

HUMAN RIGHTS AND MERCURY POLLUTION

Situation of children and adolescents in the Venezuela Amazon

General context

Mercury is a neurotoxic substance that can have serious effects on people and the environment. Mercury poisoning gives rise to neurological disorders ranging from memory and coordination problems to dementia. It is also the cause of disorders in the central nervous system and the cardiovascular, digestive and immune systems, damage to kidneys and lungs, or even death.

In Venezuela, the widespread and uncontrolled use of mercury in the exploitation and processing of gold is putting the population of the Venezuelan Amazon at serious risk, especially the most vulnerable groups, including children and adolescents, women, indigenous communities and local workers.

In the case of infants and young children exposed to high levels of mercury, they risk developing disorders in cognition, fine motor skills, language development, and visual and spatial awareness. Prenatal and postnatal exposure to mercury has also been associated with the development of autism spectrum disorders and attention-deficit/hyperactivity disorders (ADHD).

Situation of children and adolescents concerning mercury pollution in Venezuela

Although gold mining is a hazardous activity for children and adolescents, a very high number of them engage in these activities in Venezuela. In some cases, they become directly involved in mining tasks, a situation that exposes them to very serious risks, particularly the effects of mercury exposure.

Even though no public information is available in Venezuela on the number of



Children working in a mine. Photography: Magda Gibelli, taken from France Press.

minors who are at risk of being exposed to this substance, different reports estimate that up to 45% of mine workers are minors, while a similar number work in the mills where gold is processed in the south of the country.

Research carried out as late as 2006 in the mining areas of eastern Bolívar state (El Callao and Sifontes municipalities) and the lower course of the Caura River (Angostura Bolivarian municipality) concluded that a high percentage of children present high levels of mercury in their bodies. Additionally, testimonial information exists about cases of children presenting neurological and genetic disorders attributed to mercury poisoning.

Government action

- No information exists on the conduction of recent research or epidemiological studies on the mortality and morbidity of mercury exposure in child populations, nor on actions taken to care for children and adolescents who may be affected.
- No action is known to have been taken by any government entity to prevent mercury pollution or care for children and adolescents who may be affected.
- In 2016, the National Executive Branch issued a Decree prohibiting the use, possession, storage and transportation of mercury for the treatment of gold in all stages of mining activity. There is

no evidence that this Decree is being complied with in any gold mining area in the country.

- The Venezuelan State has not ratified the Minamata Convention.

Challenges

- Conducting an evaluation of mercury contamination levels in all areas where illegal gold mining is taking place in the Venezuelan Amazon.
- Conducting epidemiological evaluations that allow establishing mercury contamination levels in children and adolescents in all these areas.
- Establishing mechanisms to guarantee the protection of children and adolescents from exposure to mercury and comprehensive care for those who are already affected.
- Securing control of the traffic and use of mercury all across the Venezuelan Amazon
- Establishing environmental sanitation measures for all areas affected by mercury.
- Setting up effective mechanisms for the control and elimination of illegal mining in the Venezuelan Amazon.

Human rights framework

The International Covenant on Economic, Social and Cultural Rights (CESCR) recognizes the human right to physical and mental health. The measures that States must adopt in order to guarantee this right include the reduction of infant mortality and ensuring the healthy development of children.

The Convention on the Rights of the Child establishes that children have the right to the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation. Likewise, it recognizes the dangers and risks of environmental pollution for their health.

The ILO considers that child labor in mines –particularly those that expose them to mercury– constitutes one of the worst forms of child labor.

In Venezuela, the Organic Law on the Protection of Children and Adolescents (LOPNNA) establishes the rights to life, to an adequate standard of living, to a healthy and ecologically balanced environment, and to the highest attainable level of physical and mental health, as well as the protection of children and adolescents from any labor that may hinder their education or pose a risk or harm to their health or full development.

Recommendations

- **Develop a national policy to identify and protect children and adolescents at risk** and provide medical care to affected populations. This policy must contemplate programs for the care of affected children and adolescents in a way that allows them to lead a dignified and healthy life..
- **Declare a national emergency due to mercury pollution in the Venezuelan Amazon** to allow the mobilization of financial and human resources and international support aimed at solving the problem.
- **Implement effective and gradual actions to eradicate mining extractivism** as a means of State financing.
- **Ratify the Minamata Convention** and immediately establish a National Action Plan aimed at the control and gradual eradication of the use of mercury in small and medium-scale mining.
- **Strengthen institutional capacities to tackle mercury contamination in children and adolescents.** This process must involve both the institutions that carry out scientific research and those that care for the affected.

Source: *Clima21 (2024) A slow crime: Situation of vulnerable groups in the face of mercury pollution in the Venezuelan Amazon.* <https://clima21.net/noticias/a-slow-crime-situation-of-vulnerable-groups-in-the-face-of-mercury-pollution-in-the-venezuelan-amazon/>