



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2005/NGO/256  
11 March 2005

ENGLISH AND SPANISH  
ONLY

---

COMMISSION ON HUMAN RIGHTS  
Sixty-first session  
Item 10 of the provisional agenda

**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Joint written statement\* submitted by Franciscans International, a non-governmental  
organization in general consultative status, and  
Dominicans for Justice and Peace, a non-governmental organization in special  
consultative status**

The Secretary-General has received the following written statement which is circulated  
in accordance with Economic and Social Council resolution 1996/31.

[11 February 2005]

---

\* This written statement is issued, unedited, in the language(s) received from the  
submitting non-governmental organization(s).

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Dominicans for Justice and Peace and Franciscans International calls to the attention of the UN Commission on Human Rights the continuing violation of the human rights of the people of Vieques, Puerto Rico.

Their rights to health, a safe environment, sustainable development and participation in the decisions affecting their lives are violated by the way in which the United States expropriated and used over two-thirds of their lands for sixty years, and now is deciding on future land use and decontamination, while refusing to compensate victims of its toxic wastes.

On May 1, 2003, the Navy ceased training in Vieques. It turned over the 14,470 acres comprising the Atlantic Forces Weapons Training Area not to the government of Puerto Rico, but to the United States Department of the Interior.

The 900-acre Live Impact Area, which has been literally bombarded with millions of pounds of explosives from sea, air and land, has been designated a "wilderness area," from which the public is excluded.<sup>1</sup>

This is not a pristine area untouched by human hand, as required for "wilderness" designation, but rather a toxic waste site so hazardous that the United States Environmental Protection Agency's initial evaluation suggests that it may determine that cleaning the site is "impracticable," and close it permanently to civilian access.

The fate of the other approximately 13,000 acres that formed part of the Atlantic Weapons Training Facility, and the surrounding seas, coral reefs and cays is less clear. The EPA has just formally included area on its "National Priorities List" ("Superfund") of the most severely contaminated sites in the United States, requiring urgent remedial action. Clean up of the surrounding seas, which provide food and livelihood for a large number of families in Vieques, is essential, and unresolved.

According to the EPA, the list of contaminants of concern in Vieques includes mercury, lead, copper, magnesium, lithium, perchlorate, TNT, napalm, depleted uranium, PCBs, solvents, pesticides, and others.

The contaminated area is adjacent to, and immediately upwind of, the homes of Vieques' approximately ten thousand residents. Available public health data shows that the incidence of cancer is 27% higher than in the rest of Puerto Rico, that rates of cancer mortality are significantly higher than in the rest of Puerto Rico, as are rates of heart, respiratory and skin diseases.

A recent study of hair samples from more than 2,000 Vieques residents showed that 80% had abnormally high levels of heavy metals and other toxic substances in their bodies. Those substances are known to cause the kinds of disease found in abnormally high rates in Vieques.

The United States government has rejected claims for compensation filed by the

---

1 Public Law 106-398; Public Law 107-107.

victims, arguing that there is insufficient proof that the Navy's activities are the cause of their illness. Because of the Navy's expropriation of about 70% of Vieques' land beginning in the 1940s, there is no major industry or other source of pollution on the island.

Therefore, Dominicans for Justice and Peace and Franciscans International call upon the UN Commission on Human Rights to:

1. Urge the United States to carry out the environmental clean up in Vieques in a manner consistent with the subsequent return of all the lands to the people of Vieques for use according to their needs;
2. Urge the United States to compensate all individual victims of illnesses associated with the contaminants deposited by the United States Navy in Vieques;
3. Requests the Special Rapporteur on Health to investigate and report on the impact on the health of individuals and communities in Vieques that have been adversely affected by the contaminants deposited by the United States Navy.

-----