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Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Senegal (on behalf of the African Group): draft resolution

21/...

Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Vienna Declaration and Programme of Action,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the code of conduct for special procedures mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Recalling also its resolutions 18/11, of 27 September 2011, and 9/1, of 24 September 2008, and all the resolutions of the Commission on Human Rights on this subject,

1. *Takes note* of the report of the previous Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, submitted at its twenty-first session;

2. *Requests* the new Special Rapporteur, in accordance with his mandate, to provide comprehensive and up-to-date information on the adverse effects that the improper management and disposal of hazardous substances and wastes may have on the enjoyment of human rights, for example, information on:

(a) The human rights issues raised by transnational corporations and other business enterprises in connection with the environmentally sound management of hazardous substances and wastes;

(b) The scope of national legislation relating to the human rights implications of the management and disposal of hazardous substances and wastes;

(c) The human rights implications of waste-recycling programmes and the transfer of polluting industries, industrial activities and technologies from one country to another and new trends therein, including e-waste and the dismantling of ships;

(d) Support and assistance to victims of human rights violations relating to the environmentally sound management of hazardous substances and wastes;

(e) The ambiguities in international instruments that allow the movement and dumping of hazardous substances and waste, and any gaps in the effectiveness of the international regulatory mechanisms;

3. *Urges* the Special Rapporteur to continue his consultations with the competent United Nations agencies and organizations and the secretariats of relevant international environmental conventions concerning a multidisciplinary, in-depth approach to existing problems and to take due account of progress made in other bodies as well as to identify gaps with a view to finding lasting solutions for the management of such substances in order to formulate a progress report and specific recommendations and proposals for submission to the twenty-first session on the steps to be taken to control, minimize and eliminate these problems;

4. *Likewise urges* the Special Rapporteur to develop, in consultation with the relevant stakeholders and with the support of the United Nations High Commissioner for Human Rights, a guide to best practices regarding the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes, to be submitted together with his report to the Human Rights Council at its twenty-first session;

5. *Reiterates* its appeal to States and other stakeholders to facilitate the work of the Special Rapporteur by providing information and inviting him to undertake country visits;

6. *Also reiterates* its appeal to the Secretary-General and the High Commissioner for Human Rights to provide the Special Rapporteur with all the necessary assistance for the successful fulfilment of his mandate;

7. *Decides* to continue consideration of this matter under the same agenda item, in accordance with its programme of work.
