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COMMISSION ON HUMAN RIGHTS
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Agenda item 14

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Burundi, Cameroon*, Ethiopia*, Gabon, Gambia, Guinea-Bissau, Kenya,
Lesotho, Mauritania, Nigeria, Senegal*, Sudan, Tunisia, United Republic
of Tanzania*, Zambia and Zimbabwe*: draft resolution

1993/... Movement and dumping of toxic and dangerous products and wastes

The Commission on Human Rights,

Recalling its resolutions 1989/42 of 6 March 1989, 1990/43 of
6 March 1990 and 1991/47 of 5 March 1991,

Recalling also General Assembly resolutions 42/183 of 11 December 1987,
43/212 of 20 December 1988, 44/226 of 22 December 1989, 45/13 of
7 November 1990 and 46/126 of 17 December 1991,

Recalling further resolutions CM/RES.1153 (XLVIII) of 1988 and
CM/RES.1225 (L) of 1989 adopted by the Council of Ministers of the
Organization of African Unity concerning the dumping of nuclear and industrial
wastes in Africa,

* In accordance with rule 69, paragraph 3, of the rules of procedure of
the functional commissions of the Economic and Social Council.

Bearing in mind the Bamako Convention on the Ban of the Import of All Forms of Hazardous Wastes into Africa and the Control of Transboundary Movements of Such Wastes Generated in Africa, adopted by the Council of Ministers of the Organization of African Unity Pan-African Conference on Environment and Sustainable Development in Africa, held at Bamako from 23 to 30 January 1991,

Taking note of resolution GC (XXXIII)/RES/509 on the dumping of nuclear wastes and resolution GC (XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste adopted on 29 September 1989 and 21 September 1990 respectively by the General Conference of the International Atomic Energy Agency and its decision to keep the question of the international transboundary movements of radioactive waste under active review, including the desirability of concluding a legally binding instrument under the auspices of the International Atomic Energy Agency,

Taking into account Agenda 21 adopted by the United Nations Conference on Environment and Development which was held at Rio De Janeiro, Brazil, from 3 to 14 June 1992 (A/CONF.151/26, Vol. II), especially chapters 19, 20, 21 and 22 related to environmentally sound management of hazardous, radioactive and solid wastes and toxic chemicals including illegal international traffic in hazardous wastes, and the principles proclaimed in the Rio Declaration on Environment and Development (A/CONF.151/26, vol. I),

Taking note of the Final Act of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal adopted on 22 March 1990,

Aware of the growing practice of dumping of hazardous and other wastes in Africa and other developing countries by transnational corporations and other enterprises from industrialized countries, which they cannot dispose of within their territories of operation,

Aware also of the potential health and ecological hazards underlying the movement and dumping of toxic and dangerous products and wastes,

Gravely concerned at recently reported illegal disposal of hazardous and harmful wastes in Africa,

Desirous of promoting the implementation and strict observance of the provisions of existing international instruments and principles governing the transboundary movement and dumping of toxic and dangerous products and wastes,

1. Welcomes the Tunis Declaration adopted by the Ministers and representatives of the African States meeting at Tunis from 2 to 6 November 1992, in the context of preparations for the World Conference on Human Rights, especially where it relates to the environmental consequences of dumping of toxic and dangerous products and wastes, and its effects to human life;

2. Reaffirms the request made by the First Meeting of the Conference of the Parties to the Basel Convention in its decision I/20 to the industrialized countries to prohibit the export of hazardous and other wastes to parties which have prohibited their import and to non-parties;

3. Invites all Governments to take legislative and other appropriate measures with a view to preventing illegal international traffic in toxic and dangerous products;

4. Also invites the United Nations Environment Programme, the International Labour Organisation, the World Health Organization, the International Atomic Energy Agency and the Organization of African Unity and other regional organizations to intensify their cooperation and assistance on environmentally sound management of toxic chemicals including the question of their transboundary movements;

5. Urges the international community to give the necessary support to African and other developing countries in their efforts to implement the provisions of the existing international and regional instruments governing the transboundary movement and dumping of toxic and dangerous products and wastes;

6. Decides to continue consideration of the question of the movement and dumping of toxic and dangerous products and wastes, including prevention of illegal traffic, at its fifty-first session under the agenda item entitled "Human rights and scientific and technological development".
