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Preface

The 8,000 Yanomami Indians who live in the far northwestern corner of Brazil face a grave and urgent situation. On eleven occasions over the past decade, the Brazilian government has refused to accept petitions from concerned Indian agents, anthropologists, and clerics calling for the creation of a Yanomami Indian Park. The results of this policy of inaction have been devastating for the Yanomami Nation. In 1974, the Brazilian government began constructing the Northern Perimeter Highway along the southern fringe of the Yanomami territory. Highway workers have already cut a swath of road through 200 kilometers of the Yanomami homeland, and Indians have been infected with measles, influenza, tuberculosis, and other fatal diseases. Thirteen Yanomami villages have been destroyed along the first 100 kilometers of the new highway. Today, the remnants of these once proud and dignified people live hungry and ill along the road. Alcida Ramos wrote the following about the predicament of these people as she observed it in July 1975:

These Indians here are pathetic. None of them so far is willing to admit that he/she knows his language enough to teach us. They play dumb, deaf, uninterested, anything, but won't teach us their language. They have no basketry, no beiju (cassava bread), no hammocks of their own, all of them wear something (western)--from rags to real clothes.

Farther to the west, similar conditions have been reported in the vicinity of the Catrimani mission station, only three kilometers from the new highway. Medical assistance at the mission has increased eightfold since the construction of the road. One population cluster to the north of the mission has been reduced by more than half because of a recent measles epidemic. In three years, two measles outbreaks have killed more than eighty Yanomami in this region.

Many cases of tuberculosis and venereal disease have also been discovered at Catrimani.

Similar attacks on these people have been reported in other parts of the Yanomami territory. In 1975, more than 500 mineral prospectors invaded the Serra das Surucucus, a large mountainous area that borders on the Venezuelan frontier. Kenneth Taylor estimates that the Surucucus region contains seventy-four Yanomami villages with a population of 4,500 people. Before prospecting was halted in September 1976, more than 150 tons of cassiterite-- a mineral used in the production of tin--had been extracted from the area. This uncontrolled contact not only brought grave dangers to the health and safety of the Yanomami but also provoked armed conflicts between Indians and prospectors. Ernest Migliazza reports that in less than two years, more than half of the Indians in the immediate vicinity of the mission station at Surucucus had died from illnesses and many had contracted venereal diseases.<sup>1</sup> Throughout this period, the Brazilian government did nothing to insure the safety of the Yanomami. "As far as the government was concerned," Kenneth Taylor writes, "the Constitution could be mocked, the laws of the land ignored, the Indians' territory could be invaded and their lives could be put at risk--all for the sake of a few tons of cassiterite."

The Brazilian Institute for Colonization and Agrarian Reform(INCRA) has initiated plans for demarcating settler zones in Yanomami territory. Two of these colonization areas, encompassing 600,000 hectares, are known to be occupied by Indian groups. In the Upper Mucajai River region, one area has

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1. Ernest C. Migliazza, The Integration of the Indigenous Peoples of The Territory of Roraima, Brazil (Copenhagen: International Work Group for Indigenous Affairs, 1978), p.20.

been declared by the Brazilian National Indian Foundation(FUNAI) "to be occupied by Yanomami Indians." Yet, in none of these areas has FUNAI demarcated Yanomami lands or made plans to vaccinate Indians against diseases carried by colonists.

In July 1977, FUNAI did declare that twenty-one minuscule Indian reserves would be created for the Yanomami who live in the Federal Territory of Roraima and the State of Amazonas. The location of these reserves was based on an aerial-photographic survey carried out by FUNAI in the same year. A comparison of the results of this survey with a previous one carried out by Project RADAM BRASIL and with FUNAI's own data shows that fifty-eight villages with a population of 2,900 people, or 34.5 percent of the Yanomami population, are not included in the reserve program of FUNAI. These reserves are scattered throughout the Yanomami territory and pose a serious threat to the continued physical and cultural integrity of the tribe. Settlement corridors are planned to run between almost all of the reserves, and the FUNAI proposal has no provisions for satisfying the demographic, ecological, and subsistence needs of the tribe.

These events, which are described in much greater detail in this report, provide a context for understanding the recent effort to create a Yanomami Indian Park. The most recent effort to set aside a single, unified, and well-protected territory for the Yanomami has been coordinated by the Commission for the Creation of a Yanomami Park, a group of Brazilian anthropologists, clerics, and citizens who have had long experience among the Yanomami. For the past several months, the commission has been compiling ethnographic, demographic, geographic, and bio-medical data on the Yanomami. It has presented its findings in an eighty-five-page report that outlines the nature of the outside

contact encountered by the Yanomami and contains a detailed proposal for the establishment of a Yanomami Indian Park. This proposal is now being distributed to prominent Brazilians for their comments and support, and it will be formally submitted to the Brazilian president for his study and approval. The proposal is also being widely distributed in other countries of Latin America, Europe, and North America in the hope that concerned individuals and organizations will write letters to the Brazilian president expressing their support for the rapid creation of a Yanomami Indian Park. The Anthropology Resource Center in Cambridge, Massachusetts, Survival International in London, and the International Work Group for Indigenous Affairs in Copenhagen have offered to collaborate with the Commission for the Creation of a Yanomami Park in order to generate international support for this campaign.

I believe that the main importance of the Yanomami Park proposal lies in what it demands of the Brazilian government as a signer of various international agreements rather than in the legal rights it gives the Yanomami. It will be obvious to anyone who reads the following documents that FUNAI's policy of neglect in the face of recent highway-construction and mineral-exploration programs has initiated a process of physical and cultural genocide against the Yanomami. As a member of the United Nations, the Brazilian government has recognized that genocide is a "crime under international law, contrary to the support and designs of the United Nations, and condemned by the civilized world." Article 2 of the International Genocide Convention, which Brazil has signed, defines this crime as:

any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group.

The failure of the Brazilian government to provide territorial and physical protection for the Yanomami in the face of recent highway, mining, and colonization programs and the recent FUNAI proposal to create twenty-one tiny and dispersed reserves for these people constitute a policy that can only result in the physical destruction of the Yanomami. In contrast, the proposal for the creation of the Yanomami Indian Park recognizes the imminent threat of extermination of the Yanomami as a national or ethnical group and attempts to provide minimal territorial protection so that these people may physically survive. The purposes of the Yanomami Park proposal are to stop the genocidal processes that have been already unleashed upon the Yanomami and to deter the Brazilian government from creating a policy that would be conceived by the international community as genocidal either in its consequences or in its intent. In an age when so much is written about the history of genocide but so little is being done to prevent contemporary instances of this crime, the Yanomami Park proposal is a courageous effort that demands the active support of people of conscience throughout the world.

The international campaign in behalf of the Yanomami people should focus on the fundamental rights of these people to exclusive ownership of their lands. Since 1850, no Brazilian government has acknowledged Indian ownership of the

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2. Article 2, The International Genocide Convention, approved by Resolution 260 A (111) of the United Nations General Assembly, 9 December 1948.

lands that native peoples have inhabited. Although Indian rights to the permanent possession and exclusive use of their territories are recognized in several Brazilian constitutions, the actual ownership of such Indian "occupied lands" rests with the federal government of Brazil.<sup>3</sup> As the self-appointed owner of such lands, the Brazilian government assumes responsibility for protecting Indians from outside threats but also maintains the right to intervene in Indian territories. The significance of these legal provisions is reflected in several articles of the Indian Statute of 1973. Article 20 of the Indian Statute, for example, gives the federal government the right to intervene in a native area and to relocate tribal groups under six conditions. Two of these conditions are "to carry out public works [e.g., highways] of interest to national development" and "to work valuable subsoil deposits [e.g., minerals] of outstanding interest for national security and development."

Of equal, if not greater, significance is Title IV of the Indian Statute, which allows FUNAI to administer and lease the resources contained on Indian lands. According to this title, Indian resources are conceived as part of the so-called Indian Estate, the "assets" of which are intended, through their management, investment, and exploitation, to generate "income" for Indian tribes. Articles 39 through 42 of this title specifically define these "assets" and give FUNAI the right to manage and administer them. Article 43 gives FUNAI the right to reinvest these "assets ... preferably in profitable activities, or ... in Indian assistance programs." Articles 44 and 45 distinguish between ground

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3. Cecelia Medina, "The Legal Status of Indians in Brazil," American Indian Journal, 3, No. 9 (1977), 12-24.

and subsoil wealth and grant the Brazilian Ministry of the Interior, acting through FUNAI, the right to lease Indian mineral reserves to third parties.<sup>4</sup>

These resource-management and mineral-leasing provisions have serious implications for the future of the Yanomami. Already, large deposits of cassiterite and potential reserves of uranium have been discovered in the Yanomami territory. The governor of Roraima has been quoted as saying, "I am of the opinion that an area as rich as this--with gold, diamonds, and uranium--cannot afford the luxury of conserving a half dozen Indian tribes who are holding back the development of Brazil." Between 22 November 1975 and 2 February 1976, FUNAI authorized Industria e Comercio de Minerios (ICOMI) to carry out a mineral survey in the Surucucus region. Companhia Vale do Rio Doce (CVRD) is now seeking authorization to establish a large industrial mining project in Yanomami territory.

FUNAI contends that these legally sanctioned mining projects will be more beneficial to Indians than uncontrolled and illegal placer mining on Indian lands. The experience from other areas of Brazil where such projects have been authorized shows this assertion to be false. In the late 1960s, the Brazilian government announced its intention to create the Aripuanã Indian Park in Rondônia for the supposed purpose of protecting the threatened Cintas Largas and Suruí tribes. The decree establishing the Aripuanã Indian Park outlawed the presence of unlicensed placer miners but gave FUNAI the right to authorize mining companies to explore for minerals in the park. Within a year, seven large companies were exploring for cassiterite in the Aripuanã Indian Park. By 1972, the presence

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4. For a more detailed discussion of the significance of these mineral-leasing provisions, see my book, Victims of the Miracle: Development and the Indians of Brazil (Cambridge, England: Cambridge University Press, 1977), pp. 105-107.

of mining-company workers and illegal settlers had already left its mark on the Cintas Largas and Suruí. An epidemic of tuberculosis was ravishing the people; numerous landing strips had been constructed in the area; game was becoming critically scarce. A state of warfare existed between the Indians and the 3,000 settlers who had invaded the park.

Multinational and state-owned mineral companies are no more socially and environmentally benign than individual prospectors on Indian lands. These companies are in the business of making money from the exploration, production, and marketing of minerals. Modern mining projects are based on large capital and technological investments and have a powerful tendency to create enclave economies. Highways, railroads, hydroelectric projects, and port facilities are usually associated with these developments. Boom towns spring up around mining settlements. Land reclamation seldom takes place; even if there is an interest in it, no one knows how to reclaim land under tropical rain-forest conditions. In other areas of the world, such as northern Australia and the western United States, these projects have wreaked havoc among indigenous peoples. To condone such mining on Yanomami lands would allow the groundwork to be set for the final destruction of the Yanomami tribe.

The location of the Yanomami astride the border between Brazil and Venezuela has brought further attention from outsiders. For several years, the Brazilian

5. Jean Chiappino, The Brazilian Indigenous Problem and Policy: The Aripuana Park (Geneva and Copenhagen: Amazon and International Work Group for Indigenous Affairs, 1975).
6. Janine Roberts, From Massacres to Mining: The Colonization of Aboriginal Australia (London: CIMRA and War on Want, 1978).
7. Joseph G. Jorgensen, et al, Native Americans and Energy Development (Cambridge; Massachusetts: Anthropology Resource Center, 1978).



Army has been policing this frontier zone to insure that Indians do not move freely between the two countries. The 2nd Battalion of the Brazilian Frontier Army is based in Boa Vista, the capital of Roraima. In 1976, the military carried out a manoeuvre in the Surucucus region. At least one, and perhaps three, of the men who formed part of this manoeuvre had colds. Kenneth Taylor, who at the time was employed by FUNAI in the Yanomami area, warned the officer in charge of this group that the presence of outsiders with common colds could kill Indians. Yet, no precautions were taken to protect the Indians.

There are obvious geopolitical reasons for the Brazilian government's interest in maintaining a secure and well-policed zone along the Venezuelan frontier. From a Yanomami point of view, however, this boundary is entirely arbitrary. The Yanomami have been moving across the border freely for centuries, and they maintain close relationships with groups on both sides. In discussions with the President of FUNAI in 1972, a four-member investigative team of the Aborigines Protection Society of London recommended that an international park should be considered for the protection of Yanomami groups in both Venezuela and Brazil. Regretably, the FUNAI director refused to consider this recommendation because, as he put it, the Yanomami would take <sup>advantage</sup> of an international park "to smuggle gold across the frontier."

Finally, there are serious questions about the degree of control that FUNAI should have over Indian life in the proposed Yanomami Indian Park. Of the four types of areas reserved for Indians under Brazilian law-- reserves, parks, farming settlements, and federal territories--apparently the second provides the most

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8. Edwin Brooks, René Fuerst, John Hemming, and Francis Huxley, Tribes of the Amazon Basin in Brazil 1972 (London: Charles Knight & Co., 1973), p. 101.

adequate conditions for protecting Indian traditions, cultures, and ways of life. According to FUNAI regulations, Indian parks, unlike other reserve areas, should be established "within land in the possession of Indians." Within these parks, Indian freedom, customs, and traditions are to be respected. The natural ecology of these parks is to be preserved, and the subdivision of land should comply with tribal property rules.

Despite these provisions, experience from other areas of Brazil shows that the success or failure of Indian parks depends upon the actions of persons who administer them. A recent incident in the Xingu Park in Mato Grosso reflects the contradictions inherent in the concept of Indian parks. Last November, FUNAI authorized a São Paulo television crew to visit the Xingu Park without submitting the crew to normal health controls or even informing the park's director, Olímpio Serra. Serra protested to FUNAI that the crew did not respect Indian culture and that it was filming the jacuí, a sacred flute that is not to be seen by the women of the Xingu. Serra was rewarded for his vigilance with dismissal from his post, and another Indian agent, Apoena Meirelles, was named in his place.

When Orlando and Claudio Villas Boas, the previous directors of the park, came to the Xingu to introduce the new director, the Indians refused to accept him. Although the Indians in the park still showed respect for the Villas Boas brothers, one of their leaders explained: "We don't understand how you can take away a great friend like Olímpio without even consulting us. We, not FUNAI, know what is good for us."

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9. "The Threat to Brazil's Indians," Latin America Political Report, XIII (1979), p. 19.

At the time of the Serra dismissal, it also became known that FUNAI had allowed cattle ranchers to demarcate part of the northern boundary of the Xingu Park in 1973 and 1974. Olímpio Serra had agreed not to expose this arrangement, which was clearly not in the interests of the Indians, provided that FUNAI made corrections in the boundaries. Following his dismissal, however, the incident received widespread coverage in the Brazilian press.<sup>10</sup>

The basic issue raised by the Xingu Park incidents is the right of FUNAI to intervene in the internal social and cultural life of Indian tribes. Under Brazilian law, FUNAI is supposed to police Indian areas in order to protect Indian peoples against physical and cultural threats from outsiders. More often than not, however, Indian agents have tended to police Indians themselves. The result of this policy of intrusion has been the systematic undermining of the independence and sovereignty of Indian tribes.

My reason for raising these issues is not to deny the importance of the Yanomami Park proposal. On the contrary, I believe that it is worthy of our active and committed international support. In the months ahead, we should do everything in our power to pressure the Brazilian government to create a unified and secure land area for the Yanomami people. Our efforts, however, should not end with the drawing of a line on a map around the Yanomami Indian Park. We should strive to insure that the Yanomami people are granted exclusive ownership rights to all lands within the park and that no mineral activities take place on these lands without the full and informed consent of the Yanomami people. We should confront the fact that the Yanomami live on both sides of the frontier and

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10. See the document by Olímpio Serra, "Xingu Vivo," reproduced in Nimuedaju: Boletim da Comissão Pro-Índio (RJ), 1 (1979), pp.12-16.

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that some form of international supervision may be needed to guarantee their protection in both Venezuela and Brazil. Finally, we should pay close attention to the actual administration of such a park in order to insure that the Yanomami will be provided with the conditions to continue to exist as a sovereign and independent people. Article 1, Section 1 of the International Covenant on Civil and Political Rights reads:

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development.<sup>11</sup>

Simply stated, I believe that this article should be the fundamental guiding principle behind the present international campaign.

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11. Quoted in Unesco, Some Suggestions on Teaching about Human Rights (Paris: Unesco, 1968), p. 124-125.