

25 April, 2022

25 January 2022
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UN Special Rapporteur on toxics and human rights
Special Procedures Branch
UNOG-OHCHR
CH-1211 Geneva 10, Switzerland

RE: Call for input on the impact of toxics on Indigenous peoples

To: United Nations Special Rapporteur on toxics and human rights

Dear Dr. Marcos A. Orellana,

The Unrepresented Nations and Peoples Organization (UNPO) wishes to bring to your attention the harmful impact of toxics on Sindh indigenous community living in Pakistan, member of our organization. The UNPO¹ is an international movement and organization established to empower the voices of unrepresented and marginalized peoples worldwide and to protect their rights to self-determination. The World Sindhi Congress (WSC)², is the leading voice in bringing attention to the human rights violations faced by the Sindhi, as well as their right to self-determination.

Upstream damming has led to an increase in toxics in Indus river due to construction and development pollution. Additionally, the decreased water flow caused by upstream dams has led to a concentration of toxics in the water – with devastating impacts on agriculture, community health, and cultural life.

The UNPO requests that the Special Rapporteur on toxics and human rights take note of the detrimental impact of toxics in the Indus Rivers affecting the Sindh community and take appropriate action.

The information communicated in this submission was collected through interviews with community members and experts during the last weeks. We will be conducting additional interviews in the coming weeks, and can provide more information on this issue if this would be of use. Also note that a complete report about the environmental degradation of the Indus River in the Sindh region and the human rights implication for the community will be published by our organization within the next few months.

In the meantime, please do not hesitate to contact us if you require any clarification or additional input.

Thank your for your attention and consideration of this submission.

Sincerely,



Mercè Monje Cano

Executive director

1 <https://www.unpo.org/>

2 <https://unpo.org/members/7906>

RE: Call for submissions “The impact of toxics on Indigenous peoples”

Questionnaire – Sindhi People

Introduction to the Sindh province and community

Sindh province is the home to the Sindhi people, who are the ancient inhabitants of the land dating back thousands of years – with a population of approximately 48 million people. The Sindhi are comprised of various religious backgrounds, including Sufism, Christianity, and Hinduism, and further constitute a diverse community of cultures. Sindh province is the most southeasterly province of Pakistan, and is located along the Indus River and the northern shore of the Arabian Sea. Under the 1940 Lahore Resolution of the All-India Muslim League, Sindh is recognized as an autonomous and sovereign entity within Pakistan. However, in practice, Sindh has been relegated to a colonial status, and the Sindhi have faced systematic oppression. Their culture, heritage, and language have been marginalized. Furthermore, severe human rights violations, including extrajudicial killings, forced conversion of girls and women, suppression of religion, and enforced disappearances by Pakistani security forces are threatening their existence.

Located on the downstream of the Indus River Delta, the Sindh province has faced various environmental issues, stemming from man-made changes in weather patterns, rising sea-levels, and potential flooding from glacial lakes. With the China-Pakistan economic ties, specifically the China-Pakistan Economic Corridor (CPEC), pre-existing environmental issues have worsened. As indigenous peoples of the Indus River, the Sindhi’s livelihoods are threatened by old as well as new environmental challenges. In particular, the construction of dams and coal power projects are also furthering the unprecedented poverty in the area, although the province accounts for 70% of Pakistan productivity³.

The UNPO observes that the ongoing marginalization of Sindh province, alongside the environmental destruction of the Indus River, have severe impacts on the health and livelihood of the Sindhi. Unfortunately, the severe limitations imposed on civil society by the Government of Pakistan, in the context of a hostile and repressive environment towards peaceful activists and human rights defenders, limit the ability to collect direct evidence from sources inside the country.

Questionnaire:

1. Is your Indigenous community (or one that you represent) suffering from the adverse effects of hazardous substances and toxic wastes? Please describe the case and circumstances of these effects in detail, including the source of the toxic exposure, the types of hazardous substances you are being exposed to, the degree of government/company consultation and consent to relevant activities, as well as any efforts made by the government/company to provide effective remedies.

The Sindh province of Pakistan – and thus the Sindhi indigenous community of the region – are suffering from significant environmental and health issues as a result of the construction of large-scale infrastructural projects. These infrastructure projects are a part of China’s Belt and Road Initiative (BRI). The upstream dam building and BRI-funded coal plants are furthermore negatively affecting the Indus River Delta and its ecosystem. Recent infrastructural projects are adding to the already

³ <https://unpo.org/downloads/2371.pdf>

uncontrolled dumping of waste into Indus River tributaries. The hazardous pollutants and toxics which contaminate the Indus River pollute the ancestral lands and waters of the Sindhi indigenous population. Issues arising from the construction of dams and irrigation systems threaten the continued existence of the Sindhi community. As the Sindhi indigenous population is located downstream from development on the Indus River, it is experiencing the adverse effects of uncontrolled dumping of sewage and industrial waste from all major Pakistani cities and the eastern rivers of India. This is enabled by the Indus Water Treaty of 1960 (between the World Bank and Pakistan), which allows for water from India's eastern rivers to flow into the empty river beds of Pakistan's Ravi and Satluj rivers. Water from irrigation systems connected to municipality drains contain [chemical] pollutants and bio-hazardous waste. This waste is being dumped into these empty river beds, which ultimately flow into the Indus River.

2. What are the adverse impacts of toxic and hazardous waste on your Indigenous community's (or the Indigenous peoples you represent) collective and individual rights, such as your rights to lands, resources, culture, health, livelihood, political and economic involvement, etc.?

The Sindhi are an agrarian society, and are dependent on access to the clean water needed for agricultural production. The province solely depends on water from the Indus River, making the pollution of the Indus River and Delta one of the main threats to the livelihoods and well-being of the Sindhi indigenous population. The Indus River was historically one of the cleanest water sources in the region. However, due to the increasing pollution of surface and groundwater sources, fresh water has become scarce in the Delta. Without access to clean water sources or financial resources to purchase purified water, the Sindhi community is forced to consume the contaminated water. This results in increasing health concerns, particularly among children, whose health is severely impacted. The burden of caring for sick children falls disproportionately on women. This adds significantly to the already heavy burden of informal domestic labor on Sindhi women.

According to the information received, the Sindhi community living in the Indus Delta are negatively affected by toxic pollution in the Indus River from 2017⁴. People are experiencing severe kidney and liver problems – stemming from high levels of arsenic poison within the groundwater. The pollution has led to the forced relocation of community members due to the ecological destruction of their homeland, which has rendered some areas uninhabitable.

Furthermore, the construction and continuance of several infrastructure projects have further caused environmental hazards. The Left Bank Outfall Drain (LBOD), for example, has caused the flooding of villages along the Indus River Delta in Sindh province⁵. This has occurred because the LBOD allows for industrial fluids and a mix of toxic chemicals to flow through the Indus River into the Arabian Sea. The LBOD is an irrigation drain canal; it has caused saline intrusion 70km inland – destroying Sindhi villages. This has forced the Sindhi communities to resettle, losing their indigenous land, and with it, their culture.

4 <https://www.science.org/doi/10.1126/sciadv.1700935>

5 <https://www.dawn.com/news/1576971>

Damming has caused the loss of silt and sand, which is the main cause of the severe water intrusion. If as it is planned additional dams are built, this issue will worsen. The building of six large dams along the Indus River has been proposed⁶, including the BRI-funded dam in Pakistan-controlled Kashmir⁷. The consequence of these dams would be the alteration of the Indus River's water flow. A hydrology and water resources expert mentioned in a March, 2022 interview with UNPO that consequence of the Indus Water Treaty as well as the structures being built for mega dams can be considered "ecocide"⁸.

3. *Have you tried to take action (either legal action, advocacy campaign, etc.) to raise awareness on the issue and/or have you tried to obtain compensation?*

There is a long history of protests⁹, campaigns, and political struggle against upstream water development projects. All of this peaceful activism has stemmed from various peoples living in the Sindh province. Political action has included [labor] strikes, hunger strikes, public rallies, literature production, and protest marches – including a march from the Indus Delta to the metropolitan city of Karachi.

There are significant challenges facing the Sindhi community in their attempts to raise awareness for this issue. The high rates of poverty in the region limit the resources available for advocacy. Additionally, many in the region are illiterate, lack access to education, and are not aware of their rights. This limits the ability and capacity of the Sindhi people to advocate for these rights. Furthermore, the Pakistani government has systemically marginalized the Sindhi. The government focuses on the economic advantages of the China-Pakistan Economic Corridor, which allows for the construction of dams, while consideration for the ecosystem of the rivers and the populations living downstream is disregarded.

6 https://web.archive.org/web/20121004084045/http://www.unwater.org/downloads/worldstop10riversatriskfinalmarch13_1.pdf. p. 25.

7 *See e.g., Abdul Hadi, Dams and Destruction: the Case Study of Indus Delta, Environmental Justice 12(2) (February 2019) available at <https://doi.org/10.1089/env.2018.0035>.*

8 "Ecocide" has been defined by an independent expert panel as "unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts" (<https://static1.squarespace.com/static/5ca2608ab914493c64ef1f6d/t/60d1e6e604fae2201d03407f/1624368879048/SE+Foundation+Commentary+and+core+text+rev+6.pdf>)

9 <https://unpo.org/article/21235>, <https://www.unpo.org/article/3481>, <https://unpo.org/article/21903>, <https://unpo.org/article/22116>