

Mexico City, 19 June 2019

Dr. José Alonso Novelo Baeza
Member of the Federal Commission for
Protection against Health Risks

By means of this letter, I refer to the creation of the **Inter-ministerial Group for the Regulation of Pesticides**, on 8 May 2019, which is composed of the Secretariat of Environment and Natural Resources (SEMARNAT), the Secretariat of Agriculture and Rural Development (SADER), the National Service for Agri-Food Health, Safety and Quality (SENASICA) and the Federal Commission for Protection against Health Risks (COFEPRIS), which you honorably represent. The foregoing is in response to recommendation 82/2018, dated 26 December 2018, made by the National Human Rights Commission (CNDH), which refers to the following: "on the violation of the human rights to food, to clean water, to a healthy environment and to health, for failure to comply with the general obligation of due diligence to restrict the use of highly dangerous pesticides, to the detriment of the general population".

In this regard, as you know, the use of highly dangerous pesticides has significantly harmed the population of indigenous communities, as is the case of the Yaqui People-Tribe of the State of Sonora, which presented the effects that its members have been subjected to in the framework of the Meeting entitled, "Human Rights Legal Review by the United Nations Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, and the United Nations Conventions on hazardous chemicals and wastes, in particular the Rotterdam Convention", which took place in Mexico City on 19–20 January 2019, and in which our National Institute of Indigenous Peoples (INPI) participated.

As a follow-up to the case in question, I would like to inform you that the INPI held a meeting on 31 May 2019 with the Traditional Authorities of the Eight Yaqui Peoples of the State of Sonora, which addressed the need to comply with the **Recommendations made by the Committee on the Rights of the Child (CRC) to the Government of Mexico in 2015 (CRC/C/mexico/co/4-5)**, attached, regarding the prohibition of the use of highly dangerous pesticides, with particular reference to environmental health in paragraphs 51 and 52¹; and this Institute was requested to join the work of the aforementioned **Inter-ministerial Group**.

¹ 51. The Committee is concerned that the State party has not taken sufficient measures to address air, water, soil and electromagnetic pollution, which have a grave impact on children and maternal health. The import and use of pesticides or chemicals banned or restricted for use in third countries, which particularly affect indigenous children in the State of Sonora, is also a reason of deep concern.

In view of the foregoing, I would like to respectfully request your valued assistance in directing your important instructions to the appropriate person, in order to make the necessary arrangements for INPI to participate in the Group in question.

I thank you in advance for your valuable support and take this opportunity to reiterate the assurances of my highest consideration.

Respectfully yours,

/s/ Lic. Adelfo Regino Montes

Lic. Adelfo Regino Montes
Director General

Copies to:

Dr. Cristopher Ballinas Valdés, Director General of Human Rights and Democracy, SRE
Lic. Saúl Vicente Vázquez, Director of International Matters, INPI
Traditional Authorities of the Vicam People, Primary Seat of the eight Yaqui Peoples

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52. The Committee recommends that the State party:

- (a) Assess the impact of air, water, soil and electromagnetic pollution on children and maternal health as a basis to design a well-resourced strategy at the federal, state and local levels, in consultation with all communities and especially indigenous peoples, to remedy the situation and drastically decrease the exposure to pollutants;
- (b) Prohibit the import and use of any pesticides or chemicals the use of which has been banned or restricted in exporting countries;
- (c) Further examine and adapt its legislative framework to ensure the legal accountability of business enterprises involved in activities having a negative impact on the environment, in the light of its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights.