

Message from Indigenous Peoples and local communities of the Amazon to the fifth meeting of the Conference of the Parties to the Minamata Convention on Mercury¹

The text of the Minamata Convention on Mercury identifies the high vulnerability of indigenous peoples to mercury pollution. This vulnerability is associated with the fact that fish, the main source of protein in our diet, are being contaminated by mercury.

The main source of mercury contamination in our region is artisanal and small-scale alluvial gold mining (ASGM), as well as from industrial mining. In the Amazon, these activities are mostly carried out illegally and are expanding unchecked, generating violence and conflict, including social conflicts among our families, violating our rights, affecting our health, food sovereignty and culture, and depriving us of our territories, forests and the resources on which our livelihoods depend.

Despite its scale and the depth of its impacts, there is a lack of systematised information on the real dimension of the social and environmental effects on the territories and indigenous peoples of the Amazon. We need the commitment of the countries of the region and the world to promote and lead the production of official and verifiable scientific information, but also to take into account our ancestral knowledge as a primary source of information in our territories, that will allow us to effectively characterise the problem, define strategies and implement monitoring actions with the participation of indigenous peoples.

Mercury contamination is the result of an unsustainable, overpowering and violent extractive economic model: a large part of the murders of indigenous leaders and environmental defenders are registered in areas invaded by mining, where large transnational companies often use ASMs as a front to avoid paying taxes and royalties.

This is why the approach to solutions to the problem must include the articulation of specific prevention, mitigation and elimination actions, with transformations and structural changes in development models. In this regard, it is a fundamental requirement that the right to health, territory, self-determination, consultation and consent of indigenous peoples be respected by implementing the free, prior and informed consent before granting any concessions over indigenous territories, evicting miners and associated illegal activities in these areas, and controlling mercury trafficking.

One of the key processes established under the Minamata Convention are the National Action Plans for Artisanal and Small-scale Gold Mining (ASGM Plan). These instruments required by the Convention for the parties to manage ASM and its impacts must be developed with the participation of indigenous peoples, guaranteeing respect for their rights.

Within this framework for action, priority attention must be given to the protection of those sectors of our peoples who are at high risk and particularly vulnerable to mercury contamination, especially pregnant women and children.

The Minamata Convention must be a workspace with indigenous peoples and local communities, where our effective participation is guaranteed and spaces and conditions are generated that allow us to build, together with the Parties to the Convention, comprehensive solutions based on respect for collective rights and framed in effective processes of intercultural dialogue.

It is a priority for the Convention to guarantee spaces for the active involvement in its processes of indigenous women, who are particularly susceptible to the negative health effects of mercury, and to the environmental and social impacts associated with gold mining in indigenous territories.

¹ This text summarizes the main points discussed during the meeting of indigenous peoples and local communities on the use of mercury in artisanal and small-scale gold mining, organized by the Secretariat of the Minamata Convention and hosted by the government of Brazil in Brasilia on 4 October 2023.

The Conference of the Parties can play a key role in ensuring the effective and ongoing participation of Indigenous Peoples and local communities in Minamata Convention processes. A key step to ensure this is the institutionalisation of the participation process. To this end, we identified some actions that would require the active involvement and follow-up of the Conference of the Parties to the Minamata Convention:

- (a) Convene and promote the participation of indigenous peoples' and local communities' delegations in the various forums of the Convention.
- (b) Report regularly to the Conference of the Parties on the progress of the construction of the indigenous process and its proposals within the framework of the Convention, for example, by including a specific item on the agenda of the meetings of the Conference of the Parties on the needs and priorities of Indigenous peoples and local communities.
- (c) Promote the consideration of specific indicators for indigenous peoples in the Convention's Effectiveness Assessment processes.
- (d) Support to guide demands and proposals to define objectives that are achievable in the short, medium and long term.
- (e) Promote the articulation of the Convention with other UN mechanisms and procedures on indigenous peoples.