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IACHR Urges to Investigate Information on Massacre of a Community of the Yanomami Indigenous Peoples in Venezuela

September 5, 2012

Washington, D.C. – The Inter-American Commission on Human Rights (IACHR) expresses its deepest concern about the information on a massacre that allegedly took place in the Community of Irotatheri, of the Yanomami Indigenous Peoples, Municipality of Alto Orinoco, Amazonas State, Venezuela.

According to the information recently made public, illegal miners, also known as garimpeiros, allegedly attacked last July a shabono or community housing where approximately eighty members of the Irotatheri Community of the Yanomami Peoples were gathered. The information alleges that some survivors had seen how people from a helicopter shot the members of the Community, including children and elders.

The Office of the Public Prosecutor of Venezuela publicly announced that an investigation on the events would be launched. Days later, the minister on Indigenous Peoples, Nicia Maldonado, announced that no evidence was found on the massacre, and the minister on Interior and Justice, Tareck el Aissami, informed that the delegation did not find any signs of violence.

On their part, the Coordination of Indigenous Organizations of the Amazonia (Coordinación de Organizaciones Indígenas de Amazonas, COIAM) issued a statement expressing their concern because the governmental investigative commission did not reach the Community of Irotatheri, place where the killing allegedly took place. The IACHR urges the authorities to conduct a thorough investigation to conclusively determine what happened.

The States have an obligation under international human rights law to conduct a judicial investigation into the serious acts of violence reported, to punish those responsible and to repair the consequences. In this regard, the Commission values the compliance with the recommendations regarding justice contained in the Merits Report of Case 11.745, 16 Yanomami Indigenous v. Brazil, on a massacre of 16 Yanomami indigenous persons perpetrated in 1993 by illegal miners of Brazilian origin (garimpeiros), in the region of Haximú, Venezuela.

In addition, the States have an obligation to adopt effective measures directed to protect the life and integrity of the members of the Yanomami Indigenous Peoples from the constant attacks of third parties interested in the natural resources that exist in their ancestral territories. On this matter, the Commission recalls the commitment made by the Venezuelan State in the friendly solution agreement subscribed in Case 11.706, Yanomami Indigenous People of Haximú v. Venezuela, which can be found in the Report on Friendly Settlement 32/12, approved by the IACHR on March 20, 2012. In this agreement, the State of Venezuela made a commitment to promote the establishment of a plan for permanent and joint supervision and control, in order to monitor and control the access of garimpeiros and illegal

mining in the Yanomami area.

The IACHR directed requests of information on this situation to the Governments of Venezuela and Brasil.

A principal, autonomous body of the Organization of American States (OAS), the IACHR derives its mandate from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote respect for human rights in the region and acts as a consultative body to the OAS in this area. The Commission is composed of seven independent members who are elected in an individual capacity by the OAS General Assembly and who do not represent their countries of origin or residence.

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OAS General Secretary Communicates Venezuela's Decision to Denounce the American Convention on Human Rights

September 10, 2012

The government of the Bolivarian Republic of Venezuela today informed the Secretary General of the Organization of American States (OAS), José Miguel Insulza, through an official letter, that it is denouncing the American Convention on Human Rights.

According to the Convention, in its Article 78: "1. The States Parties may denounce this Convention (...) by means of notice given one year in advance. Notice of the denunciation shall be addressed to the Secretary General of the Organization, who shall inform the other States Parties. 2. Such a denunciation shall not have the effect of releasing the State Party concerned from the obligations contained in this Convention with respect to any act that may constitute a violation of those obligations and that has been taken by that state prior to the effective date of denunciation."

The OAS Secretary General regrets the decision taken by the government of Venezuela to denounce this legal instrument, one of the pillars of the legal regulations that protect the defense of human rights in the hemisphere.

The Secretary General expressed his hope that in the year that must elapse before the decision becomes effective, as established by Art.78, the government of the Bolivarian Republic of Venezuela may reconsider its decision.

Reference: E-307/12