

UNITED NATIONS

WORKING GROUP ON INDIGENOUS POPULATIONS

11th SESSION  
26 June 1992 - Geneva.

VENEZUELAN NATIONAL  
INDIAN COUNCIL

Ladies and gentlemen, Mr President-Rapporteur, Members of the Working Group on Indigenous Peoples.

Since it is not possible for a representative of the National Indigenous Council, which comprises thirty indigenous organisations from all over the country, to attend these Working Group sessions on Indigenous Peoples, we have taken the liberty of making the following declaration.

In Venezuela, human rights violations and abuses against indigenous peoples and citizens occur systematically, because the legislation in force is ambiguous on the rights of the indigenous population. Although the National Constitution stipulates the compulsory implementation of a Legal Exception Regime to protect the indigenous population, no specific legislation has yet been created to fully guarantee our rights as peoples and cultures different from mainstream national society. This state of affairs undermines the promotion and defense of human rights, serving instead to legitimize their abuse and create a situation where indigenous peoples have no legal protection.

This lack of protection is exacerbated by the indigenous peoples' unfamiliarity with the different mechanisms of protection and defense of human rights at both national and international level.

During the International Year of World Indigenous Peoples, abuses against our rights have increased, particularly with respect to our rights to life, titles to our territories, and health care. The invasions of our territories and the destruction of their resources is endangering the physical and cultural integrity of several indigenous villages and communities. The Venezuelan Government, through its agencies, is chiefly responsible for this situation, as the following cases show:

1. In Bolivar State, Cedeno Municipality, the Venezuelan Forestry Service (SEFORVEN) and the Ministry of the Environment and Renewable Natural Resources (MARNR) have authorized the deforestation of 120,000 hectares of tropical forest in the Lote Boscoso Chivapure, thereby endangering the Piaroas communities of: Ahuade-Aje, Huaca-Aje, Chahuainoto, Paru-Aje and Ajereoto, violating the ancestral rights of this indigenous people and the laws regarding the protection of forests and biodiversity approved in the international Conference on the Environment and Development held in Brazil last year.

2. In the Gifontes Municipality, also in Bolivar State, the same institutions, SEFORVEN and MARNR, granted a free loan to the La Salle Foundation for the exploitation of 130,000 hectares of forest territory belonging to the Akawaio, Arawako, Karina and Pemon communities. This will create grave difficulties for these indigenous peoples who have inhabited these forests since time immemorial.

3. The Ministry of Energy and Mines (MEN) has granted concessions for open cast coal mining in the Sierra de Porija (Zulia State). This territory belongs to the Yukpas and Baripeoples, who are seriously threatened since they will be evicted from their lands and exposed to coal dust pollution. The above-mentioned concessions were granted to national and multi-national companies such as: Massip Interchem C.A. (MAICCA), CORPOZULIA, Carbones de Occidente C.A. (CONSULMINCA). This coal exploitation not only threatens the lives of the indigenous community, it will also cause the disappearance of seven rivers which bear three quarters of the sweet water to the Maracaibo lake, one of the largest in the world.

4. 25 years ago, the national agency for the development of the Amazon region, the Guayana Venezuelan Corporation (CVG), built a Dike in the Cano Manamo, Pedernales Department of Delta Amacuro State, in order to promote large-scale agricultural development. The closure of the Cano Manamo, which was the second most important branch of the Orinoco Delta, caused a social and ecological catastrophe, since the salinisation of sweet water and the loss of the river's cycles destroyed the flora and fauna in the area. This condemned the Warao indigenous people to starvation - hundreds died and others migrated and are today living as refugees on the margins of society. At present, one of these warao indigenous communities, the El Garcero, is once again being harassed by the CVG, which plans to set up an 8,000 hectare rice cultivation project on its land. This would not only rob this community of its land, but also pollute its environment with pesticides.

5. In Apure State, the National Agrarian Institute (IAN) has been promoting the invasion of the indigenous territories, acting in favour of the region's landowners and cattle farmers. Since 1992, these landowners have begun to employ different methods of physical extermination, such as attacks with firearms, torture, poisoning, human hunts, and badly paid forced labour in order to exterminate the Cuiva community and occupy its territory. In February 1993, the body of Juan Mencua, a cuiva who had been missing for over a year, was discovered near Elorza showing signs of torture. On 30 March the same year, gunmen hired by the cattle farmers assassinated a young 17 year-old cuiva named Tnari with a single bullet to the forehead. Subsequently, on 15 April, in the Hato de la Pradera on the frontier with Colombia, a group of cuivas were attacked with firearms, resulting in the wounding of Fredy David Merchan (18 years) and the disappearance of Genacho Quiriba (19 years) whose whereabouts is still a mystery.

The violations and abuses of our human rights by the Venezuelan Government do not stop there. The State's indifference regarding our problems also constitutes a violation of those rights, and the lack of an adequate indigenous policy, especially regarding health, is a true denial of the right to life. Sickness and mortality rates among the indigenous community are high - in March alone in the Yanomani (Sanema) community in the high Caura, 12 indigenous people died of measles, not to mention more than a hundred others killed by diseases such as malaria, hepatitis delta, cholera, leishmaniasis, hemorrhagic dengue, which are easily preventable.

The indigenous organisations which make up this National Indigenous Council together with various pro-human rights NGOs have been appealing to the Venezuelan Government to attend to our situation, but until now no concrete response has been given. The government's indifference to the problems of the indigenous peoples and its refusal to approve the Draft Universal Indigenous Peoples Human Rights Declaration which this Working Group is preparing has been exposed within this Indigenous forum. Likewise, the Venezuelan government refused to revise ILO Convention 107, and has now also categorically refused to ratify Convention 169.

To conclude this declaration, we would ask the Working Group to comment on the flagrant violations which we have reported.

On behalf of the Coordinating Council,  
Jesus Gonzalez  
Executive Secretary

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