

THE VENEZUELAN YUKPA PEOPLE'S STRUGGLE FOR THEIR LIFE AND TERRITORY FREE FROM COAL MINING DEVELOPMENTS



A protest of indigenous people "kills" the puppet representing coal

For over 2,500 years the Yukpa people have been living in the mountains of the Sierra de Perijá and in the lowlands beyond the foothills.

From 1920 until the middle of 1980 we were dispossessed of our lands in the lowlands so that cattle could be raised there. Once the forests we lived in were gone, we took refuge in the mountains. But around the mid-90s and at great cost to our own lives we embarked on a complex process to recover our lands the same one that cattle ranchers and peasant had taken from us.

The State and Government have always sided with the violent invaders of our original territory, creating laws in favour of the occupiers and granting them credits for improving the profitability of their haciendas. Now they claim that our lands are uncultivated or that no one owns them, using this as an excuse for sending in the military and the police to block our initiatives to recover and occupy what is rightfully ours.

In 1997, during President Rafael Caldera's second term, we reached an agreement with the national Government and the regional government of the state of Zulia. The government agreed to reimburse cattle ranchers of their investments and in exchange they would return the land they had seized from us. This agreement was also extended to the indigenous Barí people. The government began making compensation

payments to the ranches until Hugo Chávez became President. He stopped the agreement and promised demarcation as the solution.

Due to pressure by the ranchers the demarcation process (of our lands) was halted twice and lasted 7 years until President Hugo Chávez went behind our backs and signed an agreement with a Yukpa citizen named Ciro Landino – who has no authority and was not elected by the Yukpa people to be our representative – regarding our title to the land. The third page of this document recognises the rights of the ranchers and miners over our land. Without a map clearly stating what the government agrees as the beginning and end of our territory, this title is worthless. A deception.

On the 12th of October, 2011 the Venezuelan Government unexpectedly accepted our position that the state must pay compensation to the invading ranches within our territory. Capriciously, however, it maintains that it will only purchase 25 ranches, mainly those which we have already recovered and occupied. We don't know why a State as rich as Venezuela refuses to pay for all of them. This situation where many ranchers are authorised to remain within our territories has further complicated matters, since the indigenous communities continue their struggle to recover lands occupied by invading ranchers.

Through this struggle approximately eleven ranches have been definitely rescued by our brave Yukpa people. We have failed countless times to recover many other ranches, because the cattlemen can count on the Army and the police to neutralise us. At present several ranches are being guarded by soldiers.

We denounce the following violent acts because they are all violations of the rights of the indigenous peoples and also of the Venezuelan constitution. These acts are well known to and documented by the media:

1 That in August 2008 a mobilisation of one hundred Yukpa families organised with the purpose of recovering and occupying three ranches located in our ancestral territory in the foothills of the Sierra de Perijá were ring-fenced by soldiers from the army. The aim of this action was to intimidate our families and to prevent some thirty social activists from delivering food and medicines to starving and ill families. Fearing that any clash with army was likely to produce a massacre of the indigenous people, during his Sunday TV programme President Chávez promised to take up again the process of Demarcation of Indigenous Lands, and pay the ranchers their due compensation. Three years after this promise the Yukpa people had not been able to recover the first ranch. Thus the president has dishonoured the promise he made in his public commitment on Sunday 24th August 2008 (a commitment he reiterated on the 12th of October 2011).



A Yukpa family

2 Despite the violence carried out by the ranchers the Government has not ordered the army nor the police to protect and safeguard the physical well-being of the Yukpa families who, at great personal risk to themselves, occupied El Rincón ranch from the 13th to the 20th of August, 2011. Nor did the Venezuelan justice department order an investigation into those who a few days later (20/08/11) wounded several indigenous Yukpa from the Toromo community who occupied El Rincón. The government never investigated the injuries to Abraham Romero (age 60), Rodrina Romero (age 60), Luz Marina Romero, Redrina Romero and Juan Carlos Montiel Montiel (age 28). However, it did order that guards be immediately posted on the ranch – they continue there to this day – after the Yukpa were forcibly evicted from their own territories.

3 Likewise, the Venezuelan government has not investigated the death of the Yukpa named Dario Segundo García Fernández, (age 32), who was murdered on the 19th of December, 2011 in the Las Flores area, sector of La Estrella. His companions, the brothers Alberto Fernández Fernández (20) and Gerardo Fernández Fernández (19) of the neighbouring community of Kuse, were wounded in that incident.

4 Nor has the Venezuelan government investigated the killings – this time with firearms like those used by the military – of two Yukpa youths: Wilfredo Romero and Lorenzo Romero, in the same La Estrella sector. To date the Venezuelan justice department has done nothing to defend the Yukpa indigenous people. We have denounced the case in Caracas to the Peoples' Ombudsman and to the Indigenous Commission of the National Assembly, but so far nothing has happened.

5 We denounced the violent persecution both by the Venezuelan State and the ranch owners against Sabino Romero Izarra, a Yukpa Chief who was imprisoned for 17 months. During that time he was arbitrarily tried on the basis of manufactured evidence. On the 10th of May, 2011, and after a difficult struggle, Judge Antonio J. Moreno (Criminal court of Trujillo State) set him free and declared him not guilty of the charges brought against him by the prosecuting attorney regarding an incident in which two indigenous people were killed and burning of homes.



A view of the Sierra de Perijá

The political persecution of Yukpa Chief Romero within the framework of his struggle regarding the recovery of lands has been acknowledged by the Rapporteur for Indigenous Peoples of the United Nations, Dr James Anaya (A/HRC/12/34/ADD.1 18th September, 2009). Furthermore, the Interamerican Commission on Human Rights (IACHR) issued a statement on the obligation of states to respect the "**exercise of indigenous jurisdiction**". From the viewpoint of Venezuelan law, Chief Romero's case is important because the charges brought against him should have been dealt with under indigenous jurisdiction as stated in the Venezuelan Constitution. Amongst other irregularities, he suffered more than ten months' imprisonment at a military barracks; and members of his family (particularly the women) were submitted to all kinds of abuses and humiliations.

6. We say "NO" to the Socuy mine and denounce that the government of Venezuela is supporting a controversial plan to increase coal mining production in the state of Zulia. Plans for expansion have not been presented to indigenous people, nor have we been consulted despite the fact that it will affect us directly and represents a serious threat to the state's most important water supply. The national government's plan to increase coal production includes the construction of a mega port for the international shipping of coal and its extraction by multinational corporations.

In View of The Above, We Request:

1 That the government open an investigation to determine who are responsible for the murders and wounding of the indigenous Yukpa families and companions who are fighting to recover their lands

2 That the government provide protection for the inhabitants of the Chaktapa community, particularly for the community's founding Chief Sabino Romero Izarra who, together with his family, continues to be persecuted.

3 That the government cancel the rights of third parties to our territory and that land boundaries be recognised according to those defined and agreed upon by the communities themselves.

4 That without delay the government compensate the ranches located within the Yukpa territory and establishes a schedule of payments .

5 That the government create a comprehensive health plan for the Indigenous Yukpa, in particular for nursing mothers and children so as to begin reducing the high level of malnutrition and infant deaths due to respiratory and digestive illnesses. Special attention should be given to the communities along the river Yaza basin, which is the area least assisted by the State government.

6 That the government respect the figure of the indigenous Chief (a total of 160) and recognise them as being the maximum authority in the governance of community affairs.

8 That there be an end to the harassment and persecution of the family of Chief Sabino Romero . The persecution of his family has reached such a level that we are forced to move by night. We remain in hiding, even when our children are sick. We don't dare to take them to medical centres for fear of what might happen to us. As a result of this persecution two children under the age of 5 have died in my family. We women can no longer bear the pain of seeing our children die from malnutrition or insignificant infections under the indifferent gaze of the Venezuelan state. Our lands are taken from us, our children are taken from us, but we will continue to fight for what is legitimately ours. We are not invaders, we are the original peoples. We ask for justice, support and protection by the international system.

