

Civil Society Call to the Human Right Council
to renew the mandate of the Special Procedure
on the adverse effects of the management, movement, dumping and disposal of
hazardous substances and wastes on the enjoyment of human rights
and to support its activities for the next three years

Since 1995, when the mandate was created by the Commission on Human Rights, the Special Rapporteur on the adverse effect of the management, movement, dumping and disposal of hazardous substances and wastes on the enjoyment of human rights has demonstrated how the mismanagement of toxic products and wastes can have severe negative impacts on the enjoyment of human rights, especially in countries who lack the proper resources to handle adequately such products and substances.

The right to health and the right to an adequate standard of living are usually the first affected by the mismanagement of hazardous substances and wastes, and in too many cases even the right to life. The reports of the Special Rapporteur have also shown how such violations often start by the violation of the right to access to information. The reports have also detailed how often victims of human rights violations face a dramatic lack of effective remedies.

As the Special Rapporteur's reports on shipbreaking, e-waste and medical wastes have pointed out, the role of chemical products in economic development and the constant increase of wastes in all countries raises concerns about human rights violations in this field. This Special Procedure thus has a critical role to play in addressing such infringements on recognized human rights around the world.

Existing relevant international instruments on chemicals (such as e.g., the Basel Convention, the Stockholm Convention, the Rotterdam Convention and the Strategic Approach to International Chemical Management – SAICM) do not examine the effects on human rights. However, intergovernmental organizations, such as the United Nations Environment Programme, the World Health Organization and the International Labor Organization, acknowledge the importance of their activities to human rights. This Special Procedure has a critical role to play in mainstreaming human rights in these instruments and institutions, with a view to comprehensively explore new trends and solutions.

This mandate would be greatly enhanced by working in close collaboration with the relevant institutions and instruments and contribute to mainstreaming human rights perspectives into their activities. We note that the Special Rapporteur was an active and useful contributor to the preparation of the Strategic Approach to International Chemical Management (SAICM), adopted by the International Conference on Chemical Management in Dubai in February 2006. We encourage the Special Rapporteur to contribute and participate in the Open-Ended Working Group meeting in November 2011 in Belgrade, 3rd International Conference on Chemical Management in July 2012 in Geneva (Switzerland), as well as to the 10th Conference of the Parties to the Basel Convention in November 2011 in Cartagena (Colombia).

Such collaborations would furthermore bring valuable expertise and support for the drafting of Guidelines, called for by members of the Human Rights Council.

Therefore, we, the coalition of international, regional and local NGOs, concerned with the safe and sustainable management of toxic products and wastes and with the full realization of internationally recognized human rights, strongly urge the 18th session of the Human Right Council to renew the mandate of the Special Procedure on the adverse effect of the management, movement, dumping and disposal of hazardous substances and wastes on the enjoyment of human rights and support its activities for the next three years.

Geneva, 22 September 2011

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International Council of Women (ICW/CIF)
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Global Alliance for Incinerator Alternatives (GAIA)
Ecological Restoration
Northern Alliance for Sustainability (ANPED)
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