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## PRESS RELEASE

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## **POISONED BY LEAD: ARGENTINE GOVERNMENT'S NEGLIGENCE RESULTS IN HUMAN RIGHTS VIOLATIONS IN MINING COMMUNITY**

*For 25 Years and Counting, Health Problems and Environmental Degradation Plague Argentine Mining Community; Lack of Access to Information and Government Opacity Obstruct Remedies*

Residents of Abra Pampa, Argentina, a poor and largely indigenous mining community near the Bolivian border, suffer dire mining-related health and environmental consequences, says the University of Texas School of Law Human Rights Clinic in a report released today, available at <http://www.utexas.edu/law/academics/clinics/humanrights/abra-pampa-en.pdf>.

The report, entitled *Abra Pampa: a Community Polluted, a Community Ignored: The Struggle for Environmental and Health Rights in Argentina*, documents the Argentine government's repeated failures in dealing with the environmental and health crises in Abra Pampa. Metal Huasi, a lead smelting plant that operated in Abra Pampa for roughly 30 years, emitted pollutants that have resulted in environmental degradation and health problems, including lead poisoning in over 80% of the town's children. The report also shows how Metal Huasi left behind massive heaps of toxic waste that perpetuate the health and environmental problems that began while the plant was in operation.

The federal and provincial government did not even react when Metal Huasi closed in the late 1980s, leaving behind a fifteen to twenty thousand ton pile of heavy metal waste, at least 900 tons of which contained high concentrations of lead, in Abra Pampa's town center. The town center is only one of the town's three most significant deposits of waste, and although the town's largest pile of waste was eventually removed by January 2009, 60,000 tons of waste and contaminated materials remain throughout Abra Pampa today. The only measure taken by government authorities to "contain" the remaining toxic waste was the installation of chain-link fences to keep residents away. These fences were also meant to "prevent" the lead dust clouds—residents call them *humos blancos*—that result when the region's characteristically strong winds blow through town, picking up loose particles from the waste piles and dispersing them.

*Humos blancos* also resulted from the January waste removal operation due to inadequate measures to contain the waste. This "clean-up" project was funded by a private organization

dedicated to promoting the interests of mining companies. The organization's procedures were problematic at best, lacking independent oversight and adequate precautions to contain the waste.

Despite governmental awareness of the problems in Abra Pampa, local and national Argentinean governmental officials have consistently downplayed the gravity of the health and environmental situation in the town. These problems have been both long-standing and serious, with studies as early as 1986 reporting widespread severe lead poisoning in the town. When the Human Rights Clinic sent a fact-finding delegation to Argentina to meet with community members and provincial and national government officials, one Abra Pampa resident described how the plant, while it was in operation, spewed noxious soot, smoke, and particles that covered nearby houses. As Raul Garcia, a vocal town resident, said "the pollution was so bad that it would make your eyes, nose and throat burn, your head hurt and you would feel fatigued." But the health studies and residents' reports have not been enough to move the Argentine government to act. Government officials have neglected to provide meaningful medical treatment, educate the community on the health consequences of exposure to toxic heavy metal waste, and take proactive measures to avoid continued lead contamination in the future.

In addition to its slow reaction and inadequate remedies, the Argentine government's handling of the situation has also lacked transparency; for example, government officials have not responded to 38 of the Human Rights Clinic's 41 public information requests. And the Human Rights Clinic has not been the only one not getting the answers it seeks—government officials never informed the community about the health problems that resulted from the plant's environmental practices. As Raul Garcia explains, "No one ever came. No one ever told us we were living completely poisoned by lead."

With an overwhelming majority of children in Abra Pampa showing signs of severe lead poisoning, the government's failure to provide assistance is particularly acute. For example, a 2006 study showed that roughly 80% of children in Abra Pampa had blood lead levels higher than 5 µg/dL (micrograms per deciliter); approximately 16% of the town's children exhibited levels of lead in their blood exceeding 20 µg/dL. Although 10 µg/dL of lead is internationally recognized as dangerous, there is an emerging medical consensus that levels as low as 3 µg/dL are associated with adverse health effects in children, including delayed puberty, impaired vision, learning disabilities, and impaired motor function. The effects of lead poisoning in children are particularly serious—as childhood lead levels increase, IQ begins to drop off significantly.

As of today, the federal and provincial governments have failed to develop an integral health program to treat the Abra Pampa residents suffering from lead poisoning. As Ariel Dulitzky, Director of the Human Rights Clinic, explains: "The Argentine government has been slow to acknowledge problems in Abra Pampa. And when it finally did so, it responded inadequately, contributing to the environmental problems with poor environmental clean-up practices, allocating insufficient resources for monitoring and remedying health problems, and operating with an overall lack of transparency that keeps the community in the dark about what is going on in their town."

In addition to being affected by the *humos blancos*, some Abra Pampa residents live in the neighborhood *Barrio 12 de octubre*, a development that government officials built on top of

toxic waste. Residents continue to play soccer within the fenced-off area where one of the larger waste deposits is located and families walk from their houses to other parts of town using a path that runs through the same area, since the warning signs have been removed and never replaced.

Abra Pampa is an impoverished town in one of Argentina's most marginal provinces. Metal Huasi's activities in the town and the Argentine government's failure to exercise adequate oversight and provide necessary remedial resources has left the town in dire straits—as Raul Garcia remarked: “Mining. Bread today, hunger tomorrow.” The Argentine government's failure to enforce its national laws and international obligations in the areas of health and environment or to keep its citizens informed about these issues will undoubtedly have repercussions beyond Abra Pampa. As Dulitzky points out: “The National Secretary of Mining reports that there are currently over 400 projects being planned or already in progress in Argentina, which means that if government continues to fail to apply its laws and respond to problems in an effective, efficient, and transparent way, there may soon be many towns just like Abra Pampa—abandoned by mining and poisoned by lead—throughout Argentina.”

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*The Human Rights Clinic is part of the University of Texas School of Law. In the Clinic, an interdisciplinary group of law students and graduate students work under the supervision of Clinic Director Ariel Dulitzky, on human rights projects through fact finding, reporting and other public advocacy. The Clinic is involved in a multitude of activities including supporting advocacy in domestic and international fora; investigating and documenting human rights violations; and engaging with global and local human rights campaigns.*

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