II), obtained on 15

⁷⁸ Resource Person # 3792

⁷⁹ See <http://www.venezuelaaldia.com/2017/02/07/el-secreto-del-gobierno-con-el-helicoptero-perdido-en-amazonas/>

⁸⁰ https://drive.google.com/file/d/1akOuQ8aXiBWxbb6_jODPmITJRx2YHpBs/view

September 2018, for the purpose of determining the visible impacts resulting from mining operations in the vicinity of the Aracamuni *tepui*. One can see a total of 15 mining areas, distributed into two sectors: one is to the north (Sector 1) and the other to the south (Sector 2), inside the central portion, or depression, of the massif. In total, the calculated impact consists of at least 54.14 hectares, which can be observed in the appended photographic map. It is important to point out that beneath the tree canopy there are mines present, which explains why they are not clearly visible in the image, and are not included in these figures. What is identified in the photographic maps as “savannahs” could very well be new grass lands.

Given the inaccessibility of the area, it is surprising to find so many mining sites and so much exploitation of the surface area, which supports the hypothesis that this mine has been expanding since 1996, and that work has never ceased. When one considers that back in 1996 rudimentary methods were being used at this mine, and have now been replaced with semi-industrial technology, one draws the conclusion that activity has been increasing progressively. As part of the evaluation, we also generated topographical maps of this group of mines and of the specific sectors, which can be downloaded through the following links:

General Map	https://drive.google.com/file/d/1cRFn3-j0hEiYXsFq_8h5nfCzOTisw3FS/view?usp=sharing
Map of Sector 1:	https://drive.google.com/file/d/1wpZluy-X7tZu79aN5b2O7HISjt7wUqDE/view?usp=sharing
Map of Sector 2.1:	https://drive.google.com/file/d/1IDpgyT-_uBZBzK2aBWWFcmr2d64Zihz/view?usp=sharing
Map of Sector 2.2:	https://drive.google.com/file/d/1E_GAqdifZX25u-edicvl-FAsf4xNWDBY/view?usp=sharing

Los detalles de las superficies de cada sector minero, y del total, se resumen a continuación:

POLÍGONOS DE ACTIVIDAD MINERA PARA EL 15 DE SEPTIEMBRE 2018		POLÍGONOS DE ACTIVIDAD MINERA SECTOR 1 PARA EL 15 DE SEPTIEMBRE 2018		
Número	Superficie Hectáreas	Número	Superficie en hectáreas	Sector
1	15,86	2	13,46	1
2	13,46	3	10,11	1
3	10,11	5	2,98	1
4	4,89	6	2,20	1
5	2,98	8	0,90	1
6	2,20	9	0,80	1
7	0,94	11	0,58	1
8	0,90	13	0,16	1
9	0,80	15	0,11	1
10	0,76	Total	31,30	
11	0,58			
12	0,25			
13	0,16			
14	0,14			
15	0,11			
TOTAL	54,14			

POLÍGONOS DE ACTIVIDAD MINERA SECTOR 2
PARA EL 15 DE SEPTIEMBRE 2018

Número	Superficie en hectáreas	Sector
1	15,86	2
4	4,89	2
7	0,94	2
10	0,76	2
12	0,25	2
14	0,14	2
Total	22,84	

Sector 1, consisting of 9 areas, is slightly larger than Sector 2, which has 6 areas. Judging by the size of each individual area, one can surmise that Sector 1 is older.

In the photographic maps that appear later in this Appendix, it is important to emphasize the following: The observable ponds or bodies of water are associated with the mining activity, and are the result of the excavations that are necessary for extracting the gold-bearing mineral. The residual material is exposed to the weather and is always found next to the natural watercourses. Furthermore, the rain and the water used in the mining operations, and which has been activated by motorized pumps or water cannons, is then deposited there, creating these visible ponds. The black ponds have that color because they are inactive and reflect the fact that there has been no current or recent activity there. On the other hand, brown ponds are active. However, there are areas where no ponds are observed, and where there appears to be some activity judging by the presence of tents or other shelters. In any case, the presence of these ponds reveals that these are semi-industrial mines, operated using water cannons, and which require motorized pumps and fuel. We counted the number of ponds and found that in Sector 1 there are 33 black ponds and 14 murky ponds, for a total of 47 ponds. Sector 2 has 11 black ponds and 3 murky ponds. Judging by the coloration of the ponds, one would have to conclude that Sector 1 is currently the more active of the two. Of course, the process used for extracting this gold is by means of amalgamation using mercury, which is typical for this kind of mines.

In the photographic maps, one can clearly see shelters or tarps. The number of plastic or waterproofed tarps may perhaps serve as an index for estimating the number of miners. The color of the tarps may indicate where the miners are coming from. Brazilian *garimpeiros* typically use blue tarps, which suggests the tarps were purchased in Brazil and/or that the miners are Brazilians. These tarps set the *garimpeiros* apart, here as well as in the Upper Orinoco region. The black ones might be plastic tarps that have been purchased in Brazil, Colombia or Venezuela. These shelters or tarps serve as sleeping quarters and kitchens, and each of them may be associated with approximately 10 individuals. Each mine is generally operated by a “company,” consisting of between 10 and 20 individuals. A count of all the tarps reveals that in Sector 1 there are 14 tarps that are blue and 21 that are black. In Sector 2 there are 7 blue tarps and 7 that are black. This also coincides with the assumption that Sector 1 is currently the more active of the two. In total, there are 21 blue tarps and 28 black tarps, which suggests that if it is true that there is a correlation between the color of the tarps and the miners’ place of origin, then one may conclude that at least 43% of the miners are

Brazilian and 57% originate elsewhere, in other words, Colombia and Venezuela. Another possibility is that most of them are Brazilians. Assuming 10 individuals per tarp, it is likely that the total miner population may be as high as 500 people, which would mean a density of 9 people per hectare.

Meanwhile, it is easy to spot a burned portion of the woods or forest at the southern edge of Sector 1, whose surface covers approximately 8 to 10 hectares. It is very unlikely that this was an accidental burn as this is a wet evergreen rainforest, and the appearance of the vegetation suggests that it was burned using some kind of fuel, right in the middle of the rainy season. This was possibly done in order to eliminate the biomass, or to facilitate its elimination, so as to make room for more mines. The burn, which was recent at the time the image was captured, also reinforces the notion that Sector 1 is the more active of the two. Nevertheless, what we identified in Sector 2 as being a “cloud” may well have been smoke from a fire, even though the focus of this fire is not apparent.

It is important to consider the logistical difficulties encountered in operating these relatively large mines at those elevations in a mountainous region far removed from navigable rivers. Meanwhile, it is necessary to bring in drums full of fuel for running the mechanical equipment, which in turn needs to be carried in, and the food for so many people. Obviously, not everyone is working as a miner and many of these people must be involved in the logistics of the operation: porters, cooks, mechanics, prostitutes, nurses, etc. Our sources tell us that there are paths for gaining access from the Siapa River, but that these paths are not suitable for bringing in heavy equipment or fuel drums. It is very likely that Yanomami individuals from the Siapa River region are participating as porters in the logistics for supplying the mines. The presence of a helipad in Sector 1 confirms the information stating that these supplies are being brought in by air. Civilian helicopters from Brazil and Colombia are certainly being used, but we have also been informed that Venezuelan military helicopters often travel to the Aracamuni *tepuí*.

A key point for understanding this entire operation is the cost of gasoline and diesel fuel, which are necessary for operating the machinery. Another important point is the cost of air transportation. The price per liter of diesel fuel⁸¹ used for operating the motorized pumps and electric generators at the mines is USD 0.68 in Colombia and USD 0.94 in Brazil, while in Venezuela its price is virtually zero (USD 0.00), the reason being that diesel fuel is assigned a nominal price in Venezuela, but the exchange rate value of Venezuela’s currency is so low that it is impossible to express this price in U.S. dollars without going beyond two decimal places. Obviously, these prices are much higher in the jungle towns of Colombia and Brazil, where transportation costs must be added on. However, in Venezuela all fuels derived from petroleum are subsidized by the government and are sold to the public at official prices that are ridiculously low. This has generated an underground economy whereby the fuel is purchased from Venezuelan government sources, in this case the state-owned oil company PDVSA, and then distributed through illegal networks where the price increases along the way, not only by its tendency to approximate the prevailing price in Colombia and Brazil, but also by the scarcity generated by the black market itself. In other words, the fuel has a virtual cost of zero for the criminal networks that distribute it, but they make a huge profit when they sell it to the end buyer; furthermore, there is always the comparative advantage of being able to sell it for less than the prevailing prices in Colombia or Brazil. This means that for the *garimpeiro* industry, and their Colombian guerrilla

⁸¹ https://es.globalpetrolprices.com/diesel_prices/

partners, lower fuel prices are an important factor in reducing gold production prices, which serves to maximize profits. It is cheaper to extract gold in Venezuela, which is 240 kilometers from the Brazilian town of São Gabriel de Cachoeira, than to extract it at another site 240 kilometers from São Gabriel but inside Brazilian territory. In its scheme for doing business, the *garimpeiro* industry has sealed a partnership with Colombia's guerrilla forces in order to secure its fuel supply, given that these guerrilla forces control all the fuel trade and transportation in the Venezuelan state of Amazonas. The FARC, in association with the FANB, wields this control, and in this respect the FANB guarantees fuel deliveries at Puerto Ayacucho.

This scheme has already been explained in our previous report on Yapacana National Park. It is for this reason that the FARC-FANB partnership is essential for the *garimpeiro* industry, since it allows production costs to be lowered as a result of the savings in fuel. It must be assumed that the profits generated by the Aracamuni mines are high enough to warrant maintaining helicopter logistics over a distance of 240 kilometers, which is half the distance between Puerto Ayacucho and Aracamuni, which is 482 kilometers. In this respect, the air route provided by the FANB and used to deliver the fuel drums is of high importance, as its cost is zero, because it turns out that not only is the fuel price zero but so is the hourly cost of the helicopter flights, an expense that is assumed by the Venezuelan State without there being any need for the FANB officers involved in this scheme to cover this expense personally. Obviously, this is a benefit that is paid in gold, and in this respect, it involves a business deal that requires zero monetary investment and yields maximum profits. In a worst-case scenario, the "cost" might be political, but ultimately this is being done knowingly by the entire chain of command of the FANB. Meanwhile, the distance between Aracamuni and San Carlos de Río Negro is but 140 kilometers, which makes it much closer than Puerto Ayacucho in cases where the fuel needs to be brought by river on *bongos*. For air delivery, the savings are also considerable since the distance by air is relatively short when the helicopters come in from San Carlos or its environs. In all likelihood, the supply flights between Puerto Ayacucho and Aracamuni may not be very frequent, because of the greater distance and the fact that the FANB's helicopters (Eurocopters and Russian MI's) are not always in airworthy condition, which makes it more practical to transport the fuel drums by riverboat as far as locations that are more nearby, such as San Carlos or La Esmeralda.

Control of the mining operations in the state of Amazonas is in the hands of who controls the supply of fuel and mercury. Participation in these distribution networks is what sustains the mining activity, or what can lead to its demise, depending on who participates, and why.

Figure A-III. 1 Mining Operations at Aracamuni *Tepui*

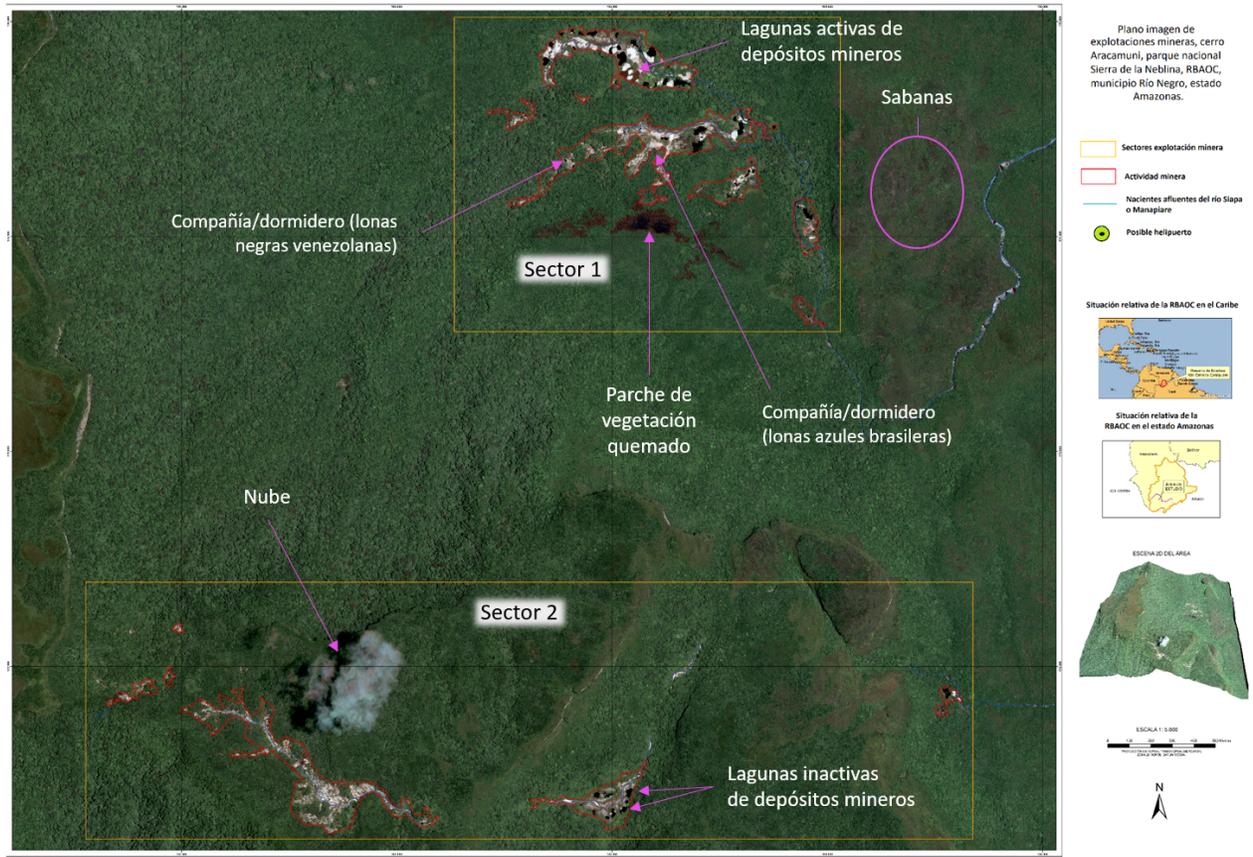


Figure A-III. 2 Photographic map of mining operations in Sector 1 of Aracamuni *Tepui*

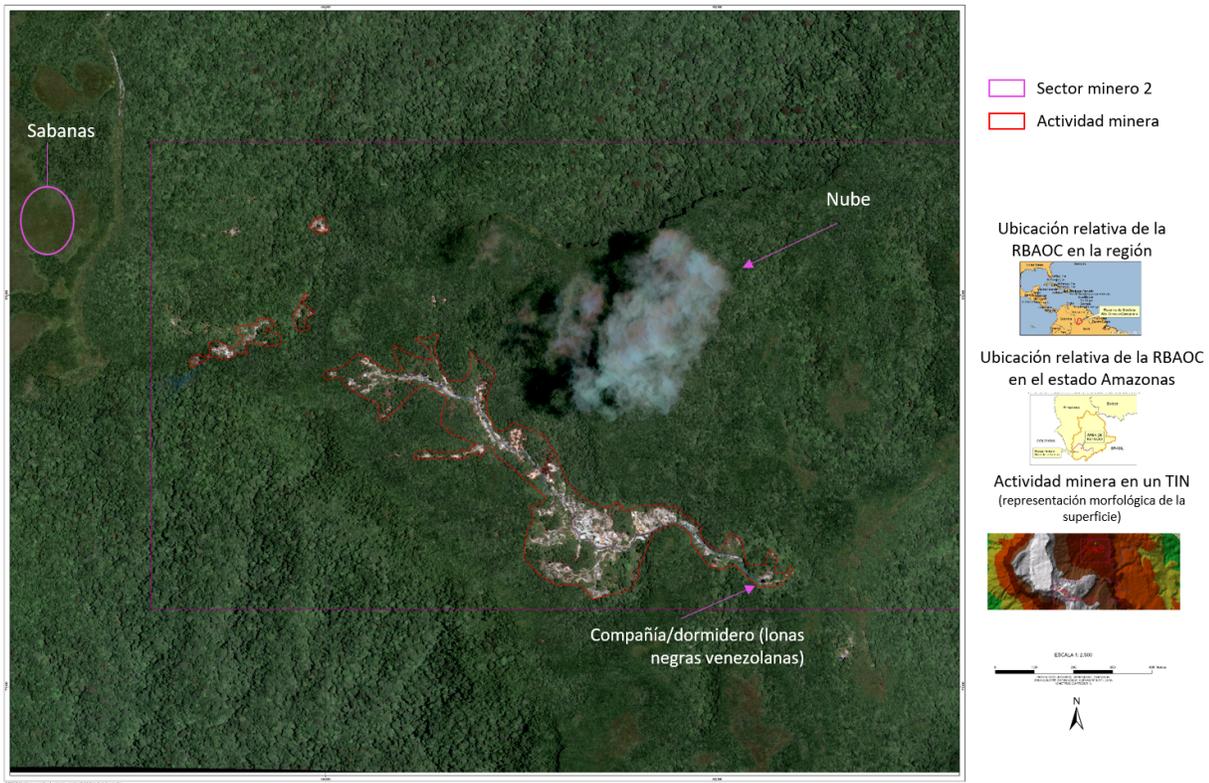
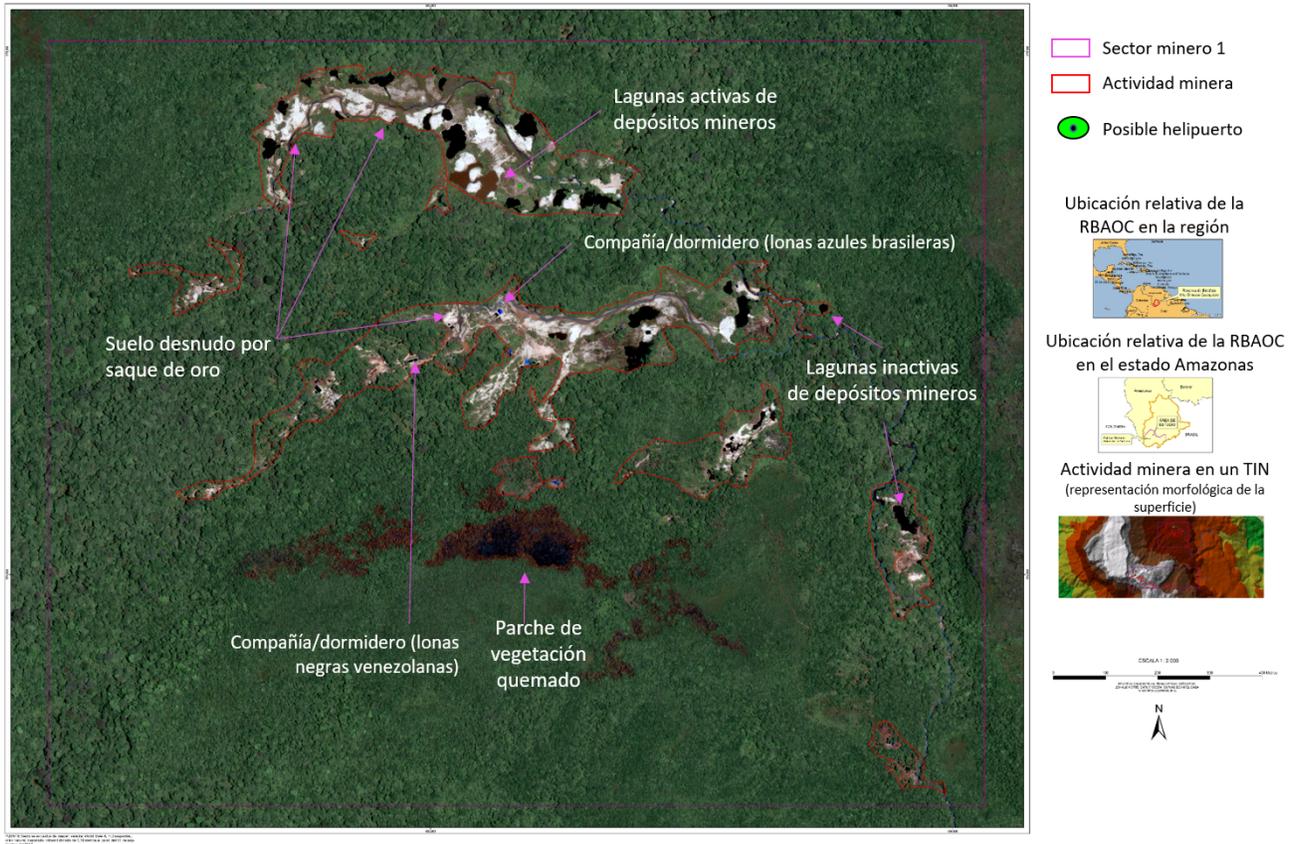


Figure A-III. 3 Photographic map of mining operations in Sector 2 of Aracamuni Tepui



IV. SOCIAL ASPECTS OF THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE

IV. SOCIAL ASPECTS OF THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE	145
1. Demographics and Characteristics of the Population	147
Official demographic information	147
Clarification regarding access to official statistical information for the state of Amazonas	147
The Upper Orinoco - Casiquiare Biosphere Reserve and the Municipal Districts Where it is Located	148
Alto Orinoco Municipal District	149
Characteristics of the population	154
Distribution of the indigenous population in rural and urban areas	154
Breakdown by age and gender	154
Fertility characteristics	157
Educational characteristics	158
2. Violence directed against the Yanomami	159
The Massacre of the Yanomami people of Hashimú	159
The investigation and the judicial proceedings	160
The denouncement presented before the Inter-American Commission on Human Rights	162
Petitions presented before the Inter-American Commission on Human Rights	162
The Agreement and the Amicable Solution	163
Execution and compliance	164
Denouncement of the alleged massacre at the community of Irotatheri	165
Reply from the government authorities	166
The investigative commission's tour of the area	167
3. Self-demarcation of the indigenous territories	169
Processes for the self-demarcation of the indigenous habitat and lands in the RBAOC	169
Yanomami	170
Ye'kwana	176
4. The Right to Health	180
The indigenous peoples' right to health under Venezuelan laws	180

Background concerning health in the RBAOC	181
Yanomami Health Plan (PSY)	184
Origins	184
Implementation	185
Stagnation	187
Denouncements from Horonami	188
Attempts to relaunch the PSY	190
5. The status of non-contacted indigenous groups	192

1. Demographics and Characteristics of the Population

Official demographic information

✓ Clarification regarding access to official statistical information for the state of Amazonas

The National Statistics Institute (INE) generates and makes available to the public demographic and socioeconomic characteristics pertaining to Venezuela's population.

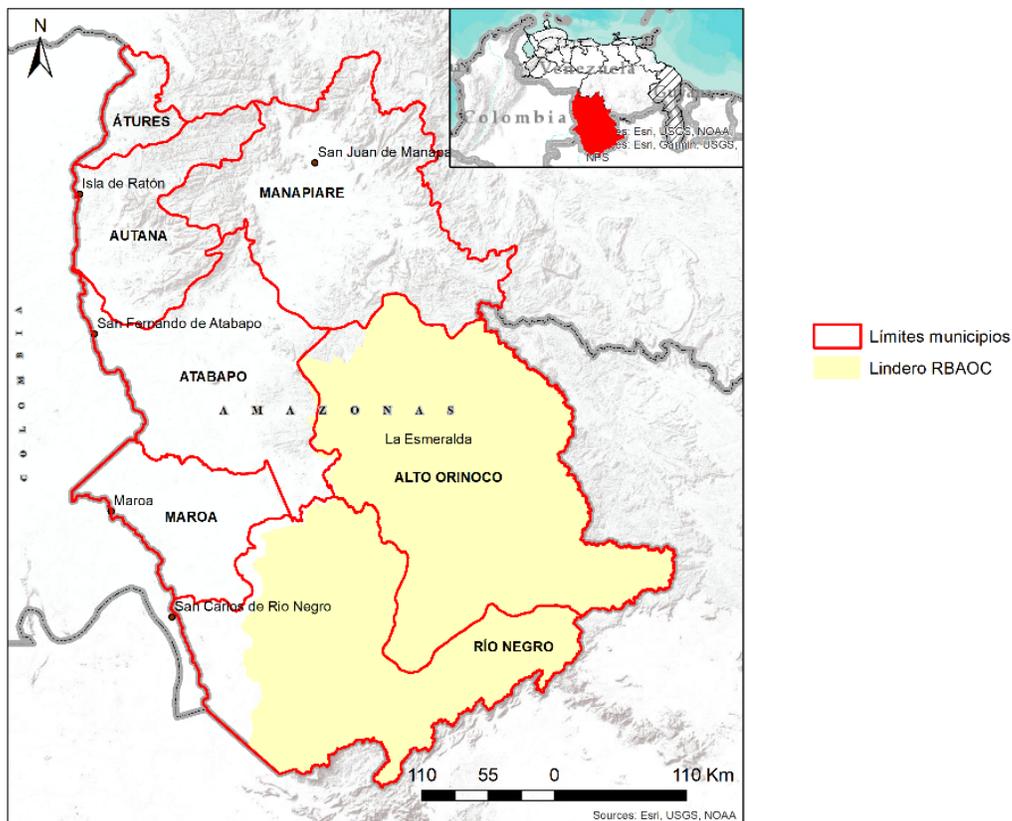
This information is compiled mostly by the National Population and Housing Census and other instruments for collecting information. For most of the nation's territory, this information is supposed to be freely available at all levels of the political and territorial division, in other words, at the national, state, municipal, and parish levels, as well as for other populated centers. Nonetheless, in the case of the state of Amazonas, there are several elements pertaining to the political and territorial division that must be taken into account.

In the first place, the 1994 Law on the Political and Territorial Division of the State of Amazonas (Amazonas 1994), which was to divide the state into seven municipal districts and 23 parishes was overturned not only by rulings issued by the former (pre-Bolivarian Revolution) Supreme Court of Justice, but also by the new (Bolivarian) Supreme Tribunal of Justice. A new law that would replace it has yet to be passed (Figure A-IV.1).⁸²

Secondly, the INE maintains the political and territorial divisions, as defined in the now overturned Law (Amazonas 1994), "only for purposes of establishing the geostatistical units, strictly and exclusively for census purposes." (INE 2013a). Of the 23 parishes that were created by this law, only the four parishes in the Autonomous Municipal District of Atures are plotted on the respective maps for statistical purposes; the other 19 parishes located in the remaining six municipal districts have not been plotted on the maps for statistical reasons, because the now defunct the law describes their boundaries in an ambiguous or deficient manner (INE 2013a). For this reason, the statistical information pertaining to the state of Amazonas is available only at the municipal district level, with the exception of Atures municipal district, for which there is information available at the parish level.

Lastly, even though the Law on Public Service for Statistics (2001) establishes in its Article 14 that every person, natural or corporate, has the right to be a user of the statistical information that is of public interest, which the State issues, produces or processes (Venezuela 2001), the various national government institutions currently maintain a policy of restricted access and of censorship of statistical information that is supposed to be in the public domain, which is tantamount to a violation of the right to access statistical information, and is a serious limitation for any investigation into the characteristics of the population and their living conditions.

⁸² Even though the former Federal Territory of Amazonas was elevated to the category of State in 1992 (Venezuela 1992) and the Legislative Assembly of the State of Amazonas had passed a Political and Territorial Division Law in 1994, by which the State was divided into seven municipal districts and 23 parishes (Amazonas 1994), the former (pre-Bolivarian Revolution) Supreme Court of Justice decided in favor of the appeal for nullification filed by several indigenous organizations from the State of Amazonas in 1996, rendering null and void the would-be political and territorial divisions of the State of Amazonas. After a long civil lawsuit, in the year 2003, the Constitutional Division of the new (Bolivarian) Supreme Tribunal of Justice ordered the Legislative Assembly of the State of Amazonas to "proceed with interpreting, obligatorily, the findings of the report and the consultation submitted by [the indigenous organizations of Amazonas] in order to proceed to pass a new Political and Territorial Division Law for the State of Amazonas." (Delgado 2002). As of now, the Legislative Assembly of the State of Amazonas has not complied with this ruling, and therefore, a Political and Territorial Division Law that would replace the nullified Law (INE 2013).



✓ The Upper Orinoco - Casiquiare Biosphere Reserve and the Municipal Districts Where it is Located

When the Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC) was decreed in 1991, what was then the Federal Territory of Amazonas was divided into four Departments, and the RBAOC covered part of the former Departments of Atabapo and Río Negro. In the year 1992, Amazonas became a State and in 1994 the Law on the Political and Territorial Division of the State of Amazonas determined its division into seven municipal districts, which do not exactly match the geographical spaces that defined the former Departments. In accordance with the political and territorial division of the state of Amazonas, the geographical setting of the RBAOC covers two municipal districts, namely:

- 1) The Autonomous Municipal District of Alto Orinoco, in its totality;
- 2) The Autonomous Municipal District of Río Negro, only in part, since the far western end is not part of the RBAOC⁸³ (see Figure A-IV.1 and Table A-IV. 1).

⁸³ The surface area of Río Negro municipal district that is outside the RBAOC is defined by the following boundary line: starting at the headwaters of the Caño Evubichi stream on the border with Brazil, it goes downstream along the Baría and Pasimoni Rivers until it reaches the confluence with the Brazo Casiquiare channel; it then follows the Casiquiare downstream until it empties into the Río Negro River, which marks the border with Colombia; and then it follows the Río Negro downstream as far as the border with Brazil.

Table A-IV. Surface area of the RBAOC and the municipal districts that constitute the RBAOC. Source: INE 2011; Bevilacqua et al. 2006.

Entity	Km ²	% Amazonas ⁸⁴
Alto Orinoco Municipal District	47,078.00	26.5
Río Negro Municipal District	38,416.00	21.6
Total	85,494.00	48.1
RBAOC	84,774.66	47.7
Difference (Total AO + RN – RBAOC) =	719.34	1.9

✓ Alto Orinoco Municipal District

Alto Orinoco municipal district occupies the southeast quadrant of the state of Amazonas and has a surface area of 47,078 km² (18,177 sq. mi.), which covers 26.5% of the state's territory (INE 2011:11). The Fourteenth National Population and Housing Census, conducted in 2011, recorded a total population of 12,623 inhabitants for the Alto Orinoco municipal district, of which 12,410 (98.3%) identified themselves as being indigenous, and only 213 (1.7%) were non-indigenous (see Table A-IV.2) (INE 2011-2012). The municipal district accounts for 8.7% of the total population of the state of Amazonas (see Figure A-IV.2) and its population density is 0.27 inhabitants/km².

Tabla A-IV. 2 Indigenous and non-indigenous population by municipal districts that constitute the RBAOC. Source: INE 2011-2012.

Municipal Districts	Indigenous Population	Non-Indigenous Population	Total Population	% Indigenous Population	% Non-Indigenous Population
Alto Orinoco	12,410	213	12,623	98.3	1.7
Río Negro	2,109	114	2,223	94.9	5.1
Total	14,519	327	14,846	97.8	2.2

The indigenous population living in Alto Orinoco municipal district represents 16.3% of the total indigenous population in the state of Amazonas (see Table A-IV.3). However, one must emphasize that this municipal district ranks first at the national level in terms of having the greatest proportion of indigenous inhabitants with respect to the total population (see Table A-IV.4).

Tabla A-IV. 3 State of Amazonas – Indigenous population by municipal district. Source: INE 2011-2012.

Municipal District	Indigenous Population	% Indigenous Population
Atures	36,004	47.2
Alto Orinoco	12,410	16.3
Atabapo	8,624	11.3
Autana	7,912	10.4
Manapiare	7,373	9.6
Río Negro	2,109	2.8
Maroa	1,882	2.4
TOTAL	76,314	100.0

⁸⁴ The surface area of the State of Amazonas is 177,617 Km² (68,578 sq. mi.).
SOS ORINOCO 2019

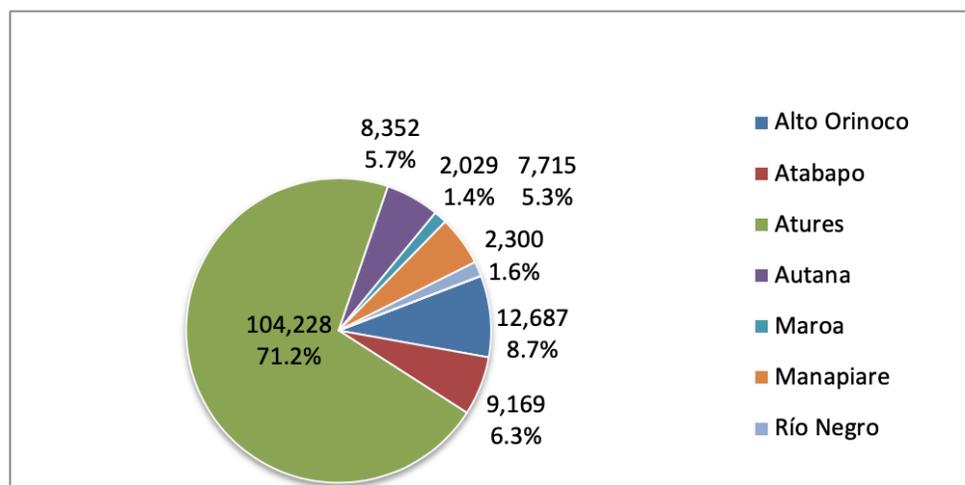


Figure A-IV. 2. Chart of Population Census for the State of Amazonas, by Municipal Districts. Source: INE 2014.

Tabla A-IV. 4 Venezuela's municipal districts with the greatest proportion of indigenous population. Source: INE 2014.

Rank	State	Municipal District	% Indigenous Population
1	Amazonas	Alto Orinoco	98.3
2	Amazonas	Maroa	96.9
3	Amazonas	Manapiare	96.3
4	Amazonas	Autana	95.7
5	Amazonas	Río Negro	94.9
6	Amazonas	Atabapo	94.8
7	Delta Amacuro	Antonio Díaz	92.9
8	Zulia	Guajira	90.2
9	Delta Amacuro	Pedernales	69.6
10	Bolívar	Gran Sabana	59.9

According to statistics from the INE, in the year 1990, the population of the municipal district was 12,738 inhabitants and by the year 2001 it had increased to 15,619 (see Figure A-IV.3) (INE 2011:12-13), accounting for an annual demographic growth rate of 1.9%. However, during the interim period between the 2001 and 2011 censuses, the population decrease, as reflected by the official figures, is equivalent to an annual rate of minus 2.1%. This means that in 21 years, between 1990 and 2011, the population did not show any demographic increase, and instead, decreased by 115 people, equivalent to an annual rate of minus 0.04%.⁸⁵ This has to do with the census methodology used for recording the Yanomami population, which will be shown in greater detail later on in this report.

⁸⁵ The authors' own calculations, based on data from the INE.

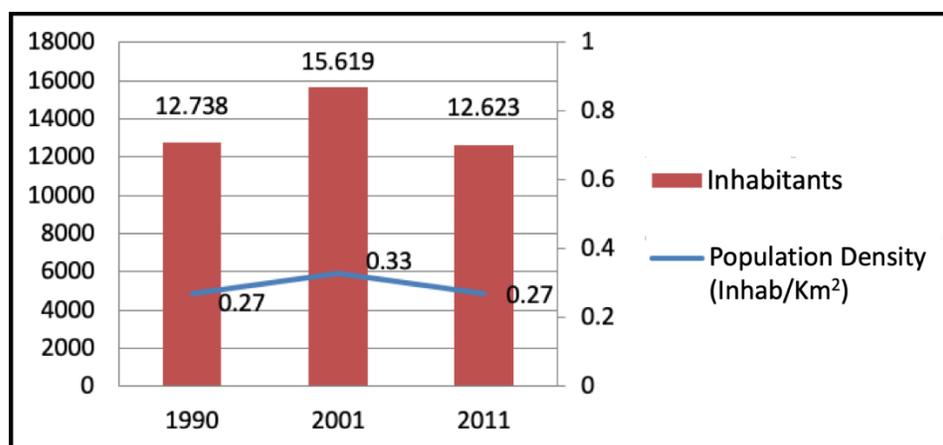


Figura A-IV. 3 Population and population density according to the 1990, 2001 and 2011 Censuses. Source: INE 2011.

According to the 2011 Census, the inhabitants identifying themselves as being indigenous in turn stated that they belonged to fifteen different indigenous peoples in Alto Orinoco municipal district, the most numerous being the Yanomami (73%) and the Ye'kwana (21%) (see Table A-IV.5), the total being 11,678 inhabitants, which represents 94% of the total indigenous population in the municipal district.

Tabla A-IV. 5 Alto Orinoco Municipal District. Indigenous population by gender, according to the 2011 Census. Source INE 2011-2014

Indigenous People	Male	Female	Total
1. Yanomami	4,638	4,425	9,063
2. Yekwana	1,303	1,312	2,615
3. Piaroa/Wótüja ⁸⁶	66	57	123
4. Baré	68	43	111
5. Yeral/Ñengatú	56	55	111
6. Warekena	69	40	109
7. Sanema	37	29	66
8. Baniva	38	27	65
9. Kurripako	15	26	41
10. Inga	24	13	37
11. Jivi/Guajibo/Sikwani/Amorúa	15	14	29
12. Yavarana	4	4	8
13. Mapoyo/Wanai	4	1	5
14. Jodi	1	-	1
15. Mako	1	-	1
Not Specified ⁸⁷	9	4	13
Other People ⁸⁸	6	6	12
Total	6,354	6,056	12,410

⁸⁶ The 2011 Census reported cases of indigenous peoples expressing different ethnic self-denominations, as in the case of the Piaroa/Wótüja, the Yeral/Ñengatú, the Jivi/Guajibo/Sikwani/Amorúa, and the Mapoyo/Wanai.

⁸⁷ Referring to those people who stated that they belonged to an indigenous people, without specifying which one.

⁸⁸ Referring to those individuals who stated that they belonged to "Some other People."

✓ Río Negro Municipal District

Río Negro municipal district is located at the southern end of the state of Amazonas and is the southern-most state in Venezuela. It has a surface area of 38,416 km² (14,833 sq. mi.), equivalent to 21.6% of the entire state of Amazonas (INE 2011:83). The 2011 Census recorded a total of 2,223 inhabitants,⁸⁹ of which 2,109 (94.9%) were indigenous, while 114 (5.1%) were non-indigenous (see Table A-IV.6) (INE 2011-2012). This municipal district accounts for only 1.6% of the total population of the state of Amazonas (see Figure A-IV.2), with a population density of 0.06 inhabitants/km².

The indigenous population living in Río Negro municipal district represents 2.8% of the total indigenous population in the state of Amazonas (see Table A-IV.3), meanwhile it ranks fifth, based on its proportion of the indigenous population, when compared to other municipal districts in Venezuela that have sizeable indigenous populations, given that 94.9% of the inhabitants of Río Negro municipal district are indigenous (see Table A-IV.4).

The 1990 Census reported 1,951 inhabitants, equivalent to 0.05 inhabitants/km², while the 2001 Census reported 2,363 inhabitants, equivalent to 0.06 inhabitants/km² (INE 2011: 85-86) (see Figure 3). For the period between the 1990 and 2001 Censuses the population growth rate was 1.8%, while the records for the period between the 2001 and 2011 Censuses show that the population decreased by 0.6%.⁹⁰

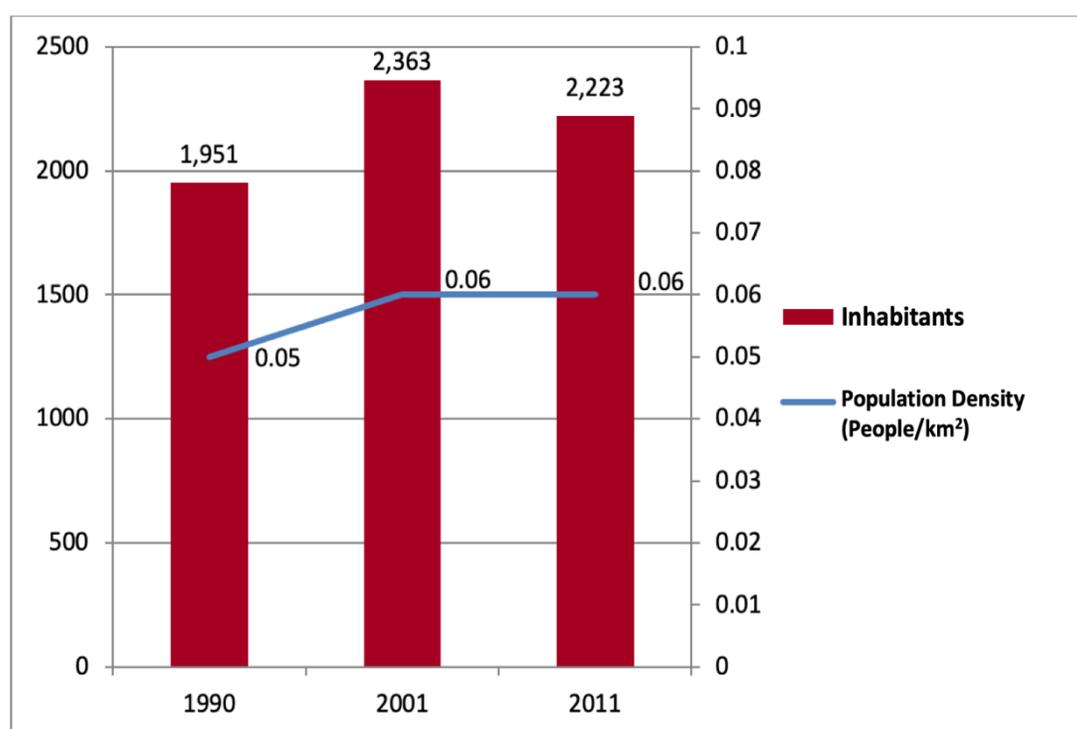


Figure A-IV. 4. Population and population density of Río Negro municipal district. According to the 1990, 2001 and 2011 Censuses

⁸⁹ The data from the INE frequently show an inconsistency with respect to the total population of Río Negro municipal district, which varies between 2,223 and 2,300 inhabitants.

⁹⁰ Authors' own calculations, based on data from the INE.

Table A-IV. 6. *Indigenous population, by gender, and according to membership among the different Indigenous Peoples. Río Negro Municipal District. State of Amazonas. Source: INE 2011.*

Indigenous People	Male	Female	Total
1. Yeral/Ñengatú	378	364	742
2. Kurripako	402	320	722
3. Baré	185	125	310
4. Yanomami	155	145	300
5. Baniva	11	9	20
6. Jivi/Guajibo/Sikwani/Amorúa	1	1	2
7. Piaroa/Wótüja	1	1	2
8. Warekena	-	2	2
9. Guanano	1	-	1
10. Mako	-	1	1
11. Tukano	-	1	1
Not Specified	1	2	3
Other	2	1	3
Total	1,137	972	2,109

The results of the 2011 Census for Río Negro municipal district indicate that people who identified themselves as being indigenous further specified that they belonged to eleven different indigenous groups (see Table 6). The most notable, in terms of number of inhabitants, were the Yeral/Ñengatú with 742 individuals (35%), followed by the Kurripako with 722 (34%), the Baré with 310 (15%) and the Yanomami with 300 (14%), which adds up to 2,074 people representing 98% of the indigenous population in the municipal district (INE 2011-2012).

Clarification concerning demographic information about Río Negro municipal district

It is important to clarify that the information presented here about the population of Río Negro municipal district is only for reference purposes, since the area covered by this municipal district is only a part of the entire area of the RBAOC (see Table A-IV.1). The far western part of Río Negro municipal district, which is the area that is not a part of the RBAOC, is where most of the population is concentrated, in places such as San Carlos de Río Negro, which is the seat of Río Negro municipal district, the community of Solano, and other populated centers located along the Brazo Casiquiare channel and the Río Negro river. It is for this reason that the population of the entire municipal district must not be included in the total number of inhabitants in the RBAOC. Nonetheless, as has previously been mentioned, the official demographic information for the state of Amazonas is only available at the municipal district level and does not reflect the population according to parishes or populated centers. If such information were available down at those levels, it would allow for a more precise characterization of the demographics of the RBAOC.

Meanwhile, most of the territory of the Río Negro municipal district that is in fact part of the RBAOC is characterized by an almost absolute absence of the Venezuelan State. We are referring specifically to the Río Siapa river basin and most of the Serranía La Neblina National Park, where, despite this being an area that borders on Colombia as well as Brazil, the presence of the Bolivarian Armed Force is practically non-existent, as well as the presence of any health and education services. Many of the indigenous populations that live in this area are in relative isolation, due to the lack of infrastructures that would allow for geographic access or communication. Therefore, the Venezuelan State lacks demographic information about most of the population that inhabits such areas. In fact, this is one of the least explored regions in the country. It is therefore obvious

that there has been underreporting in the census records for the population pertaining to Río Negro municipal district, as well as for certain areas of Alto Orinoco municipal district, due to the geographical characteristics and logistical difficulties for accessing numerous indigenous communities, especially where there are Yanomami, who are dispersed throughout vast rainforest expanses that are hard to reach geographically.

For these reasons, from this point forward, in terms of analyzing socio-demographical information about the RBAOC, we will limit ourselves mainly to Alto Orinoco municipal district.

Characteristics of the population

✓ Distribution of the indigenous population in rural and urban areas

During recent decades, there has been a growing tendency among the indigenous population at the national level to migrate from indigenous communities located in rural regions toward urban areas, mainly in order to gain access to health and education services, as well as markets and sources of employment. The 2011 Census reported that 63% of the national indigenous population live in urban areas,⁹¹ while 37% remain in rural sectors. In other words, most of the country's indigenous population is living in urban areas. However, this tendency is most apparent among the indigenous population of the state of Zulia, whose indigenous population is the largest in the nation, and which is found mostly in urban areas (INE 2015). In the case of the state of Amazonas, this tendency has been apparent for some decades. However, 70.1% of its indigenous population continues to live in rural areas. After analyzing the distribution of the indigenous population in the state of Amazonas in urban and rural areas, according to municipal districts (see Table A-IV.7), we confirmed that all of the indigenous population in Alto Orinoco and Río Negro municipal districts is found in rural zones, in other words, they are living in indigenous communities that maintain a relatively traditional and dispersed settlement pattern.

Table A-IV. 7. State of Amazonas. Urban and rural indigenous population, by municipal districts. 2011 Census.

Municipal District	Urban Indigenous Population	Urban Indigenous Population (%)	Rural Indigenous Population	Rural Indigenous Population (%)
Alto Orinoco	0	0	12,410	100
Atabapo	3,672	42.6	4,952	57.4
Atures	19,127	53.1	16,877	46.9
Autana	0	0	7,912	100
Maroa	0	0	1,882	100
Manapiare	0	0	7,373	100
Río Negro	0	0	2,109	100
TOTAL	22,799	29.9	53,515	70.1

✓ Breakdown by age and gender

Table A-IV.8 presents the figures reported by the 2011 Census for the large age groups among the indigenous population residing in Alto Orinoco municipal district, arranged by gender. Table A-IV.9 presents the same

⁹¹ The INE defines "urban population" as "the resident population in populated centers having 2,500 or more inhabitants, where the populated center has four or more of the following characteristics: public street lighting, paved streets, aqueduct, storm drains or sewers, medical services and an educational facility." (INE 2013b).

information, but at the national level, to serve as a benchmark for evaluating data in reference to the indigenous population of Alto Orinoco municipal district.

Table A-IV. 8. Indigenous population by large age groups, according to age and gender. Source: INE 2011.

Gender	Large Age Groups			Total
	Younger than 15 yrs.	15 to 64 yrs.	65 yrs. and older	
Male	2,893	3,367	94	6,354
Female	2,736	3,246	74	6,056
Total	5,629	6,613	168	12,410
Proportion	45.4%	53.3%	1.4%	100%

These data allow one to realize that the indigenous population of the Upper Orinoco region is mostly young, and the group of individuals younger than age 15 is almost in the majority (45%), while the median age⁹² in the municipal district⁹³ is not quite 17. Meanwhile, at the national level, those younger than age 15 represent a little over one quarter of the population (27%), while the mean age is 17 (INE: 2011-2012), showing a progressive decrease in the fertility patterns experienced in the country as a whole during recent decades.

Table A-IV. 9. Population at the national level, by large age groups, according to age and gender. Source: INE 2011-2012.

Gender	Large Age Groups			Total
	Younger than 15 yrs.	15 to 64 yrs.	65 yrs. and older	
Male	3,788,616	9,034,671	726,465	13,549,752
Female	3,568,158	9,215,986	894,034	13,678,178
Total	7,356,774	18,250,657	1,620,499	27,227,930
Proportion	27.0%	67.0%	6.0%	100%

With respect to the population group ages 15 to 64, considered to be potentially active, we noted that, for Alto Orinoco municipal district, 53.3% of the indigenous population falls into this age group, while nationally, 67% of the general population falls into this bracket. This means that in Alto Orinoco municipal district the indigenous population has a lower survival rate, when compared to the rest of the country, which is the result of poor work and living conditions. The extremely low proportion of older adults (1.4%) tends to confirm this, as only a miniscule proportion of the indigenous population survives beyond age 65, as a consequence of even worse health conditions and a higher mortality rate in general. These tendencies can be confirmed by comparing the indigenous population pyramid with that of the country's general population (see Figures A-IV.5 and A-IV.6).

⁹² The INE defines "median age" as that age that divides the population into two numerically equal groups, where 50% of the group is younger than that age, and 50% is older. (INE 2013b)

⁹³ In reference to the entire population of Alto Orinoco municipal district, including indigenous and non-indigenous people.

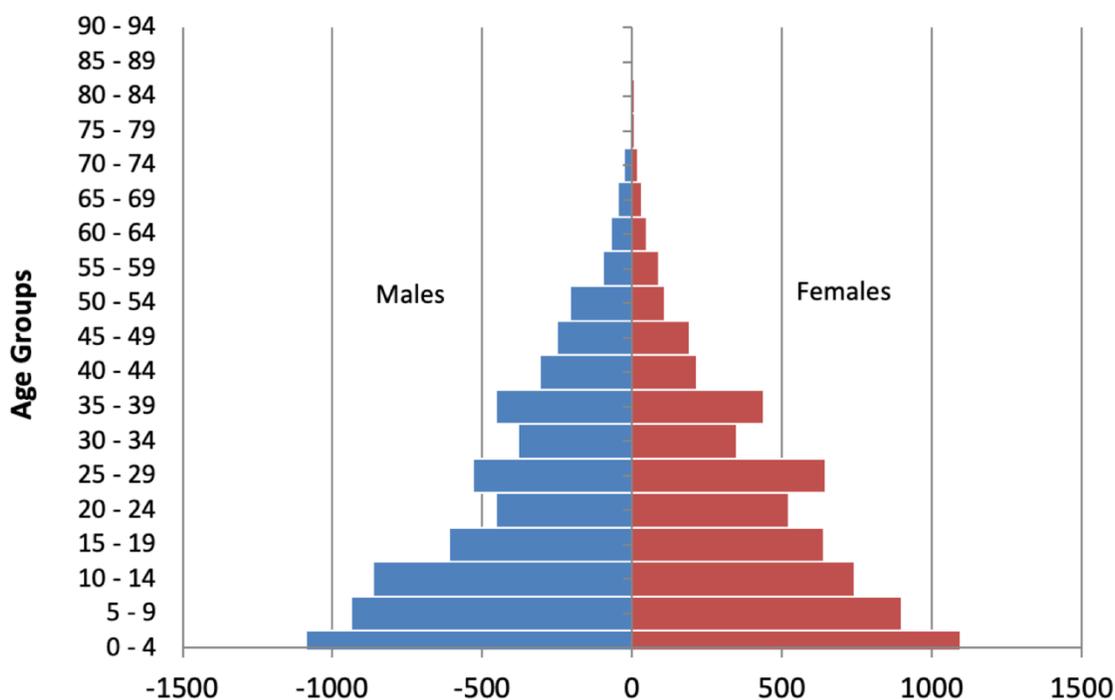


Figure A-IV. 5. Indigenous population pyramid for Alto Orinoco municipal district. 2011 Census. Source: INE 2011-2012.

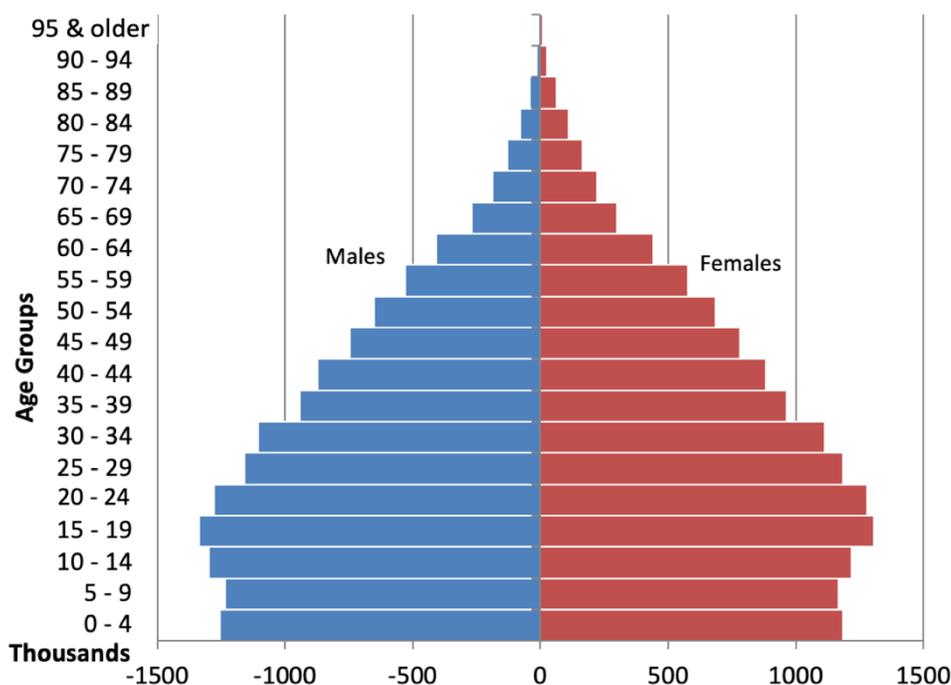


Figure A-IV. 6. Population structure by age and gender for all of Venezuela. 2011 Census. Source: INE 2011-2012.

Figure A-IV.5 illustrates the distribution of the indigenous population of Alto Orinoco municipal district, showing a relatively wide base, which reflects a high fertility pattern that quickly becomes narrower as one goes up the pyramid, which reflects a high mortality rate. Also noticeable is the discontinuity between certain age groups where certain blocs are wider than the general trend. A possible explanation is that certain age groups have enjoyed better health conditions and a higher survival rate than other groups that may have suffered worse

health conditions or have been subjected to epidemics at an early age. Figure A-IV.6 shows the pyramid for the general population at the national level, which shows a narrowing at the base and a widening in the central blocs, due to the decrease in fertility, and the population's aging trends.

The lack of reliable data concerning mortality rates among the indigenous population of Alto Orinoco municipal district complicates the calculation of life expectancy at birth for this population. Nevertheless, a comparison of the distribution by age groups allows one to surmise that their life expectancy is much lower than the national average. With respect to the distribution of the population by gender, one can observe that there is a larger proportion of males than of females across the large age groups (see Table A-IV.8), which shows that the relative proportion of males is 105%. It is noteworthy that this same measure is 117% when applied to Río Negro municipal district. Among the indigenous population of the state of Amazonas the index is 102%, but for the total population at the national level it is 99%, which indicates that there is a greater proportion of women at the national level (INE 2011-2012).

✓ Fertility characteristics

The 2011 Census recorded 3,067 females of child-bearing age (between ages 12 and 49) in Alto Orinoco municipal district,⁹⁴ which accounts for 50% of the female population in the municipal district. Likewise, the record shows 2,178 children that were alive at the time, the average being 3.1 live children per mother. The municipal district's median child-bearing rate⁹⁵ was 1.9 live births among all females age 12 and older.

Alto Orinoco municipal district showed 734 children for every thousand females of reproductive age, and it is the municipal district with the highest ratio of children to women at the national level (INE 2011-2012) (see Table A-IV.10). This indicator is very important because it allows us to have an approximate measure of fertility in answer to the challenges presented by the lack of quality data regarding births that would otherwise allow one to calculate the global fertility rate. It is noteworthy that the ten municipal districts in the country with the highest ratio of children to women also have a population that is mostly indigenous.

Table A-IV. 10. The top ten municipal districts in Venezuela according to the ratio of children to women.

Municipal District	Children per 1,000 women
Amazonas, Autónomo Alto Orinoco	734
Amazonas, Autónomo Autana	730
Amazonas, Autónomo Manapiare	730
Delta Amacuro, Antonio Díaz	709
Delta Amacuro, Pedernales	679
Amazonas, Autónomo Atabapo	622
Amazonas, Autónomo Río Negro	571
Amazonas, Autónomo Maroa	549
Bolívar, Sucre	529
Zulia, Indígena Bolivariano Guajira	518

⁹⁴ Without distinguishing between indigenous and non-indigenous individuals.

⁹⁵ The "child-bearing rate" is defined by the INE as the average number of children borne by all females, ages 12 years and older, throughout their lifetime, specifying the mother's age group. (INE 2013b).

✓ Educational characteristics

In the 2011 Census, Alto Orinoco municipal district showed a total of 4,699 illiterate people, equivalent to 54.8% of the population ages 10 years and older, which identifies this municipal district as the most illiterate in the country (INE 2011-2012).

According to the 2011 Census, when compared to other states, the state of Amazonas is in second place from the bottom in terms of elementary school enrollment (ages 7 through 12), with 87% enrolled, meanwhile, the state of Delta Amacuro is at the bottom with only 84% enrolled. In the state of Amazonas, Alto Orinoco municipal district had the lowest level of enrollment with a total of 1,130 children, representing 53% of the group consisting of ages 7 through 12 (see Table A-IV.11) (INE 2011-2012).

Table A-IV. 11. Elementary school enrollment (ages 7 to 12) in the State of Amazonas according to municipal districts. Source: INE 2011-2012.

Municipal District	Elementary School Enrollment (Ages 7 to 12)	Percentage
Alto Orinoco	1,130	53%
Atabapo	1,315	91%
Atures	12,864	94%
Autana	1,332	93%
Maroa	236	82%
Manapiare	888	68%
Río Negro	299	80%

✓ Poverty

Even though the concept of “poverty” can have multiple interpretations and methods for measurement, and must also be handled with special care when it is applied to indigenous populations, we are still including it here as part of the official information in reference to the characteristics of the population.

Building on information collected in the 2011 Census, it is possible to measure and characterize poverty by means of the Unsatisfied Basic Needs (UBN) method. In the case of the state of Amazonas, this method appears to be more appropriate for measuring poverty than a methodology that make use of an Income-Based Poverty Line, given the high proportion of indigenous individuals that do not receive monetary income and do not have access to jobs that are monetarily remunerated, and where food, health and education are not necessarily associated with the market.

The 2011 Census counted 1,106 households with an average of 5 persons per household in Alto Orinoco municipal district. This municipal district was in third place at the national level with respect to extreme poverty (45%), following Antonio Díaz municipal district in the state of Delta Amacuro (55%) and the Guajira Bolivarian Indigenous municipal district in the state of Zulia (46%).

In the context of the state of Amazonas, Alto Orinoco municipal district showed the smallest proportion of non-poor households,⁹⁶ and it was in second place with respect to having the smallest proportion of

⁹⁶ A household is considered to be “Not Poor” if there are no Unsatisfied Basic Needs (UBN) (INE 2013b).

households living in non-extreme poverty⁹⁷ and in the top place in terms of the proportion of households living in extreme poverty.⁹⁸ (see Table A-IV.12).

Table A-IV. 12. Distribution of households, by municipal district, based on the Unsatisfied Basic Needs (UBN) scale. Source: INE 2011-2012.

Municipal District	Not Poor	Not Extremely Poor	Extremely Poor	% Not Poor	% Not Extremely Poor	% Extremely Poor
Alto Orinoco	312	273	481	29	26	45
Atabapo	801	450	209	55	31	14
Atures	14,416	5,238	3,144	63	23	14
Autana	379	429	404	31	35	33
Maroa	168	132	99	42	33	25
Manapiare	311	344	389	30	33	37
Río Negro	106	151	82	31	45	24

2. Violence directed against the Yanomami

The Massacre of the Yanomami people of Hashimú

In the months of June and July of 1993, in two separate events, a group of Brazilian miners murdered a total of 16 Yanomami and wounded many others in the Hashimú area, in Venezuela's Upper Orinoco region, very near the border with Brazil. In the first incident, which happened in mid-June of 1993, a group of miners decided to kill six young Yanomami men. They did this by inviting them to go hunting, and then shot them, killing four. Two managed to escape alive, even though one of them was wounded. The bodies were cremated in following with the customary funeral rituals. The Yanomami living in Hashimú then left the community and set up a temporary camp in the forest for fear of a new attack.

After this first incident, the miners, led by João Neto and Chico Ceará, two entrepreneurs from the *garimpeiro* group in the Brazilian state of Roraima, hired armed men and planned the extermination of all the Yanomami living in the area. Fourteen armed *garimpeiros* arrived at the community of Hashimú, which had been abandoned, and proceeded to burn it down. They then went looking in the forest for the temporary camp where the community's inhabitants had taken refuge, and they found it, surrounded it and opened fire. After they had stopped shooting, they went in with machetes, and killed the wounded and mutilated their dead bodies. They kicked an old blind woman until she died, and wrapped a baby in a rag and killed it with a machete. They killed a total of twelve Yanomami. The dead were: one old man, two old women, a young woman visiting from the community of Homoxi, three adolescent girls, a one-year-old girl and a three-year-old girl, and three boys between the ages of six and eight. That day several members of the community, mostly men and women without children were away visiting at a neighboring community. At the temporary camp there were only older persons, women and children, together with three men that had stayed behind to rest. Only the three men and a few other wounded individuals were able to escape during the gunfire.

⁹⁷ A household is considered to be "Not Extremely Poor" if there is no more than one indicator of Unsatisfied Basic Needs (UBN) (INE 2013b).

⁹⁸ A household is considered to be "Extremely Poor" if there are two or more Unsatisfied Basic Needs (UBN) (INE 2013b).

The survivors cremated the bodies in accordance with their customary funeral rites, but amidst the urgent rush to leave, they left behind the dead body of the visiting woman from Homoxi, who had no family there. After the cremations, the survivors and family members of the victims set out on a long escape route through the forest, which lasted several weeks. On the way, a girl that had been wounded by the *garimpeiros* died. In late August of 1993 they arrived in the Brazilian region of Toototobi, where they resettled.

A report prepared by anthropologist Bruce Albert as part of investigations into the case, explains the origin of the conflictive situation generated by the *garimpeiros* that led to the attack against the Yanomami people:

When settling into a new site inside the Yanomami area, the *garimpeiros* enter mainly in small groups and feel vulnerable as they face the indigenous people, and they try to buy their approval by means of ample distributions of goods and food. The Indians interpret this attitude as a demonstration of the generosity that is to be expected from any group that wishes to establish bonds and alliances between communities. While that cultural misunderstanding develops, the health and ecological impact from the *garimpeiros'* activities has not yet been felt. (...) At a second stage, the number of *garimpeiros* has increased substantially and it is no longer necessary to maintain that initial generosity. From being considered threats, the Indians now move on to become obstacles, with their insistent demands for the goods they have grown accustomed to receiving. The *garimpeiros* become annoyed and try to drive them away with false promises of rewards while assuming a more aggressive attitude. (...) By then, the Indians have already begun to experience a rapid deterioration in their health and means of subsistence. The rivers have been contaminated, the game and wildlife have fled, and the constant epidemics (malaria, influenza, etc.) have caused many deaths, and the economic and social life of the communities has been thrown into disarray. So, the Indians move on to perceive the goods, especially the food, as a vital compensation. When this is denied to them, a situation of manifest hostility is created in their minds. Thus, an inter-ethnic *impasse* emerges, whereby the Indians become dependent on the *garimpeiros*. (...) That contradiction is at the root of all the conflicts that involve Indians and *garimpeiros* in the Yanomami area. (Albert, 1993).

✓ The investigation and the judicial proceedings

Initially it was believed that the massacre had taken place in Brazil, and a commission representing the Brazilian authorities arrived at the scene of the crime in August of 1993. They gathered practically all of the relevant evidence necessary for launching a police investigation, including the dead body of a woman from the Homoxi community, which had been left behind. It was then determined that the community of Hashimú, as well as the site of the slaughter, were located on Venezuelan territory. The Venezuelan authorities arrived in the area in September and confirmed that the crime scene was located in Venezuela. However, they were late in reaching the site because they had not received any immediate air support from the Government in order to travel to the area.

Both countries formed a bilateral commission to investigate the facts connected with the massacre, and agreed that both countries should conduct the legal inquiries in order to clarify the facts; however, Brazil would be prosecuting the persons responsible for the massacre, since Brazilian law allows for the extraterritorial application of its criminal law in cases where the crime of genocide has been committed by Brazilian nationals in a foreign country.

In September of 1993, a legal inquiry was initiated in Venezuela at a court in the state of Amazonas and a special judge was appointed for investigating the massacre. Generally speaking, the legal inquiry in Venezuela was characterized by the belated commitment to investigate the facts; by the lack of logistical support from the Venezuelan State for conducting the investigation; by the lack of collaboration by the Venezuelan authorities in issuing instructions for an adequate and efficacious investigation; by the failure to gather indispensable and sufficient evidence for verifying the punishable act in order to identify the alleged perpetrators and establish sanctions; by the absence of swift action; and by the stalemate in administering justice in the case. During the years 1994 and 1995, there were no significant proceedings, and by the year 1996, the judicial inquiry in Venezuela was still at the fact-finding stage and had not moved on to the different stages of the prosecution, and nothing had been determined concerning responsibilities in the case.

In Brazil, legal proceedings were initiated by the Federal Judiciary in Boa Vista, in the state of Roraima. The Federal Tribunal in Roraima issued orders to imprison 24 *garimpeiros* that had participated in the massacre, five of whom had been clearly identified. The Federal Prosecutor's Office in Brazil pressed charges of genocide and other crimes, and then a series of sentences and appeals began. Ultimately, the Federal Judiciary sentenced the five *garimpeiros* to 20 years in prison for the crime of genocide, acknowledging that this crime was different from regular homicide, given that it was a crime directed at an ethnic group.

During the long trial, the case moved on to the Supreme Tribunal of Justice, which decided in the year 2000 that in the crime of genocide the legally protected party is the ethnic group, thus upholding the sentence originally issued by the federal judge in Roraima. In this respect, it was noted that:

...the crime of genocide goes beyond being a crime against life, as it constitutes a crime against humanity perpetrated by someone who intends to destroy, in whole or in part, a national, ethnical, racial or religious group. [According to] the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (1948) ... Consequently, the Supreme Tribunal of Justice recognized that the legal right referred to in this case is not the life of an individual himself but rather the life in common of a group of persons, and in this specific case, that of the Yanomami indigenous people. (IACHR 2011).

This decision was qualified as being paradigmatic, embodying an important precedent, given that:

By accepting the perception that genocide is a crime against an ethnic group, the court not only enforces respect for the group as such, but in practice also creates a seed of hope in the sense that the crimes committed against the Indians will not go unpunished, given that trial juries are made up of men and women from the surrounding mainstream society, which ordinarily assumes prejudices and discrimination contrary to justice, and thus absolves *garimpeiros*, ranchers, lumberjacks and other members of economic and social groups who press forward against the indigenous people, their property and their communities. (IACHR 2011).

Finally, the case reached the highest court in Brazil. In August of 2006, a decision of the plenary session of the Federal Supreme Tribunal made it clear that the crime known as "The Massacre of Hashimú" was a case of genocide. Lastly, in September of 2009, the Regional Federal Tribunal at Roraima issued a ruling that upheld the prisoners' sentences for genocide; and furthermore, added the additional penalty of one year and two months confinement for the crime of "destroying, stealing or hiding a corpse." This ruling of 3 November 2009, served as a definitive judicial decision to uphold the sentencing of the *garimpeiros*.

✓ **The denouncement presented before the Inter-American Commission on Human Rights**

After the massacre at Hashimú, the garimpeiros continued to operate massively and with impunity on Venezuelan territory, and new armed attacks and other acts of violence directed against the Yanomami continued. Meanwhile, the judicial inquiry in Venezuela was not advancing and effective measures to control the presence of miners on Venezuelan territory were not being adopted. This situation of impunity led a group of human rights organizations headed by the Office of Human Rights of the Apostolic Vicarate of Puerto Ayacucho and the Venezuelan Program of Human Rights Action and Education (PROVEA) to present, in December of 1996, a petition before the Inter-American Commission on Human Rights, where they denounced the Venezuelan State's responsibilities in the case of the massacre at Hashimú, and requested the adoption of urgent measures for the protection of the Yanomami People's territory and habitat. The main objective was to achieve the protection and defense of the Yanomami territory by denouncing the violation of rights that are specifically established in some of the human rights instruments of the Inter-American system.

The denouncement brought before the Inter-American Commission focused on arguments that the massacre at Hashimú was a direct consequence of the failure by the Venezuelan State to provide protection by means of the adoption of effective measures that would prevent invasions into the indigenous territory and acts of aggression against the Yanomami people, given that the State has an obligation to act reasonably and prevent those situations that attempt against protected rights. It was then argued that the massacre at Hashimú was the direct consequence of the Yanomami's situation of abandonment and defenselessness along Venezuela's border with Brazil vis-à-vis the uncontrolled actions of the miners. The petition also served to denounce violations involving failure to investigate and apply sanctions against those responsible, and to point out situations where the Venezuelan State had not investigated and imposed sanctions against previous acts of aggression committed against the Yanomami people.

✓ **Petitions presented before the Inter-American Commission on Human Rights**

The petition requested that the Commission initiate proceedings in a case lodged against the Venezuelan State, sought to have Venezuela declared in violation of the rights stated in the denouncement, and requested that the Commission recommend to the Venezuelan Government that it employ all legal means for investigating the facts and for prosecuting and criminally penalizing those responsible for the massacre and the new incursions and acts of aggression against the Yanomami. In sum, the petition sought to have the Venezuelan State:

1. Provide for the reparation of the consequences of the infringement of those rights, taking into consideration the socioeconomic conditions of the Yanomami people, through a collective compensation that would include aspects relating to their health, a healthy environment and the protection of their habitat.
2. Take necessary and effective measures in coordination with the Government of Brazil conducive to the definitive eviction of the garimpeiros and to prevent their reentry into territory belonging to the Yanomami.
3. Adopt legislative measures for the protection of the indigenous peoples of Venezuela, thus guaranteeing their specific collective rights.

✓ The Agreement and the Amicable Solution

Following the denouncement, the Venezuelan Government responded to the petition in August of 1997 by denying that the State had any responsibility in the case of the massacre of Yanomamis at the hands of illegal miners. At the first hearing in the case, in October of 1997, the Commission recommended the launching of a process toward an amicable solution whereby the parties could reach detailed agreements aimed at seeking alternatives for solving the problem. After the petitioners and the Venezuelan Government accepted, a series of meetings was held between the Government and certain representatives from the Commission, but the Venezuelan Government was unwilling to accept and commit itself to concrete actions, which is why a request for a new hearing was submitted to the Commission. The hearing was held in Washington on 1 October 1999, and the new Venezuelan Government agreed to sign an agreement that would lead to an amicable solution predicated on the list of demands that had been presented by the petitioners.

This agreement was signed in Caracas on 10 December 1999, and included the adoption of different measures for promoting the reparation of the damages resulting from the massacre, and a commitment to take concrete actions to prevent the invasion of the Yanomami people's lands and territories by the *garimpeiros*. The signed agreement addresses five fundamental areas:

Concerning Surveillance and Control of the Yanomami Area

The State agrees to promote the signing of an agreement with the Government of Brazil, for the purpose of establishing a Joint Surveillance and Control Plan aimed at monitoring and controlling illegal mining operations and the entry of *garimpeiros* into the Yanomami area.

Concerning the Health Situation of the Yanomami People

The State agrees to design, fund and set in motion, through the Ministry of Health and in coordination with the Regional Health Council of the State of Amazonas, a Comprehensive Health Program for the Yanomami People in order to address the critical health problems that are being experienced in the area. The aforementioned program shall include, among other things, building infrastructure, providing medical equipment, and training members of the ethnic group. Likewise, the State agrees to assign an annual budget, administered by the Regional Health Council, for the execution of the adopted Program.

Concerning the Judicial Inquiry into the Massacre

The State agrees to follow up on the judicial inquiry into the criminal proceedings that are moving forward in Brazil for the purpose of establishing responsibilities and applying the respective sanctions. The State agrees to inform the Inter-American Commission and the petitioners periodically concerning the progress of negotiations and the status of the judicial proceedings in Brazil.

Concerning Legislative Measures for Protecting Indigenous Peoples

The Government agrees to study and promote the mechanisms for the ratification of ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries.⁹⁹

Concerning the Appointment of an Expert in Indigenous Matters

The State agrees to appoint, in consultation with the petitioners, an expert in indigenous matters for the purpose of executing the agreement. (IACHR 2012).

⁹⁹ ILO – International Labor Organization

✓ Execution and compliance

The signing of the agreement to reach an amicable solution set in motion a permanent process of negotiation with the State aimed at fulfilling the implementation of each of the areas agreed to by the parties. With respect to compliance with each of the points of the agreement, we have been able to verify how much is still ongoing.

Plan for Surveillance and Control of the Yanomami Area

In January of 2001, despite the fact that the State had informed the Commission that the area was being protected and there had been no incidents like the ones that had led to the petition, there was no evidence, within the scope of the amicable solution, that the Venezuelan Government had signed an agreement with Brazil to promote a joint permanent Plan for Surveillance and Control that would make it possible to monitor and control the entry of illegal miners into Yanomami territory. The Government reported that, starting in the year 2005, it had adopted the National Strategic Plan for the Defense, Development and Consolidation of the South, whose objective it was to intensify the presence of the Armed Forces in the southern part of the country and along the border with Brazil in order to improve the security and protection of the indigenous ethnic groups that inhabit the region. However, despite the fact that the Commission recognizes the Venezuelan State's willingness to comply with the agreement to conduct surveillance and control over the Yanomami area (IACHR 2012), in practical terms, this plan did not make any reference to wielding direct control over the entry of miners into Venezuelan territory, in cooperation with Brazil, but focused instead on strengthening the presence of the Venezuelan State in the areas that had been vacated by the New Tribes Mission.

Nevertheless, the petitioners acknowledged in a report sent to the Commission in the year 2007 that "... compared to the period during which the events took place, when there was no control over the more than 2,000 *garimpeiros* that were entering the Yanomami territory, the situation has changed, and this has been reduced considerably." Nonetheless, the binational agreement signed with Brazil requiring surveillance and control over the Yanomami area has not yet been fulfilled.

Yanomami Health Plan

The adoption of a Health Plan for the Yanomami People as a mechanism of collective reparation stands out as an aspect of the agreement where compliance has been real and effective. In fact, stating in the year 2000, the Amazonian Center for Research and Control of Tropical Diseases (CAICET) and the Office of the Ombudsman began to develop a comprehensive health plan that began to be implemented starting in the year 2005, with an independent budget managed by the Office of Indigenous Health of the Ministry of Health. In this respect the Commission stated in its report on the amicable agreement:

... [The Commission] acknowledges the willingness of the Venezuelan State to improve the health situation of the Yanomami people, while it develops, funds and executes the Yanomami Health Plan in a progressive manner... On their part, the petitioners acknowledged important advances and issues that still need to be rectified as part of the development of the plan that began to be implemented in 2005 in Alto Orinoco Municipal District, State of Amazonas. They stated that starting in 2005 an important improvement had become evident in the outpatient clinic network in the Alto Orinoco Health District. They stated that by 2007 the number of physicians had increased, and measures had been adopted to ensure greater coverage for primary care services beneficial to the Yanomami. They also stated that there had been a greater number of vaccination drives... and that this made it possible to penetrate into areas where the degree of difficulty of access varied from medium to high, and to visit the Hashimú community in 2006. (IACHR 2012).

Judicial Inquiry into the Massacre

The agreement stated that the Venezuelan State agreed to follow up on the inquiry and on the criminal proceedings in Brazil in order to ensure that responsibilities could be determined and appropriate sanctions applied. Even when there is no evidence that the Venezuelan State has conducted any direct follow-up on the judicial inquiry in Brazil, the Commission was able to verify that the judicial process was in fact in compliance at all of its stages, and that those responsible had been tried and punished appropriately.

Legislative Measures for the Protection of Indigenous Peoples

As for reparation measures, the petitioners acknowledged the State's normative advances in the matter of indigenous legislation and the recognition of indigenous rights in the Constitution of the Bolivarian Republic of Venezuela. In this respect, ILO Convention 169 was ratified in the year 2001, and the Organic Law for Indigenous Peoples and Communities was passed in 2005.

Appointment of an Expert in Indigenous Matters

Even though there had been no formal appointment of an expert in indigenous matters to facilitate compliance with the agreement, this aspect was considered fulfilled following the designation of an office that the Ministry of Health created specifically for carrying forward the administration and execution of the Yanomami Health Plan.

✓ **Denouncement of the alleged massacre at the community of Irotatheri**

On 27 August 2012, the COIAM issued an announcement concerning a “new massacre of Yanomami people at the Irotatheri community,” located at the headwaters of the Ocamo River. According to testimony from hearsay witnesses, a violent attack had been committed by Brazilian miners, leaving an indeterminate number of victims and at least three survivors. The document indicated that, starting in the year 2009, a series of denouncements had been presented to the relevant government agencies concerning the presence of *garimpeiros* and acts of aggression against various communities of the upper Ocamo River region such as Momoi, Hokomawë, Ushishiwë and Torapiwei. Finally, an urgent judicial inquiry was requested, as well as an immediate transfer of authorities to the crime scene and the adoption of bilateral measures with Brazil for controlling entry by the *garimpeiros*. (Tillet, 2013).

The reports that culminated in the denouncement arrived at Parima B between 23 and 25 July 2012, and had been delivered by a group of Yanomami individuals from the Momoi community area. From Parima B they then used radio communications to contact the Horonami Organization at Puerto Ayacucho in order to inform the authorities. The directors of the Horonami Organization notified the Army Commander at Puerto Ayacucho, and on August 15th the military took Horonami Organization members Andrés Blanco and Luis Shatiwë as far as Parima B in order to gather information.

According to testimony from the Yanomamis that delivered the news, in early July of 2012 three indigenous persons from Hokomawë went on a visit to Irotatheri. When they arrived, they saw the burned-down *shabono*¹⁰⁰ and the charred corpses on the ground. They diverted their path into the forest for fear of meeting up with

¹⁰⁰ *Shabono* – a very large circular Yanomami hut with no roof at the center, built around a courtyard.

the *garimpeiros*, and they found three survivors there. These survivors told them that they had gone hunting that morning and that when they were on their way back to the community that afternoon, they saw that the helicopter, which usually delivered supplies to the *garimpeiros*, was hovering over the *shabono*, and then they heard an explosion that had set the *shabono* on fire. They fled into the forest and hid. Nothing was ever heard again from these three survivors. The visitors then returned to Hokomawë and later delivered the news to the communities in the Momoi area. After hiking for three days, a group of 15 Yanomami reached Parima B and asked for help.

On 20 August 2012, representatives from the Armed Forces, the CAICET and a reporter from the government-owned Venezuelan News Agency (*Agencia Venezolana de Noticias - AVN*) arrived at Parima to hear the testimonies. Two of the Yanomami that were still at Parima stated:

... in the Momoi sector we are being threatened and we want the Venezuelan military to go there so we can live in peace. We want help. The last time the military went, there was gunfire. Because of this, the miners attacked. They blamed the Yanomami saying, "One of you went to Parima, notified the military and that's why they came." That's why we came to talk to Horonami, so that they will pass the information on to the military, so they'll help us. At Irotatheri they burned down the entire *shabono*. They had turned a woman over to the *garimpeiros*. The Irotatheri took up arms in order to rescue the woman. That's where the problem started. Now I'm going to deliver the news to my community telling them you people are going to help.¹⁰¹

✓ **Reply from the government authorities**

Once back in Puerto Ayacucho, the Horonami Organization presented the denouncement before the Public Prosecutor's Office, the Ombudsman's Office and the Armed Forces, seeking a judicial fact-finding inquiry. Response from the Government was immediate. The Public Prosecutor's Office announced the creation of an investigative commission consisting of officials from various government institutions, and on September 1st the commission travelled as far as La Esmeralda. Nicia Maldonado, Minister for the Indian Peoples, accompanied by the chief military authorities in the region, went by helicopter as far as the Momoi community, from which they stated over the government-owned television network (VTV):

We are able to say to the country that we found no evidence of any deaths, or any evidence of houses that had been set on fire in the alleged massacre of 80 Yanomami brothers and sisters in the Upper Orinoco region of the State of Amazonas.

Meanwhile, the investigative commission remained in La Esmeralda without even entering Yanomami territory. During the following days, the Minister of Internal Affairs and Justice, the Minister of Defense, the Attorney General and even President Hugo Chávez stated that the denouncement of the massacre was false, since no evidence had been found. All of these affirmations were made before the investigative commission had returned from the upper Orinoco River region.

On September 3rd, the COIAM issued a new communiqué stating that the authorities had gone only as far as the Momoi community, and that the commission was to continue with the investigation until they had reached Irotatheri. Various human rights organizations, among them PROVEA and Survival International, urged the

¹⁰¹ Omar Silva y Shapori. Testimony rendered at Parima B, 20 August 2012. Translated by Luis Shatiwë.

Government not to dismiss the denouncement until the investigation had drawn to a conclusion. On September 4th, the Inter-American Commission on Human Rights (IACHR) urged the Venezuelan authorities to conduct an “exhaustive investigation” into the denouncement of the massacre, and reminded them that, in March of 2012, an agreement had been reached between the IACHR and the Venezuelan State to seek an amicable solution regarding the “Hashimú Massacre” case, whereby the Venezuelan Government agreed to monitor and control the presence of illegal miners on Yanomami territory.

✓ **The investigative commission’s tour of the area**

The investigative commission began its rounds on September 1st when a helicopter took them as far as the Hokomawë community in the Sierra Parima mountain range. Representatives from the Horonami Organization and FANB soldiers also accompanied the commission. From September 2nd to September 4th they hiked through the forest until they reached the Oroshi community. Along the way they found several mining camps, and in the communities themselves, abundant evidence of contact with the *garimpeiros*. The Yanomami told them there were many *garimpeiros* in the area, and that the *garimpeiros* were trying to silence them by the use of threats. They also saw miners on the way, and as they were reaching Oroshi, they saw a small airplane fly overhead. On September 5th they went by helicopter to the Warapahi Tiwaroopetheri community, where they found a Yanomami man that knew his way around Irotatheri and he offered to be their guide. From the helicopter they saw a community and decided to land there. The elderly man that greeted them said, “I am an Irotatheri.”¹⁰² However, their Yanomami guide was not acquainted with that community. The members of the commission were doubtful as to whether they had arrived at the site they were looking for, and when they got back to La Esmeralda, they expressed their doubts. They returned to the community, this time with presidential cabinet Minister Nicia Maldonado, who had established contact with VTV in order to make a new announcement, in which she stated that they had reached Irotatheri, that there were no signs of a massacre there, and that everything had been a false alarm. This official statement from the Minister marked the conclusion of the investigation.

“Nothing has happened here”

On 5 September 2012, President Hugo Chávez repudiated the fact that the news media had published “information devoid of any substance” for the purpose of tarnishing his government’s performance, in the face of the presidential elections of October 7th, and called on the petitioners to present the evidence. On the following day, Minister Nicia Maldonado issued a statement from a place was claimed to be Irotatheri:

This is one more action by Venezuela’s opposition, which seeks to destabilize by using the pain and suffering of our Yanomami brothers and sisters. (...) Nothing happened here. What one breathes here is the harmony and peace of our peoples.

On 7 September 2012, the Attorney General of the Republic, Luisa Ortega Díaz, informed the country that the commission that had gone through the area had been unable to confirm that there had been a massacre, concluding that “it is not true that 80 Yanomami had been murdered, as was denounced before the Public Prosecutor’s Office, and which has been echoed by much of the media,” thus ending the matter. She further qualified the request from the IACHR as harassment directed against Venezuela. On the following day,

¹⁰² This term reflects an ethnicity attribute, not necessarily the name of a community. It is entirely possible that *Irotatheri* is the ethnicity adjective of a resident group that may live in several separate communities, using different names.

Ombudsman Gabriela del Mar Ramírez also issued a statement saying that “the denouncement presented by the Horonami Organization (...) was false and biased.”

Stephen Corry, Director of Survival International stated:

If the Venezuelan government had the welfare of its indigenous people at heart it would be taking action to remove the miners from Indian land, rather than taking pains to deny there was a confrontation between the miners and the Indians.

The official denial that a massacre could have taken place was further augmented by Rolando Segura of TELESUR, an international TV service financed by the Venezuelan government. After flying over the area by helicopter and visiting what was claimed to be the Irotatheri community, he discarded the idea that there was a presence of illegal miners:

In the area of the Upper Ocamo region, in the Sierra de Parima mountain range, there is no remnant of illegal mining activity, at least in these Yanomami indigenous communities.

Various government news media echoed his statement.

On September 10th, Minister Nicia Maldonado marshalled a government-sponsored demonstration called “Against the Lie,” where she proceeded to call the Yanomami of the Horonami Organization liars and accused them of making a false denouncement. On September 23rd, VTV broadcast a documentary titled “In Search of Irotatheri: The Yanomami Case, or The Truth Massacred,” claiming that the original denouncement had been false and was part of a campaign by political sectors and news media from the opposition, intended to cast disfavor on the government, and on the image of Hugo Chávez in the context of the presidential elections.

Horonami receives no official reply

On September 18th, the Horonami Organization delivered to the Prosecutor’s Office, to the Ombudsman’s Office and to the 52nd Jungle Infantry Brigade in Puerto Ayacucho, its own report on the investigative commission’s field inspection, where they presented evidence of the presence of the *garimpeiros*, including photographs and the geographic coordinates of the sites that were visited. They petitioned the Ombudsman for the State of Amazonas to convene an inter-institutional meeting in order to present the report together with the evidence, and to come to an agreement as to the measures that were needed for evicting the *garimpeiros*. They also delivered the report to the National Assembly’s Commission on Indigenous Peoples and requested a hearing for the purpose of presenting the case. They never received any replies to these petitions. The petition to convene a meeting was confirmed, but the Deputy Ombudsman did not schedule any meetings, nor did he implement any initiatives to address the issue of illegal mining activity in the Upper Ocamo region, as had been verified earlier by the commission.

On 25 September 2012, the Horonami Organization issued a communiqué requesting an official report giving the results of the investigation, explaining that, while no signs of a massacre were found, they had in fact found evidence of a significant presence of illegal miners, which would explain the acts of violence in the area. They petitioned the national Government to adopt measures for controlling the situation and to have the investigation delve deeper into possible acts of violence and other abuses by the *garimpeiros*. The Government

never presented an official report, nor did it respond to the Horonami Organization's petitions. On October 31st, the Horonami Organization presented before the Seventh Environmental Prosecutor for the State of Amazonas a petition for an investigation into mining activities in the upper Ocamo River region and the adoption of precautionary measures in the matter of environmental protection, given that the presence of illegal mining activity and serious environmental damage had been confirmed at the headwaters of the Ocamo River. Even though this remains an open case, the organization has received no reply from the Public Prosecutor's Office concerning the matter of illegal mining operations in the upper Ocamo River region.

3. Self-demarcation of the indigenous territories

Processes for the self-demarcation of the indigenous habitat and lands in the RBAOC

Practically all of the RBAOC's area occupies ancestral territories occupied by indigenous peoples and communities, now and in ages past. Nonetheless, in the state of Amazonas, the process for the demarcation of indigenous lands by the Regional Demarcation Commission has been extremely slow and limited, attributable to a lack of resources, the result being that this commission has issued only one collective property title, specifically, to the Hoti community of Caño Iguana, in Manapiare municipal district, in the year 2012. Currently, the Regional Demarcation Commission is inactive and all proceedings have been suspended. None of the indigenous peoples and communities residing in the RBAOC has received any formal recognition that would guarantee their collective ownership over their own habitat and lands.

As of now, most of the approved demarcations in the country have been in response to petitions by the indigenous peoples themselves and their organization, who have taken on the processes of self-demarcation. This possibility is envisaged in the Demarcation Law, which establishes that the indigenous peoples and communities that have already begun self-demarcation projects may petition to have these projects reviewed and considered (Article 12). In light of how slow and complicated the demarcation process has been in the state of Amazonas, many indigenous peoples and organizations have chosen to develop self-demarcation projects, with the help of different allied organizations.

Within the realm of the RBAOC, three demarcation projects have been developed and presented before the Regional Demarcation Commission of the State of Amazonas:

1. Yanomami Project: presented by the Yanomami Horonami Organization.
2. Ye'kwana of the Upper Orinoco Project: conducted by the Kuyujani the Originator Organization.
3. Arawaks of the South Project: conducted by ORPIA.

Below, we will describe the Yanomami and Ye'kwana self-demarcation processes and their results. The Arawaks of the South self-demarcation project was conducted by ORPIA and presented before the Regional Demarcation Commission of the State of Amazonas. The project encompasses Atabapo and Maroa municipal districts and part of Río Negro municipal district, where it was proposed that title be issued to a sole multiethnic territory having the presence of various indigenous peoples of the Arawak linguistic filiation (Baniva, Baré, Kurripako, Piapoco, Warekena), as well as the Yeral/Ñengatú. The lack of available information on this demarcation process prevents us from setting forth any details about such process.

✓ Yanomami

Background to the Yanomami demarcation process

The dramatic consequence that the economic development and mining policies had on the Yanomami in Brazil, also affecting those living in Venezuela, encouraged the search for legal alternatives for the protection of the Yanomami and their territory. A complete version of this process, which led to the creation of the Biosphere Reserve, may be read in the next Appendix. Below is a summarized review.

In Brazil, a campaign was initiated, with international support, for the creation of a Yanomami Indigenous Park, meanwhile in Venezuela it was evident that there was a need for a legal entity that would provide territorial protection for the Yanomami. In late 1979, as part of the campaign already underway in Brazil, the creation of an Indigenous Park in the upper Orinoco River region was proposed for the first time. Previously, there had been some discussion between Venezuelan and Brazilian officials about the possibility of creating a Binational Park on both sides of the border between the two countries, but this idea was discarded because of the legal and political difficulties that this entailed (Colchester and Fuentes 1983).

In 1980, a series of meetings were held with the participation of scientists and officials from Venezuela's La Salle Foundation, UNESCO, IUCN, the Foundation for the Defense of Nature (FUDENA) and others, which resulted in an initial proposal for the creation of a Biosphere Reserve covering some 88,000 km² (approximately 34,000 sq. mi.) in the Upper Orinoco region, fitting in with the objectives of the UNESCO's "Man and the Biosphere" program. However, the idea seemed unfeasible due to the large size of the area, the ethnic diversity it encompassed and the lack of legal precedents for the creation of such an entity in Venezuela. The project was then modified to make it compatible with the Agrarian Reform Law and the procedures of the National Agrarian Institute, with the objective of recognizing the territorial rights of the Yanomami through land grants at an ethnic level in an area covering 37,285 km² (14,396 sq. mi.). Nonetheless, this proposal did not materialize either, because there was no precedent for land grants at an ethnic level, nor one of such magnitude. For these reasons, between 1982 and 1983, a new version was prepared as part of the same land grant project, which contemplated several legal alternatives for its implementation. However, as a more pertinent concept, it recommended the creation of a Yanomami Indigenous Reserve to be established by means of a decree that would declare the territory to become a Yanomami Zone, inhabited by indigenous people, following the model of the Yukpa/Barí Indigenous Reserve in the Sierra de Perijá mountain range, in western Venezuela, created in 1961 (Colchester y Fuentes, 1983).

Meanwhile, between 1983 and 1984, a multidisciplinary team from the Venezuelan Institute for Scientific Research (IVIC) developed a proposal for the creation of a Yanomami Biosphere Reserve. This project was based on the recently adopted legal concept of the Biosphere Reserve, as recognized in the typology pertaining to the Areas Under Special Administrative Rule (ABRAE) of the Organic Law for Territorial Ordinance, which was passed in August of 1983. The IVIC's proposal presented three objectives: 1) To protect the Yanomami physically and culturally; 2) To guarantee the stability of the Amazonian forest; and 3) To affirm national sovereignty over the territory bordering on Brazil (Arvelo-Jiménez 1984).

According to Colchester (1995), the proposal for the Yanomami Indigenous Reserve was about to be approved when the government received the project prepared by the IVIC, which resulted in postponement of the decision. Meanwhile, the violent conflicts that occurred in 1984 between the Piaroa community of the Guanay

Valley in the state of Amazonas, and entrepreneur Hermann Zingg, generated an anti-indigenous climate at the national level (Colchester, 1995) and a news media campaign that accused indigenists of being subversives and antinationalistic agents that seek the dismemberment of Venezuela's territorial integrity and the internationalization of the Amazonian region. The press campaign succeeded in having the court of public opinion dismiss the need to protect the Yanomami, which led the government to discard both proposals and evade its responsibility to seek a solution to the problem (Arvelo-Jiménez and Cousins 1992).

In 1989, the growing intensity of the invasions by Brazilian miners into the Upper Orinoco region and pressure from the international campaign seeking protection for the Yanomami rekindled the debate that turned mainly toward the geopolitical threat posed by Brazil, thus making evident the need to bolster the permanent military presence along the borders and protect the environment and the natural resources (Arvelo-Jiménez y Cousins 1992). That year, a new proposal emerged, conceived by U.S. anthropologist Napoleon Chagnon, together with explorer Charles Brewer-Carías, for the creation of a national park or an anthropological reserve that would encompass only the area of the upper Siapa River and the headwaters of the Orinoco, an area where the most isolated Yanomami communities reside (Colchester 1995). This proposal served to reactivate the debate and encourage the staging of the "International Conference on the Yanomami Habitat and Culture," an event held in Caracas in December of 1990, organized by the Venezuelan Foundation for Anthropological Research (FUNVENA), a small NGO made up of anthropologists with extensive experience among the Yanomami.

Participating in the conference was a group of Yanomami delegates from the Upper Orinoco region, belonging to the SUYAO organization, as well as Venezuelan and foreign researchers, missionaries, educators and government officials. The event provided a space for analyzing the social and environmental reality, as well as the problematics of the Yanomami population; proposing criteria for the creation of a refuge area for the Yanomami population and habitat; and conscience-raising concerning the problematics related to the indigenous peoples. Nevertheless, the most valuable result was "the direct dialogue, without any intermediaries, that the Yanomami delegates established with the academics, and especially with the government authorities." (Caballero 1991).

Meanwhile, the international campaign had already generated changes in the court of public opinion in favor of protecting the Amazonian region and the indigenous peoples that live there. Also, in February of 1992, the IUCN's Fourth World Congress on National Parks and Protected Areas was to be held in Caracas, and in June of 1992 the United Nations Conference on Environment and Development, better known as the Earth Summit, would be held in Rio de Janeiro. The advent of these two important international events created an opportunity for the Venezuelan government to demonstrate before the world the adoption of measures to protect Venezuela's Amazonian region.

This juncture finally led the Ministry of the Environment and Renewable Natural Resources to stand behind the promulgation of two presidential decrees that created the "Upper Orinoco-Casiquire Biosphere Reserve" and the "Parima-Tapirapeco National Park" on 5 June 1991. Beyond being legal constructs for the protection of the environment, the content of these decrees clearly establishes among their objectives the social and cultural protection of the indigenous peoples that live there, the improvement of their quality of life through health and education plans, and the implementation of environmentally and culturally appropriate programs according to the ethno-development and self-management model.

Decree 1635, which creates the RBAOC, invokes considerations of an environmental order, and recognizes the existence of activities that are incompatible with the fragility of the ecosystems, and which threaten the physical and cultural integrity of the indigenous populations and the National Territory. Furthermore, it clearly established that “it is the obligation of the National Executive to safeguard the right of the indigenous populations to enjoy the lands, forests and waters of the territories where they customarily dwell, and that they occupy or own.” (Venezuela 1991a). Meanwhile, Article 6 of the Decree establishes that “The lands, forests and waters occupied by the indigenous people, their economic activities that are compatible with the environment, as well as the assemblage of their societal, cultural and linguistic heritage shall be protected by the civilian and military authorities. The different categories of Areas Under Special Administrative Rule included in the Biosphere Reserve, as well as the Land Management Plans, shall respect the territorial unity of the indigenous peoples.” (Idem). Article 7 explicitly prohibits the execution of acts of colonization and any other act that attempts against the indigenous communities. This means that, even though there is no establishment of property rights over the lands belonging to the indigenous peoples that inhabit the RBAOC, there is, in fact, clear recognition of the rights to enjoy the resources that exist in their territories and to develop their activities, provided they are compatible with the environment. Likewise, the Decree establishes the obligation of the National Executive to safeguard the enjoyment of these rights, and to protect the indigenous peoples and respect their territorial unity.

Decree 1636, which creates the Parima-Tapirapeco National Park, also invokes the “obligation of the National Executive to safeguard the rights of the indigenous peoples to enjoy the lands, forests and waters of the territories where they customarily dwell, and which they occupy or own;” and it likewise recognizes that these territories “have been settled since ancient times by indigenous communities whose pattern for settling and occupying the space and whose modus vivendi is a factor determining the preservation of environmental values in the area.” (Venezuela 1991b). The boundaries of this National Park were adjusted specifically in accordance with the Yanomami territory, while specifically seeking to guarantee their protection through a Land Management Plan in which “Yanomami indigenous communities represented through their S.U.Y.A.O (United Yanomami Shaponos of the Upper Orinoco) shall be included in the respective consultation stage.” (Article 2, Sole Paragraph). Furthermore, Article 4 establishes that “no limitations may be established on the natural expansion of the indigenous communities within the boundaries of the National Park.”

Following the success marked by the creation of these legal constructs of socio-environmental protection, the Land Management Plans were never drafted, and the roles played by the institutions in charge of managing these areas (MARNR, SADA-Amazonas and INPARQUES), turned out to be practically null. Nevertheless, in terms of recognizing the territorial rights of the indigenous peoples present in the RBAOC, and particularly of the Yanomami people in the Parima-Tapirapeco National Park, these legal constructs constitute very important precedents.

Meanwhile in Brazil, the Yanomami Indigenous Land, encompassing a surface area of 96,650 km² (37,317 sq. mi.), was legally created by presidential decree on 25 May 1992,

The Yanomami self-demarcation process

The promulgation of the Constitution of 1999, with its legal recognition of indigenous territorial rights, and the subsequent development of the legal and institutional framework for the demarcation of the indigenous

habitat and lands, presented a new scenario offering new opportunities for protecting the Yanomami people and their territory.

Stemming from the publication of Patrick Tierney's book *Darkness in El Dorado* (Tierney 2001), a Presidential Commission was created to investigate the serious allegations presented in the book. This Commission facilitated the realization of the National Yanomami Conference that was held at the Shakitha community in November of 2002 for the purpose of discussing the more important problems faced by the Yanomami people. Around 500 Yanomami from most of the sectors met at Shakitha, near the Mavaca mission, and discussed relevant topics that connect the Yanomami to the State. Also attending the event was a group of representatives from different ministries and other institutions for the purpose of understanding the plight of the Yanomami and arrive at compromises focusing on their demands in matters of health, education, territorial demarcation, territorial political division, etc. Among the Yanomami, it was evident that there was an absolute lack of knowledge of the new legal frameworks and about the demarcation of the lands, which is why an agreement was reached to conduct informative workshops that would lead to an understanding of process of territorial demarcation (Kelly et al. 2015).

Starting in 2002, Yanomami representatives held several meetings in Caracas as well as in the Upper Orinoco region concerning the territorial demarcation. The Regional Demarcation Commission of Amazonas included two Yanomami representatives at these meetings. In early 2004, the Office of Human Rights of the Apostolic Vicariate conducted a territorial demarcation workshop at Mavaca (Kelly et al. 2015).

In the years 2005, 2007, 2009 and 2011, there were workshops on the demarcation of the Yanomami habitat and lands in the Mavaca, Ocamo, Platanal and Mavakita sectors, convened by SUYAO with the support of anthropologist Hortensia Caballero (IVIC), where mental maps of these sectors were devised. The reports from these workshops, and the mental maps were delivered to the Regional and National Demarcation Commissions (Horonami 2016).

Starting in the year 2011, when it was founded, the Yanomami Horonami Organization identified the demarcation of the territory as one of its priorities. Then, beginning in 2012, Horonami began to prepare, with the accompaniment and technical support of Wataniba, the necessary information and documentation for presenting before the Regional Demarcation Commission of the State of Amazonas the petition for the demarcation of the habitat and lands of the Yanomami people. Pursuant to this objective, demarcation workshops were held for the purpose of understanding the legal framework and administrative procedures of the demarcation process, devising mental maps according to sectors, as well as defining the surface area and boundaries of the territory that had been self-demarcated by the Yanomami. Horonami also conducted censuses of the communities in most of the sectors, and also established the geographic coordinates that were then plotted on the maps. In 2014, two consultative assemblies were held, one at Parima B and the other at Warapana, where the map was socialized using the Yanomami self-demarcation proposal, which was approved at the assembly by all the participants.

On 17 March 2016, representatives from Horonami and the Yanomami spokesman before the Presidential Indigenous Peoples' Council delivered before the Regional Demarcation Commission of the State of Amazonas the petition for initiation of the process of demarcating the habitat and lands of the Yanomami people. Together with the petition, they delivered supporting documentation, as established by the Organic Law for Indigenous Peoples and Communities (LOPCI) (Article 38), including the list of communities, the population

census, the map showing the demarcation proposal, nine mental maps according to sectors, and a general mental map of the entire territory, plus the minutes of the assemblies pertaining to the approval of the self-demarcation proposal. Even though the petition was formally accepted, the order to proceed with the Yanomami demarcation case has yet to be pronounced, despite the fact that the LOPCI establishes an interval of three working days (Article 40).

The petition presented by Horonami encompassed 332 Yanomami communities, without including communities located in the Padamo River basin, or the community of Cejal, located on the right bank of the Orinoco, downstream from its confluence with the Brazo Casiquiare channel. These communities are located on territories shared with the Ye'kwana and Sanema indigenous peoples, and are part of the self-demarcation applied for by the Kuyujani the Originator Organization of the Ye'kwana of the Upper Orinoco. Likewise, the petition does not include Yanomami communities located along the course of the lower Siapa River and the Brazo Casiquiare channel, in Río Negro municipal district. The boundaries of the Yanomami self-demarcation are the following:

Starting from the point where the headwaters of the Metacuni River are located at the international border with the Federative Republic of Brazil in the Sierra Parima mountain range, continue downstream along the course of the Metacuni River as far as where it empties into the Orinoco River; going upstream along the course of the Orinoco River as far as the mouth of the Caño Noguera stream; from there continue upstream along the course of the Caño Noguera stream as far as the divide between the basins of the Mavaca River and the Brazo Casiquiare channel, going past Cerro Vinilla mountain as far as the Siapa River; from this point continue upstream along the Siapa River as far as the confluence of the Siapa and Castaño Rivers; from the previous point, head due south, along a straight line as far as the border between Venezuela and Brazil; then follow the international border with the Federative Republic of Brazil until one reaches the starting point (Horonami 2016) (see Figure A-IV. 7).

These boundaries almost match those of Parima-Tapirapecó National Park, however they differ slightly in the area between the Cuntinamo and Metacuni Rivers, as well as in the vicinity of the Caño Chigüire stream, on the Orinoco. This boundary definition was agreed to in order to respect the demarcation proposal from the Ye'kwana of the Upper Orinoco people, which was petitioned by the Kuyujani the Originator Organization (Horonami 2016).



Figure A-IV. 7. Self-demarcated Yanomami territory. Source: Horonami - Wataniba, 2016.

✓ Ye'kwana¹⁰³

Background to the process of demarcation by the Ye'kwana of the Upper Orinoco region

The history of the Ye'kwana is marked by more than two hundred years of struggles for their physical, cultural and territorial survival in the face of the onslaught from the western world. However, the period between 1969 and 1977, when the savannahs of Kakuri on the Ventuari River were invaded by a *Criollo* entrepreneur, with the approval of the government, marks the beginning of the modern stage of the Ye'kwana fight to regain their territorial rights (Arvelo-Jiménez 2001, Alcalá 2011). According to Arvelo-Jiménez (2001), in answer to this episode, the Ye'kwana people's three large regional blocs, namely the Upper Orinoco region and the Ventuari and Caura River regions merged into a single united front. However, it was the strategy of "productive presence," implemented by the Ye'kwana of the Ventuari that allowed them to take possession of the territory and legitimize their ownership in the eyes of the State by demonstrating their productive and organizational capabilities, using tools from the *Criollo* world. During this process they were accompanied by the Society of Jesus (the Jesuit order). The process was consolidated with the establishment of the Maquiritare Union of the Upper Ventuari (UMAV) and various community-based economic cooperatives (Alcalá 2011)

After these events, several advances took place, such as the creation of the Bilingual Intercultural Education Administration in 1979; as well as harsh reversals such as the Guanay Valle case in 1984, when there was a change in the government's indigenous policy, which prompted the decision to favor a certain *Criollo* entrepreneur, while stigmatizing the indigenous peoples in their struggle for their territorial rights. These times brought with them important learning experiences in political participation.

In December of 1978 a decree was signed creating the Duida-Marahuaca National Park (Venezuela 1979) as a legal instrument for the environmental protection of the Duida *Tepui* and the Marahuaca *Tepui* above their 1,000-meter (3,281 ft) altitude contour lines. These *tepuis* are part of the Ye'kwana territory and are considered to be sacred sites by virtue of fundamental aspects of their cultural heritage. The legal concept of "National Park" does not explicitly recognize territorial rights, and the text of the decree does not even mention the existence of indigenous populations in the area, nor does it encompass areas that are populated or where communities are located.

Meanwhile, reactions to the *garimpeiro* invasion of the Upper Orinoco region, especially into Yanomami territory, together with more favorable trends in the court of public opinion toward the protection of the Amazonian region and its indigenous peoples, converged in 1991 with the creation of the Upper Orinoco-Casiquiare Biosphere Reserve, whose geographical setting includes the Ye'kwana ancestral territory of the Upper Orinoco and Duida-Marahuaca National Park. Indirectly, the RBAOC recognized the territorial rights of the De'kwana and other indigenous peoples that live there. It also established mechanisms for participation by the indigenous communities in managing the area, and sought to foster the implementation of health, education and ethno-developmental plans, in hopes of improving the population's quality of life. Nevertheless, the De'kwana did not see themselves as being participants in this initiative, about which they were never consulted or informed, and which, in the long run, turned out to be a disappointment as a result of the

¹⁰³ Se emplea el nombre Ye'kwana cuando se refiere a la totalidad del pueblo indígena o para indicar alguno de los bloques regionales. El nombre De'kwana se refiere exclusivamente a los Ye'kwanas del Alto Orinoco (regiones del Cunucunuma, Padamo y Cuntinamo) hablantes de dicha variante dialectal.

government's failure to implement what was established by the decree. In this respect, Simeón Jiménez, leader of the De'kwana of the Upper Orinoco, spoke out in 1993:

Our territory, and we as its secular inhabitants, have experienced a new "legal" invasion. This has to do with the creation of the Duida-Marahuaca National Park and the Upper Orinoco-Casiquiare Biosphere Reserve, declared to be "protected areas." (...) The Park was decreed in 1978, but only recently did officials of the National Parks Institute move into the Culebra community to begin to implement the zoning regulations. Likewise, and for reasons unknown to us, the Biosphere Reserve was created, which also affects part of our territory (...). All of these events have taken place as if the human beings that have been the protectors of these lands for centuries do not even exist. Government officials settle into our communities and **make decisions** without notifying us and we find out about their **intentions and decisions** only after the draft stage has been finalized. The governmental measures, already alluded to, have filled us with fright, worry and anxiety, especially as it concerns us, the Ye'kuanas, who have never ceased to analyze, and think about, the future of Our Peoples." (Jiménez 1994).

The De'kwana's "Waiting for Kuyujani" self-demarcation project

The idea of conducting the self-demarcation process in the De'kwana territory of the Upper Orinoco region had its beginnings at an historic "study and reflection" meeting, which was held at the community of Yanatunña at the beginning of the 1990's, convened by the learned elder Wanne Yawadi (Barné Yavari). Various historians and De'kwana sages participated in the meeting, which was geared toward thinking about how to cope with the avalanche of changes and threats to their cultural and physical survival, on the basis of the historic and cultural foundations that had been handed down to them through their oral history (Jiménez et al. 2001).

In January and February of 1993, there were two general assemblies, where 15 communities from the Cuntinamo, Padamo and Cunucunuma areas participated to discuss matters concerning the self-determination of the ancestral territory. Thereafter, José Félix Turón and Simeón Jiménez wrote the draft of the text titled *Maneuda Nonodü or The Origins of the Earth*, which is a transcription of the oral history that:

...explains how the Creator granted to us a territory in trust by conferring it to our ancestor Kuyujani, who in turn demarcated it for us, the Ye'kuanas and De'kwanas. After this first demarcation of the promised land, Kuyujani disappeared, but first, he assured us that he would return to us in the future. For this reason, we named the project "Waiting for Kuyujani," as a tribute to the prophecy that Kuyujani conveyed to us (Jiménez et al. 2001).

This text constitutes the main cultural and historical foundation for the self-demarcation of the De'kwana territory.

In August of 1993, the third general assembly in preparation for the self-demarcation was convened at the community of Culebra, in the Upper Cunucunuma region, where there was participation by representatives from the communities and a group of *Criollo* technicians that had been invited to provide useful information for lending direction to the project. The book *Waiting for Kuyujani: Lands, Laws and Self-Demarcation. A Meeting of Ye'kwana Communities of the Upper Orinoco* (Jiménez and Perozo 1994) brings together the presentations that were discussed during the assembly and also contains the text of "The First Man and His Lands" (Turón;

and Jiménez Turón 2004), and presents the first draft of the physical map of the territorial self-demarcation (see Figure A-IV.8).

Between 1994 and 1998, the process itself was underway, with the participation of 16 communities, consisting of six collaborative teams of De'kwana men and women, who conducted the self-demarcation project and the preparation of a physical map showing the territory's boundaries. Also, 12 people were trained in the use of the GPS for the collection of data for the natural resources map. During the project's execution, they had technical support from the Another Future Association (*Asociación Otro Futuro*) and various professionals from different disciplines inside and outside of Venezuela, as well as financial support from the Assembly of First Nations/Canadian International Development Agency (AFN/CIDA) (Jiménez et al. 2001).

Starting in 1999, the Waiting for Kuyujani Project entailed the development of other activities such as publishing the *Dekuana Atlas* (Arvelo-Jiménez 2001), establishing an archive of images, building the project's headquarters, founding the Aramare School, dedicated to the cultural enhancement and oral and sacred history of the De'kwana, among other things (Jiménez et al. 2001). In the year 2001, the De'kwana members of the Waiting for Kuyujani Project registered their organization officially under the name Kuyujani the Originator (*Kuyujani Originario*) (Arvelo-Jiménez 2004).

It is important to emphasize that the De'kwana decided to conduct the self-demarcation of their territory "long before there were any legal and political conditions favorable toward an initiative for defining the matter of the indigenous peoples' ownership of their ancestral lands." (Arvelo-Jiménez 2001). This had to do with a process of ethnic and territorial self-determination that was implemented practically without any support from the government. However, given the change in the legal and political context starting in 1999, which claimed to be favorable toward recognition of indigenous territorial rights, it is surprising to see that this worthy experience has been disregarded, set aside and forgotten by the governmental entities in charge of the demarcation of the indigenous territories. As of now, the Ye'kwanas of the Upper Orinoco region and the Kuyujani the Originator organization are still waiting for the official demarcation process to begin.

The ancestral territory demarcated by the De'kwana is defined by a boundary line that totals approximately 700 km (435 mi) and encloses a surface area of approximately 20,300 km² (7,838 sq. mi.), situated between latitude 2°30' north and latitude 4°30' north and between longitude 64°30' west and longitude 66°30' west. The demarcated boundaries were determined using 17 circles that were georeferenced and mapped, each measuring 30 meters (98 feet) in diameter. The boundary line is thus described:

[Beginning] at Kunu Kenö we move clockwise, the line passes through Cerro Yadi Yani Jödö mountain, and continues along Madawa Judunña, and crosses along the midstream of the Caño Yudewa stream. The next point crosses the Caño Marueta stream along its high course; it passes along Dukäjö Ijujä, then continues along Jadu Iyoi Chü (headwaters of the Paru); it goes along Jädädunña (the course of the Yatötö); it continues along the headwaters of the Wäsätä. The line continues along Kuntanama Yujudai; then along Shimada Iyoichö, it follows along the course of the Metacuni up to where the Caño Noguera stream empties into the Orinoco; it crosses the headwaters of the Yöwödö Yujudai (Chigüire) and goes along the course of the Pamoni, which flows into the Kashishiwade (Brazo Casiquiare channel), crosses it and goes as far as the mouth of the Cunucunuma (Arvelo-Jiménez and Jiménez 2001).

At the time of the demarcation, there were 15 De'kwana communities in the territory (see Table A-IV.13). However, some of the communities were also inhabited by indigenous people from other ethnic groups. The total population was 1,591 inhabitants, according to the 1992 indigenous community census (Arvelo-Jiménez and Jiménez 2001).

Table A-IV. 13. Population figures for the De'kwana communities living on their ancestral territory. 1992 Census. Source: Avelo-Jiménez and Jiménez 2001

No.	Community	Indigenous Peoples	Dwellings (1992)	Population (1992)
1	Kadawanadunña (La Esmeralda)	De'kwana, Baré, Yeral, Kurripako, Baniva, Jivi, Warekena, Yavarana, No indígena	81	322
2	Akananña	De'kwana	44	255
3	Mawädi Anäjödönña (Culebra)	De'kwana	32	209
4	Watamunña (Santa María de Watamo)	De'kwana, Yavarana	32	114
5	Tama Tama Mudumudunña	De'kwana	13	111
6	Tokishanamanña	De'kwana, Yanomami	33	111
7	Yanatunña	De'kwana	19	107
8	Mawishinña	De'kwana	18	93
9	Guachamakare (Matuwishinña)	De'kwana	14	79
10	Konoiñamanña	De'kwana	10	69
11	Müdeshijanña (Buena Vista)	Yanomami, De'kwana	13	61
12	Madawinña Jädedunña	De'kwana	2	42
13	Wananña	De'kwana	3	18
14	Adajamenña	De'kwana	2	No Data
15	Majiyadanña	De'kwana	No Data	No Data
	TOTAL		316	1,591

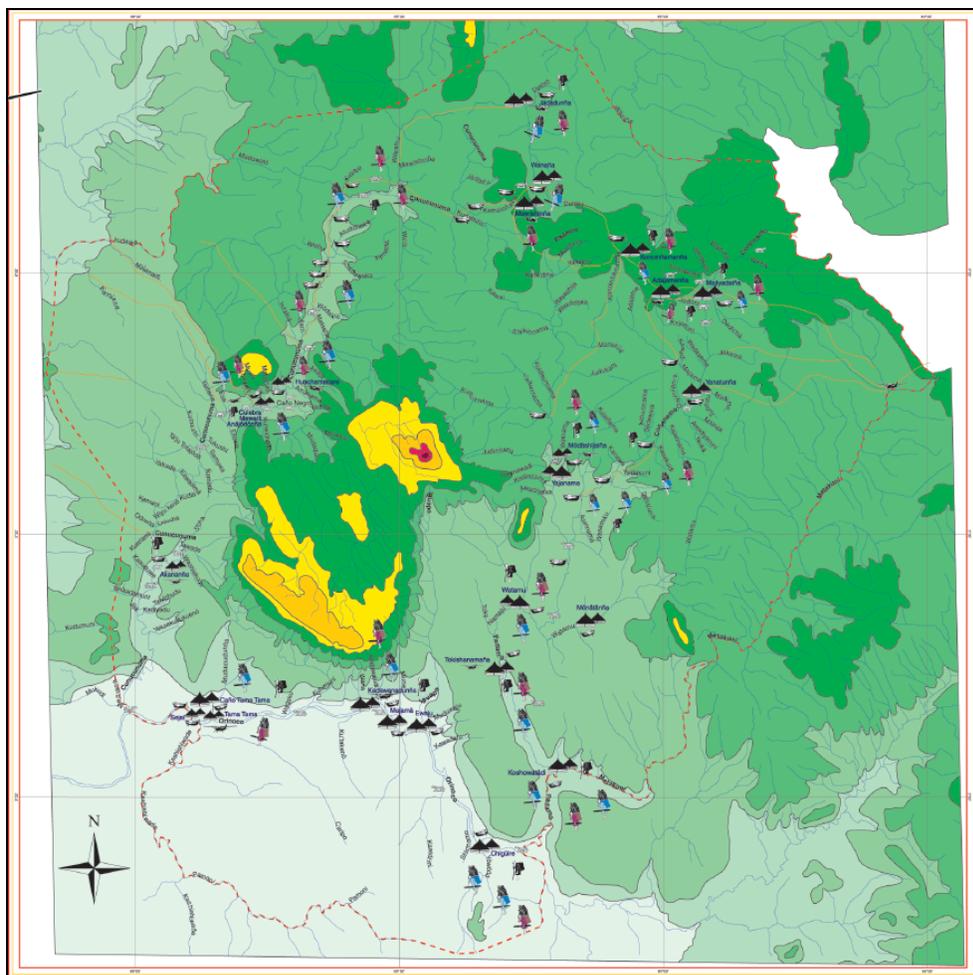


Figure A-IV. 8. Self-demarcated Ye'kuana territory. Source: Jiménez y Perozo, 2016

4. The Right to Health

The indigenous peoples' right to health under Venezuelan laws

According to the United Nations, "Health is a fundamental and indispensable human right for exercising the other human rights." (UN-CESCR 2000). Furthermore, the Constitution of the World Health Organization establishes that:

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition. (...) Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures. (WHO 1946).

In Venezuela, the right to health is recognized and guaranteed by Venezuelan laws and by international accords signed by our country. As with every human right, health must be promoted and guaranteed by the State. The Constitution of 1999 (CRBV) recognizes in its Article 83 that health is a "fundamental social right, an obligation of the State, which the State shall guarantee as part of the right to life." This concept implies that "the right to live under healthy conditions (...) requires guarantees from the State for its protection and fulfillment, because

it has to do with an inherent condition of human welfare without which life is placed at risk, and is associated with demographic, cultural, economic, social, technological and environmental factors that evade the efforts and resources of every person.” (D’Elía 2008). Article 83 of the CRBV also establishes the guarantees for exercising that right: “The State shall promote and develop policies oriented toward enhancing the quality of life, the collective welfare and access to services,” and it likewise states that “all persons have the right to the protection of their health, as well as the obligation to participate actively in its promotion and defense, and to comply with the health and sanitation measures that the law may establish.”

Furthermore, the indigenous peoples of Venezuela enjoy specific recognition pertaining to the right to comprehensive health that must take into consideration their practices and cultures, as well as their traditional medicine. Article 122 of the CRBV specifically refers to the indigenous peoples, who “have the right to comprehensive health, which must take into consideration their practices and cultures. The State shall recognize their traditional medicine and complementary therapies, subject to bioethics principles.” This article gives recognition to the specific right to health, which the indigenous peoples have as a collective right. Even though the Constitution establishes that health must be guaranteed in accordance with the principle of universality, in other words, that all men and women have the right to access and enjoy healthy living conditions, without any kind of discrimination, it adheres to the differentiated recognition of the right of a particular segment of the population as a form of positive discrimination that seeks to repay an historical debt that has imposed precisely upon these peoples conditions of inequality compared to the levels of the quality of life and health enjoyed by the rest of the population.

Meanwhile, recognition is given to cultural diversity and its implications in matters of health, in other words, in order to guarantee the indigenous peoples’ right to comprehensive health, the state must take into consideration the indigenous cultures, which involve concepts of life, death, the body, spiritual elements, health, and treatments for illnesses, which are different from those of the non-indigenous society. Finally, the Article legitimizes the indigenous peoples’ medical practices and recognizes their value, in terms of equality vis-à-vis biomedicine.

In addition to the Constitution, other laws and international accords such as Venezuela’s LOPCI, the ILO’s Convention 169, and the United Nations Declaration on the Rights of Indigenous Peoples also include a series of Articles that relate to the health of indigenous peoples and communities, as well as the measures that the States need to adopt in order to guarantee their health.

✓ **Background concerning health in the RBAOC**

This section presents an account of the health situation in the RBAOC that focuses mainly on the Yanomami population, as they are the ones who have been affected the most by epidemics, and the ones presenting the greatest challenge to the health care system.

Lizot Report, 1976

In 1976, a report prepared by French anthropologist Jacques Lizot pointed out that the Yanomami of the Upper Orinoco region were being impacted by efforts being made to “integrate them” into the nation’s mainstream society, and that this was affecting their economy and way of life. With respect to the health situation, he noted that between 1968 and 1976 it became evident that the health situation had deteriorated, the causes being

malaria, measles, hepatitis, influenza and possible tuberculosis, and that the population decrease recorded in the censuses was an indicator of the poor state of their health (Lizot 1976).

According to Lizot, between 1950 and 1960, the Yanomami population was expanding considerably, demographically and territorially, thanks to their relatively isolated situation and to the absence of contact with the *Criollos*. However, starting in the 1950's, a process of rapid change impacted their health and nutrition as a result of penetration into the Yanomami territory by missionaries (the New Tribes Mission and the Salesian Order), traders, military personnel, scientists, journalists, photographers, movie stars and tourists. Furthermore, the Yanomami population started to concentrate and settle around the religious missions, which changed their traditional settlement pattern, and reduced the availability of game for hunting, and of food that could be gathered from the forest. Meanwhile, those groups that remained in greater isolation and stayed far removed from the sphere of external influence were able to enjoy better health and nutrition.

The lack of awareness concerning the immunological vulnerability of the Yanomami vis-à-vis diseases with which they had not been in contact, and the lack of control over access into the area to prevent contagion, soon unleashed frequent epidemics with high mortality rates. Furthermore, aside from health care provided by the missions (the New Tribes Missions and the Salesian Order), there was no health care service or medical personnel in the Upper Orinoco region. The first great ravages were caused by malaria in 1963, and by measles in 1968, both of which killed between 15% and 20% of the population. A community in the mid Mavaca River region lost 40% of its members as soon as regular contact was established with them. In 1971, a new malaria outbreak (caused by *Plasmodium falciparum*) left an indeterminate number of fatalities, and another significant outbreak occurred in 1975. Starting in 1968, influenza outbreaks became more frequent as visitor traffic into the Yanomami territory increased, reaching a peak between 1972 and 1974, when Platanal turned into a tourism center for the region. The different viral hepatitis types also produced frequent cases of cirrhosis of the liver, often having fatal outcomes. Even though the presence of tuberculosis had not yet been clearly identified, its possible presence was under suspicion, and there was a need to begin administering the BCG vaccine as soon as possible (Lizot 1976).

International Conference on the Yanomami Habitat and Culture

Years later, during the International Conference on the Yanomami Habitat and Culture, held in Caracas in late 1990, there was a session on Health and Disease Control, in which there were several presentations that described the situation at that time. According to Dr. Toro, who was head of the Rural Endemic Disease Service of the Ministry of Health and Social Assistance (MSAS) for Amazonas, "the health situation bespeaks a regional health system that is insufficient, excessively centralized and inappropriate for the reality of the Amazonian region, and does not have the capacity to tend to the population that faces the highest morbidity risk: pregnant women, mothers and children." One of the most serious problems was the increase in malaria, which, between 1984 and 1988, showed annual occurrences of less than 1,400 cases, but in 1989 this increased to 2,913 cases and in 1990 it became 4,967 cases. In the area of the Ventuari River and the upper Orinoco River there were "cases that were more serious, or even fatal, due to the lack of access to health care services." About 75% of the human resources were concentrated at Puerto Ayacucho, which had the only hospital and the only laboratory. It was likewise for health care programs. Around 30% of the deaths were not diagnosed or were not recorded (Toro 1991).

Another determining aspect of the health care problems in the state of Amazonas was the notable gap in the physician to patient relation, due to cultural and linguistic differences, the contempt for ethnomedicine, the underestimation of the socio-anthropological and geographical variable in planning and executing the health programs, and the abuses by biomedical researchers. In this sense, Toro proposed that “in order to succeed in truly integrating an intercultural health system that is appropriate for the Amazonian reality,” it would be necessary to decentralize the regional health system, hire local personnel based on socio-anthropological criteria and establish a serious dialogue between the health team and the indigenous communities so as to devise programs for community participation and primary health care (Toro 1991).

In 1990, the principal causes of morbidity and mortality in the Yanomami population were acute respiratory diseases and diarrheal disease, hepatitis B and D, malaria, onchocerciasis (river blindness) and intestinal parasitosis. This morbidity and mortality rate was further associated with malnutrition and anemia. The latent danger of diseases that are preventable through vaccination continued, due to low or nonexistent coverage by the health system. Sexually transmitted diseases, dental diseases, malnutrition, skin diseases and snakebites were other significant health problems (Botto 1991).

The difficulties in accessing the area and the lack of logistical support and instruments necessary for performing diagnostic and treatment tasks placed limitations on the ability to tend to the indigenous population that was dispersed over 40,000 km² (15,444 sq. mi.) of rainforest area. At that time, there were only four Type II rural outpatient clinics run by physicians and indigenous nurses. One was at Parima B, assigned to the CAICET, and three were in the Upper Orinoco regions (Ocamo, Mavaca and Platanal), under the Parima-Culebra Program. The Malaria Program had but one malaria physician and one microscope technician that visited the area, plus some indigenous personnel that had been trained as microscope technicians and fumigators. The physicians' working conditions were seriously limited by the precarious availability of medical supplies and housing for the personnel (Botto 1991).

The year 1986 marked the beginning of permanent medical care for the Yanomami population of the Upper Orinoco region through the Parima-Culebra Program, an initiative by a group of young physicians that worked as a civil organization that received support from private donations, as well as from the Office of the Regional Health Commissioner. This program was in charge of placing six physicians for the purpose of implementing their year of obligatory rural service in the Upper Orinoco region. At that time there were only three Yanomami nurses and one Ye'kwana nurse in the area, all of whom had been trained by the Simplified Medicine Program. These physicians were assigned to work in La Esmeralda, Ocamo, Mavaca and Platanal, where they conducted medical consultations and also visited nearby *shabonos*. They also visited the more remote communities on a biweekly basis. The preventive medicine activities consisted of vaccination drives, efforts to control malaria and geo-helminthiasis, monitoring women during their pregnancies and providing consultations regarding health at the mission schools run by the Salesian Order. They also made improvements in the infrastructure for the purpose of guaranteeing better and more widely provided health care (Perret and Magris 1991).

According to Botto, the serious health problems at the time, the immense spread of the territory, and the health system's sparse coverage strongly suggested the need to develop multidisciplinary and interinstitutional programs that combined anthropological and biomedical research with activities dealing with medical assistance and control, while prioritizing the more relevant problems based on diagnosing the health situation in each sector, and taking into account the community's participation and respect for their culture (Botto 1991). In this sense, Luis Urdaneta and Itirio Hoariwë, Simplified Medicine Aides (AMS) from Ocamo and Mavaca,

stated their assessment of the health situation in their communities, reaffirming the serious health conditions they were facing, the high mortality rate from malaria, respiratory infections, diarrhea and other diseases, plus Yanomami demands for the improvement of their medical services and logistical support for tending to their communities.

Other background, the 1990's

In 1993, the Upper Orinoco Health District, operating under the Regional Health Office, was created as part of the political and administrative reorganization, following the creation of the State of Amazonas in 1992. Since then, some disease control programs have been established, and new Simplified Medicine Aides (AMS) and indigenous microscope technicians have been trained for the purpose of malaria abatement. Also, work was started on the design of the Yanomami-Ye'kwana Project, which was a proposal for developing the Health District, with an important component that consists of endemic disease research and control, with the participation of various health institutions. This proposal received the support of the World Bank and included funds for building a Tropical Disease Research and Control Unit (UNICES) at La Esmeralda and improvements in the district's health infrastructure. In 1995, the CAICET underwent an internal reorganization process that resulted in new advances in research and control directed at tuberculosis, malaria, onchocerciasis, intestinal parasitosis, hepatitis and emerging and reemerging diseases in the region (MSDS 2000).

As for emerging diseases, in the years 1996 and 1998, there were two highly lethal febrile jaundice epidemics in the Yanomami communities, which led to the discovery of unreported agents in the region. The first of these epidemics had a mortality rate of 19.7% and manifested itself in combination with viral hepatitis and malaria cases, along with two new emerging pathologies: leptospirosis and Hantaan virus. The second epidemic was the first confirmed yellow fever outbreak in the state of Amazonas, with a global mortality rate of 10.7%, but in some communities it reached 34.4%. Other examples of emerging diseases in the area include several chickenpox cases in 1996 and 1997, an N2H3 influenza outbreak in 1998 and five serious cases of meningococcal meningitis with two deaths in 1999 (MSDS 2000).

✓ Yanomami Health Plan (PSY)

Origins

In November of 1999, the Ninth Inter-American Conference on Onchocerciasis was held, during which an agreement was reached to recommend to the Brazilian and Venezuelan Presidents and Ministers of Health the improvement of epidemiological vigilance and comprehensive health care along the border in order to eliminate disease among the Yanomami, as well as the promotion of a binational meeting dedicated especially to examining the problem. Later that same month, and as a follow-up to the resolution reached at the conference, a workshop was held in Puerto Ayacucho, which was titled "Health Intervention Strategies in the Yanomami Population with an Emphasis on Onchocerciasis," in which a series of agreements and commitments were established among the Yanomami communities and representatives from diverse governmental and non-governmental organizations that have a presence in the Upper Orinoco region. One of the commitments was the implementation of a project aimed at providing an answer to the problems that had been identified, for which a commission consisting of the participating institutions was created (MSDS 2000).

A few days later, in the month of December, the Venezuelan State signed, before the Inter-American Commission on Human Rights, the agreement to reach an amicable solution to the “Hashimú Massacre” case. Among the commitments assumed as part of the agreement, and as a form of collective reparation paid to the Yanomami people, the Venezuelan State agreed:

...to design, fund and set into motion a Comprehensive Health Plan directed toward the Yanomami people, in order to address the serious health problem experienced by that area. This program shall include, among other things, building infrastructure, providing medical equipment and training members of the ethnic group. Likewise, the State agrees to allocate an annual budget for the execution of the adopted Project.

In March of the year 2000, the Comprehensive Health Plan for the Yanomami People had already been devised. It sought to bolster the Upper Orinoco Health District and expand coverage by the health system using strategies that took into account the epidemiology and the geographical and ecological characteristics of the area, and the culture of the Yanomami people.

In November of 2001, the National Yanomami Conference was held at the community of Shakita, which served to bring together Yanomami representatives and officials from various government institutions, as well as missionaries and researchers. Following discussions at one of the tables on the topic of health, a Commitment Act was signed, wherein the Minister of Health and Social Development (MSDS), the Regional Health Office for the State of Amazonas and the Office of Indigenous Affairs of the Ministry of Education agreed to train Simplified Health Aides (AMS) and microscope technicians, expand the telecommunications network, refurbish the health infrastructure (outpatient clinics and physicians’ housing), shore up the hospital at La Esmeralda, create a center for storing medical supplies and make the execution of the PSY viable.

It was not until the year 2003 that the MSDA budgeted resources for the implementation of the PSY, but these were not executed and were transferred instead to a trust fund for use when the project was to begin. In the year 2004, the Office of Indigenous Health (DSI) was created as a special bureau especially designated for indigenous matters within the MSDS, and in January of 2005, the DSI created the Coordinating Unit of the PSY as the entity in charge, which began the plan’s execution that same year.

Implementation

In general terms, the PSY sought to expand, in a sustainable and culturally adapted manner, health service coverage to 80% of the Yanomami population, which had been historically under-served or completely neglected. For this, three main plans of action were developed:

1. Consolidation of the Health District and the health services network: The rural outpatient clinic network was enhanced by regularizing the presence of medical personnel, expanding the health team in Alto Orinoco and Río Negro municipal districts, providing equipment, by restoring and maintaining the infrastructure, the transportation logistics and water and power utility services, providing medications and fuel, establishing three new health centers, and by providing personnel housing at the respective outpatient clinics.

2. Expansion of the health system: The strategy of travelling health teams to tend to the more distant *shabonos* that were hard to access, many of them located several days away by foot from the outpatient clinics.

These teams developed activities pertaining to the population census, the primary health care, the enhanced immunization program, and programs for controlling onchocerciasis, malaria and other diseases. By means of these actions, contact was established with communities that had not been visited for more than 10 years, and with others that had never been visited by health teams, thus making it possible to tend to approximately 1,200 Yanomami that had been totally excluded from the health services. An accomplishment of particularly symbolic importance occurred in February of 2006 when a health team visited the Hashimú community for the first time in the 13 years since the massacre.

3. Training local health personnel: One of the most important accomplishments of the PSY was the design and implementation of a plan to train Yanomami Community Agents for Primary Health Care (CAYAPS), whereby two groups of young people were trained, one of which consisted of 19 Yanomami who finished their training in 2008, and another group of 18 finished in 2012. The extraordinary feature of the training received by these ACYAPS's is that many of the students were from remote communities, spoke only Yanomami and had not yet learned to read and write. Later, the PSY incorporated these ACYAPS's for providing care to their communities of origin and also to be part of the travelling teams or to be at the rural outpatient clinics. Some of these aides were also trained in malaria entomology and as microscope technicians.

The implementation of the PSY coincided with the National Strategic Plan for the Defense, Development and Consolidation of the South (PENDDCS), an ambitious project assigned to the Ministry of Defense that sought to bolster the presence of the Venezuelan State in the southern part of the country following the expulsion of the NTM's in the year 2005. Guidance from the PENDDCS was essential for the implementation of the PSY in that it established the logistical support platform that allowed for the development of health care activity, most of all in areas that required air support. The PENDDCS strengthened the FANB's air support by providing Air Group Number 9 (light aircraft) and Air Group Number 10 (helicopters) of the Air Force's Special Operations, which in turn provided hundreds of flight hours for service in emergency medical transfers and for transporting personnel, equipment and supplies. This made it possible to reach remote communities and hard-to-reach areas that had not yet had contact with health teams or had not received any help in many years.

Articulation among the different authorities that were part of the health system in the state of Amazonas (DRS, CAICET, Upper Orinoco Health District, programs for controlling endemic diseases, etc.) and other institutions (the State Governor's Office, the Office of the Mayor of Alto Orinoco Municipal District, and various Ministries) was also essential for implementing the PSY. In this sense, the coordination of activities with the programs for the control of malaria, tuberculosis, and onchocerciasis, as well as the immunization program, among many others, were key elements in achieving comprehensive health care. During this time period, the Centers for Comprehensive Diagnosis and the Comprehensive Rehabilitation Units, part of the government's "Mission Inner Neighborhood" program (*Misión Barrio Adentro*), were inaugurated at La Esmeralda and San Carlos de Río Negro, and these were staffed by Cuban health personnel, which raised the resolute capabilities for health care in the area.

It is important to clarify that the PSY is not limited to serving the Yanomami population, even though this population remains its main objective, since it has also expanded its health care services to other indigenous peoples, such as the Ye'kwana, the Arawak and the Piaroa, as well as others in Alto Orinoco and Río Negro municipal districts, and the PSY was also crucial in lending support to communities such as Caño Iguana, a Hoti village located in Manapiare municipal district, where the NTM's had been present. Even though the PSY continues to exist, starting in the years 2009 and 2010, its activities began to decline due to the diminishment

of available resources and the gradual reduction in annual budgets and technical equipment, as well as a considerable reduction in air support starting in mid-2009, which affected health care services especially in the more remote communities.

Even though PSY made considerable progress, its main objective being the expansion of health care coverage for the entire population, this objective was never really met. Nonetheless, this experience has demonstrated that the strategies are appropriate and functional, but require political willingness and the allocation of sufficient resources needed for implementing such strategies.

Stagnation

Despite the progress resulting from the implementation of the PSY, the efforts have not had sufficient continuity. Consequently, there has been a gradual deterioration in the healthcare system, as well as in the health of the people living in the RBAOC. The following is a summary of events that occurred during these past few years, giving an account of the situation.

In October of 2009, there was an outbreak of cases showing fever, coughing and dyspnea (shortness of breath) in the Yanomami communities of the Upper Orinoco region, and which tested positive for influenza A (seasonal) and AH1n1, resulting in 8 deaths, as well as more than 2,000 patients showing symptoms. The Ministry of Health immediately set up an epidemiological barrier, reinforced healthcare staffing in the area, gathered lab samples and provided treatment for those who were affected or had come into contact, and there were no further deaths. Health teams in the area, including Yanomami health agents played a fundamental role as part of the epidemiological vigilance system and in tending to the cases (Tillet and Kelly 2011). This episode, which could have turned into an epidemic disaster, was controlled in time, thanks to the strengths that the local health system still had at the time.

In July of 2010, the health authorities in the state of Amazonas received news about an epidemic in the communities of Maiyotheri, Awakau and Pooshitheri, located in a hard-to-reach area at the headwaters of the Putaco River. There was an immediate response to try to reach the area, but several factors stood in the way. In September, there was news that numerous people were sick, and that some had died, but it was not until early October that a technical group, mostly Yanomami health agents, was able to reach Maiyotheri on foot. They returned with the news that 51 people had died (25 at Maiyotheri, 18 at Awakau and 9 at Pooshitheri), out of a total population of approximately 200 people living in the three locations; the lab samples proved positive for malaria in 84% of the cases. In late October, a helicopter managed to land in the area, leaving a health team there to tend to the emergency. During this visit, there were two new deaths. The health team's report indicated 17 deaths in the three communities. The malaria epidemic that devastated these communities could have been addressed in time, but the flaws in the health system delayed help for more than two months, with tragic results. Then there were reports of malaria outbreaks and deaths in other areas of the Yanomami territory, such as Koyowë, Siapa and Pirispiwei. The community of Harau, now home to the survivors from Hashimú, was also subjected to the malaria outbreak that resulted from the presence of illegal miners from Brazil, and which claimed the lives of three women and seven children, according to accounts given by the Yanomami in the community. The health care personnel that arrived in the area later confirmed seven deaths from malaria (2 adults and 5 children) (Tillet and Kelley 2011).

Healthcare in these hard-to-reach communities is possible only with air support from the FANB. This support had been very regular between 2006 and 2009, when there was good articulation between the healthcare system and the FANB. Nonetheless, starting in 2009, military air support diminished drastically for different reasons, which led to the neglect of remote communities, and limitations on transportation that was available for personnel, medications and supplies, as well as the transfer of patients and their families.

In February of 2011 there were reports of many illnesses and deaths in the communities of Momoi and Hokomawë, both located very close to the border with Brazil, at the headwaters of the Ocamo River. These communities had not been receiving permanent health care, and that is why they requested that a medical team be sent there. The reports mentioned that a high number of people had died, following bouts of vomiting, bloody diarrhea, fever and convulsions, with death occurring 24 hours after the symptoms had begun. The reports also mentioned the presence of *garimpeiros*. This community was very close to the border, but had never been visited by a healthcare team, or by the FANB, which meant that its precise location was not known.

Despite the Yanomamis' requests for urgent care, it proved impossible to send in a medical team using Venezuelan military air support. However, thanks to the news that had been spread about the case, Brazil's Special Secretariat for Indigenous Health, through the Yanomami Special Indigenous Health District, sent a health care team to investigate the reports and to provide health care there. On 4 March 2011, the Brazilian health care team finally arrived in the Hokomawë area, which, they discovered, consists of four communities that were near each other and were located on Brazilian territory. The names used by the inhabitants to identify their communities were Walathau, Hokomawë, Honiwitiri and Nainaibu. Living in these communities were 210 individuals belonging to the Yanomami and Sanema peoples. The Brazilian health care team stayed until March 14th, delivering medical services. Based on testimonies, they were able to confirm 19 deaths, whose symptoms matched those of malaria. The presence of malaria in the communities was further confirmed by the high number of cases that proved positive upon diagnosis. These communities showed very precarious health conditions, showing generalized malnutrition and pathological symptoms of malaria, pneumonia, onchocerciasis, intestinal parasitosis, mycosis, scabies, fractures, hernias and tuberculosis, as well as others. During the Brazilian health care team's stay in the area, they were visited by a group of eight *garimpeiros* that had gone there seeking medical care. They were ill and their symptoms were fever, cephalalgia (headache), chills and weakness. It turned out that two of them had malaria. They stated that they had been in the area living among the indigenous people for eight years and that their communities were not receiving any kind of health care (Queiros da Silva, 2011).

Denouncements from Horonami

Starting in the year 2012, after Horonami was founded, this Yanomami organization became active in drawing the authorities' attention regarding the health situation, one of the principal problems, if not the most important, that affects the Yanomami people.

In February of 2013, they sent a letter to Dr. Jesús Raidán Bernabé Yuriyuri, at the time National Director of Indigenous Health. In the letter they called attention to the numerous deaths that had occurred during the previous nine months in the area around Platanal, and which had not been recorded due to the fact that there were no physicians present at the outpatient clinic. They also noted that, during the year 2012, there had been 12 deaths at the community of Guayabal, in the upper Padamo River region, and several of these patients had been diagnosed as having tuberculosis. As of that date, there were 12 people showing symptoms of

tuberculosis in this community. They also reported that the ACYAPS's lacked radios, medications and the necessary medical instruments, and that the Ocamo, Mavaca and Platanal sectors were being affected by the shortages of fuel and medications. The hard-to-reach areas had not been visited for lack of regular logistical support by air. Furthermore, they denounced that the Yanomami that were sent to the hospital at Puerto Ayacucho by the Upper Orinoco region providers were being asked to purchase the medications needed for receiving the treatments that had been prescribed, but the Yanomami had no money to buy any of the medicines.

In March of that same year, they sent a letter to Army Brigadier General Jesús Manuel Zambrano, Commander of the 52nd Jungle Infantry Brigade and of the Military Garrison at Puerto Ayacucho, in which they requested air support that was necessary for transporting healthcare providers to the more neglected communities that are hard to reach, especially for transporting a health care team to the upper Padamo River area and to visit the community of Guayabal, as well as other communities in the area. They asked that he agree to establish a schedule for visits to provide periodic and permanent health care services in hard-to-reach areas that are not being served.

Faced with the absence of any responses to these petitions, in May of 2013 they sent a letter to the President of the Republic in which they petitioned for repair work to be done on the landing strip at Parima B, so as to improve accessibility for physicians, nurses and medical supplies; regular air support for tending to emergencies in the entire sector; help with food in order to alleviate the hunger situation in the Parima, Koyowe, Cerro Delgado Chalbaud and Orinoco sectors, which had resulted from the drought in the entire territory; that the FANB locate and evict the *garimpeiros* and patrol the border with Brazil on a regular basis, since the miners were damaging the environment, contaminating the rivers with mercury, and were generating health problems and conflicts with the communities; they finally stated their great concern for the health situation in many communities, especially in hard-to-reach areas, where health care services were not being provided, and the need for helicopter air support from the FANB.

In June of 2013 they sent a letter to Dr. Isabel Iturria, Minister of Health, in which they expressed their concern over the health situation of the Yanomami people of the Upper Orinoco region, given that during the last two or three years there had been a general deterioration in the health care services in the Upper Orinoco region; that there had been no reply from the Regional Health Office of the State of Amazonas, from the National Indigenous Health Office, or from the PSY's Coordination Team. They requested information about the situation of the PSY and about concrete plans for improving health care services for the Yanomami people; and they called for a review of the health situation in the Upper Orinoco region, and particularly concerning the situation of the PSY.

In January of 2014 they submitted a report to Dr. Margarita Garrido, Regional Health Director for the State of Amazonas, and also a copy to the Deputy Ombudsman of the State of Amazonas and to the National Indigenous Health Director concerning the deaths that had occurred in different Yanomami communities in the Upper Orinoco region during the year 2013, while requesting that the Ministry of the People's Power for Health (MPPS) take urgent measures to verify and control the situation that was endangering the lives and future survival of the Yanomami people. According to the report they submitted, during the year 2013 there was a total of 240 deaths in the Mavaca, Mavaquita, Platanal, Ocamo, Padamo, Koyowe and Parima sectors. Even though most of these deaths were not recorded, nor was there an official medical diagnosis concerning the

causes, the report did indicate that most of the deaths were from malaria, diarrhea, respiratory infections and tuberculosis.

Attempts to relaunch the PSY

In February of 2014, in response to the report submitted by Horonami, a commission from the MPPS conducted a series of activities at Puerto Ayacucho and in the Upper Orinoco region as part of an effort to relaunch the PSY. An inspection tour was conducted in the Upper Orinoco and visits were made at the outpatient clinics in La Esmeralda, Ocamo, Mavaca and Platanal, where a total of nine physicians were placed, which served to offset the medical personnel shortage in the area. Also, meetings were held between the PSY and the Regional Health Office aimed at integrating the ACYAPS's into the medication distribution system and the epidemiological information registry so that they would be incorporated under the category of Type I Rural Outpatient Clinics. The final result was a report prepared for the MPPS concerning the PSY's situation and a series of observations and recommendations for relaunching them (Kelly 2014).

The report presented a revision of the information gathered by Horonami, which was compared with another report, and which was more technical and more detailed, prepared by the Onchocerciasis Program, but the results proved to be similar (Botto 2014). According to both reports, which only covered the Ocamo, Mavaca, Mavaquita and Platanal sectors (which have Type II Outpatient Clinics), the general mortality rate was 20.03 per 1,000 inhabitants; however, in the Mavaquita sector the mortality rate turned out to be 43.21 per 1,000 inhabitants (Botto 2014). In comparison, the general mortality rate for the state of Amazonas for that same year was 3.6 per 1,000 inhabitants, including all causes of death, but the mortality rate for infectious and parasitic diseases (which coincides with the causes of death in the Upper Orinoco region) was 0.36 per 1,000 inhabitants. This means that the mortality rate for the Upper Orinoco region was between 5.5 and 120 times greater than for all of the state of Amazonas (depending on the sectors and the diseases being considered). These data led to the conclusion that "there is no doubt that we are faced with the worst health crisis ever in the Upper Orinoco." (Kelly 2014).

It was also suggested that a series of measures be taken so as to restore the outpatient clinic of the Upper Orinoco Health District and normalize the health care system in the current service areas. Nonetheless, it was emphasized that even if the health facility network were to be restored, and the facilities were again running at capacity, only 30-40% of the Yanomami population would be covered. Attaining a health care system that would encompass the entire Yanomami population of the Upper Orinoco regions would constitute "a problem of such magnitude that it would lie beyond the current capabilities of the MPPS. There is no chance whatsoever of launching an expansion program having chances of success without a firm decision by the State to expand the logistical capacity of the MPPS in the state of Amazonas, increase spending on health for the Yanomami people, and multiply the number of Yanomami and *Napë* ("non-Yanomami") health care professionals for work in the communities." In order to attain an expansion of the healthcare system that would guarantee health care for 100% of the population in the Upper Orinoco region, one has to consider two fundamental elements: first, "it is imperative that the healthcare system have its own resources for logistical support by air," thus eliminating dependence on the FANB; and secondly, there is a need for complete reorganization of the health care system in the Upper Orinoco region, bearing in mind "a Health District or other management unit having dimensions and resources much greater than what is currently the case." (Kelly 2014).

Based on the guidelines established in the report, the MPPS began a series of institutional negotiations and articulation efforts in order to implement some of the suggestions; however, progress was limited due to the lack of extraordinary funding that the proposed plan would in fact require.

As a result of the lack of replies to the denouncements and petitions, as well as the worsening health situation in the Upper Orinoco region, in February of 2015, the Horonami organization led a march in Puerto Ayacucho to the Regional Health Office demanding “respect for our right to life and health, and to our culture.” They delivered a letter to the Regional Health Director and to the PSY’s Coordination Team, in which they stated that “our fundamental rights as Venezuelans and as the Yanomami indigenous people are being infringed upon,” and they urgently demanded the creation of a work group to address health care services for the Yanomami people, which would include all institutions involved in the matter (HOY 2015).

In response to Horonami’s demands, in the month of March, the Office of the Vice President of the Republic established a high-level work group that included representatives from the MPPS, the FANB, the MPPPI,¹⁰⁴ CorpoAmazonas and from Horonami, where an agreement was reached to design a plan for negotiating the resources with the Office of the President of the Republic. By April, the “Plan for Comprehensive Care for the Yanomami People in the Upper Orinoco Region and Indigenous Communities along the Border with Brazil” had already been designed based on three broad strategic lines: 1. Finding and training human talent; 2. Restoration and expansion of the infrastructure and services in the health network of the Upper Orinoco region and Puerto Ayacucho; and 3. Plans for comprehensive health care for the indigenous communities of the Upper Orinoco region.

By July of 2015, there had been no reply concerning approval of the plan, which prompted Horonami to send a new letter to Jorge Arreaza, Executive Vice President of the Republic, in which they explained how the critical health situation continued in the Upper Orinoco region, where there were complicated morbidity and mortality scenarios resulting from diarrhea, pneumonia, malaria and tuberculosis cases. From then on, there were some improvements in the health care facilities in the Upper Orinoco, by way of restoring infrastructures, allocating food and sending in a few physicians. However, the resources requested for the implementation of the plan were never approved.

In January of 2016, Horonami presented a new report on the health situation in the Upper Orinoco region during the year 2015 which quantified the deaths only for certain sectors, where a total of 51 deaths had been reported, and explained that there were other sectors where there had been an indeterminate number of deaths. The report stated that in at least three outpatient clinics the presence of physicians was intermittent during the whole year, that there were still shortages of medicines and gasoline at the outpatient clinics located along the rivers, and that there was a need for health care campaigns in hard-to-reach areas, which require air support. They also reported a large number of malaria cases in various sectors (HOY 2016). In fact, during 2015 there was a 178% increase in the number of malaria cases in the state of Amazonas, which also reported the highest rate in the country for parasitic diseases.

¹⁰⁴ MPPPI – Ministry of the People’s Power for Indigenous Peoples.

5. The status of non-contacted indigenous groups

For quite some time, the topic of indigenous peoples living in voluntary isolation and initial contact, as well as the need to adopt measures for their protection, has gained gradual relevance, given the ever-increasing pressures that threaten the survival of these groups (Parellada 2007; Shelton 2012; IACHR 2013). This has to do with “small indigenous communities that reject any contact with modern society and who prefer to live in isolation, preferring to work within their traditional subsistence economy.” This does not necessarily have to do with “non-contacted” groups in the sense that they have not had any contact with people from the *Criollo* world, “but rather peoples that for generations have been avoiding any contact that, for them, has been extremely violent and deadly, and which has led them to find refuge in the forests. (...) For many of these peoples, isolation has not been a voluntary option, but rather a strategy for survival.” (Stavenhagen 2007).

It is estimated that there are around 200 indigenous peoples living in isolation in South America. Even though, because of their circumstances, it is difficult to calculate how many people are in these groups. There is information regarding their existence in Bolivia, Brazil, Colombia, Ecuador, Peru and Venezuela in hard-to-reach areas in the tropical rainforests of the Amazonian region (Shelton, 2012).

Among the salient characteristics of these indigenous peoples is their close interdependence with, and deep understanding of the ecosystem in which they live, which allows them to live in a self-sufficient way, which means that the preservation of their territories is vital for their survival; they are unaware of the workings of the majority society, which places them in a defenseless and extremely vulnerable situation vis-à-vis the players that try to approach them or establish contact; they live in highly vulnerable situations and are in danger of extinction due to the pressure and aggression they suffer from the presence of players who seek to exploit the natural resources found in their territories and endanger the continuity of their cultures and their way of life (OUNHCHR 2012).

While these peoples are entitled to human rights protections, they are unable to claim their rights as they live under highly vulnerable conditions. It is for this reason that ensuring respect for their rights is of vital importance, and it is incumbent upon the States, international organizations, members of civil society and other players to ensure that their human rights be respected, taking into account their particular situation, on the premise that respect for their non-contact status and their choice to remain in isolation constitute a statement of their right to self-determination (IACHR 2013).

According to a recent report about the case of Venezuela (Bello and Díaz 2017), specialized reports make reference to “the existence of groups or factions (grouped together as communities) of at least three different indigenous peoples that, while not in total isolation, remain relatively isolated or have little contact (initial contact); in addition to living under particularly vulnerable conditions, due to each group’s different specific causes. Such is the case for the Hoti (Jödi), Yanomami and Piaroa (Uwottüja) indigenous peoples, who live in several areas of the states of Amazonas and Bolívar, in the southern part of the country.” (Idem.).

Within the geographical realm of the RBAOC, there are Yanomami communities “that participate in the exchange of industrialized goods (interethnic commerce), but are relatively isolated in hard-to-reach areas and are highly vulnerable due to environmental and health reasons; but in general, they have very little contact with the majority society, the State institutions and other outside agents.” (Bello and Díaz 2017). Their location in

hard-to-reach geographical areas has contributed to their relative isolation and to their being barely affected by the influence of the nation's mainstream society. These areas, located within the RBAOC, include the upper Siapa River area, where there are isolated communities between the Sierra Parima mountain range and Cerro Delgado Chalbaud mountain, as well as the communities that are located between the upper Ocamo River and the Metacuni River (Idem.) (see map in Figure A-IV.9).

Despite the fact that Venezuela has an ample legal framework relating to the specific rights of the indigenous peoples, none of the existing norms makes specific reference to the indigenous peoples that are living in isolation or initial contact, nor to the need for special protective measures for safeguarding them. Likewise, the Ministry of the People's Power for Indigenous Peoples (MPPPI), as the ruling entity for public policy aimed at guaranteeing the implementation of indigenous rights, has not recognized the existence of these groups in the country, nor has the MPP¹⁰⁵ for Foreign Affairs done so in the international realm. Nonetheless, the Office of the Ombudsman, as well as the Indigenous Health Office of the MPPS and the SACAICET have recognized the existence of these groups in the states of Amazonas and Bolívar, and they have also implemented health programs especially geared to these communities, and the Office of the Ombudsman has stated that even though there is no specific legislation in Venezuela concerning this issue, "there are ample legal provisions that may be implemented for providing protection for these peoples." (Bello and Díaz 2017).

At the international level, two documents have been produced that provide a frame of reference for human rights and the protection of peoples that are in isolation and initial contact. In 2012, the United Nations Office of the High Commissioner on Human Rights presented the *Guidelines for the Protection of Indigenous Peoples in Isolation and in Initial Contact in the Amazonian Region, the Gran Chaco and the Eastern Region of Paraguay*, which have as their objective "to serve as a guideline for the different players that work with indigenous peoples in isolation and in initial contact in South America." (OUNHCHR 2012). Likewise, the Inter-American Commission on Human Rights published, in 2013, the report *Indigenous Peoples in Voluntary Isolation and Initial Contact in the Americas: Recommendations for the Full Respect of their Human Rights*, where it presents an assessment of the plight of these indigenous peoples, reviews legal resources and normative frameworks, and presents a series of recommendations to the States (IACHR 2013).

According to Bello and Díaz (2-17), the biggest threats to the indigenous peoples in isolation and initial contact in Venezuela have to do with the lack of safeguards for the protection of the lands and the habitat that are necessary for the development of their way of life, since the demarcation process has not been accomplished; the invasion of their territories and the environmental contamination resulting from the illegal mining operations; and the impact of infectious and contagious diseases due to the high epidemiological vulnerability of these groups and the deficiencies in health care services. In this sense, one's attention is drawn to "the need to have the Venezuelan State adopt protective measures for these groups, which would allow for their physical and cultural survival, as well as respecting their status of isolation in their own territories." Among the measures that should be implemented, the authors recommend:

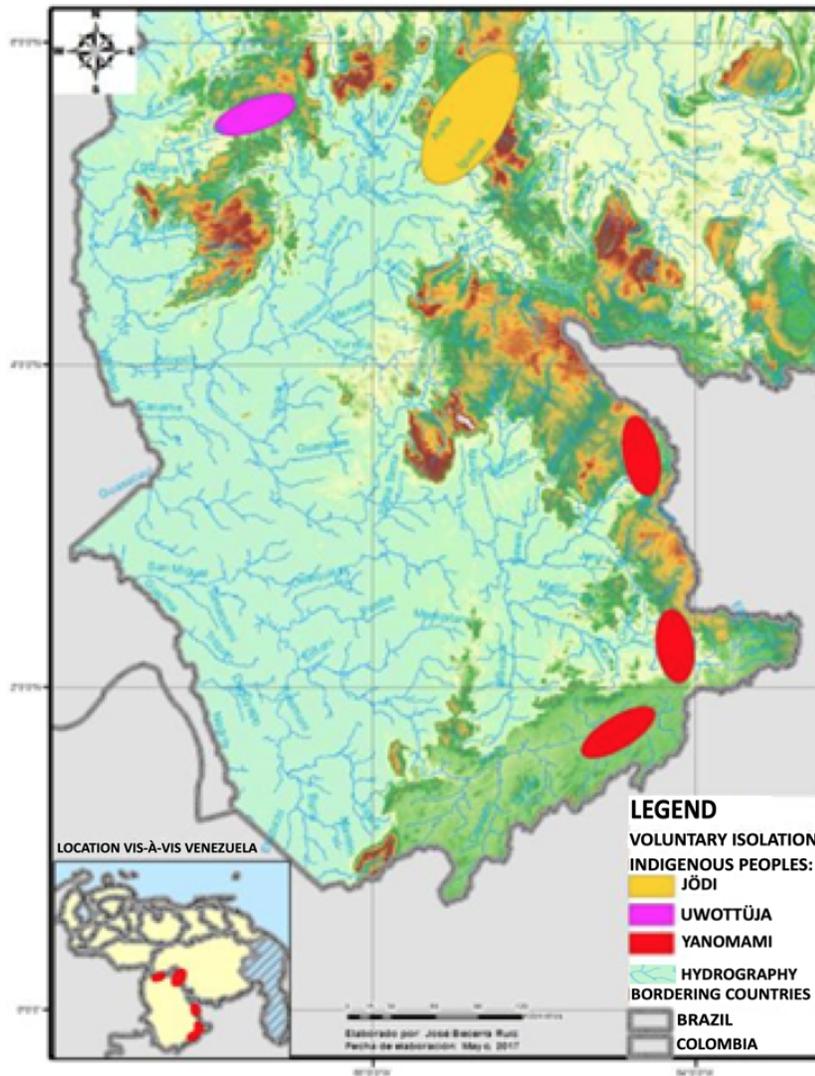
1. The Venezuelan State's acknowledgement of the existence of indigenous peoples in relative isolation and initial contact, and its implementation of protective measures, in accordance with United Nations guidelines, and of the recommendations of the Inter-American Commission on Human Rights.

¹⁰⁵ "MPP" stands for "Ministry of the People's Power," the name currently used to identify all ministries that are components of Venezuela's Executive Branch.

2. The demarcation of the indigenous habitat and lands that include territories inhabited by groups in isolation and initial contact.
3. The control of entry by illegal miners into areas where there are communities in isolation and initial contact.
4. The expansion of specially adapted intercultural health care services, and of permanent epidemiological vigilance so as to avoid the spread of endemic and epidemic diseases such as malaria and others.

Wataniba Amazonia Socio-Environmental Workgroup

Indigenous Peoples in Voluntary Isolation



V. CREATION OF THE UPPER ORINOCO-CASIQUIARE BIOSPHERE RESERVE AND PARIMA-TAPIRAPECO NATIONAL PARK

1. Background to the notion of the Biological Reserve as a legal construct

The concept of the “Biosphere Reserve” appears as a fully-elaborated legal construct for the first time in Venezuela in the Organic Law on the Territorial Ordinance of 1983 (LOOT). This law reads:

Article 16... also considered to be areas under special administrative rule are those areas that may be subject to a special management regime... The biosphere reserves consisting of those areas in which there is a convergence of natural biomasses that must be preserved by virtue of their high scientific and biological value, with the existence of local populations characterized economically, socially and culturally by ways of life that configure a special system for the relations between humans and their space.

At that time, this concept was already recognized by Criterion VIII for UNESCO’s World Heritage Sites, UNESCO being a specialized entity of the United Nations, of which Venezuela has been a part since its beginnings.

In 1980, the Chamber of Deputies of Venezuela’s National Congress created a special territorial ordinance commission, presided by Deputy José Curiel, who had been Minister of Public Works during President Rafael Caldera’s first term, and coordinator of the program known as the “Conquest of the South,” which presented an ambitious plan for conducting studies, and developing infrastructure for prospection and extraction in what was then the Federal Territory of Amazonas and for the Cedeño municipal district in the state of Bolívar. This special legislative commission led to the creation of the Permanent Commission on the Environment and the Territorial Ordinance, which then assumed, as one of its roles, the task of drafting the Organic Law for the Territorial Ordinance, which then permitted the establishment of the Biosphere Reserve as a legal construct when it was passed in 1983.

UNESCO’s Intergovernmental Conference for Rational Use and Conservation of the Biosphere (“The Biosphere Conference”) was held in Paris in September of 1968. Its accomplishments include the proposal to organize a broad interdisciplinary ecological program, which was approved by the UNESCO Conference in November of 1970 under the title “Man and Biosphere.” According to Díaz Coutiño and Escarcega Castellanos,¹⁰⁶ this conference served to bring to the forefront the fact that accelerated rates of economic and social development were closely related to issues concerning the “rational use” of Biosphere Reserves, that the conservation of these resources should be considered to be an element of development and not an obstruction, and that the quantitative and qualitative improvement of the welfare of societies was intertwined with the quality of relations between humans and the environment. The concept of sustainable development began to take shape there.

¹⁰⁶ Díaz Coutiño, Reynol, and Susana Escarcega Castellanos. 2009. *Desarrollo Sustentable: Una oportunidad para la vida*. McGraw-Hill, p. 198.

The biosphere reserve as a construct of socio-environmental management appears on the international stage in UNESCO's "Man and Biosphere" (MAB) program in the year 1971.

Biosphere Reserves are then defined as "land or coastal-marine ecosystems or a combination of these," internationally recognized as such by UNESCO, for which it is required that this be proposed by the governments of the respective countries. Venezuela did this in 1993, prior to the creation of the Upper Orinoco-Casiquiare Biosphere Reserve by decree in 1991, according to the premises established by UNESCO, and based on Venezuela's LOOT.

According to UNESCO, Biosphere Reserves must fulfill three basic functions: 1) conservation of spaces, species, genetic heritage and scenery; 2) sustained or sustainable development of local established, indigenous, rural or urban communities as the case may be; 3) education for promoting research, observation and training, and for raising the people's conscience within the context of what we call today sustainability or maintainability.

It is also relevant to consider the fact that in 1977 Venezuela's Congress ratified this endeavor upon passage of the Law Approving the Agreement between the Government of Venezuela and UNESCO, Relating to the International Center for Tropical Ecology. This center's priority was postgraduate research and teaching in countries of the tropical world.

The World Network of Biosphere Reserves was then established to work as a model to show how human beings must live in harmony with nature, which is why some authors consider this program to be a precursor of the notion of sustained or sustainable development, which is institutionalized in the report *Our Common Future* (1986), published by the UN World Commission on Environment and Development, which culminated in the UN's Earth Summit (1992), held in Rio de Janeiro. In 1978, UNESCO's International Network of Biosphere Reserves consisted of 144 reserves that had been declared in different countries; by the year 2016, there were already 669 Biosphere Reserves in 120 countries, including 16 that were located on both sides of international borders.

2. Casiquiare Initiatives Prior to the Creation of the Upper Orinoco-Casiquiare Biosphere Reserve

The LOOT was passed in 1983, and in that same year two proposals emerged for the Upper Orinoco region, one referred to the concept of an Indigenous Reserve and the other to a Biosphere Reserve. The first came from the La Salle Foundation's Committee for the Creation of the Yanomami Indigenous Reserve, with support from university researchers, and in this case, it was largely guided by what was established in the Agrarian Reform Law of 1960, a part of Venezuela's agricultural legislation. An important precedent for this proposal was the "Sierra de Perijá Indigenous Occupation Zone" decreed by the Venezuelan State, by Resolution No. 80 of 6 April 1960, issued jointly by the Ministry of Agriculture and Animal Husbandry and the Ministry of Justice, and which had been conceived as an act of historical reparation, given the plundering to which the Bari and Yukpa peoples had been subjected, in the context of conflicts with cattlemen, landholders and oil companies in the early decades of the twentieth century, as US historian Edwin Lieuwen noted in his book *Petroleum in Venezuela: A History* (1954). The second proposal originated at the Venezuelan Institute for Scientific

Research (IVIC), titled *The Yanomami Biosphere Reserve: An Authentic Strategy for the Nation's Eco-Development*, under the leadership of Nelly Arvelo Jiménez, Director of the Anthropology Department of the IVIC, with the participation of various researchers, among them ecologist Rafael Herrera.

Subsequently, the study titled *Environmental Systems in Venezuela* (Project Ven\79\001. Guayana Region, Federal Territory of Amazonas, Volume 3. 1984), under the leadership of Guillermo Colmenares Finol, proposed creating an Area Under Special Administrative Rule (ABRAE), whose primary objectives were: 1) to guarantee the physical and cultural survival of the Yanomami indigenous people, 2) to guarantee the protection and conservation of the natural resources and of the ecosystems in the region, 3) to guarantee the nation's security, defense and sovereignty in this border area. The Ministry of the Environment's goals included the need to protect the headwaters of the Orinoco River, including the totality of the Ocamo and Mavaca River basins and the western basin of the Matacuni River, part of the Manipitare and Siapa Rivers and the upper basin of the latter, which in turn is a tributary of the Brazo Casiquiare channel. It was made clear that there was a need for "specific studies for the purpose of evaluating and defining the concept that can best be adapted to conditions in the area." (MARNR 1984).¹⁰⁷ In the aforementioned study, the Ministry of the Environment, in referring to the already mentioned proposals, made it clear that "... there are deficiencies and restrictions associated with special conditions in the area and the depth of each proposal."

Going back to the point of the two proposals mentioned above, a debate of sorts began, transcending the communications media at universities and research centers, with active participation by legislative commissions, especially the Commission on the Environment and the Territorial Ordinance, where there was also participation by the Catholic Church, the emerging environmental movements, the defenders of the rights of indigenous peoples and other figures, all of which gained major coverage in the news media on topics related to the states of Amazonas and Delta Amacuro. Also, the influential opinions of Dr. Esteban Emilio Mosonyi are published. These make references to the indigenous peoples' self-management, autonomy and self-determination, but without any suggestions of territorial separatism as was being claimed in documents emanating from the Ministry of Foreign Affairs, and even from some of the other legislative commissions.

In this respect, Mosonyi says, in his essay titled "Indigenous Self-Management and Self-Determination":

It is totally chimerical to entertain the idea that indigenous self-management is equivalent to, or leads to, a certain kind of separation... The indigenous peoples have existed for millennia without establishing western-style states. This kind of apparatus is not required in order to safeguard their identity, organization, cultures and values...The indigenous communities and nations must be autonomous in political, social and cultural matters that concern them and must practice self-management in running their economy, without this being detrimental, in the slightest way, to the

¹⁰⁷ MARNR – Ministry of the Environment and Renewable Natural Resources.

sovereignty of the National State or of the individual States of the Nation whose territory they inhabit.¹⁰⁸

Mosonyi's reflections and proposals date back to the year 1967, when he was at the Faculty of Economic and Social Sciences of the Central University of Venezuela (UCV), and was active defending indigenous peoples throughout all of Latin America, including his participation in the famous Declaration of Barbados of 1971, proclaimed at the symposium and titled "Interethnic Friction in Non-Andean South America," which severely criticized the ethnocide that had resulted from the actions of the States and the former Catholic and Protestant missions directed toward the indigenous peoples. This document led to rethinking the compulsive and colonial nature of old policies toward the indigenous people, and also to new thinking by the churches. This movement also generated deep criticism against the utilitarian exploitation of the indigenous peoples by political parties, anthropologists, sociologists and other traditional professionals and researchers, including the Marxist parties, whose concept of historical development places the indigenous peoples on the lowest rung of the pyramid of history, or as simple obstacles. This event was organized by Austrian anthropologist Dr. Georg Grünberg with funding from the World Council of Churches (Geneva) program to fight racism, under the auspices of the University of Berne and the University of the West Indies (Barbados). Also participating were Brazil's former Minister of Education and anthropologist Darcy Ribeiro Mexican anthropologist Guillermo Bonfil Batalla, and Venezuelan anthropologist Nelly Arvelo.

Despite the fact that this was not, as such, a topic currently connected to the political scenario, the news media's agenda, especially the daily newspapers *El Nacional*, *Diario de Caracas*, *El Universal*, *El Mundo*, *Últimas Noticias*, and *Diario 2001*, gave priority and coverage to the proposed plans for the Federal Territory of Amazonas, which had been under deliberation since 1984 at the National Congress. In this agenda, there was an intertwining of environmental, indigenous, military, economic development, and border issues, which were being deliberated, especially in the commissions on the Environment and on the Territorial Ordinance, and then further debated in the plenary sessions of the Congress in 1984, 1985 and 1987. One could say that the environmental topic was marked especially by the discussion on the Federal Territory of Amazonas and the State of Bolívar.¹⁰⁹

News media coverage and the climate of democratic debate in the National Congress was vital for the measures that would be taken with regard to Venezuela's Amazonian region and the process of declaring protected areas, even before 1984, especially by the Commission on Social Matters, presided over by Senator Pablo Herrera Campins, who led the proceedings that led to passage of the

¹⁰⁸ Published in: Mosonyi, Esteban Emilio. 1981. *El Caso Nuevas Tribus*. Editorial Ateneo de Caracas.

¹⁰⁹ Some of the press headlines reflect this: "University professors denounce that mining concessions in the Upper Orinoco region will lead to the death of the Yanomami (*El Universal*, March 1985); "Everything about the mines is a secret at the Ministry of Mines"; "Runaway Gold, 70% of the nation's wealth is unregulated"; Uranium and Tin are the El Dorado of the Amazonian Region" *Diario Económico*, in *El Diario de Caracas*, 30 July 1984, No. 159); "Alexander Luzardo claims that development of the Upper Orinoco area of the Amazonian region is not feasible." (*El Mundo*, 27 January 1990); "40 *garimpeiros* invade and ransack Venezuelan soil: A hearing held by Minister of the Environment Enrique Colmenares Finol, Foreign Minister Reynaldo Figueredo Planchart, Defense Minister Héctor Jurado Toro, with the presence of representatives from the Yanomami and Ye'kwana indigenous peoples." (*El Nuevo País*, 17 October 1990).

Organic Law on the Environment of 1976, as is evidenced in the debate logs of the Senate and the Chamber of Deputies.

In the National Congress, in 1984, there were important debates and initiatives on what was to become of the Federal Territory of Amazonas, its environment and the indigenous peoples, the economic development projects, and security and defense. Thus, there is a 41-page legislative report, signed by Deputies Rafael Elinio Martínez, Alexander Luzardo, Walter Márquez, and Adeldo González Urdaneta, which proposed an “Ethnicity Law” to promote the regulation of land ownership and the creation of an indigenist institute, and to review the status of Catholic and Protestant missions and their impact on the population and the environment. This initiative, within the framework of what is established in Article 77 of the Constitution of 1961, which provided for passage of an “Indigenous Communities Law,” was not fulfilled until the year 1987, when Deputy Luzardo prepared and presented the draft legislation for the Organic Law on Indigenous Communities, Peoples and Cultures, which was considered by the Education and Culture Commission and a special mixed Commission on Indigenous Legislation, consisting of legislators from the Permanent Commissions on Agriculture and Agrarian Policy, on Social Matters, Education and Culture, and on the Environment and the Territorial Ordinance. This draft legislation was finally introduced in the Senate, with the approval of Senator Reynaldo Leandro Mora, President of the Congress, and of other legislators in 1990. This was the first draft legislation of the twentieth century in Venezuela to mention the indigenous communities.

The draft legislation was approved by the Senate after two deliberations in 1995, but there was only one deliberation in the Chamber of Deputies, and the second deliberation necessary for definitive passage was never held. Nonetheless, a synthesis of this draft legislation would later be included in the new Constitution of 1999. Furthermore, it was also included in the 1992 Project on the Reform of the Constitution, which had been proposed by lifetime Senator Rafael Caldera. Finally, the law was passed 17 years later, in 2005, as the Organic Law on Indigenous Communities and Peoples. (Official Gazette No. 38.344 of 17 December 2005).

This draft legislation, its philosophy, its conception and its articulation are clearly reflected in the process for elaborating the decrees for the Biosphere Reserve and the Parima-Tapirapecó National Park, where specific considerations regarding the indigenous population and their rights are now included.

Article 48 of the current Organic Law on Indigenous Peoples and Communities reads as follows:

Article 48. The Indigenous peoples and communities have the right to live in a healthy, secure and ecologically balanced environment and shall contribute to the protection of the environment and the natural resources, especially national parks, forest reserves, natural monuments, biosphere reserves, water reserves and other areas of ecological importance. Under no circumstances shall activities that denature or create irreversible damage to these specially protected areas be permitted.

Oddly enough, the meaning and contents of this article were eliminated in discussions held by the Commission on Indigenous Peoples between 2001 and 2004, generating much criticism and coverage

in the news media, resulting in a demand that the provision, which had been an integral part of the Senate's original project, be reinserted.

3. Mining Concessions in the Upper Orinoco Region

In the year 1984, an investigation was launched by the Chamber of Deputies' Commission on the Environment and the Territorial Ordinance and by the Senate Commission on Energy and Mines in response to denouncements presented by various deputies, UCV professors and the Bishop of Puerto Ayacucho, Monsignor Enzo Ceccarelli,¹¹⁰ relating to mining concessions that had been granted at the headwaters of the Orinoco River by the Ministry of Energy and Mines in 1983 for the extraction of alluvial cassiterite, precisely when the Ministry of the Environment and other entities were weighing the possibility of creating protected areas in the Upper Orinoco region. Such was the case of the mining firm Producciones Minera Mava C.A., whose owner or representative sought authorization to prospect for, and later extract, cassiterite and other minerals in the region, as appears in Official Gazette No. 2947, Extraordinary, of 22 April 1982. The Ministry of Energy and Mines granted authorization for these concessions, according to Official Gazette No. 32.744 of 9 June 1983. The Congress concluded that these concessions would have a serious impact on the headwaters of the Orinoco River, as well as on the Yanomami people. The two concessions gave Producciones Minera Mava C.A. "authorization," without having received approval from the Congress, to explore and exploit 225,000 hectares (approximately 555,987 acres) at the headwaters of the Orinoco River in the Sierra Parima mountain range, where the headwaters of the Ocamo and Matacuni Rivers are also located, an area that is the Yanomami People's habitat and territory.

Deputies and senators were parties to the denouncements regarding the concessions.¹¹¹ The international non-governmental organization Survival International and other NGO's in defense of indigenous and environmental rights spoke out against the granting of these concessions, as did professors at the UCV and the IVIC. This convergence, as well as growing interest among environmental organizations and universities in the United States and Europe concerning the future of the Federal Territory of Amazonas and the indigenous peoples, created an important current of opinion that went on to influence public policies.

The Minister of Energy and Mines, Héctor Hernández Grisanti, and the Vice Minister, Hernán Anzola, reported to the National Congress that the concessions had been revoked. This was during the time when Orlando Castejón was Minister of the Environment. The Vice Minister of Mines and Energy then informed the Congress that there were more than 500 applications seeking mining concessions.

4. Macro-Projects for Economic Development and Land Use

The debate on the future of the Federal Territory of Amazonas and its protected areas goes back to other previous institutional experiences, the best known being the program created by the

¹¹⁰ Enzo Ceccarelli, Bishop of Puerto Ayacucho, *Revista La Iglesia en Amazonas*, pp. 12 and 20.

¹¹¹ Daily newspaper El Nacional. 22 April 1984. "Mining concessions in the Federal Territory of Amazonas are an unconstitutional measure"; Daily newspaper El Universal. 3 April 1984. "Mining concessions in the Upper Orinoco region may lead to the death of the Yanomami."

Commission on the Development of the South (CODESUR) during President Rafael Caldera's first administration, starting in 1969, which conducted important research on the natural resources, with an emphasis on mining operations, even though it also dealt with the environment, indigenous populations and other development projects. Nevertheless, its emphasis was more on economic development projects that would have a serious impact on the National Territory of Amazonas and the former District of Cedeño in the State of Bolívar. It is noteworthy that CODESUR left behind an important database resulting from the interdisciplinary satellite research, as is evident in the *Atlas of the South* and other documents, which would be taken up later along with other criteria relating to the environment and the territorial ordinance following the creation of the Ministry of the Environment in 1977 during President Carlos Andrés Pérez's first administration. Prior to the creation of CODESUR, the Ministry of Mines and Hydrocarbons had done some prospecting in 1966 during President Raúl Leoni's administration.

The mythical idea of searching for mineral resources appears even as far back as 1954, as evidenced by this message presented by the President of the Republic, Colonel Marcos Pérez Jiménez, to the National Congress during sessions of 1954 (25 April 1954):

...the efforts to expand the Nation's mining and petroleum assets have allowed us to add new hydrocarbon, iron, bauxite, coal, manganese and radioactive mineral deposits to the map of natural resources. At the same time, research of a technical and economic nature has been conducted on the utilization of minerals that have not yet been extracted. (p. 8).

The creation in 1977 of the Ministry of the Environment, whose first minister was Arnoldo Gabaldón, allowed for the reconceptualization of the "Conquest of the South" program, whose nomenclature was inappropriate and also evoked visions of violence associated with the colonizing efforts of the past. Based on the Organic Law on the Environment of 1976, the LOOT of 1983, the creation of the Ministry of the Environment and of the Plan for the Nation of 1973, the territorial ordinance became a major public policy issue, and that portion of the nation's territory that had been designated as national parks, natural monuments, protective zones and other protected areas was expanded significantly.

This policy materialized in 1978, with the creation of the Serranía La Neblina, Duida-Marahuaca, and Yacapana National Parks during the initial years of the Ministry of the Environment, and continued during the 1980's and 1990's, until approximately 1991, when a sort of "ecological corridor" was completed in southern Venezuela, with the decrees creating Parima-Tapirapecó National Park and the Upper Orinoco-Casiquiare Biosphere Reserve, as well as the Orinoco Delta National Park and Biosphere Reserve, all accomplished during the two administrations of President Carlos Andrés Pérez.

President Pérez himself expressed serious criticism of the "Conquest of the South" program when he stated:

The Conquest of the South was being presented as a plan to create huge industrial facilities and huge business ventures for the purpose of cutting down trees and obtaining lumber, an ecological disaster... During my (second) administration I proposed a

meeting of the Amazonian Pact for launching the Amazonian Research Center in the Precambrian Shield area and, with the participation of Venezuela, Brazil and Colombia, we created the Humboldt Center. (Hernández, Ramón, and Roberto Giusti. 2006. *CAP, Memorias Proscritas*. p. 194).

Without any doubt, President Pérez was the Head of State who contributed the most in matters of environmental policy. He referred to humanity's heritage in the following manner:

We must be very careful in what we do in the [Federal Territory of] Amazonas and in the Orinoco region, as these are territories that belong to humanity. (Op. Cit. p. 194).

5. Political, Ideological and Institutional Obstacles

According to an interviewed witness, who had held a high position in what was then the MARNR,¹¹² the creation of protected areas was obstructed or criticized by the Bureau of Borders of the Ministry of Foreign Affairs in 1983 and 1984, based on a mistaken thesis that claimed that the creation of these protected areas in the border areas was not in the country's interest, which is why they waged campaigns by delivering public attacks and sending reports to the other government agencies, including the Armed Forces, where they argued that environmental objectives and proposals, or proposals favoring recognition of lands for the indigenous peoples stood as obstacles to the exercise of the nation's sovereignty. These documents became public when demands were made to rescind the mining concessions in the Upper Orinoco region.

Practically corroborating the aforementioned testimony by the interviewed witness, a document presented to the National Congress and the news media (*El Universal*. 8 August 1984, p. 12), the Bureau of Borders, presided by Admiral Carlos Pulido Salvatierra, recommended on the advice of Isabel Carlota Bacalao that Venezuela should not create any more National Parks or other protected areas, especially along the borders, as that would attempt against national security and defense. The document in question, titled "Distortions of the Indigenist Problem," accused public officials, researchers, professors at the universities and at the IVIC, and research institutes and universities in Europe and the US of participating in a movement to internationalize the Amazonian region.

The objective pursued by this memorandum is to call attention to the negative impact on the highest national interests (consolidation of the nation's territory and sovereignty) by diverse projects, dealing with ecological and indigenist matters, that have been presented by diverse public and private agencies to the national government. (Bureau of Borders of the Ministry of Foreign Affairs. September 1984. Hearings at the National Congress. Special Amazonas Commission).

On the one hand, the document was never endorsed by the then Foreign Minister, Isidro Morales Paúl, who classified it as "a working paper," but on the other hand, it was endorsed instead by the Director of the Bureau of Borders, Vice Admiral Carlos Pulido Salvatierra, who, on 15 September 1984, affirmed during hearings before the Delegated Commission of the National Congress, which was investigating denunciations and cases of mistreatment of indigenous people in the Federal Territory of Amazonas, that this had to do with a follow-up that was being performed by the bureau that he

¹¹² Interviewee #4679.

commanded, and where attorney Isabel Carlota Bacalao served as advisor. The latter had also served as Director of International Relations at the Ministry of the Environment between 1995 and 1998 during the tenures of Ministers Roberto Pérez Lecuna and Rafael Martínez Monro, both of whom promoted mining operations in the southern Orinoco region, their main proposal resulting in Decree No. 1850, the Ordinance and Land Use Plan for the Imataca Forest Reserve, May of 1997, which designated 38 percent of this protected area, designated as such during President Rómulo Betancourt's administration, for small-, medium- and large-scale mining operations.

The same interviewed witness¹¹³ affirmed that the Bureau of Borders objected, through the aforementioned reports, to Venezuela's signature and ratification of the International Labor Organization's (ILO) Indigenous and Tribal Peoples Convention of 1989 (C169), even though it was not Salvatierra's place to express an opinion, as that task fell on the Minister of Labor, in accordance with the norms of the ILO.

The aforementioned document of 1984 states:

This movement has been so successful that, under the concept of ecological protection, a territorial paracentesis (parks and reserves) has been created in Venezuela, which exceeds one fourth of the country's total surface area. This area, exceeded only by Namibia and Greenland, is in contrast to the proportional norms followed in industrialized countries, where it is recommended that this should not exceed more than 10 percent of the territory in any case. Consequently, the Venezuelan State has limited its capacity to exercise full sovereignty in the sectors thus affected. (*El Universal*. 8 August 1984, p. 12).

On that date the advisors at the Bureau of Borders accused different agencies of the Venezuelan State, non-governmental organizations and academics of obstructing the consolidation of the nation's sovereignty and promoting the "internationalization of the Amazonian region." This included the Office of the National Agricultural Attorney, the National Agricultural Institute, the Office of Indigenous Affairs of the Ministry of Education, the Central University of Venezuela (UCV), the Venezuelan Institute for Scientific Research (IVIC), and the La Salle Foundation, among others.

Along these same lines, different international organizations were accused of having separatist intentions, among them UNESCO's Man and Biosphere Program, the Berne-Geneva Institute of Ethnology, the Anthropology Resource Center (based in Boston), Cultural Survival (based in Cambridge, Massachusetts) and the United Nations Environment Program (UNEP). They also accused researchers from the US, Europe and South America that had participated in the Barbados Declaration of embarking upon a separatist plan to internationalize the National Territory of Amazonas. They even criticized activities by academic and scientific circles that defend human and indigenous rights:

The proliferation of activities conducted by certain anthropologists, ecologists and sociologists that promote projects for the creation of indigenous or ecological reserves is not a matter of coincidence, but rather of common practice. (Op. cit.).

¹¹³ Interviewee #4679

It was the relevant activities of the congressional commissions, in conjunction with the policies of the Ministry of the Environment and Natural Resources, set in motion in 1977, that succeeded in enforcing a conservation policy for southern Venezuela, which began to be implemented in its rudimentary form in 1962 with the creation of Canaima National Park and the Imataca Forest Reserve in 1961.¹¹⁴ There was a prevailing macro-vision of the importance of this region for generating hydroelectric power, which resulted in the construction of what was, up until the year 2003, the largest hydroelectric dam in the world, the Guri Dam, and also the creation of the parks and other protected watershed areas that made the dam possible. However, mining activity continued to advance, promoted by the State, particularly gold mining, which would ultimately contradict the environmental and hydroelectric project, as is now evidenced by the so-called Mining Arc, the extractive mega-plan promoted during Nicolas Maduro's term, as well as by earlier plans between 1999 and 2012 during the Hugo Chávez administration.

Similarly, the creation of the Upper Orinoco-Casiquiare Biosphere Reserve and the Orinoco Delta Biosphere Reserve in the year 1991, during the second administration of Carlos Andrés Pérez, resulted from an environmental policy that had been adopted during his first administration, between 1974 and 1979, which is the term when the Organic Law on the Environment was approved, and the Ministry of the Environment was created, as were several national parks, including the Serranía de la Neblina, Yapacana and Duida-Marahuaca National Parks.

6. How the Upper Orinoco-Casiquiare Biosphere Reserve Was Finally Created

Decree No. 1635, signed by the President of the Republic, Carlos Andrés Pérez, on the occasion of World Environment Day, 5 June 1991, and published in Official Gazette No. 34.767 of 1 August 1991, served to create the Upper Orinoco-Casiquiare Biosphere Reserve (RBAOC). This had been promoted by Minister of the Environment Enrique Colmenares Finol during his own term of office (1989-1993), when continuity was given to the policy of creating protected areas, initiated during President Pérez's first administration.

To this end, the Minister proposed a policy of completing an "ecological corridor" of sorts in the Federal Territory of Amazonas, as well as the project for creating the Alexander von Humboldt Amazonian Center for Environmental Research, for which facilities and infrastructure were built at Puerto Ayacucho and La Esmeralda, with financial help from the German Technical Cooperation Agency (GTZ), as part of its Forest Protection Plan, making the 200th birthday of Alexander von Humboldt, who had once been in Venezuela's Amazonian region, which is why the center was named after him. In this context, in 1989 Minister Enrique Colmenares Finol created the Autonomous Environmental Development Service for the Federal Territory of Amazonas (SADAMAZONAS), whose

¹¹⁴ The Imataca Forest Reserve was created by way of Resolution No. 47, dated 6 February 1961, published in the Republic of Venezuela's Official Gazette No. 26.478, dated 9 February 1961, originally called El Dorado Forest Reserve and whose boundaries and name were later replaced with those of the Imataca Forest Reserve in following with Resolution No. 15, dated 7 January 1963, published in the Republic of Venezuela's Official Gazette No. 27.044, dated 8 January 1963.

founding director was Alberto Lizarralde, former Director of Water Resources at the Ministry of the Environment. He was the Minister's official liaison with the Congress of the Republic and also negotiated the first agreements with GTZ. Later, Pedro García, an engineer who had been with Corporación Venezolana de Guayana (CVG), was appointed as Director of SADAMAZONAS, where he served until he was dismissed by President Caldera's Minister of the Environment, Roberto Pérez Lecuna, an advocate of conducting mining operations in southern Venezuela, who stated on 13 April 1994 in the Caracas daily newspaper *El Universal*:

The gold reserves are calculated to be worth 90 billion dollars, which could be used to pay the foreign debt.

This same thesis, and deceptive offer, has been revived today by the Maduro regime.¹¹⁵ As a matter of fact, in 1989 a group of legislators began to propose "a Law for the Development of the State of Amazonas," in the Regional Development Committee of the Chamber of Deputies, of which Deputy José Curiel was a member; however, he had to face opposition from several sectors, which included the Commission on the Environment (presided by Deputies Adán Añez Baptista and Juvencio Pulgar), the Catholic Church, the Ecology Department of the IVIC, and environmental and indigenous NGO's.

In 1990, draft legislation was introduced for a decree that would protect the *tepui* geological formations by declaring them to be Natural Monuments, promoted by Deputy Alexander Luzardo, sponsor of this draft legislation, which was being deliberated in the Chamber of Deputies' Commission on the Environment, following denouncements concerning the environmental impact resulting from the presence of equipment belonging to famous international filmmaker Steven Spielberg. He was proposing to film scenes for his movie *Arachnophobia* atop the *tepuis*, that have extremely fragile ecosystems, and would require bringing in heavy equipment, a situation that was denounced by the Friends of the Grand Savannah (AMIGRANSA), an NGO, for the impact this would have on the fragile ecosystems.

This draft legislation for the protection of the *tepui* formations of the Federal Territory of Amazonas and the State of Bolívar was presented in its original version to the Congressional Commission and the Ministry of the Environment. Later, Otto Huber, one of the scientists who is most knowledgeable about these *tepui* mountain formations, contributed to its preparation.

Subsequently, Minister Colmenares requested advice from these proponents for drafting a decree creating a protected area in the Upper Orinoco region, in the context of the situation created by the *garimpeiro* invasion, which had generated much debate in the Congress, with hearings held before the legislative commissions, and demonstrations and criticism by environmental organizations, the Catholic Church and international organizations. In this sense, Deputy Luzardo presented a first draft of the decree, which was originally called "Yanomami National Park." Subsequently, at an event

¹¹⁵ The Project of the Corporation for the Development of the State of Amazonas was resumed by the Maduro government and set in motion through so-called enabling legislation, resulting in the creation of an inefficient bureaucratic entity.

organized by the Venezuelan Anthropology Foundation, at a symposium on the Yanomami habitat and culture, held in Caracas in 1990, Luzardo publicly presented the draft of the decree for discussion. This was different from other proposals that had been prepared up until then, which limited themselves to discussing what is now Parima-Tapirapecó National Park. However, in their publications, the organizers of the event made no reference to this proposal, which generated concern within a Yanomami delegation, among professionals from the social sciences, including British activist anthropologist Marcus Colchester, who adhered to the La Salle Foundation's thesis of an indigenous reserve, as well as by two priests, José Bortoli and Nelson Briceño, who represented the Bishop of Puerto Ayacucho. This event had only academic implications, with no direct effect on the National Executive.¹¹⁶

After the enactment of the decree for the protection of the *tepui* formations, a working group led by Luzardo was established, with participation by Otto Huber, Alberto Lizarralde, Beatriz Armada, Antonieta Febres Cordero, Pedro García, Francisco Guánchez, Deud Dumith, and Mario Gabaldón, as well as the Director of National Cartography, Alicia Moreau. Likewise consulted was Esteban Emilio Mosonyi, who revised some of the versions. Taken into consideration were opinions from former Minister of Youth and famed explorer Charles Brewer-Carías, in the context of his proposal for a reserve in the region of the upper Siapa River and the headwaters of the Orinoco.¹¹⁷

For a period lasting approximately one year, the process of consultations and planning continued, while bearing in mind that the draft legislation was addressing the idea of a National Park, or likewise, of a Biosphere Reserve on the basis of the definition given by the LOOT, the LOA¹¹⁸ and UNESCO's Man and Biosphere Program.

The Minister made a special request for consultation with the Catholic Church, given the recognized opinion and knowledge of its priests with experience in the Amazonian and in defense of the indigenous peoples. A further reason was to avoid conflicts and misunderstandings. This is reflected in the fact that the decree includes the Catholic Church in the commission it created for administering the Biosphere Reserve. Furthermore, this is considered to be an important check against the constant barrage of mining interests that often enjoy the approval of national and local government leaders. One must bear in mind that new visions in defense of the indigenous people were becoming evident in the Catholic Church in Venezuela, and elsewhere in the world, which was fundamental, and also pertinent, to the environment and the Amazonian region. These visionary theses have now been corroborated in Pope Francis's ecological encyclical *Laudatio Si: On Care for Our Common Home* (2015), as well by the Synod of Bishops for the Pan-Amazon Region, held in Rome in October of 2019.

The decision to create overlapping legal entities was made in February of 1991. The national parks, as well as the natural monuments (the *tepui* formations), were to be considered as the core within the Biosphere Reserve, starting from the moment the ordinance and land use plan had been elaborated for the reserve.

¹¹⁶ Luzardo, Alexander. 1990. "Yanomami Park." Daily newspaper El Nacional. 29 December 1990.

¹¹⁷ Participation by Charles Brewer-Carías in the creation of the Biosphere Reserve is explained later in this report.

¹¹⁸ LOA – Organic Law on the Environment of 1976.

A matter that needs to be elaborated has to do with further defining what the decree calls the “natural indigenous expansion area,” which in turn has limitations regarding its capacity for additional burdens on its ecosystems, as is true for the national parks and monuments, the ecological balance within the reserve and the Amazonian ecological context. The geographical reality at the headwaters of the Orinoco places limits on any kind of anthropic activity, such that this “natural expansion” needs to be included in an ecological context that would guarantee the preservation of the biodiversity and waters as irreplaceable “environmental legal assets” for the lives of present and future generations of the indigenous peoples, and of all Venezuelans. For example, it would not be permissible to establish or expand mining activity in an ecologically fragile area such as the Upper Orinoco region. Environmental laws regulate all forms of property, including collective indigenous property for reasons of survival and saving the planet; in no case would colonization activities be permitted inside the Reserve, and much less, mining operations that are illegal or legal, or have been legalized by the State or through appeals.

The Minister suggested that the area not be given the name “Yanomami National Park,” and the name “Parima-Tapirapecó National Park” was chosen instead, since the Ye’kwana also lived in the area, in addition to the Yanomami, so as to avoid expanding existing conflicts. They also took into account the possibility that these societies might be subjected to future penetration by mining operations, or that their settlement patterns might be disrupted, and the State would be under obligation to protect the headwaters of the Orinoco River and other bodies of water in the area, the biodiversity and the territory.

During the meetings with the Minister, the idea to create a broad Biosphere Reserve was proposed, which would include Parima-Tapirapecó National Park and the already existing Serranía de la Neblina and Duida-Marahuaca National Parks, plus some of the *tepuí* formations, covering an area of more than 8 million hectares (approximately 19.8 million acres). The draft legislation for the creation of Parima-Tapirapecó National Park and the Biosphere Reserve went through several stages, and at the same time preserved continuity and the policy decision to combine them into one individual proposal. This thesis was later submitted for discussion to teams at the Ministry of the Environment and at INPARQUES, and to members of the Presidential Cabinet, and finally to President Pérez himself, who gave his approval for finalizing it by way of the decree.

The Minister made a special request to the Catholic Church hierarchy, seeking to eliminate differences that had emerged between the proposals from the La Salle Foundation and the IVIC. To this end, meetings were held for 17 consecutive days, refining the draft legislation, and included participation by Bishop Ignacio Velazco and his expert advisors, the Salesian priests José Bortoli and Nelson Briceño, who participated in important discussions and contributed considerably in matters relating to the Yanomami.

Included during the entire discussion was the matter of establishing compatibility between the millennia-long presence of the indigenous peoples and the decrees creating the protected areas. This contradiction was resolved legally by the decrees that created the Parima-Tapirapecó National Park and the Biosphere Reserve, which creatively integrated the environmental rights and the rights of the

indigenous peoples with matters of interest to the country's security and defense, and resorted to the ILO Convention 107 of 1957 Concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Peoples in Independent Countries, which had been ratified by Venezuela in 1983 and was to remain in force pending ratification of ILO Convention 169 on Indigenous People, which would replace the aforementioned Convention 107.

The draft legislation for this decree also drew ideas from the draft legislation for the Organic Law on Communities, Peoples and Culture of 1987, under discussion before the National Congress, and which created a doctrine for the next 11 years that would later contribute to the text of the new Constitution and to all of the subsequent legislation concerning indigenous peoples. Before being signed into law in 2005, this draft legislation succeeded in having the concept of "peoples" incorporated into the Law for Conservation of Biological Diversity in 1999, passed by the National Congress and published in the Official Gazette in the year 2000 by the National Legislative Commission.

While refining the language of the text, before delivering it to the Ministry and later submitting it to the Executive Cabinet, one of the versions of the draft legislation, the one having to do with the biosphere reserve, was also used as a model for declaring a biosphere and national park on the Orinoco River Delta, in the State of Delta Amacuro.

On the occasion of Conservation Week, and more importantly, on the eve of the annual celebration of World Environment Day on the Fifth of June, President Pérez would customarily issue declarations on protected areas, a trend that had the effect of increasing the surface area of national parks and other protected areas, resulting from the President's environmentalist vision that favored these accomplishments. Meanwhile, the Ministry of the Environment was preparing Venezuela's National Report, to be presented at the Earth Summit, which was to be held in Rio de Janeiro in June of 1992, organized by the United Nations. One of the accomplishments announced by the Venezuelan Government and its delegation at the Río Summit was the Upper Orinoco-Casiquiare Biosphere Reserve, in what was then the Federal Territory of Amazonas, and one of the largest in the world, with 8 million hectares, as well as the Parima-Tapirapecó National Park, which was at that time the largest in Venezuela with approximately 3.6 million hectares, and the fourth largest in the world.

The Upper Orinoco-Casiquiare Biosphere Reserve is different from the proposals of the La Salle Foundation and the IVIC. However, this result provided ample common ground among all groups that had voiced an opinion about the matter in one way or another, and in any case the resulting biosphere reserve is many times larger than what others had proposed. The chosen modality, that of a biosphere reserve together with a new national park turned out to be a new formula in Venezuela, given that up until then no biosphere reserve had ever been created there.

In essence, the enactment of these decrees was the product of environmental and indigenist policies, and a response to the invasion by Brazilian *garimpeiros* and other non-indigenous groups, for the purpose of protecting the headwaters of the Orinoco, expanding the surface of the protected areas in the Amazonian region, and protecting the territory and its borders. It was, and continues to be, a way of safeguarding our country's sovereignty, including the conservation and defense of its environment,

particularly the headwaters of our largest river. This was an intellectual and technical endeavor, also the result of agreements, institutional negotiations, consultations, hard work and a commitment to the country and to humanity. This was not a solipsistic action, but was without a doubt one that had visionary connotations, as seen over time, especially now that the southern region of the Orinoco has been invaded and pillaged by the Chávez and Maduro governments. This was a high-level policy decision by Minister of the Environment Enrique Colmenares Finol, and a central goal of his administration, which had the support of the President of the Republic, Carlos Andrés Pérez, and cast aside the negative campaigns originating from the Bureau of Borders, now discarded constitutionally, legally and institutionally.

On 27 May 1993, the news media reported the celebration of a ceremony at the Office of Venezuela's Ministry of Foreign Affairs, where the Ambassador and Secretary General of the National Commission for Cooperation with UNESCO, José Silva Méndez, formally received the Venezuelan State's proposal to have the Upper Orinoco-Casiquiare Biosphere Reserve become part of UNESCO's World Network of Biosphere Reserves. The required legal documentation was received by former Minister of Education Ruth Lerner de Almea, who then presented the formal request to Federico Mayor, UNESCO's Director General.

7. Más Elementos para Escribir la Historia

The account presented in this appendix is but a part of the entire story, which is not usually told, and which needs to be written systematically and objectively. An attempt was made to base this account on academic articles that nevertheless present sketchy versions. Sources in periodical publications and testimony from witnesses need to continue to provide elements that will serve to reconstruct what really happened. Part of this story is related to the activism of one of the most famous anthropologists of the twentieth century, Napoleon Chagnon,¹¹⁹ from the United States, and of the equally famous Venezuelan explorer and naturalist Charles Brewer-Carías.¹²⁰ In this respect, we have presented a summary of citations from periodical sources relating to the endeavors of both researchers, which serves to configure a reality, namely, that the creation of the RBAOC was the product of a political and historical juncture that brought together visions, which, at the time, were at odds with each other, and may still be at odds today.

Table. Articles from periodical publications and interviews concerning the creation of a biosphere reserve on Yanomami territory. Format: Date – Interviewee/Author – Title – Article – Source.

1990-APR-02. CHAGNON, Napoleon. "Northern Front Threatens Venezuela's Borders and the Yanomami." US anthropologist Napoleon Chagnon will meet today with President Carlos Andrés Pérez to request that he exercise his continental leadership in addressing [Brazilian President] Fernando Collor de Mello to seek a mechanism for protecting the Yanomami (with a Biosphere Reserve). He reports that the *garimpeiros* are a threat, and so is Brazil's Northern Corridor project, which lends support to them. Daily publication: ECONOMIA HOY, p. 3 and last page.

¹¹⁹ https://en.wikipedia.org/wiki/Napoleon_Chagnon

¹²⁰ https://es.wikipedia.org/wiki/Charles_Brewer-Car%C3%ADas

1990-APR-03. "CAP Lent Support for Rescuing the Yanomami Indigenous People." President Carlos Andrés Pérez agreed to support the work of the Foundation for Peasant and Indigenous Families. They reiterated to the President the destruction caused by the *garimpeiros*. Brewer-Carías, the Foundation's advisor, was at the Presidential Palace in the company of Napoleon Chagnon. Photograph of Brewer-Carías. Daily newspaper: EL DIARIO DE CARACAS.

1990-APR-17. CHAGNON, Napoleon. "The Garimpeiros and the Yanomamis" (Editorial). Last week, US anthropologist Napoleon Chagnon issued an alarming statement about what is happening on national territory occupied by the Yanomamis. Chagnon says that the *garimpeiros* are also destroying Venezuela's water sources, that they are using direct and indirect methods to bring about the extinction of the surviving members of the Yanomami tribe. The anthropologist had a meeting with President Carlos Andrés Pérez intended to appraise the President of the dramatic situation along the border with Brazil, and is urging Venezuela's President to arrive at an agreement or accord with [Brazil's President] Collor de Mello to prevent further pillage by the *garimpeiros* and thus guarantee the preservation of the Yanomami tribe. Daily newspaper: DIARIO 2001, p. 7. (Editorial).

1990-MAY-28. Commission for the Creation of the Yanomami Park. Update No. 13. After 75 days into the presidential term of Collor de Mello, the problem concerning the invasion by *garimpeiros* has not been solved. The Federal police and the *garimpeiro* negotiators moved toward the "garimpeiro reserves," illegally decreed by the Sarney administration. There has been a new invasion of the areas. Between May 2nd and May 15th the first 14 landing strips were dynamited. There are 75 landing strips marked for destruction. Garimpeiro leader Altino Machado has publicly ridiculed the alleged success of the operation. The Yanomami's health situation is critical, and malaria is spreading and 80 Yanomamis who are ill have been seen grouped together at the Jeremías runway. The Federal government has not defined its position regarding measures that need to be taken to safeguard the health of the Yanomami. Commission for the Creation of the Yanomami Park (CCPY). São Paulo.

1990-SEP-18. BROOKE, James. "In an Almost Untouched Jungle, Gold Miners Threaten Indian Ways: Venezuela Seeks to Protect an Isolated Tribe and its Land." The extensive report was prepared by a journalist from the *New York Times* who travelled to meet with Chagnon and Brewer at the village of Konabumateri, where "no other visitor has ever been before." The article describes expeditions by Chagnon and Brewer to the Siapa River region for the purpose of informing people about the importance of this area so that it will be declared to be a reserve and thus protect Venezuela's sovereignty. [President] Carlos Andrés Pérez has shown interest in creating the reserve. This is the largest tribe that has had no contact with the outside world. Studies resulting from this expedition will be useful for the creation of a Biosphere Reserve in the Siapa River valley, so that these people can live according to their traditional ways without any interference from miners or missionaries. These scientists expect the reserve to be declared by the year 1992 on the anniversary of the Discovery. The article shows a map that outlines the proposed reserve. THE NEW YORK TIMES. SCIENCE TIMES, p. C1, C8.

1990-SEP-20. LOSSADA RONDÓN, Jesús. "The Yanomami: A Human and Biological Treasure." This is a report on a meeting that was held with President Carlos Andrés Pérez, former Minister of Youth Brewer-Carías, Napoleon Chagnon, and Professor Issam Madi, during which it was proposed that the President declare a Biosphere Reserve in the areas they had studied during their recent

expeditions to the Siapa River basin. Nowhere else in the world does one find an indigenous people such as those we have contacted. For ten or fifteen thousand years they have managed the forest's resources without destroying them, they know its bounty and they cultivate species unknown to us, but which have been domesticated in that environment. EL UNIVERSAL.

1990-SEP-20. L.G.V. "Brewer: There are More Yanomami in Venezuela than in Brazil." Charles Brewer-Carías, advisor to the Foundation for Peasant and Indigenous Families, stated yesterday that the Foundation had discovered at the headwaters of the Siapa River a thriving group of Yanomami indigenous people "who had had no contact with civilization." In this respect, Brewer explained that he had spoken with President Carlos Andrés Pérez about this expedition and the President appeared to be "motivated" and will, in this respect, convene a meeting with a group of cabinet ministers for studying the case and proposing what can be done in the aforementioned place through the Ministry of the Environment, the Ministry of Defense and the Ministry of Foreign Affairs. "The project we seek is one that would turn this place into a reserve, which would have to be implemented by the Venezuelan State. We have in this location a biological and human treasure, given that this population has not been subjected to a cultural impact and we must call for the creation of a biosphere reserve. This is a most valuable site, as it shows us how the world was ten thousand years ago and how these people make use of the natural resources without damaging the environment. EL UNIVERSAL.

1990-SEP-27. BARRIOS, Asdrúbal. "Virgin Culture in the Amazonian Region." This interviews an expeditionary group consisting of Chagnon, Brewer and Madi, who were able to locate the Yanomami groups that had never been contacted before. "These isolated cultures, over there, where the winds of Western culture have never blown, were contacted by an expeditionary group led by Charles Brewer-Carías into the upper Siapa river region, very close to the headwaters of the Orinoco," says the journalist. "The forest will serve as a laboratory for determining the interaction between man and the forest in a pristine area." (...) "That is why Brewer proposes identifying that virgin area of the Amazonian Region as a Biosphere Reserve or National Park." (...) "That there be no missions or military border posts, or traders and advisors," is the categorical objective maintained by these explorers. "These cultures, who are its owners and the owners of the secrets of the forest, must be preserved at all costs." (...) "It is highly ethnocentric to think that we are better." (...) "They enjoy a system characterized by a social, religious, economical and organizational equilibrium that is superior to ours." (...) "Our culture is not suitable for them."

1990-OCT-27. BARRIOS, Asdrúbal. "With One Foot on the Ground and the Other in Eternity." The goal of these expeditions it to develop an inventory of the natural biodiversity wealth, in a multidisciplinary manner, so as to better define the legal construct that would make it possible to protect this area for humanity as a Biosphere Reserve. The expedition of the Commission for the Delimitation of the Borders in 1972 and 1973, was well as the expedition to Tapirapecó in 1988, made preliminary observations about the importance of the Siapa River basin (The second of three reports titled "Paradise Lost." Illustrated by photographs provided by Brewer). EL NACIONAL

1991-JAN-13. STOETZER, Nancy. "Two New Projects by Charles Brewer-Carías." The famed explorer wants unprecedented protection for a huge tract of pristine forest. Brewer proposes the creation of a Biosphere Reserve to prevent penetration not only by the *garimpeiros*, but also by missionaries, traders and tourists. His two projects, the creation of the Reserve and a study of the Amazonian Region for the next 10 years, have gained worldwide attention. This Project will be

reviewed by President Pérez in March of this year. The scope of the project emerged when Brewer and his colleague Napoleon Chagnon explored the Siapa River and located several villages that had never been contacted before. Brewer says that the missionaries must not continue to advance toward isolated villages, because this creates a critical health problem that leads to fatalities in the villages that are close enough to the mission to be infected, but not near enough to receive treatment and protection from diseases that are endemic in our culture. Brewer talks about the birth of his son last October when he was on expedition at the village of Doshamoshateri. From the English-language daily newspaper published in Caracas: THE DAILY JOURNAL. SUNDAY PLUS, a supplement.

1991-MAR-13. BREWER-CARÍAS, Charles. "Observations that Bear Upon Legislation for an Area Under Special Administrative Rule in the southern part of the Federal Territory of Amazonas: the Yanomami Case." Text consisting of 16 pages, 5 maps, 26 photographs and 37 pages of press clippings presented to the Congress: "A Future for the Orinoco and Amazonian Regions," where it is suggested that a decree be enacted for an Area Under Special Administrative Rule -ABRAE- and where a series of limitations are proposed. Simón Bolívar University.

A summary of the aforementioned document:

- From August 1990 to March 1991, the author participated in eight expeditions to the basins of the Siapa and Mavaca Rivers in the southern part of the Federal Territory of Amazonas, where together with Napoleon Chagnon and other researchers, found and lived among Yanomami groups whose *shaponos* had never had any visitors. The author expresses various personal opinions about the social and economic situation in the Federal Territory of Amazonas, which makes it necessary to develop a rule of self-management there so as to make good use of existing resources in each region, according to the land's suitability. In other words, ecological development.
- The Catholic and Evangelical missions are able to fulfill an important social function for the indigenous peoples, if their evangelization area stays within the current boundaries. In no way does he recommend that they expand their indoctrination and transformation activities toward indigenous villages that have had no contact.
- The Area Under Special Administrative Rule for the southern part of the Federal Territory of Amazonas will serve to protect the Forest, its biodiversity and the Yanomami ethnic group that lives there. He describes the boundaries and some of the regulations. And he presents his criteria regarding the presence of the missionaries, the military and the *garimpeiros* and certain aspects of the Yanomami's plight, concluding, among other things that there should be a total ban on the use and sale of handguns and shotguns in the Yanomami area.
- These observations were presented as a frame of reference on the occasion of the conference titled "A Future for the Orinoco and Amazonian Region."

1991-SEP-14. BROOKE, James. "The Yanomami Nation: A Dream Come True." Finally, they will be protected. A governmental decree creates the Yanomami Reserve in the Venezuelan forests, as part of hundreds of conservation decrees. When a young Yanomami was asked for his opinion of the new biosphere reserve created by the Venezuelan government in the Upper Orinoco and Casiquiare regions, he replied: "What is Venezuela?" (...) "This is an area where there will be no economic development activity. Not in mining, not in agriculture." (...) "There will be no kind of

religious proselytism. The already existing missions will now be subject to government controls.” This is one of the last areas in the Amazon basin to remain primitive, explained Chagnon. This decision has been well-received by anthropologists. “If we succeed in having the Brazilians adopt a similar measure, we will have a reserve that would allow the Yanomamis to survive,” commented Jason W. Clay, a scientist from Cultural Survival. EL NACIONAL, page C/4. (This is a summary of an article, with a different title, in THE NEW YORK TIMES, dated 11 SEP 1991).

1991-SEP-29. NOBLET, Kevin (AP). “Endangered Culture: Reserve Fosters Yanomami Survival.” Based on his visit with Brewer and Chagnon to the Yanomami village of Ashidowateri in the Siapa River basin, in Venezuela. The journalist writes about the worldwide importance of President Carlos Andrés Pérez’s decree creating the Biosphere Reserve. This is the result of studies conducted by Brewer and Chagnon, who state that there is a need to prevent further growth by the missions, to limit the establishment of military forts that would be in contact with this population, to limit the delivery of shotguns and to guarantee a basic health care system and immunization service for the Yanomami indigenous people. President Pérez said that the basic idea is to prevent the area’s ecology from being changed. It is expected that it will take 18 months to implement the management plan. Mr. Pedro García of the Ministry of the Environment has been in charge as secretary of the commission that will draft the management plan. THE BURLINGTON FREE PRESS, p. 8-E. (Burlington, Vermont, USA).

Conclusions

- 1- The creation of the Upper Orinoco-Casiquiare Biosphere Reserve and the Parima-Tapirapecó National Park was a decision of the Venezuelan State, in an institutional concerted effort by the National Executive, with participation by the National Congress the Commission for the Environment and the Commission for the Territorial Ordinance, with help from different sectors and individuals throughout the country.
- 2- This was part of a policy that lent continuity to the declaration of protected areas in the southern part of Venezuela, while dispensing with economic development policies such as those implemented by the so-called “Conquest of the South,” which were discarded by the then Minister of the Environment and by President Carlos Andrés Pérez.
- 3- This was an endeavor to enable the Venezuelan State to undertake multiple actions whereby the territory would be protected by way of the legal constructs of the Biosphere Reserve and the National Park in the Upper Orinoco region in order to prohibit mining operations and other incompatible activities and thus promote coexistence in these fragile ecosystems belonging to indigenous peoples living in a vulnerable situation, as in the case of the Yanomami and Ye’kwana peoples. Thus, the Environmental Rights were combined with the Rights of the Indigenous Peoples in a creative way.
- 4- The decrees creating the Biosphere Reserve and the National Park, were written based on the Organic Law on the Environment of 1976, the Organic Law for the Territorial Ordinance of 1983, the Law Ratifying ILO Convention 107 Concerning Indigenous Peoples, and UNESCO’s Man and Biosphere Program of 1971. Likewise, this executive and legislative declaration was based on a comprehensive plan for preserving the Amazonian region and the entire southern part of the Orinoco River, a great water and biodiversity reserve, for which support was

- provided by the German government and then by the European Union, which included the creation of the Alexander von Humboldt Amazonian Center for Environmental Research, with headquarters in Puerto Ayacucho and La Esmeralda, in Venezuela's Amazonian region.
- 5- Contributions from the Europeans ultimately reached 30 million dollars, part of which was lost due to negligence, abandonment, inefficiency, and most of all by the politicization of the Public Administration and the way the environment was being managed, starting in 1994, but especially after 1999.
 - 6- According to testimony from our interviewed witness, leadership for drafting the decree was assumed by Alexander Luzardo and Otto Huber, by the decision and formal request of Minister of the Environment Enrique Colmenares Finol, with support and contributions in matters of importance from the Catholic Church, led by the Bishop of Puerto Ayacucho, meanwhile taking into account previous proposals from institutions such as the IVIC, the La Salle Foundation, the Central University of Venezuela, NGO's and indigenous organizations, as well as from researchers such as Charles Brewer-Carías and Napoleon Chagnon, all with the participation of the technical and legal teams from the Ministry of the Environment and INPARQUES.
 - 7- The Biosphere Reserve and other protected areas gained legal protection under Venezuela's Constitution of 1999, in its Article 127, where special protection is given to national parks, natural monuments and other areas of special ecological importance. Likewise, Article 327 establishes a border policy "specifically protecting the national parks, the indigenous habitat and other areas under special administrative rule," including the Upper Orinoco-Casiquiare Biosphere Reserve and the Parima-Tapirapecó National Park.
 - 8- This protection was further reinforced by the National Assembly's recent action (27 November 2018) passing the Organic Law on Fresh Water and Biodiversity Reserve of the Southern Part of the Orinoco and of the Amazonian Region," where the Biosphere Reserve is protected as "an area of special ecological importance," which is fundamental for preserving the perpetuity of the country's water reserves, biodiversity and security.
 - 9- It is necessary to come to the rescue of the decreed Biosphere Reserve as a functional and active part of UNESCO's International Biosphere Reserve Network, which is a very important pending task.
 - 10- Venezuela's current Government has withdrawn interest in this endeavor and has instead encouraged the depredation of the Amazonian region, thus attempting against the well-being of indigenous peoples such as the Yanomami, who are in a situation of extreme vulnerability.
 - 11- The so-called Socialism of the Twenty-First Century, as did the socialism of the Twentieth Century, has proved to be a large-scale plunderer of the environment, as can be demonstrated by the poorly named Mining Arc, the destruction and invasion of the Yapacana, Canaima, Caura National Parks, as well as of the National Parks of the Upper Orinoco region, according to satellite images and reports published by SOS Orinoco, as well as by legislative reports by the Commission for Monitoring the Mining Arc, presided by Deputy Américo de Grazia of the State of Amazonas Legislature, whose president is Ramón Flores; by the Commission for Legislation presided by Deputy Omar Barboza; by the Commission on Indigenous Peoples, presided by Deputy Gladys Guaipo; and by Deputy Romel Guzamana and other members of the National Assembly's Commission on the Environment.

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VI. PHOTOGRAPHS FROM THE UPPER OCAMO RIVER BASIN-1985

All from the SOS Orinoco Photo Gallery <https://sosorinoco.org/photo-gallery/>



