

doGip

EXTERNAL (for general distribution)

AI Index: AMR 19/18/89

Distr: UA/SC

BRAZIL

FEAR OF EJES, YANOMAMI INDIANS 24 AUGUST 1989

UA : 330/89

Amnesty International has learned of two recent incidents in which Yanomami Indians were killed by garimpeiros (mining prospectors) in the state of Roraima, and fears that many more such incidents may be occurring, in the context of the authorities' support of the advance of gold panners and mining companies into Yanomami lands. Reports of these incidents are received with difficulty from remote areas - the Yanomami are non-Portuguese speaking and have no experience of contact with the Brazilian police and judicial systems. By cultural tradition they will not divulge their names or those of their dead to strangers.

In early June 1989 a Yanomami Indian was shot in the head and killed by heavily armed garimpeiros inside an Indian maloca (communal hut) in the Xidea area of Roraima state near the headwaters of the Orinoco and Mucajai rivers. This was witnessed by other Yanomamis who managed to flee, and was later reported to the Federal Police in Boa Vista.

On 11 August 1989 two Yanomami Indians were shot dead by a group of garimpeiros near a prohibited airstrip, (known as the DOCEGEO air-strip), when they challenged the miners' illegal presence there. According to reports other Yanomami Indians have been unable to recover the bodies for funeral rites as the air-strip was guarded by heavily armed garimpeiros. This was reported to the military detachment at the Sucrucucus indigenous post on 15 August, but there has been no news of whether any action was taken by the authorities.

Amnesty International has repeatedly called upon the Brazilian authorities to investigate other such killings which have taken place in the context of a massive illegal influx of mining prospectors into Yanomami territory. Yet little action has been taken to prosecute miners assaulting Yanomami Indians or to remove them from Indian territory which is protected under the Constitution.

On the contrary, when disturbing reports first began to emerge about violent clashes between miners armed with rifles and Indians in the Sucrucucus area in August 1987 the government's response was to order the removal of missionaries, anthropologists and medical teams working with the Yanomami. Little attempt was made to remove the miners. The Yanomami area was virtually sealed off, thereby preventing an independent assessment of what was happening.

☎ 01-833 1771 Telegrams: Amnesty London WC1 Telex: 28502

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for all political prisoners and works on behalf of such people detained without charge or trial. It opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of all prisoners.

WGIP 89/SAM.BRA/2

Nevertheless reports of violence continued and several cases were brought to the attention of the authorities. Having failed to carry out promises to remove the miners from Yanomami lands, the Government has proposed legislation in Congress to give mining operations legal status on these lands.

As in many cases involving killings of peasant small-holders in land disputes, Amnesty International has concluded that the authorities' denial of protection to the Yanomami and failure to prosecute could represent official acquiescence in such killings and in the violent removal of those occupying land of commercial value, without basis in law.

BACKGROUND INFORMATION:

The Yanomami, who live in the forest on the border with Venezuela, were in 1988 officially estimated to number over 9,000. They are the largest of Brazil's tribal groups who through their isolation have maintained their traditional way of life. A further 10,000 of this tribal group live across the border in the southern part of Venezuela. Their lands are rich in mineral resources. Since a new rush of gold miners entered Yanomami lands illegally in 1987 the level of disease among this tribal group has increased substantially. Reports from the Xidea and Paapiu regions in July 1989 indicated that many Yanomami malocas had been abandoned, and that due to disease there were no remaining children in some communities. The government's removal of independent observers from the Yanomami area - including health care teams - has both obstructed human rights reporting to the outside world and, by denying them the assistance of medical personnel formerly working with them, further exposed the Yanomami communities to the dangers of disease to which they have little resistance.

— Please take action as soon as you receive this Urgent Action appeal. Carefully read the recommended action. If possible, send a telegram or express letter immediately to one or more of the addresses given. Other letters can be sent afterwards.

— Telegrams and letters should be brief and courteous. Stress that your concern for human rights is not in any way politically partisan. Refer to relevant provisions in international law, such as the United Nations Universal Declaration of Human Rights:

Article 3 — "Everyone has the right to life, liberty and security of person."

Article 5 — "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article 9 — "No one shall be subjected to arbitrary arrest, detention or exile."

— The name of Amnesty International may be used, although letters written in a private or personal capacity may be more effective.

— Copies of appeals should be sent to relevant diplomatic representatives in your country.

— In Urgent Action cases, Amnesty International has to act rapidly to prevent the ill-treatment of prisoners. An appeal is issued when Amnesty International believes it has received reliable and accurate information in such cases. It is not always possible to verify all details independently and in some instances the situation outlined in the appeal may change. Urgent Action participants are always notified of any significant new facts.

— Copies of any replies received from government authorities should be sent immediately to your section's Urgent Action coordinator or direct to the Campaign and Membership Department of the International Secretariat. If appropriate, thank the official who has replied and ask to be kept informed about the case.