To: Marcos A. Orellana, Special Rapporteur on toxics and human rights

Wijk aan Zee, 9 January 2025

Dear Marcus Orellana,

Thank you for giving us the opportunity to respond.
I am sending you this letter as director of and on behalf of Stichting Gezondheid op 1 (Health First Foundation). Gezondheid op 1/ Health First is committed to health and advocates a safe, healthy living environment for people, animals and nature, now and in the future. We do this by continuously drawing attention to pollution, taking legal action against it and promoting sustainable solutions. Gezondheid op 1/Health First offers citizens throughout the Netherlands a platform that enables us to take joint action against pollution. The focus here is on what is possible. Our goal is a healthy and green system in which only clean production takes place and health always comes first.

Introduction

PFAS pollution in the Netherlands is an ongoing threat to the rights to life, health, and a clean and safe environment. The Dutch State fails to comply with its obligation to protect the population against the well-known health risks of these substances. Due to failing national governments, action at the UN-level is necessary. In particular there is an urgent need for the accelerated phase-out of PFAS substances world-wide. In addition, international monitoring and supervision is required, as well as guarantees for access to information, participation and access to justice by citizens and environmental NGO's.

PFAS, health risks and human rights

PFAS are a group of persistent, toxic and mobile chemicals that accumulate in humans and the environment. These "forever chemicals" hardly degrade and pose a worldwide threat to human and environmental health, not only for ourself but many generations to come. PFAS has been linked to harmful effects on the immune system, serum cholesterol levels reproduction, the unborn child, liver function, and potentially also to kidney and testicular cancers. Children, pregnant women and people living close to industrial plants are particularly at risk. However, in the Netherlands the whole population is structurally exposed to PFAS-concentrations well above the established safety limits, as will be discussed below.

The inaction by many states, including the Dutch government to protect citizens and future generations against these serious health effects of PFAS, constitutes a violation of the right to life and a clean and healthy environment as recognized in Human Rights

Council resolutions 48/13 and 49/7. Furthermore, it leads to a violation of the right to life in article 2 of the European Convention on Human Rights, as well as the right to private life in article 8 as interpreted by the European Court of Human Rights in cases on chemical pollution.[1]

Situation in the Netherlands

RIVM, the scientific body advising the Dutch Government and international organisations on risk management of chemical substances, has done extensive research on PFAS-pollution in the Netherlands.[2] Its assessments show that exposure occurs in the Netherlands takes place through drinking water, food, soil and consumer products. This leads to cumulative and long-term exposure for large parts of the population well above the safety limits. RIVM warns that people in the Netherlands currently ingest too much PFAS via food and drinking water. At current exposure levels, health effects, particularly on the immune system, cannot be excluded.[3]

In 2025, RIVM reported on PFAS blood levels in the Dutch population. In nearly all blood samples, at least seven different PFAS substances were found. In almost the entire population, PFAS levels in the blood exceed the health-based guidance value that has been established. This implies a large-scale public health concern. In the same year, RIVM advised all Dutch citizens not to eat home-produced eggs due to dangerously high PFAS-concentrations. The cause may lie in contaminated worms, consumed by these chicken. This shows wide spread contamination of Dutch soils throughout the country.[4] This is aggravated by the fact that in the Netherlands 115 PFAS-pesticides are used and sprayed directly on our food, risking largescale intake by consumers. In a 2025 report it was shown that the use of these PFAS-pesticides has dramatically increased in the Netherlands: from 150.000 kilogram annually in 2010-2020 to more than 250.000 kilogram annually in 2023.[5] The EU PFAS-measures that are currently on the pollical agenda do not limit the use of PFAS-pesticides, meaning that this health threat to consumers will persist and possibly worsen in the upcoming years.

Although the whole of the Netherlands is severely polluted with PFAS, there are PFAS hotspots around industrial sides. In the RIVM blood-sample study it was observed that residents of the Dordrecht and Western Schelde regions, levels of some PFAS were higher than in the rest of the Netherlands. Both regions are located near factories from which PFAS have been released into the environment. In particular, in and around

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[1] See e.g. the courts rulings in López Ostra v. Spain, Fadeyeva v. Russia, and Cordella and Others v. Italy.
[2] RIVM, "Risk assessment of PFAS in the Netherlands", see further policy briefs and web dossiers on PFAS.
[3] https://www.rivm.nl/publicaties/risk-assessment-of-exposure-to-pfas-through-food-and-drinking-water-in-netherlands. For the whole of the EU, see: EFSA Journal 2020;18(9):e06223
[4] https://www.rivm.nl/en/news/rivm-advises-against-eating-home-produced-eggs
[5] https://www.clm.nl/nl/nieuws/gebruik-van-pfas-pesticiden-leidt-tot-zorgen-over-grondwater-en-bodem/

Dordrecht, there is severe historical and current PFAS contamination caused by emissions of PFOA, GenX and other PFAS from the Chemours facility (formerly DuPont). PFAS contamination has been observed in soil, surface water and the food chain.[6]

Human rights violation by the Netherlands

Although the Netherlands presents itself internationally as a frontrunner on chemical safety and environmental protection, actual protection against PFAS is severely lacking, despite extensive warnings from RIVM about large-scale PFAS pollution. Although the Dutch government is cooperating within the EU on a broad PFAS-restriction proposal under REACH, this EU process is taking years. In the meanwhile PFAS is irreversible cumulating in our bodies and environment and exposure for the Dutch population remains above health limit values.

Recently, Dutch environmental organisations have therefore launched litigation against the State for its failure to adequately address PFAS and protect human health, thereby violating human rights.[7] This case builds on the Urgenda-cases, a famous climate case where the Dutch supreme court ruled that the State has far-reaching human rights-based duties to prevent known environmental and health risks. It is argued that the Dutch state is infringing the rights to life and family life (art. 2 and 8 ECHR) by not protecting its population against the excessive PFAS levels, despite many years of knowledge of the associated risks.[8]

Protection of national economy over human health

In the recently launched human rights PFAS-case, the State argues that much of the pollution comes from surrounding countries such as Germany and Belgium and argues that steps are taken at the EU-level.[9] This shows how states deflect their responsibility and wait for transnational action to be taken. If only few states take action, they risk putting their national industry and economy at a disadvantage compared to competing industries in countries that fail to act. This shows that transnational action is urgently required in order to guarantee that health, safety and environment take priority over financial gains.

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[6] See Judgement of the District Court of Rotterdam of 27 September 2023, ECLI:NL:RBROT:2023:8987 (Chemours vs. municipalities). Summarised in English in e.g. Chemistry World, "Chemours is responsible for PFAS pollution, Dutch court rules", chemistryworld.com, 2023, and NL Times, "Chemours liable for damage caused by PFAS in Dordrecht and surrounds, court rules", nltimes.nl.
[7] See e.g. DutchNews.nl, "Environmental groups take Dutch state to court over PFAS", 1 December 2025.
[8] See: https://milieufederatie.nl/wp-content/uploads/sites/14/2025/12/Pleitnotities_Knoops.pdf
[9] See for a summary of all the States argument (in Dutch): https://milieufederatie.nl/wp-content/uploads/sites/14/2025/12/20251202_Pleidooi-Landsadvocaat_PFAS-zaak.pdf

Other legal proceedings

In a civil case, the Rotterdam district court held Chemours liable for damage suffered by surrounding municipalities as a result of PFAS contamination, inter alia because the company failed to adequately inform authorities about environmental and health risks and failed to sufficiently prevent emissions.[10] Furthermore, criminal complaints have been initiated in the Netherlands against Chemours and its (former) executives for knowingly exposing residents to dangerous PFAS emissions. The Province of South Holland has reported unlawful PFAS discharges (including TFA). Remarkably, in 2023 Chemours obtained permission to export PFAS-containing waste to the United States. This has attracted attention from international environmental and human rights experts as a potential example of the transboundary impact of PFAS.[11]

Serious concerns also arise regarding the rights to access to information, public participation in decision-making and access to justice in environmental matters, as enshrined in the Aarhus Convention. Residents in PFAS hotspots have often been informed late or incompletely about contaminations, health risks, and possibilities for redress. Data on emissions, permits and risk assessments are not always proactively, comprehensibly and promptly disclosed. For residents living near industrial plants, this has led to feelings of powerlessness, unsafety and loss of trust in governmental institutions. In certain cases it has also led to financial damage, such as farmers operating on contaminated land who cannot sell their produce.

Final note

Our organisation stresses that PFAS pollution is not merely an environmental issue but a structural human rights crisis that demands an integrated, human-rights-based response on the international level. Without international action, PFAS contamination will continue to burden future generations, which would infringe human rights, the precautionary and prevention principles in international environmental law and the rights of future generations enshrined in the Rio Declaration on Environment and Development. We need to protect our planet against these persistent and toxic chemicals, for ourselves and all generations to come. Urgent action is required, because while states fail to act, continuing PFAS emissions will accumulate. It is pivotal that transnational action is taken in order to prevent that national economical and financial considerations take priority over human health, safety and a clean environment.

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[10] Judgement of the District Court of Rotterdam of 27 September 2023 (ECLI:NL:RBROT:2023:8987).
[11] See: https://www.eur.nl/en/esl/news/cross-border-damage-pfas-scandal; And: Knoops, "Contemporary legal and political implications of PFAS contamination in the Netherlands", White Paper, 2023 (https://knoopsadvocaten.nl/laqavig/uploads/2023/05/White-Paper-DEF.pdf).

Kind regards,

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Antoinette Verbrugge, on behalf of Gezondheid op 1
Wijk aan Zee, Netherlands, 9 January 2026