

“Principles and Approaches”

Mandate from OEWG3: Request that the Co-Chairs, with support of the SAICM Secretariat, in consultation with the Bureau, , and based on input of stakeholders, undertake further work on the “Principles and Approaches” .

Objective: To review and update as necessary the current text on “Principles and Approaches”, with specific aim to include new references as appropriate and in line with input received from stakeholders.

Proposed text

Principles and approaches¹

1. In developing and implementing the sound management of chemicals and waste, stakeholders should be guided by fundamental chemical safety principles such as inter-generational equity, precaution, prevention, substitution, polluter pays principle, public participation, right to know, liability and compensation, and:

(a) Principles and approaches in the following:

- (i) United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (2018)
- (ii) Transforming our world: the 2030 Agenda for Sustainable Development (2015);
- (iii) ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all (2015)
- (iv) The Future We Want (2012);
- (v) Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (2011);
- (vi) OECD Guidelines for Multinational Enterprises (2011)
- (vii) United Nations Declaration on the Rights of Indigenous Peoples (2007);
- (viii) Dubai Declaration on International Chemicals Management (2006)
- (ix) Johannesburg Plan of Implementation (2002)
- (x) United Nations Millennium Declaration (2000)
- (xi) Bahia Declaration on Chemical Safety (2000)
- (xii) ILO Declaration on Fundamental Principles and Rights at Work (1998)
- (xiii) Rio Declaration on Environment and Development (1992)
- (xiv) Agenda 21 (1992), in particular chapters 6, 8, 19 and 20 thereof
- (xv) Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration on the Human Environment) (1972), in particular principle 22 therein
- (xvi) International Covenant on Economic, Social and Cultural Rights (1966)
- (xvii) Universal Declaration of Human Rights (1948)

¹ The text was set out in SAICM/OEWG.3/4 - Paper by the Co-Chairs of the intersessional process on the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020. The text in black was generated from the SAICM Overarching Policy Strategy. The text in red were additions proposed by the co-chairs following consultations with stakeholders.

(b) The following agreements, where applicable:

- (i) [Minamata Convention on Mercury \(2017\)](#)
- (ii) [International Code of Conduct on Pesticide Management \(2014\)](#)
- (iii) [ILO Sectoral Conventions No. 167 Construction \(C.167\), No. 176 Mining and No. 184 Safety and Health in Agriculture \(2011\)](#)
- (iv) [ILO Occupational health and safety convention \(C.155\) and related promotional framework \(C.187\)](#)
- (v) [International Health Regulations \(2005\)](#)
- (vi) [Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade \(2004\)](#)
- (vii) [Stockholm Convention on Persistent Organic Pollutants \(2004\)](#)
- (viii) [Freedom from child labour \(ILO Conventions 138 and 182\) \(1999\)](#)
- (ix) [Freedom to form a union and to bargain collectively \(ILO Conventions 87 and 98\) \(1998\)](#)
- (x) [ILO Occupational Health Services Convention No. 161 \(1985\)](#)
- (xi) [ILO Convention No. 174 concerning the Prevention of Major Industrial Accidents \(1993\)](#)
- (xii) [ILO Convention No. 170 concerning Safety in the Use of Chemicals at Work \(1990\)](#)
- (xiii) [Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal \(1992\)](#)
- (xiv) [Montreal Protocol on Substances that Deplete the Ozone Layer \(1989\)](#)
- (xv) [ILO Asbestos Convention No. 162 \(1986\)](#)
- (xvi) [ILO Occupational Cancer Convention No. 139 \(1974\)](#)
- (xvii) [Freedom from discrimination at work \(ILO Conventions 100 and 111\) \(1958\)](#)
- (xviii) [Freedom from forced labour \(ILO Convention 29 and its protocol and additional Recommendation and C.105\) \(1957\)](#)

2. The list above includes global principles, approaches and agreements. Stakeholders should also be guided by any relevant regional principles, approaches and agreements that are applicable to their specific region or a specific issue. [These may include the Aarhus Convention, Bamako Convention, Escazú Agreement, Waigani Convention, and others.](#)

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Considerations (as identified in SAICM/OEWG.3/INF/2 - Annotations to the paper by the Co-Chairs of the intersessional process on the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020):

The starting point for this list was paragraph 20 of the Overarching Policy Strategy (OPS). The entries have been organised by date and updated with more recent agreements and declarations. The list was further developed with the consideration of new agreements coming in to force since the OPS was

agreed to in 2006. [The brief examples of fundamental chemical safety principles are described in an information document submitted by Switzerland during SAICM PrepCom 3 \(SAICM/PREPCOM.3/INF/4\).](#)

A number of views were expressed at the second meeting of the intersessional process ranging from the suggestion to create a new self-contained list of specific policy principles to guide the future approach, to having no principles listed at all and instead being guided by a strong vision with objectives and milestones.

Recognizing the importance of policy principles as well as efficiency and practicality, the co-chairs recommend referring to the principles and approaches already embodied by the above list of relevant declarations and agreements. We also recommend that this list be limited to declarations and agreements that are global in scope, specifically related to the management of chemicals and waste and agreed to at the highest levels. While this section has referenced a limited number of global agreements, principles and approaches, it is recognized that the sound management of chemicals and waste should also be informed by any future principles and approaches that are reflective of on-going innovation beyond our current thinking.

Additional Suggestions:

During the call for input made following OEWG3, many stakeholders submitted proposals for additions to the list of referenced treaties. No proposals for deletion were received. The following were suggested additions:

- Guidelines on Highly Hazardous Pesticides (2016)
- Principles of gender equality and the empowerment of women and girls articulated in the 2030 Agenda for Sustainable Development, the Beijing Declaration and Platform for Action (1995) and the Conclusions of the 60th Session of the Commission on the Status of Women (CSW 2016)
- The International Bill of Human Rights, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights
- Agenda 21 (1992), in particular chapters 6, 8, 19 and 20 thereof, and all chapters describing the roles and responsibilities of Major Groups
- Convention on the Rights of the Child (1989)
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW 1979)
- Universal Declaration of Human Rights (UDHR) (1948)
- United Nations Declaration on the Rights of Peasants
- Escazú Agreement
- Aarhus Convention
- Bamako Convention
- Waigani Convention
- ILO Declaration on Fundamental Principles and Rights at Work (1998)

- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Benzene Convention, 1971 (No. 136)
- Occupational Cancer Convention, 1974 (No. 139)
- Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)
- Occupational Safety and Health Convention, 1981 (No.155)
- Asbestos Convention, 1986 (No. 162)
- Safety and Health in Construction Convention, 1988 (No. 167)
- Chemicals Convention, 1990 (No. 170)
- Prevention of Major Industrial Accidents Convention, 1993 (No. 174)
- Safety and Health in Mines Convention, 1995 (No. 176)
- Safety and Health in Agriculture Convention, 2001 (No. 184)
- ILO List of Occupational Diseases, Recommendation, 2010 (No. 194).
- R097 - Protection of Workers' Health Recommendation, 1953 (No. 97), Section I.3-I.6 inclusive, and Section III