



## **IPEN Quick Views for ICCM5 and IP4.3**

The Fifth International Conference on Chemicals Management (ICCM5) aims to approve a new Beyond 2020 Instrument for the sound management of chemicals and waste. In addition, a resumed meeting of the intersessional process (IP4) will be held to finalize recommendations for ICCM5.

### **Key outcomes for ICCM5**

Without SAICM, no international framework would exist for addressing most of the world's chemical safety concerns. As the production of chemicals and plastics is expected to continue to dramatically increase, an even more ambitious Beyond 2020 Instrument will be essential to successfully achieve the goal of sound management of chemicals and waste. It is also vital that the Instrument does not contain elements that are weaker or that undermine any other relevant international agreement.

IPEN therefore calls for the ICCM5 to agree on a strong Beyond 2020 Instrument and to agree on more urgent and ambitious resolutions to advance the sound management of chemicals, including:

- Recommitting to preserving a broad scope, including addressing chemicals and wastes throughout their life cycle.
- Maintaining a broad definition of issues of concern without specific qualifiers such as “global” or “international” and ensuring that already identified and future issues of concern and emerging policy issues are addressed.
- Incorporating meaningful, measurable, and time-bound targets, indicators, and milestones.
- Promoting continued, measurable progress toward reforming how chemicals are produced and used, to prevent harm to human health and the environment.
- Recommitting to a transparent, open, and inclusive multi-stakeholder and multi-sectoral character and practice and providing for effective collaborations among UN agencies and all stakeholders.
- Securing new and adequate funding for implementation, including promoting cost recovery mechanisms and internalization of externalities based on the “polluter pays” principle.
- Securing immediate action on Highly Hazardous Pesticides through a new “Global Alliance.”
- Agreeing on modalities for an immediate start to implementing the new instrument, including the mobilization of new funding.

## IPEN's recommendations for IP4.3 text negotiations

- **The starting point for the resumed IP4 meeting in Bonn should remain the “Intersessional Process Consolidated Document”**

The co-chairs have drafted three non-papers<sup>1</sup> on [Strategic objective and targets](#), [Measurability structure](#), and [Financial aspects](#), reviewing parts of the text where they consider compromise is needed for progress, although they explain that the intent of these non-papers is “not to bring substantive changes to the original intent of the text.”<sup>2</sup> However, the non-papers on targets and on finances broadly re-write the respective chapters while eliminating important propositions.

IPEN believes that the consolidated text should remain the only starting point for the negotiations as it is more helpful in finding a way forward to achieve consensus, rather than starting the negotiation again on the basis of completely new text.

IPEN has also identified the following substantial gaps that should be addressed:

- **A statement of needs that explains why addressing chemicals should be included**

The Overarching Policy Strategy (OPS) explains why SAICM was adopted. The Beyond 2020 Instrument should include a statement of needs that highlights both the issues identified by the (OPS) as well as new issues, including that:

- The existing international policy framework for chemicals is not adequate and needs to be further strengthened.
- There is a growing gap between the capacities of different countries to manage chemicals and waste safely.
- Scientists have underscored that we have exceeded planetary boundaries of chemicals and plastics, and that exposures to hazardous chemicals, such as endocrine disrupting chemicals, are causing existential threats, including threatening the ability to reproduce.
- Production of chemicals is predicted to double by 2040 and we urgently need to curb the production of hazardous chemicals and transition toward fossil fuel-free feedstocks.

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<sup>1</sup> A non-paper is usually a text distributed on an informal basis and designed to facilitate the process of negotiating an agreement. The word emphasizes the informal nature of the text: it is not a proposal (although it may foreshadow one) and does not engage its author.

<sup>2</sup> See IP Co-Chairs Virtual Briefings on the Process for Preparing Non-Papers [https://www.saicm.org/Portals/12/documents/meetings/Regional-workshop/Regional%20Biefings%202023/co-chairs%20non%20papers%20process\\_7.7.23.pdf](https://www.saicm.org/Portals/12/documents/meetings/Regional-workshop/Regional%20Biefings%202023/co-chairs%20non%20papers%20process_7.7.23.pdf)

- Environmental degradation and pollution, as well as unsound management of chemicals and waste has negative impacts, both direct and indirect, for the effective enjoyment of all human rights.

- **A comprehensive scope and recognition of guiding principles**

As it is not legally binding, the Beyond 2020 Instrument must recognize principles and commitments already adopted in other processes. This includes:

- Defining the scope of the instrument to include the environmentally sound management of chemicals and waste throughout their life cycle, in line with SDG 12.4, which calls for achieving “the environmentally sound management of chemicals and **all wastes** throughout their life cycle.” [emphasis added]
- Being driven by clear principles: the precautionary principle, the substitution principle, the prevention principle, the integration principle, and the polluter-pays principle.
- Contributing to the enjoyment of the fundamental principles and rights at work as recognized in 2022 by ILO resolution ILC.110/Resolution.
- Being driven by a commitment to contribute to the realization of the Human Right to a Clean, Healthy, and Sustainable Environment, as recognized by resolution A/RES/76/300 of the United Nations General Assembly (UNGA) and by protecting the right to access to information about chemicals and their use.

- **An ambitious vision and specific strategic objectives and targets**

Stakeholders should agree on **an ambitious, timeless vision to achieve a toxics-free planet**. Additionally, the strategic objectives should clearly identify the challenge ahead and inform the setting of the targets and indicators, rather than the contrary. Each target should be outcome-oriented and focused on harm minimization rather than being process-oriented. Targets should be “SMART” -- specific, measurable, achievable, relevant, and time bound. An example of a SMART target is “Elimination of highly hazardous pesticides in 30 countries by 2025.”

- **Agree on the allocation of financial resources by fully implementing the integrated approach to financing in the Beyond 2020 Instrument**

The integrated approach to financing includes three components: mainstreaming the sound management of chemicals and wastes into development planning, industry involvement, and dedicated external financing. The dedicated external funding has been limited, and industry involvement in financing the sound management of chemicals has been marginal at best. As noted by the UNEP report on the cost of inaction on the sound management of chemicals, “The emerging data on the economic consequences

of harmful chemicals related to negative health, environment, and development planning effects, clearly point to very high effects and associated costs.” These effects are borne by the public while the benefits are enjoyed by the chemicals industry.

To provide adequate, predictable, and sustainable funding, countries should agree to the establishment of an International Fund to implement the Sound Management of Chemicals and Waste. The fund should be accessible to all stakeholders and should provide financial support to low- and middle-income countries. Countries have made substantial commitments to face health and environmental crises related to biodiversity and climate, but no similar commitment has been made for chemicals, waste, and pollution. Financing mechanisms should include funding from the chemical industry and other sectors that are downstream users of chemicals, for example, through fiscal and cost recovery frameworks.

- **Strengthen the multi-sectoral nature of the Beyond 2020 Instrument**

The Beyond 2020 Instrument should include text that makes it possible to effectively mainstream the implementation by all relevant stakeholders and sectors. Ensuring that environment, health, labor, agriculture, and other relevant ministries are involved in SAICM implementation will be key to its success.

Those who are most affected by the impacts of hazardous chemicals, including youth, women, Indigenous groups, and others must be ensured full participation in the implementation of the instrument. Such participation needs to be duly supported by adequate funding to ensure a meaningful engagement at the national and international levels.

Downstream users of chemicals have been identified as a key group that needs to be further engaged. IPEN agrees that this is important, but given the diversity of this group, these efforts must have clear objectives based on identified concerns. Therefore, the most appropriate strategies should be identified and addressed under the mechanism of developing workplans for the Issues of Concern, including developing targets, indicators, and milestones. Existing emerging policy issues and issues of concern already identified each have a sectoral focus (electronics, pharmaceuticals, agriculture) and other issues could be identified with a sectoral framing (e.g., textiles, building materials, cosmetics).

## **IPEN’s views on a High level Declaration**

IPEN calls for a strong High-level Declaration that renews the commitment to the sound management of chemicals and waste. The High-level Declaration should:

- Build on the ambition of the Dubai Declaration which recognized that “The sound management of chemicals is essential if we are to achieve sustainable

development, including the eradication of poverty and disease, the improvement of human health and the environment and the elevation and maintenance of the standard of living in countries at all levels of development.”

- Recognize and stress the importance of the sound management of chemicals:
  - for the enjoyment of human rights, as recognized by UNGA resolution A/RES/76/300 of July 2022;
  - for the enjoyment of the fundamental principles and rights at work as recognized in 2022; and
  - for the preservation of biodiversity.
- Focus on the commitment section as it is extremely important to raise the political profile of chemicals management and to lay the political foundation for achieving the agreement’s objectives and targets.

## **IPEN’s views on ICCM5 resolutions**

### UNEP Resolutions

The secretariat prepared **seven resolutions** under the guidance of the intersessional process (IP) Co-Chairs ([SAICM/IP.4/13](#)):

**V/1. The High-Level Declaration and framework instrument**

**V/2. Vote of thanks**

**V/3. Operational modalities and arrangements**

**V/4. Existing Emerging Policy Issues and Issues of Concern**

**V/5. Monitoring and Evaluation Framework**

**V/6. Implementation arrangements**

**V/7. International cooperation and coordination**

IPEN’s views include:

- The resolution “Existing Emerging Policy Issues and Issues of Concern” must ensure that the current Emerging Policy Issues (EPIs) and other issues of concern are carried over and implemented into the Beyond 2020 Instrument. The need for action on these was already agreed on by more than 100 governments, and to date, the existing emerging issues have not been adequately addressed. Moving forward, these issues should be adequately funded and addressed through plans of action to reduce or eliminate the risks associated with them as agreed in the 2022 UNEA resolution 5/7.
- The resolutions related to implementation arrangement, coordination and cooperation, monitoring and evaluation framework, and operational modalities and arrangements should specifically request regular reporting by the secretariat. The resolution on operational modalities and arrangements that would establish an ad hoc working should include developing operational modalities for developing and implementing provisions relating to funding of the Beyond 2020 instrument, including mobilization of funds from the private sector.

## Other Resolutions

- **Resolution on a Global Alliance on Highly Hazardous Pesticides**

Highly Hazardous Pesticides (HHPs) have been recognized as an issue of concern under SAICM but progress has been slow and uneven. Low- and middle-income countries still face many challenges and need more support for shifting to safer alternatives. To systemically address this issue, IPEN believes that a Global Alliance on Highly Hazardous Pesticides as proposed by the Africa Region would provide the enabling platform of concerted global action, and encourages all stakeholders to support the African Region proposal in [SAICM/IP.4/INF/38](#).

- **Resolution for a United Nations General Assembly (UNGA) resolution**

SAICM was adopted to support achieving the goal of the 2002 World Summit of Sustainable Development, with the goal of having chemicals produced and used in ways that minimize significant adverse impacts on the environment and human health by 2020. However, this was not accomplished due to a lack of political commitment and lack of financial resources.

To achieve the sound management of chemicals and waste, the Beyond 2020 Instrument will need to be accompanied by an improved long-term enabling framework, in line with Environment Assembly (UNEA) resolutions 1/5 on chemicals and waste, 2/7 on sound management of chemicals and waste, and 3/4 on environment and health. Also, the Instrument should align with the UNEA resolutions 4/8 and 5/7 on the sound management of chemicals and waste reflecting a life-cycle approach and the need to achieve sustainable consumption and production. To ensure a high level political commitment, a resolution calling for an UNGA resolution should be approved by ICCM5.

- **Resolution on Finances**

The current text of the Beyond 2020 instrument contains some mechanisms that are meant to ensure that financial and non-financial resources are provided for achieving the sound management of chemicals. These mechanisms, including a new fund on chemicals and waste, and a global fee to implement the polluter-pays principle will need implementing decisions in order to become operational. Therefore, within the context of ensuring appropriate means and resources of implementation for the Beyond 2020 instrument, a resolution at ICCM 5 should encourage countries to:

- Reform the Special program under UNEA to make it timeless, less restrictive in scope, and accessible to all relevant stakeholders.
- Re-establish a Quick Start Program that would be crucial to enable rapid and efficient implementation of the Beyond 2020 instrument upon adoption.

## Relevant documents

The following background documents relevant to the negotiations are:

- [Intersessional Process Consolidated Document](#)
- Non-papers on: [strategic objective and targets](#), [measurability structure](#), and on [financial aspects](#)
- [SAICM/ICCM.5/INF/13 Setting Boundaries to Protect Human Health and the Environment The Need for Strong Global Chemicals and Waste Management Beyond 2020](#)
- [SAICM/ICCM.5/INF/12 IPEN Perspectives for ICCM5: towards a new instrument on chemicals and waste beyond 2020](#)
- [Global Chemicals Outlook II: From Legacies to Innovative Solutions](#)
- [Earth Negotiations Bulletin Summary report of IP4.2](#)
- [An Assessment Report on Issues of Concern](#)
- [IP4 working documents and information documents](#)
- [ICCM5 working documents and information documents](#)
- [UNEA Resolution 5/7 on the Sound management of chemicals and waste](#)
- [Independent Evaluation of the Strategic Approach to International Chemicals Management \(Executive Summary\)](#)