



**Statement of United Nations Special Rapporteur on human rights and hazardous substances and wastes,
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2019 Conferences of the Parties to Basel, Rotterdam and Stockholm Conventions

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Thank you Mr. President. Excellences, distinguished delegates, friends, colleagues,

It is with great pleasure that I address these Conferences of the Parties this year, a year which also marks the 30th anniversary of the Basel Convention. The achievements of the Basel Convention are a testimony to the hard work and dedication of many in this room today, and the power of collective action.

The Basel Convention was driven by concerns anchored in universal values and principles; values and principles on which the United Nations are based, such as equality, non-discrimination, the dignity of individual human beings, justice and accountability. These implicit values and principles not only bind the CHW treaties to each other, but also these treaties to human rights.

Since the last Conferences of the Parties to the BRS Conventions, Human Rights Committee issued a new General Comment on the right to life, clarifying that everyone is entitled to freedom from acts or omissions that may cause their premature death, and thus all States have a duty to protect the human right to life from pollution. The Committee on the Rights of the Child recommended a State stop importing toxic substances that are banned in the country from which they are exported to protect the rights of the child. The Committee on Economic, Social and Cultural Rights has clarified that the duties incumbent on States to protect various human rights cross borders. In June, the International Labor Organization will finally consider recognizing the human right to safe and healthy work as one of its fundamental rights at work.

Through the influence of the Basel Convention, the Human Rights Council's mandate on toxic waste was established 24 years ago. Like the chemicals and waste cluster, it too has expanded to cover the lifecycle of hazardous substances and wastes. Recently, the Human Rights Council mandate on hazardous substances and wastes was renewed for the 7th consecutive time, with a request that it start reporting to the UN General Assembly given the rising inequality and injustice from exposure to toxic substances from a multitude of sources and materials, including plastics.

Throughout their lifecycle, plastic products are causing or contributing to a number of preventable violations and abuses of human rights -- from the rights of children who are born pre-polluted with plastic additives, to the right to self-determination of people and peoples everywhere. The scale of the plastic waste problem has turned deadly in low-income countries, which this mandate reported to the Human Rights Council as recently as last year. States should take every opportunity at this conference to strengthen the ability of these conventions to combat the plastic crisis, particularly through adopting the proposed amendment to the Basel Convention.

States can no longer pretend that the decisions they make in these meetings do not have bearing on their human rights record. As the 2nd Global Chemicals Outlook illustrates, no State will meet its human rights obligations without compelling businesses and other actors in their jurisdiction to transition to cleaner, safer, healthier and more sustainable chemical production, use and disposal, whether in their territory or abroad. Every State party to these Conventions, for example, is also party to the Convention on the Rights of the Child, and has the obligation to protect the child's right to life, their right to the highest attainable standard of health, and to protect children from pollution and contamination, securing their physical integrity, keeping them free from unwanted intrusions of their bodies. It is worth noting that no State, individually or collectively, can fulfill its obligation to protect the rights of the child without applying the principle of precaution.

The Universal Declaration on Human Rights, a milestone document in the history of human rights, and the subsequent Covenant on Civil and Political Rights clearly prohibit torture and cruel, inhuman or degrading treatment. The diseases and disabilities that result from exposure to toxic substances are cruel, inhuman and degrading. They include the excruciating pains of cancer, the suffocating torture of respiratory diseases, and the psychological torment of parents watching the impacts of their own exposures materialize in their children.

The decisions that are to be made this week, whether listing of chemicals or amending of annexes or ensuring compliance, are not technical chemical details. They have direct bearing on advancing the universal principles of human dignity and equality that are the cornerstone of the United Nations, and the human rights that are universal. With their legally binding force, they have the power to help realize everyone's right to life and the highest attainable standard of health, but especially those most vulnerable, such as the poor, workers, children and different genders.

The UN's Special Rapporteur on extreme poverty, Philip Alston, has said repeatedly that poverty is a political choice. Exposure to toxic pollution is also a political choice. States have the power to prevent exposure and thus protect the human rights that are implicated. In the coming days, States will have ample opportunity to choose whether to respect, protect and fulfill human rights, or not. I urge them to choose the former.

Thank you, Mr. President.