

SUBMISSION OF THE EUROPEAN UNION AND ITS MEMBER STATES

SOUND MANAGEMENT OF CHEMICALS AND WASTE BEYOND 2020

The European Union and its Member States have the honour to submit their views on the sound management of chemicals and waste (SMCW) beyond 2020. We kindly request the Secretariat to make this submission available to all stakeholders in advance of the second meeting of the intersessional process on this matter launched by ICCM resolution IV/4.

The beyond 2020 process stems from UNEA resolution 1/5 and its development has been given renewed commitment by the 2030 Agenda that anchors the SMCW firmly in the sustainable development realm. It provides a valuable opportunity to design a framework that can strengthen the institutional landscape on chemicals and waste and enable the scaling up of activities and policies by all stakeholders and sectors for the protection of human health and the environment. The purpose of this process (section II), including new ways for mobilising the UN-system and other stakeholders is addressed below. It is also important to carefully craft coherent and coordinated policies and actions, including programmatic functions, and consider the most adequate governance structures to effectively enhance action, including at the national level (see Section III). Some general comments on the format and process are included in Section I.

We look forward to explaining our views and listening to the views of others at that meeting and engaging in a constructive spirit in discussions to reach common understandings on the SMCW beyond 2020, including decisions and actions that may be required at all levels and in all relevant *fora* (including ICCM and the governing bodies of other relevant organisations) to ensure coherent and coordinated implementation of the SMCW as an essential and integral crosscutting element of the 2030 Agenda on Sustainable Development.

I. GENERAL ISSUES ON FORMAT AND PROCESS

(a) The process is about the views of the stakeholders

The first meeting of the intersessional process on the SMCW beyond 2020 ("the Beyond 2020 process"), which was held in Brasilia in February 2017, was a significant landmark to start that process, which involves all relevant stakeholders and sectors and, at the same time, give it sufficient political and public attention.

For the second and subsequent meetings of this process, the European Union and its Member States believe that it will be important to foster direct dialogue among all stakeholders. The priority should be to use the limited time available to ensure as much as possible direct dialogue among governments and other key stakeholders. Exchange among stakeholders may be fostered through lunch events or other interactive formats. If scheduled, side-events and similar activities should focus on new issues and knowledge of relevance for SMCW to enable them being considered in the deliberations.

This second meeting should in particular be used to exchange views on the submissions made by stakeholders in preparation of this meeting. This is essential in order to use the limited

time and number of meetings in the most efficient way to identify proposals and possible common understandings that stakeholders, in particular governmental participants, could take forward at ICCM-5 and other relevant decision-making bodies (e.g. UNEA, WHA, ILC, FAO Conference, etc.). In particular, the role of the decision-making bodies of each organisation of the Inter-Organisation Programme for the Sound Management of Chemicals (IOMC)¹, and also of others (e.g. High Level Political Forum or even UNGA) should be considered. Regional and sub-regional bodies could also be of relevance. From our side, we will be happy to take the time to explain our views and engage and listen to the views of others, if appropriate in dedicated sessions.

(b) The important role of representatives of relevant multilateral organisations and UN coordinating bodies

Representatives from each IOMC organisation as well as from other relevant multilateral organisations also have an essential role to play. In addition to their substantive and technical input to the discussion, it seems necessary to allocate some specific time for these organisations to inform other stakeholders about relevant decisions and actions taken by each organisation and those that may be taken, within their own mandate, on the SMCW up to and beyond 2020. This should be part of a targeted mapping exercise.

ICCM resolution IV/1 already invites each IOMC organisation to issue a declaration signalling its commitment to promote the SMCW and the actions planned within its own mandate to meet the 2020 goal. This invitation is based on a prior, similar call from the UN Environment Management Group (EMG). The actions planned each organisation under their own mandate will remain relevant beyond 2020. They should build on the existing commitment to SAICM of each of these organisations. This commitment should be enhanced to ensure the sound management of chemicals and waste in the long term, in line with the 2030 Agenda.

The European Union and its Member States would like to emphasise the importance of the specific opportunity during the process to listen to and interact with each IOMC organisation on its plans that can be envisaged towards achieving the relevant Sustainable Development Goals and targets, in implementation of the 2030 Agenda. The second meeting of the Beyond 2020 process could, for example, address matters specifically related to labour (ILO) and agriculture (FAO), as it was done for health (WHO) during the first meeting. This would require adequate, high level participation from these organisations.

In addition, the representatives of these organisations should ensure that the members and governing bodies of each organisation, and key coordinating bodies of the UN, such as the EMG and the Chief Executive Board of Coordination (CEB)², are fully aware of the discussions on the SMCW beyond 2020 and that adequate proposals are presented to them to ensure their involvement in and ownership of the tasks to be undertaken by each organisation. Resolution WHA 69.4 and, more recently, WHA70.36 on “The role of the health sector in the Strategic Approach to international Chemicals Management towards the 2020 goal and beyond” and the roadmap recently adopted by WHA are good examples how to enhance the engagement of other organisation in the SMCW.

¹ The nine Participating Organizations contributing to the IOMC: Food and Agriculture Organization of the United Nations (FAO); International Labour Organization (ILO); United Nations Development Programme (UNDP); United Nations Environment Programme (UNEP); United Nations Industrial Development Organization (UNIDO); United Nations Institute for Training and Research (UNITAR); World Health Organization (WHO); World Bank; Organisation for Economic Cooperation and Development (OECD)

² The Chiefs Executive Board for Coordination (CEB) is the prime instrument for strengthening the coordination role of UN inter-governmental bodies, and encompasses 31 UN bodies.

(c) The facilitation role of the co-chairs

The European Union and its Member States also want to thank the co-chairs of the process for their work. The role of the co-chairs remains essential to ensure that meetings are conducted effectively and discussions among stakeholders are facilitated, taking into account the mandate given in ICCM resolution IV/4 and, by reference, UNEA resolution 1/5.

This facilitation role entails upholding the ownership of the process by the stakeholders. As mentioned above, the views submitted by the various stakeholders and the understandings reached among them, in particular among governmental participants, would be the basis for possible proposals, decisions and actions to be taken in relevant *fora*, including ICCM.

(d) The ICCM-4 mandate

The European Union and its Member States also want to emphasise the need to keep closely in mind the mandate given by ICCM in its resolution IV/4 for the Beyond 2020 process as meetings of experts to prepare recommendations regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020. These meetings offer an opportunity for discussions among stakeholders to facilitate possible decisions by the appropriate bodies of the different organisations involved (i.e. ICCM, but also all other relevant decision-making bodies involved in the SMCW, as mentioned already above).

It is important to recall that ICCM resolution IV/4 also decided that this process is to be informed by the 2030 Agenda for Sustainable Development, UNEA resolution 1/5 and its annex on "*Strengthening the sound management of chemicals and wastes in the long term*" (attached herewith), including the vision contained therein.

Furthermore, the resolution also identifies the documents that should be made available to stakeholders for reference. There is no specific mandate to the participants in the process to request the secretariat to prepare further documents, which may only be considered if feasible and consensually agreed.

II. PURPOSE OF THE BEYOND 2020 PROCESS

(a) **The Beyond 2020 process is about the sound management of chemicals and waste in the long term and it is not limited to the future of SAICM.**

This process is a follow-up to the country-led process which led to the outcome document "*Strengthening the sound management of chemicals and waste in the long term*", as reflected in an annex to UNEA resolution 1/5 (see attached). Following that process, and in the context of the 2030 Agenda, SAICM has provided the most adequate multisectoral and multi-stakeholder forum to discuss the "sound management of chemicals and waste beyond 2020"; however, this should not be confused with a meeting to discuss only the future of SAICM. The SMCW is broader than SAICM.

The UN EMG has also emphasised the role of a broad range of UN and related agencies on these matters, across a diverse range of sectors, both directly and indirectly. Although very important, SAICM is currently only one of the instruments to address the sound management of chemicals and waste.

Other instruments, organisations and bodies are also relevant (Basel, Rotterdam, Stockholm and Minamata Conventions; each IOMC organisation; Montreal Protocol; GEF; etc.), since the SMCW beyond 2020 should rely on all relevant existing bodies and build on their strengths, fostering collaboration among them. All of them, their mandate and actions should be taken into account when considering the SMCW beyond 2020.

This is without prejudice to the opportunity to reshape SAICM to improve its functioning, towards the sound management of chemicals and waste in the long term, and in line with the goals and targets of the 2030 Agenda.

(b) **Mapping of all relevant work under each organisation**

The process offers an opportunity to continue to map all relevant work that has been done and is being done on the SMCW in each *fora*, by all stakeholders, but with particular emphasis on policies and actions at all levels by each relevant multilateral organisation, especially IOMC organisations. This will permit the identification of elements that may be missing (e.g. voluntary guidance or guidelines towards common objectives for protection) and how to improve the functioning of the existing instruments (e.g. possibly in a new multisectoral, multi-stakeholder framework) and foster cooperation and coordination among them. This exercise could also lead to recommendations to avoid duplication, maximise resources and enhance efficiency.

(c) **Increased awareness, involvement and ownership**

Open exchanges between stakeholders, including the mentioned mapping exercise, will increase awareness of the crosscutting nature of the SMCW and should be used to enhance involvement and ownership of each organisation under its own mandates. The mapping would be an important element in order to develop recommendations on the SMCW in the long term, taking also into account SAICM's independent evaluation.

(d) **Enhanced coherence through a clear allocation of tasks**

Increased awareness, involvement and ownership will foster the commitment of each stakeholder and sector to act, under its own mandate, but in a coordinated and coherent manner with other stakeholders and sectors through a clear allocation of tasks and related commitments, particularly in implementation of the 2030 Agenda for Sustainable Development and meeting all relevant goals and targets related to the SMCW. How to ensure

such enhanced coordination in view of existing and possible new structures should also be considered (see below).

(e) The Beyond 2020 process is the place to discuss an enabling framework to address policy, regulatory and governance issues.

On the basis of effective mapping and building on increased awareness, involvement and ownership by each stakeholder and sector, the Beyond 2020 process offers the best opportunity to consider the possibility of establishing an enabling framework, building on existing organisations and bodies relevant to the SMCW, to address policy, regulatory and governance issues, closely linked to the implementation of the 2030 Agenda.

The Beyond 2020 process should not replicate the work that has already taken place or that is taking place in parallel, whether it is work undertaken within SAICM (e.g. Overall Orientation and Guidance; Emerging Policy Issues; etc.) or under other instruments (e.g. Basel, Rotterdam, Stockholm, Minamata, WHO, ILO, OECD, etc.) or stakeholders. A good example concerns actions regarding the treatment of waste as well as circular and lifecycle approaches, which are already addressed in the work of SAICM, such as on the Overall Orientation and Guidance and on the EPIs, but updates might be required in relation to SAICM's Overall Policy Strategy.

III. SOUND MANAGEMENT OF CHEMICALS AND WASTE BEYOND 2020

III.A LONG TERM VISION AND 2030 AGENDA TARGETS

III.A.1 Long term, timeless vision

The UNEA 1/5 Annex on "*Strengthening the sound management of chemicals and wastes in the long term*" provides a long term (timeless) vision which has already been consensually agreed at the multilateral level and remains valid for the discussions in the Beyond 2020 process:

"To achieve the sound management of chemicals throughout their life cycle and of hazardous wastes in ways that lead to the prevention or minimization of significant adverse effects on human health and the environment, as an essential contribution to the three dimensions of sustainable development".

This vision introduces explicitly the element of "prevention", which is essential in the pursuit of a future detoxified and a key concept for the development of the circular economy. It also underlines its importance for the three dimensions of sustainable development and therefore links directly with the implementation of the 2030 Agenda as a whole, and remains of relevance beyond that date.

Furthermore, it is important to emphasise that sustainable development goals and targets of the 2030 Agenda explicitly address "*chemicals and all wastes throughout their life cycle*" and "*their adverse impacts on human health and the environment*". It is therefore necessary to think in terms of lifecycle for all chemicals and waste in ways that lead to the prevention or minimization of their adverse impacts on human health and the environment.

III.A.2 2030 Agenda Targets

Various targets of the 2030 Agenda contain precise milestones and timelines which depend to a large extent on the SMCW. The most direct, relevant and pressing one of them is contained in SDG target 12.4:

"12.4: By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimise their adverse impacts on human health and the environment".

It is important that all efforts continue to meet this target, without trying to re-define or change its timeline or scope. Even if by 2020 it might have to be acknowledged that this target has not been fully met, this would evidence that efforts have to be intensified. Furthermore, missing elements or actions to meet this target should be red-flagged as absolute priority actions to be undertaken in implementation of the 2030 Agenda, which addresses all waste and all adverse impacts on human health and the environment.

In addition, work should continue in an enabling framework to implement all necessary actions to meet all other relevant targets, including (without listing all of them) target 3.9 (by 2030), 6.3 (by 2030), 12.5 (by 2030), 12.8 (by 2030), 14.1 (by 2025), etc. This broad framework would be without prejudice to focused implementation activities under each relevant instrument, such as a renewed and improved SAICM which could still galvanise hard core policies and actions on chemicals and waste and thus would have a particular focus on target 12.4.

It is crucial that the Beyond 2020 process respects the 2030 Agenda and its goals and targets and delivers to achieve them. Furthermore, the process should develop its own milestones and objectives to foster implementation of the 2030 Agenda (see III.B.1(c) below).

III.A.3 Communication Motto

The vision and the goals and targets to be attained are without prejudice to the possible development of a simple and direct narrative and motto, such as a "non toxic environment", a "detoxified future", "end chemicals and waste pollution" or another brief motto to facilitate communication and increase public and political awareness (see also section III.B.1(d) below on Communication and Awareness).

III.B. POLICIES, ACTIONS AND GOVERNANCE

It seems advisable to group the substantive discussions around two basic questions or sets of issues:

1. What needs to be done? Scientific and technical discussions are required on policies and actions and tools and instruments that are needed to implement and complement existing policies and actions, including consideration of possible additional actions and standards of protection.
2. How should it be done? Governance and framework discussions should consider the role of current instruments and the possibility of a new enabling framework or approach to improve the current one. Questions such as multi-stakeholder and multisectoral framework of participation as well as implementation of the integrated approach to financing, at all levels should be discussed as an integral part of governance.

These two questions are sufficiently general and provide the necessary flexibility to discuss any relevant matters, while avoiding the multiplication of subjects to be addressed individually and the duplication with other ongoing discussions.

III.B.1 Policies and Actions: What needs to be done?

(a) Continued implementation of existing instruments

- Without prejudice to the likely need to review and adjust SAICM's Overarching Policy Strategy in line with the 2030 Agenda (see section III.B.2(d)), the Overall Orientation and Guidance (OOG) will remain relevant and useful beyond 2020. Its implementation is essential to meet the relevant 2030 Agenda targets and to move closer to a common, long term vision (see above).

In particular, the 11 basic elements and the six core activity areas of the OOG should continue to guide prioritisation of action notably at the national and regional level (e.g. implementation of the GHS). Therefore, these elements can still constitute the "main substantive content" of a new enabling framework beyond 2020 which will foster the achievement of milestones (see below) and eventually of the 2030 agenda goals and targets (and which also would need to be better communicated, see below). Furthermore, a clear allocation of the tasks described in the OOG among the different sectors and stakeholders, and when they should be accomplished, would ensure this prioritisation and provide an adequate starting point for a new enabling framework.

- The continued and improved implementation of the Basel, Rotterdam and Stockholm Conventions as well as implementation of the Minamata Convention will also be essential in a beyond 2020 framework. The work of their scientific and technical bodies should be preserved.
- Each IOMC organisation should continue to adopt decisions and implement actions to ensure mainstreaming of the SMCW within its mandate. There should be concrete plans of each one of these organisation for this, which look beyond 2020, including policies and actions to achieve relevant goals and targets of the 2030 agenda. These plans should be communicated widely to ensure awareness by all stakeholders of each other's work and permit a coherent and coordinated allocation of tasks.

(b) Complementary and/or Enhanced Policies and Actions

- Future actions should give priority to prevention policies and measures (i.e. hazard elimination or risk reduction).
- Efforts should be increased to enable further development and sharing of scientific and technical data, including hazard, exposure and risk evaluations, best available techniques and best environmental practices (BAT/BEP), for possible reference and use by all countries. Increased access to information also is needed for companies and consumers to make informed choices

As the Annex to UNEA 1/5 ("*Strengthening the sound management of chemicals and waste in the long term*") states: "*improved access to and generation and sharing of information of relevant data and understandable information throughout the supply chain are necessary for more informed decision-making and political and public awareness*".

Many international organisations or instruments, starting with SAICM, the BRS conventions, UNEP, WHO, etc. have gathered relevant information on the priority issues that need to be tackled. For example, the work of SAICM on emerging issues and issues of concern would be of significance. Existing tools such as the eChemPortal and other relevant initiatives, including at a national and regional level, should also be taken into account.

Furthermore, the OECD has several decades of experience in developing policies and instruments, which can be applied in a SMCW/SAICM framework, including significant work on a "Mutual Acceptance of Data" (MAD) system" and related work on mutual recognition of assessment methods (see also below). Based on the OECD outreach strategy, the OECD also engages in non-OECD countries providing valuable support within e.g. cooperation, developing policies and instruments.

The mapping suggested above will be of crucial relevance to identify existing information and gaps and help the process define ways to promote data sharing and to reach common view on how to address gaps, such as lacking data or insufficient quality of the data or where increased efforts are needed to make data more accessible (for example regarding the characteristics of a given substance, safety levels, cumulative effects with other substances, etc.).

- Based on shared data and evaluations or assessments, as well as enhanced monitoring of the situation, it may be possible to advance with new or additional common objectives of protection which could be met through voluntary guidance or guidelines (in addition to the implementation and lessons learnt from existing standards, such as the GHS).

Possible guidance, guidelines or even voluntary standards could be the result of current work under SAICM on emerging policy issues (EPIs) and issues of concern, or of future work on other issues. SMCW issues could also be mainstreamed in some existing standards.

The need for such guidance or guidelines was implicitly suggested in the "*Strengthening the sound management of chemicals and waste in the long term*" Annex to UNEA 1/5, i.e. "*existing and future scientific data could foster the consideration of common objectives of protection of health and the environment as a basis for future policies*" and (one could add) actions. However, the discussions under the beyond 2020 process should not duplicate the work done on EPIs and issues of concern. Indeed, the purpose of the discussions in the Beyond 2020 process on this matter should be about how such guidance or guidelines may be developed and agreed. This process would not be the place to hold discussions on each specific issue.

- Enhanced monitoring of the situation on the ground and results achieved through the SMCW.
- Furthermore, it will be necessary to improve the existing knowledge on chemicals and waste, including the development of chemical and waste knowledge platforms (hazardous properties, uses, alternatives, presence of chemicals in articles, monitoring data, waste and chemicals interface aspects).
- Early warning systems should be developed to identify possible chemicals and waste threats.
- A "grouping of chemicals" approach should be considered rather than a "chemical-by-chemical" approach.
- It will be necessary to promote innovation (e.g. decontamination of waste, waste water treatment; development of alternatives) and circularity (design, prevention, re-use, recycling) and to support substitution (use of non-hazardous chemicals or non-chemical solutions). Fostering behavioural change and avoiding non-essential uses is essential.
- Production and use of the most hazardous chemicals should be reduced (e.g. substances that are carcinogenic, mutagenic and/or toxic to reproduction; endocrine disrupting chemicals; metals like lead and cadmium; perfluorinated substances and persistent organic substances that do not fully meet the POPs criteria but are very persistent and mobile) to minimise chemical emissions, releases and exposures.
- Tracking of chemicals through their lifecycle (including chemicals in products) and the promotion of alternative materials cycle should also be addressed, taking into account the lifecycle of products as well as recycling issues linked to the higher concentration of chemicals which results from recycling of materials which originally contained lower levels of chemicals.
- The Beyond 2020 process offers an opportunity to consider the possible role of sustainable chemistry, notably on the basis of the information to be gathered on this matter following UNEA resolution 2/7. It may be recalled also that the Dubai Declaration emphasised the benefits of green chemistry (i.e. the design of chemical products and processes that reduce or eliminate the generation of hazardous substances) for improved standards of living, public health and protection of the environment;

- Science-policy interface: Improving the interface between science and policy is vital in technically complex fields such as SMCW. At the multilateral level, it is important to continue to preserve the impartiality of the work of existing scientific bodies. In addition, overarching assessments could be relevant for state of the art knowledge and advice on issues of concern, and for the broader inclusion of academic perspectives from developing countries and emerging economies.

At the national level, technical and scientific advice should also be sound, unbiased, legitimate and based on evidence, including the work carried out by existing bodies at the multilateral level. The guidelines prepared by the OECD³³ are a good example which Governments may follow at the national level. It is also essential to maintain socio-economic considerations separate from scientific and technical advice provided to policy and decision-makers.

- Children, women and other vulnerable groups should receive particular attention to improve their protection. Attention should also be given to human rights aspects.

(c) **Milestones**

In addition to the 2030 Agenda targets, concrete milestones should be discussed and agreed as part of the Beyond 2020 process, as ICCM resolution IV.4 foresees that the process may consider the need for and develop recommendations on measurable objectives in support of the 2030 Agenda, so that action towards them can start as soon as possible. This could relate to the implementation of the Overall Orientation and Guidance, or to new common objectives for protection (such as voluntary standards), as foreseen in the "*Strengthening of the sound management of chemicals and waste in the long term*". Due to the cross-cutting nature of the OOG, it would provide a holistic approach for the development of milestones and objectives for the chemicals and waste cluster. Those additional milestones should be discussed as part of the exchanges on implementation of the current instruments and possible new common objectives for protection, addressing concrete steps needed towards the long term, timeless vision and the targets of the 2030 Agenda.

They could be aspirational in nature, easy to communicate and limited in number. The second meeting of the intersessional process would provide a good opportunity to start discussing measurable milestones and objectives, including what type of content and structure they might have. The European Union and its Member States might provide further input on this matter in advance of that meeting.

(d) **Communication and Awareness**

There seems to be a globally shared perception that the "sound management of chemicals and waste" has not been able to attract the necessary political attention. This seems the result of a combination of factors, including the technical complexity of the matters to be addressed and lack of awareness of the cost of inaction and of the benefits of action. There is also not sufficient awareness in related sectors (such as health, agriculture, industry, development, etc.) and the public in general.

³³ The OECD recommends that governments define clear and transparent guidelines for their science advisory processes. These include:

- clearly define the remit, roles and responsibilities of the advisory bodies;
- certify their independence and autonomy;
- ensure the transparency and openness of their processes;
- stress that advisory bodies act as honest brokers, not advocates;
- recognise the limitations to interpret and use scientific claims;
- underline that the advice given should be sound, unbiased and legitimate.

Indeed, as evidenced at UNEA, it is possible to attract political attention. The UNEA2 Ministerial theme was "*Healthy environment, Healthy people*". For UNEA3, the theme will be "*Towards a Pollution Free Planet*". These Ministerial choices and discussions reflect the political interest in these matters, which are very closely related to the SMCW.

In order to enhance awareness, through improved communication, there is a need to significantly improve the narrative. Whilst complex technical matters continue to be tackled in the process of achieving the SMCW, communication could focus on understandable concepts (e.g. brain development of the child; fertility; cancer; allergy; etc.) and the links with everyday life (e.g. sofas; frying pans and food wrapping; cosmetics; paints; baby bottles; clothing; behaviours in the work place and at home; the handing of consumer products; wastes etc.). The new narrative could favour clear messages that the political level may easily own, even at a personal level (e.g. hair testing), and use to communicate with the general public.

It would also be useful to communicate more on how SMCW is an important tool to address and implement commitments taken in other *fora* and on issues that already gather important political attention, such as the SDGs the fight against global warming or the pollution of the oceans by chemicals and waste.

The upcoming UNEA3 Ministerial on "*Towards a Pollution Free Planet*" offers an opportunity to increase the awareness of and the attention and commitment to the Beyond 2020 process and the need for an ambitious and effective outcome.

III.B.2 Governance: How Should it Be Done?

The importance of multisectoral, multi-stakeholder involvement at global, regional and national level has already been stressed. However, SAICM has shown its limitations in this regard. Although it was launched in Dubai as an initiative co-owned by all relevant sectors, including in particular the IOMC organisations, many of these organisations have been gradually disengaging.

There is a need to reengage all relevant multilateral organisations, within their own mandate, in order to ensure action under each sector and foster coherence through coordinated policies.

Furthermore, involvement of the private sector in the SMCW is not only about the chemicals industry. The role and responsibility of the chemicals industry is essential and should be extended to and complemented by an equally important role of downstream users throughout the value chain (textiles; toys; furniture, food; packaging; building; etc.).

Civil society organisations such as consumer organisations should also be further engaged, to enhance the role of consumers in the demand for and use of products with less content of problematic chemicals, and waste management/behaviour that is conducive to a circular economy.

Without prejudice to strengthening the role of all stakeholders, the leading role should nevertheless remain in governments, since they have the responsibility and capacity to take decisions and adopt measures for the SMCW at all levels.

In this context, the following points should be considered:

(a) An Enabling Multilateral Framework

As mentioned above, the discussions should not be limited to the future of SAICM, as the subject matter requires the active involvement and action by many other organisations. SAICM is just one of the instruments of the current international framework.

The possibility of a new Enabling Multilateral Framework should be considered, regardless of what the final outcome of the discussions might be. The commitment of governments to fully implement the 2030 Agenda and to achieve the SDGs offers a great opportunity to establish an ambitious and forward-looking framework.

Desirable features of such a framework include:

- (i) Strong political ownership through commitments in particular from national governments to implement agreed objectives and milestones as well as the 2030 Agenda.
- (ii) Clear responsibility of national governments, notably in relation to legal frameworks and enforcement, reporting and delegation of power between relevant governance levels.
- (iii) Multi-sectoral participation and ownership, which is not limited to the environmental sector and ensures political ownership by all relevant sectors (at international level mainly IOMC organisations), while preserving the general leading role of the chemicals and waste cluster. The implementation of the 2030 Agenda should also be used for this purpose.
- (iv) Specific plans, policies and actions by each organisation, within their own mandates, addressing the SMCW. Actions should be coherent with the long term, timeless vision and, as appropriate, coordinated with complementary actions of other relevant organisations in implementation of the Agenda 2030.
- (v) Enhanced multi-stakeholder engagement:
 - to strengthen the contribution of the private sector to ensure the SMCW and to encourage the active participation of industry stakeholders, including downstream users, in particular in SAICM;
 - to strengthen the involvement of civil society, including consumer organisations, and other groups such as academia and health professionals. Their involvement is needed *inter alia* to enhance awareness regarding sustainable lifestyles (in accordance with SDG 12.8) that involve non-hazardous chemicals and improved waste management, promoting also circular economy
 - especially for governmental stakeholders, consider the possibility of sub-regional groups, encouraging their active participation notably to enhance cooperation and coordination.
- (vi) In the context of the 2030 Agenda, capacity to pull together information from the various sectors and stakeholders on the implementation of the targets related to the SMCW, including from existing reporting procedures.

(b) An opportunity for a new Multi-sectoral Ministerial Conference on the SMCW

Although it is too early to determine how any such framework would be set up, consideration could be given to the idea of a possible multi-sectoral ministerial conference on the SMCW which takes into account the desirable features mentioned above. Ministers from countries all over the world, representing various relevant sectors, could meet to give birth to a new

Enabling Multilateral Framework, which would have the long term, timeless vision and would coordinate implementation of the 2030 Agenda in this area in order to meet all relevant Sustainable Development Goals and targets. Oversight of the implementation of actions towards concrete milestones would be an essential element of such a framework.

Such a conference would require involvement of and preparation by the governing bodies and secretariats of the IOMC organisations and of any other relevant body and organisation. Those governing bodies and secretariats would be tasked with the adoption of decisions on specific plans, policies and actions within their mandates.

Therefore, SAICM OEWG3 could start considering the idea of a possible conference and, if so agreed, ICCM-5 could be closely linked or even back-to-back to that conference. Similarly, meetings of UNEA, WHA, etc. meetings would also act and link, within their mandates, with such a multi-sectoral ministerial conference.

(c) A New Multisectoral Coordinating Body?

A new coordinating body could be set up to ensure overall oversight and coherence in implementation of the tasks entrusted to each sector by the suggested multisectoral ministerial conference on the SMCW beyond 2020. It could be set up within the context of the implementation of the 2030 Agenda as a transparent, pragmatic coordination mechanism which would not, in itself, alter the mandate and capacity of each organisation and sector. Possible participation of relevant stakeholders in a coordination body, including civil society and academia, could be considered.

(d) The Future of SAICM

Although SAICM could be replaced by the new body, it could also be considered to maintain and adjust SAICM as an important instrument/component of a framework for the SMCW with particular focus on a multistakeholder approach, new issues of concern, agreed voluntary standards and common objectives for protection. The "new SAICM" should clearly include in its mandate questions related to the waste and chemicals interface and all aspects of the life-cycle of products and materials, which are largely covered already in SAICMs work, such as the OOG and relevant ICCM resolutions. It goes without saying that, as for other matters, this should be without duplicating the work of the Basel Convention or other international bodies (as SAICM remains the place where all relevant stakeholders, organisations and instruments share knowledge, information and experience on the SMCW)

Furthermore, the 2006 Overarching Policy Strategy could also be reviewed and updated in line with subsequent developments, including the adoption of the 2030 Agenda and, particularly, its sustainable development goals and targets.

(e) National Action Plans

Implementation at the national level, with particular focus on the 11 basic elements identified in the OOG, is probably the most important factor to ensure the SMCW and meet the relevant 2030 Agenda goals and targets with a long term vision towards a non-toxic environment.

From a governance perspective, it is also essential that all relevant sectors and stakeholders are involved, as appropriate, in implementation at the national level, in order to identify solutions best suited to national circumstances, and ensure understanding and acceptance e.g. of regulation and other measures. This may be achieved through National Action Plans that provide an overarching and holistic view of the SMCW, involving the various Ministries and authorities concerned, as well as the private sector, civil society and the scientific community.

Such plans, which would be owned by each country and be proportionate, could contain certain criteria as a baseline commitment but also allow the flexibility to design and undertake policies and actions in accordance with the specific needs and priorities of each country. Their implementation could be linked to achieving the specific objectives and milestones and would be regularly reviewed by countries. National Action Plans would also foster multisectoral and multi-stakeholder coordination, including in implementation of current instruments, as well as reporting on the results achieved and gaps identified in implementation of the 2030 Agenda.

Circular economy concepts will be essential in determining the actions to be taken, as well as the role of industry, downstream users and consumers, starting with the design phase of chemicals and products in general.

The National Action Plans could be built directly on the relevant basic elements of the OOG, or on a possible set of focused and limited political targets coherent with these basic elements and the SDGs. The 2030 Agenda targets may help provide political attention, improve monitoring and communication on the implementation of the SMCW.

(f) Review and Follow-up

In a new enabling multilateral framework for the sound management of chemicals and wastes, it would also be desirable to start considering how to ensure appropriate review and follow-up, notably in the context of the implementation of the 2030 Agenda and without creating additional mechanisms or reporting obligations. In principle, the information and reporting mechanisms already existing under the various relevant organisations and instruments, as well as in implementation of the 2030 Agenda, should be used to gather the necessary information.

If appropriate, voluntary peer review processes, focusing on the milestones and measurable objectives (see above), could be considered. These would be open to non-governmental stakeholders and provide an opportunity for information exchange and learning.

Regional cooperation on SMCW issues should be increased in order to share best practices and lessons learned among countries within one UN region that are facing similar challenges.

(g) Financing, private sector involvement and mainstreaming

The agreement in recent years on the implementation of the integrated approach to financing of the SMCW already provides the way forward on this matter and, as an integral part of the governance, it is directly related to the instruments in place.

Focus should be on full implementation of each of the components of this approach, namely mainstreaming, private sector involvement and dedicated external finance. With the Special Programme, a dedicated mechanism to support institutional strengthening at the national level for implementation of SMCW, including through SAICM, has been established and is already operational. Furthermore, it should be recalled that dedicated resources for the SMCW have expanded through the GEF focal area on chemicals and wastes which now has a wider scope. It is also essential to improve the use of available resources and to raise awareness and better communicate about them.

Thus, the implementation of the three components of the integrated approach to financing of the SMCW should be an integral part of any new enabling framework.

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UNEA RESOLUTION 1/5 - ANNEX I

Strengthening the sound management of chemicals and wastes in the long term¹

A. Introduction

1. Chemicals are inextricably linked to our lives; they are used or produced in almost every industry and social sector, including health, energy, transport, agriculture, construction, textile, mining and consumer products. Chemicals contribute significantly to the well-being of society and are essential for sustainable development and for meeting the challenges of the future. However, they can pose a threat to human health, the environment and sustainable development if not managed in a sound manner throughout their life cycle, including at the waste stage.

2. The global production and use of and trade in chemicals, in addition to the generation of and trade in wastes, are increasing, with growth patterns placing an increasing burden on developing countries and countries with economies in transition, in particular the least developed countries and small island developing States, and presenting them with special difficulties in meeting this challenge.

3. The need to continue to take concerted action for the sound management of chemicals and wastes is accentuated by a lack of management capacity in developing countries and countries with economies in transition, dependency on pesticides in agriculture, exposure of workers and communities to harmful chemicals and wastes and concern about the long-term effects of chemicals and wastes on both human health and the environment and, therefore, sustainable development. The significant burden of disease attributable to exposure to hazardous chemicals and wastes is a cause for concern. The poorest populations and vulnerable groups are often the most affected.

4. In Johannesburg, South Africa, in 2002, Governments agreed to aim to achieve that, by 2020, chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment. That goal was adopted by multiple stakeholders at the first session of the International Conference on Chemicals Management. The 2020 target was further recognized in the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and was extended to cover hazardous wastes. Strengthened sound management of chemicals and wastes in the long term is an essential cross-cutting issue for sustainable development because there are benefits for the environment, health, poverty eradication, the economy and societies in general.

5. At the United Nations Conference on Sustainable Development, Governments commended the increased coordination and cooperation among the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants and encouraged continued coordination and cooperation among them.

6. Dedicated resources for the sound management of chemicals and wastes have expanded, including through the Global Environment Facility focal area on chemicals and wastes, which now has a wider scope, but further resources are needed to respond to the multiple challenges.

B. Vision

7. To achieve the sound management of chemicals throughout their life cycle and of hazardous wastes in ways that lead to the prevention or minimization of significant adverse effects on human health and the environment, as an essential contribution to the three dimensions of sustainable development.

C. Long-term policy elements

1. Fundamental elements for achieving the vision

8. The strengthened sound management of chemicals and wastes in the long term is essential for sustainable development and should be embedded in the sustainable development agenda.

9. The sound management of chemicals and wastes should be mainstreamed into local, national, regional and international policies and strategies, including sectoral, financial, legal and capacity-building policies, as well as international financing mechanisms and institutions.

10. There is a need to increase the political priority and commitment to the sound management of chemicals and wastes at the local, national, regional and global levels, recognizing that a number of processes present opportunities to draw attention to these important issues, including those relating to the sustainable development goals and the Strategic Approach to International Chemicals Management.

11. Achievement of the vision involves an effective, efficient, coherent and coordinated response to challenges in the sound management of chemicals and wastes at the national, regional and global levels.

12. The need to prevent or minimize the significant adverse effects from chemicals and hazardous wastes on human health and the environment will continue to provide a strong basis for sound chemicals and waste management beyond 2020 and could be accompanied by supplementary targets and indicators, within a defined time frame.

13. The sound management of chemicals and wastes is the shared responsibility of all stakeholders, including Governments, industry and others.

2. Basic elements to be addressed

14. A fundamental element for the sound management of chemicals and wastes is the need to develop, implement and enforce basic national legislative and policy frameworks, including designating the responsibilities of industry and the wider business community, and to have the necessary national institutional capacity.

15. Industry has a special responsibility, as designer, producer and user of chemicals and products, and should apply sustainable chemistry, recognizing the ongoing efforts being undertaken in this regard.

16. The effective and efficient implementation of existing chemicals- and waste-related obligations under multilateral environmental agreements and actions to implement voluntary frameworks, building on experiences and successes, is essential.

17. Improved access to and generation and sharing of relevant data and understandable information throughout the supply chain are necessary for more informed decision-making and political and public awareness.

18. The sound management of chemicals and wastes includes promoting sustainable production and consumption patterns, including applying a life-cycle approach, and the consideration of waste as a resource.

19. New and emerging issues and challenges of global concern should be identified scientifically through an efficient, multi-stakeholder and inclusive process and should be adequately and effectively addressed. Responding to those issues and challenges requires sufficient capacity at the national, regional and global levels.

3. Reinforcing measures

20. In identifying options to enhance the management of chemicals and wastes in the long term, there is a need to first take stock and evaluate progress in achieving the 2020 goal, taking into account the relevant evaluations in the chemicals and wastes cluster.

21. The sound management of chemicals and wastes should respond specifically to the needs and challenges of developing countries and countries with economies in transition.

22. The multidimensional aspects of the sound management of chemicals and wastes provide an opportunity for enhanced cooperation and coordination at the national, regional and global levels, acknowledging the work undertaken to enhance synergies among the Basel, Rotterdam and Stockholm conventions.

23. Efforts to promote the sound management of chemicals and wastes will require collaborative multisectoral participation, in particular by broadening the participation of sectors that have not traditionally been involved. Such collaboration should address the strong interlinkages with sectors such as health, education, labour, mining, the environment, agriculture, water and industry.
24. The sound management of chemicals and wastes also requires multi-stakeholder involvement, including from industry and civil society, as well as the research and scientific community.
25. At the global and regional levels, the sound management of chemicals and wastes would benefit from enhanced cooperation and coordination among the organizations participating in the Inter-Organization Programme for the Sound Management of Chemicalsⁱⁱ and other relevant intergovernmental organizations, inter alia, the United Nations Human Settlements Programme, and with conventions within and outside the chemicals and wastes cluster.
26. At the national level, the effective sound management of chemicals and wastes requires cooperation among all relevant ministries, such as between agriculture and environment ministries with regard to pesticide regulations.
27. Future efforts to manage chemicals and wastes throughout their life cycle will depend on and benefit from enhanced scientific and technical cooperation and knowledge, building on, inter alia, the *Global Chemicals Outlook* report and its recommendations, the future global waste management outlook report and other relevant sources of information. Furthermore, existing and future scientific data could foster consideration of common objectives for the protection of health and the environment as a basis for future policies.
28. Solutions to minimize the adverse effects of chemicals and wastes have been achieved through existing practices involving the sound management of chemicals and wastes in several countries, which have the potential to be replicated, including by building the capacity of countries to implement those solutions.
29. An integrated approach to financing the sound management of chemicals and wastes, including through mainstreaming in national budgets and development assistance plans, industry involvement and dedicated external financing, is crucial to mobilizing financial resources in the long term.
30. Sustainable, predictable, adequate and accessible long-term funding at all levels, in addition to timely and appropriate technical assistance for activities in support of the sound management of chemicals and wastes, is a key element, in particular in developing countries and countries with economies in transition.
31. Further efforts to elaborate the long-term vision, especially in relation to waste, should be based on full multi-stakeholder involvement, awareness-raising for the public and political leaders and progress in achieving the 2020 goal.

ⁱ The present document is the outcome of the country-led consultative process on the challenges to and options for further enhancing cooperation and coordination within the chemicals and wastes cluster in the long term, as set out in decision 26/12 of the Governing Council of the United Nations Environment Programme (UNEP). The document is being submitted to the Executive Director of UNEP on 27 February 2014 for inclusion in his report to the United Nations Environment Assembly in June 2014. The document provides a summary of some of the views expressed by participants during the process. The views are neither negotiated nor agreed, nor intended to pre-empt or prejudge decisions in other processes in the chemicals and wastes cluster.

ⁱⁱ Food and Agriculture Organization of the United Nations, International Labour Organization, Organization for Economic Cooperation and Development, United Nations Development Programme, UNEP, United Nations Industrial Development Organization, United Nations Institute for Training and Research, World Bank and World Health Organization.