

New Mechanism of Action:

How to progress SAICM

Issues of Concern beyond 2020

Join the conversation!



Information document at IP3:

http://www.saicm.org/Portals/12/documents/meetings/IP3/stakeholders/NGO_Information-On-loC-criteria_Update30Sept.pdf



Case studies of how the criteria apply to some of the current loCs, such as Highly Hazardous Pesticides, Chemicals in Products, and Perfluorinated Chemicals

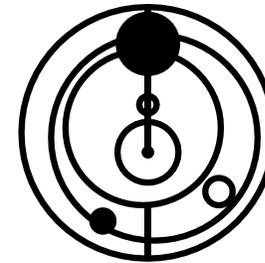
The idea of formulating criteria for assessment of how IoC progress was first discussed by a group of NGOs



**New Mechanism of Action:
criteria for elevation of obligations to progress
SAICM Issues of Concerns (IoCs) in the post
2020 multilateral regime for chemicals and
waste**



New Mechanism of Action: criteria for elevation of obligations to progress SAICM Issues of Concerns (IoCs) in the post 2020 multilateral regime for chemicals and waste



SAICM Intersessional Meeting 3, October 2019

Why did we decide to develop criteria for assessment of how IoC progress ?

- Global Chemical Outlook II
 - Global Assessment Report on Biodiversity and Ecosystem Services
-
- IoCs are not high on the political agenda;
 - Advances are mainly limited to information collection, and few concrete risk elimination or risk reduction measures have been undertaken.

Pollution increases and adversely affects both human and non-human life



Obstacles in addressing loCs at the national level

Interviews with country representatives identified the following obstacles in addressing loCs:

- loCs are not mentioned in the national implementation plans on chemicals and waste
- Insufficient funds are allocated from the national budgets to address loCs
- No institutional strengthening is in place to address loCs
- No national legislative requirements needed to address loCs are developed
- No national reporting on loCs is available
- No monitoring of loC implementation is conducted
- Inadequate or no control measures are in place to ensure effective work on loCs

Why do we need to address these issues?

Limit ability to achieve sound chemicals and waste management and meaningfully contribute to the Sustainable Development Goals (13 out of 17 SDGs rely heavily on SCM);

- Undermine efforts to protect the most vulnerable;
- Undermine effects to maintain ecological integrity and adequate resources
- No substantial funding will be contributed from donors, developing centres, governments

GCO II states, “solutions exist, but more ambitious worldwide action by all stakeholders is urgently required”.

A new mechanism of action, a process is needed whereby IoCs for which inadequate progress has been made should be progressed to mechanisms with increased levels of obligations on stakeholders.

IP3/4 - Addressing issues of concern, prepared by the co-chairs of the intersessional process

Criteria for moving Issues of Concern (IoC) to the level with increased obligations

Meeting even just one criteria is sufficient for increasing the obligations

1. Failure to reduce acute poisoning and/or chronic effects by chemicals that are IoCs
2. Failure to reduce the levels of chemicals that are IoCs in human and environmental samples
3. Failure to reduce the volume of the production, use and disposal of substances of very high concern relevant to an IoC
4. Insufficient monitoring of human and environmental impacts by an IoC
5. Significant costs for society in the absence of action to address an IoC, including healthcare costs for individuals and the state; loss of IQ and productivity; loss of pollinators, natural biological control of pests, and other ecosystem services; loss of biodiversity; and costs of chemical contamination of natural resources, such as air, soil and water including but not limited to large-scale environmental clean-up and remediation costs
6. National regulations have failed to achieve sufficient improvement in the IoC
7. Regional regulations for addressing an IoC are in place, or under development
8. Failure to establish an effective, transparent multi-stakeholder working platform on an IoC
9. Failure to make available the information necessary for addressing an IoC

We recommend:

1. that the suggested criteria are included in 'SAICM' as a basis for determining whether an IoC should be elevated to an increased level of obligation;
2. that a multi-stakeholder working group is established with the request:
 - to review information and factors contributing to limited success in implementation in addressing IoCs;
 - to develop a mechanism of action under 'SAICM 2' for elevating an IoC that has not progressed sufficiently to an increased level of obligation based on the assessment using the above suggested criteria;
 - to establish time bound goals for IoCs while ensuring that such goals are not used to delay action for existing IoCs that have not progressed sufficiently under the present SAICM; and
 - to prepare recommendations to ICCM5 for consideration and decision on how to apply the above-mentioned criteria for moving IoCs to the level with increased obligations.

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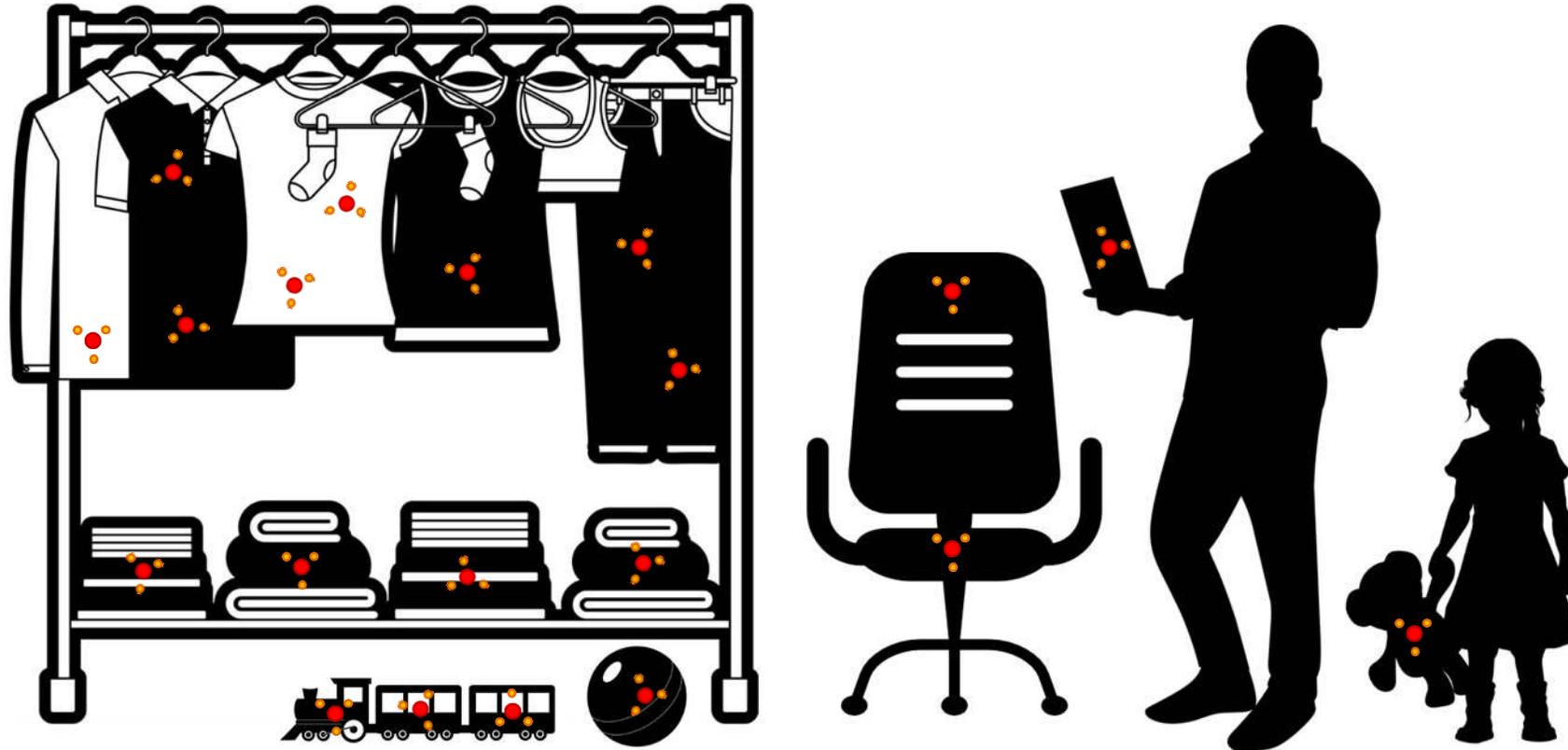
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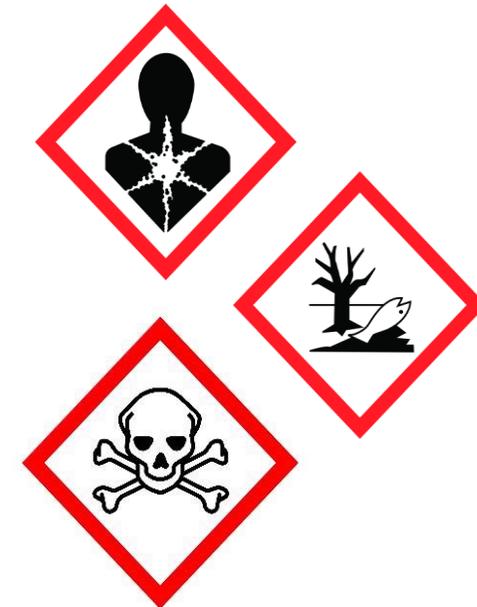


Case 1: Chemicals in products (CiP)

Chemicals of high concern

Chemicals with the following intrinsic hazards:

- Carcinogens;
- Mutagens;
- Endocrine disrupters;
- Toxic to reproduction;
- Toxic to the nervous system;
- Toxic to the immune system;
- Persistent/very persistent;
- Bioaccumulative/very bioaccumulative;
- Or other chemicals of concern.



1. Failure to reduce acute poisoning and/or chronic effects by chemicals in products

Exposure to chemicals considered as chemicals of high concern continue through products, and health effects are suggested by laboratory or epidemiological studies.

Examples:

- Brominated flame retardants used in electronics appear in toys ...
- Bisphenols in canned food liners, toys ...
- Phthalates in personal care products, toys ...

For relevant references, see the case paper for CiP.

2. Failure to reduce the levels of chemicals of concern found in products as measured in human and environmental samples

Examples:

- BRFs in humans and the environment.
- Phallates in e.g. amniotic fluid, breast milk and urine.
- Bisphenol S is now ubiquitous in environmental samples.

For relevant references, see the case paper for CiP.

3. Failure to reduce the volume of production, use and disposal of substances of very high concern

Examples:

- Production and consumption of chemicals is projected to increase in all four UN regions according to the Global Chemicals Outlook II.
- Consumption of plastics and electronic is projected to increase exponentially according to the Global Chemicals Outlook II.
- Ill-considered substitutions.

5. Significant costs for society in the absence of action to address an IoC

Very few cost analyses with respect to health and environmental impacts are available for chemicals of relevance to the work on CiP.

- The aggregated costs to society in terms of loss of IQ, fertility issues, autism, ADHD, obesity, diabetes, some tumors and premature deaths due to exposure to a limited number of EDCs in the EU has been estimated to **Euro 160 billion**.
- The annual cost in the European Economic Area due to exposure to per- and polyfluoroalkyl substances (PFAS) is estimated to **Euro 52-84 billion**.

6. National regulations have failed to achieve sufficient improvement in the IoC

Countries still lack legislation to regulate transparency for chemicals within and outside supply chains.

Due to globalized economy, national initiatives alone are insufficient.

Studies showed the presence of banned and restricted flame retardants in toys imported to the EU, most likely from recycled plastics.

The references in question you will find in the case paper for CiP.

7. Regional regulations for addressing an loC are in place, or under development

Examples:

Because voluntary initiatives on CiP have proved insufficient, the EU is now setting up a public data base on the presence of chemicals of high concern in all products placed on the EU market (domestically produced as well as imported).

The EU is in the process of transforming its economy into a circular. Transparency about hazardous chemicals in material flows become ever more important.

8. Failure to establish an effective, transparent multi-stakeholder working platform on an IoC

Not all relevant stakeholders included in the CiP Programme Steering Group, notably the recycling sector.

Product manufacturers repeatedly refer to confidential business information, although the CiP Programme clearly states that “*information on chemicals relating to the health and safety of humans and the environment should not be regarded as confidential*”.

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Case 2: Highly Hazardous Pesticides (HHP)



The Mandate for Acting on HHPs

In 2006 the SAICM Global Plan of Action: 8. [...] “It is therefore critical for all stakeholders to take appropriate action on global priorities. These include, among others: [...] h. **Promoting alternatives in order to reduce and phase out highly toxic pesticides “**

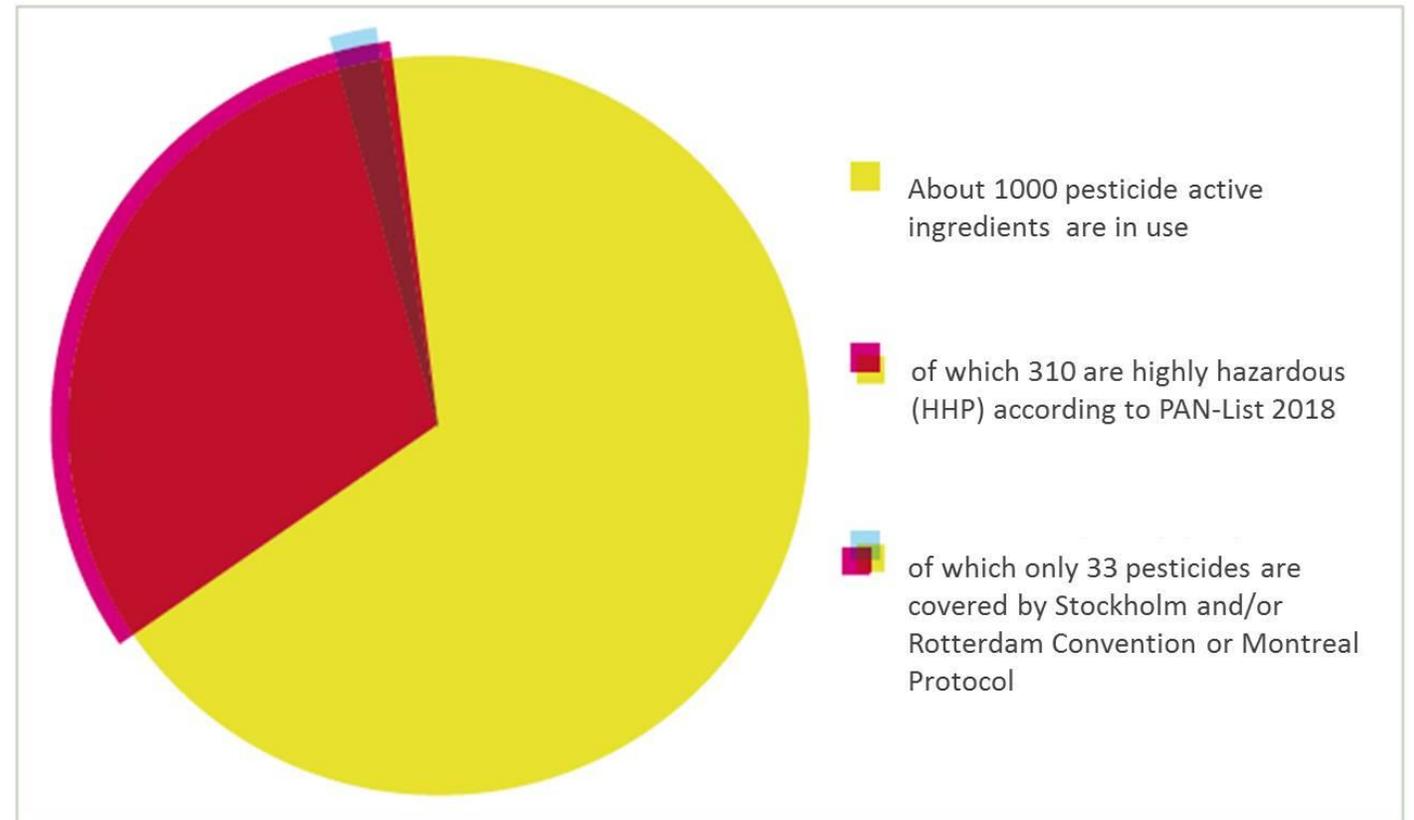
2006, the FAO Council – recognizing that certain pesticides cannot be used without harm in developing countries - proposed a progressive ban of highly hazardous pesticides

In 2014 ICCM 4 recognized HHPs as an issue of concern and called on stakeholder to implement an FAO/UNEP/WHO strategy “to address highly hazardous pesticides ... with emphasis on promoting agroecologically based alternatives”.

HHPs - Current international regulation

Less than 4% of all Pesticides
About 10% of HHPs
are covered by Conventions

Internationally recognized legally binding regulations only cover 3,3 Percent of all pesticides in use



HHPs - Current situation

Human health:

Everyday evidence of remaining unacceptable level of acute and chronic health impacts and poisoning – affecting **farmers, workers, rural communities, women & children**

Double standards in trade:

Some countries and companies are continuing to produce HHPs, and export them to developing countries even though they may be banned in their country of origin because of health and environmental reasons. E.g. Germany exporting 9 pesticides not approved in EU

Widespread violations of human rights; contamination of soils and water bodies, loss of biodiversity (bees), re-use of containers or dumping in waterways

Criterion 1. Failure to reduce acute poisoning and/or chronic effects by HHPs

Acute poisoning:

Asia: **70% of farmers & agricultural workers** suffer from pesticide poisons.

Brazil: **15,018 reported cases** of pesticide poisoning in 2018

Pesticides are responsible for **1/5 of worldwide suicides**

There is no evidence that after 14 years SAICM has resulted in any reduction of either acute poisoning or chronic impacts of pesticides

Criterion 4. Insufficient monitoring of human and environmental impacts from HHPs

Monitoring of acute and chronic impact of HHPs on health & environment is lacking.

No data on worldwide unintended pesticide poisoning by WHO since 1990 report. No indication of the extend of chronic pesticide related impact on people by WHO.

No report/data on pesticides impact on the environment by UNEP or FAO.

Good data is by WHO on suicides with pesticides. 15 million deaths since 1960

Criterion 5. Significant costs for society in the absence of action to address

For example, **exposure to organophosphate insecticides is estimated to cost the EU 146 billion Euros** through 13 million lost IQ points and 59,300 cases of intellectual disability (*IQ loss and associated intellectual disability, autism, attention-deficit hyperactivity disorder, childhood obesity, adult obesity, adult diabetes, cryptorchidism, male infertility, and mortality associated with reduced testosterone*)

Criterion 6. National regulations have failed to achieve sufficient improvement re: HHPs

National regulations on pesticides are in place in most countries, but they have failed to stop the poisoning. For example, monocrotophos:

- Banned in 112 out of 150 countries; but still killing:
- Midday meal **kills 23 school children, India - 2013**
- Implicated in deaths of **60 cotton farmers, India – 2017**

Brazil has extensive pesticide regulation but it has failed to stop the death of billions of bees and the **15,018 cases of agricultural pesticide poisoning in 2018**

EU has some of the most stringent pesticide regulation in the world but it has **failed to stop the contamination of soils and water bodies**

Criterion 8. Failure to establish an effective, transparent multi-stakeholder working platform on HHPs

There is still no working platform for HHPs established under SAICM.

Consequentially the work on HHPs has not been progressed.

Some work has been undertaken by stakeholders (NGO – GCO II) but there is no coordination, no synergy, no effort to follow the road indicated by ICCM4

Case 3: PFASs (per- and polyfluoroalkyl substances)



Why are PFASs an Issue of Concern?

- Extremely persistent – the “forever chemicals”
- Highly mobile in the environment = concern for drinking water
- Long-chain PFAAs (PFOS, PFOA) are toxic and bioaccumulate in humans
- Other PFASs (including those marketed as the “environmentally friendly alternative”) still extremely persistent and with similar toxic pathways
- 4700+ identified as on the global market
- Urgent to go beyond the Stockholm Convention and address the entire class

The Mandate for Acting on PFASs

- **Resolution II/5** from ICCM2 in 2009 on *Managing perfluorinated chemicals and the transition to safer alternatives*:

Invites the other organizations participating in the IOMC in cooperation with the OECD...together with Governments and other stakeholders to consider the development, facilitation and promotion in an open, transparent and inclusive manner of national and international stewardship programmes and regulatory approaches to reduce emissions and the content of relevant perfluorinated chemicals of concern in products *and to work toward global elimination, where appropriate and technically feasible* [emphasis added]

1. Failure to reduce acute poisoning and/or chronic effects by PFASs

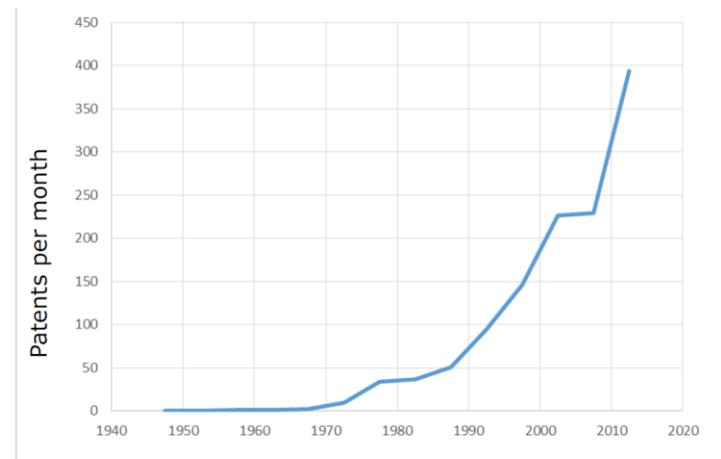
- Everyone has PFASs in their bodies
- Human health impacts from exposure to long-chain PFAAs
 - kidney and testicular cancer, liver damage,
 - increased serum cholesterol (related to hypertension),
 - increased risk of thyroid disease, obesity,
 - decreased immune response, low birth weight
- Health impacts from PFAAs found even at background exposure levels

2. Failure to reduce the levels of PFASs in human and environmental samples

- Drinking water for 6+ million US residents exceeds USEPA health advisory limits of 70 ppt for PFOS and PFOA
- Levels of long-chain PFAAs are lower than 10 years ago, but levels of other PFAS are rising
- Extensive PFAS contamination of groundwater in Australia, South America and Europe
- PFAS pollution found in Bangladesh, India, Indonesia, Japan, Malaysia, Nepal, Sri Lanka, Thailand and Vietnam

3. Failure to reduce the volume of production, use and disposal of PFASs

- 4700+ PFAS on the global market
- Quantities produced globally are unknown
- Increasing number of possible uses



Number of approved patents in US with “perfluor” in the patent text

5. Significant costs for society in the absence of action to address PFAS

- **EUR 52-84 billion** = est. annual cost of **health impacts** in the European Economic Area due to exposure to long-chain PFAs (population 522,000,000)
- **USD 37-59 billion** = equivalent annual cost of health impacts for USA (population 325,000,000)
 - Actual costs are likely to be much higher
- Liability & reputational costs to producers (Dupont - \$670 million; 3M - \$800 million; more lawsuits pending)
- Other costs: loss of natural resource, loss of property value, costs to public authorities responding to affected communities, ecological damage

Thank you for your attention!

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For the Global PFAS Science Panel