



**Human Rights Council, 45<sup>th</sup> Session, 14 September to 6 October 2020**

**Item 3: Interactive dialogue with the Special Rapporteur on hazardous substances and wastes**

**Intervention by the International Indian Treaty Council, presented by Rochelle Diver**

Thank you for the opportunity to participate in this interactive dialogue with the Special Rapporteur on human rights, and hazardous substances and wastes. We express appreciation for the work of the former Special Rapporteur, Mr. Baskut Tuncak and welcome the new mandate holder in this role, Dr. Marcos A. Orellana.

The UN Declaration on the Rights of Indigenous Peoples, Article 29 affirms that “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 2001, the International Indian Treaty Council (IITC) has addressed the violation of this and other human rights caused by the export of pesticides from industrialized countries such as the U.S. impacting Indigenous Peoples in Mexico, Guatemala, Ecuador, and other countries, as well as in the Arctic where many of these chemicals accumulate. This includes many pesticides which have been banned for use in the exporting countries due to their documented detrimental and often deadly health effects.

On July 9th, 2020, Special Rapporteur Tuncak issued a statement confirming that in 2019 at least 30 States exported hazardous substances that had been banned or severely restricted in their own countries. His statement, endorsed by 35 other UN Human Rights Council experts including the UN Special Rapporteur on the Rights of Indigenous Peoples, declared that “the practice of wealthy States exporting their banned toxic chemicals to poorer nations that lack the capacity to control the risks is deplorable and must end.”

IITC commits to work with the Special Rapporteur to implement this recommendation. We also ask him to support the Global Call recently presented to the members of this Council by nearly 1,000 human rights, environmental and Indigenous Peoples organizations to recognize the human right to a safe, clean and healthy environment. Thank you, for all our relations.