



November 29, 2021

Ulf Bjornholm
Secretary of Governing Bodies
Acting Director, Governance Affairs Office
UN Environment Programme
Via E-mail: unep-sgb@un.org

RE: Ministerial declaration for the fifth session of the United Nations Environment Assembly
“Strengthening Actions for Nature to Achieve the Sustainable Development Goals”

Dear Mr. Bjornholm:

Thank you for the opportunity to review the draft Ministerial Declaration. Though we currently have insufficient time to fully comment on the draft document, on behalf of the Inuit Circumpolar Council allow me to share some general remarks and make a few suggestions.

General comments:

--There is currently no reference to Indigenous Peoples in the document. Other examples, such as the Stockholm Convention on POPs and the Minamata Convention on Mercury have a paragraph in the preamble highlighting that Indigenous Peoples are particularly impacted by contamination. This is also valid for plastic pollution, which comes on top of existing chemical pollution of otherwise remote and pristine places, such as the Arctic. The addition of preambular language of the *UN Declaration on the Rights of Indigenous Peoples* (UNDRIP) should be considered, in particular “Recognizing that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment, ...”

--The recommendations of the UN Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Marcos Orellana, should be referenced and some wording included. Such as:

“The whole cycle of plastics, at its various stages, has become a global threat to human rights.”

“The global plastics crisis necessitates a worldwide, human rights-based solution.”

“The plastics crisis affects a broad range of human rights, including the rights to life, the highest attainable standard of health, a healthy environment, housing, water and sanitation, adequate food, equality and non-discrimination, as well as rights to information, participation and effective remedy, all of which are protected under international law. It has disproportionate impacts on

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groups at heightened risk of human rights violations, such as workers, children, women, persons of African descent, Indigenous peoples, coastal communities and people living in poverty.”

“Toxic additives in plastics that are persistent and capable of long-range transport also affect indigenous peoples and coastal communities. For example, persistent industrial chemicals and microplastics transported by atmospheric and oceanic currents from lower latitudes accumulate in the Arctic. That threatens the health and food security of indigenous peoples and coastal communities, who register some of the highest levels of persistent pollutants of any population on Earth.”

“A human rights-based approach to global plastics management, focusing on human rights principles as well as mechanisms for accountability and access to remedy, is vital to ensuring that any global agreement on plastics is effective and legitimate. Human rights principles should be reflected not only in the architecture and text of the agreement, but also in the negotiation process.”

“A human rights-based approach means that people are actively involved in the decision-making process on plastics management. Meaningful participation is vital in all stages of the plastics cycle, including issues of volumes of plastics production, the use of additives in plastic mixtures, and management of plastic waste.”

“Special measures should be tailored to the needs of people in vulnerable situations, ensuring that they are able to influence decisions that may affect them.”

“United Nations Declaration on the Rights of Indigenous Peoples emphasizes the obligation of States to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent. In addition, the Permanent Forum on Indigenous Issues has urged States and the United Nations system to include Indigenous peoples in a fully meaningful and effective manner in decision-making processes in all areas aimed at tackling marine litter and plastic pollution”

Specific comments:

--In the operative section, OP8, add after Paris Agreement “and outcomes from Glasgow, COP-26...”

--OP10, after policy approaches add “...based on multiple forms of knowledge, including Indigenous Knowledge, and by emphasizing valuation of nature and the assessment of nature-related risks in policy making”. We would like to highlight here that Indigenous Peoples have a deep connection to the environment, which is important to recognize and currently missing.

--OP16 should recognize Arctic Council-related activities and actions around plastic pollution and monitoring, including the monitoring guidance on plastics developed by the Arctic Monitoring and Assessment Programme (AMAP), as well as the action plan developed by the Protection of the Arctic Marine Environment (PAME).

We hope that these comments and proposed changes are considered in the final draft. We remain at your disposal should you have any questions or require more information.

All the best,

A handwritten signature in cursive script that reads "Dalee Sambo Dorough".

Dalee Sambo Dorough, PhD
Chair