

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

REFERENCE:
AL OTH 55/2020

13 July 2020

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.

In this connection, I would like to bring to your attention information received concerning the **situation of workers at the United Nations facilities in the City of Knowledge in Panama City, reportedly exposed to toxic and otherwise hazardous elements inside these buildings.**

According to information received:

Workers at the United Nations facilities in the City of Knowledge in Panama City, previously occupied by the United States military, raise complaint that they have suffered and continue to struggle with associated health impacts, and are unable to access their right to an effective remedy from the United Nations.

For many years, staff members and other workers of the United Nations Environment Program, United Nations Development Program, UN AIDS and others United Nations entities lodged grievances to superiors about poor air quality and other suspected environmental hazards inside the above-mentioned buildings.

At the beginning of 2017, a high number of staff became ill with respiratory illnesses and other health concerns. An air quality study in May 2017 showed high levels of level of toxic lead (up to 35 micrograms of lead per m³), the presence of fiberglass, high levels of aspergillus mold (niger and penicillin) and humidity far in excess of the 60 % that is the recommended limit. In addition, the external intake of fresh air was found to be obstructed, resulting in higher levels of CO₂ as the day progressed, explaining drowsiness reported by workers. Among the workers in the buildings at the time were pregnant women and individuals with underlying health conditions.

The 2017 study included a lengthy list of recommendations, including in particular the removal of lead-based paint and fiberglass. It is alleged that appropriate protocols were not followed on handling of aspeguillus mold, which likely resulted in the production of aflatoxins, further compounding the health

Mr. Antonio Guterres
United Nations Secretary General

hazards present in the buildings. After repeated requests by staff, it was agreed that workers in hazardous buildings did not have to return to their office spaces.

Chief among the concerns raised is the dismissal of requests for an independent medical evaluation, repeatedly made by workers over the past three years because of their concerns regarding the short- and long-term health effects their exposure to toxic substances. Further, allegations of abuse of power and direct and indirect threats of retaliation against those voicing their concerns and expectations regarding the situation are of great concern.

While I do not wish to prejudge the accuracy of these allegations, I wish to express my serious concern that elements of the workers' rights to safe and healthy working conditions, information, and an effective remedy have not been met. I am particularly concerned that the stress and anxiety caused by the lack of an independent health evaluation is compounding other health impacts of exposure to toxic substances. This stress and anxiety is also closely related to the disturbing allegation that workers do not feel comfortable to freely express their concerns.

In connection with the above alleged facts and concerns, I wish to refer your Excellency to the "principles on human rights and the protection of workers from exposure to toxic substances" developed by my mandate, which in 2019, the UN Human Rights Council encouraged States and businesses to implement. In my view, nearly every single Principle is implicated by these allegations.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comments you may have on the above-mentioned information.
2. Please provide information on whether the United Nations plans to provide an independent health evaluation of workers in the affected buildings in Panama City.
3. Please indicate whether the United Nations foresees an evaluation of all United Nations buildings and facilities to ensure that every worker's right to safe and healthy working conditions is respected, protected and fulfilled regarding their work environment in these facilities.

I would appreciate receiving a response within 60 days. Past this date, this communication and any response received will be made public via the OHCHR communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

I welcome the opportunity to discuss with your Excellency the United Nations occupational safety and health policies and procedures, and the quality of its offices and buildings around the world in implementing the aforementioned fifteen principles, and also urge the United Nations to also take it upon itself to review its approaches, against these principles.

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