

## OPEN LETTER TO CHILEAN AUTHORITIES

At the Alternative World Water Forum held in Marseille in March 2012, Dr. Andrei Tchernitchin member of the Chilean College of Physicians presented a report confirming the independent analysis of water contamination by heavy metals with certain risks to human health of the Caimanes locality, municipality of Los Vilos in the Choapa Province.

In September 2012, the Chilean Investigation Police released another report, confirming the contamination of water sources in Caimanes by heavy metals such as manganese, cadmium, mercury, and zinc, among others. Following this, the Drinking Water Management Committee of Caimanes, formed by inhabitants, voted to suspend the distribution of water in the locality.

To our great surprise, we learned that SEREMI – the Regional Secretariat for Ministry of Health contradicted these analysis, declaring water in Caimanes as perfectly healthy and fit for human consumption and demanding the restoration of water supply despite the danger to inhabitant's health.

Against this authoritarian attitude, as associations organizing the Alternative World Water Forum, we wish to express our deepest concern. We wish to remind that "the right to safe drinking water and sanitation is a human right, essential to the full enjoyment of life and the enjoyment of all human rights" recognized by UN on 28 July, 2010, and that States must ensure that their people are guaranteed access to safe water. Non-compliance constitutes a violation of human rights on the part of the state, which is an imprescriptible crime.

We recall that since the installation of the mining waste tank in Mauro 8 kilometers from the village, there is visible drying of all streams feeding into the village. The danger posed by this immense basin containing highly toxic metals has been brought to the authorities by the people numerous times with no response.

Today, the water contamination has been recognized by independent scientific analysis, it is essential to act on these results and to intervene immediately to ensure that the population has distribution of safe water. Two thousand people, including many children continue to consume water that has been identified as contaminated. The lack of reaction by the authorities resembles *non-assistance to a person in danger* and it obligates us, as organisations that have signed the final declaration of the Alternative World Water Forum to react.

We ask that the scientific analysis reports be seriously considered. The declaration of Regional Secretariat for Ministry of Health cannot cancel out detailed analysis validated by the College of Physicians and environmental specialists of the PDI. We ask that measures be taken immediately to ensure the health of people living in Caimanes. Otherwise the government would be responsible for failing to protect the lives of inhabitants.

We also ask that any action against the leader of Caimanes cease immediately as well as lawyers defending the village whose only crime was to expose the water contamination, loss of access to water and damage to natural and archaeological heritage caused by Mine Los Pelambres, owned by the Luksic family. The charge of unlawful association, public disorder, prevarication, is untenable in this case where the alleged accused have not done anything other than defend their rights guaranteed by the Constitution. The rights to live in a healthy uncontaminated environment, and a dignified quality of life may not be subject to criminalization.

We support the applications by France Libertés and MRAP to the UN Human Rights Council, condemning violations of human rights taking place in Caimanes.

We express our deepest solidarity with the people of Caimanes.