I. PREAMBLE: THE INVOLVEMENT OF THE ASSOCIATION

The American Anthropological Association is an organization of researchers, teachers and professionals concerned with culture and cultural differences. The ability of a group to define and live according to its own shared cultural meanings and values is a fundamental human right. When a people's legal rights, social or cultural self-determination are denied, or its mode of life or physical existence are threatened because of its cultural differences from other groups, this Association has a legitimate concern with such abuses, and both a right and an obligation to speak out against them, regardless of where in the world they occur.

Acting on this principle, the Association has repeatedly manifested its concern over attempts by the government of Brazil to avoid its responsibilities to protect the welfare, lands, resources, and social integrity of its indigenous nations, or to implement economic, political and military policies incompatible with these responsibilities (AAA Resolutions 1970, 1978, 1979a). In recent years, the Association's concern with the treatment of the native peoples of Brazil has focused increasingly on the plight of the Yanomami of Roraima and northern Amazonas States (AAA Resolution 1979b; AAA 1990a, Letter Contributed to Environmental Defense Fund Briefing to Under Secretary of State for Latin American Affairs; AAA 1990b, Briefing Letter to President Bush).

II. THE APPOINTMENT AND WORK OF THE COMMITTEE

Over the past decade the Brazilian government, rather than change the policies against which these AAA resolutions and official memoranda had protested, has not only continued and intensified the policies but failed to take effective measures to ameliorate their massively disruptive and increasingly lethal effects on the Yanomami. Instead, it has actively sought to prevent others (religious missions, indigenous peoples' organizations, non-governmental organizations, medical doctors, ecological researchers and anthropologists) from gaining access or rendering assistance to the Yanomami, while going to great lengths to misrepresent the real nature, purpose, and effects of its policies toward them. The cumulative effects of these policies have now brought the Brazilian Yanomami to the brink of physical, not to mention social and cultural extinction.

By 1990 the devastation of the environment, health, social organization and culture of the Yanomami, particularly in the State of Roraima but also increasingly in the state of Amazonas, had reached a scale and intensity that the Procurador Federal (Federal Prosecutor, the equivalent of the U.S. Attorney General) of Brazil frankly described as "genocidal". (Aragao 1990:27) In the light of the extreme urgency of the situation, and the persistence of the Brazilian government in its genocidal policies, the President of the Association resolved on the extraordinary step of appointing a Special Investigating Commission to report to the Executive Board on the current situation of the Yanomami and recommend appropriate actions by the Association (AAA 1990c; Document 90.134 establishing the Commission). The charge of the Commission was specifically limited to the Brazilian Yanomami, in recognition of the many important differences between their situation and that of the Venezuelan Yanomami, and the much greater urgency of their plight.
Terry Turner was appointed chair of the Commission, with authority to appoint five other members. Bruce Albert, Alcida Ramos, Jason Clay, Stephan Schwartzman, and Anthony Seeger were appointed and agreed to serve. Turner has done research and support work with Brazilian indigenous peoples and is currently with the Department of Anthropology of the University of Chicago. Bruce Albert and Alcida Ramos are anthropologists who have worked extensively with the Brazilian Yanomami and have been their most outspoken and effective anthropological supporters. Both are now at the University of Brasilia. Jason Clay, now with Cultural Survival, has done anthropological research in Brazil and is currently directing Cultural Survival’s projects in Brazilian Amazonia. Stephan Schwartzman has worked as an anthropologist with Brazilian Indians and is currently directing the Amazonian projects of the Environmental Defense Fund. Anthony Seeger is currently Curator in the Office of Folklife Programs at the Smithsonian. In addition to carrying out anthropological research with Amazonian Indians, he spent several years teaching in Brazil, during which time he took a prominent part in indigenous support activities. Manuela Carneiro, Ex-President of the Brazilian Anthropological Association (ABA), under whom ABA had taken various actions on behalf of the Yanomami and other native peoples of the same Northern Amazonian area, Claudia Andujar, Director of the Committee for the Creation of a Yanomami Park (CCPY), the leading non-governmental organization specifically dedicated to supporting the Yanomami, and Davi Kopenawa Yanomami, the political leader and principal spokesman of the Brazilian Yanomami, agreed to serve as special advisers of the Committee.

In early February 1991, Turner travelled to Brasilia, Manaus (where the Federal Ministry of Health had called a meeting to discuss its new Plan of Medical Assistance to the Yanomami) and Boa Vista (capital of the State of Roraima, where the majority of the Yanomami are located and where their condition is most desperate) to interview as many of the principals involved as possible and to get a sense of the situation at first hand. Those interviewed included: Aurelio Rios of the staff of the Federal Prosecutor of the Republic, in Brasilia; Sergio Leitao and Anna Valeria of the Nucleo de Direitas Indigenas, also in Brasilia; Claudia Andujar, Sergio of the Committee for the Creation of a Yanomami Park (CCPY), in Manaus and Boa Vista; Carlo Zacquini of the Catholic Medical Mission of Catrimani, also in Manaus and Boa Vista; and in Boa Vista, Dom Aldo Mongiano, Bishop of Boa Vista; Gorette Seia, Doctor working with the CCPY; Oneron Pithan, ex-director of medical services for the Brazilian Indian Agency (FUNAI) in Roraima, who had just left FUNAI to become Superintendent of the federal Medical Agency of Amazonia (SUCAM) in Roraima; Glencio Da Costa Alvarez, Regional Superintendent of FUNAI for Roraima; Maria Aparecida da Silva, doctor working with FUNAI; various medical staff and Yanaomami patients in the Indian Hospital, or Casa do Indio, of Boa Vista; and Davi Kopenawa Yanomami, the Yanomami leader. All of these people were unstintingly cooperative and helpful. Personnel of the CCPY office in Boa Vista rendered invaluable assistance, arranging appointments, providing guides and transportation, and making available the organization’s latest publications and documents. (CCPY 1989, 1990, 1991a, 1991b, 1991c)

Both before and after his trip to Boa Vista, Turner benefitted from extensive talks with Bruce Albert, a member of the committee. Albert not only briefed and debriefed Turner on his way to and from the Yanomami, but performed the laborious task of transcribing an extensive taped interview by Turner of Davi Kopenawa, providing glosses of Yanomami phrases and annotations on many otherwise obscure points. Albert also provided copies of several important recent unpublished papers on aspects of the Yanomami situation directly relevant to this report, as did committee member Alcida Ramos. (Albert n.d.1, n.d.2, n.d.3; Ramos n.d.1, n.d.2) Important assistance was also provided by the Ecumenical Center for Documentation and Information (CEDI) of Sao Paulo, which made available to Turner its comprehensive files of press clippings, photographs, government and support group documents, as well
as its own publications and those of Acao Pela Cidadania, a human rights research and advocacy organization in which CEDI participates, which are the most important and authoritative sources on the recent history and current state of the Yanomami crisis. (Acao pela Cidadania 1989,1990; CEDI 1989) The director of CEDI's working group on indigenous peoples, Carlos A. Ricardo, also rendered invaluable assistance to Turner in indicating people who should be seen, arranging appointments, procuring and copying documents, and locating sources of information.

Turner met with Davi Kopenawa Yanomami and Claudia Andujar on April 19 in New York to discuss the draft of this report and President Collor's announcement of new measures concerning the Yanomami made earlier that day. The final draft takes into account the results of these discussions, assessments of the meaning of Collor's April 19 statement by representatives of the most important Brazilian NGOs and consultants to this committee, and the comments of all the members of the committee on the original draft of the report.

III. THE YANOMAMI CATASTROPHE: A SUMMARY HISTORY FROM 1979 TO THE PRESENT

In 1988, the Yanomami of Brazil numbered almost 10,000 (9,910 according to a census conducted by FUNAI in that year). Divided into 125 local communities, they made active use of an area of 94,191 square kilometers extending for 900 kilometers along the Venezuelan-Brazilian border. This area was officially recognized by The Brazilian Federal Government's Bureau of Indian Affairs, FUNAI, in 1985. In that year FUNAI produced a proposal to "delimit" this area as a preliminary step towards legally declaring, or "demarcating" it as Indian land (FUNAI 1985, Portaria 1817/E). At this time the Yanomami were still among the most isolated native peoples of Brazilian Amazonia, and the largest, both in population and territory, of the relatively isolated groups. Large deposits of gold and cassiterite, however, had been discovered on their land, making the legal demarcation of their territory a matter of urgent concern.

The 1985 FUNAI brief interdicting the Yanomami area was based on a thorough study of Yanomami settlement distribution, territorial use, and subsistence needs carried out by specialists from the Committee for the Creation of a Yanomami Park (CCPY). It was a victory for the forces that had been fighting for the creation of a Brazilian Yanomami Park. These included Yanomami leaders such as Davi Kopenawa, Brazilian non-governmental organizations such as CCPY, the Ecumenical Center for Documentation and Information (CEDI), and the Nucleo pelas Direitas Indigenas (NDI); foreign NGOs such as the International Work Group in Indigenous Affairs (IWGIA), the Anthropological Resource Collective (ARC), the Indian Law Resource Center (ILRC), OXFAM, Survival International and Cultural Survival; and Brazilian and foreign anthropologists, both individually and in their professional associations (on the struggle for the establishment of a Yanomami Park in this period see Ramos and Taylor 1979, especially Albert and Zacquini 1979). Against these pro-Yanomami forces were arrayed the military and private economic interests identified with the military dictatorship that had ruled since the coup of 1964, who remained entrenched in the government of the democratic regime established in 1984. In spite of the formal change of regime, these interests retained control of matters they perceived as vital to "national security". Indigenous policy, particularly in Amazonia and more particularly in its sparsely occupied northern frontier areas, was one such matter.

In the view taken by the military governments of the 1960's and 1970's, indigenous peoples were seen as "ethnic cysts" which must either be "excised" from the national body politic or assimilated into it (the colorful metaphor is that of one of the more forthright exponents of military indigenous policy, Gen. Bandeira de Mello, who served as chief of FUNAI in the late 1960's and early 1970's). "National
Security”, as defined by the military, required "taking possession of the national territory", which in turn implied settling Amazonia with ethnic Brazilians, while supporting its development by private economic interests, both domestic and foreign. The indigenous nations of Amazonia were perceived as obstacles to these overriding national goals. Their continued existence as socially autonomous, culturally unassimilated communities in control of valuable lands and resources was and continues to be seen as incompatible with this military notion of "national security".

The Yanomami, as the largest relatively isolated and unassimilated native Amazonian nation, inhabiting the largest territory with the longest and most strategically sensitive stretch of frontier, as well as the most economically valuable mineral deposits (gold and cassiterite) and timber reserves, accordingly became a target of the highest priority for "excision" by military planners. The military, and its political allies, the big private mining interests, therefore exerted every effort to block the creation of a Yanomami Park or Reserve.1 To this end, the governmental vehicle of military influence, the General Secretariat of the National Security Council (SG/CSN), formulated a project in 1978 to divide Yanomami territory into 21 discontinuous "indigenous areas" including most, but far from all, of the existing Yanomami villages, and leaving out much of the intervening territory traditionally used by the Yanomami. The 21 "indigenous areas" by themselves were too small to support traditional Yanomami subsistence activities such as hunting and gathering, or essential social activities such as inter-village visiting for matrimonial and ritual purposes. The Anthropological Resource Collective (ARC) called this plan to the attention of the Inter-American Commission on Human Rights, which formally interpellated the Brazilian government about it (Davis 1988). ARC also prepared and proposed a resolution describing and condemning the plan, which was adopted by the American Anthropological Association (AAA 1979a). These international efforts were instrumental in persuading the Brazilian government to drop the plan in 1980. The FUNAI directive of 1985 interdicting the integral Yanomami area appeared to consummate the victory of the coalition of forces that had blocked the military-inspired project of 1978.

The appearance turned out to be deceptive. The coalition of military and private economic interests that had ruled Brazil under the military regime established in 1964, had made the "development" of Amazonia one of its highest priorities. "Development", as represented by the policies implemented in Amazonia by these forces under the military regime, meant the promotion of massive settlement, cattle ranching and extractive enterprise to the detriment of the rights and well being of the area's indigenous nations, local Brazilian populations, and environment. These forces, represented in the National Security Council (CNS), perceived the advances of the indigenist and popular forces represented by the January 1985 interdiction of the Yanomami Park as a fundamental challenge to their vision of national development and to their continuing control of national development policy. They mounted their counterattack with a Project designed to give them control over the northern 14% of the total land area of the country, the area of Amazonia stretching along Brazil's northern frontiers that contains 25% of its indigenous population (56 distinct indigenous nations, with a total population of 53, 700). This project, called "Project Northern Headwaters" (Projeto Calha Norte), was secretly approved by President Sarney on June 19, 1985. The existence of the project was only disclosed over a year later, and its scope and content have never been fully revealed. The Project explicitly envisaged the military and economic occupation of the frontier region and the reformulation of indigenous policy in the area to take account of the interests of "national security", as defined by the General Secretary of the National Security Council.

In August 1987 there began a massive invasion of Yanomami territory by miners eager to exploit the area's gold and cassiterite. The army at first made a few feeble and unconvincing efforts to interfere, but moved into active complicity with the miners in 1988-89 (Albert n.d.2:40-44). The killing of four
Yanomami and mutilation of their corpses by miners shortly after the beginning of the invasion was seized upon by the government as a pretext to suspend its working agreement with the Commission for the Creation of a Yanomami Park to permit the latter's medical personnel to carry on medical and public health work among the Yanomami, and to expel the Catholic medical mission at the Yanomami village of Catrimani. FUNAI and the military argued that all outsiders (i.e., medical workers, anthropologists, and other independent observers) should leave the area "for their own safety"; the key "outsiders" involved, the miners, were ironically exempt from this policy. Anthropologists were also refused entry into the area. Neither medical personnel nor anthropologists were involved in any incidents of conflict, and no effort was made to impede entry of those responsible for the increasingly frequent acts of violence, the miners. These selective expulsions served only to cut off the Yanomami from contact with their only outside supporters, and to prevent news of what was happening to them from reaching the outside world.

On September 13, 1988, the government issued interministerial order number 160, which divided Yanomami land into 19 small, discontinuous areas separated by "corridors" designed to allow unobstructed access by the miners who were invading their country in ever increasing numbers. Only 29% of the Yanomami area originally delimited by the government in 1985 was included in these areas. The remaining 71% was placed in two "National Forests" and a "National Park". The order was given the force of law by Presidential decree in early 1989, even though neither the Yanomami themselves or the National Congress had been consulted, as required by the constitution. This document was followed only two months later by a second interministerial order (number 250) superceding the earlier decision (160). It repeated all the key features of the former decision, such as the division of Yanomami territory into discontinuous areas, but amended it in one crucial respect, which was the deletion of the earlier document's characterization of the "National Park" and "National Forests" that now contained 71% of the originally recognized area of Yanomami country as "Indigenous Lands" under Yanomami control. This portentous change betrayed the real purpose of these deceptively named entities: the expropriation of the greater part of Yanomami territory from the Yanomami themselves, inorder to make it freely available to exploitation by the miners.

The ominous threat to Brazil's indigenous peoples posed by the "Northern Headwaters Project", and the horrific example of what was already happening to the Yanomami as a result of the government-encouraged invasion of their territory by the miners, contributed to the successful mobilization of indigenist and democratic forces to demand a strong section on the rights of indigenous peoples in the new Brazilian constitution drawn up in 1988. This campaign, with important participation by indigenous Brazilian nations like the Kayapo and the Union of Indigenous Nations (UNI), was successful in obtaining an excellent set of Constitutional safeguards of indigenous rights. Article 231 of the new constitution, proclaimed on Oct. 5, 1988, defines "indigenous lands" as the total area necessary for the physical and cultural subsistence of the Indians and the protection of their environment. It also provides that any exploitation of indigenous territory for mining must first be approved by the National Congress and by the native communities affected. It further explicitly removes indigenous lands from those areas in which the State may stimulate the organization of miners' cooperatives or give their work priority over other uses.

These provisions clearly rendered unconstitutional the interministerial decisions 160 and 250 that had divided up Yanomami country into areas too small to support the native communities located in them, and which rendered impossible the inter-communal ritual visits and affinal exchanges that form an essential part of Yanomami social relations. They are likewise inconsistent with the government-encouraged expropriation of Yanomami land and resources by the invading miners. Above all, they are
clearly contradictory with the way both the territorial division and the tacit acquiescence in the miners’ invasion were implemented as federal government policy without the constitutionally prescribed consultation with the native people concerned and the National Congress. When pressed on the point, the general at the head of the National Security Council succinctly replied, "The constitution does not apply in the Northern Headwaters area". He could not easily have made it clearer that the National Security Council and the political-economic forces it represents saw their policy toward the native peoples of the Northern Headwaters region in general, and the Yanomami in particular, as a direct challenge to Constitutional legality and the democratic, indigenist and environmentalist forces that had mobilized behind it. Meanwhile, the National Security Council fomented spurious charges that criticisms of the Brazilian government’s environmental and indigenous policies in Amazonia by NGO's and anthropologists were threats to "national security" inspired by foreign interests attempting to get control of Amazonia for their own ends. (ABA 1990) These charges have been widely repeated by Brazilian government spokespersons and media.

By 1989 an estimated 40,000 miners had flooded into Yanomami territory. The impact of this invasion on the Yanomami was shattering.

Gold mining in Yanomami country is carried out by the Placer method, which involves the use of high-pressure hoses and mercury to precipitate the granules of gold as the muddy water washed out by the hoses passes over the sluices. It results in large shallow ponds of stagnant water and the pollution of streams and rivers by mud and mercury. The large areas of standing water have become breeding places for mosquitoes, which have given rise to an epidemic of malaria. The noise of the operations, together with that of the small aircraft that constantly take off and land at the airstrips by the mining operations, drives away the game on which the Yanomami depend, while the river pollution kills or drives off the fish. In some cases, a community's swidden gardens have also been destroyed by mining operations; in many the people are too sick or weakened from disease to keep up their gardens. Malnutrition has become widespread, and has become a significant factor in aggravating the effects of disease and the rate of infant mortality. Many Yanomami have been reduced to begging the miners for food. This, however, has created further problems. The unfamiliar industrialized food products they are given (white rice, sugar, canned goods) have proved difficult for many to digest, and are inadequate nutritional substitutes for the native diet. At the same time, the aggravated pollution of water sources with amoebae and other parasites owing to forced sedentarization and the proximity of large numbers of miners has produced intestinal disorders in many Yanomami, thus intensifying the effects of their medical and nutritional problems. Cumulative mercury poisoning from eating fish from polluted streams is also beginning to be a problem (7% of hair samples collected by Albert from 162 Yanomami from Paapiu, Surucucus and Mucajal in early 1990 showed levels higher than deemed tolerable by the Ministry of Health: Albert, personal communication).

The most devastating impact of the miners' invasion on the Yanomami has been the epidemic of malaria that is now in the process of wiping out whole Yanomami communities. This epidemic followed directly upon the flooding of large areas by the placer mining operations. These shallow, stagnant ponds become ideal mosquito breeding grounds. Many Yanomami villages in the central part of Yanomami country, where mining activity is most intense, have already lost all their children and old people. Fertility, which is particularly sensitive to malaria, has fallen to near zero, as a result of malaria-induced high rates of abortion, premature births, stillbirths and abnormal births. Death rates have reached 15% in the few relatively well-recorded villages with some medical assistance, but in more isolated communities have reached levels as high as 60% (B. Albert, private communication). In communities in the area of greatest mining activity, such as Paapiu and Surucucus, over 90% of the population is
infected with one or more strains of malaria, the majority of the cases being the lethal falciparum variety.

Originally heaviest in the central Yanomami area where mining activity was most intense, the epidemic has spread to peripheral areas thus far not directly affected by mining. In April 1991, Ramos reported an astonishingly high incidence of 114% malaria-positive blood samples taken over a period of 20 days from a Sanuma population on the northern periphery of Brazilian Yanomami country, on the Rio Auaris (151 cases of malaria of different types among 133 persons in this time span). 71% of these cases were of falciparum malaria. (Ramos n.d.2)

As the malaria epidemic intensified in 1988-'89, FUNAI took no action to increase its own meager medical staff in the field, and in 1989 actually suspended all medical assistance in Yanomami areas. At the same time, it continued to ban non-governmental medical personnel from the Yanomami area. The hundreds of Yanomami malarial cases admitted to the general Indian medical facility FUNAI maintained in Boa Vista, the Casa do Indio, and the appalling medical, nutritional and sanitary conditions prevailing there, were disclosed in a journalist's report published in Nov. 1989 (Albert n.d.2:28-29). This report, which the Brazilian government tried unsuccessfully to suppress, led to a national and international outcry. Acao pela Cidadania also made a tour of inspection and released an important report on the health situation of the Yanomami at this time (Ramos 1989; Acao pela Cidadania 1989).

Forced by this mobilization of international public opinion to take some action, the government launched an emergency project of medical assistance to the Yanomami, which ran from the beginning of January to mid-February 1990. This project (the Plano Emergencial de Atencao a Saude Yanomami, or PEAS) was dogged from the start by lack of sufficient transport (especially light aircraft and helicopters), which prevented it from reaching two-thirds of its target population. Lack of funds, medical supplies and personnel further limited its effectiveness in the areas it did reach. (Ministerio da Saude 1990a)

The project did reach about 25% of the Yanomami population and succeeded in treating numerous cases of malaria and other diseases. It also provided the first systematic data on the general medical situation of the Yanomami of Roraima. From this it appeared that roughly 20% of the total Yanomami population had become infected with malaria, chiefly of the falciparum strain (a SUCAM doctor has recently calculated that there are about 2,000 cases of malaria among the Brazilian Yanomami, now with a population well below their previous near-10,000: Albert, personal communication); 70% with viral respiratory diseases; large numbers with gastric disorders; and relatively high incidences of venereal disease, dental problems, oncocercosis and other dermatological prolems. 13% of the cases grave enough to be admitted to the field hospital of Surucucus were suffering from malnutrition, but in the community of Paapiu, the center of mining activity, the incidence of malnutrition reached 36% (Acao Pela Cidadania 1990:30; Albert n.d.1, n.d.2:28-29, 36-40, and private communication; Ramos n.d.1).

The catastrophic medical situation of late 1989 and early 1990, after the brief and relatively ineffective interlude of PEAS, has by now returned to the same crisis levels in the core areas, while significantly expanding its territorial extent to include hitherto untouched outlying areas, according to medical personnel currently working with the Yanomami interviewed by Turner in Boa Vista in February 1991 (CCPY Updates 1990, 1991a). A decrease in the number of miners from 40,000 to roughly 3,000 has been offset by the continuation of sizeable mining operations, the failure to recuperate the large areas already stripped and flooded by earlier operations, and the success of the malaria in establishing itself in an epidemic mode in the Yanomami population. The general consensus was that the medical effects of
the PEAS emergency program of early 1990 had by now disappeared, and that the malaria epidemic has risen to higher levels than it had attained a year earlier at the time of the PEAS.

The Brazilian Ministry of Health has recognized the urgency of the situation and in consultation with Yanomami leadership and other non-governmental organizations involved in the situation has developed an excellent plan to deal with both the emergency and long term medical needs of the Yanomami. (Ministerio de Saude 1990b) This plan has received the backing of an interministerial committee appointed by President Collor, which on April 11 produced an order putting the Health Ministry's plan into effect and allocating one billion cruzeiros (about $3,750,000 US) for its execution (Portaria Interministerial no. 316, April 11, 1991). This is an important positive step. It must be emphasized, however, that all the medical personnel with whom Turner spoke in Boa Vista strongly felt that medical assistance will be pointless unless the miners, whose presence is the cause of the malaria epidemic and other major medical problems, are first expelled from Yanomami territory.

The expulsion of the miners must thus be the first priority of any attempt to save the Yanomami. Aside from the horrendous ecological and medical effects of the miner's invasion, the pervasive climate of lawlessness and menace it has created have had profoundly demoralizing effects on Yanomami society. There has been a continual stream of incidents of killing and casual brutality by miners against Yanomami, amounting to the equivalent of a campaign of low-intensity terrorism. Albert calculates that at least 21 Yanomami were murdered and some 6 more wounded by miners from late 1987 to end 1989, and the pattern has continued into 1990 (4 killed, 1 wounded in Olomai and Shirob: CCPY Update 23) and 1991 (1 wounded in Shiriana: O Estado de Sao Paulo 3/22/91). The killings have often been followed by the mutilation of corpses. In a couple of cases, whole Yanomami communities have been forced to flee attacks, or the threat of attacks, by miners. Miners frequently come to Yanomami communities to ask for food and/or women; the Yanomami report that on such occasions they fear that the miners will use violence to take what they want if they refuse, and tend to comply. In the absence of police protection, many Yanomami now live in permanent terror of the miners in their own communities. It is noteworthy that there has been very little armed resistance or violence towards the miners by Yanomami. Nor have the effects of the miners' lawlessness and violence been confined to the indigenous population. Thousands of miners have crossed the international border from Brazilian Yanomami territory into Venezuela, provoking diplomatic incidents when they were expelled by the Venezuelan National Guard. (CCPY Update 1991b)

The miners have for the most part been brought in and supplied by air. Great numbers of clandestine airstrips, operating outside of the legally required regulation by the Brazilian Aviation Commission, have been established, some of them immediately beside Yanomami villages (a map prepared by the Federal Police in 1990 showed 104 of these strips, and as they have continued to be built, there are by now doubtless considerably more). A single light plane may make over one hundred flights per day to these landing fields, and hundreds of planes are involved: the volume of traffic is enormous. There are as yet undocumented rumors that these airstrips are also being used by drug smugglers, being conveniently located half-way between the cocaine processing centers of Colombia and the Atlantic coast of Brazil, now an important point of transshipment. In a few cases, landing fields constructed by FUNAI, the Brazilian Air Force (FAB), or missionaries, have been taken over and used openly by the miners. In July 1989 the Federal Prosecutor sought a court injunction against these clandestine airfields, which was granted in December of that year. During 1990 and 1991 the Federal Prosecutor's office has been able to bring in Federal Police to close some of these airstrips, and in January 1991 they began to confiscate aircraft found on the strips (some two dozen had been impounded by early February).
President Collor's abortive attempt to eliminate the clandestine airstrips in Yanomami territory exemplifies the continuing inability of the Brazilian Presidency to enforce Constitutional legality in Northern Amazonia in general and the Yanomami area in particular. Shortly following his inauguration, in March 1990, Collor made a trip to Yanomami territory, accompanied by his principle aids. Shaken by his first-hand observation of the chaos and destruction inflicted on the Yanomami by the miners (and also obviously impressed by the demonstrations in support of the Yanomami he had encountered on his European trip immediately before his inauguration), he ordered the dynamiting of the illegal airstrips by the Brazilian Air Force. A plan was duly drawn up which called for the destruction of only 73 of the 91 illegal landing fields then known to be in operation. Only 30 of these were targeted for the initial phase of the operation, and of these only 14 were actually destroyed before operations were suspended because of the onset of the rainy season (Folha de Sao Paulo 5/3/90). Some of these were quickly repaired and put back in service.

Under orders from the Federal Prosecutor, the Federal Police have periodically arrested and expelled miners from Yanomami territory during 1990-91. These were only a small fraction of the thousands in the area, and lack of funds and personnel have limited police efforts to sporadic forays. Together with the bombings of the airstrips and the failure of many of the miners who rushed into the area to find enough gold to justify the hardships of life in the forests of Roraima, however, these police actions have had the effect of discouraging many from staying on. The number of miners in Yanomami country fell dramatically from an estimated 40,000 in 1989 to perhaps 3,000 at the beginning of 1991.

This is clearly a significant result, but the numbers are deceptive in several respects. Many of the miners who left the delimited Yanomami area simply moved on into adjacent areas of northern Amazonas State that also contain Yanomami communities (Albert, personal communication). The 37,000-odd miners who left after the bombings of the airstrips were by and large first-time amateurs, rural poor from the Northeast who had flocked to Roraima to try their luck at the first reports of gold. By the time of the bombings and arrests, many were leaving anyway because the seasonal rains made aerial resupply too difficult. The 3,000 who have remained, by contrast, are experienced professionals who know what they are about and have every intention of continuing their work in the area. From the point of view of these hardened professionals, the effect of the intermittent Federal police actions has been mainly to clear the area of amateur competition.

The Brazilian Bureau of Indian Affairs, FUNAI, did nothing to protest the dismemberment and expropriation of the Yanomami area, to stop the invasion or to protect the Indians from the miners. On the contrary, it collaborated fully with the policies of the Federal and State governments promoting the expropriation of Yanomami territory by the miners, most notoriously under the Directorship of Romero Juca Filho (May 1986--September 1988). When Juca left the presidency of FUNAI to become the first (Federally appointed) governor of the newly proclaimed State of Roraima, he continued to serve the interests of the miners and the Federal government's "Northern Headwaters" Project against the Yanomami.

In July 1989, as Governor of Roraima, Juca promulgated "Project Meridian 62", which envisaged the establishment of "mining reserves" wholly within the "National Forest" areas that had been carved out of Yanomami territory by the Federal government's Portarias 160 and 250 in the preceding year. Such reserves were decreed by the Ministry of Mines and Energy within the same month. This establishment of the first "mining reserves" in the so-called "National Forests" that had been defined within Yanomami country clearly fulfilled the purpose for which these deceptively labelled areas had been created: namely, the expropriation of indigenously owned, ecologically intact land by mining interests whose
extractive operations would destroy both its utility for indigenous subsistence and its natural ecological viability.

Attempting to reverse this clear violation of section 231 of the new Constitution, the Federal Prosecutor brought an action in Federal court on Oct. 12 (less than three months later) seeking to have the "mining reserves", "National Forests" and the "National Park" that had been established within the Yanomami area declared illegal, and requesting the court to reassert the legal integrity of the continuous Yanomami territory originally recognized by the Brazilian government in 1985. A decision to this effect was duly handed down by a Federal judge on Oct. 20. The effect of this important legal victory was mysteriously undone, however, three months latter, when the head of the Federal Police, Romeo Tuma, upon his arrival in Roraima ostensibly to oversee the enforcement of the decision. Instead of executing the court's mandate to expel the miners, Tuma secretly arranged a "compromise" with the miners' leaders. This, Tuma declared, was to consist in transferring the miners from "indigenous lands" to "National Forests" within the Yanomami area, which of course comprised the very indigenous lands from which they had been ordered expelled.

When challenged with having given away precisely the point he had been sent to enforce, Tuma contradicted himself and denied having agreed to allow miners to remain anywhere within the original Yanomami area, in violation of the Federal Court order he had been sent to enforce. Nevertheless, he did nothing to expel the miners, and less than two weeks after his denial, President Sarney himself issued the first of a series of decrees giving official form to the "compromise" Tuma had reached with Brazilian legality. Sarney proclaimed a new "mining reserve", Uraricoa-Santa Rosa, which he claimed was wholly outside the Yanomami indigenous area, but which when checked against maps was found to have 16% of its area within the originally delimited Yanomami reserve. Ignoring denunciations of the patent illegality of this act, Sarney added to the outrage less than a month later by proclaiming two further "mining reserves", Catrimani-Couto de Magalhaes and Uraricoeira, both wholly within the originally interdicted Yanomami area. This time he did not even bother to claim that they lay outside Yanomami lands.

The Decrees establishing these three "reserves" (no.s 98.890, 98.959, and 98.960) were published in the Official Gazette on Jan. 26 and Feb. 16, respectively. Four days later, on Feb. 20, the Federal Prosecutor charged President Sarney and the four Ministers who had signed these Decrees with "crimes of responsibility" (that is, of criminal failure to fulfill their Constitutional responsibility to enforce the law, the Brazilian equivalent of a Bill of Impeachment) in the Federal Congress. This case was still pending on March 15 when Sarney and his Cabinet left office. The concluding words of a speech delivered on March 9 by the Federal Prosecutor, commenting on this sordid affair of the "mining reserves", hold special relevance for the potential significance of an intervention by this Association in support of the Yanomami, and are thus worth quoting:

The Public Ministry is prepared to pursue this case to its ultimate consequences, even if this means joining with international organizations to expose the drama being lived by this native people. How is it possible that at the end of the XXth Century we are being forced to watch such a deplorable episode of the annihilation of a culture, in such a barbarous and unscrupulous manner, for the profit of a few individuals and through the inertia and indifference of so many others who promised faithfully to uphold the Constitution of the Republic, but trample upon it as if it were a dead letter? (E.J. Guilherme de Aragao, cited in Acao pela Cidadania 1990:27)

The efforts of the Federal Prosecutor's office and the Federal Courts to force the Brazilian government to abandon its devious policy of passive acquiescence and active complicity in the miners' invasion and
rape of Yanomami territory, while laudable and constructive, have thus far been sporadic and insufficient by themselves to reverse the illegal situation that now prevails as the status quo in Yanomami territory. At one level, the relative ineffectiveness of law enforcement has been the result of a lack of sufficient funds and aircraft. This lack in itself, however, has deeper political causes. For the Federal government of Brazil to muster the resources necessary to enforce its own laws and provide the necessary backing to its own law enforcement agencies, it must first muster the political will to confront the coalition of military and private mining and other business interests that seized control of indigenous policy during the Presidency of Sarney and have thus far continued to control it under President Collor. The recent history of environmental and indigenous politics in Brazil suggests that this is unlikely to happen without a significant mobilization of public opinion and political pressure in North America and Europe. A strong public statement by the American Anthropological Association could make an important contribution to such a mobilization.

As an anthropologist who works with the Brazilian Yanomami summed up their situation in 1990:

...the reduction of the indigenous territories of Northern Amazonia for the benefit of private interests...the political isolation of indigenous demands through the neutralization of every form of external solidarity, the confinement and rapid deculturation of the Indians of the region in small discontinuous areas...this program of expropriation and ethnocide constitutes the essence of the indigenous policy of the military lobby, institutionally expressed in the "Northern Headwaters" project in defiance of the new constitution. [This policy] has a particularly devastating effect on the more isolated indigenous groups, as the tragic case of the Yanomami amply illustrates. The territorial constriction, ecological violation, epidemiological shock, and physical violence that these Indians suffered between 1987 and 1990 reached an intensity that wiped out 13% of their population, between 1,200 and 1,300 people, in that period. How is it possible, in the light of these facts, not to consider the indigenous policy of the "Northern Headwaters" project a policy of genocide? (Albert n.d.2:45-46)

On April 19, 1991, under steadily mounting pressure from the Brazilian Federal Prosecutor and Courts, as well as NGOs and the Yanomami themselves (in April, Davi Kopenaua went on a speaking tour of the United States, where his denunciations of Brazilian actions towards his people received wide attention) President Collor finally acted to revoke his predecessor's illegal decrees sequestering most of Yanomami country and dividing the rest into small discontinuous areas. He also promised (again) to expel the miners who remained on Yanomami land (these decrees published in the Official Gazette April 21). Immediately preceding this announcement, his administration announced plans to appropriate one billion cruzeiros for the implementation of the Ministry of Health's plan for medical assistance to the Yanomami (Portaria 316, signed by Ministers Alceni and Passarinho April 11).

These announcements represent positive moves, but their effects are potentially undermined by another measure which Collor announced at the same time. Rather than return the land divided up by the revoked decrees to the Yanomami as a demarcated Indigenous Park, Collor only reinstated, for a period of six months, the preliminary "interdiction" of the area previously declared in 1985. Collor explained that this was necessary "to study the question of what area should be demarcated and legally recognized as belonging to" the Yanomami. This study, however, has already been made; it was the basis of the original interdiction of the area in 1985. Why is another study needed, unless the government is planning to use it as a pretext for yet another attempt to carve up Yanomami for the benefit of the miners and the satisfaction of the military planners of "Project Northern Headwaters"?

When informed of Collor's announcement, Davi Kopenaua, the Yanomami leader, who was then in New York at a meeting attended by Turner, responded, "We have already been `studied', our land has already
been surveyed. If Collor meant to give back our land, he could have done it. This is another trick the
Brazilian President is playing on the Indians". In the broader perspective of the balance of political forces
in the contemporary Brazilian regime, what may appear to the Yanomami as simply one more dirty
"trick" may be yet another desperate manoeuver by Brazil's democratic regime to accomodate the
covert control of policy by its military and private economic interests while still appearing to discharge
its constitutional responsibilities to protect the rights and environment of its people. Experience shows
that in such situations, the pressure of international opinion can make the difference between victory
and defeat for the forces of democratic legality and fair treatment for indigenous nations.

IV. RECOMMENDATIONS

A. Public Statement by the Association

We of the American Anthropological Association denounce the Federal government of Brazil for its
repeated violations of its own constitutional guarantees of indigenous rights, lands, and resources in its
actions towards the Yanomami who live within its national boundaries, in defiance of the challenges of
its own Federal Prosecutor and the decisions of its own Federal courts. We denounce its attempts to
disguise from its own people and the world the true nature, purpose, and effects of its policies towards
the Yanomami. The effects of certain policies (detailed in this report) initiated by the Federal
government of Brazil and the State governments of Roraima and Amazonas toward the Yanomami and
their country have been genocidal. These governments cannot escape their moral responsibility for this
genocide of a people and the destruction of its society, culture and environment. We pledge ourselves
do all we can to bring the truth of the massive suffering and mortal peril these policies have brought
to the Yanomami to the attention of the government and public news media of this country. We shall
also communicate these findings to the appropriate agencies of the Organization of American States,
the United Nations, and to all governments and international financial institutions considering support
of the Brazilian policies and economic activities that have turned the land of the Yanomami into a death
camp for its own people.

We call upon the Brazilian government to restore to the Yanomami their full territory, an integral,
continuous area of 9,411,108 square km., as recognized by the Brazilian government in its own decree of
Jan. 8, 1985 (FUNAI Portaria 1817/E), and to give this territory full legal standing as a permanently
demarcated Indigenous Park. We call for the permanent revocation of the illegal decrees fragmenting
the country of the Yanomami into 19 discontinuous "indigenous areas", and expropriating over 70% of it
through the establishment of so-called "National Forests", a "National Park" and "Mining Reserves"
(Portarias Interministeriais 160 and 250, and Decretos 97.512-97.530, 97.545, 97.546, 98.890,
98.959,and 98.960). We denounce the creation of these entities as illegal and deliberately deceptive
ruses intended only to open the way for the expropriation of Yanomami land and resources by Brazilian
mining interests.

While applauding President Collor's suspension of these decrees in his announcement on April 19, we
note that Collor did not couple this gesture (in itself no more than belated compliance with decisions of
Brazilian Federal courts) with the full legal recognition ("demarcation") of Yanomami territory, but
instead retained it under government control pending a "restudy" of the Yanomami land question.
Neither the revocation of the decrees nor the repudiation of the policies from which they proceed can
be accepted as definitive while the basic question of the status of Yanomami land is thus left in
suspense. There can be no justification for such tentative and provisional prolongation of a clearly illegal
and unconstitutional government policy, especially one whose genocidal effects have been so amply
demonstrated. Yanomami land use and territorial boundaries have been exhaustively studied; there is no real need for another study. Competent anthropological opinion is unanimous on the need of the Yanomami for a continuous area, and on the disastrous social, cultural, and medical effects of the existing situation and the government policies that have precipitated it. President Collor’s announcement thus appears as little more than another attempt to placate public opinion while in fact continuing the basic policy of denying Yanomami land rights that has been dictated for the past half-dozen years by military and private economic interests. President Collor should be under no illusion that his minimal and indecisive gesture will lead the members of this association (or other scientific and human rights bodies with which we are in communication) to relax our vigilance or to cease to call for justice, land and medical support for the Yanomami.

We specifically call upon President Collor and his administration to implement his promise to expel all miners who have illegally invaded and occupied the Yanomami indigenous area. We also call for the destruction of the roughly 100 illegal airstrips that have been constructed within the reserve, and for the policing of the few legal landing fields required for legitimate purposes of medical and other assistance to the Yanomami, to prevent their use by miners and drug smugglers.

We bring the violations of the human rights of the Yanomami people by the actions of the Brazilian Federal government and the State governments of Roraima and Amazonas to the urgent attention of the U.S. State Department and the U.N. Commission on Human Rights. We call upon these agencies to bring pressure to bear on the governments concerned to discontinue their abuses against the Yanomami.

We further call for an international effort to support the implementation of the Yanomami Health Project developed by the Brazilian Ministry of Health. We take note that in its document setting out this plan, the said Ministry recognizes that Brazil lacks the financial resources, medicines and trained medical personnel to implement the plan. While noting and applauding President Collor’s promise to budget one billion cruzeiros to support the Plan, we urge that an international consortium of NGOs and governments be formed to lend supplementary support as called for by the Ministry of Health. We also call attention to "Project Demini", a project for medical assistance to the Demini area of Yanomami country formulated by Yanomami leadership in cooperation with the Commission for the Creation of a Yanomami Park, as particularly worthy of support.

We caution, however, that such help will be wasted if the invading miners who are the ultimate cause of the medical problems are not expelled from Yanomami territory. We also call upon the Brazilian government to follow the recommendations of its own Ministry of Health and establish a permanent program of medical assistance, which is its clear responsibility under the Constitution.

We particularly denounce the policy of FUNAI, the National Indian Foundation of Brazil, since 1987 of refusing access by anthropological and other scientific investigators, as well as desperately needed medical personnel, to the Yanomami area. This has been part of a concerted attempt by the Brazilian government to cover up the truth of what it is doing to the Yanomami. By cooperating in this effort, FUNAI has made itself an accomplice to the genocide of the indigenous people in its charge.

Four years of unregulated mining operations and the building of illegal roads and airstrips by 40,000 invading miners has devastated the Yanomami environment. The destruction of forests, pollution of rivers, and the transformation of large areas of dry land into stagnant swamps where malarial mosquitoes breed by the millions is the responsibility of the Brazilian government, which allowed and
facilitated this invasion and stood by while the damage was done. As a first, urgently needed step in repairing the damage, we call upon the Brazilian government to drain the inundated areas left by the miners, which sustain the devastating malaria epidemic now raging in Yanomami country.

Finally, we of the American Anthropological Association recognize and support the struggle of the Yanomami people to survive and resist the catastrophe to which they have been subjected, and to maintain the viability and relevance of their culture in the midst of overwhelming disaster by interpreting and speaking out against it in their own terms. We pledge to do what we can to help the voices of Yanomami leaders to be heard, as they denounce what is happening to their people and appeal to the outside world for support. To this end we will publish the attached statement of the Yanomami leader, Davi Kopenawa Yanomami, to the Association, in the Association Newsletter, and circulate it as part of this statement to the press, NGOs, and other scholarly and scientific associations.

B. Actions

It is recommended that;

1. The above statement should be circulated to the major newspapers and other important informational media; to the International Commission on Human Rights of the United Nations; to the Inter-American Commission on Human Rights of the Organization of American States; to the relevant agencies of the United States government, including the Undersecretary of State for Latin American Affairs; and to the appropriate Congressional Committees.

2. A Portuguese translation should be simultaneously circulated to the Brazilian Press, and to appropriate agencies of the Brazilian government, including the President of Brazil, the President of FUNAI, the Minister of Justice, the Federal Prosecutor, and the Secretary for the Environment, and to the Yanomami (who may for this purpose may be considered to be represented by Davi Kopenawa Yanomami).

3. The Portuguese translation should also be sent to the Brazilian Anthropological Association, and to the Brazilian parties who aided in the collection of the data used in the preparation of this report, including the Bishop of Roraima, Dom Aldo Mongiano; the Commission for the Creation of a Yanomami Park; the Ecumenical Center for Documentation and Information; the Director of SUCAM for Roraima, Dr. Oneron Pithan; and the Nucleus for Indigenous Rights.

4. Copies of this report and the attached statement of Davi Kopenawa Yanomami should be circulated to major NGOs likely to support programs to help the Yanomami and defend their environment, such as Cultural Survival, Survival International, and the Environmental Defense Fund.

5. The Association should take every opportunity to communicate the contents of this report and its concluding statement in briefings and testimony to U.S. government agencies, leaders and Congressional Committees responsible for policies or investigating questions related to any aspect of the Yanomami situation, and to international financial institutions considering loans to Brazil or support for projects affecting the Yanomami area.

6. The President or representatives of the Association should present resolutions embodying the substance of the concluding statement of this report in appropriate public contexts such as the meetings of other learned and scientific associations. The Association should encourage such bodies to bring
pressure on the Brazilian government to change its policies, and to support the Yanomami people in their struggle to resist and survive. More specifically, we should call for support of, and cooperation in, the international effort to implement the emergency program of medical assistance formulated by the Brazilian Ministry of Health, and for measures to restore the Yanomami environment.

7. The Association should publish the concluding section of the report, with as much as practicable of the accompanying statement by Davi Kopenawa Yanomami, in its Newsletter or other appropriate publication.

8. The Association should encourage all members teaching courses on the Yanomami to include the information in this report as an update on the situation of the Brazilian Yanomami.

NOTES

1 In Brazilian Legislative terminology, a "Reserve" refers to a legally delimited indigenous area in which the inhabitants control surface but not subsurface resources. A "Park", on the other hand, provides legal protection for subsoil resources as well. The distinction is clearly important in the Yanomami case where mining poses the chief threat to the indigenous area.

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