



Human Rights Council**Fifty-fourth session**

11 September–13 October 2023

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
on 11 October 2023****54/10. Mandate of 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 Human Rights 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 resolutions of the Commission on Human Rights on this subject,*Cognizant* of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, as contained in General Assembly resolution 53/144 of 9 December 1998,*Recalling* 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 hazardous wastes and substances throughout their life cycle, in accordance with the agreed international frameworks, as well as targets 3.9 and 6.3 of the Sustainable Development Goals, and affirming the interlinkages and integrated nature of all the Goals,*Recalling also* Human Rights Council resolution 48/13 of 8 October 2021 and General Assembly resolution 76/300 of 28 July 2022, in which they recognized the human right to a clean, healthy and sustainable environment,

Expressing concern at the key finding of the United Nations Environment Programme contained in the summary for policymakers of the Global Chemicals Outlook II that the global goal to minimize the adverse impacts of chemicals and waste will not be achieved by 2020,

Recalling Human Rights Council resolution 42/21 of 26 September 2019 on the protection of the rights of workers exposed to hazardous substances and wastes, in which the Council encouraged States, business enterprises and other actors to implement the 15 principles on human rights and the protection of workers from exposure to toxic substances, through their respective legal and policy frameworks, 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 the right to science in the context of toxic substances, and noting his reports on plastics and human rights;¹ Indigenous Peoples and toxics;² mercury, small-scale gold mining and human rights;³ detoxification and decarbonization, and the need for integrated solutions;⁴ shipping, toxics and human rights;⁵ human rights issues relating to all business enterprises, both transnational and other, regarding the environmentally sound management and disposal of hazardous substances and wastes; and the human right to a safe, clean, healthy, sustainable and non-toxic environment,⁶

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 the present session,⁷ 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 in vulnerable situations;
- (b) The science-policy interface with regard to transparency about the risks associated with the life cycle of hazardous substances and wastes, including threats 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 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 the mandate holder to report to

¹ A/76/207.

² A/77/183.

³ A/HRC/51/35.

⁴ A/HRC/54/25.

⁵ A/HRC/54/25/Add.2.

⁶ A/HRC/49/53.

⁷ A/HRC/54/25.

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 specialized agencies of the United Nations system, such as the World Health Organization and the International Labour Organization, and the secretariats of the international environmental conventions, with a view to mainstreaming human rights into their work and to avoiding duplication;

4. *Requests* the Special Rapporteur to participate in relevant United Nations and other international forums on issues relevant to the mandate, as appropriate, including in sessions of the United Nations Environment Assembly, the Conferences of the Parties to the Basel, Rotterdam and Stockholm conventions, and the Conference of the Parties to the Minamata Convention on Mercury, and in the sessions of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment and in the diplomatic conference that may adopt it, in order to mainstream human rights into these discussions;

5. *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, an annual report 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;

6. *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;

7. *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;

8. *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;

9. *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;

10. *Requests* the Special Rapporteur to provide, upon request, technical assistance and advice to States and other actors on the implementation of the Special Rapporteur's recommendations, and also on the legal and policy framework for compliance with international human rights law and international environmental law;

11. *Requests* the Special Rapporteur, in fulfilling the mandate, to mainstream a gender and age perspective by paying special attention to the human rights and fundamental freedoms of women and girls and by mainstreaming the human rights of children and other persons in vulnerable situations;

12. *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;

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

*46th meeting
11 October 2023*

[Adopted without a vote.]
