

United Nations Permanent Forum on the Rights of Indigenous Issues
12-23 May 2014

Item 3: Report of the international expert group meeting: Sexual health and reproductive rights articles 21, 22 (1), 23 and 24 of the United Nations Declaration on the Rights of Indigenous Peoples

Joint Statement by the International Indian Treaty Council, Native Youth Sexual Health Network, Federacion Internacional de Mujeres Indigenas and Centro para la Autonomía y Desarrollo de los Pueblos Indígenas (CADPI), International Organization for Self-Determination and Equality (IOSDE), Cordillera Peoples Alliance; Presented by Rochelle Diver, IITC.

We address environmental violence and the resulting human rights violations impacting the sexual and reproductive health of Indigenous women, girls and future generations. The term environmental violence was recognized in the report of the 2012 EGM on Combatting Violence Against Indigenous Women and Girls to the UNPFII 11th session as well as in the Lima Declaration from the International Conference of Indigenous Women in October 2013. It pertains to both the reproductive impacts of environmental contamination as well as sexual violence linked to extractive industries in Indigenous communities and was also addressed at the EGM on Reproductive and Sexual Health.

Chronic social stressors, as a result of industry, mining and development continue to impact the sexual health of Indigenous communities; including issues such as sexual violence by industry workers, missing and murdered Indigenous women, higher rates of HIV and other sexually transmitted infections.

The manufacture and export of pesticides by the U.S that are banned for use in that country is a form of environmental violence legally sanctioned by US and international law. The UN Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade” permits this practice. Indigenous Peoples in Mexico, Guatemala, Nicaragua, Ecuador and other countries where they are used and applied are not asked for their consent, nor are they informed of the dangers or provided with any safety precautions for their use. As reported by IITC at the EGM, the aerial spraying of such pesticides in Rio Yaqui, Sonora, Mexico causes infant, childhood, and adult cancers, abnormal breast development, miscarriages, still-births, sterility, fatal illnesses in babies and young children.

This is a matter of life and death for the Yaqui and many other Indigenous Peoples. The first UN Rapporteur on the Human Rights and the Illicit Movement of Toxics Wastes Madame Ouhachi-Vesely called this practice by the US "immoral" during her country visit to the US in 2001.

It is time to bring the Chemicals Conventions of the United Nations into harmony with the UN's own Human Rights standards which includes Free Prior and Informed Consent, Right to Health, Life, Rights of the Child and many others.

In this regard, we stress the importance of the following recommendations by the Expert Group Meeting and request that the UNPFII 13th session include them in their final report:

62. We call for a legal review of United Nations chemical conventions, in particular the Rotterdam Convention, to ensure that they are in conformity with international human rights standards, including the United Nations Declaration on the Rights of Indigenous Peoples and the Convention on the Rights of Persons with Disabilities.

63. States must halt the export and import of banned and unregistered pesticides from countries that prohibit their use in their own country as a case of environmental racism and environmental violence.

64. Relevant United Nations entities should conduct a study, in partnership with indigenous peoples' organizations, which documents the linkage between environmental violence, including the operations of extractive industries, chemical pollution and the destruction of the indigenous habitat, as well as issues pertaining to sexual exploitation, trafficking of indigenous girls and sexual violence, with concrete recommendations on protection measures.

In addition, we recommend the UNPFII, Special Rapporteur and related environmental mechanisms recognize and commit to addressing chronic social stressors that affect Indigenous Peoples bodies and sexual and reproductive health.