OPENING STATEMENT OF THE GLOBAL INDIGENOUS PEOPLES CAUCUS

Third Session of the Intergovernmental Negotiating Committee (INC)
Nairobi, 31 October–4 November 2011

Read by Mr. Earl Hatley, Grand River Keeper/LEAD, a delegate of California Indian Environmental Alliance

Thank you Mr. Chairman, distinguished delegates and the government of Kenya for hosting this meeting.

On behalf of the Global Indigenous Peoples Caucus, we respectfully ask that delegates not lose sight of the disproportionate human health impacts of mercury contamination and the dimensions of this as a human rights issue. For example, in the state of Oklahoma, in the US, where I am from, where ten Indigenous Nations are located, along the Grand River, those who eat locally caught fish have high levels of mercury detected in their hair, and the fish have mercury in their flesh. This is one example of what many of our communities throughout Mother Earth – the world, are experiencing. Mercury is transported to the Arctic by air currents and ocean currents from human activities in lower latitudes. In some regions, coal combustion is the most significant source of mercury, with local emissions and via long-range transport. Much of this burden disproportionately falls on Indigenous Peoples as the mercury enters the food web and biomagnifies, and therefore contaminates our traditional foods that sustain us nutritionally, culturally, spiritually and socially. Because of our reliance on traditional foods, our communities from the Polar Regions to the Pacific Islands and throughout the Americas and the Global South are at a higher health risk and our future well-being is endangered.

Mr. Chairman, another concern that needs more emphasis in the treaty is large-scale mining and legacy mining sites of abandoned and orphaned mines. Many of these mining activities are within indigenous territories with documentation of mercury poisoning affecting the lives of our children, women and families.

The UN has recognized a number of rights affected by mercury contamination, including the right to health, subsistence and cultural practices. We stress the importance of recognizing and applying international human rights instruments, standards and obligations in these negotiations such as the UN Declaration on the Rights of Indigenous Peoples, the Convention on the Rights of the Child, Article 24, which recognizes the rights of children and takes into consideration the risk of environmental pollution.

Mr. Chair, this is a life and death issue to our indigenous Peoples that maintain a land, water, and ice-based culture. We appreciate short-term approaches as preliminary actions, but the only true long-term solution is to rigorously reduce mercury contamination in the environment and in the species that sustain us. Although Indigenous Peoples are particularly
impacted, we share with you the recognition that this is a global threat which affects not only the future generations of Indigenous Peoples, but all people and all Life.

- *Wado*, Thank you.