The Yanomami of Venezuela: New Findings and Concerns

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This is part of a report on the human rights of Venezuelan Yanomami. These findings were compiled by Janet Chernela, Ph.D, chair of the Human Rights Committee of the American Anthropological Association as a result of her visit to the first all-Yanomami meeting in Venezuela. The meeting was held in the Yanomami village of Shakita (Bisaasi-teri), Upper Rio Orinoco from November 20-23, 2001.

This list of concerns is based upon interviews with Yanomami and with representatives of the Venezuelan government in attendance at the meeting. The concerns refer to wording from the 1999 Venezuelan Constitution and this National Conference of Yanomami.

The meeting was attended by 300-500 Yanomami (depending upon reporters' estimates and the fluidity in attendance) with 25 representatives from the Ministries of Health, Education, Environment, Indigenous Affairs (part of Educational Ministry), as well as high-ranking members of the legislature, the National Guard and the Army.

INDIGENOUS RIGHTS AND THE NEW CONSTITUTION

In terms of indigenous rights, the new Venezuelan constitution, adopted in 1999, may be regarded as a model. It recognizes the Venezuelan state as having a pluralism of ethnicities and polities. According to Tit. III, Art 21, "All people are equal under the law." (This differs from constitutions elsewhere in Latin America.) It guarantees the inalienable rights of indigenous peoples to their lands, their lifeways, self-governance, and political participation in every phase of civil life. It considers health to be a fundamental social right of all citizens, and the obligation of the government to provide it. Suffrage is a right of all peoples, and is not contradictory to indigenous identity or communal land rights.

HEALTH CONDITIONS AND SERVICES

According to the constitution, health is a "fundamental social right; an obligation by the state to guarantee health as part of the right to life. All people have the right to health care and sanitation" (Tit. 3, Art 83). However, medical attention in the Yanomami area is minimal. Mortality figures for Yanomami in Venezuela are far higher than those for Yanomami in Brazil. There are fewer than ten health posts in a large area with a highly dispersed population. The health posts are understaffed with poorly trained personnel and high turnover. Venezuelan Yanomami near the Brazilian border cross it with frequency to obtain health care. This is a source of concern to the Venezuelan government.

POLITICAL PARTICIPATION

The Yanomami are guaranteed the right to vote by the constitution. However, in order to vote, a citizen must have an official identity card. Most Yanomami do not. The notable exception to this generality is the Yanomami who are allies of the mayor. In the absence of a neutral mechanism to register the Yanomami as citizens, the process of registration is in the hands of politicians whose interests it is to provide identification cards to supporters. Although Yanomami representatives and advocates
petitioned DIEX (Direccion de Identification de Extranjeria) to provide itinerant boats with registration capabilities, the petition was rejected.

**LAND TENURE**

All indigenous peoples are guaranteed the right to demarcate their lands by September of 2002. The process of demarcation requires mapping of resident areas, use areas, ancestral areas, sacred areas, etc. It also requires a complete census of peoples claiming the identity "Yanomami." Neither mapping nor census activities have begun.

The Biosphere Reserve of the Upper Orinoco is inhabited by indigenous groups of several ethnicities. These groups could find themselves in positions of vying for portions of the reserve. The neighboring Makiritare, whose numbers are lower than the Yanomami, have begun the demarcation process; it is possible that conflicts could arise.

A National Park, the Parque Nacional Parima-Tapirapoco, was established in 1991. The environmental category "National Park" carries with it the greatest amount of regulation. In Venezuela, for example, even extractive activities such as hunting are regulated. The park coincides with the distribution of Yanomami settlements. Human rights advocates of the Yanomami perceive Yanomami land rights as having precedent over environmental regulations. This is not the position of members of the Environmental Ministry who emphasize the prior existence of the park. One possible accommodation, recommended by one interviewee, is a redefinition of a national park, that recognizes the needs of the Yanomami.

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