



Human Rights Council
Forty-second session

9–27 September 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**
Angola,* Turkey and Ukraine: draft resolution**
**42/... Protection of the rights of workers exposed to 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, the Declaration on the Right to Development and the conventions of the International Labour Organization,

Recalling General Assembly resolution 70/1 of 25 September 2015, in which the Assembly adopted the 2030 Agenda for Sustainable Development, including target 4 of Goal 12 thereof 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 Sustainable Development Goals,

Recognizing the need to reduce the adverse health impact of environmental and occupational exposure to hazardous substances, emphasizing preventive strategies,

Recalling the International Covenant on Economic, Social and Cultural Rights, which recognizes the right of everyone to the enjoyment of just and favourable conditions of work, which ensure safe and healthy working conditions,

Recognizing that the enjoyment of the right of each worker to the highest attainable standard of physical and mental health can be undermined by unsafe exposure to hazardous substances at work,

Recognizing also the right of women to protection of health and safety in the workplace, including the safeguarding of the function of reproduction,

Recognizing further the duty of States to prevent unsafe occupational exposure to hazardous substances and the corresponding responsibility of businesses, as recognized, inter

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

** State not a member of the Human Rights Council.



alia, in the Guiding Principles on Business and Human Rights, to the enjoyment of the highest attainable standard of physical and mental health,

Recalling the Constitution of the International Labour Organization, and the Declaration concerning the aims and purposes of the International Labour Organization (Declaration of Philadelphia) adopted by the General Conference of the International Labour Organization at its twenty-sixth session in May 1944 which affirmed the need for protection for the life and health of workers in all occupations,

Recognizing the solemn obligation of the International Labour Organization to further among the nations of the world programmes that will achieve, inter alia, adequate protection for the life and health of workers in all occupations,

Recalling the outcome report of the Global Commission on the Future of Work in January 2019 and the ILO Centenary Declaration for the Future of Work adopted by the International Labour Conference at its 108th session,

Recalling also the declaration in the Constitution of the World Health Organization of the right to enjoyment of the highest attainable standard of health, and the Declaration on Occupational Health for All approved at the second meeting of the WHO Collaborating Centres in Occupational Health, in October 1994, recognizing the urgent need to develop occupational health at a time when rapid changes in working life are affecting both the health of workers and the health of the environment in all countries of the world,

Taking note of resolution 49.12 of the World Health Assembly, of 1996, and the Declaration on Workers Health approved at the seventh meeting of the WHO Collaborating Centres for Occupational Health, in June 2006, acknowledging the potential to prevent and solve many problems by incorporating workers' health into policies on employment, social and economic development, trade and environmental protection,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

1. *Condemns* the violations and abuses of the rights of workers in all parts of the world through unsafe exposure to toxic and hazardous substances, as reported each year and addressed in reports and discussions at the national, regional and global levels;

2. *Acknowledges* the need to bridge relevant discussions on the rights of workers within the labour, human rights and environmental health forums as part of efforts to inform States, United Nations agencies and other relevant stakeholders of the human rights impacts of exposure to toxic substances, including in the implementation of Sustainable Development Goals 8 and 12 on decent work and sustainable consumption and production respectively;

3. *Notes with concern* that millions of workers globally die each year from unsafe or unhealthy conditions of work despite clear human rights obligations relating to the protection of their health;

4. *Notes with concern also* that although it has been recognized globally for over 50 years, and despite specific efforts in certain countries and contexts, the right of everyone to the enjoyment of just and favourable conditions of work, as well as other interrelated and interdependent human rights of workers, continues to remain insufficiently implemented and realized, particularly with regard to unsafe occupational exposure to hazardous substances;

5. *Takes note with appreciation* of the reports of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes highlighting the global crisis confronting workers exposed to toxic substances, based on the work of several successive mandate holders, including the most recent report¹ in which the Special Rapporteur outlined key challenges and proposed 15 principles to help States, businesses and other key actors to protect workers from unsafe toxic exposures and to provide remedies for violations and abuses of workers' rights;

6. *Encourages* States, business enterprises and other actors to implement the above-mentioned principles through their respective legal and policy frameworks, as well as

¹ A/HRC/42/41.

through initiatives and programmes to strengthen the coherence between human rights and occupational health and safety standards with regard to the exposure of workers to toxic substances;

7. *Urges* States to safeguard reproductive health from unsafe exposure to hazardous substances at work as an obligation of States in the elimination of discrimination against women in employment;

8. *Encourages* the International Labour Organization and the World Health Organization to continue their efforts directed at reinforcing occupational health and safety standards;

9. *Urges* the strengthening of the global regime for chemicals management to prevent and minimize unsafe exposure to hazardous substances, to promote the right of everyone, including workers, to the enjoyment of the highest attainable standard of physical and mental health and to just and favourable conditions of work;

10. *Decides* to continue its consideration of this matter.
