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HUMAN RIGHTS COUNCIL
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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

Resolution adopted by the Human Rights Council*

12/18. The adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and the Vienna Declaration and Programme of Action, particularly with regard to the question of the enjoyment of all human rights, including civil, political, economic, social and cultural rights and the right to development,

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

Recalling all Commission on Human Rights and Council resolutions on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, in particular Commission resolutions 1995/81 of 8 March 1995, 2004/17 of 16 April 2004, 2005/15 of 14 April 2005 and Council resolution 9/1 of 24 September 2008,

* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its twelfth session (A/HRC/12/50), chap. I.

Affirming that the transboundary and national movement and dumping of toxic and dangerous products and wastes may constitute a serious threat to the enjoyment of all human rights, including civil, political, economic, social and cultural rights and the right to development,

Reiterating the fact that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming that the international community must treat all human rights in a fair and equal manner, on the same footing and with the same emphasis,

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

1. *Strongly condemns* the movement and dumping of toxic and dangerous products and wastes, which have a negative impact on the enjoyment of human rights;

2. *Acknowledges with appreciation* the work undertaken by the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights;

3. *Notes* the report of the Special Rapporteur on the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights (A/HRC/12/26) on the adverse effects of shipbreaking on the enjoyment of human rights;

4. *Takes note with appreciation* of the report of the Special Rapporteur on his visits to Côte d'Ivoire, from 4 to 8 August 2008, and to the Netherlands, from 26 to 28 November 2008 (A/HRC/12/26/Add.2), and of the recommendations contained therein;

5. *Decides* to hold a panel discussion on the matter at its thirteenth session, with equitable geographic and gender participation of relevant experts and representatives of civil society, with a view to inform the future work of the Special Rapporteur;

6. *Invites* the above-mentioned panel:

(a) To undertake comprehensive discussion on existing problems, new trends and solutions to the national and transboundary movement and dumping of toxic and dangerous products and wastes, which have a negative impact on the enjoyment of human rights, in particular in developing countries;

(b) To examine the impact of the movement and dumping of toxic and dangerous products and wastes in all countries, in particular developing countries, on the enjoyment of all human rights, including civil, political, economic, social and cultural rights and the right to development;

(c) To discuss the current trends, good practices, challenges and possible solutions in this area with regard to human rights, and to consider possible measures to reduce and eradicate

the negative impact of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights;

7. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the necessary assistance and support for the panel discussion to be held, within existing resources.

*31st meeting
2 October 2009*

[Adopted without a vote.]