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Recent Developments in the Situation of the Yanomami

Bruce Albert and Marcus Colchester

In spite of the precise instructions contained in the Decree of the Minister for the Interior of March 1982, interdicting all economic enterprises in the Yanomami area (Albert 1983b), the second half of 1983 and the whole of 1984 witnessed persistent, clandestine invasions of their lands by miners (*garimpeiros*). The same period also saw a proliferation of local and federal legal initiatives aimed at legalising these intrusions. These developments seriously threaten the socio-economic and cultural integrity of the Yanomami and menace them with increasingly severe health problems.

Although the federal government has now redrafted legislation designed to definitively demarcate the Yanomami area as a *Parque Indigena Yanomami*, considerable local resistance to the Park's creation is mounting. In early 1985 an all out assault on the Yanomami's lands was attempted by miners in an effort to force the government, by sheer force of numbers, to allow mining on the Indians' lands.

Invasions

At the end of 1983 there were still some 4000 miners illegally operating in Yanomami areas. Most of these operations were limited to the lower Catrimani, the Mucajai and the Yanam area of the Uraricaa and Santa Rosa. During 1983 mining operations also got underway in the Apiau river and during 1984 a number of penetrations further into Yanomami territories were attempted, including some in the State of Amazonas up the Cauaboris and Demini. Throughout the entire period, including up until the present, the illegal mining operations of the Roraima Development Company (CODESAIMA) continued to function on the Uraricaa in spite of its formal prohibition by the federal authorities. The company, which is closely linked to local representatives of the previous government party, PDS, has pursued a political campaign to obtain a concession to mine for cassiterite on the Aguas Claras creek in the Serra

dos Surucucus, the area invaded by miners in 1975 and again during February this year. The salient events of the past eighteen months are noted below:

- Dec. 1983: 5 Yanomami killed by miners on the Apiau, for whom they had been working.
- Apr. 1984: a team of miners, illegally authorised by FUNAI, began prospecting operations in the centre of Yanomami territory at Couto do Magalhaes.
- June 1984: The Federal government organisation *Departamento Nacional de Produção Mineral* carried out prospecting operations in the area of Toototobi in the Upper Demini.
- Aug. 1984: The Bishop of Roraima denounced the presence of 400 miners still working on the Rio Apiau.
- Feb. 1985: Miners and local politicians interested in the mineral wealth of the Serra dos Surucucus attempted a mass invasion of the Yanomami area by air. According to press reports the miners had planned for 30 B-55 "Hubar" planes to fly from Manaus to the strip at Mucajai with over 300 armed men and 800,000 litres of gasoline. From there light planes were to fly the men to the small strips at Surucucus and commence mining after reconditioning the strips. The ultimate goal was to have over 3000 miners working in the area by the end of March taking advantage of the lax police controls expected during the national carnival. The objective was to present the federal authorities with a *fait accompli*, thus opening the region to miners by sheer force of numbers.

In the event, internal divisions among the miners led to the operation being denounced to the press on 13 Feb. 1985. Acting on the basis of the press reports, FUNAI immediately called on the local Military Police and the Brazilian Air Force to seal off the airstrips in the Yanomami area. On the 14 Feb, 60 men armed with machine guns managed to reach the Sierra dos Surucucus but the strips were then closed by Military Police and further reports have not emerged from the area. Meanwhile the authorities impounded the five light aircraft at Surucucus and four others which were found at the ranch of local councillor, Altino Machado, who was arrested and accused of organising the invasion. 27 buses, carrying the miners, were stopped on Manaus-Boa Vista road by the Federal Police.

Apart from penetrations by miners there have been a number of reports of invasion of the Yanomami area by rubber tappers (*seringueiros*). Some of these invasions have been in the State of Amazonas from tappers living

on the Rio Negro. There have also been unsubstantiated reports of miners and/or tappers using the remains of the BR-210 as an airstrip for collecting/prospecting operations on the Demini.

Legal Changes

The same pressure to open the Yanomami's lands to mining has also been expressed through attempts to pass through parliament legal instruments designed to legalise the *de facto* invasion of Yanomami territory and allow further intrusions. At the same time those supporting the Yanomami's territorial rights have made efforts to block the passage of these various bills and decrees and have formulated others designed to afford the Yanomami some degree of protection. The most important of these legal measures are noted below.

- May 1983: Congressional Deputy for Roraima, Mozarildo Cavalcanti of the government PDS party, proposed Projeto de Lei 1.179/83 which would allow the opening of the Serra dos Surucucus to the mining company CODESAIMA.
- Nov. 1983: President João Figueiredo signed Presidential Decree 88.985 which would allow for mechanised mining on Indian lands by private mining companies.

At about this time the *Instituto Brasileiro de Desenvolvimento Florestal* (IBDF) applied to FUNAI to transform 2,506,000 hectares of the Yanomami's lands into a *Floresta Nacional de Recursos*. The area would thus be made accessible to industrial exploitation. (The same area had previously been designated the *Reserva Florestal do Parima* in 1961 (Albert and Zacquini 1979:132).)

- June 1984: Projeto de Lei 1.179, after being approved by the Commissions of the Interior and of Mines and Energy, was sent back by the Indian Affairs Commission to the Commission for Constitution and Justice (see also Albert 1983a). Successful lobbying by pro-Indian organisations (Survival International 1984a,c) had alerted the opposition to the unconstitutional nature of the bill.

Congressional Deputy for Roraima, João Batista Fagundes of the PDS party, proposed a bill, Projeto de Lei 2.465/83 which calls for the compulsory Emancipation of all the Indians of Brazil. According to such an act the Indians would lose all special rights to land based on customary ownership which are guaranteed them by the Brazilian Constitution and the Statute of the Indian. The same Congressman also proposed another bill, Projeto de Lei 3.941 which is aimed at prohibiting all foreigners from working with Indians in the Amazon region. The bill claims

that missionaries and other foreign elements are largely responsible for the growing disaffection of the Brazilian Indians, which is leading to large areas of national territory being closed to mining. According to the same bill "open talk about the Yanomami nation represents a visible threat to Brazilian national unity which we must all defend".

Aug. 1984: Congressional Deputy, Mozarildo Cavalcanti, redrafted a new version of his bill (1.179) to align it with Presidential Decree 88.985. The bill is currently still being examined. At the same time Cavalcanti submitted a further bill (Projeto de Lei 4.147/84) calling for the suspension of the delimitation of all Indian lands in the Roraima Territory and the creation of an *ad hoc* committee, including, among others, local government representatives and the Congressional Deputies of the Roraima Territory, with the authority to evaluate Indian land claims.

Sep. 1984: The President of FUNAI, Marcos da Fonseca, resigned from office after refusing to endorse Presidential Decree 88.985. He refused, as he put it, to be responsible for genocide and was reported in the press as saying: "I believe that the moment the mining companies go into Indian areas, the Indians will die and the Brazilian government will be responsible for their deaths" (Survival International 1984c).

The *Comissão pela Criação do Parque Yanomami* (CCPY) collaborated with FUNAI in the drawing up of an official and definitive delimitation of the Yanomami Territorial Reserve to be named a *Parque Indígena*. This is the third such proposal by the CCPY and FUNAI since 1979, which were preceded by 13 other proposals drafted by anthropologists and missionaries between 1968 and 1979. The draft was submitted to the national Security Council and the Ministry of the Interior in September 1984. It was followed immediately by an evaluative mission to the area by representatives of the National Security Council, the National Information Service, the Department of (National) Security, the Ministry of the Interior and FUNAI.

Oct. 1984: Congressional Deputy for São Paulo, Marcio Santilli, of what was then the main opposition party, PDMB, submitted a bill, Projeto de Lei 4558/84, which calls for the creation of a Mineral Reserve covering the Yanomami region. Such a reserve would have the effect of postponing the exploitation of the area until a future undetermined date.

Jan. 1985: An attempt was made to unconstitutionally empower Presidential Decree 88.985 without its formal endorsement

by FUNAI. The new President of FUNAI again refused to endorse the Decree and after considerable controversy the Decree was withdrawn.

FUNAI also finally submitted Portaria 1.817, drafted in Sep. 1984 (see above) calling for the creation of the *Parque Indígena Yanomami*. The new bill takes into account the fact that FUNAI no longer has the authority to demarcate Indian land, according to the terms of Presidential Decree 88.118 of 23 Feb. 1983, which transferred this authority to an inter-ministerial commission.

Medical programme

The fundamental and primary importance of achieving territorial security for the Yanomami to protect them from invasion, social and cultural collapse and serious health problems has been generally acknowledged by all those concerned for the Yanomami's survival. Yet, whether they gain this security or not, increasing contacts between the Yanomami and members of the national society are inevitable, being desired by the Yanomami themselves. These increasing contacts will inevitably lead to further health problems and there thus remains an urgent need for an effective health programme in the Yanomami area, that is adjusted to the special needs and demands of the Indians.

Between April and July 1983, the CCPY and Medecins du Monde (MDM) carried out an exploratory mission aimed at evaluating the medical situation of the Yanomami. The mission included 6 doctors, 1 dentist and two advisers from the CCPY and coincided with FUNAI's seventh vaccination campaign among the Yanomami during which 1,683 immunizations were administered with the assistance of the Brazilian Air Force. The CCPY produced an 86 page report on the mission (CCPY 1983).

At the end of 1983 the CCPY (with the assistance of IWGIA) and MDM (with the assistance of Survival International (France)) obtained funding from the Norwegian Ministry of Foreign Affairs and from the Emergency Aid Fund of the EEC to continue the medical programme.

In February 1984 FUNAI signed a contract (No. 004-84) with the CCPY/MDM/and AIM (Aesculapius International Medicine) to continue medical work among the Yanomami. The aims of the programme are:

1. to develop an effective preventive and primary health care programme among the Yanomami.
2. to create an effective and permanent medical infrastructure among the Yanomami including the training of local para-medical personnel.
3. to carry out a limited number of medical and anthropological studies

designed to maximise the efficiency of the medical programme and ensure its compatibility with Yanomami society and culture.

The programme got underway in March 1984 and is continuing. During this time medical work has been carried out along the road between Catrimani and Ajarani, at Erico, at the Surucucus, at Couto do Magalhaes and in the Upper Demini. The team has included 4 doctors from the CCPY, MDM and AIM and two advisers from the CCPY and SIF.

Local politicians have gone out of their way to discredit the medical assistance programme through a virulent media campaign using the national press and local TV. Local Congressman Mozarildo Cavalcanti has claimed that the medical aid programme constitutes "a direct affront to Brazilian Medicine and the Brazilian Government itself, as if the latter were unable to provide medical aid for Brazilians inhabiting the soil of the fatherland". Simultaneously he denounced the medical programme by alleging that the team were experimenting on the Indians with novel vaccines and called for an official investigation of the activities of the "foreign journalist", Claudia Andujar, who coordinates the activities of the CCPY.

Campaigning

Within Brazil an effective campaigning network coordinated by the CCPY and with considerable support from the *Comissão Pro-Índio* of Sao Paulo and the catholic pro-Indian missionary organisation, CIMI, has lobbied on behalf of the Yanomami and has been effective in alerting the media and Congress to the problems that the Yanomami face.

This lobbying has been supported by the international pro-Indian organisations, such as the Indian Treaty Council (USA) which made a submission on the Yanomami case to the Human Rights Commission of the United Nations. In April 1984 the author Günter Grass and former German premier Willy Brandt made a submission to the Pope calling on him to intervene on behalf of the Yanomami.

Survival International both via the International Secretariat in London and its national sections in France and the USA has lobbied continuously over this period on behalf of the Yanomami. In January, the International Secretariat issued an Urgent Action Bulletin on the legal situation affecting the Indians in Brazil drawing attention to Presidential Decree 88.985 and Projeto de Lei 1.179 noted above (Survival International 1984a). In April, SI(USA) and the International Secretariat issued a further Bulletin on the Yanomami situation, which was also distributed in French by Survival International (France) (Survival International 1984b). Both Bulletins triggered letter campaigns aimed at the authorities in Brazil. In May, the International Secretariat made a written submission to the Working Group on

Indigenous Populations of the UN which called the Group's attention to the territorial problems of the Yanomami. During the year the Survival International local group in Milan (Italy) also lobbied on behalf of the Yanomami, in collaboration with the missionary Carlos Zacquini. In September 1984, SIF submitted a petition with over 4000 signatures including those of prominent anthropologists to the President of Brazil calling on him to demarcate the Yanomami territory (*Folha de Sao Paulo* 7.10.1984). Besides this Survival International and its national sections have made a number of representations by letter and telex to the Brazilian authorities drawing their attention to the Yanomami's predicament.

Finally, with the collaboration of the British Trade Union Congress, Survival International communicated written submissions concerning the Yanomami's predicament to the International Confederation of Free Trades Unions, which passed these to the International Labour Office's committee of experts, which monitors the implementation of Convention 107, for their consideration.

Yanomami Demands

A unique change in the situation of the Yanomami occurred in early January 1985, when for the first time they made a public statement, on their own behalf, in Portuguese. Previously all the lobbying on behalf of the Yanomami has had to be carried out by pro-Indian support organisations, since the Yanomami had too little experience of non-Indian society to be aware of their predicament and voice their own demands. That situation has now changed as Yanomami from the contact zones and others who are in the employ of the national Indian Foundation have learnt enough Portuguese to make themselves understood and have gained sufficient awareness of the legal mechanisms available for their protection to speak out on their own account. The following statement, recorded in full, was made at a meeting of the Indian peoples of the Roraima Territory organised by the catholic pro-Indian organisation CIMI:

There are many Yanomami who live in Brazil and Venezuela. We think that there are more than 20,000. We are all one people because we understand the language of them all.

The Yanomami do not go out from their villages and so most of them only speak Yanomami. I, Davi, first studied in my own language, I have started to read and write in Yanomami. I have never been in a school for white people and so I can't speak Portuguese well. The other Yanomami also don't speak Portuguese.

We were invited to this meeting to tell you of our situation. Our lands have not been demarcated. That is why we are being invaded by the whites who are taking gold from our lands and are bringing diseases and contaminating the Yanomami. We call the white man's disease *xawara*. These diseases kill our people.

At first we didn't know that the miners were invading our land. Now we know: those who live near the miners and ranchers, the Yanomami of the Ajarani, the Catrimani, the Demini, the Couto do Magalhaes and the Erico. There are Yanomami that know that it is bad for them and are sorry because they are stricken with illnesses. There are others who think it is good because they receive machetes, axes, pans and matches that they use in the forest.

But we, who know that the miners deceive us, are telling the others. So that they know what is happening. The miners want to take our Yanomami women to keep them and they are deceiving us and stealing our gold.

I am telling you this because I am worried and angry. I want you to know of our situation, to understand our worries and to join our struggle.

We Yanomami want the demarcation of our Yanomami Park. A continuous area, that is very important for us Yanomami.

(Statement issued by Davi, Yanomami from Toototobi, Carreira, Yanomami headman of Wakathaothari, and Rubi, Yanomami from the lower Catrimani, at a meeting at Surumu, 7 to 9 January 1985.)

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