



## **STATEMENT BY UN EXPERTS ON THE FIFTH SESSION OF THE INTERNATIONAL CONFERENCE ON CHEMICALS MANAGEMENT**

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The serious adverse impacts of the unsound management of chemicals and wastes are fueling an unprecedented global toxic emergency. The threats of infertility, deadly illnesses, neurological and other disabilities, among others, reveal the widespread and systematic denial of basic human rights for countless persons and groups in vulnerable situations, among them people living in poverty, women, children, indigenous peoples, people of African descent, workers, internally displaced persons, migrants, and minorities. Humanity cannot afford to further aggravate the toxification of the planet.

The fifth session of the International Conference on Chemicals Management (ICCM-5) is expected to be a watershed moment for international cooperation on chemicals and wastes. It is a one-in-a-generation opportunity to deliver a robust outcome to confront the global toxic tide. We, the UN human rights experts, call on ICCM-5 to be guided by human rights principles in the design of the post-2020 global policy framework on the sound management of chemicals and wastes.

There are more than 160 million chemicals known to humans; at least 60,000 of which are used in commercial activities. The 2002 Johannesburg World Summit on Sustainable Development set out the global 2020 goal on the sound management of chemicals. It aimed to “achieve the sound management of chemicals throughout their life-cycle so 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.” Yet, the international community has failed to achieve this objective. The need for the sound management of hazardous substances and waste remains ever pressing.

Guided by the global 2020 goal, ICCM-1 adopted the Strategic Approach to International Chemicals Management (SAICM) in 2006. SAICM is unique in its set-up as a multi-sectoral global policy framework and has delivered notable achievements.

SAICM created space for multistakeholder processes at the international and national levels. It empowered NGOs and civil society organizations to engage with national

authorities on chemical issues, particularly under the umbrella of “Emerging Policy Issues.” Though often undermined by lack of funding, Emerging Policy Issues under SAICM drove important awareness-raising, such as in respect of endocrine disrupting chemicals, as well as capacity-building efforts and the development of well drafted workplans. For example, SAICM inspired the creation of a Global Alliance to eliminate Lead in Paint. By 2019, the Alliance achieved its 2015 goal of instituting regulations in over 70 countries to control lead in paint.

Despite achievements, much more needs to be done to tackle and reverse the toxification of the planet. A robust post-2020 framework must be grounded in human rights. This includes articulating a vision in a high-level declaration that reflects common ground and is based on human rights principles. In that regard, the post-2020 framework should not regress from the 2006 Dubai Declaration, where States committed to protecting basic human rights and fundamental freedoms. The post-2020 framework should explicitly incorporate the recently recognized right to a clean, healthy, and sustainable environment.

While a vision grounded on human rights is critical, is not by itself sufficient. The design of the post-2020 framework should reflect a human rights-based approach. Key elements include: ensuring non-discrimination; preventing exposure to hazardous substances and wastes and not just minimizing adverse effects; undertaking human rights due diligence; promoting meaningful participation in decision-making processes on toxics; securing access to information on chemicals and wastes, including in consumer products; ensuring access to effective remedies; and implementing special measures to protect those most vulnerable in society and their livelihoods.

A rights-based approach also calls for reaffirming the basic human rights established in international human rights standards and norms. In order to secure human rights, the post-2020 framework should reinforce the centrality of the principles of prevention and precaution. It should also render attention not only to national implementation but also to the strengthening of international standards and norms to address issues of concern. Critically, the framework must also put an end to the abhorrent practices of double-standards, such as the export of highly hazardous pesticides that have been banned in their country of origin.

The post-2020 framework should raise the alarm on the global toxics emergency and give an accurate reflection of the potential harm of chemicals, rather than propagating a false narrative that more chemicals are always better for society. Information on chemicals, including on their hazards, releases, use in consumer products, and impacts on human

health and the environment, should be accessible and comprehensible to consumers and the public.

Moreover, the post-2020 framework must be clear and specific in articulating the responsibilities of the chemical, petrochemical, and waste management industries, including in regard to the “polluter pays” principle and implementation of the United Nations Guiding Principles on Business and Human Rights. Access to financing has been a major challenge for the sound management of chemicals and wastes worldwide, and the costs of eliminating toxic pollution generated by industry should not be borne by the public.

Lastly, accountability should be articulated as a keystone human rights principle in the post-2020 framework. Where there are no consequences to the failure in meeting targets, confidence in international policy making simply erodes. Where there is no accountability, the effectiveness of the framework begins to be called into question. In this regard, the Universal Periodic Review of the UN Human Rights Council can offer insights on accountability mechanisms and design.

For ICCM-5 to deliver the ambition and strength needed to overcome the global toxic emergency facing humanity, it needs to explicitly embrace a human rights-based approach.

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