

Chemicals and Waste Issues of Concern

A summary analysis of stakeholders'
views on priorities for further
work and potential further
international action

EXECUTIVE SUMMARY



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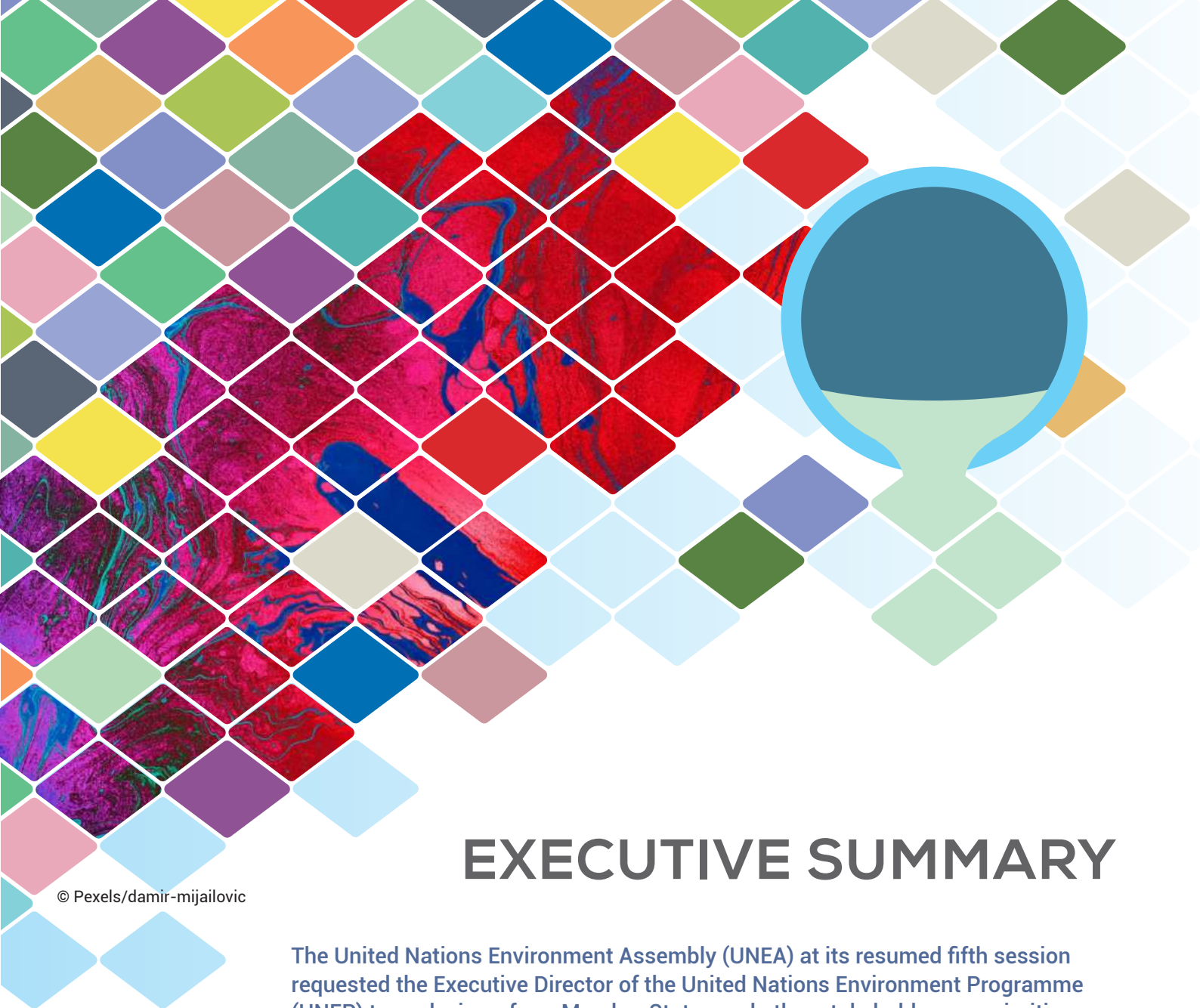
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The United Nations Environment Assembly (UNEA) at its resumed fifth session requested the Executive Director of the United Nations Environment Programme (UNEP) to seek views from Member States and other stakeholders on priorities for further work, building on existing measures and initiatives, and on potential further international action on the 19 issues discussed in the “Assessment Report on Issues of Concern: Chemicals and Waste Issues Posing Risks to Human Health and the Environment” (UNEP 2020). UNEA also requested a summary analysis of the views received for consideration by the Assembly and other international bodies, including the International Conference on Chemicals Management (ICCM).

In response, UNEP conducted a consultation process to gather views from Member States and other stakeholders (hereafter jointly referred to as “stakeholders”). This included a call for written inputs and a global consultation meeting, during which close to 200 participants exchanged views.¹

The summary analysis of the contributions to this consultation is set out in the following report. A detailed summary for each issue is presented in the annex, which contains valuable information from stakeholders that may be helpful in discussions on further action.

¹ UNEP received 71 written responses by 25 August 2023, reflecting the views of stakeholders from governments, intergovernmental organizations, civil society, the private sector, and academia. All written contributions received can be found in full on the UNEP website (UNEP 2023).

General considerations from stakeholders across the issues of concern

Stakeholders shared many cross-cutting insights of relevance to the 19 issues of concern, and more broadly to the sound management of hazardous chemicals and waste:

1. The majority of stakeholders indicated that international action is needed to address each of the 19 issues of concern. They stressed the harmful impacts of hazardous chemicals and waste on human health and the environment and emphasized the critical links between the health of ecosystems and human well-being.
2. Stakeholders cited a series of principles and approaches that may guide UNEA in considering further action, including the 'polluter pays' principle, the precautionary approach, the environmental democracy principle, the principle of Common but Differentiated Responsibilities, as well as extended producer responsibility for pollution. Stakeholders emphasized the disproportionate impacts of hazardous chemicals and chemical pollution on at-risk populations, including: women, infants and children; the elderly; people with certain medical conditions; people who are socioeconomically disadvantaged; and workers, including in the informal sector.
3. Transparency and access to information need to be enhanced throughout the life cycles of chemicals and products, particularly with regard to chemicals in products, allowing informed decisions by policymakers, businesses, and consumers, as well as adequate regulatory responses.
4. Education, awareness-raising, and knowledge-sharing are critical, as many of the risks posed by chemicals are poorly communicated.
5. Solutions should be holistic. Many stakeholders emphasized that instead of dealing with substances one by one, future work should facilitate faster and broader responses to risks, through so-called "grouping approaches". It is also essential to break down silos among issues, address interconnected agendas, and engage all relevant sectors and actors throughout the life cycles of chemicals and products. Stakeholders identified a range of possible connections with other international agendas, as well as gaps where there is currently no international body with a mandate for action.

STAKEHOLDER'S VIEWS ON POSSIBLE CONCRETE ACTIONS ON THE ISSUES OF CONCERN

The 19 issues were put into groups in order to facilitate their consideration during the consultation process. They could be organized differently in future discussions regarding these issues.

1. Metals and Metalloids

This group comprises arsenic, cadmium, lead, lead in paint (discussed as a distinct issue, as it was identified as an issue of concern by ICCM2 in 2009), and organotins. Stakeholders emphasized the significant negative impacts on human health and the environment associated with exposure to these metals and metalloids. While many stakeholders said further action is urgently needed for all elements in this group, some called for prioritizing lead and cadmium.

Many stakeholders called for a legally binding instrument similar to the Minamata Convention on Mercury. Some suggested such an instrument could address all metals and metalloids covered in the Assessment Report, while others preferred to prioritize a subset. Stakeholders also highlighted the value of partnerships, noting that an initiative similar to the Global Mercury Partnership could facilitate action during the time required to develop a legally-binding instrument. Some stakeholders stressed the need to avoid duplication of work and suggested expanding the remit of, or otherwise incorporating further action into, existing instruments. Many stakeholders further emphasized the need to improve transparency related to uses and releases of metals and metalloids.

2. Pesticides

This group comprises highly hazardous pesticides (HHPs), glyphosate, and neonicotinoids. Many stakeholders supported international action on these issues, citing their impacts on human health and the environment. Others stated that the evidence of harm is less clear or disputed. Some stakeholders noted the importance of pesticides to food production, with some stating that transitioning away from widely-used, affordable, and readily-available chemicals may be economically disruptive. Stakeholders identified significant commercial interests in some of the substances covered in this group.

Many stakeholders called for improving labelling requirements, citing concerns about the health impacts of pesticides on farmworkers, among others. Some expressed concern about exports of HHPs from those high-income countries where they are banned, to lower-income countries with weaker regulatory controls.²

² Please note that Target A7 of the Global Framework on Chemicals is to phase out HHPs by 2035 “in agriculture where the risks have not been managed and where safer and affordable alternatives are available, and to promote transition to and make available those alternatives”.

3. Pharmaceuticals

A majority of respondents viewed environmentally persistent pharmaceutical pollutants as high or very high priorities for action. Many identified this issue as a rapidly-growing problem due to the increasing use of pharmaceuticals around the world, citing in particular the impacts of pharmaceuticals on the environment. Many called for a coordinated international response, with some observing that lack of visibility is a key obstacle to action. In addition, a set of concrete actions, that may be taken by various actors along the life cycle of pharmaceuticals, was identified.

4. Chemicals in products

This broad group includes the SAICM issues of concern “chemicals in products”, hazardous substances in the life cycle of electrical and electronic products (HSLEEP), classes of chemicals (endocrine-disrupting chemicals (EDCs), per- and polyfluoroalkyl substances (PFASs), microplastics, phthalates, and nanomaterials), bisphenol A (BPA) and triclosan. Many stakeholders noted that there are overlaps in these categories: for example, phthalates, BPA, PFASs, and triclosan, among others, could be addressed as part of action on EDCs.

Key challenges cited include a lack of knowledge about various products' chemical content due to poor labelling and lack of implementation of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) for chemical substances and mixtures, as well as a lack of information sharing across the life cycles of chemicals and products. Many stakeholders said children are especially at risk due to the use of certain chemicals of concern in the manufacture of toys and other products. Many stakeholders noted that the new Global Framework on Chemicals, the future Science-Policy Panel to contribute further to the sound management of chemicals and waste and to prevent pollution, and the international legally-binding instrument to address plastic pollution currently under negotiation, could play a significant role in addressing these issues. Some favoured using existing legally-binding instruments to address HSLEEP, microplastics, PFASs, and PAHs.



5. Sectors highlighted as relevant to issues of concern

A wide range of sectors were noted as particularly relevant, highlighting the need for sector-based and encompassing approaches that go beyond a chemical-by-chemical perspective.

LOOKING FORWARD: OPTIONS FOR NEXT STEPS

Stakeholders have called for new legally-binding or voluntary instruments to address certain issues of concern. UNEP provided a comprehensive but not exhaustive overview of existing instruments and actions in the Assessment Report, with examples of international actions, national legislation, and voluntary initiatives. In some cases there may be scope to endorse, promote, replicate, or scale up these efforts. In other cases, new international initiatives may be appropriate.

UNEA may wish to take into account several factors when considering the way forward, including whether to build on existing mechanisms or establish new ones; the need for capacity-building; the need for novel and holistic approaches; and the amount of time different mechanisms require to effect change (for instance, in the case of legally-binding instruments, the time taken between the negotiations, entry into force, and implementation).

In particular, the consultation highlighted the importance of holistic approaches and identified strong links with other global agendas, including biodiversity, climate change, human rights, health, labour protection, trade, and food security. There is therefore an important role for, and a need to coordinate with international forums including the International Conference on the Global Framework on Chemicals, other UN agencies, and the Basel, Rotterdam, Stockholm and Minamata conventions. The new instrument on plastic pollution and the Science-Policy Panel, both currently being negotiated, will also be very relevant. Action by UNEA, the International Conference on the Global Framework on Chemicals, and other bodies and instruments may be required to ensure that these connections are made.

The report also highlights the need for novel and better approaches. Innovative thinking will be needed about the ways chemicals and waste are managed and regulated across life cycles in different sectors. It may be necessary to consider chemicals in groups rather than one by one, and to increase engagement with and commitment from economic sectors. Factors that will be key to creating an enabling environment to successfully address the above and future issues include enhancing transparency (including through improved and standardized labelling of chemicals in products), awareness-raising, monitoring, enforcement, and leveraging finance from public and private sources.

This summary analysis report, together with the Assessment Report of the issues of concern itself, may provide a basis for the Environment Assembly to consider what further action may be necessary.

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