

-----CHECK AGAINST DELIVERY-----

**INDIGENOUS WORLD ASSOCIATION and
LAGUNA ACOMA COALITION FOR A SAFE ENVIRONMENT**

Statement on Agenda Item No. 5: Study and Advice on
The Right to Health and Indigenous Peoples, with a focus on children and youth

Before the UN Expert Mechanism on the Rights of Indigenous Peoples
Ninth Session, Geneva, Switzerland, July 12, 2016

Greeting on behalf of the Indigenous World Association, and congratulations to the Chair and Vice Chair of this 9th Session of the EMRIP.

We congratulate EMRIP on the completion of the Draft Study on the Right to Health and Indigenous peoples, and understand the value of its purpose to “analyze the content of the right to health vis a vis indigenous peoples,” and to “review the legal obligations of States and other actors in fulfillment of this right.” To that end, we offer the following comments and suggestions for improvement of the draft study.

First we commend EMRIP for highlighting the interrelated and collective nature of the right to health for indigenous peoples, which for us is always connected to our rights such as those of self-determination, culture, language, and lands and territories. We believe that this study has the potential to add to a growing body of literature that seeks to educate the world on the importance of integrating all the aspects of our lifeways when we talk about the right the health.

Advice No. 9 urges States to legally recognize and protect the right of indigenous peoples to their lands, territories and resources. We recommend that this language be expanded with a reference to rights contained in Articles 12 and 26, so that this advice incorporates indigenous peoples’ rights to access in privacy to [our] religious and cultural sites, and on “lands, territories and resources which [we] have traditionally owned, occupied or otherwise used.” The realization of these rights are essential to traditional healing practices.

Second we are grateful that the study takes note of environmental health issues. We wish to add to the consideration of best practices the work of communities affected by uranium mining. A Navajo Birth Cohort Study (Dr. Johnnye Lewis's paper on Environmental Exposures and Child Development was published this week in the *Journal of Social Work in Disability & Rehabilitation.*) was completed in cooperation with an affected Navajo community land and discusses the underlying science about whether environmental exposures contribute to child developmental

delays, birth defects and other ailments. For years, indigenous communities affected by uranium mining have tried to demonstrate the impacts of extractive activities on the health of our people. In the Dakotas, an indigenous group known as the Defenders of the Black Hills presented in 2015 a study on impacts of over 3,000 abandoned uranium mines in Western South Dakota on surface and ground water. They demonstrated that a uranium extraction in the area had polluted a major aquifer with radioactive contaminants.

We wish to highlight these important studies regarding environmental health that are completed by or in partnership with indigenous communities.