

Comments prepared in consultation with:

Health and Environment Justice Support (HEJSupport)  
Swedish Society for Nature Conservation (SSNC)  
Pesticide Action Network (PAN International)  
Pestizid Aktions-Netzwerk e.V. (PAN Germany)  
PAN Aotearoa New Zealand  
PAN North America  
PAN UK  
Canadian Environmental Law Association  
groundWork South Africa  
RightOnCanada  
Women Engage for a Common Future (WECF)  
Armenian Women for Health and Healthy Environment (AWHHE)  
Toxisphera, Brazil  
Commonweal  
BUND/Friends of the Earth, Germany  
German NGO Forum on Environment and Development  
Eco-Accord, Russia  
Chemical Safety Agency, Ukraine  
Greenwomen, Kazakhstan

## **Structure and first draft content of a High-level Declaration for addressing Chemical and Waste pollution**

### **Introductory/overarching statement**

We, the political leaders, representatives of civil society, the private sector and international organisations participating in the United Nations International Conference on Chemicals Management in Bonn on the 5-9 July 2021 have come together today to send a united and urgent signal for increased global ambition and accelerated action to deal with the serious and immediate threats to the environment and human health posed by chemical and waste pollution. In agreeing to this new and inspiring beyond 2020 framework, our challenge has been set and we must rise to it with alacrity to protect our future.

The science clearly shows the cross-cutting nature of chemicals and waste and their effects on human health and the environment that results in pollution, loss of biodiversity, land and ocean degradation, resource depletion and climate change. This in turn causes irreversible harm to our survival leading to poverty aggravation and inequalities as well as hunger and malnutrition. ~~[NGO Group1]—that adverse affects of chemicals and waste impacts on human health as well as pollution, biodiversity loss, land and ocean degradation, resource depletion and climate change are causing irreversible harm to our survival and aggravating poverty and inequalities as well as hunger and malnutrition.~~ Unless halted and reversed with immediate effect our activities will cause significant damage to global economic, social and political resilience and stability, and the ability of future generations to survive, and will

render achieving international targets including the Sustainable Development Goals impossible.

We acknowledge the progress and the valuable information already generated through the Strategic Approach to International Chemicals Management, particularly on the issues of concern, whilst recognizing that our efforts have not been enough and that we have failed to reach our global goal. [NGO Group2] Together, our lauded multi-stakeholder and multisectoral community has the joint and combined responsibility to lead, contribute and collaborate to make sure that chemicals and waste are produced, used and controlled to the highest standards and in the safest way possible.

### Advances and gaps

The projected doubling of the global chemical industry ~~with its cutting-edge creativity~~ will continue to provide society with benefits **and challenges**. ~~Chemicals are the building blocks of resource efficient technologies, materials and products and help us manage global disease threats such as Covid-19.~~ [NGO Group3] ~~These advancements, however,~~ **Advancements** must not come at an irremediable cost nor result in a tipping point from which planetary and human health in some cases cannot recover. **This inter alia includes the widespread use of highly hazardous pesticides and the growing number of unintended occupational pesticide poisoning, and the broad presence of toxic chemicals in consumer products, including products for children and pregnant women. These and many other examples of the consequences of unsound management of chemicals call for the precautionary principle, as well as the need for considerably increased efforts to manage chemicals better.** Hazardous chemicals must be systematically phased out or restricted in material flows, so that we unlock the potential to handle the materials in a safe and resource efficient way throughout their life ~~cycles~~[NGO Group4]. The innovative capacity of the chemicals industry ~~and our world class academics~~ to provide safe and sustainable chemicals, **where chemicals are necessary**, is vital to offer new solutions and support both the green and the digital transformations of our economy and society. **Traditional knowledge, including innovative non-chemical approach in agriculture through agroecological solutions, as well as restrictions and bans of hazardous chemicals and their substitution with safer alternatives, including non-chemical alternatives should become the priority for action.** Business as usual is not an option.

We are concerned by the unacceptable and widening gap between the high and low to middle income countries and their capacity to detect and analyze hazardous chemicals, protect the rights of workers, women, children and indigenous peoples through managing chemicals and waste safely. Improving access to knowledge, science and technology is essential to protect all populations and understand the gender dimensions of chemical use and exposure. **Insufficient legislation on chemicals and waste and its poor enforcement, and the absence of harmonised standards for chemicals of global concern which are not covered by existing multi-lateral agreements inevitably lead to pollution and irreversible damage to people's health and the environment.** Where the scientific evidence is uncertain but the potential environmental or health risk is high, we must ~~not shy away from taking~~ **take** immediate and decisive action. **These actions inter alia include law enforcement to ensure that environmental crimes will not go unpunished.** Clamping down on the illegal traffic of hazardous substances and waste is also a priority on which we must work together to strengthen laws, judicial mechanisms and the capacity of customs administration and national authorities to enforce the law in exporting, transit, and recipient countries.

## Commitments/Actions

This Declaration is **developed in** recognition of **the crises** [NGO Group5] we face and the role that chemicals and waste pollution plays in this planetary emergency. We will undertake focused action both immediately and over the next ten years, **and into the future**, to protect our planet and human health:

1. We will implement the transformational Beyond 2020 framework fully, addressing the lack of national legal chemicals and waste frameworks **and enforcement** urgently and re-doubling efforts to deliver on the suite of ambitious targets through mainstreaming the strategic objectives into national development plans and budgets.
2. We pledge to raise the visibility and communicate widely the opportunities that **businesses producing and using** chemicals and **those dealing with** waste afford to providing solutions to environmental threats, creating an environment in which companies can thrive to develop safer alternatives and innovative practices whilst moving rapidly from the production and use of harmful chemicals.
3. **We will act for global harmonisation of the highest standards for health and environment for chemicals of global concern that are not covered by existing multi-lateral agreements, which will help to strengthen protection of human health and the environment, as well as facilitate international trade in the globalised economy.**
4. **We pledge to** ~~whilst acting~~ harshly **against** those that commit chemical and waste crime.
5. We will strengthen the regulatory coherence and synergies between the chemicals and waste and other multilateral agreements, standards and activities in health, agriculture, labour as well as biodiversity, oceans, ~~and~~ climate change, **and human rights** to address the ~~inter-related~~interrelated and interdependent challenges and accelerate action.
6. We commit to the equal and effective participation of all sectors of civil society, particularly women and vulnerable populations in decision-making on chemicals **and waste** policy and management to minimize and prevent the adverse effects and risks from hazardous chemicals and waste pollution on human health and the environment.
7. We will take strong and collaborative action to prevent ~~and control~~ the illegal traffic in hazardous substances and waste **by enforcing legislation and control**, deploying the best technology in support of enforcing national and international laws, developing capacity at the borders, ~~and~~ **raising public awareness about health and environmental risks of illegal traffic.**
8. We will promote green and sustainable chemistry **and non-chemical alternatives** equally **in combination with efficient regulatory actions (bans and restrictions) against hazardous chemicals in material flows**, and thereby develop effective, safe and more environmentally benign products and processes, **including** ~~and~~ **generating** safe and

sustainable secondary raw materials in a resource efficient **circular** economy, ~~including when nonchemical alternatives might be the best option.~~

9. We call on the academic community and multidisciplinary experts to **systematically** assist us through their institutions and societies by providing independent evidence on the most pressing global issues, including solutions for these challenges, through their profound knowledge, expertise and assessments to allow us to target our resources effectively.
10. By integrating the principles of green and sustainable chemistry **and non-chemical alternatives** in education, research and innovation policies and programmes, we will encourage companies to mainstream sustainable product design based on innovation and address hazardous substances in products at **design**, production, ~~through~~ use, **recycling, recovery**, and ~~to disposal / across the lifecycle.~~
11. We will establish strengthened science-policy interfaces at all levels and support an independent platform to promote science-based local, national, regional and global action beyond 2020 and help to close the existing gaps and provide a sound evidence base.
12. We renew our commitment that the lack of full scientific certainty shall not be used as a reason for postponing cost-effective **and environmentally safe** measures to prevent environmental degradation **and ensure the precautionary principle is applied.**
13. We ~~making~~ all efforts **to ensure** that chemicals are **produced, used, recycled, recovered**, and disposed of ~~and produced~~ in ways that **cause no to negligible** adverse effects on human health **and the environment.**
14. We will promote gender mainstreaming as a component of all policies, strategies and plans for the safe and sustainable management of chemicals and wastes, taking into account gender differences in exposure to hazardous chemicals and their effects on health **and the need to generate gender disaggregated data.**
15. **We stress the responsibility of industry to make data and information on health and environmental effects of chemicals available to stakeholders. We will facilitate public access to information and knowledge on chemicals throughout their life cycle, including the risks that they pose to human health and the environment. Information on chemicals relating to the health and safety of humans and the environment should not be regarded as confidential, fully implementing the right to know.**
16. We will strengthen all financial and non-financial means of implementation to transform our approach to resourcing in recognition of the need to strengthen the capacities of low to middle income countries and close the gap by:
  - a. Incentivizing the financial system, nationally and internationally including banks, funds, co-operations, investors and financial mechanisms to align

financial flows to environmental commitments and the Sustainable Development Goals, to take into the account the value of promoting green and sustainable chemical solutions and **non-chemical safer**-alternatives.

- b. Enhancing the mobilization of resources from all sources, public and private, in line with the Integrated Approach to financing with its mutually reinforcing pillars and commit to make all efforts to increase funding for the chemicals and waste activities as part of the replenishment of the Global Environment Facility (GEF) and the extension of the Special Programme.
- c. [Fees/Polluter pays principle/internalization of costs await outcome of finance group] **Ensuring that manufacturers of chemicals significantly contribute towards providing the sufficient, predictable, sustainable and accessible financial resources to enable the effective implementation of SAICM activities informed by the internalization of the environmental costs of their pollution (Principle 16 of the UN Rio Declaration of 1992 (A/CONF.151/26(Vol.I)), the extended producer responsibility and polluter pays principles, and in line with the UNEP's Integrated approach to the sustainable financing of sound management of chemicals and waste of 2013**

**17. Finally, we call on the entire United Nations system to make this Beyond 2020 framework central to their policies and programmes wherever it involves chemicals and/or waste.**

### **Strengthened collaboration and contribution**

We must strengthen the coordination between sectors and stakeholders, **including harmonization of highest standards for health and environment for chemicals of concern**, and start working more urgently with downstream users through an inclusive and participatory approach to achieve the transformational success required to respond to these planetary threats. We will enhance and evolve the coordination and cooperation between this new framework and our Multilateral Environment Agreements, international health regulations, relevant labour and other standards reaching out beyond our traditional alliances to mobilise all actors and levers in support of our ambition.

We will **in a fully transparent and accountable way** broaden the partnerships between Governments, the private sector, civil society and intergovernmental organisations both within and outside of the chemicals and waste community to reflect the synergies between a broad community of stakeholders, **and create a spirit of solidarity, aiming for a more effective and rapid reduction in adverse impacts from chemicals and waste.** As we move beyond 2020, new partnerships should focus on the needs of the poorest and most vulnerable and be transparent **and accountable**, have dedicated tasks and clear and measurable goals involving and fostering ownership amongst all relevant sectors and stakeholders.

In endorsing this Declaration, we promise to take meaningful action together and be mutually accountable for our deeds.

