**Questionnaire of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes**

In its Resolution 27/23 (A/HRC/RES/27/23), the Human Rights Council requested the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Mr. Baskut Tuncak, to develop a guide to good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes, to be submitted to the Human Rights Council at its thirty-sixth session.

Pursuant to this request, the Special Rapporteur has prepared this questionnaire in order to identify, disseminate and provide guidance on good practices in the fields of human rights and the environmentally sound management and disposal of hazardous substances and wastes.

The responses to the questionnaire will inform the report of the Special Rapporteur to the Human Rights Council in September 2017; a web-portal which will collate the information and make it available for public access and future interaction; and an information base which will form a platform for future work in this area. Kindly indicate whether you may have any objection for the responses provided to be made publicly available.

In order to enable the Special Rapporteur to consider the submissions in good time for the report, all stakeholders are encouraged to submit the answers to the questionnaire at their earliest convenience and no later than **12 May 2017**.

The Special Rapporteur is particularly interested in the following thematic areas: (i) the rights of the most vulnerable groups, namely children, women of reproductive age, older persons, indigenous peoples, the poor and other marginalized communities; (ii) accountability mechanisms, access to justice and redress, including remediation of contamination; (iii) workers’ occupational exposure to health hazards; (iv) the question of toxics within the context of situations of conflict; and (v) the responsibility of the businesses sector.

**Definition of good/best practices**

Practice is understood in a comprehensive way, including legislations, policies, strategies, statute, national plans, regulatory and institutional frameworks, data collection, indicators, case law, administrative practices, and projects among others. A practice could be implemented by different actors, State, regional and local authorities, public and private providers, civil society organisations, private sector, academia, national human rights institutions, or international organisations.

To be a *good* practice, the practice should integrate human rights standards or apply human rights norms to the policy and decision-making process relating to the production, use or release of hazardous substances and storage or disposal of wastes. Practices may include extractive industries; energy production; the release of substances to air, water or soil from manufacturing, military activity or transportation; presence in consumer products; occupational settings; food and agriculture; and others.

The practice should be exemplary from a human rights perspective. Importantly, there has to be some evidence that the good practice actually is achieving or working towards achieving its desired objectives and outcomes.

The questionnaire should preferably be completed in English or French. The responses to the questionnaire can be transmitted electronically (encouraged) to the Special Rapporteur to [srtoxicwaste@ohchr.org](mailto:srtoxicwaste@ohchr.org) or be addressed to:

Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

Special Procedures Branch

OHCHR

Palais Wilson

52, Rue des Pâquis   
CH-1201 Geneva, Switzerland

**Questionnaire**

Please include in your submission the name of the State/organization submitting the practice, as well as contact details. Questions for which answers are not available at this time may be left blank.

**Your contact details:**

Name:

Organisation:

Email:

Telephone:

Webpage:

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| **1. Please provide examples of, or views on, good practices to protect the right to life and health of consumers from toxic and otherwise hazardous substances in consumer products.** |

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| **2. Please provide examples of, or views on, good practices to protect the right to life and health of workers from toxic and otherwise hazardous substances and wastes in occupational settings.** |

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| **3. Please provide examples of, or views on, good practices to protect the right to life and health of the public from toxic and otherwise hazardous substances and waste in air, water and soil.** |

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| **4. Please provide examples of, or views on, good practices to protect the right to life and health of the public from toxic and otherwise hazardous substances and wastes in food.** |

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| **5. For questions 1-4, please provide examples of, or views on, good practices to protect those at elevated risk of impacts on rights to life and health, such as children, women, indigenous peoples, low-income communities, racial and ethnic minorities and migrants.** |

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| **6. Please provide examples of, or views on, good practices regarding how age specific risk factors are considered in risk assessment and risk mitigation measures for toxic and otherwise hazardous substances and wastes.  Please consider both children and older persons.** |

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| **7. Please provide examples of, or views on, good practices regarding how gender specific risks are accounted for in the risk assessment and mitigation measures for toxic and otherwise hazardous substances and wastes.** |

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| **8. Please provide examples of, or views on, good practices for cooperation and coordination between relevant governmental authorities at the (i) national level and (ii) regional and/or international level(s).** |

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| **9. Please provide examples of, or views on, promoting and ensuring governmental and corporate accountability for impacts of hazardous substances and wastes.** |

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| **10. Please provide examples of good practices in ensuring access to justice, including access to remedy for victims of hazardous substances and wastes.  Please include information on good practices for the remediation of contaminated sites, reducing costs of judicial remedy, addressing the challenge of establishing a causal link between exposure and impact and other evidentiary hurdles, such as access to information, as part of your consideration of access to justice.** |

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| **11. Please provide examples of, or views on, good practices in ensuring the independence and integrity of science, as well as preventing conflicts of interest in government.** |

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| **12. Please provide examples of, or views on, good practices for financing the cost of implementing and enforcing legislation on hazardous substances and wastes.** |

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| **13. Please provide examples of good practices in incentivizing the development and adoption of safer alternatives to toxic chemicals and hazardous pesticides, emissions reduction technologies, or other means of reducing exposure to hazardous substances.** |

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| **14. Please provide examples of good practices in applying a lifecycle approach to issues involving hazardous substances and wastes.** |

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| **15. Please provide examples of, or views on, good practices by States to avoid the international transfer of polluting industries and hazardous supply or value chains through international cooperation.** |

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| **16. Please provide examples of, or views on, good practices by States to ensure that non-State actors which they are in a position to regulate do not adversely impact human rights, such as life and health, through their activities and/or business relationships that give rise to exposures to hazardous substances and wastes extraterritorially.** |

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| **17. Please provide examples of, or views on, good practices for ensuring businesses respect human rights implicated by hazardous substances and wastes, including advice provided on human rights due diligence, expected outcomes and sharing of good practices for issues of gender, vulnerability and/or marginalization.** |

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| **18. How have the practices been monitored, evaluated and assessed? Please provide specific information on the impact of practices, with data and indicators, among others, if any.** |

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| **19. What lessons do you believe could be learnt from these practices? How could they be improved upon, and how could they serve as a model for others?** |

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| **20. Please provide any other information you feel relevant for consideration in the development of a guide to good practices.** |