

MERCURY AND HUMAN RIGHTS

Situation of Workers in the Venezuelan Amazon

Information Sheet 4
2024

General context

The main source of mercury pollution in Venezuela comes from the use of the metal in gold processing activities in small and medium-scale mining, especially in the Venezuelan Amazon, south of the country.

According to different sources, mercury can be obtained relatively easily in the country's mining areas, even though its sale and use remain illegal.

Many workers in mining areas use mercury because this is an accessible and easy-to-use method that does not require significant investments or sophisticated technologies.

People who work or live in the vicinity of gold processing sites are at serious risk of exposure to mercury through inhalation of vapors resulting from the burning of the gold amalgam.

In addition, the waste generated by the process ends up in rivers where the mercury transforms into methylmercury, a significantly more toxic substance transported and magnified through the food chains until it reaches human beings.

Situation of workers with respect to mercury pollution in Venezuela

Venezuela lacks reliable estimates of the number of people working in mining activities, making it impossible to gauge the number of workers at risk of exposure to this toxic substance. Also, no studies exist on the number of people who might be currently affected by mercury pollution.

In 1990, a study carried out in the Las Claritas gold mining concession (Sifontes municipality, Bolívar state) found that 69% of local miners were contaminated with high levels of mercury. Likewise, another investigation carried out between 1997 and 2004 in different localities of the eastern mining area of the state and the lower basin of the Caroní River found that people working in the mines had high levels of mercury in their bodies, while a percentage of them showed signs of neurological disorders.



Miner processing gold in El Callao. Photography Maolis Castro. Tomado de Reportero 24

Another study carried out in 2004 near El Callao found that 90% of people working directly in gold processing activities -miners and mill operators-, had very high levels of mercury, in some cases among the highest in the world.

Mercury pollution does not only affect men working in mining areas. A 2021 study on women who participate in mining activities in El Callao found contamination levels among the highest in South America.

No information has been found on any assessment of the situation of miners in recent years, nor on the economic impact of mercury pollution on workers. A woman living in El Callao told journalists that the illness affecting her husband as a result of mercury contamination cost them a lot and forced them to spend all the money he had made by working in gold mining.

Government action

- No data is known to exist on morbidity and mortality rates associated with mercury poisoning in people working in gold mining areas.
- No information exists on whether the Venezuelan State is currently taking any action to assist workers affected by mercury pollution or to prevent this situation in mining areas.
- 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

- Ensuring protection for victims of mercury pollution, including occupational and comprehensive healthcare for the affected.
- Implementing comprehensive health and safety programs in the framework of the Epidemiological Surveillance System, as established by law, including periodic assessments of mercury contamination levels in all areas with a presence of gold mining.
- Establishing sanitation and environmental restoration measures in all areas affected by the use of mercury.
- Generating effective mechanisms for the control and eradication of the trade and use of mercury in Venezuela.
- Establishing effective measures to eradicate the use of mercury in gold processing activities in Venezuela.
- Guaranteeing fair transition processes that allow miners to access decent jobs in safe conditions.

Human rights framework

The Universal Declaration of Human Rights confirms the right to work under just and favorable conditions. The International Covenant on Economic, Social and Cultural Rights also includes the right to work under safe and healthy conditions.

Similarly, the International Labour Organization (ILO) considers that workers have the right to remove themselves from danger resulting from the use of chemicals when they have reasonable justification to believe there is an imminent and serious risk to their safety or health.

The Protocol of San Salvador establishes the right to safety and hygiene at work, to the prevention and treatment of endemic, occupational and other diseases, and to live in a healthy environment. The Social Charter of the Americas also ratifies the commitments of States in terms of environmental sustainability, access to drinking water and sanitation services.

A 2018 report by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes stated that the exposure of workers to toxic substances can be considered a form of exploitation. Likewise, an additional report by the expert indicated that abuses and human rights violations in the context of unmanaged and illegal mining are part of the States' failure to achieve the SDGs of ending poverty and hunger; ensuring healthy lives, clean water, decent work, sustainable consumption and inclusive access to sustainable development, and protecting and preserving land and water. Notable mention must be made of SDG 8, aimed at promoting safe and secure working environments that guarantee workers knowledge of their rights and responsibilities.

Recommendations

- Establish a mercury pollution assessment program to identify at-risk populations, associated health effects, actions to reduce exposure to this form of pollution, and to provide care for the affected.
- Develop a national policy for the occupational health and safety of workers that allows for the provision of comprehensive medical care to people affected by mercury.
- Strengthen institutional capacities for the investigation and treatment of mercury poisoning in mining areas in the south of the country.
- Implement a training program aimed at all workers in mining areas.
- Investigate, prosecute and punish the material and intellectual perpetrators of mercury smuggling, and establish effective control mechanisms to prevent the trade and use of mercury in mining areas.
- Ratify the Minamata Convention and establish a National Action Plan for the effective control of mercury imports and the regulation of the small-scale mining sector to advance toward the eradication of its use in alluvial mining.

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/>