



## Opinion of NGOs in the EU SAICM Beyond 2020

15th of February 2019

The mandate of SAICM will end in 2020. We have now an opportunity to develop an ambitious international framework to prevent and eliminate adverse impacts on the health of people and the environment, across the lifecycle of chemicals and wastes. It is important to preserve the multi-stakeholder and multi-sectorial character of SAICM while making sure that it contains the possibility to include legally binding obligations, together with national measures for meeting those obligations. Consideration should be given to a legally binding overarching global framework for the sound management of chemicals.

Sound policy and governance mechanisms are key for a “future SAICM” and should include the following elements:

**The precautionary principle, prevention and elimination of harmful chemicals should be given priority in a future framework.** There must be a clear statement to give priority to safe non-chemical methods and alternatives, including agroecology and ecosystem-based approaches to agriculture, and safe substitutions. A clear hierarchy should establish prevention and elimination before minimization, based on the core principles, such as the precautionary principle, the polluter pays principle, and a reversal of the burden of proof.

**National action plans should be mandatory** for each SAICM member state, should address the 11 core elements in the SAICM Overall Guidance and Orientation Document and include SMART (Specific, Measurable, Accountable, Relevant and Time Bound) goals against which progress on implementation should be reported and should be funded for developing and transition countries. Civil Society Organisations (CSOs) have demonstrated their effective contribution to the development and implementation of NAPs in the past. To ensure meaningful participation of CSOs, it is important to include sections with clear descriptions of the CSO role in the activities. CSOs would then become formal partners in the NAP implementation.

**Strong reporting and evaluation mechanisms should be mandatory** to enhance implementation and assess the effectiveness of the measures. Defined activities and targets should be SMART and time bound.

The governance structure should include the **possibility to establish new legally binding elements**. One example of a necessary legally binding element would be a ban on highly hazardous pesticides (HHPs) and replacing pesticides with agroecological practices, as recommended by ICCM4. A recent [consultant report by Milieu](#) offers useful advice for a hybrid model, with voluntary and legally binding elements for the successor to SAICM.

If multi-stakeholder partnerships are established, **strong guidelines for such partnerships** must be implemented to avoid green washing and unequal distribution of power, noting that partnerships should be inclusive, transparent, serve the implementation of internationally agreed goals, be coherent with national law and priorities, as well as respect international law and progressive standards and approaches.

**A mechanism is needed to further include issues of concern** in the Targets/Milestones/Activity plan.

A circular economy is an important tool and strategy in the work for realising a number of targets to the sustainable development goals. The EU works towards a clean circular economy by developing measures for an effective chemicals and waste interface. Therefore, it is vital to think and work on chemicals and all waste together, especially at the international level, as they are highly intertwined, e.g. by the Basel, Rotterdam and Stockholm convention (BRS COP) synergy process. **A mechanism for global regulation of harmful chemicals currently not covered by existing conventions and with global distribution patterns in multinational supply chains of materials and components for articles is needed**, in order to protect a clean circular economy globally. **Such a mechanism should include** mandatory transparency for all harmful chemicals that cannot be immediately substituted. Examples of harmful chemicals of concern that should be regulated in supply chains are the Substances of Very High Concern.

**A financial mechanism** would be necessary to support the new SAICM. Using existing mechanisms such as the GEF, the Special Programme, as well as new mechanisms, including bilateral and multilateral partnerships, development assistance, donor countries support will help develop an independent sustainable funding mechanism for sound chemicals and waste management that includes the promotion of non-chemical alternatives. The polluter-pays principle should hold those who caused the damage responsible. The key to securing funding for chemical safety is the internalization of cost within relevant producer industries. A new sustainable financial mechanism should ensure that funding is provided to all eligible stakeholders, including the civil society groups and academia.

Furthermore, a **mainstreaming of sound chemical and waste management topics into the developmental sector** could generate financial resources. In the financial distribution of those resources, support for developing and transition countries must be at the top of the agenda.

**A future SAICM must be based on the common chemicals principles.** Most of them are already mentioned in the co-chairs paper. However, human rights, women's rights, peasants' rights, Indigenous peoples' rights and labour rights are still missing. These are internationally agreed principles that must be included at a minimum. Regional agreements like the Aarhus Convention, Bamako Convention and others should be included.

**Signatures:**

BUND e. V., CHEMTrust, The Danish Ecological Council, DNR, EEB, ECOS, German Forum on Environment & Development, Global2000, PAN Germany, PAN Europe, SSNC, WECF International.

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**Further information:**

*NGO comments on EU paper on future of SAICM:* <https://www.forumue.de/saicm-joint-comment-on-the-eu-ms-input-from-the-30th-of-july-2018/>

*Milieu Report:* [https://www.naturskyddsforeningen.se/sites/default/files/dokument-media/report\\_on\\_legally\\_binding\\_elements.pdf](https://www.naturskyddsforeningen.se/sites/default/files/dokument-media/report_on_legally_binding_elements.pdf)