

Important aspects & key messages for a High Level Declaration (HLD)

Linking Sound Management of Chemicals and Waste (SMCW) to the United Nation's Sustainable Development Goals (SDGs)

The HLD must align chemicals and waste clusters to those of climate and biodiversity. Chemicals policy must be closely linked to the SDGs – in particular to SDG 12 on sustainable production and use and SDG 3 which calls for measures to deal with diseases derived from exposure to chemicals. Furthermore, implementing SMCW would also support SDG 13 on climate change as well as SDG 14 and 15 on biodiversity.

Emphasising Polluter Pays Principle

A worldwide SMCW has to be financed. Especially countries of the East and South must be supported in setting up effective chemicals management systems on their own. Substantial management capabilities and infrastructure are required for governments in these countries to effectively protect their residents from potential health and environmental harms during chemicals production, use and disposal.

Implementing the Polluter-Pays Principle - Financing

Consistent financing is key for the implementation of a new SAICM treaty and needs resources beyond the long-term funding of the Chemicals and Waste agenda. It is necessary to implement the polluter pays principle with a policy mechanism grounded in sound law and sound economics. Countries of the East and South need efficient support in setting up effective chemicals management systems on their own. A recent report¹ of the Centre for Environmental Law (CIEL) and the International Pollutants Elimination Network (IPEN) describes a possible mechanism based on a global tax of 0.5 % leveraged from the chemical industry for basic chemicals. This tax could replace the Responsible Care Programme largely controlled by industry. NGOs broadly support the IPEN and CIEL proposal.

Emphasising Precaution and Sustainability

SMCW must increasingly focus on the principles of precaution and sustainability. This means, in particular, focusing on persistence as a key hazard – including substances that are converted into persistent degradation products, and substances such as plastics that are released to the environment in large quantities. The most important principles of sustainable chemicals management were already described in 1993. „Ecological Design“ is the key element. Only substances should be used that are non-persistent, neither mobile nor toxic or bioaccumulating. The consumption of chemicals should be reduced by increased efficiency and by returning products into the circular economy through reuse or recycling² as well as greater sufficiency as the final goal.

¹ <https://ipen.org/documents/financing-sound-management-chemicals>

² https://www.bund.net/fileadmin/user_upload_bund/publikationen/chemie/chemie_stoffpolitik-position_engl.pdf, P. 28

Issues of Concern (IoC)

Effective action on identified IoC needs to be assured in a consistent manner. The HLD should therefore give ICCM a handle to explore the possibility to include IoCs or parts of them in the scope of existing legally binding instruments. This requires the ICCM mandate for the shifting of IoC to other areas to be part of the new SAICM treaty.

Enabling framework

On one hand, a consistent expansion and enforcement of international chemical conventions is necessary e.g. to prevent more illegal exports of hazardous waste (Basel Convention) and further reduce the burden of persistent organic pollutants (Stockholm Convention). On the other hand, the international chemicals and waste management is fragmented into numerous forums. In order to ensure a consistent approach BUND/Friends of the Earth Germany suggests to include a „long-term ambition“ for a legally binding international Chemical Framework Convention that sets globally valid principles for sustainable chemical production, waste and material flows management.

Implementing sustainable chemistry

SMCW is closely linked to resource and climate protection. Sustainable chemistry must help to significantly reduce resource use and greenhouse gas emissions. Challenges include finding suitable substances and processes for environmentally friendly mobility, climate-friendly and resource-efficient construction.

Pushing circular economy

The HLD must include a toxic-free circular economy as a key element to address chemicals relevant SDGs and for a global sustainable development in general, as exposed in the new EU Chemicals Strategy for Sustainability.³ SMCW and the circular economy must be linked. A reduction of material flows can only succeed if the waste hierarchy is systematically considered. This also means that the legal foundations of substance, product and waste law must be integrated and complement each other.

Reducing material flows

Material flows must be slowed down and reduced both regionally and globally. Above all, this means using fewer non-sustainable chemicals. This can be achieved through greater resource efficiency, recycling and sufficiency in the handling of substances and materials.

HLD process of coordination

The process for the development of the HLD should be open, transparent and inclusive for all relevant stakeholders. This is the prerequisite for a HLD with broad support.

³ https://ec.europa.eu/environment/strategy/chemicals-strategy_en