

December 12, 2022

Dr. Tania Reneaum Panszi
Executive Secretary
Inter-American Commission on Human Rights
Washington D.C.

Reference: Request for a thematic hearing on the human rights situation of individuals and communities affected by Concentrated Animal Feeding Operations in the hemisphere.

Dear Secretary Reneaum Panszi,

We, the 20 undersigned organizations, with the support of an additional 243 organizations, write to request a thematic hearing before the Inter-American Commission on Human Rights during its 186th period of sessions, from March 6th through 10th, in accordance with Articles 61, 62, and 66 of the Rules of Procedure of the IACHR.

I. Objective of the Hearing

The objective of the hearing would be to present detailed information on the harms to human rights caused by industrial meat-, egg-, and dairy-production facilities—commonly known as Concentrated Animal Feeding Operations (“CAFOs”)—in the Americas, with an emphasis on human rights abuses from CAFOs in Argentina, Chile, Ecuador, Mexico, and the United States. Because CAFOs hold up to hundreds of thousands of poultry, swine, dairy cows, or other animals in close confinement, they pose serious threats to human health and the environment. The failure of States to properly regulate, monitor, and control CAFOs allows them to freely pollute surface water and groundwater, foul the air, contribute to climate change, and spread dangerous pathogens.

Specifically, we will present:

- 1) An overview of CAFOs and their unchecked spread from the United States to the rest of the hemisphere.
- 2) Testimony from victims and scientific experts detailing the serious and irreversible damage that CAFOs cause to human health, water, air, and the climate, as well as their disproportionate impact on Indigenous peoples and communities of color.
- 3) Evidence highlighting the many ways in which States fail in their due diligence obligations to properly regulate, control, and supervise private CAFO operators, including by exempting CAFOs from environmental laws and regulations, actively blocking access to public information, and criminalizing environmental defenders, in violation of the Escazu Agreement.
- 4) A series of recommendations for both States and the IACHR to effectively guarantee human rights in the face of the growing threats presented by CAFOs in the hemisphere.

In November 2021, several of the undersigned organizations met with the Special Rapporteur on Economic, Social, Cultural and Environmental Rights and lawyers from the Reporteruship on the Rights of Indigenous Peoples to briefly summarize the harms that CAFOs pose to human rights. A full hearing before the IACHR is necessary to present new information showing that CAFOs exacerbate the climate crisis and disproportionately harm Indigenous communities, communities of color, and low-income communities across the hemisphere. We will also present additional information showing that States not only allow existing CAFOs to escape necessary regulation and oversight, but also actively support their uncontrolled expansion. Examples include laws that prevent advocates from obtaining or disseminating information about CAFOs; repeated failures to protect environmental defenders from harassment, intimidation, threats, and criminalization; and subsidies for CAFOs, including through programs intended to promote conservation.

This information is of vital importance for the IACHR's mandate to monitor the general human rights situation in the hemisphere, and it is particularly relevant to the work of the Special Rapporteur on Economic, Social, Cultural, and Environmental Rights; the Rapporteur on Human Rights Defenders and Justice Operators; the Rapporteur on the Rights of Indigenous Peoples; the Rapporteur on the Rights of Persons of African Descent and against Racial Discrimination; and the Special Rapporteur for Freedom of Expression. Our presentation will also be relevant for evaluating future requests for precautionary measures and petitions for human rights violations related to States' failure to control the harmful extractive agriculture practices of the meat, egg, and dairy industries.

II. Justification for the Hearing

1. CAFOs Are Spreading Throughout the Americas.

Despite the serious harms they cause, there are already more than 21,000 CAFOs in the United States, and CAFOs are spreading throughout the Americas. Chile is currently the world's fifth-largest pork exporter; Argentina's swine industry grew by more than eight percent per year between 2002 and 2021; in Mexico, industrial meat production is expanding rapidly in the southern part of the country; and Ecuador doubled its swine production between 2010 and 2020. Experts have already documented the grave and irreversible harms of industrial meat, egg, and dairy production for human health and the environment in the United States. The expansion of CAFOs to the rest of the hemisphere, often with the support of State policies and without a strong regulatory framework, will expose many more communities to these harms.

2. CAFOs Harm Human Rights.

CAFOs pose serious threats to a right to a healthy environment and many other interconnected rights because of the significant harms they can cause to human health, water, air, and the climate. The largest threat comes from the enormous amounts of urine and feces that CAFOs generate, which often is stored in vast, uncovered pits or large piles. For example, a single CAFO in the Yucatán Peninsula plans to confine 49,252 pigs that would together produce as much as 272,363,000 kilograms of waste each year, more than is generated by the entire human population of Tijuana. If not properly managed, the enormous quantity of waste that CAFOs generate will contaminate surface and ground waters, causing human health impacts including gastrointestinal tract distress and skin, eye, and ear infections. It will also harm local

ecosystems and lead to massive fish kills. CAFO waste is especially hazardous when it reaches sources of drinking water. Nitrate pollution from CAFO waste can cause birth defects and the potentially fatal blood condition methemoglobinemia, or “blue baby syndrome,” in infants under six months of age. It also can increase risks for hyperthyroidism, insulin-dependent diabetes, bladder cancer, and ovarian cancer.

In addition to polluting the water, CAFOs threaten human health and livelihoods in many other ways. CAFOs generate and spread dangerous pathogens, including antibiotic-resistant bacteria and dangerous viruses, which affect CAFO workers and community members. Waste pits and piles emit hazardous air pollutants including hydrogen sulfide, ammonia, and hundreds of volatile organic compounds. These gases and other air pollutants can cause nausea, headaches, burning eyes and coughing, among many other ailments, all of which diminish quality of life in nearby communities, preventing families from socializing, working, and playing outdoors. Finally, CAFOs drive small, local, and sustainable food producers out of business, depriving people of a choice in how their food is produced and disrupting their ability to produce and access food in a culturally appropriate and sustainable way.

Furthermore, CAFOs exacerbate the climate crisis because they emit large quantities of methane and nitrous oxide, greenhouse gases that are 80 and 300 times more potent than carbon dioxide (CO₂) over a 100-year period, respectively. According to the Intergovernmental Panel on Climate Change, agriculture is responsible for approximately 6.2 gigatons of CO₂ equivalent per year. In the United States—the largest contributor of greenhouse gas emissions in the hemisphere—meat and dairy production, which occurs primarily in CAFOs, was responsible for 421.8 million tons of CO₂ equivalent in 2017, which is roughly equal to that produced by 91.7 million vehicles in a year.

These impacts to human health and the environment have already been well-documented in the United States and are now spreading to the rest of the hemisphere. For example, in Ecuador, industrial farms have contaminated rivers with animal waste, and contact with contaminated water has caused skin, respiratory, and gastrointestinal problems. In the Yucatán Peninsula, more than 250 CAFOs threaten to contaminate the country’s largest groundwater reserve and its cenotes, which are socially, culturally and economically important to Mayan community members. In Chile, authorities allowed a CAFO with 2.5 million pigs to use massive amounts of fresh water in the Atacama Desert region—one of the driest regions in the world—threatening the community’s water supply.

Throughout the Americas, CAFOs disproportionately harm Indigenous communities, communities of color, and low-income communities. A new report from the United States shows that in North Carolina, the percent of Indigenous, Black, and Latino/a residents living within three miles of a CAFO is much higher than the percentage of whites, reaching over twice as high for Indigenous people. In addition, families in low-income areas in North Carolina are nine times more likely to live within three miles of a CAFO than those living in higher-income areas. Likewise, in California’s Central Valley, the percentage of Indigenous and Latino/a residents living within three miles of a CAFO is higher than the percentage of whites, and families in low-income areas are more likely to live within three miles of a CAFO.

As of 2008 in the Yucatán Peninsula, 86 percent of CAFOs were located in Mayan-speaking regions and on or near communal property of Indigenous people, often without prior consultation or consent. In Chaco, Argentina, the provincial government has reportedly signed an agreement authorizing a company to build three pig CAFOs in the province, including on Indigenous communities' land without prior consultation or consent. And in Santo Domingo de los Tsáchilas, Ecuador, which is home to the Tsáchilas Indigenous group, 30 CAFOs operated by PRONACA together confine about one million pigs. Community members in Santo Domingo de los Tsáchilas report that the CAFOs have polluted water that they use for bathing, cooking, fishing, and watering their crops and animals.

3. States Fail to Regulate, Control, and Supervise CAFOs.

States across the hemisphere routinely allow CAFOs to escape regulation and oversight for the human rights harms they cause. In the United States, for instance, CAFOs are exempted from many important environmental laws and regulations, including regulations that require reporting of dangerous air emissions. In Chile, existing regulations do not protect communities from harmful odors emanating from swine CAFOs. And enforcement is often inadequate. In Ecuador, an inter-institutional commission meant to monitor pollution from CAFOs has failed even to conduct proper water testing, a basic step necessary to monitor and control pollution. In the Yucatán Peninsula, many CAFOs operate without legally required environmental impact assessments; of the approximately 250 pig CAFOs registered there, only 18 have been subject to proper impact assessments.

Not only have States abdicated their duty to ensure that CAFOs do not harm human rights and the environment, but they have also supported the spread of CAFOs by subsidizing their construction and operation. In the United States, the federal government finances CAFOs through loans and loan guarantees, including giving \$USD 134 million in 2020 for a program meant to encourage conservation. The United States also indirectly supports CAFOs through corn and soybean subsidies, which lower the costs associated with feeding animals while providing additional benefits to CAFOs that grow the crops to sell. In Ecuador, the World Bank's International Finance Corporation provides funding to CAFOs, including \$USD 120 million to a single producer, despite multiple requests from community members and environmental defenders to stop funding CAFOs.

Many States prevent environmental defenders from accessing public information or providing public oversight of CAFOs. In the United States, several states have passed laws prohibiting private citizens from collecting certain information on agricultural facilities. These "ag-gag" laws generally prohibit individuals from taking photos or videos of agricultural facilities or collecting documents from them. In many affected communities across the hemisphere, there simply is no or very little information available on nearby CAFOs. This lack of information limits community members' ability to participate effectively in decisions regarding environmental permits for the CAFOs' construction and operation.

Finally, throughout the hemisphere, environmental defenders have been victims of harassment, retaliation, and intimidation for their work to protect communities and the environment from CAFOs. For example, in Mexico, environmental defenders opposing CAFOs have received death threats. In Chile, police and private security have used violence against those

opposing CAFOs. And in the United States, scientists have been harassed and threatened for researching CAFO pollution.

III. Request

Based on Articles 61, 62 and 66.1 of the Commission's Rules of Procedure, we respectfully request a hearing on the "Human rights situation of persons and communities affected by CAFOs in the hemisphere" with the participation of the petitioning organizations, in which we will present in detail the information set out above.

The petitioning organizations will coordinate presentations at the hearing and will inform the IACHR of the delegates who will give testimony, in the event that the IACHR decides to grant the hearing.

IV. Notifications

We ask that all notifications be sent to the following email addresses:

Jacob Kopas, Earthjustice; jkopas@earthjustice.org

Karen Hudlet Vazquez; KHudletVazquez@clarku.edu

Sincerely,

The 20 organizations and groups that request this hearing:

1. ARTICLE 19 México y Centroamérica
2. Acción Ecológica
3. Asociación Interamericana para la Defensa del Ambiente (AIDA)
4. Asociación Argentina de Abogados Ambientalistas
5. Cátedra Libre de Soberanía Alimentaria de la Escuela de Nutrición de la Universidad de Buenos Aires
6. Center for Biological Diversity
7. Colectivo de Derechos Humanos Yopoi
8. Conciencia Solidaria
9. Earthjustice
10. Kanan Derechos Humanos
11. Guardianes de los cenotes "Kanan Ts'ono'ot"
12. Greenpeace México
13. Movimiento Socioambiental Valle del Huasco
14. Museo del Hambre
15. Programa de Derechos Humanos, Universidad Iberoamericana Ciudad de México
16. Red de Abogadas y Abogados por la Soberanía Alimentaria (REDASA)
17. Representantes de la Infancia de Homún
18. Seminario sobre el Derecho Humano a la Alimentación Adecuada de la Facultad de Derecho de la UBA
19. Slow Food Chile

20. Waterkeeper Alliance

242 additional organizations and groups that support this petition:

1. 7 Directions of Service
 2. Acción por la Biodiversidad
 3. Actrices Argentinas
 4. Adapa Rafaela Acción de Defensa Animal y Protección Ambiental
 5. Agroecológica Mallarauco
 6. Agrupación Biodiversidad de Paillaco
 7. Agua para Todos Capítulo Guerrero
 8. ALA Ecuador
 9. Alianza de Derecho Ambiental y Agua
 10. Alianza Maya por las abejas de la Península de Yucatán Kabnalo'on
 11. Alianza Nacional de Campesinas
 12. American Sustainable Business Network
 13. AMORCC Asociación Morelense de Lucha contra el Cáncer A C
 14. Animal Rebellion México
 15. APDH
 16. APDH Argentina- Regional Río Tercero
 17. Apdh Esquel
 18. Apdh Rosario
 19. Apicultores Dzonot Carretero
 20. Arca de Noé
 21. Asamblea de vecinxs
 22. Asamblea El Algarrobo
 23. Asamblea Nacional Ciudadana
 24. Asamblea Permanente por los Derechos Humanos - Regional Tucumán
 25. Asamblea Socio Ambiental
 26. Asociación Andaluza por la Solidaridad y la Paz
 27. Asociación Civil Amparo Animal
 28. Asociación de Consumidores Orgánicos
 29. Asociación de Investigadores de Derecho Penal Ambiental y Climático, AIDPAC
 30. Asociación Departamental de mujeres Campesinas Indígenas de Santander - ADEMUCIS
- SANTANDER
31. Asociación Hondureña Protectora de los Animales y su Ambiente
 32. Asociación Mexicana de Estudios sobre el Karst, AMEK
 33. Asociación Nacional de Empresas Comercializadoras de Productores del Campo, ANEC
 34. Asociación Nacional de Mujeres Rurales e Indígenas ANAMURI
 35. Asociación Potosina por la Dignidad Animal
 36. Assateague Coastal Trust
 37. ATC, Nicaragua
 38. Atchafalaya Basinkeeper

39. Autoconvocadxs por el cierre del incinerador
40. Autonomous Animal Action
41. Black Warrior Riverkeeper
42. Cabildo Indígena Zenú
43. Cacique MEXIÓN
44. Cahaba Riverkeeper
45. Calmil Comunicación
46. Campaña Nacional Sin Maíz No Hay País
47. Campesinos del Desierto
48. Carnaval del Maíz
49. Cartagena Waterkeeper
50. CartoCrítica - Investigación, mapas y datos para la sociedad civil
51. Cátedra de Agroecología y Soberanía Alimentaria. UNPSJB. Esquel
52. Cátedra Libre de Soberanía Alimentaria - UNLP - Argentina
53. Cátedra Libre de Soberanía Alimentaria de 9 de Julio
54. Cátedra Libre de Soberanía Alimentaria Río Cuarto
55. Cátedra Libre de Soberanía Alimentaria UNR
56. Cátedra Libre de Soberanía Alimentaria y Agroecología de la Universidad Nacional de Misiones
57. Catskill Mountainkeeper
58. CDMX Animal Save
59. Central California Environmental Justice Network
60. Central de los Trabajadores y Trabajadoras Argentina
61. Centro de Derechos Humanos Miguel Agustín Pro Juárez (Centro Prodh)
62. Centro de Información sobre Empresas y Derechos Humanos
63. Centro de Estudios Interdisciplinarios en Agrobiodiversidad
64. Centro de Investigación de Derechos Humanos, CIPRODEH
65. Centro Mexicano de Derecho Ambiental AC, CEMDA
66. Chacra Las Robinias
67. Chile Ambiental
68. Chile Sin Ecocidio
69. Chubut Climate Save
70. Círculo de Soberanía Alimentaria UNSAM
71. Climate Change & Animal Agriculture Litigation Initiative, Law, Ethics & Animals Program at Yale Law School (Yale affiliation provided for identification purposes; position not endorsed by Yale University or Yale Law)
72. Climate Save Argentina
73. Cocina Soberana
74. Colectivo Agroecológico La Verdecita
75. Colectivo de Atención Comunitaria U Yutzil kaaj
76. Colectivo en Defensa de los Polinizadores
77. Colectivo Luciérnagas
78. Colectivo Reciclador

79. Colectivo Soberanía Alimentaria Punta Indio
80. Colectivo Sociosanitario Andrés Carrasco- Fesprosa
81. Colectivo Tierra Viva Bolívar
82. Comisión de Protección de los Derechos de los Animales del Ilustre Colegio de Abogados de Barcelona
83. Comité Ambiental Comunal Villa Alegre
84. Comité Ciudadano Defensa del Agua y Territorio de Baja California
85. Comité de Usuarias y Usuarios del Mercado de Alimentos - CUUM
86. Community Water Center
87. Comunicación y Educación Ambiental SC
88. Comunidad Agroecológica U Neek Luum
89. Comunidad Cocina Soberana de Buenos Aires de Slow Food Argentina
90. Comunidad Crianza Agroecológica
91. Comunidad Slow Wine Valle Marga Marga
92. ConCiencia Agroecológica 9 de Julio
93. Conciencia Solidaria Asociación Civil
94. Consejo Ciudadano por el Agua de Yucatán
95. Consultorio Popular ABC
96. Contaminantes Anónimus
97. Contraloría Ciudadana del Agua de La Laguna
98. Cook Inletkeeper
99. Cooperativa La Yumba
100. Cooperativa Sersano
101. Coordinadora Nacional Agua para Todos Agua para la Vida Corriente Agraria Nacional y Popular (CANPO)
102. Corporación de Estudios Regionales- Guayaquil CER-GCER.G
103. Corriente Nuestra Patria
104. Cortland-Onondaga Federation of Kettle Lakes
105. Defensoría del Derecho a la Salud/Centro de Capacitación en Ecología y Salud para Campesinos
106. Dignidad
107. Direct Action CDMX
108. Direct Action Everywhere
109. EDUCE-cooperativa
110. El Campo es Vida, grupo de Apicultor@s de Chocholá
111. El Poder del Consumidor A.C.
112. Escuela de Agricultura Ecológica U Yits Ka'an
113. Esperanza de Sitalpech
114. Ex presos políticos por la existencia sustentable
115. Extinction Rebellion Ecuador
116. Farmworker Association of Florida
117. Federación Médica Ecuatoriana
118. FIAN México

119. For Love of Water (FLOW)
120. Frente Ciudadano Pro Derecho Animal (FRECDA)
121. Frente Cívico Pro Defensa del Casino de la Selva
122. Frente Nacional por la Salud de los Pueblos del Ecuador, FNSPE
123. Friends of the Earth
124. Fundación Adopciones Walla
125. Fundación Cerro Verde
126. Fundación para el Debido Proceso
127. Fundación Desafío
128. Fundación Ecosur
129. Fundación Encuentro por la Vida: Cultura y Democracia Ambiental
130. Fundación Funvimufroin
131. Fundación GEP
132. Fundación Salud Ambiente y Desarrollo, FUNSAD, Ecuador
133. Fundación Semillas de Vida, A.C.
134. Fundación Sinchi Sacha
135. Fundación Victoria Animal
136. FUNDERHU
137. Germ
138. Germinar Autonconvocadxs L.N.Alem
139. Grupo de Estudios Ambientales (GEA AC)
140. Grupo de Etnobiología - Buenos Aires
141. Guardianes del agua, Hunucma
142. Guasco Educa y Resiste
143. Grupo de apicultores Cheen kaab de Kinchil
144. Grupo de apicultores Cantukun de Kinchil
145. Hijos de Gaia Madre Tierra
146. Huerticamx
147. Human Animal Liberation Time (HALT)
148. Ideas Comunitarias, A.C. (Oaxaca-México)
149. IMDESU SC, Instituto Mexicano de Desarrollo Humano y Aprovechamiento Sustentable
150. Initiative Mexiko, Alemania
151. Institute for Agriculture and Trade Policy
152. Instituto de Derecho Animal La Rioja Argentina
153. Instituto de Estudios Ecologistas del Tercer Mundo
154. Interhuertas
155. Johns Hopkins Center for a Livable Future
156. La Flor de Tajonal SC de RL
157. La Paz Waterkeeper
158. Lake Erie Waterkeeper
159. Liga Argentina por los Derechos Humanos
160. Lo Animal es Político
161. Locust Point Community Garden

162. Maestría de Derechos Humanos y Garantías del Instituto Tecnológico Autónomo de México (ITAM)
163. Más Derechos por Más
164. Maule Itata Coastkeeper
165. Maule Sur por la Vida
166. Mejen T'aano'ob Pequeñas Voces A.C.
167. Melga Chiloe
168. Mercado de la tierra Región de Coquimbo
169. Mercy for Animals Latinoamérica
170. Milwaukee Riverkeeper
171. Minhoca Trama de la Tierra
172. Missouri Confluence Waterkeeper
173. Movimiento Campesino Liberación
174. Movimiento Socioambiental del Valle del Güasco
175. Mujeres en Resistencia
176. Mujeres Modatima
177. Mundo y Conciencia
178. National Family Farm Coalition
179. Natural Resources Defense Council
180. Naturaleza Limpia Berisso
181. Nicoya Peninsula Waterkeeper
182. North Carolina Environmental Justice Network
183. Orange County Coastkeeper
184. Ovic
185. Pachamama
186. PAE
187. PAE Riobamba
188. Patria Grande
189. Permacultural "SEMILLAS DE VIDA"
190. Pilgua
191. Potomac Riverkeeper Network
192. Preservando Hudson
193. Pronaces Agua
194. Propuesta Tatu
195. Protection International Mesoamérica
196. Proteger animales
197. Proyecto Alimento
198. Proyecto Timón Verde
199. Public Justice
200. Puget Soundkeeper
201. Pulmocer
202. QAWARISUN - Observatorio de agua, agroecología y soberanía alimentaria
203. RE Sources

204. Rebelión o Extinción Argentina
205. Recicla
206. Red Brujas Feministas
207. Red Ciudadana por la Sostenibilidad de Yucatán
208. Red de Desarrollo
209. Red Federal de Docentes por la Vida
210. Red por Escazú de Costa Rica
211. Red Salud Popular Ramón Carrillo
212. Red Semillas de Libertad de las Américas
213. Río Mapacho Waterkeeper
214. Rural Coalition
215. San Luis Obispo Coastkeeper
216. Seminario de Soberanía Alimentaria y salud socioambiental. Facultad de Ciencias Médicas, Universidad Nacional del Comahue
217. Seneca Lake Guardian
218. Slow Food Chile Asociación Gremial
219. Socially Responsible Agriculture Project
220. Somos Agua
221. Sostenible de Colombia
222. Siese Manuel Ugarte
223. SVyAsoc Trazabilidad
224. Tennessee Riverkeeper
225. The Cortland-Onondaga Federation of Kettle Lake Associations
226. The Humane League Mexico
227. Three Rivers Waterkeeper
228. Todos Somos Animales
229. Toxic Free North Carolina
230. Troja Manaba
231. U Yóol Lu'um
232. Unión Universal Desarrollo Solidario
233. Universal Compassion Buddhist Congregation
234. Universidad del Rosario
235. UPVA "Unidos por la Vida y el Medio Ambiente"
236. USIN. Colectivo por la Soberanía Alimentaria y la Salud de los Territorios de Tierra del Fuego AeIAS
237. Vecinos autoconvocados por no a la incineración en Marcos Paz
238. Veganos del Paraguay
239. Vinculo Animal PR
240. Waterway Advocates
241. Ya'ax Óol
242. Yasunidos Guapondelig
243. Yoltli A.C Asociación de Asesores e Investigadores Rurales