



## INDUSTRIAL GOLD MINING POSES SERIOUS RISKS TO WATER IN NORTHERN HAITI

*Companies Fail to Provide Information—but International Team of Human Rights Lawyers, Hydrologists, and Haitian Community Organizations Complete Baseline Study in Rural Haiti*

(Cap-Haitien, December 11, 2018)— Industrial gold mining poses serious risks of contamination and diminished water in northern Haiti, according to the findings of a study completed today by the [Global Justice Clinic](#) of NYU School of Law (GJC), the *Kolektif Jistis Min* (Justice in Mining Collective or KJM), two American hydrologists and community organizations resisting mining. With companies silent about their plans and potential environmental impacts, the coalition worked in partnership with local communities to complete a baseline study.

Over three years, the international team measured infringements of the right to water in two dozen communities that sit within the Morne Bossa gold mining permit in Quartier Morin, in Haiti's North department. The Morne Bossa permit is one of three exploitation permits held by companies in Haiti. Teams of local community members and scientists took field measurements from more than 70 borehole wells, hand-dug wells, springs and rivers in the study area. The scientists conducted laboratory tests on water samples from 48 sites to determine the presence of metals, anions, and other geochemistry.

The study confirmed that there is a healthy aquifer in Quartier Morin. However, the scientists suggest that the aquifer needs to be protected. "If mining companies extract large amounts of groundwater, there is the potential for hand-dug wells and springs to go dry until pumping ceases and the system restores itself. This could take years, or this could be permanent," said Dr. Tess Russo, one of the hydrologists who conducted the scientific analysis. "Further, water quality impacts due to mining activity may make it impossible for Cap-Haitien to rely on [Quartier Morin for drinking water](#), as the government and international partners propose."

The study found that the majority of boreholes pumped water that did not contain anything indicating it was not safe for drinking and other uses. However, all of the hand-dug wells—which access shallow groundwater—tested positive for e.coli, indicating fecal contamination. If a mining company extracted large amounts of water, it would be possible for the groundwater to cross-contaminate the deeper water of the boreholes, rendering the pumped water unsafe.

"Unless the companies or the government of Haiti release any data they possess, the baseline study will provide the only public data documenting water conditions within the Morne Bossa mining permit," said Margaret Satterthwaite, Director of the Global Justice Clinic. Haitian law requires that companies produce a feasibility study—including the socioeconomic and environmental impacts of the project—as well as an Environmental Impact Assessment (EIA) prior to constructing a mine. More than three weeks ago, GJC submitted a written request to the permit-holders—[Resources Générale Corporation](#) and [3D Resources](#)—for such data. GJC has not received a response. Similar requests have been made to the Office of Mines and Energy of Haiti; they have not provided any data.

Human rights law applicable to Haiti requires the state to compel companies to complete participatory assessments and community consultations, as well as require full public disclosure of the impacts of their activities on the community's environment, health, and human rights. Disclosure of company plans to address such impacts is also mandatory. Best practice also requires that a company must begin environmental

assessment studies as early in the project life as possible. Local residents have the right of access to information, which means relevant companies should ensure communities have good, quality information about their proposed activities.

It is well known that mining, particularly mining for gold, silver, and other metals, not only uses significant amounts of water, but contaminates water as well. Contaminated waste water must be carefully isolated and treated to protect drinking water from infiltration. “Too often, communities suffer the effects of industrial accidents, earthquakes and other natural disasters, and find that they cannot prove that mining is to blame since they do not have data concerning pre-mining conditions in their communities,” said Ellie Happel, Director of GJC’s Haiti Project. “The baseline study fills this gap.”

In May, residents published an [open letter](#) asserting that they will not trade water for gold. They now own data that proves that the water is not contaminated with heavy metals and chemicals that often accompany mining. “We have data that shows how our water is today, and we see that we must protect—and improve—what we have. We call on local and national authorities, as well as mining companies, to suspend mining activities definitively, in our area and in Haiti,” said Maxene Joseph, a community leader who has participated in every phase of the water study .

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**Note to editors:**

Local community members, activists from the *Kolektif Jistis Min*, as well as the scientists who worked on the study, are available to speak to the press upon request.

**For background on the environmental and human rights risks of gold mining in Haiti**, see [Byen Konte, Mal Kalkile: Human Rights and Environmental Risks of Mining](#).

**About the Global Justice Clinic**

The Global Justice Clinic at NYU School of Law provides high quality, professional human rights lawyering services to individual clients and nongovernmental and intergovernmental human rights organizations, partnering with groups based in the United States and abroad. Working as legal advisers, counsel, co-counsel, or advocacy partners, Clinic students work side-by-side with human rights activists from around the world. The Clinic has worked on human rights issues in Haiti since its founding.