

Observations on the State of Indigenous Human Rights in Venezuela

**Prepared for:
The 26th Session of the United Nations
Human Rights Council
Universal Periodic Review
March 2016**

Submitted in consortium by:

**Oripanto Oayapo Tuonde
Asociación de Mujeres Yukpa
de la Sierra de Perijá**

and



Cultural Survival is an international Indigenous rights organization with a global Indigenous leadership and consultative status with ECOSOC. Cultural Survival is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States. Cultural Survival monitors the protection of Indigenous peoples' rights in countries throughout the world and publishes its findings in its magazine, the *Cultural Survival Quarterly*; and on its website: www.cs.org

Cultural Survival
2067 Massachusetts Avenue
Cambridge, MA 02140
Tel: 1 (617) 441 5400
agnes@culturalsurvival.org

I. Executive Issue Summary

Despite Venezuela's 1999 constitutional reforms on the rights of Indigenous Peoples, Venezuela has made little progress in implementing Indigenous rights, especially regarding the right to Free, Prior and Informed Consent, and land demarcation and titling. Indigenous organizations estimate only 12.4% of their lands have been demarcated 15 years after these reforms were made law. Land rights and violence surrounding the recuperation of lands are among the most pervasive of human rights violations faced by Indigenous Peoples of Venezuela; they also regularly face discrimination from government authorities that hinders the realization of their human rights.

II. Background

Venezuela is located in northern South America and is bounded on the north by the Atlantic Ocean and Caribbean Sea. The geography of Venezuela consists of mountainous regions that extend to the Colombian Border, plains delineated by the Orinoco River, and the coastal region. Venezuela has at least 36 distinct minority groups inhabiting all 23 states. Indigenous population in Venezuela makes up 2.7% of the nation's population according to a 2002 census, however many more Venezuelans recognize their mixed ancestry. Afro-Venezuelans are highly concentrated along the Caribbean coast and Indigenous people are the majority in the Amazonian region. The largest Indigenous groups are the Wayúu, Warao, Kari'ña, and Pemon.¹ As well as the Barí, Yupka, Yabarana, Yanomami, Yukuana, and many others. Venezuela is considered a state with extremely high biodiversity, currently ranked 7th in the world's list of the nations with the most number of species, with habitats ranging from the Andes mountains in the west to the Amazon basin rainforest in the south, via extensive *Ilanos* plains and the Orinoco River Delta in the east. Venezuela has the world's largest oil reserves and has been one of the world's leading exports of oil. Oil and petroleum is the country's leading form of income along with the agricultural commodities such as coffee and cacao. Venezuela ratified the International Labour Organization (ILO) Convention 169 in 2000 and endorsed the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007. The country has made great progress in incorporating Indigenous rights concepts in national law, and has been recognized at the forefront for inclusion of Indigenous Peoples in its constitution, however, Venezuela has made very little progress in implementing these laws and ensuring that Indigenous Peoples enjoy the same human rights as non-Indigenous Venezuelans.

III. Previous Recommendations from First UPR Cycle

The following are recommendations were accepted by Venezuela during the 2011 review, but have yet to be implemented:

- A. *“Continue to consolidate the rights of women and people belonging to vulnerable groups, including Indigenous peoples and persons of diverse sexual orientation and gender identity, both within its legal framework and in practice”* (Canada)
- B. *“Further enhance effective access to legal aid for women from all regions, including Indigenous women and women of African descent”* (Sri Lanka)
- C. *“Continue advancing in policies and programs dignifying and fully realizing the rights of Indigenous people”* (Cuba)
- D. *“Continue carrying out its sound public policies from the Ministry of Popular Power for Indigenous Peoples, to guarantee the respect and observance of the rights of Indigenous Peoples and Afro-descendant Communities”* (Bolivia)
- E. *Intensify efforts to improve the literacy rate among Indigenous peoples and those living in the rural areas”* (Qatar)

- F. *“Expedite and systemize the process of demarcation of Indigenous collective lands and habitat, and update the census data of Indigenous communities and peoples, ensuring the participation of communities in this process”* (Ecuador)
- G. Venezuela made the following voluntary pledge *“To update census data of communities and Indigenous peoples. To ensure the participation of the own communities in this process”*; however, the most recent Venezuelan census data including Indigenous peoples is from 2001.

IV. Continuing Rights Violations

A. Land Rights (UNDRIP Articles 8, 10, 11, 19, 26)

Demarcation of Indigenous Lands

Little progress has been made in the demarcation and titling of Indigenous lands since the last review. In 2014, the target goal for demarcation was 21 land titles. During this twelve month period only six were given to the communities of the Cumangoto and Kariña peoples in Anzoátegui. According to the Coordinating Body of Indigenous Organizations of Amazonas (Coordinadora de Organizaciones Indígenas de Amazonas / COIAM), which conducted an assessment of the demarcation of Indigenous lands, 87.6% of Indigenous land has yet to be demarcated. In response to this statistic, COIAM urged the Venezuelan government to prioritize the review all outstanding requests for land and collaborate with Indigenous organizations to produce a “Plan of Action” in order to expedite the demarcation process.² Venezuelan government has also lagged in producing specific data on the lands it does claim to have demarcated. No concrete data is available despite recommendations from the Committee on Civil and Political Rights in 2015 that Venezuela to inform on the grade of implementation of demarcation of ancestral lands and the participation of affected Indigenous Peoples in this process.³

Airport construction on Pemon Land

In 2008, the government began construction of the Santa Elena de Uairen airport on land traditionally owned and occupied by the Pemon Indigenous Peoples. The Pemon continue to lack official title to their lands, despite the reformed 1999 Constitution containing dozens of articles reserving the Pemon peoples’ rights to the protected park areas where the airport now stands. Based on the contractual agreement between the government and the Pemon residents, 5% of the project budget was to be given to the community. Since the time this promise was made, “separate projects such as a larger air traffic control tower, were undertaken without the community’s consent, as new budgets were set and exceeded without any percentage given back.”⁴ In October 2014, in response to this land violation, Pemon leaders organized a three-week occupation of the airport, preventing planes from landing, in order to pressure the government to uphold their end of the agreement.⁵ The debts owed to the Pemon was not the only problem they take issue with, by holding this demonstration they hoped to monitor and prevent the trafficking of fuel to illegal gold mines in the park, and “abolish the entrenched practice of bribes taken by National Guard [GNB] stationed at the airport.”⁶ “This could have been avoided if they had placed our people in administrative roles to begin with. They should have trained some of us to work in the customs department and air traffic control. Instead, we’ve only been hired to clean the bathrooms,” explained local Pemon leader Leodan Henrito in 2014. Indeed, the airport’s construction and ongoing operations violate the Pemon people’s right to Free, Prior, Informed Consent over any projects that are developed on their lands, as guaranteed to them in the UNDRIP, ILO Convention 169, and Venezuela’s own constitution.

B. Militarization of Wayú Land in Guarija (UNDRIP Articles 7, 36, 30)

In 2010 former president Hugo Chavez announced the establishment of a military base in Guajira, with the stated purpose of controlling goods and contraband moving across the border for sale in Colombia. Yet public opinion in Guarija has shown that this is seen as an excuse to target Indigenous Peoples, scapegoating them to cover for a widespread problem of corruption within border controls. According to UNDRIP article 30, “Military activities shall not take place in the lands or territories of Indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the Indigenous peoples concerned. 2. States shall undertake effective consultations with the Indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.”⁷ In 2012 then Special Rapporteur on the Rights of Indigenous Peoples, Professor James Anaya, re-emphasized the need for states to realize processes of prior consultation before establishing any military presence in Indigenous territories.⁸ However, the government of Venezuela has not adequately informed or gained the consent of Indigenous communities regarding the nature and details of this military district. Worse still, the militarization of Guajira in District 01 represents a criminalization of Indigenous Peoples, deep discrimination leading to prohibitive mobilization, restrictive access to education for Wayú children, prevention of carrying out traditional Indigenous cultural practices, barriers to freedom of association, and terror, mass incarceration, harassment, and death of Wayú peoples.

Criminalization and Violence

In 2014 military in the area took the lives of 13 Indigenous Wayú. The Comité de los Derechos Humanos de la Guajira also documented 15 cases of torture, 60 home raids, and 760 detainments of Indigenous Peoples at the hands of the military in 2014⁹ Wayú women face in particular have experienced disproportionately high levels of incarceration compared to non-Indigenous or Indigenous men in Guajira.¹⁰

Violations to Freedom of Association and Movement (UNDRIP Articles 11, 14, 36)

Military posts and check spots along major highways, have made the free movement of the majority Wayú population of Guajira virtually impossible. Searching of vehicles for contraband has led to “In order to enter Guajira, we have two check points: one is the bridge over the Limon river, where you lose 4 or 5 hours, no matter your situation- if you are transporting someone ill, trying to get to university, or if you are going to work. This has impacted us enormously in Guajira,” explained resident Fermin Montiel. Many Wayú youth have been forced to abandon their education as a result of the difficulty of travel to and from school. People, violating UNDRIP article 14.2, “Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.”

The checkpoints and prohibition on transporting goods, even in small quantities, has also greatly affected the Wayú people’s ability to practice important cultural activities like the *velorio*, a central aspect of Wayú spirituality and culture. A funeral rite, the *velorio* involves the mobilization of hundreds of family members and the preparation and sharing of large quantities of food. This violates UNDRIP Article 11 which states that “Indigenous peoples have the right to practice and revitalize their cultural traditions and customs.” Testimony collected by Laboratorio de Paz indicated the Wayú’s concern with a loss of culture and traditions due to the impossibility of carrying out *velorios*, due to the impossibility of travel through Guajira and to transport the supplies needed to feed all of the participants “That is truly a grave problem for us. It is affecting our life style,

our customs, our culture, our ability to continue and maintain it,” expressed Paz Siloé Maria Fernandez, Wayúu resident of Guajira.

The border of Venezuela and Colombia artificially separates the Wayúu peoples of Guajira into two political states. The militarization of this border has prevented the two communities, many whose families live on both sides of the border, from freely engaging in familiar and cultural practices, in violation of UNDRIP article 36 which states, “Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders. States, in consultation and cooperation with Indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.”

C. Violence Related to Land Disputes (UNDRIP Articles 7, 26, 28, 32)

Indigenous Peoples in Venezuela frequently experience violence by encroaching cattle ranchers who feel they should be compensated for land that they have occupied. Efforts by the State of Venezuela to redistribute and give title to Indigenous lands has failed to provide smooth transition for this process, leading to unrest and frustration, and chaos as Indigenous communities recuperate their traditional lands. Violence carried out by gangs and private security forces are rarely investigated and impunity for this extreme violence is rampant¹¹.

Violence against Yukpa people

Since the last cycle and prior, at least eight Indigenous Yukpa men were murdered in disputes with local cattle ranchers and many more have been injured. Cattle ranchers have refused to hand over the land to the rightful owners, claiming they have not received payments for the land. In response, Yukpa people have occupied some of the large farms, and have been violently removed.¹² In recent months leading up to this report, the conflict has continued to drastically deteriorate and violence continues with almost complete impunity. The following is a partial list of instances of violence which took place targeting Yukpa people since the last review cycle in 2011, compiled by Sociedad Homo et Natura.¹³

- I. On December 19 2011 Dario Segundo Garcia Fernandez was murdered and Gerardo and Gaby Fernandez were injured after being shot with a shotgun by the son of a large landowner, however he was released weeks later and the case was dropped after the involvement of lawyer and rancher Alfonso Jose Chacin Chourio. No one has been held responsible for the crime.
- II. On April 14, 2012, Wilfrido Romero y Lorenzo Romero, extended family members of Sabino Romero, were shot and killed with AK rifles. The case has been closed and no one has been held responsible for the crime.
- III. On June 23 2012, Yukpa campesinos Alexander Fernandez Fernandez and his brother Jose Luis Fernandez and Leonel Romero were killed over a local land dispute. Carmen Fernández Romero, mother of Leonel, noted that local authorities were threatened and harrassed her when she attempted to report the crimes, and believes authorities to be complicit in the previous Yukpa deaths. The case has been closed and no one has been held responsible for the crime.
- IV. On March 3rd, 2013, Yukpa Cacique (chief) Sabino Romero, was murdered and his wife injured. Although in this case six hitmen/bodyguards of political figures in Zulia confessed to the crime, were convicted and sentenced to 7 years in prison, impunity for the death of Romero remains a problem, as

there has been no investigation into the intellectual authors of the assassination and the justice system has shown no political will to do so.¹⁴ Yupka denounced the absence of mechanisms of protection that allowed for Romero to be murdered, despite the fact that in 2006 and 2007 Romero solicited protection from the Fiscalía General de la República, the Defensoria del Pueblo, and various local institutions of the state of Zulia.

- V. On June 24 2014, Cristobal Fernandez Fernandez was killed in front of his home by members of the Venezuelan National Guard.
- VI. On June 30, 2014, approximately fifty armed men assaulted and forcefully removed Yukpa cacica (chief) Carmen “Anita” Fernandez Fernandez, mother of Cristobal, from her land. Fernandez’ two other sons were murdered in 2012 (see above). Witnesses and community organizations have claimed these attacks were carried out by the Venezuelan National Guard acting on behalf of large-scale cattle ranchers with political affiliations. Carmen has twice applied and been denied protection from the state of Venezuela under article 35 of the Ley de Protección de Víctimas, Testigos as three of her sons have been murdered.

D. Illegal Mining and Contamination (UNDRIP Articles 10, 19, 26, 29, 32)

The Venezuelan Amazonian region has experienced a sudden increase in the illegal extraction of gold, diamonds, and coltan over recent years. Venezuelan economy has traditionally depended heavily on oil, which experienced a drop in price following the economic crises of the 1980s and 90s. The need to find other sources of income became essential for the nation which led to natural resource extraction such as illegal mining. According to a statement issued by COIAM in 2014, illegal mining is a growing concern in the Atabapo River basin, in the Yapacana National Park, and off the Ventuari River.¹⁵ Among the groups affected by this extraction is the Yanomami of southern Venezuela. Survival International reported that, “over 1,000 gold-miners are now working illegally on Yanomami land, transmitting deadly diseases like malaria and polluting the rivers and forest with mercury.”¹⁶ As a result Yanomami health is suffering and critical medical care is not reaching them.

In 2012 conflicts arose between the Pemon Indigenous Peoples and members of the military who were illegally extracting gold in the Alto Paragua region. The Organization of Indigenous Women of Autana in Amazonas denounced in 2014 the appearance of armed paramilitary groups who protect illegal gold mining operations, threatening locals and causing displacement of Indigenous communities. They have identified some of these armed groups as claiming to be members of the FARC of Colombia.¹⁷ The infiltration of these armed groups has led to prostitution and alcoholism and has ‘created a climate of terror and fear’.¹⁸ Indigenous Peoples have denounced the Venezuelan military for enabling illegal mining because they have failed to take action not to mention some officers are known to be involved in the illegal gold trade.

Kuyujani, an organization working on behalf of Indigenous interests, has brought the negative effects of mining on the health of the Indigenous People living along the Caura River to the government’s attention. In a 2013 investigation, researchers discovered that 92% of Indigenous women living along the Caura river have higher levels of mercury than the internationally accepted limit and a third of this majority present high risk for neurological disorders in newborns.¹⁹ These instances of toxic waste dumping violate UNDRIP Article 29, stating, “Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for Indigenous peoples for such conservation and protection, without discrimination. States shall

take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous peoples without their free, prior and informed consent.”

Since 2000, Indigenous communities in Tascabaña I and II in Anategui have denounced the presence of methane gas in the Tascabaña River adjacent to 200 families. Venezuelan oil company PDVSA has been providing them with drinking water, however the contamination is so pervasive that the community has been forced to abandon their traditional farming practices, as well as fishing, and community members have developed illnesses as a result of the contamination. PDVSA workers have threatened to suspend social services to the community if they denounce the contamination publically²⁰.

E. Marginalization of Indigenous Languages (UNDRIP articles 13, 14, 16)

In October 2014, President Maduro met with representatives from 38 Indigenous communities to create the Indigenous Languages Institute, which will serve to not only catalog existing languages but work towards “rescuing and reviving” Indigenous languages.²¹ With the 1999 National Constitution, “all Indigenous languages are now official languages of Venezuela, and the constitution provides a legal framework for the protection of Indigenous lands and resources and guaranteed representation in the National Assembly. Despite these enormous legal advances, Indigenous communities have continued to struggle to make these symbolic changes translate into material realities.”²² According to Aloha Nuñez, the Minister for Indigenous Peoples, out of the 44 recognized Indigenous Peoples in Venezuela, 34 languages are still spoken, and 10 have been lost.²³ Challenging the transmission of language from older generations to younger ones is the emigration of younger generations for economic opportunities in cities and the growing mining industry²⁴. The Mapoyo oral tradition is recognized by UNESCO as intangible heritage. The Mapoyo is comprised of 400 people living in El Paloma and is facing extinction with only 3 fluent speakers left. Due to the Mapoyo’s symbolic references to ancestral territory UNESCO has required urgent safeguarding measures for the language. Much of the transmission of language to younger generations is being compromised due to the influence of the formal state education system which does not encourage the use of a person’s mother tongue, despite UNDRIP article 14 which states that Indigenous children have the right to education provided in their own language and culture.

F. Violence and Discrimination Against Indigenous Women and Girls (UNDRIP Articles 7, 21, 22)

Indigenous women globally face triple discrimination based on their gender, ethnicity, and socioeconomic marginalization²⁵. Women are disproportionately affected by the systemic poverty that affects Indigenous peoples, due to their roles as caregivers and managers of resources in their communities²⁶. Indigenous women are very often targets of multiple forms of violence, including structural violence that results in their being victimized by the circumstances of everyday life. Other issues they face are sexual violence, gender-based killings, violence in the contexts of conflict and tradition, domestic violence, and trafficking. It is estimated that one in three Indigenous women is raped during her lifetime²⁷. Venezuela’s 2007 Law on the Right of Women to a Life Free of Violence was recognized as an “example for the region” by Amnesty International, however implementation of the law has been slow. Although calls to the emergency hotline created by Venezuela’s National Women's Institute (INAMUJER) has doubled since the 2007 law, the law is mostly concerned with issues of domestic violence and does not take into consideration the unique cases of sexual and violent abuses Indigenous women experience. Indigenous women typically experience violence and sexual abuse by the hands of non-Indigenous men. In the case of Indigenous women in Venezuela these are most likely by the gold miners

that have invaded their land for the resource. Women in Guajira experience specific discrimination as they are traditionally those who provide food for their families; therefore the transport of quantities of flour, corn, oil, yucca, and other staples has become a dangerous and difficult proposition and many foodstuffs are confiscated as “contraband.” Sailyn Fernandez, Wayúu journalist of Guajira, explains, “We can’t even enter a supermarket in Maracaibo, because if they see us in our traditional dress they say to us, these women are coming to *bachaquear*, these women are buying too much, they are going to smuggle this as contraband, and they give us the eye.”²⁸

F. Political and Cultural Rights (UNDRIP Articles 19, 20)

Indigenous Peoples in Venezuela have observed policies by the government that impede communities’ right to self-determination and their own forms of organization. Since 2009 with the approval of the Ley Organica de Consejos Comunales, the state has established interlocutors, representatives put in place by the state to interact with Indigenous authorities. This has shown to be problematic for a number of reasons. The elected officials were selected without consultation with Indigenous communities and organizations, and these representatives have substituted and weakened traditional authority; Decisions made by these representatives are not reflective of communities’ wishes, and instead are aligned with ideology of the government. These representatives displace and exclude true Indigenous authorities and are affecting the distribution of resources to communities.²⁹ Wolfan Fernandez, Wayúu, explained: “As the Consejos Comunales (CC) are part of the state run programs, they have to comply with the frameworks of the state. So the Indigenous organizations are prohibited from expressing opinions, assisting in human rights cases when there are rights violations. We as Indigenous organizations do not have the same opportunities that the CC have... We have seen an ignorance on behalf of the State regarding the organizations of Indigenous Peoples and our own institutions. If we as Indigenous organizations say we want to do something about a certain situation, the State simply does not give it importance, and does not recognize the existence of that organization.”³⁰

Indigenous Peoples have also experienced discrimination from the state of Venezuela due to their perceived opposition to current political power. In 2013 Vice President Jorge Arreaza declared, “Those members of Indigenous groups that do not have clarity to be with the Bolivarian Revolution are practically traitors to their people, to their community.”³¹

G. Right to Health of Indigenous Peoples (UNDRIP Articles 21, 23, 24, 29)

The Venezuelan constitution recognizes the right of Indigenous Peoples to holistic health that respects cultural and traditional practices, such as traditional medicine and complementary therapies. In 2003 the Ministerio de Poder Popular para la Salud began a process to create, by 2006, a Department of Indigenous Health to lead and design the implementation of health policies especially focused on the treatment of Indigenous Peoples. Over the following years this department implemented a series of projects that aimed to guarantee access by Indigenous Peoples to health services adapted to their cultures. However, since 2010 there has been a sharp decline in attention to Indigenous health, due to the constant changes of authorities in the area and a gradual budget reduction, which has weakened the institution. In the last few years, irregular supply of medicine and medical supplies from the National Public Health System of Venezuela has led to hoarding by some clinics, causing shortages in others. This has negatively impacted Indigenous communities.

One of the most serious cases of ineffective access to health services is among the Warao peoples, the second most populous Indigenous group in the country, at a population close to 50,000. The Warao inhabit an immense

network of rivers and islands on the delta of the Orinoco River, primarily in the state of Delta Amacuro. 345 disperse communities over a territory of 22,500 square kilometers have insufficient access to health centers and a chronic shortages of fuel and motor boats lead to inability to transport patients and access communities, as well as a limited number of doctors and few supplies. The Warao experience one of the highest rates of infant mortality in the country, which is more than 20 times higher than the national average. Children die largely from easily preventable diseases, like diarrhea and other gastrointestinal illnesses³². Tuberculosis and malaria are among the principal causes of death, but HIV/AIDS has, since its first detection in 2007, become a rapidly growing epidemic. According to research published in 2013, among 576 inhabitants of 8 communities HIV infection was present at a rate of 9.55%, and has been expected to double each year following³³. The strain of HIV-1 subtype B is a more aggressive virus, in which those infected develop AIDS symptoms in less than five years. Among the communities with the highest rate of HIV infection are Jobure de Guayo, Usido, and San Francisco de Guayo³⁴. While the government has begun to provide some HIV treatment and workshops, the virus is still stigmatized by many, affecting the ability to provide care³⁵. Health minister, Isabel Iturria, explains that globally the medicine for HIV and AIDS is backed by patents that “generate extraordinary costs for specific products, because they are registered as luxury items.”³⁶ It is uncertain exactly how the virus reached the Warao, but the authors of the Venezuelan Institute for Scientific Research study have speculated that the viral sub-type present in the area may “be related to a trade route of Asian ships that travel through the Orinoco Delta to transport metals from upstream mining industries.”³⁷ This dramatically high rate of infection could have catastrophic results on the Warao people, and requires urgent attention from the State of Venezuela to implement culturally relevant programs of prevention and treatment for HIV targeted to the Warao communities.

V. Questions

1. What steps has the State of Venezuela taken to carry out an independent investigation into the assassination of Cacique Sabino Romero?
2. What policies are in place to establish a smooth transition of land ownership from ranchers to Indigenous Peoples on their ancestral territories?
3. What steps are being taken to provide culturally relevant health services for the HIV/AIDS epidemic among Warao communities?

VI. Recommendations

Cultural Survival urges the government of Venezuela to:

1. Invite the UN Special Rapporteur on the Rights of Indigenous Peoples on an official country visit
2. Publish accurate and timely data on the progress towards demarcating and titling Indigenous ancestral lands, and accelerate the demarcation of Indigenous ancestral territories.
3. Develop, with the participation of Indigenous Peoples, legislative frameworks for the implementation of the right to Free, Prior and Informed Consent regarding natural resource use on Indigenous territories, especially regarding extractive industries.
4. Implement a process of Free Prior Informed Consent before any military activity in Indigenous territories; suspend the Military District 01 in Guajira until a legitimate process of FPIC has been carried out.
5. Implement policies that respect Indigenous Peoples’ right to their own forms of organization, by recognizing traditional leaders of Indigenous communities rather than prioritizing of interlocutors between Indigenous Peoples and the state; specifically, create an autonomous body, made up by and for Indigenous Peoples, to consult with the state on policies that will affect Indigenous Peoples.
6. Take steps to ensure military and State officials are trained into inter-cultural dialogue, with particular focus to educate them on important roles Indigenous women play within Indigenous social structure.

7. Establish an educational institution for Indigenous learning with a vision to promote inter-culturalism among Indigenous youth and children.
8. Ensure non-discrimination towards Indigenous languages in the education system and strengthen the development of bilingual bicultural instruction in educational facilities.
9. Strengthen inter-cultural dialogue with traditional Indigenous authorities in Guajira, acknowledging the ancestral Trueque governance system practiced pre-colonization.
10. Continue to investigate those responsible for the assassination of cacique Sabino Romero, and eliminate impunity for crimes against Indigenous Peoples.
11. Ensure equitable access to health services for Indigenous Peoples that is culturally and linguistically relevant, especially for communities in remote areas such as the Warao.
12. Take immediate steps to mobilize medical supplies and resources to treat the growing HIV/AIDS epidemic among Warao peoples.
13. Create a National Action plan on implementing the rights of Indigenous Peoples based on the World Conference on Indigenous Peoples' Outcome Document.

¹ IGWIA, The Indigenous World, Latin America, Venezuela <http://www.iwgia.org/regions/latin-america/venezuela>

² IGWIA, The Indigenous World 2015, Venezuela http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Venezuela_IW2015_web.pdf

³ Examen ONU Venezuela, Cuestiones a examinar del PIDCP

<http://www.examenonuvenezuela.com/examenes-y-audiencias/cuestiones-a-examinar-del-pidcp>

⁴ Dutka, Z.C. (2014, December 2nd) Pemon Indigenous Occupy Airport in Venezuela: “We Have Had Enough of Broken Promises” <http://venezuelanalysis.com/analysis/11053>

⁵ Ibid.

⁶ Pearson, T. (2013, March 26) Venezuelan Government Commits to Resolving Indigenous Yukpa Land Issue <http://venezuelanalysis.com/news/8384>

⁷ United Nations Declaration on the Rights of Indigenous Peoples

⁸ <http://www.ohchr.org/ru/newsevents/pages/displaynews.aspx?newsID=12422&langID=E> (WEBSITE INVALID)

⁹ Laboratorio de Paz, 2014, Guarija: Obstaculos al Derecho a La Asociación Indígena Wayúu Bajo El Distrito Militar 1.

¹⁰ Uzcátegui, Rafael. (2014) La Guajira: Militares y criminalización en tierras wayúu

¹¹ IGWIA, The Indigenous World 2015, Venezuela

http://www.iwgia.org/images/stories/sections/regions/latinamerica/documents/IW2015/Venezuela_IW2015_web.pdf

¹² IGWIA, The Indigenous World 2015, Venezuela http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Venezuela_IW2015_web.pdf

¹³ Homo Et Natura, SITUACIÓN JURÍDICA DE LOS QUE MURIERON O FUERON HERIDOS EN EL PROCESO DE RECUPERACIÓN DE SU TERRITORIO ANCESTRAL, 2015

¹⁴ Laboratorio de Paz, Informe Alternativo sobre la aplicación del Pacto de Derechos Civiles y Politicos, 2015.

¹⁵ Survival International. Yanomami: Way of Life

<http://www.survivalinternational.org/tribes/yanomami/wayoflife>

¹⁶ Survival International.(2015, June 18) Venezuelan tribes protest against violent mining gangs.

<http://www.survivalinternational.org/news/10819>

¹⁷ Laboratorio de Paz, Informe Alternativo sobre la aplicación del Pacto de Derechos Civiles y Politicos, 2015.

¹⁸ Survival International. (2015, April 8) “Indígenas de Venezuela denuncian abusos de militares y minería ilegal” OCMAL <http://www.conflictosmineros.net/noticias/24-venezuela/17662-indigenas-de-venezuela-denuncian-abusos-de-militares-y-mineria-ilegal>

¹⁹ Fischer-Hoffman, C. (2014, October 14) Honoring Indigenous Resistance Day in Venezuela, the Struggle Continues <http://venezuelanalysis.com/news/10959>

²⁰ Laboratorio de Paz, Informe Alternativo sobre la aplicación del Pacto de Derechos Civiles y Politicos, 2015.

²¹ FISCHER-HOFFMAN, C. (2014, October 14) “Honoring Indigenous Resistance Day in Venezuela, the Struggle Continues” <http://venezuelanalysis.com/news/10959>

²² Ibid.

²³ IGWIA, The Indigenous World 2015, Venezuela http://www.iwgia.org/images/stories/sections/regions/latin-america/documents/IW2015/Venezuela_IW2015_web.pdf

²⁴ Sieder, R., Sierra, M.T. (2010). “Indigenous Women’s Access to Justice in Latin America” CHR Michelsen Institute <http://www.columbia.edu/cu/cser/issp/files/bibliography2013/Sieder-Sierra%20CMI%20working%20paper%20Nov2010%5B1%5D.pdf>

Tauli Corpuz, V. (2015, August 6). Report to the Human Rights Council, 2015. Rights of Indigenous women and girls. <http://unsr.vtaulicorpuz.org/site/index.php/en/documents/annual-reports/83-report-hrc-2015>

²⁶ Ibid.

²⁷ Ibid

²⁸ Laboratorio de Paz, 2014, Guarija: Obstaculos al Derecho a La Asociación Indígena Wayúu Bajo El Distrito Militar 1.

²⁹ Laboratorio de Paz, Informe Alternativo sobre la aplicación del Pacto de Derechos Civiles y Politicos, 2015.

³⁰ Laboratorio de Paz, 2014, Guarija: Obstaculos al Derecho a La Asociación Indígena Wayúu Bajo El Distrito Militar 1.

³¹ VTV: Gobierno entrega títulos de tierra y habitat a pueblos indígenas en Amazonas

www.vtv.gob.ve/articulos/2013/04/06/gobierno-entrega-titulos-de-tierra-y-habitat-a-pueblos-indigenas-en-amazonas-4270.html

³² [Wilbert, W. y C. Ayale Lafée-Wilbert. 2007. "Los Warao", en *Salud Indígena en Venezuela. Volumen II*. Caracas: Ministerio del Poder Popular para la Salud.](#)

³³ [Villalba, J.A. et al. 2013. "HIV-1 epidemic in Warao Amerindians from Venezuela: spacial phylodynamics and epidemiological patterns". *AIDS*, 27\(11\):1783-91.](#)

³⁴ Vitti, M. (2016, January 21). "An AIDS Epidemic Is Decimating the Indigenous Warao Community in Venezuela" *Global Voices* <https://globalvoices.org/2016/01/21/an-aids-epidemic-is-decimating-the-indigenous-warao-community-in-venezuela/>

³⁵ Pearson, T. (2014, January 28) "Venezuelan Government Continues to Provide Free HIV and AIDS Treatment" <http://venezuelanalysis.com/news/10312>

³⁶ *ibid.*

³⁷ Kennedy, J. (2016, January 26). "Surge in HIV affects Indigenous communities in Venezuela" *Latin Correspondent* <http://latin correspondent.com/2016/01/surge-in-hiv-affects-indigenous-communities-in-venezuela/>