



General Assembly

Distr.: Limited
29 September 2020

Original: English

Human Rights Council

Forty-fifth session

14 September–7 October 2020

Agenda item 3

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

Burkina Faso,* Chile and Marshall Islands: draft resolution

45/... 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, the Vienna Declaration and Programme of Action and the Declaration on the Right to Development,

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

Recalling its resolution 5/1 on institution-building of the Human Rights Council and resolution 5/2 on the Code of Conduct for Special Procedures Mandate Holders of the Council, both of 18 June 2007, and emphasizing that the mandate holder is to discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling also its resolutions 9/1 of 24 September 2008, 18/11 of 29 September 2011, 21/17 of 27 September 2012, 27/23 of 26 September 2014 and 36/15 of 28 September 2017 and all the resolutions of the Commission on Human Rights on this subject,

Recalling further General Assembly resolution 70/1 of 25 September 2015, by which the Assembly adopted the 2030 Agenda for Sustainable Development, including target 12.4 of the Sustainable Development Goals to achieve, by 2020, the environmentally sound management of chemicals and hazardous wastes throughout their life cycle, in accordance with international standards, and affirming the interlinkages and integrated nature of all the Goals,

Expressing concern at the key finding of the United Nations Environment Programme contained in the summary for policymakers of the *Global Chemicals Outlook II*

* On behalf of the States Members of the United Nations that are members of the Group of African States.



that the global goal to minimize the adverse impacts of chemicals and waste will not be achieved by 2020,¹

Recalling its resolution 42/21 of 26 September 2019 on the protection of the rights of workers exposed to hazardous substances and wastes, in which it encouraged States, business enterprises and other actors to implement the 15 principles on human rights and the protection of workers from exposure to toxic substances² to help them to protect workers from unsafe exposure to hazardous substances and to provide remedies for violations and abuses of workers' rights,

Reaffirming that the way hazardous substances and wastes are managed throughout their life cycle, including manufacturing, distribution, use and final disposal, may have an adverse impact on the full enjoyment of human rights,

Welcoming the work carried out, in accordance with his mandate, by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, including on guidelines for good practices in relation to human rights and hazardous substances and wastes; the situation of persons at higher risk of exposure, including during childhood, to toxic chemicals and pollution, and workers' exposure to hazardous substances; the right to information on hazardous substances and wastes; pesticides and the right to food; and human rights issues relating to all business enterprises, both transnational and other, regarding the environmentally sound management and disposal of hazardous substances and wastes,

1. *Takes note* of the report submitted by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes to the Human Rights Council at its forty-fifth session,³ and requests the Special Rapporteur, in accordance with his mandate, to continue to provide detailed, up-to-date information on the adverse consequences for the full enjoyment of human rights of managing and disposing of hazardous substances and wastes, in an unlawful manner, which may include information on:

(a) The adverse consequences for persons and groups in vulnerable situations, including indigenous peoples;

(b) The science-policy interface as regards the risks associated with the life cycle of hazardous substances and wastes, including the risks to the right to freedom of expression, which includes the freedom to seek, receive and impart information, and the right to enjoy the benefits of scientific progress;

(c) The developments, gaps and shortcomings in the effectiveness of international regulatory mechanisms concerning hazardous substances and wastes and their impact on the enjoyment of human rights, including with respect to emerging chemicals and waste management and disposal issues;

(d) Human rights issues relating to all business enterprises, both transnational and other, regarding the environmentally sound management and disposal of hazardous substances and wastes;

2. *Decides* to extend the mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes for a period of three years, and invites him to report to the Human Rights Council in accordance with its programme of work and annually to the General Assembly;

3. *Encourages* the Special Rapporteur to continue his close cooperation with the United Nations Environment Programme, the United Nations Environment Assembly, relevant United Nations specialized agencies, such as the World Health Organization and the International Labour Organization, and the secretariats of the international

¹ UNEP/EA.4/21, p. 2.

² See A/HRC/42/41.

³ A/HRC/45/12.

environmental conventions with a view to mainstreaming human rights into their work and to avoiding duplication;

4. *Urges* the Special Rapporteur to continue his consultations with the competent United Nations agencies and bodies and with the secretariats of the relevant international conventions as part of a multidisciplinary, in-depth approach to addressing existing problems with a view to finding lasting solutions for the management of such substances and wastes so that he may present to the Human Rights Council, in accordance with its programme of work, annual reports on the implementation of the resolutions that it has adopted, as well as specific recommendations and proposals concerning the steps that should be taken immediately in order to address the adverse implications for human rights of hazardous substances and wastes;

5. *Encourages* all States, United Nations agencies and other relevant international organizations, civil society actors, including non-governmental organizations, as well as the public and the private sectors and all other stakeholders to engage in a process of consultation, dialogue and cooperation with the Special Rapporteur to enable him to provide guidance in accordance with his mandate;

6. *Encourages* the Special Rapporteur, in accordance with his mandate and with support and assistance from the Office of the United Nations High Commissioner for Human Rights, to continue to provide Governments with appropriate opportunities to respond to allegations that are transmitted to him and are referred to in his report and to have their observations reflected in his report to the Human Rights Council;

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

8. *Requests* the Special Rapporteur to inform States, United Nations agencies and other relevant international organizations, civil society and other stakeholders of the impact on human rights of the environmentally sound management and disposal of hazardous substances and wastes, including in the implementation of the 2030 Agenda for Sustainable Development, to seek views and contributions from Governments, United Nations agencies and other relevant international organizations, civil society and other stakeholders in accordance with his mandate, to investigate national, regional and international efforts in respect of the Sustainable Development Goals and to undertake thematic research on the effective implementation of the 2030 Agenda;

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

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