

Item 3: Interactive Dialogue with the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment

Statement delivered by Action Canada for Population and Development (ACPD) and International Indian Treaty Council

Thank you Mr. President,

I make this statement on behalf of the Sexual Rights Initiative, the Native Youth Sexual Health Network and the International Indian Treaty Council.

We welcome the report of the Independent Expert on human rights and the environment mapping human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. We reiterate the recommendation that States and others take human rights obligations into account in the development and implementation of environmental and development policies, and would like to highlight two issues.

First, the severe and ongoing harm caused to Indigenous and other communities, particularly women and girls in these communities, by toxins that are released into the environment, such as pesticides, mercury, nuclear contamination and mining runoffs, requires immediate attention. This harm has been referred to as “environmental violence” by Indigenous Peoples from around the world including in submissions to the UN Permanent Forum on Indigenous Issues. The particular health effects of toxic contaminants on women’s reproductive health, particularly Indigenous women, are well documented and include sterility, reproductive system cancers and decreased lactation. The manufacture and export of harmful products to other, primarily developing, countries is unethical and unjust, and violates the rights to health and life of all peoples in developing countries, with greater impact on Indigenous Peoples, particularly women and children.

Second, attention must be paid to the social ways in which industry and development are impacting the right to life, sexual rights and sexual health, and the right to live a life free of violence. Indigenous communities continue to articulate that the introduction of resource extractive industries, including mining, drilling, logging *et cetera* has resulted in increased sexual violence and sexual exploitation of Indigenous women and girls in many communities, as well as increased unsafe alcohol and drug use, HIV and other sexually transmitted infections, divisions among families and communities, and a range of other social stressors, causing severe psychological, relational, emotional and economic damage to Indigenous women, families and communities. An example is the proposed Enbridge Line 9 pipeline in Canada that will be refined in an Indigenous community where an increasing number of women experience miscarriages, birth defect and numerous other health issues.

Hence, we urge States to do the following:

- Halt production, use and export of products that are harmful to health and life.
- Apply the principle of free, prior and informed consent to affected Indigenous Peoples and communities.
- Take measures to restore the health of affected individuals and communities and remedy harms done.
- Apply the precautionary principle in relation to extractives industries and the use of pesticides, with particular regard for the impacts on the environment and on Indigenous Peoples.
- Empower Indigenous and other women and youth to participate in decision making related to environment and development policies, including those related to sexual and reproductive health and education.

Finally Mr. President we recommend that States, Corporations and UN entities seek guidance from two declarations produced by the Indigenous Women’s Environmental and Reproductive Health Initiative on minimum standards of human rights protections for the right to a safe, clean, healthy and sustainable environment.

Thank you.