

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

REFERENCE:
OL OTH 42/2019

31 July 2019

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, pursuant to Human Rights Council resolution 36/15.

I am writing to you following the letters I have addressed to you on 11 July 2018 and 23 November 2018 and the responses provided by the Deputy Under-Secretary General for Peacekeeping Operations of the United Nations on 5 October 2018 and 24 December 2018¹ regarding the Trust Fund charged with implementing assistance projects, in the municipalities of North Mitrovica, South Mitrovica and Leposavić in Kosovo².

In June 2019, a report which was presented to you by the United Nations Interim Administration Mission in Kosovo, stated that an initial contribution was received by the Trust Fund in May 2019³. This is a truly welcome development although my understanding is that the contribution in question is very modest (US\$ 10,000). I would like to congratulate the UN for securing this first contribution after sustained efforts by a dedicated task force under your political leadership. I am also aware that you continue to urge additional contributions to the Trust Fund.

I would like to seize this opportunity to ask you if any additional steps are envisaged for mobilizing the remainder of the financial and non-financial support necessary to provide the affected communities their right to an effective remedy. I was conveyed utmost confidence during my meeting with the Deputy Under-Secretary General for Peacekeeping Operations that this initial contribution would spark further contributions, helping the UN to fulfil its responsibility towards the affected community members. I would also be interested to know if any steps have already been undertaken for involving the victims and their families in any decisions as to how the contribution(s) received to the Trust Fund shall be utilized.

I would appreciate receiving your Excellency's reply within 60 days. Afterwards, this communication and any response received will be made public via the

¹ The two letters addressed to the Secretary General of the UN as well as answers provided by the Deputy Under-Secretary General for Peacekeeping Operations of the UN can be consulted on the OHCHR webpage of my mandate at <https://www.ohchr.org/EN/Issues/Environment/ToxicWastes>.

² Any reference to Kosovo, whether to the territory, institutions or population, is to be understood in full compliance with Security Council resolution 1244 (1999) and without prejudice to the status of Kosovo.

³ https://unmik.unmissions.org/sites/default/files/s_2019_461.pdf

His Excellency Mr. António Guterres
Secretary-General, UN

communications reporting website. They will also subsequently be made available in the usual report to be presented to the Human Rights Council, and any other reports of relevance to international bodies.

Please accept, Excellency, the assurances of my highest consideration.

Baskut Tuncak

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