

GENEVA (21 September 2020) - States have an obligation under human rights law to prevent exposure to pollution, toxic industrial chemicals, pesticides, wastes and other hazardous substances, including biological agents such as viruses, a UN expert said in a report presented to the Human Rights Council today.

“Exposure to hazardous substances preys on the most vulnerable in society. The SARS-CoV-2, the virus that causes COVID-19, is no exception,” Marcos Orellana, the new special rapporteur on toxic substances and human rights, told the Human Rights Council as he presented a [report](#) prepared by his predecessor, Baskut Tuncak.

“States’ duty to prevent exposure - including to the virus responsible for COVID-19 - is underscored by national and international recognition of the environmental and occupational rights to life, bodily integrity, safe and healthy working conditions and a healthy environment, among many others,” the report says.

It also says “misinformation, the silencing of public health experts, opaque decision-making, and policy driven by politics and profit rather than science have proven catastrophic”.

The pandemic has highlighted existing patterns of vulnerability, inequality and discrimination in society - vulnerable groups such as indigenous peoples and people living in poverty have been disproportionately affected. It has also contributed to environmental degradation and destruction of habitats.

“The report illustrates that our interconnected world requires rapid response, global-level crisis management,” said Orellana. “A weakness in any country is a threat to all.” Separately, he presented [reports](#) of his predecessor's 2019 visits to Canada and Brazil.

Many communities in Canada, notably indigenous peoples and the poor, suffer from discrimination and unjust exposures to pollution and contamination, the report said.

Orellana called on Canada to legally recognise the right to a healthy environment and its duty to prevent exposure to hazardous substances. “Canada’s human rights record is being tarnished by Canadian extractive industries both within Canada and abroad, which often contaminate marginalised indigenous peoples and local communities with toxic substances and wastes,” he said.

Brazil is not doing enough to protect human rights, including of the most vulnerable, from toxic exposures in dominant industries, including agriculture and extractives, the report says.

“Despite positive advancements in recent decades, Brazil is in a state of deep regression from human rights principles, laws, and standards, in violation of international law,” the report says. “From the burning of the Amazon to the insidious threats of toxic pollution and infectious diseases, it appears Brazil has absconded from its duty to prevent and protect, eviscerating necessary institutions and clamping participation and expression by intimidating those who dare speak against current trends, whether activists, scientists, international leaders, or ministers.”

ENDS

Dr. Marcos A. Orellana the [Special Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes](#).

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