

Mandates of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the human right to a clean, healthy and sustainable environment; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Independent expert on the promotion of a democratic and equitable international order; the Special Rapporteur on violence against women and girls, its causes and consequences; the Special Rapporteur on the human rights to safe drinking water and sanitation and the Working Group on discrimination against women and girls

Ref.: AL KOR 5/2025
(Please use this reference in your reply)

30 September 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the human right to a clean, healthy and sustainable environment; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Independent expert on the promotion of a democratic and equitable international order; Special Rapporteur on violence against women and girls, its causes and consequences; Special Rapporteur on the human rights to safe drinking water and sanitation and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 54/10, 53/3, 55/2, 59/4, 57/7, 59/20, 51/19 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received **concerning Samsung Electronics' chemical management and environmental pollution in its operations in Viet Nam and the implications for human rights and the environment, in particular the rights to life, health, a healthy environment—which includes the right to live and work in a non-toxic environment—to water, to freedom of opinion and expression, to freedom of peaceful assembly and of association, and the rights of women and girls.**

According to the information received:

Samsung Electronics, a Republic of Korea-based company, is a dominant foreign investor in Viet Nam's electronics industry. It is the country's largest foreign investor and plays a key role in the Vietnamese economy. Samsung began operations in Viet Nam in 1996 and has significantly increased its investment, announcing plans in 2022 to reach USD \$20 billion, making it the largest investor in the country. As of 2022, Samsung had approximately 100,000 employees in Viet Nam and produced about half of its mobile phones globally there. In 2022, Samsung Viet Nam's subsidiaries reportedly had a turnover of USD \$71 billion and exported USD \$65 billion in products, accounting for 9% of Viet Nam's total trade turnover.

Samsung operates six electronics production subsidiaries, a sales and marketing center, and a research center in Viet Nam. The company's large production operations in Thai Nguyen and Bac Ninh provinces have reportedly received significant tax incentives, including a corporate income tax rate of 10% for 27 years after an initial four-year exemption, which is half the rate for Vietnamese companies.

Electronics are blockbuster consumer products, but their manufacture relies on the use of hundreds of chemicals. Many of these substances are hazardous and lack comprehensive health and safety information due to weak regulatory policies.

Samsung Electronics has consistently externalized the costs of pollution from mobile phone and appliance production to the environment, communities, and workers of Viet Nam. A detailed study of internal investigations conducted by Samsung Electronics reportedly reveals irresponsible chemicals management and pollution of Viet Nam's environment.

Samsung has engaged in chemical management practices in Viet Nam that would not be permitted under the applicable standards in the Republic of Korea, where the company is based. In the Republic of Korea, Samsung Electronics' environmental emissions are publicly available through the Pollutant Release and Transfer Registry (PRTR) system, where the company must report releases and transfers of more than 400 substances to air, land, water, and waste.¹ However, emissions from Samsung factories and their suppliers in Viet Nam are not publicly reported. Viet Nam has begun integrating elements of a PRTR system into its legislation, with advancements in 2020 and 2022. However, according to the information received, Viet Nam's PRTR system still needs to be fully developed to comprehensively cover the electronics industry, expand the list of reported substances, and make the data publicly accessible online. There are reported concerns that Samsung has taken advantage of Viet Nam not having a PRTR system to obscure its dumping from regulators and the public.

Wastewater pollution

According to some investigative reports, Samsung's Bac Ninh factory in Viet Nam operated for approximately three years (2010-2013) without a wastewater treatment system for toxic chemical-containing production wastes. During this period, wastewater was disposed of through rainwater drainage systems and subcontracted companies dumped chemical materials into nearby bodies of water. Raw sewage from Samsung Electronics' Bac Ninh factory reportedly overflowed into the environment illegally for years without treatment. The existing sewage treatment facility was only designed for non-industrial waste, like that from restrooms and cafeterias, and was inadequate for toxic industrial effluent.

The unsound management of waste at Samsung's factories in Viet Nam included the failure to separate general and designated wastes. Inadequate outdoor storage of wastes also resulted in further pollution. Facilities to prevent the spread of

¹ Ministry of Environment, Republic of Korea, PRTR system: <https://icis.me.go.kr/prtr/main.do>

chemicals, such as outflow guards, are required where chemicals or designated wastes are stored. However, many suppliers lack these facilities, leading to spills and leaks. Often, storage areas are exposed, and wastewater, including oil, leaks from generators and compressors without proper containment systems. Available information shows that these issues were documented by Samsung's Bac Ninh Environmental Health and Safety (EHS) team.

According to the standards set by the Responsible Business Alliance, which Samsung purports to subscribe to, a wastewater treatment facility license must be obtained before a plant begins operations. The standards of the Responsible Business Alliance also specify that the wastewater treatment facility must have sufficient capacity to treat chemicals in waste and to be managed to ensure proper operation. The discharge of chemical wastewater and domestic sewage without proper treatment is prohibited. Wastewater must be measured in accordance with the specified parameters and measurement frequency and must be managed so as not to exceed the standards for each parameter.

Despite these basic requirements, Samsung has repeatedly found that its supplier factories in Viet Nam discharge untreated wastewater directly into storm drains that flow into local rivers. Additionally, there are numerous instances of chemical-laden wastewater leaking from outdoor facilities, or wastewater generated indoors seeping into the external environment. In 2021, Samsung's Ho Chi Minh Plant EHS Group reportedly documented violations of company policies at its appliance factory in Ho Chi Minh City. These included the discharge of toxic waste from the polyurethane insulation process into storm drains without treatment, waste chemicals leaking from a storage tank into the environment, and chemicals leaking inside the factory, posing a danger to workers.

Despite these reported practices, Samsung's 2013 Sustainability Report states that "all wastewater generated by its workplaces [is] processed at internal processing facilities" and that "all discharge water is monitored".² The 2022 Sustainability Report also claims that all chemicals "are stringently controlled" and that "all chemicals and water polluting substances used at our business sites are thoroughly filtered from wastewater before they are discharged into rivers and strive to minimize adverse impacts on freshwater ecosystems."³

Air pollution

Samsung built the Bac Ninh mobile phone plant with an undersized air pollution control facility that could not handle the factory's production capacity. As a result, the factory released untreated chemical-containing air pollution for approximately seven years (2010-2017). The Bac Ninh factory lacked local exhaust systems in areas where toxic chemicals were used, so workers were routinely exposed to toxic chemical fumes. Due to the low capacity of the air pollution control facility

² Samsung Electronics (2013) Sustainability Report: Global harmony with people, society and environment <https://www.samsung.com/global/sustainability/media/pdf/about-us-sustainability-report-and-policy-sustainability-report-2013-en.pdf>

³ Samsung Electronics (2022) Sustainability Report: A Journey Towards a Sustainable Future https://images.samsung.com/is/content/samsung/assets/global/ir/docs/sustainability_report_2022_en.pdf

at the Bac Ninh plant, the filters became clogged, blocking the passage of contaminated air. Instead of changing them, the company removed some of them and discharged dust and toxic chemical-containing pollution directly into Viet Nam's air.

The Bac Ninh factory was allegedly built with an undersized air pollution control facility. Instead of stopping production, Samsung moved some filters and activated carbon to the side, allowing polluted air to be discharged directly into the environment, effectively operating without the facility's intended purification. Samsung's internal policy required monthly replacement of activated carbon, but this standard was ignored, with replacements not occurring for over a year or even three years in some cases. Internal Samsung reports from 2012 recorded non-compliance with activated carbon replacement resulting in bad odors. Severe air pollution problems at the Bac Ninh plant were reportedly known to high-level managers at headquarters as early as 2010, and the company's now-disbanded strategy office, Future Strategy Office, was also involved.

Residents living nearby noted that the bad smells were like torture and caused coughing and sickness.

Instead of upgrading its undersized air pollution control facility at Bac Ninh, Samsung outsourced its most toxic operations, such as plating, painting, and printing, to its suppliers in 2017 and 2018. These suppliers generally have less capacity and awareness of environmental health and safety than Samsung. This outsourcing reportedly transferred severe air pollution problems to other communities, where they continue to the present day.

One such case is SIT Vina, a Korean-owned Samsung supplier in Bac Ninh Province. The company manufactures electronic components for Samsung mobile phones and conducts paint-spraying processes. Toxic chemicals, including carcinogens, are reportedly heavily used. Paint dust is emitted from SIT Vina's chimneys, indicating that the air pollution control facility is ineffective. As with Samsung's Bac Ninh factory, emissions are not treated by filters or activated carbon.

Reports from 2023 indicate that high levels of PM2.5 were measured outside Samsung supplier factories in Viet Nam. Allegedly, Vietnamese media reported that one supplier discharged air pollution and dust continuously, and that local residents suffered respiratory problems. It added that a public health official noted increased cases of throat and respiratory tract cancer in the surrounding community. In a methanol poisoning incident at a Samsung supplier in northern Viet Nam in 2023, which resulted in one death and dozens hospitalized, Samsung apparently refused to take responsibility for the incident.

Hazardous waste management

In 2018, Samsung's Thai Nguyen factory generated nearly 124,000 tons of hazardous wastes, accounting for 90% of all hazardous waste generated in the province that year, despite the presence of many other polluting companies. Samsung has also disregarded commitments made to the government of Viet Nam

to install waste treatment capacity at Thai Nguyen.

Supplier management issues

Externally, Samsung claims to responsibly manage its suppliers, but the company has allegedly failed to adequately manage Environmental Health and Safety problems in its supply chain. The information received states that over a four-year period, Samsung's own internal investigations found more than 13,000 compliance violations at its suppliers' factories, including air pollution, water pollution, and inadequate waste management.

Samsung evaluates its suppliers based on a code of conduct developed with criteria from the Responsible Business Alliance. However, Samsung has weakened this code by removing or amending certain requirements, reducing workers' rights and safety while giving the company more authority. The supplier management system also depends on suppliers to self-report their handling of toxic chemicals, and those with good scores receive more contracts. If suppliers violate company environmental health and safety policies or government regulations, it does not affect their business contracts with Samsung which continue as usual.

Labor rights and right to information

Samsung is associated with restrictions on freedom of association and limitations on the right to information. In Viet Nam, independent trade unions are not permitted, and the company has reportedly opposed the ratification of ILO Convention No. 87, which recognizes the right of workers and employers to form and join organizations of their own choosing without prior authorization. Company representatives apparently argued that allowing multiple unions would lead to instability.

In the Republic of Korea, Samsung has a documented record of anti-union practices, with judicial findings confirming efforts to obstruct union formation. Access to information on chemical exposure is restricted under the 2019 Industrial Technology Protection Act, which classifies certain data as industrial secrets, with no exception for risks to health. The right of access to information depends on worker representatives, whose establishment is constrained by low unionization and barriers to independent representation.

Parallel to the labor rights concerns, Samsung is alleged to have undermined the right of information, specifically regarding chemical safety. The company is alleged to have impeded compensation for sick workers by withholding critical information about chemical use and exposure, often claiming it is a 'trade secret'. In the Republic of Korea, occupational diseases have been reported in the electronics sector that involve Samsung. A compensation system was established following pressure from civil society organizations.

In the Republic of Korea, Samsung filed lawsuits against the Ministry of Employment and Labor in 2018 to prevent the disclosure of workplace environmental monitoring reports containing health and safety data on chemicals.

Samsung also successfully requested the Ministry of Trade, Industry and Energy to designate workplace environmental monitoring reports as national industrial technology. This designation under the Industrial Technology Protection Act of 2019 requires information related to national industrial technology, including workplace environmental monitoring reports, to be kept secret, with no exception for threats to human health and the environment. This law is criticized for its opaque decision-making process and conflicts with the Information Disclosure Act.

In Viet Nam, the right to information concerning chemical safety also presents challenges. While laws require periodic monitoring of emissions for certain facilities and the submission of annual environmental monitoring plans, sources indicate that public information regarding the use of chemicals in the electronics industry is limited or non-existent. Companies rarely report cases of chemical-related illnesses or injuries to the government.

Differentiated health impacts on women workers and work conditions

Most of the workforce in the electronics industry in Viet Nam is made up of women working on assembly lines. In 2017, a survey of 45 women workers at Samsung's mobile phone factories in Bac Ninh and Thai Nguyen revealed that all reported having fainted or felt dizzy while working, which was described as a "normal" result of shift work. Miscarriage was also reported as a common issue among younger workers. Other reported health problems included eye damage, nosebleeds, swelling of legs, changes in appearance, and aches in the stomach, bones, and joints. Workers also reported long working hours, including alternating day and night shifts every four days, and standing for nine to twelve hours without adequate breaks. High noise levels were frequently above the legal limits set by Viet Nam. Pregnant workers were allowed breaks but had to stand for their entire shifts.

Samsung's reaction to the 2017 report from the women workers was dismissive. The company called the information "groundless accusations" and "false and inaccurate." Samsung also threatened legal action against the Research Centre for Gender, Family and Environment in Development (CGFED), the public interest group that published the findings. A smear campaign was initiated, which led to a response from UN human rights experts, who expressed concern about the intimidation of workers and researchers.⁴

Key elements of women and chemical safety include: lack of information; the need to include gender aspects of environment assessments; how different physiology affects exposures and impacts; unique time periods of susceptibility; different types of occupational exposures; exposures through different types of consumer products; and unequal decision-making on chemical safety issues.

⁴ Vietnam: UN experts concerned by threats against factory workers and labour activists, United Nations Human Rights – Office of the High Commissioner <https://www.ohchr.org/en/press-releases/2018/03/vietnam-un-experts-concerned-threats-against-factory-workers-and-labour>

Samsung's Environmental and Human Rights Non-Compliance

The government of Viet Nam granted approvals to Samsung's Bac Ninh factory without ensuring adequate oversight of its environmental practices. The Government of the Republic of Korea strongly supports Samsung's corporate interests. In 2018, the Ministry of Foreign Affairs of the Republic of Korea apparently appointed a former Samsung executive as ambassador to Viet Nam. Health and safety issues at Samsung's factories in Viet Nam could violate the Republic of Korea's Industrial Health and Safety Act and Chemicals Control Act. The failure to intervene, despite evidence of significant pollution, points to a broader issue of regulatory inefficiency. Samsung's plant operated with insufficient pollution control measures, resulting in untreated chemical emissions and wastewater being dumped illegally into the environment.

Further exacerbating the situation, Samsung's own investigations revealed severe non-compliance among suppliers, who were found to be discharging toxic waste and failing to meet environmental standards. Despite these findings, Samsung continued its business relationships with these suppliers, highlighting a failure in corporate accountability and due diligence. This lack of compliance not only undermines efforts to protect vulnerable populations but also contravenes the company's publicly stated commitments to environmental protection and human rights.

In the Republic of Korea, Samsung filed lawsuits to block the release of health and safety information about chemicals, citing trade secrets. In 2019, the National Assembly amended the Industrial Technology Protection Act to require public agencies to keep all information related to national core technology secret, including working environment measurement reports. The law does not contain any exemptions for disclosures involving threats to human health or the environment. This restricts access to environmental and occupational safety information.

In the Republic of Korea, lawmakers proposed the Corporate Human Rights and Environmental Protection Act in 2023. It would require companies with more than 500 full-time employees or more than 200 billion earned in annual sales to implement human rights and environmental due diligence. The law has not been adopted.

While we do not wish to prejudge the accuracy of these allegations, we wish to express our grave concern regarding the significant human rights impacts associated with hazardous waste management and unsafe working conditions in Samsung's operations in Viet Nam. The lack of adequate response to these issues, especially in addressing the health, environmental, and social consequences of pollution, exacerbates these impacts.

We also express concern over the systemic failure to ensure compliance with relevant human rights and environmental regulations, despite internal investigations revealing widespread violations. The lack of transparency and accountability in Samsung's supply chain, and its continued business relationships with non-compliant suppliers, raises questions about the company's commitment to fulfilling its obligations

in line with international human rights law and norms.

We are further concerned that companies in the industry may be approaching both domestic and multinational operations with double standards, applying lower human rights, environmental, and occupational safety protections in factories and supplier chains located in countries with weaker regulatory frameworks. The impacts are particularly severe on groups who suffer disproportionately from exposure to hazardous chemicals in the workplace. As highlighted in the UN Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes' thematic report on Gender and Toxics, the failure of States to regulate industrial activities—including the production processes and waste management of multinational corporations—has serious and growing implications for human health, particularly reproductive health.⁵ The report calls on States to end the practice whereby companies headquartered in one country expose workers and communities in other countries to higher levels of toxic substances, taking advantage of weaker regulatory protections.

The situation requires a human rights-based approach, including strong measures to prevent exposure to hazardous substances, the immediate cessation of ongoing harm, adequate medical attention to the victims, effective accountability mechanisms, the provision of adequate compensation and rehabilitation for affected communities, as well as full transparency and access to information regarding industrial processes and risks.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comments your Excellency may have in relation to the allegations described above concerning the operations of Samsung Electronics in Viet Nam.
2. Please provide information on measures the Government has taken or intends to take to ensure that companies based in the Republic of Korea, such as Samsung Electronics, fully respect human rights and environmental standards in their global operations, including in their supply chains, in line with the UN Guiding Principles on Business and Human Rights and international law.
3. Please detail measures taken by the Government to guarantee the right of access to information about hazardous substances for workers and affected communities by the operations of companies, including Samsung Electronics, especially in relation to the Industrial Technology

⁵ UN General Assembly, Human Rights Council. (2024). *Gender, toxics and the right to a healthy environment: Report of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes*, A/79/163, paras. 109, 118.

Protection Act of 2019, and of steps taken to apply the standards of the domestic Pollutant Release and Transfer Registry system for companies based in the Republic of Korea to their operations abroad.

4. Please provide information on any measures taken by your Excellency's Government to investigate and to redress the working conditions of women affected by the company's operations, including their right to health, and specific measures on accessing sexual and reproductive services and information.
5. Please provide information on measures taken by the Government to investigate the allegations of anti-union activities and lobbying against freedom of association by Samsung Electronics.
6. Please provide information on the legal framework and measures to compel companies to comply with their obligations regarding the right to access to information and transparency, in line with international human rights standards.
7. Please detail measures taken by the Government to investigate complaints of and/or protect workers, whistleblowers, and human rights defenders from intimidation or retaliation for reporting on working conditions or environmental pollution at companies of the Republic of Korea, both domestically and abroad.
8. Please provide information and/or comments on steps taken to prevent, mitigate, and remedy the adverse human rights, health and environmental impacts caused by Samsung business activities and to ensure adequate remedies and healthcare are provided to affected individuals, particularly in relation to exposure to hazardous substances.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the Government of Viet Nam, Samsung Electronics Viet Nam and Samsung Electronics headquarters.

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

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Claudia Flores

Chair-Rapporteur of the Working Group on discrimination against women and girls

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we wish to draw the attention of your Excellency's Government to obligations under international human rights instruments, to which the Republic of Korea is party. We wish to recall article 6(1) of the International Covenant on Civil and Political Rights (ICCPR), that the Republic of Korea ratified in 1990, which guarantees the right to life.

As highlighted by the Human Rights Committee in general comment No. 36, the duty to protect life also implies that States parties should take appropriate measures to address the general conditions in society that may give rise to direct threats to life or prevent individuals from enjoying their right to life with dignity, including degradation of the environment (para. 26). Environmental degradation, climate change and unsustainable development constitute some of the most pressing and serious threats to the ability of present and future generations to enjoy the right to life. Implementation of the obligation to respect and ensure the right to life, and in particular life with dignity, depends, inter alia, on measures taken by States parties to preserve the environment and protect it against harm, pollution and climate change caused by public and private actors (para. 62).

The Republic of Korea ratified the International Covenant on Economic, Social and Cultural Rights (CESCR) on 10 April 1990. The right to health is protected under the Universal Declaration of Human Rights (UDHR) (article 25(1)) and the CESCR (article 12) and it includes the enjoyment of the highest attainable standard of both physical and mental health. General comment No. 14 describes the normative content of ICESCR article 12 and the legal obligations undertaken by the States parties to respect, protect and fulfil the right to physical and mental health. In paragraph 11 of general comment No. 14, the Committee on Economic, Social and Cultural Rights (CESCR) interprets the right to health as “an inclusive right extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health-related education and information”. In addition, Article 24 of the UN Convention on the Rights of the Child ensures the right of the child to the enjoyment of the highest attainable standard of health.

General comment No. 15 on the right to water stresses that the right to water “clearly falls within the category of guarantees essential for securing an adequate standard of living, particularly since it is one of the most fundamental conditions for survival” (para. 3), with the right to an adequate standard of living enshrined in article 11 of the CESCR, and that the right to water is also “inextricably related to the right to the highest attainable standard of health” (para. 3) guaranteed under article 12(1). A sufficient and continuous water supply must be available for personal and domestic use, and “water is necessary to produce food (right to adequate food) and ensure environmental hygiene (right to health)” (para. 6).

Moreover, water required for each personal or domestic use must be safe, i.e., free from chemical substances that constitute a threat to a person's health. Water

facilities and services must be accessible to everyone, both physically and economically, and must be free from discrimination. Further, water accessibility includes the right to seek, receive, and impart information on water issues. Lastly, “access to traditional water sources in rural areas should be protected from unlawful encroachment and pollution” (para. 16(c)).

Further, we wish to refer to article 24(2)(c) of the UN Convention on the Rights of the Child, which requires States to take appropriate measures to combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the provision of clean drinking water, taking into consideration the dangers and risks of environmental pollution.

General comment No. 26 (CRC/C/GC/26) by the Committee on the Rights of the Child, which states that children’s right to a clean, healthy and sustainable environment is implicit in the Convention on the Rights of the Child and directly linked to, in particular, the rights to life, survival and development (article 6), to the highest attainable standard of health, including taking into consideration the dangers and risks of environmental pollution (article 24), to an adequate standard of living (article 27), and to education (article 28), including the development of respect for the natural environment (article 29, para. 63).

We would further like to bring to the attention of your Excellency’s Government the information that adverse impacts on human rights of the release of hazardous substances into the environment disproportionately affect children and women, as reported by the Special Rapporteur on toxics and human rights in his report, “Gender and hazardous substances” (16 July 2024, A/79/163).

The Convention on the Elimination of All forms of discrimination Against Women (CEDAW) requires states parties to ensure women enjoy the right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction (article 11 (f)). In general recommendation No. 40 on equal and inclusive representation of women in decision-making system (CEDAW/C/GC/40), the CEDAW Committee has recommended member states to institutionalize of safe and independent regular consultations with women’s and girls’ organisations and representatives in response to new and/or growing challenges in relation to technology, health and environment, among others. Furthermore, CEDAW Committee’s general recommendation 37 on the gender-related dimensions of disaster risk reduction in the context of climate change obligates States parties, separately and in cooperation with others, to take effective steps to equitably manage shared natural resources, in particular water, and mitigate pollution, including the dumping of toxic waste, and all other environmental, technological and biological hazards and risks that contribute to climate change and disasters, which tend to disproportionately negatively affect women and girls (CEDAW/C/GC/37).

Furthermore, the Working Group on Discrimination against Women and Girls, in its report on the gendered inequalities of poverty (A/HRC/53/39) stated that “[w]hile Governments are the primary holders of obligations to ensure that all human rights are respected, protected and fulfilled, corporate actors also have responsibilities to respect and protect human rights and to provide adequate remedies for human rights harms that arise from their activities,” highlighting “the responsibilities of businesses to ensure that

their activities advance the right to substantive gender equality.” The Working Group found that “[i]n practice ... businesses were routinely failing to pay living or equal wages, or to offer social security, including paid maternity or carers’ leave, that many were not taking adequate steps to guarantee sexual and reproductive health and other rights of workers to bodily autonomy and freedom from violence, or to ensure women’s rights to collective bargaining and freedom of association,” and that “corporate due diligence procedures and grievance mechanisms for business-related human rights abuse were not gender-sensitive, let alone gender-transformative, and, as a result, were largely ineffective in changing discriminatory norms and practices.” In that regard, the Working Group has recommended States and businesses to ensure gender and human rights impact assessments, corporate accountability, realization of the right to a safe, clean, healthy and sustainable environment, and access to justice, including for violations of socioeconomic rights.

In addition, the Working Group has also emphasized in its report on women's human rights in the changing world of work (A/HRC/44/51) that realizing women’s human rights in the changing world of work requires workers in new forms of work to have access to human rights. There is an urgent need to extend rights and entitlements to all workers, with a focus on women informal workers, including paid sick leave, annual leave, working time limits and rights to health and safety at work. In some contexts, access to menstrual leave is an important enabler of women’s access to decent work.

As provided for in article 19 of the ICCPR, the right to freedom of opinion and expression includes the right to seek, access and receive information of all kinds. Freedom of expression, including the right to access information, “is a necessary condition for the realization of the principles of transparency and accountability, which are in turn essential for the promotion and protection of human rights” (CCPR/C/GC/34, paragraph 3). “Article 19 sets forth a right of access to information held by public bodies” and, consequently, “in order to give effect to the right of access to information, States parties should actively pursue the incorporation into the public domain of government information that is of public interest. States parties should make every effort to ensure easy, rapid, effective, and practical access to such information” (paragraphs 18 and 19).

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has repeatedly emphasized the importance of access to information and transparency as fundamental pillars for peace, democracy, and development, as well as the fundamental role that this right plays in the enjoyment of other rights (A/68/362, paras. 18, 19, 20, and 89; E/CN.4/1998/40, para. 12; E/CN.4/1995/32, para. 135). Along these lines, the Special Rapporteur has recommended and encouraged States to review their regulatory and institutional frameworks, mechanisms, and tools to guarantee and promote the right to access information and transparency in the most comprehensive and full manner possible.

Both the General Assembly and the Human Rights Council recognized the right to a clean, healthy and sustainable environment with the adoption of resolutions A/RES/76/300 and A/HRC/RES/48/13. In this regard, we would like to draw the attention of your Excellency's Government to the 2024 report of the Special Rapporteur on the human right to a healthy environment (A/79/270) including an overview of the

right, highlighting the obligation of States to respect, protect and fulfill the right to a healthy environment, including in relation to the right of everyone to enjoy a non-toxic environment in which to live, study and play, as well as the right to access to information, public participation and access to justice.

States have a duty to prevent exposure to hazardous substances and wastes, as detailed in the 2019 report of the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes to the General Assembly (A/74/480). This obligation derives implicitly, but clearly, from a range of rights and duties enshrined in the global human rights framework, under which States are obliged to respect and fulfill recognized human rights, and to protect those rights, including from the consequences of exposure to toxic substances. These rights include the human rights to life, health, food and safe drinking water, a healthy environment, adequate housing, and safe and healthy working conditions.

The Framework Principles on Human Rights and the Environment are detailed in the 2018 report of the Special Rapporteur on Human Rights and the Environment (A/HRC/37/59). The principles provide that States must ensure a safe, clean, healthy, and sustainable environment in order to respect, protect and fulfill human rights (principle 1) and must respect, protect and fulfill human rights in order to ensure a safe, clean, healthy and sustainable environment (principle 2). The commentary on principle 2 details that States should therefore protect against harmful environmental interference from business enterprises, other private actors and natural causes.

Principle 7 of the Framework concerns the right of access to information on environmental matters and requires that States regularly collect, update and disseminate environmental information, including information about: the quality of the environment, including air and water; pollution, waste, chemicals and other potentially harmful substances introduced into the environment; threatened and actual environmental impacts on human health and well-being; and relevant laws and policies. Moreover, States should provide affordable, effective and timely access to environmental information held by public authorities, upon the request of any person or association, without the need to show a legal or other interest.

Framework principle 10 clarifies that States should provide for access to effective remedies for violations of human rights and domestic laws relating to the environment. This requires States to ensure that individuals have access to judicial and administrative procedures that meet basic requirements, including that the procedures: (a) are impartial, independent, affordable, transparent and fair; (b) review claims in a timely manner; (c) have the necessary expertise and resources; (d) incorporate a right of appeal to a higher body; and (e) issue binding decisions, including for interim measures, compensation, restitution and reparation, as necessary to provide effective remedies for violations.

In addition, framework principle 12 establishes that States should ensure the effective enforcement of their environmental standards against public and private actors. This requires States to monitor and effectively enforce compliance with the standards by preventing, investigating, punishing and redressing violations of the standards by private actors as well as governmental authorities and to take effective

steps to prevent corruption from undermining the implementation and enforcement of environmental laws.

We would like to stress that the Special Rapporteur on the environment has identified non-toxic environments in which people can live, work, study and play as one of the six substantive elements of the right to a clean, healthy, and sustainable environment as recognized by the Human Rights Council and General Assembly. In his report on the topic, written in collaboration with the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, (A/HRC/49/53), he concluded that “the substantive obligations stemming from the right to a non-toxic environment require[s] immediate and ambitious action to detoxify people’s bodies and the planet. States must prevent toxic exposure by eliminating pollution, terminating the use or release of hazardous substances, and rehabilitating contaminated communities.” The Special Rapporteur has also recommended to “prohibit the production and use of substances that are highly toxic, bioaccumulative and persistent (including carcinogens, mutagens, endocrine disruptors, reproductive toxins, immune system toxins and neurotoxins) with limited exemptions where uses are essential for society.”

We would also like to highlight the UN Guiding Principles on Business and Human Rights (A/HRC/17/31), which were unanimously endorsed by the Human Rights Council in June 2011, are relevant to the impact of business activities on human rights. These guiding principles are grounded in recognition of:

1. “States’ existing obligations to respect, protect and fulfill human rights and fundamental freedoms;
2. The role of business enterprises as specialized organs or society performing specialized functions, required to comply with all applicable laws and to respect human rights;
3. The need for rights and obligations to be matched to appropriate and effective remedies when breached.”

Guiding principle 1 reiterates the State's duty to "protect against human rights abuses by business enterprises on its territory and/or under its jurisdiction". The guiding principle 2 provides that States should make clear that all companies domiciled on their territory and/or under their jurisdiction are expected to respect human rights in all their activities. In addition, guiding principle 3 reiterates that States must take appropriate measures to "prevent, investigate, punish and remedy such abuses through effective policies, laws, regulations and adjudication". In addition, it requires, among other things, that a State "provide effective guidance to business enterprises on how to respect human rights throughout their operations".

Furthermore, on access to remedy, guiding principle 25 stresses that the State must take appropriate steps to ensure, through judicial, administrative, legislative and other appropriate means that when business-related human rights abuses occur within their territory and/or jurisdiction, those affected have access to effective remedy.

According to guiding principle 26, States should take appropriate measures to ensure the effectiveness of domestic judicial mechanisms when dealing with business-related human rights abuses, including by considering how to limit legal, practical and other obstacles that may lead to denial of access to remedy.

Principles 11 to 24 and principles 29 to 31 provide guidance to business enterprises on how to meet their responsibility to respect human rights and to provide for remedies when they have caused or contributed to adverse impacts.

It is also important to recall that the Committee on Economic, Social and Cultural Rights, in its general recommendation 24 (2017), states that "the extraterritorial obligation to protect requires States parties to take measures to prevent and remedy violations of Covenant rights that occur outside their territory as a result of the activities of business entities over which they may exercise control, in particular in cases where remedies available to victims before the domestic courts of the State where the harm occurs are unavailable or ineffective."