

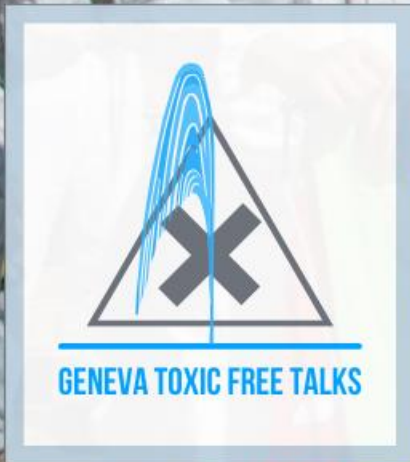


UNITED NATIONS
HUMAN RIGHTS
SPECIAL PROCEDURES
SPECIAL RAPPORTEURS, INDEPENDENT EXPERTS & WORKING GROUPS

With the support of:

GENEVA ENVIRONMENT NETWORK

EARTHJUSTICE



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GREENWASHING AND FALSE SOLUTIONS ARE TOXIC FOR HUMAN RIGHTS

20 SEPTEMBER 2023 | 9:00 - 10:00 CEST | PALAIS DES NATIONS, ROOM H.307-1 & ONLINE



GENEVA TOXIC FREE TALKS

20 - 22 SEPTEMBER 2023

PALAIS DES NATIONS & ONLINE



PROGRAM

Taking place on the sidelines of the 54th session of the Human Rights Council, this year's Geneva Toxic Free Talks highlights the work of the Special Rapporteur and of organizations in the struggle for the right to live in a toxic-free environment.

All events are taking place at Palais des Nations and online.

Wednesday, 20 September

- 9:00-10:00 CEST | Greenwashing and False Solutions Are Toxic for Human Rights | Room H.307-1
- 13:15-14:45 CEST | Making Human Rights Central in Chemicals and Waste Discussions | Room H.307-1

Thursday, 21 September

- 13:00-14:30 CEST | No More Agrottoxics in our Food and Environment! | Agroecology: A Key Element for a Just Transition | Room H.207
- 15:30-16:30 CEST | Paths for Alternatives and a Just Transition for Chemical Workers | Room H.307-2

Friday, 22 September

- 10:00-11:00 CEST | International Maritime Organization: Navigating the Rights Way | Room XXV
- 13:00-14:00 CEST | Integrating Detoxification and Decarbonization to Protect Human Rights of Affected Communities | Room XXV | with the Permanent Mission of Chile
- 15:00-16:00 CEST | Right to Science, Central to the Future Science-Policy Panel to Contribute Further to the Sound Management of Chemicals and Waste and to Prevent Pollution | Room H.307-2



GENEVA TOXIC FREE TALKS

20-22 SEPTEMBER 2023

PALAIS DES NATIONS &
ONLINE | WEBEX

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20 SEPTEMBER 23 | 9:00 - 10:00 CEST
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SPEAKERS

By order of intervention.



Marcos ORELLANA



UN Special Rapporteur on toxics and human rights



Yuyun ISMAWATI



Senior Advisor and Co-Founder, Nexus for Health, Environment and Development Foundation (Nexus3) | IPEN Steering Committee Member



Lisa TOSTADO



Agrochemicals and Fossil Fuels Campaigner, CIEL



Jerzy JENDROSKA



Vice Chair of the Aarhus Convention Compliance Committee | Professor of European Law at Opole University (Poland) and of Environmental Law at Riga Graduate School of Law (Latvia)



Clemente BAUTISTA



International Network Officer, Kalikasan People's Network for the Environment & Asia Pacific Network of Environment Defenders



Yves LADOR



Representative of Earthjustice to the United Nations in Geneva | Moderator



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Moderated by Yves LADOR | Representative of Earthjustice to the United Nations in Geneva

Welcome

- Yves LADOR | Representative of Earthjustice to the United Nations in Geneva
- Marcos ORELLANA | UN Special Rapporteur on toxics and human rights

The Aarhus Convention and the Right of Access to Information

- Jerzy JENDROSKA | Vice Chair of the Aarhus Convention Compliance Committee | Professor of European Law at Opole University (Poland) and of Environmental Law at Riga Graduate School of Law (Latvia)

Against Greenwashing: Identifying and Addressing False Solutions to the Triple Planetary Crisis

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**GREENWASHING AND FALSE SOLUTIONS
ARE TOXIC FOR HUMAN RIGHTS**



WELCOME



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THE AARHUS CONVENTION AND THE RIGHT OF ACCESS TO INFORMATION



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Jerzy Jendrośka
**The Aarhus Convention and Environmental
Impact Assessments**

**Greenwashing and False Solutions
Are Toxic for Human Rights
Geneva, Palais de Nations
20 September 2023**

Professor Jerzy Jendrośka, Ph.D (dr hab.)

- Professor at Opole University and Riga Graduate School of Law
- Managing Partner at Jendroska Jerzmański Bar and Partners. Environmental Lawyers
- Former Secretary of the UNECE Aarhus Convention
- Member of the Permanent Court of Arbitrage in the Hague (2001-2016)
- Member of the Implementation Committee of the Espoo Convention (2004-2017)
- Member of the Compliance Committee of the Aarhus Convention (since 2005)
- Member of the State Environmental Council in Poland (2014-2019)
- Member of National EIA/SEA Commission in Poland (1992-2006)
- Drafter of EIA/SEA/Aarhus/GMO legislation in Poland
- Legal consultant for environmental reforms in Balkans, Eastern Europe, Caucasus , Central Asia, China and Latin America

Content

- Concept and scope of environmental assessments
- Role in decision-making
- Advantages
- Issues of concern
- Decision-making not covered by formal assessment procedures

Concept and scope of environmental assessments

- Preventive tool related to planned activities which may have significant impact on the environment
- Scope
 - all encompassing (NEPA Process in US)
 - separate assessments (in Europe):
 - Environmental impact assessment (EIA) - projects
 - Strategic environmental assessment (SEA):
 - plans and programs
 - *policies*
 - *Legislation*
 - Habitat/biodiversity assessment
 - Water assessment
 - IPPC assessment

Role of environmental assessment

- collection of information
- demonstration of various interests
- consideration of alternatives
- integration of environmental concerns with economic, social etc concerns
- avoidance of irreversible effects

Advantages

- Public procedure
- Transparency
- Commenting
- Non-technical summary
- Arguments for litigation

Issues of concern

- Short time-frames
- Inadequate screening and scoping
- Quality of assessment reports
 - Corruption
 - Plagiarism
 - Lack of methodology
 - Deliberate inaccuracies
- Attempts to limit accessibility

Decision-making not covered by formal assessment procedures

- Most of product control procedures (except for GMO decision-making)
- In EU
 - Climate proofing
 - Sustainability
 - Application of DNSH principle

Greenwashing and False Solutions are Toxic for Human Rights



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AGAINST GREENWASHING: IDENTIFYING AND ADDRESSING FALSE SOLUTIONS TO THE TRIPLE PLANETARY CRISIS



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Greenwashing and False Solutions are Toxic for Human Rights
20-22 September 2023



Greenwashing and False Solution in Waste Sector



Yuyun Ismawati

yuyun@nexus3foundation.org



About us



- **International Pollutants Elimination Network (IPEN)** is a network of over 600 non-governmental organizations working in more than 120 countries to reduce and eliminate the harm to human health and the environment from toxic chemicals. URL: www.ipen.org
- **Nexus3 or Nexus for Health, Environment, and Development** (formerly known as BaliFokus Foundation) is an organization in Indonesia that works to safeguard the public, especially vulnerable populations, from the impact of development to health and the environment, towards a just, toxics-free, and sustainable future. URL: www.nexus3foundation.org

Outlines

01

Background



02

Greenwashing



03

[False] Solutions

04

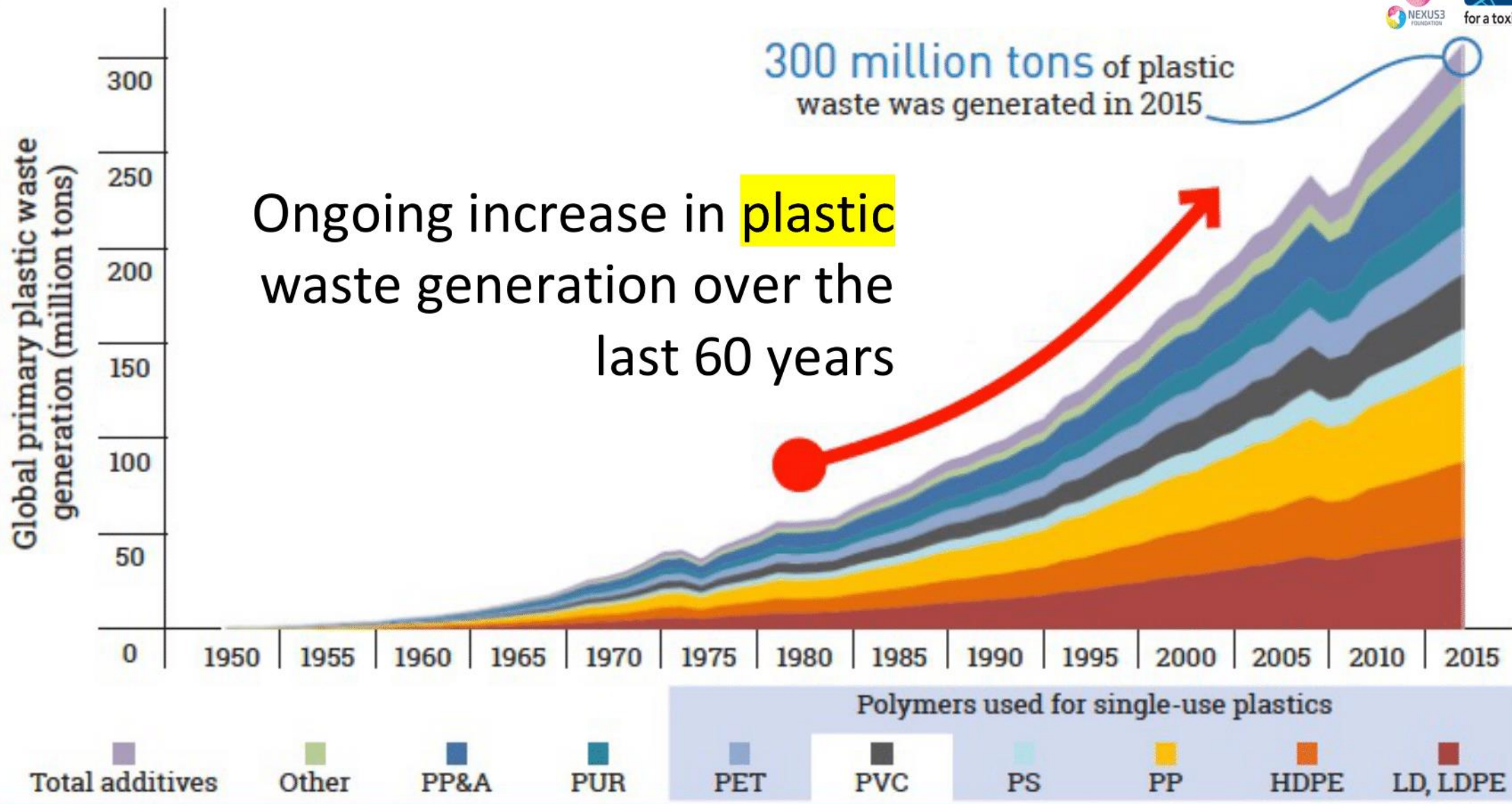
Impacts



05

Recommendations

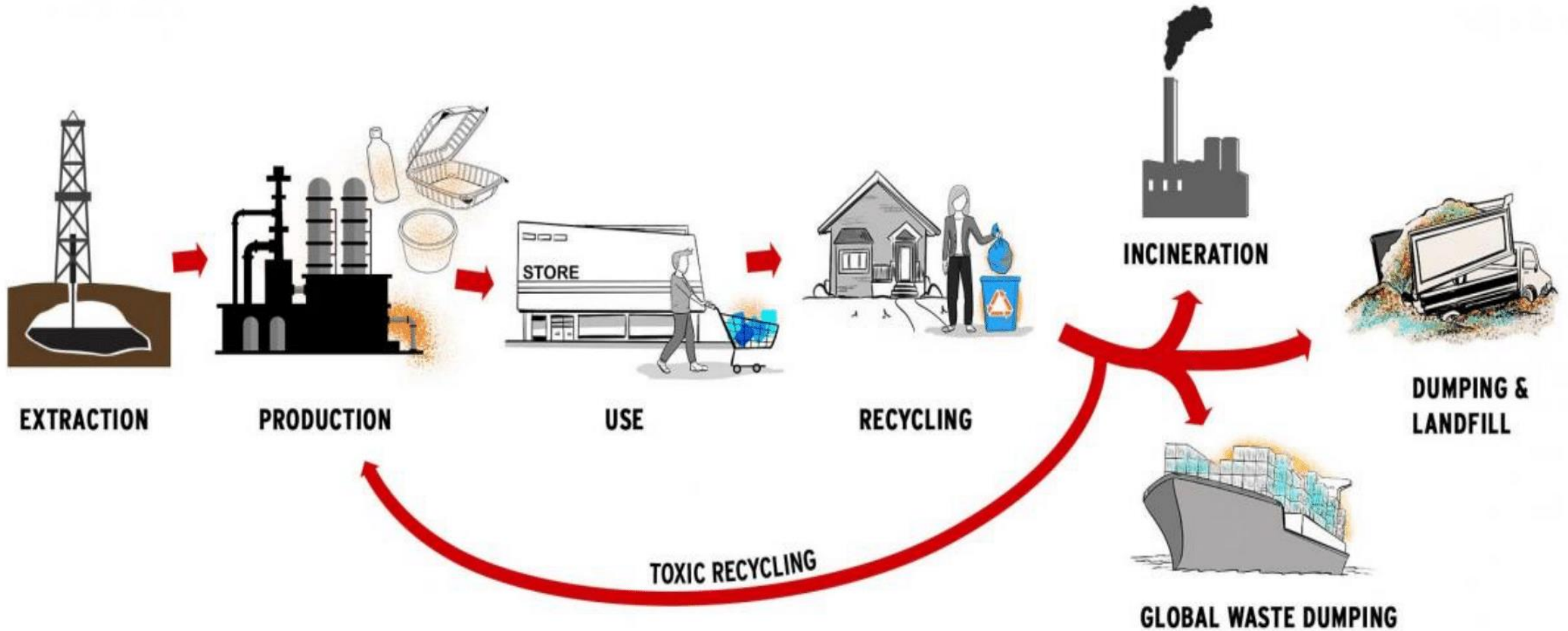




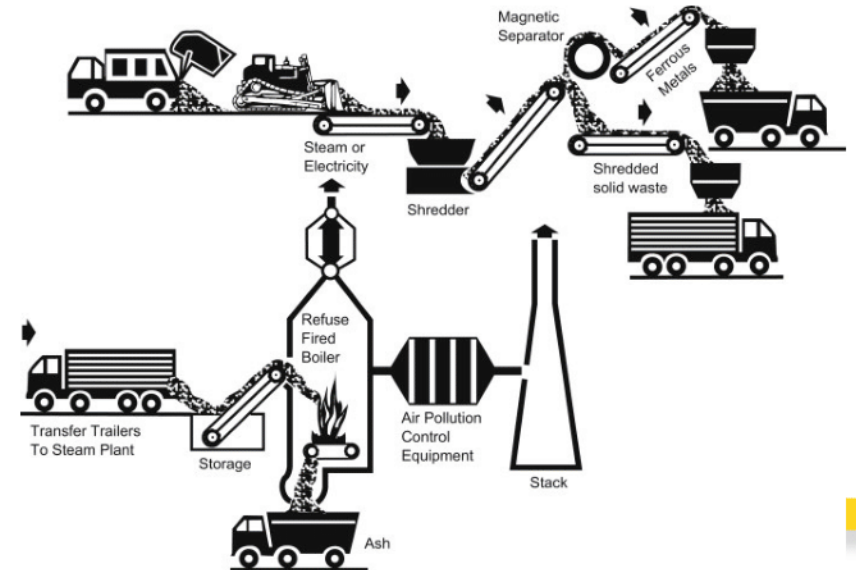
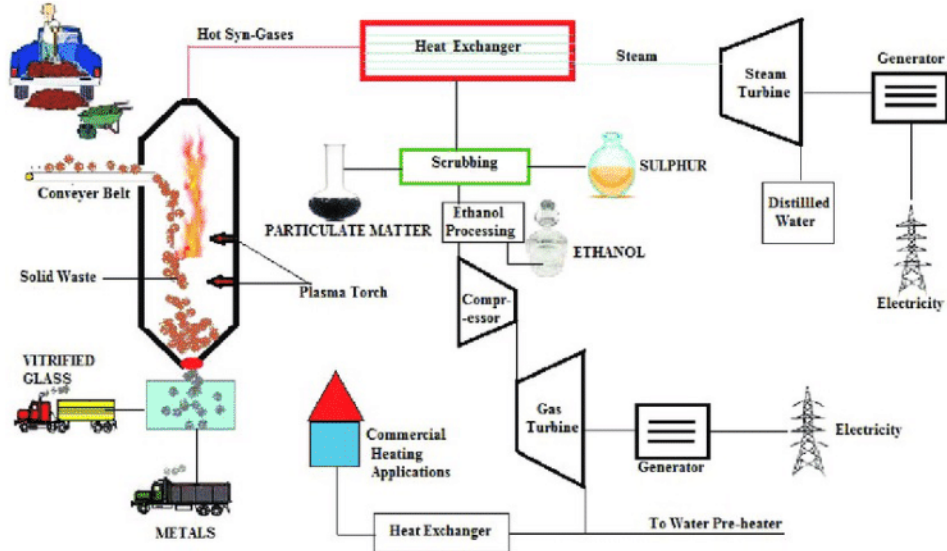
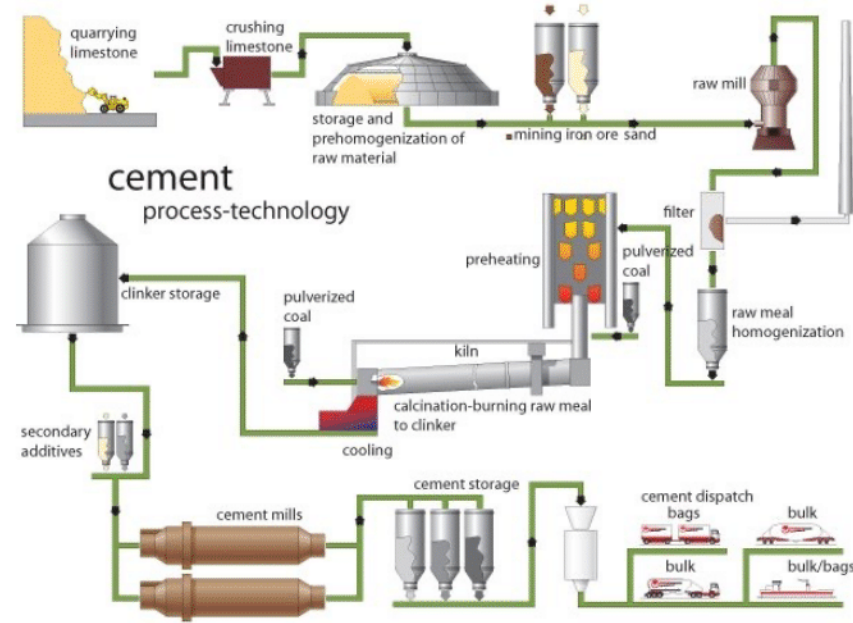
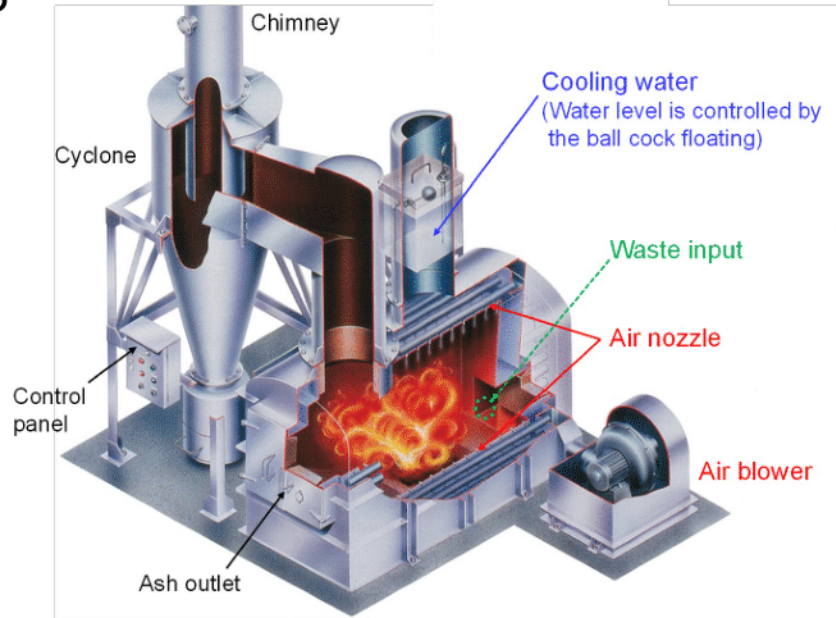
Global primary plastics waste generation, 1950- 2015

Credit: *Bellona/Adapted from Geyer, Jambeck, and Law, 2017*

Plastic life cycle: from upstream to downstream



Various [False] Solutions



Transboundary of RDF and SRF

03

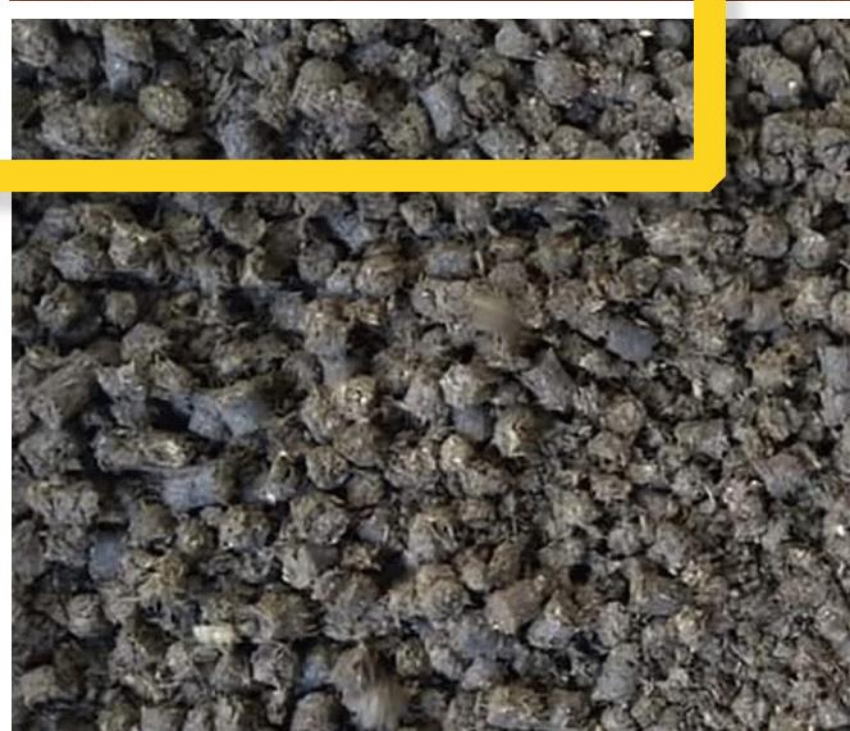
- Popular since 1990s: SRF, RDF, MBT
- Transboundary shipments of **RDF** (red line) and **SRF** (blue line) in Asia:
- Cambodia, China, India, Indonesia, Thailand, Malaysia, Myanmar, and Vietnam

Refuse Derived Fuel: Particle size typically between **80 and 500mm**, lower calorific values of **8-14MJ/kg**.



Source: *Ishigaki Tomonari, 2017*

Solid Derived Fuel: Particle size typically **less than 30mm**, moisture content of **<15%** and a calorific value of **18-22MJ/kg**.



Seven Types of RDF based on pre-sorted Municipal Solid Waste

TABLE 1. SEVEN TYPES OF RDF BASED ON PRE-SORTED MUNICIPAL SOLID WASTES (MSW)

RDF-1	Waste used as fuel in as-discarded form
RDF-2	Waste processed to coarse particle size, with or without ferrous metal separation.
RDF-3	Shredded fuel derived from MSW that has been processed to remove metals, glass, and other inorganic materials (95%wt., passes 50mm ² 10 mesh)
RDF-4	Combustible waste processed into powder form (95%wt., passes 50mm 10 mesh)
RDF-5	Combustible waste densified (compressed) into a form of pellets, slugs, briquettes, or briquettes (d-RDF)
RDF-6	Combustible waste processed into liquid fuel
RDF-7	Combustible waste processed into liquid, gaseous fuel

Soure: The American Standards for Testina of Materials (ASTM)

Caloric values of
RDF samples from
Indonesia

1 kcal = 0.0041868 MJ

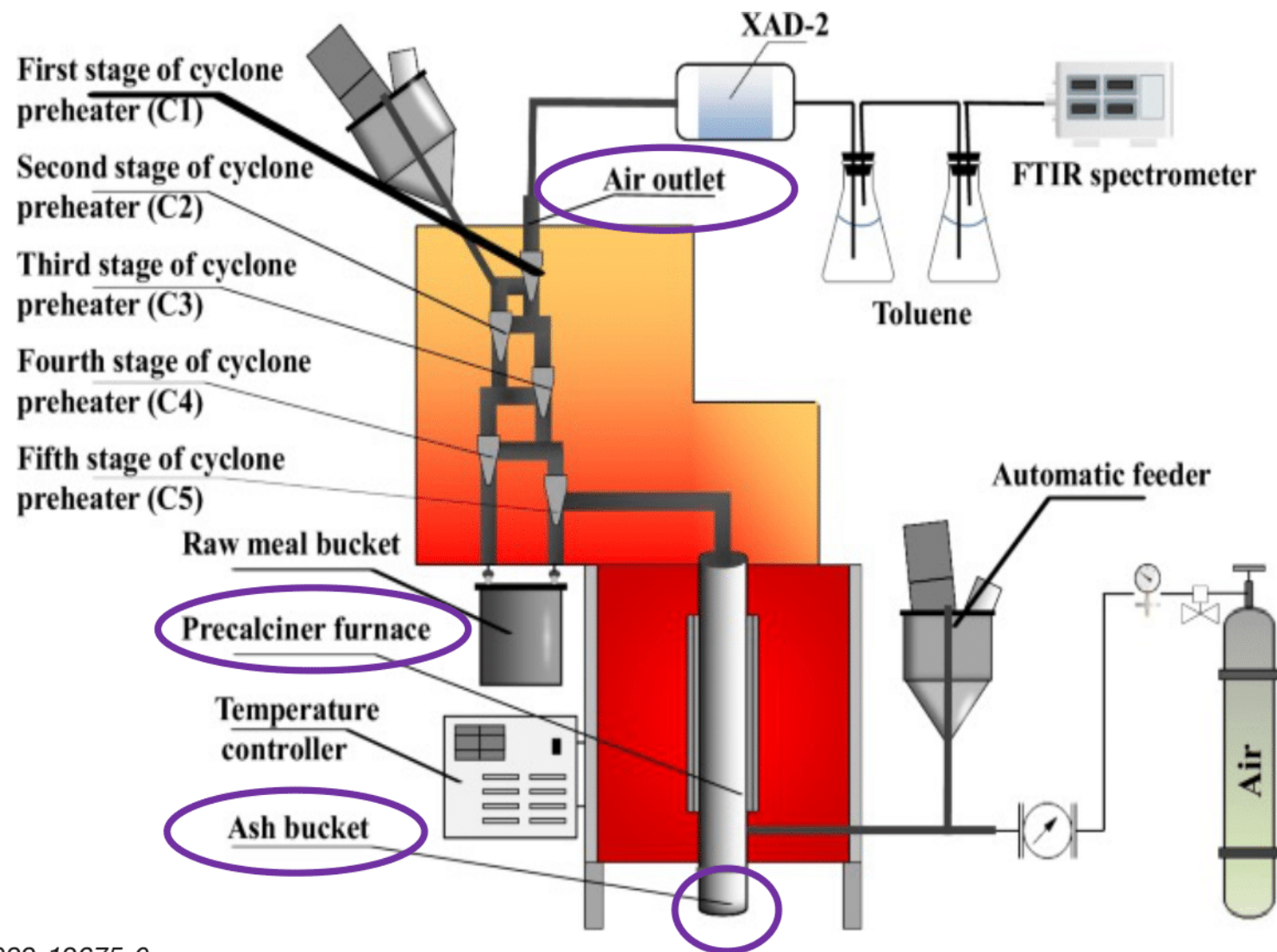
Location	Code	RDF Type	Calorific Value (kcal/kg)	Calorific Value (MJ/kg)
TOSS Gema Santi, Klungkung Regency	RDF-B-01	Pellets	3,503.03	14.66
Jeruklegi Landfill, Cilacap Regency	RDF-C-01	Fluffs	8,272.91	34.61
Kebon Kongok Landfill, West Lombok Regency	RDF-L-01	Shredded	3,761.58	15.74

Type/grade of RDF



Dioxin emission and distribution from cement kiln co-processing of hazardous solid waste

- The concentrations of dioxins in the **flue gas, clinker,** and **precalciner** furnace slag were investigated.
- Dioxin in the flue gas without added hazardous waste was 1.57 ng/m³, and the concentration varied from **1.03 to 6.49 ng/m³** after the addition of hazardous waste
- Dioxin in the flue gas and solid samples **increased substantially** when the **co-processing ratio doubled**
- Addition of single hazardous waste, the concentration of **dioxin in precalciner furnace slag increases by about 300%.**
- **Cu (copper) increased dioxins concentration, S (sulphide) decreased it.**



Perspectives and limits for cement kilns as a destination for RDF



Perspectives and limits for cement kilns as a destination for RDF

G. Genon^a, E. Brizio^{b,*}

^a Politecnico di Torino, Corso Duca degli Abruzzi 24, 10129 Torino, Italy

^b A.R.P.A. Piemonte, Via Vecchia di Borgo 11, 12100 Cuneo, Italy

Table 3
Transfer factors to waste gas for RDF contaminants, in the case of incineration and co-combustion in cement kilns

	Transfer factors (TF) for RDF		Transfer factors (TF) for waste solvents
	TF to waste gas for incinerators (%)	TF to waste gas for cement kilns (%)	TF to waste gas for cement kilns (%)
Chlorine	0.08	3.4	–
Sulphur	0.1	3.1	–
Cadmium	0.5	1.873 ★	4.32
Thallium	0.065	0.875	2.81
Mercury	5	49 ★	24.96
Antimony	0.004	0.042	–
Arsenic	0.001	0.020	0.01
Lead	0.005	1.015 ★	0.21
Chromium	0.005	0.018	0.01
Cobalt	0.005	0.014	–
Copper	0.005	0.040	0.01
Manganese	0.005	0.010	–
Nickel	0.005	0.019	0.001
Vanadium	0.005	0.050	–
Tin	0.005	0.043	–
Zinc	No data	0.437	0.18

“Some danger could arise as far as heavy metals are concerned, chiefly the more volatile ones, due to their presence in the substitution fuels and their transfer factors to gaseous emissions”.

- RDF usually has a higher content of **Sb, Hg, Cd, As, Pb, Cu, Cr and Zn** than pet coke, but sometimes coal can also present **large amounts of Hg, Co, Cd and Tl**.
- The compatibility of RDF as a fuel depends on its quality.
- The transfer factors can be very plant-specific and should be determined case-by-case.

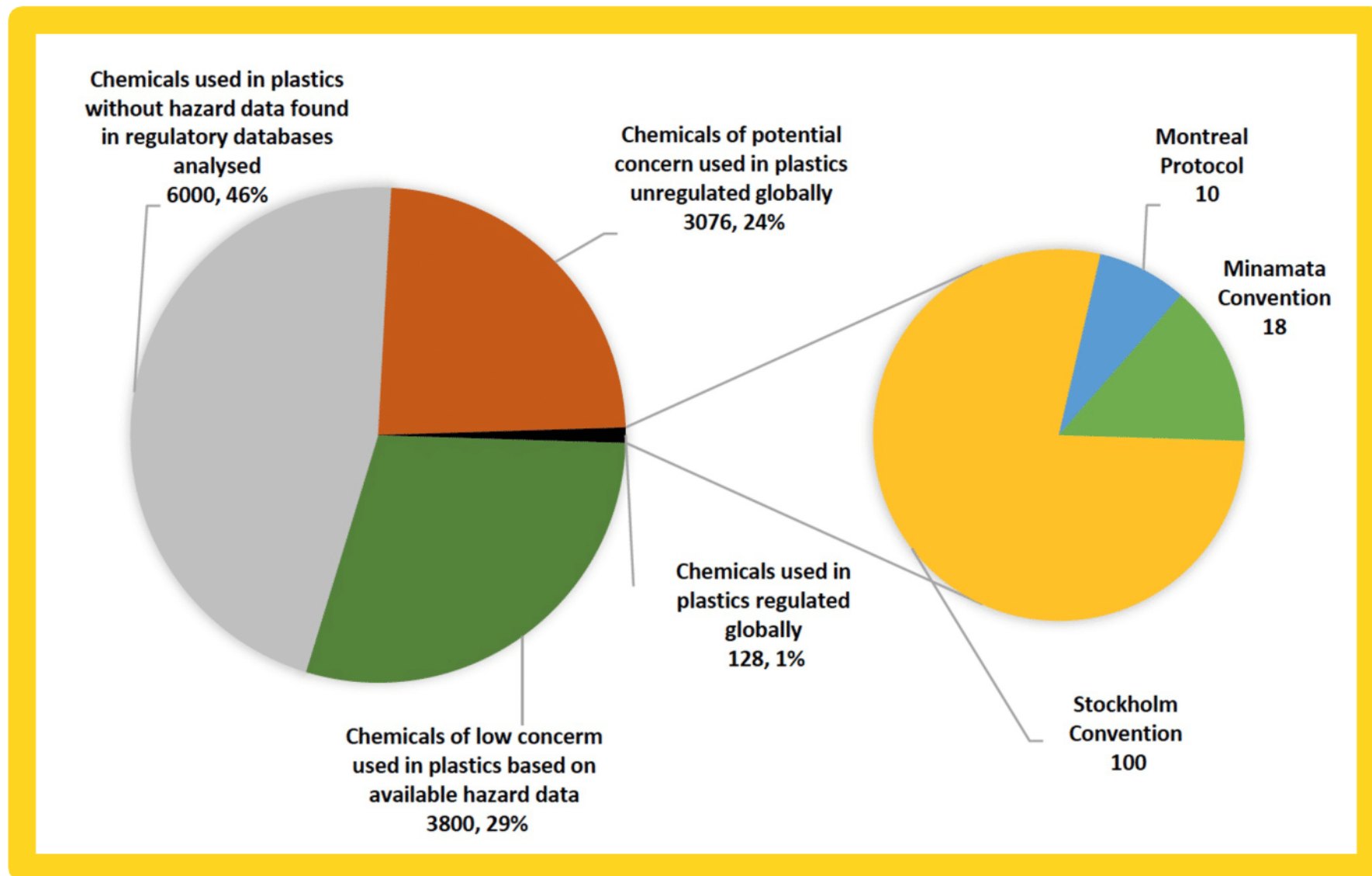
Emission limits				
	incinerators	Cement kilns without co-combustion	Cement kilns with co-combustion	
Dust (mg/Nmc)	10	20-80	30	x 3
NOx (mg/Nmc)	200	500 – 1800 ⁽¹⁾	800 - 1200 ⁽²⁾	x 6
SO2 (mg/Nmc)	50	50-600 ⁽¹⁾	50-300 ⁽¹⁾	x 6
HCl (mg/Nmc)	10	10-30 ⁽¹⁾	10	
TOC (mg/Nmc)	10	30-250 ⁽¹⁾	10-70 ⁽¹⁾	x 7

Number of chemicals of concern addressed internationally

04

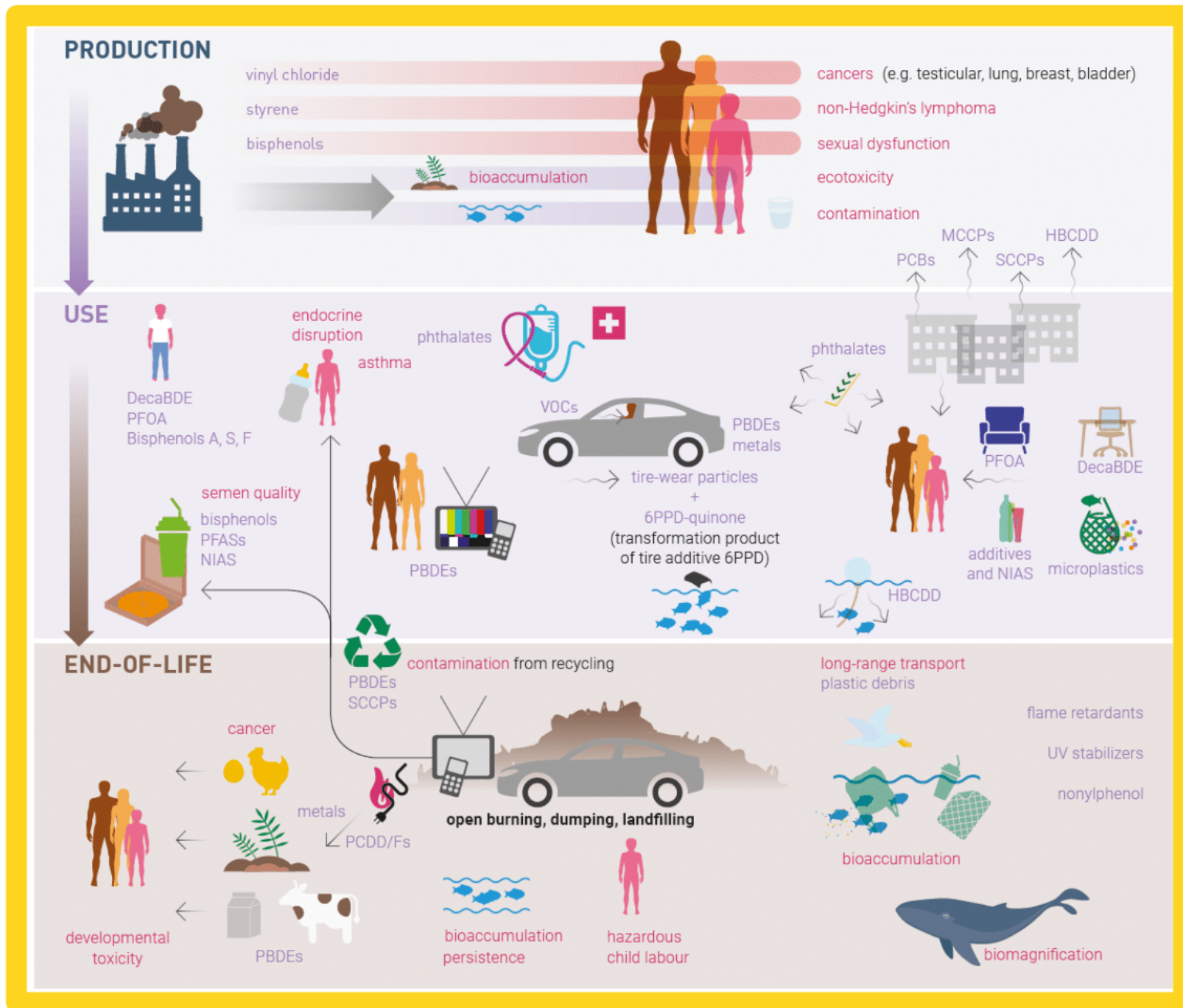


Data extracted from supplementary material included in studies conducted by [Wiesinger et al. \(2021\)](#) and [Aurisano et al. \(2021\)](#).



Source: UNEP. (2023). *Chemicals in Plastics*.
<https://www.unep.org/resources/report/chemicals-plastics-technical-report>

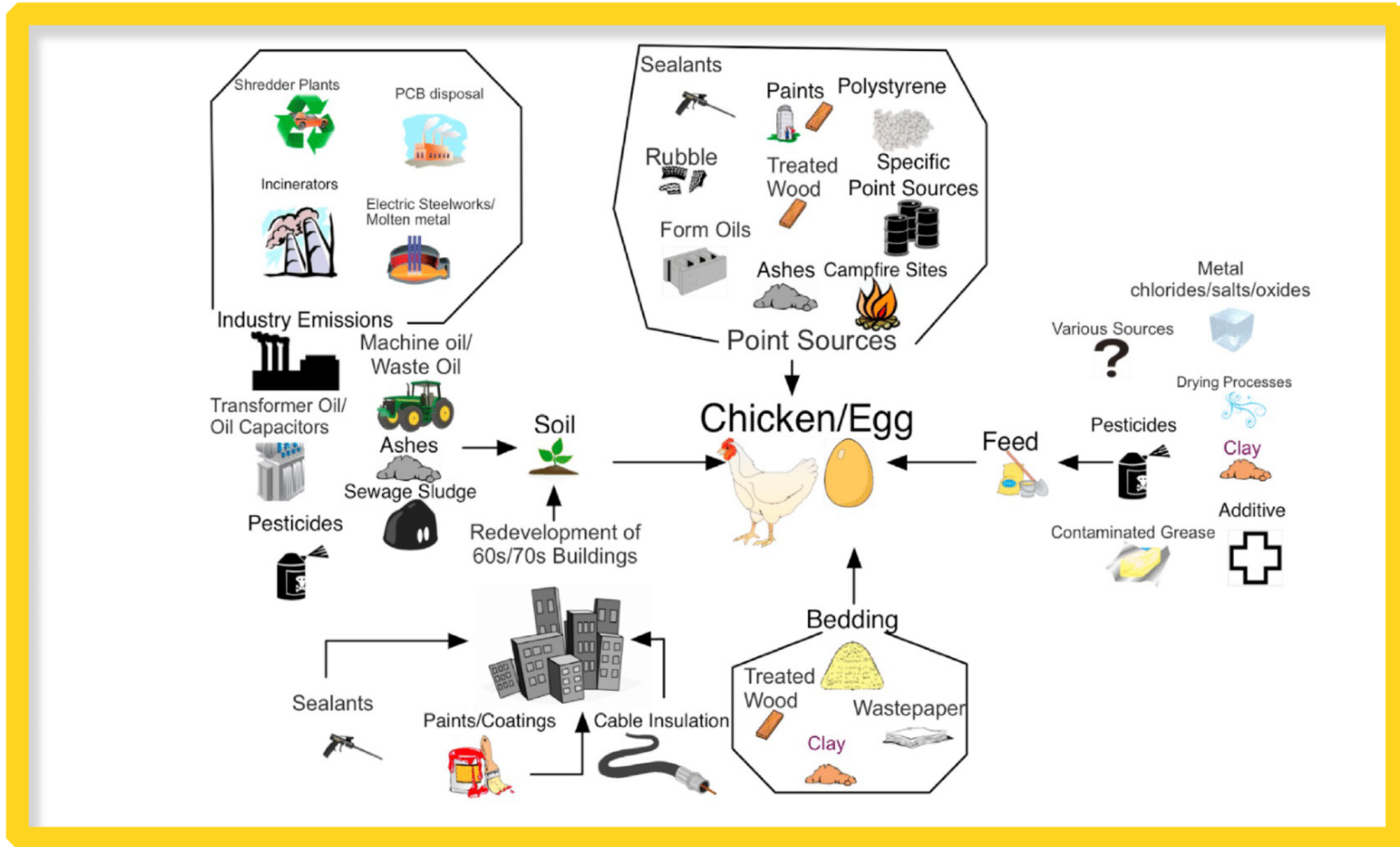
Pathways for ecosystem and human exposures to plastic-associated chemicals along the plastics life cycle



Source: UNEP and Secretariat of the Basel, Rotterdam and Stockholm Conventions (2023). *Chemicals in plastics: a technical report*. Geneva.

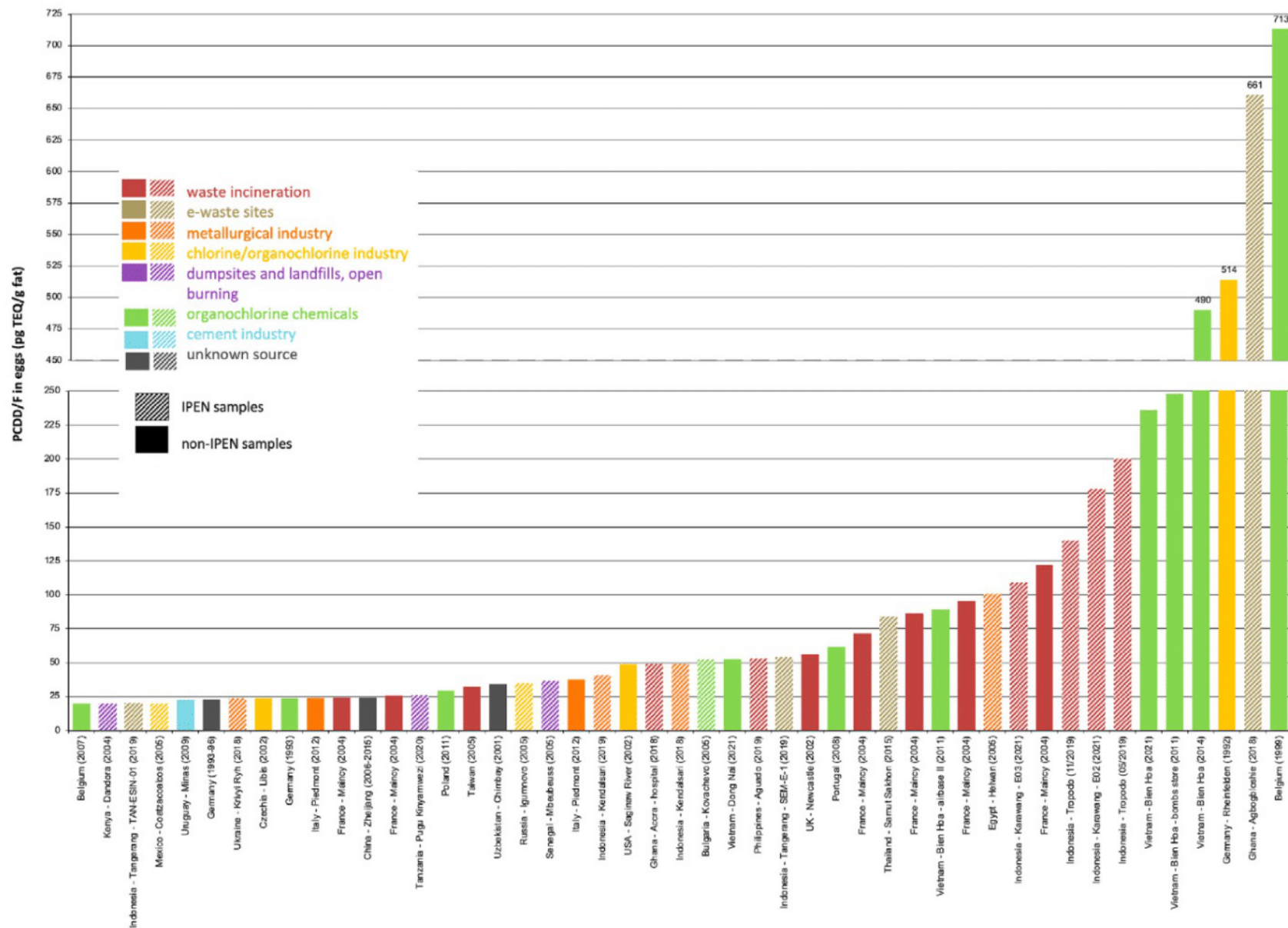
Major exposure pathways of PCDD/Fs and PCBs to chicken

04



Source: J. Petrlik, L. Bell, J. DiGangi, S. M. Allo'o Allo'o, G. Kuepouo, G. O. Ochola, et al. (2022). Monitoring dioxins and PCBs in eggs as sensitive indicators for environmental pollution and contaminated sites and recommendations for reducing and controlling releases and exposure. *Emerging Contaminants* 2022. DOI: <https://doi.org/10.1016/j.emcon.2022.05.001>

PCDD/Fs and PCBs concentration in chicken eggs worldwide



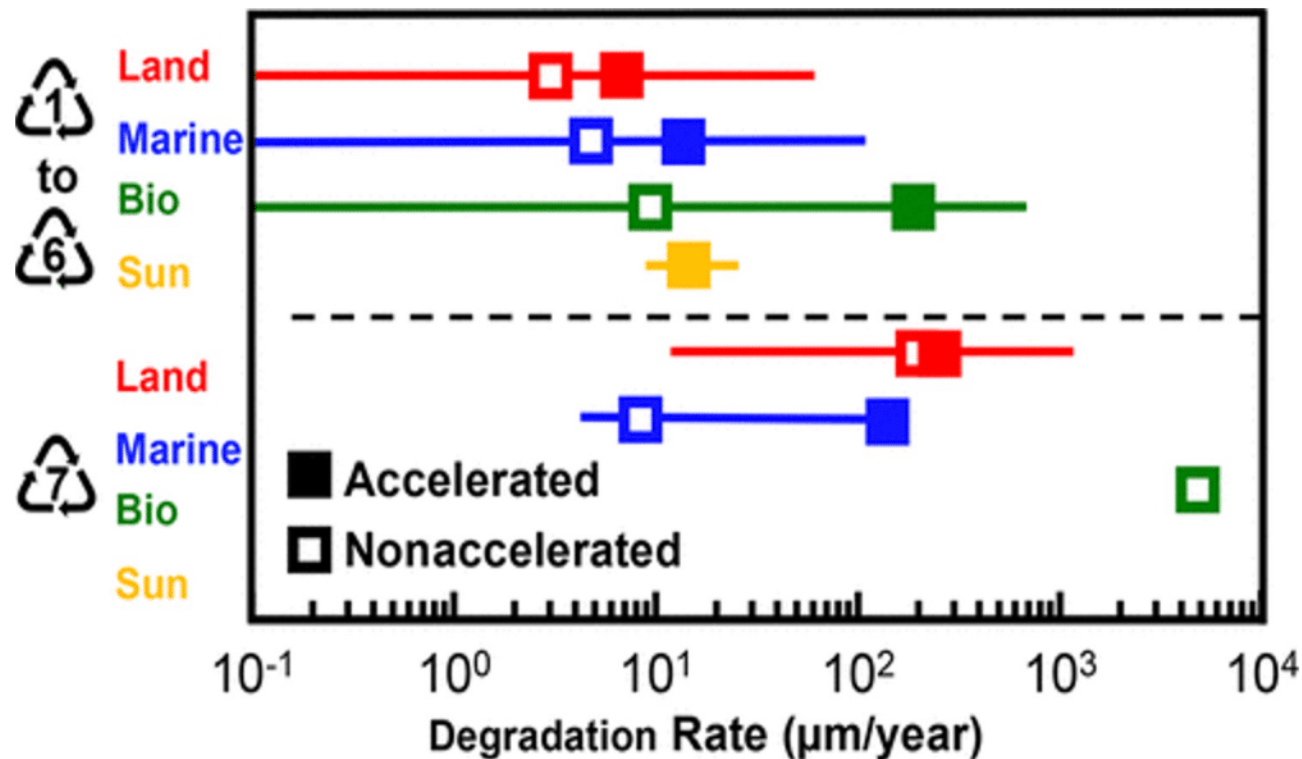
Highest PCDD/F-Contaminated eggs (HC-PCDD/F) measured within IPEN studies (striped bars) and from other scientific literature references (filled bars)

Source: J. Petrlik, et al. (2022).

DOI: <https://doi.org/10.1016/j.emcon.2022.05.001>

Plastic's slow degradation, long-term humanity problem

- 04
- Plastic products and wastes are only slowly degrading in the environment and degrade to micro- & nano-plastic.
 - Degradation rates depend on plastic type, thickness, temperature, biological activity and access to sun-UV.
 - Using a mean Specific Surface Degradation Rate for high density polyethylene (HDPE) in marine environment, linear extrapolation leads to estimated half-lives ranging from 58 years (bottles) to 1200 years (pipes).
 - The degradation of plastics in **soils** is even **slower** than the degradation of plastic in **marine environment**.
 - This results in accumulation of plastic in soils from agricultural plastic, littering or the microplastic in sewage sludge.
 - POPs and other persistent chemicals can migrate over time to soil.
 - Less persistent chemicals can have long term stability in plastic in soil and be transferred to grazing animals or chicken.



Main Recommendations



GENUINE
solutions



INCREASE
precautions



INTER-
generational
justice



BAN RDF
export/import



CAPACITY
building



KEEP the
promise

Thank **you**

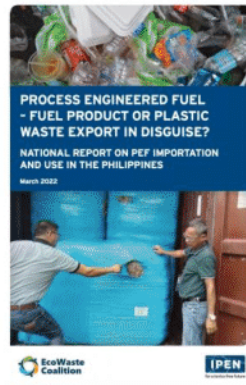
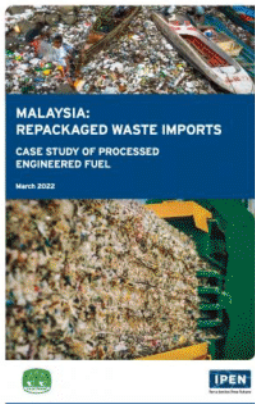
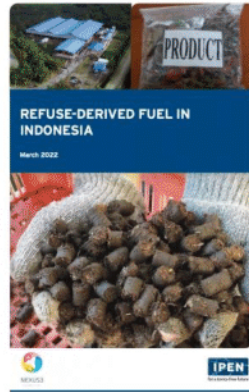
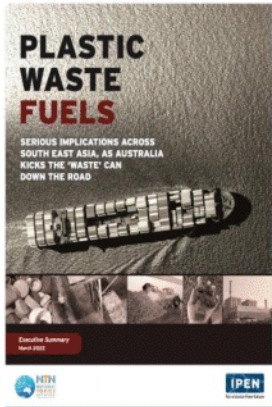
Contact:

Yuyun Ismawati

yuyun@nexus3foundation.org

ipen@ipen.org

More resources



TOXIC THREATS THROUGHOUT THE PLASTICS LIFE CYCLE

People are exposed to **toxic chemicals** in every stage of the plastics life cycle

Plastics are materials made from carbon (fossil fuels) and chemicals. Plastics do not exist without chemicals, and harmful chemicals are released at every phase of the plastics life cycle – from oil extraction to plastics production, transport, use, and disposal.

References

<https://ipen.org/news/plastic-waste-fuels>

<https://stoppoisonplastic.org/chemicals-health-and-plastics/>

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Moderated by Yves LADOR | Representative of Earthjustice to the United Nations in Geneva

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SURFACE ORION2



**PLEASE HELP IN FINDING
JHED AND JONILA!**

**STOP THE ATTACKS ON ENVIRONMENTAL
HUMAN RIGHTS DEFENDERS!**

karapatancentralluzon@gmail.com

[@karapatanCLOfficial](https://www.instagram.com/karapatanCLOfficial)



San Miguel Corporation Aerotropolis Project



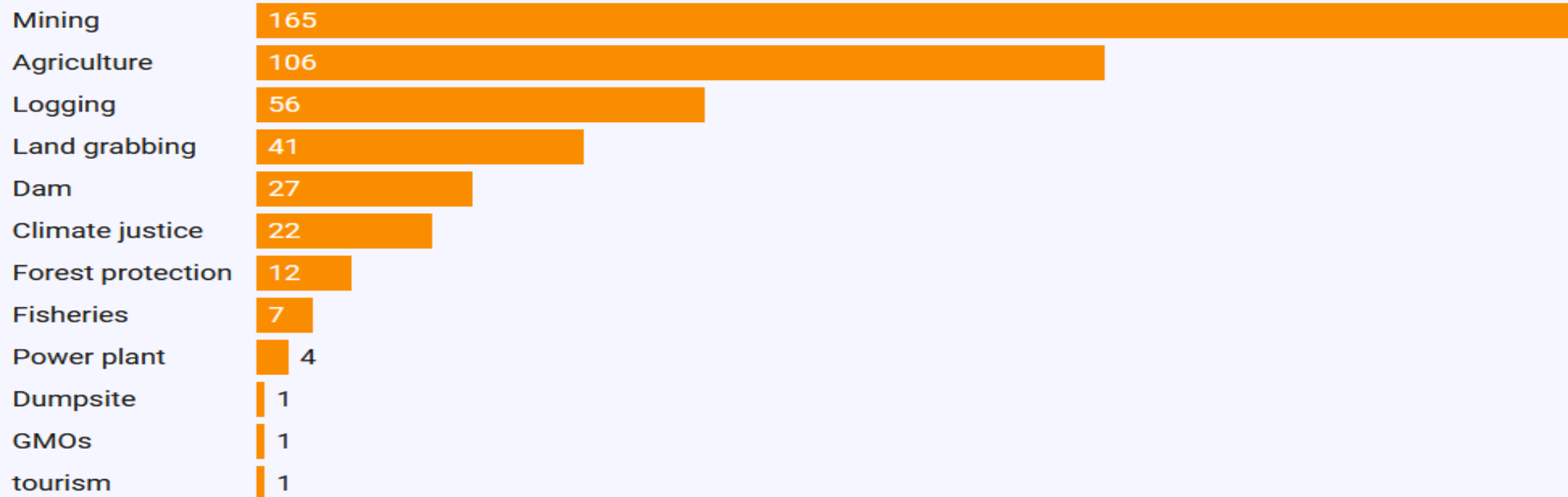
Large-scale Mining



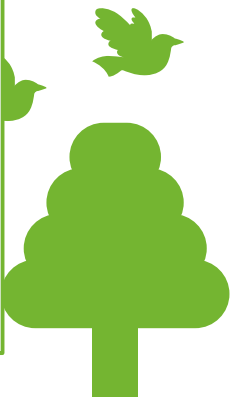
Killings of Environmental Defenders

Issues linked to environmental defender killings

Mining, agriculture, and logging issues are the leading causes of environmental defender killings from 2001-2022



There are cases of killings that are linked to multiple issues, hence the number of recorded issues being greater than the total number of recorded killings.



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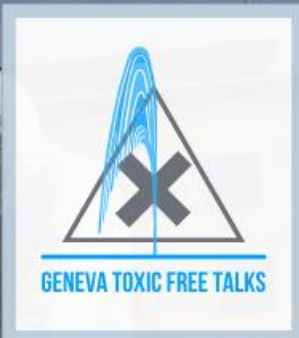
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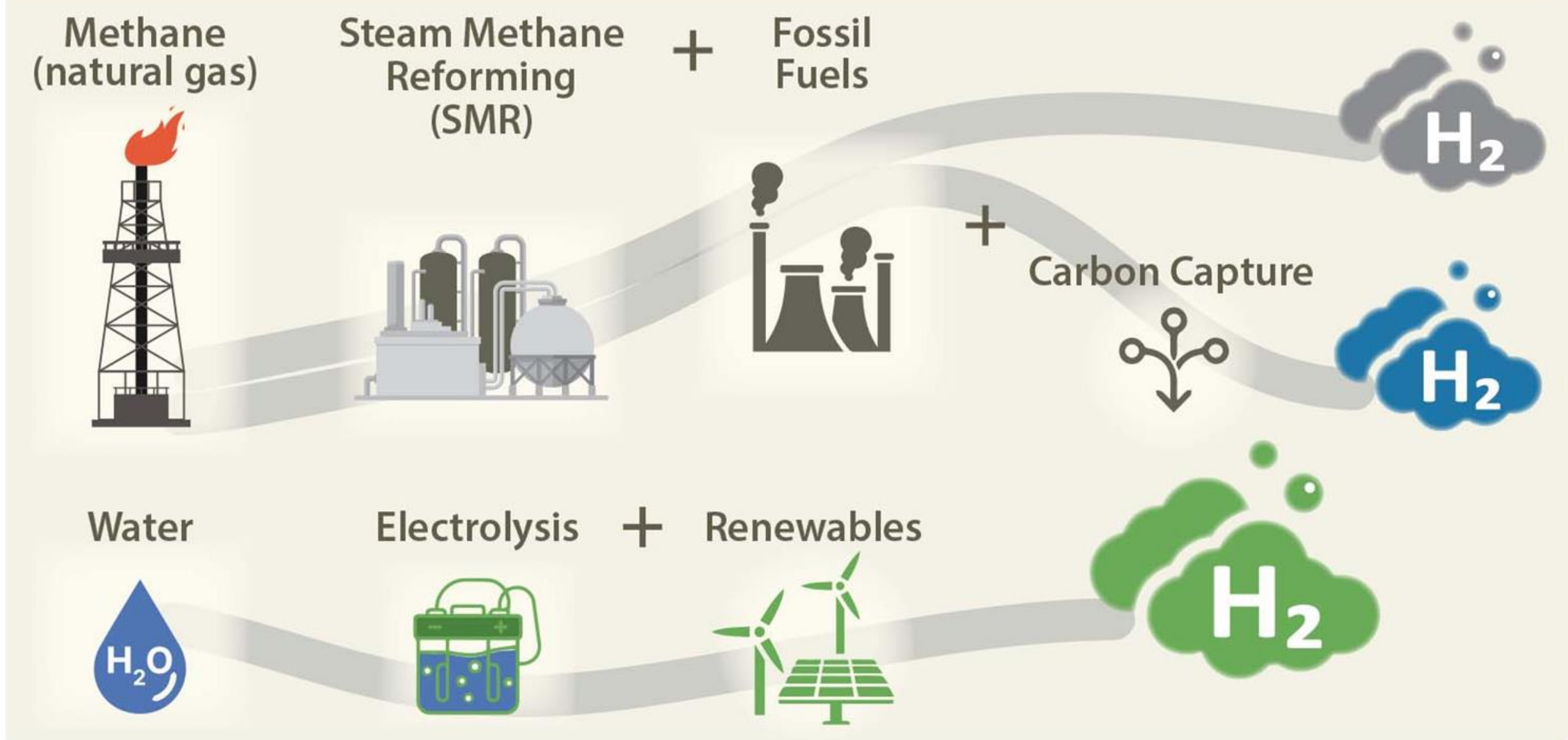


Example: Blue ammonia (NH_3) as alleged climate mitigation strategy

- Hydrogen production is fossil based → impacts along the supply chain
- Nitrogen is taken from the air to make NH_3
- Today: fertilizer emissions > commercial aviation
- Proposed solution: Capture CO_2 emissions during hydrogen production

Blue ammonia leads to **neither decarbonization nor detoxification.**

- No change in impacts regardless of production method
- CCS not a climate solution
- CCS creating new problems



99,8% of today's hydrogen is from gas and coal. Only 0,04 % of today's hydrogen is green

Blue ammonia is based on fossils with CCS which is NOT

New: old technology developed by the fossil fuel industry to boost oil output

Effective: repeated failure to achieve promised/modeled capture rates

Economic: makes expensive and dirty energy more costly, most projects failed on the economic front

Safe: puts fenceline & frontline communities at risk

Green: CCS equipment, CO2 transport, compressing, storage, requires energy & chemicals

“The inseparable link between CCS and the use of fossil fuels underlines the risks posed by this technology to human rights.

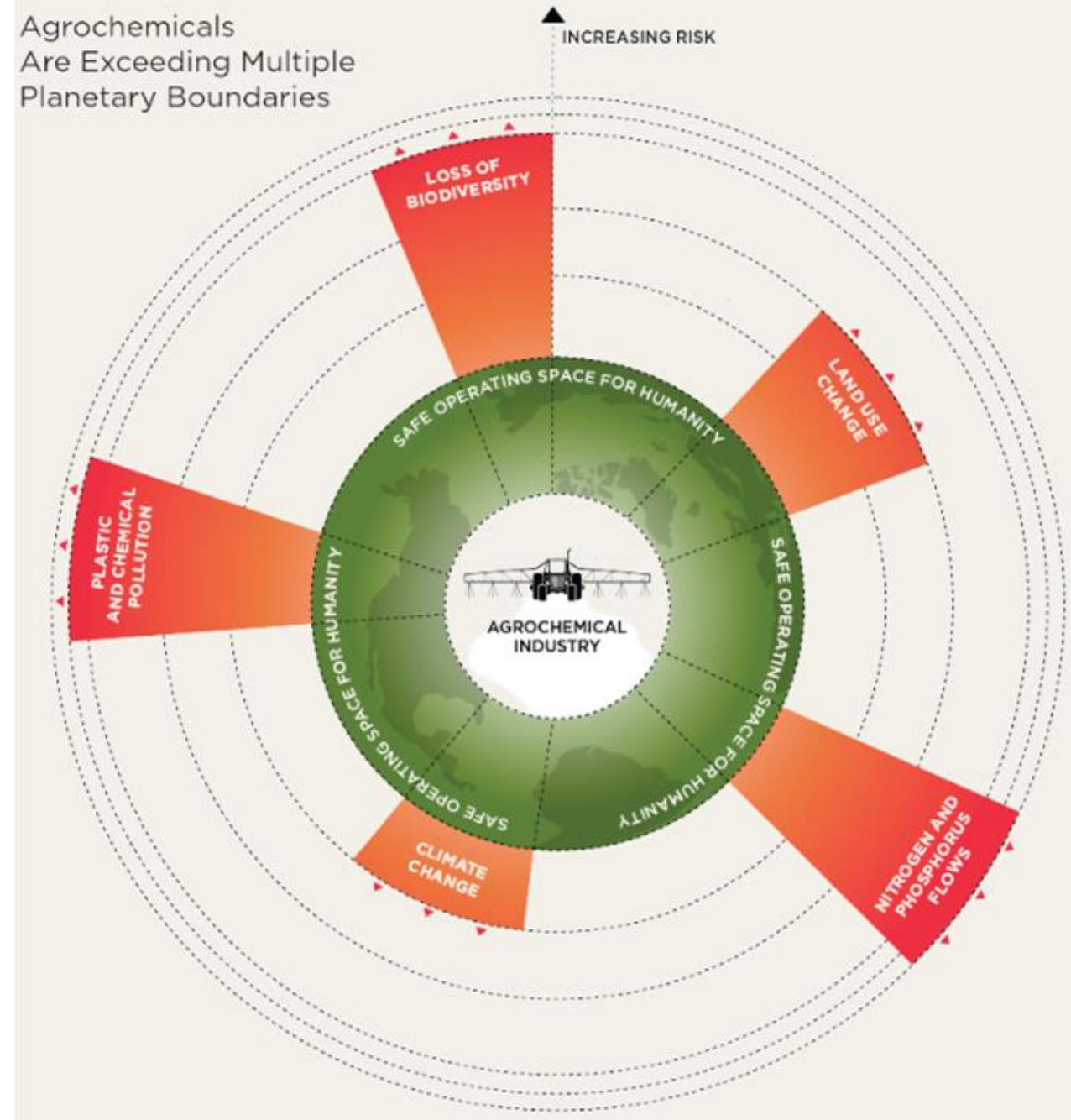
CCS risks locking in place fossil fuel-reliance and the associated environmental injustices.”

Green ammonia

Also no decarbonization & detoxification

- New problems: water and land needs
- Does not address field emissions
- Does not address overuse of nitrogen fertilizers
- Extremely toxic, “promptly lethal” if one is exposed in high doses
- Combustion releases large amounts of NO_x
- Flammable
- ...

We need to **transition away from input-based industrial farming** and not just change the production of agrochemicals



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THANK YOU FOR JOINING!



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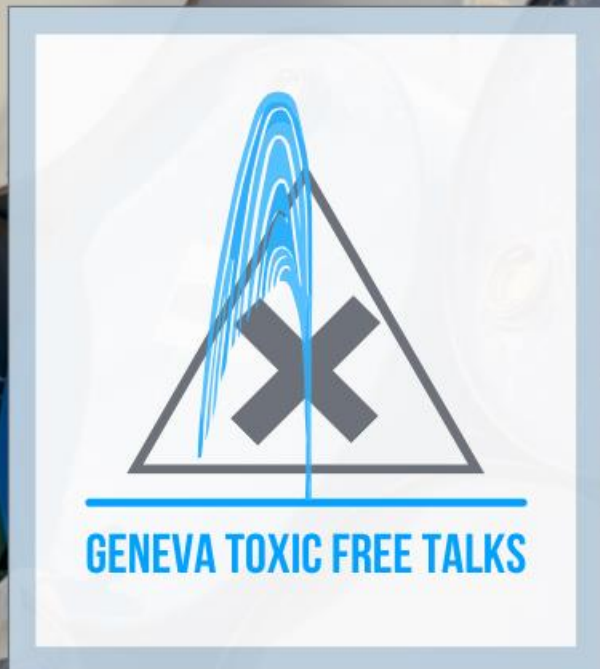
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MAKING HUMAN RIGHTS CENTRAL IN THE CHEMICALS AND WASTE DISCUSSIONS

20 SEPTEMBER 2023 | 13:15 - 14:45 CEST | PALAIS DES NATIONS, ROOM H.307-1 & ONLINE

Join us later!



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WHAT'S NEXT?

genevaenvironmentnetwork.org



VIRTUAL

Options of Engagement and Participation Modalities for Major Groups and Stakeholders to the OEWG on a Science-Policy Panel to Contribute Further to the Sound Management of Chemicals and Waste and to Prevent Pollution | Road to OEWG 2 Series

26 SEP 2023 14:00 – 15:30
Online | Webex
UNEP, OEWG SPP CWP

📍 Chemicals and Pollution
🌍 SDG12



CONFERENCE

Advancing a Human Rights-based Approach to Accelerate the Sound Management of Chemicals and Waste for People and the Planet | ICCM5 Side Event

27 SEP 2023 13:15 – 14:45
Bonn and Online | Webex
OHCHR, GEN

📍 Chemicals and Pollution | Human Rights and Environment
🌍 SDG12



CONFERENCE

Briefing on the 5th Meeting of the Conference of the Parties to the Minamata Convention on Mercury

05 OCT 2023 14:00 – 15:30
International Environment House I, Room 2 & Online | Webex
Minamata Convention on Mercury, GEN

📍 Chemicals and Pollution
🌍 SDG3 | SDG12

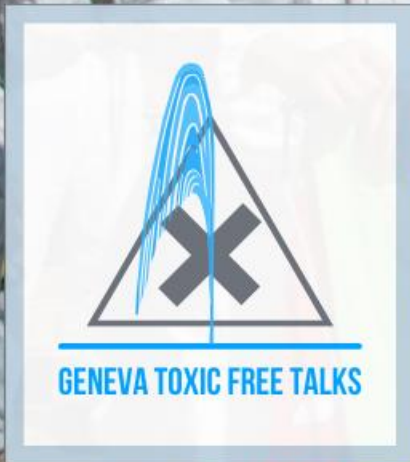


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