

## **Legal victory!**

### **Peru Supreme Court Demands Government Protect Public Health from Doe Run Smelter in La Oroya**

Peru's Supreme Court has given the Ministry of Health 30 days to declare a health emergency in La Oroya, and to put in place an emergency health plan for the city, widely considered one of the most contaminated cities in the Western Hemisphere.

The city is the home of a multi-metal smelter, owned and operated by the Doe Run Company of St. Louis, Missouri, one of the companies owned by Mr. Ira Rennert and the Renco group of New York.

While the ruling named the Health Ministry as the agency primarily responsible for protecting the health of La Oroya's population, it also called on the Doe Run Company to reduce toxic contamination and protect public health in La Oroya. The ruling requires the Health Ministry to pay special attention to health risks faced by children and pregnant women.

"This is great news for the citizens of La Oroya, who have received justice from the Courts, and who -- in spite of having been threatened and persecuted for their role in demanding health protection in La Oroya -- had faith that justice would prevail," said Dr. Carlos Chirinos, the attorney with the Peruvian Society for Environmental Law responsible for bringing the case almost four years ago. An initial victory in the lower court had been immediately appealed by Peru's Health Ministry, forcing the plaintiffs to bring the suit to the Supreme Court.

The Supreme Court ruling allows 30 days for the Health Ministry to declare a health emergency in La Oroya, an action demanded by the Movement for Health in La Oroya (MOSAO) since 2003. A spokeswoman for the group, Dr. Eliana Ames, expressed satisfaction with the ruling: "This is the first time the Peruvian Government has acted to defend the health of all La Oroya's children and population." Earlier efforts of Peru's Environmental Health Authority (DIGESA) were limited to a few hundred of La Oroya's estimated 10,000 children, more than 97% of whom suffer from excessive levels of lead, according to last year's study by the St. Louis University's Public Health School.

A related request to protect health by issuing precautionary measures for La Oroya is still pending before the Inter-American Commission on Human Rights. This case was brought by AIDA (Interamerican Association for Environmental Defense), Earthjustice, CEDHA (Center for Human Rights and Environment), and Carlos Chirinos.

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