

BEYOND 2020: SAICM AND AGENDA 2030

Paper submitted on behalf of a coalition of CSOs involved on Sustainable Development and Chemical Safety issues in Togo

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INTRODUCTION

The significance of SAICM and the critical role that SAICM has played in ensuring that impact of chemicals on human and environment health is well documented and recognized by many particularly in the developing countries of the south. It is suffice to mention just a few of the critical achievements.

In Africa SAICM has facilitated prioritization of chemical safety issues at the national, sub regional and regional levels. Many countries have included chemical safety issues particularly in their Occupational and Safety Acts and in the National Environmental Policies and legislations. Those who already had included chemical safety in the policies and legislations used SAICM particularly the GPA to improve or review their policies and legislations.

Under its Multistakeholder doctrine SAICM also facilitated the establishment of good working between civil societies and government departments particularly ministries of environment and health.

SAICM also assisted civil societies to overcome the traditional challenge of accessing finance through the now defunct financial mechanism i.e. the QSP. This allowed CSOs to bring into the table meaningful and tangible contributions. This also promoted the good working relationship with the government.

To a certain extent SAICM assisted in harnessing resources from the chemical industry though much more resources are needed from the producers and the main beneficiaries of the trade in chemicals. Before SAICM it was extremely difficult for others to access finance from the industry.

The institutional mechanism under SAICM served as a good example to many other UN processes including the UNFCCC process, the Rio+20 process and the Post 2015 Development Framework process.

SAICM AND AGENDA 2020: KEY CONSIDERATIONS

i. The time lag

It is important to note that by 2020 the SDGs process will be 5 years old giving it a 5 years head-start. This means that the SAICM process beyond 2020 will have to catch-up for it to fit into the 2030 agenda. We need to ask ourselves what will SAICM miss in between 2015 and 2020?

By 2020 SAICM would have missed a critical phase of Agenda 2030 process since this is the period when many governments in the developing world are supposed to design their National SDGs Implementation Plans or Strategies. It is the period where nationally determined goals, targets and indicators for each of the 17 SDGs will be crafted and adopted. This period is synonymous with the lactating period of an infant: If an infant misses this period it may die or grow into an unhealthy child.

Another key question is for us to ask ourselves can this baby SAICM catch – up?

The truth is that we have lost a lot of critical period but if we are committed to the future of SAICM we can make this baby catch up. We must stop thinking of the future from 2020 but reflect back to 2015. We have 3 years remaining before we reach the year 2020; it is what we do between now and 2020 that will determine the future of SAICM beyond 2020 as we move towards 2030.

ii. The new thinking

Under current development paradigm a discussion about SAICM beyond 2020 is basically a discussion about the role or position of SAICM in Agenda 2030. Therefore the thinking must shift from the current approach of ensuring protection of human and environment health into how SAICM can contribute to sustainable development under the new development framework. As SAICM stakeholders we should think beyond sound management of chemicals and waste and look at SAICM as a tool for driving economic and social progress. We must lead the way in shaping for example how SAICM can contribute to poverty reduction, gender equality, reproductive health, access to clean and safe water, achievement of democracy and good governance, guarantee for decent work and social protection for all, etc. In principle we have to bring SAICM into life in the 17 SDGs.

This is what some of us including the trade union movement attempted to achieve during the dialogue phase through lobbying for a stand-alone goal on chemical safety.

iii. The needed critical actions

a. Gap analysis

In order to assess the gap between 2015 and 2016 countries should be requested to provide an update on national process. We need to know the status of implementation in order to evaluate the gap. The secretariat may develop a template that will provide guideline and ensure uniformity. We need to know to what extent national SDGs implementation plans have accommodated chemical safety issues. Without this baseline knowledge it will be illogical to plan for the future.

b. Operationalizing the new SAICM

SAICM implementation was based on the Global Plan of Action (GPA) hence the new SAICM will require a review of the GPA. We cannot use the old engine to run a new car! The GPA should be reviewed to reflect all the 17 SDGs as its core elements. SAICM stakeholders should design required goals, targets and indicators for all the 17 SDGs. SAICM stakeholders have the experience and expertise on this area unlike other stakeholders dealing with the SDG process. Mainstreaming of SMCW in all 17 SDGs will ensure guarantee the transformation from a SAICM that is narrowly confined to SMCW for protection of human and environment health into a SAICM that is a driver of sustainable development. The drafting of the new GPA can be trusted into the hands of the OEWG.

c. Other actions

The future of SAICM will also depend on past experience particularly on the past mistakes or persistent weaknesses.

i. The Multistakeholder approach

The success of SAICM can be largely attributed to its concept of involving every stakeholder. Unfortunately and without plausible reasons under SAICM this concept was badly damaged when a new exclusive financial mechanism was brought in to replace the QSP. The new financial mechanism excluded CSOs. This was a serious setback in the implementation of SAICM. The participation of CSOs in the implementation of SAICM has dramatically reduced to almost zero. There is a need to bring back the inclusive nature of SAICM in the financial mechanism if we need SAICM to perform under Agenda 2030 that itself calls for 'leave no one behind'.

ii. Prioritizing the needs of developing countries

There has been too much lip service to some critical chemical safety issues raised by developing countries. A good example that stands out for all to see is the problem of illegal dumping and trafficking. This challenge was prioritized by the African region and was raised in many SAICM meetings. The challenge has not received the attention that it deserves; there are no concrete programs neither adequate financing to assist Africa to overcome this terrible challenge. We need to walk the talk otherwise it will be extremely difficult for SAICM to play a meaningful role inside agenda 2030. Agenda 2030 present more challenges in terms of diversity and intensity.

iii. Making the industry more accountable and responsible

The chemical industry has played some role in the SAICM process that need to be appreciated. However, it is evident that the industry did not live up to expectation of many stakeholders. Apart from in-house programs such as the product stewardship program and safe use program; the industry has failed to initiate programs that involve other stakeholders. For example CSOs could be of help in building awareness amongst workers, farmers and the general public but the industry has turned a blind eye on them. Its engagement with CSOs was limited to a few workshops and meetings or side events in SAICM meetings. The industry can do more; the industry has to do more if SAICM stakeholders wish to see a better SAICM under Agenda 2030.

iv. Massive public education

Workplace and community education has been one of the strong points of SAICM. However, the scrapping or sun setting of the QSP that was accessible to those who played a vital to workplace and community education and replacing it with an exclusive special programme inflicted a heavy blow on achievements made under SAICM on this area. The success of SAICM as we move towards 2030 will depend on how as SAICM stakeholders we manage to revive the important role that Civil Societies played in educating key groups such as workers, farmers, women, indigenous people, livestock keepers and the like. A special fund for public education has to be established to finance this area. The chemical industry should be requested to contribute to this fund instead of running its own in-house but questionable public education programmes.

v. An expanded SAICM Bureau

Agenda 2030 will widen the scope of expertise needed in order for SAICM to make a

meaningful contribution to the agenda. There is therefore a need for the Bureau to accommodate more people with different expertise on sustainable development issues as per the provisions of the 17 SDGs. This increase in members of the bureau must take into account equality of representation in terms of gender, UN regions, and the Agenda 21 nine major groups.

vi. Strengthening regional mechanisms

Regional groupings played an important role in the negotiation and implementation of SAICM. Regional groups played a critical role in the design and review of the current Global Plan of Action (GPA) which is the basis of many activities and programs implemented under SAICM. Many of the current decisions and emerging issues are the result of regional meetings. Unfortunately very limited funds were made available to regional groupings making it difficult for the Secretariat to facilitate the work of the regional groups. The need for regional groups will be much higher under Agenda 2030. SAICM Regional groups will be required to inform the SDGs process on a regular basis while at the same time maintaining its cardinal duty of ensuring SMCW. More financial support is therefore needed.

vii. Enhanced coordination

In many developing countries the chronic problem of non-coordination between line ministries persisted. The problem may be made more complex under Agenda 2030. Agenda 2030 require all government ministries to establish a closer coordination mechanism (institutional, policy and legal). As SAICM stakeholders we need to have a clear framework on coordination mechanisms that will be favourable to SMCW under Agenda 2030. Failure to do so will extend the weakness that has confined SAICM under one of two ministries (ministries of environment and health) only.

viii. Strengthening and maintaining an independent SAICM Secretariat

Since its establishment the SAICM Secretariat has done a wonderful job notwithstanding some various challenges. However, as we try to fit in SAICM in the 2030 Agenda we need to address certain challenges. First, as the Secretariat of a program whose foundation is based on the concept of Multistakeholder engagement the Secretariat need to be and to be seen as an independent body without any element of doubt or suspicion. Any stakeholder that needs to support the Secretariat should do so without compromising the independent nature of the Secretariat. The current placement of staff from the chemical industry inside the Secretariat compromises this requirement and should be corrected. It is our belief that the Secretariat was 'forced' to accept this kind of assistance due to financial limitation that has faced it for many years. The only way to avoid this is for SAICM partners to ensure the Secretariat is assured of adequate and timely financing particularly now that it will be handling matters related to Agenda 2030. To enable the secretariat to discharge its new role under Agenda 2030 two actions are needed: (i) recruitment of more staff (ii) establishment of regional offices particularly in regions representing developing countries.

Co-chairs' summary of the discussions during the first meeting in the intersessional process to consider the Strategic Approach and the sound management of chemicals and waste beyond 2020

As an output of the first meeting in the intersessional process to consider the Strategic Approach and the sound management of chemicals and waste beyond 2020, the co-chairs of the meeting prepared the present summary, which sets out their views of the contributions of the participants. The summary incorporates factual additions and clarifications received from participants during the initial comment period following the meeting.

Based on the co-chairs' summary a further elaborated document will be prepared over the course of 2017 to support the preparations for and discussions at the second meeting in the intersessional process. All Strategic Approach stakeholders will have the opportunity, on several occasions, to provide input for that document through an open and transparent online consultative process.

The co-chairs', with the support of the Strategic Approach secretariat, will consolidate the input received as part of the process for the development of the document.

Call for input

All Strategic Approach stakeholders are invited and encouraged to submit input and suggestions on areas and issues that they feel are not sufficiently covered in the co-chairs' summary.

The deadline for input is 7 July 2017. Input should be sent directly to the Strategic Approach secretariat at saicm.chemicals@unep.org.

Introduction

At its fourth session the International Conference on Chemicals Management, through its resolution IV/4, launched an intersessional process for providing recommendations, for consideration at its fifth session, on the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020.

Resolution IV/4 specifies that the work of the intersessional process is to be informed by the 2030 Agenda for Sustainable Development, resolution 1/5 of the United Nations Environment Assembly of the United Nations Environment Programme and the outcome document from the first session of the Environment Assembly entitled "Strengthening the sound management of chemicals and wastes in the long term".

The present summary sets out the co-chairs' views of the contributions of the participants at the first meeting in the intersessional process on the Strategic Approach and the sound management of chemicals and waste beyond 2020, which was held in Brasilia from 7 to 9 February 2017. The summary should be read in conjunction with the official report of the meeting.

While the co-chairs' summary is not intended to present a consensus view, in some areas there was a common understanding. The summary, however, is solely the product of the co-chairs and was not negotiated.

It is important to note that the discussions at the first meeting in the intersessional process and the Co-Chairs' summary of the meeting are not intended to limit any additional ideas and views to be considered in further discussions on the sound management of chemicals and waste beyond 2020.

The Co-Chairs' summary will be submitted to all Strategic Approach stakeholders for further input and comments so that it may further inform the discussions during the intersessional process on the Strategic Approach and the sound management of chemicals and waste beyond 2020.

Why a future platform for sound management of chemicals and waste beyond 2020?

The present section describes why a future platform for the sound management of chemicals and waste beyond 2020 is being considered. Among other things, that subject encompasses the vision for such a future platform.

Vision

- A future platform for the sound management of chemicals and waste beyond 2020 should be built on the vision set out in resolution 1/5 of the United Nations Environment Assembly and referred to in resolution IV/4 of the International Conference on Chemicals Management, namely, “to achieve the sound management of chemicals throughout their life cycle and of hazardous wastes in ways that lead to the prevention or minimization of significant adverse effects on human health and the environment, as an essential contribution to the three dimensions of sustainable development.”¹
- It is essential to enhance political awareness and commitment, at the highest levels, in order to achieve this vision.
- Furthermore, the following elements may be considered:
 - The vision should take into account the Strategic Approach Overall Policy Strategy and the Overall Orientation and Guidance for achieving the 2020 goal of sound management of chemicals, including the 11 basic elements
 - All stakeholders need to prioritize efforts to ensure that the 11 basic elements of the sound management of chemicals, as set out in the Overall Orientation and Guidance, exist in all countries.
 - The vision may be timeless (not limited to 2030) and aspirational and linked to measurable objectives and practical targeted actions, including qualitative and quantitative elements.
 - The vision should take into account the 2030 Agenda for Sustainable Development in its entirety and in particular goals 3, 6 and 12, recognizing that the sound management of chemicals and waste is an essential prerequisite for sustainable development while respecting the integrated nature of the Sustainable Development Goals.
- The greatest opportunities to foster change and to have impact.
 - The vision should be complementary to and foster coordination with the work of other multilateral environmental agreements or frameworks, whether legally binding or voluntary, while avoiding duplication and overlap and should promote policy coherence at all relevant levels.
 - Momentum should build upon strengthening the linkages of chemicals to policy areas of high priority such as climate change and gender, among others.

What could a future platform for sound management of chemicals and waste beyond 2020 cover?

The present section describes the possible scope of a future platform for the sound management of chemicals and waste beyond 2020, i.e., what it could cover. Making progress on the scope of the future platform is a priority for the second meeting of the intersessional process.

In considering scope, the following elements may be considered:

Scope

- The scope should consider the 11 basic elements and 6 core activity areas set out in the Overall Orientation and Guidance, as well as the World Health Organization’s health sector roadmap, as a practical way to reflect on scope beyond 2020. A roadmap for chemicals and waste could be considered.

¹ Report of the United Nations Environment Assembly of the United Nations Environment Programme on the work of its first session (A/69/25), annex I, resolution 1/5, para. 7.

- The scope should include and address the elements on strengthening the sound management of chemicals and waste in the long-term incorporated in Environment Assembly resolution 1/5.
- The scope of a platform for the sound management of chemicals and waste beyond 2020 could be broader than the current Strategic Approach, including waste, sectors and prevention.
- The basics of chemicals and waste management systems must remain a priority in those countries - largely in the developing world - that still face basic regulatory challenges, while the question of how to be responsive to emerging issues of concern must also be considered.
- There are several Sustainable Development Goals to which clear connections can be made and for which measurable objectives and milestones and supplementary indicators could be developed in support of the 2030 Agenda.
- At the global, regional and national levels, scope could take into consideration, inter alia, linkages to prevention policies; new emerging issues; climate change; a broadened health agenda; institutional strengthening; the life cycle approach; the potential contribution of sustainable chemistry; sustainability; gender; and vulnerable populations, in particular indigenous peoples, women, children and, through them, future generations.
- **workers** Collaborative actions should be fostered on new and emerging issues, in particular issues not currently covered under existing policy frameworks and agreements.
- The Aichi Biodiversity Targets were referred to as a potential model approach.
- Work should be based on relevant scientific data and information and consider key elements of chemicals management systems.
- At the meeting there was no discussion regarding what type of waste issues should be considered in the beyond 2020 context.

How could a platform for the sound management of chemicals and waste beyond 2020 be realized?

The present section describes how a future platform for the sound management of chemicals and waste could be realized. It encompasses governance, new and emerging issues, the science-policy interface, financing, sustainable and green chemistry and national implementation.

The how will be informed by the independent evaluation of the Strategic Approach and should focus on gaps in reaching the 2020 goal.

Drawing on the 2030 Agenda for Sustainable Development, linkages should be made to other agendas such as biodiversity, oceans and climate change, food and agriculture, health, gender and labour.

In considering the how, the following elements should be taken into account:

Governance

- **Note 1** The voluntary, flexible, multi-sectoral and multi-stakeholder approach that has been integral to the nature of the Strategic Approach should continue. Voluntary standards, common objectives of protection and codes of practice, to which relevant stakeholders may voluntarily commit for some issues, should also be considered.
- Some participants advocated the exploration of more elements, as well as potential elements, that would be legally binding. Potential legally binding elements could also be explored.
- Functionally, the design should promote broader participation in general and encourage wider sectoral participation at all levels (national, regional and global), along with a targeted approach, as an essential means of promoting impact, involvement, ownership and commitment.
- There is a need to increase industry engagement by, for example, promoting partnership approaches in the future platform and by including the waste and downstream sectors.
- Partnerships should focus on public needs and be in line with agreed principles and values. They should be transparent and accountable; ensure multi-stakeholder involvement; provide added value; and complement rather than substitute commitments made by Governments.

- The future platform needs to link sectors and promote synergies, fill gaps and coordinate with decision-making bodies of the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) and other relevant agencies and organizations. This could include augmenting the current stakeholder-based arrangements for the International Conference on Chemicals Management (i.e. Governments, non-governmental organizations and intergovernmental organizations) so that sectors (e.g. agriculture, environment, health and labour) can play a more formal role. There are opportunities to link sectors in implementing the 2030 Agenda for Sustainable Development.
- Measuring progress, including through objectives and milestones, and supplementary indicators, in addition to the Sustainable Development Goal targets and indicators, as well as related plans of action, including at the national level, should be considered. The 11 basic elements and six core activity areas set out in the Overall Orientation and Guidance are a useful starting point.
- Measurable objectives, as noted in paragraph 10 of resolution IV/4, should be considered, including with regard to means of implementation in order to ensure effectiveness.
- Clear milestones would support the capacity to evaluate progress and would ensure transparency.

New and emerging issues/Issues of concern

- Ensure an information and knowledge base on chemicals and waste, including early warning systems, that can inform work on new and emerging issues.
- Focus on scientific and technical capacity-building facing new and emerging issues that require global action on specific chemicals and groups of chemicals, taking into account various needs at the regional level.
- Maintain the basics of chemicals management systems as a priority in those countries - largely in the developing world - that still face basic regulatory challenges, while also considering how to be responsive to issues of concern.
- Build on existing efforts by stakeholders and sectors and focus on prevention and minimization.
- Develop a concept for a process of nomination, prioritization and evaluation that is robust and relevant. Future activities on emerging issues should be focused where there is added value.
- Monitor already identified emerging issues.
- Reflection on and consider the implementation of a life cycle approach.
- Give priority to the identification of hazardous chemicals in products and throughout their life cycles.
- Actions should be categorized to facilitate work planning, for example regarding:
 - Areas where scientific information exists and there is a need to increase the knowledge base.
 - New emerging issues about which there is a need to promote understanding and awareness.
 - Development of national or regional chemicals and waste management systems, including the refinement of existing systems.
 - Issues that need global or coordinated action.

Science-policy interface

- Explore how to strengthen the link between science, public health and policy in global chemicals and waste governance.
- Recognize the existing mechanisms for provision of science advice on chemicals and waste by intergovernmental and international bodies such as UNEP, WHO and the chemicals and wastes conventions secretariats.

- Consider the social interface and the full range of scientific and public health disciplines.
- Explore approaches on the use of science to inform policy-making and action, including existing mechanisms in other clusters such as climate change and biodiversity.
- There were also comments regarding the need to focus on scientific capacity-building and caution about diverting resources from implementation.

Financing

- The integrated approach to financing of the sound management of chemicals and waste is composed of mainstreaming, enhanced industry involvement and dedicated external financing (UNEP/GC 27/12 and resolution 1/5). The implementation of the integrated approach is essential for financing the sound management of chemicals and waste in the long term.
- Provide sustainable, adequate, comprehensive and predictable financing in the long term with an emphasis on the role of developed countries.
- A broader range of contributions that are predictable, sustainable and adequate should be considered.
- Mainstream in national budgets and sectoral policies.
- Provide effective capacity-building in relevant areas and focus on the importance of building and strengthening institutional capacity and the need to engage industry in solutions.
- Broaden the donor base for the sound management of chemicals and waste, including by exploring untapped resources linked to the 2030 Agenda for Sustainable Development.

Note 2*

- Build on existing funding structures at all levels, including lessons learned from existing funding mechanisms.
- Promote enhanced funding for the sound management of chemicals and waste under the Global Environment Facility trust fund, the Green Climate Fund and others with access for all eligible countries and relevant stakeholders in accordance with applicable rules.

Sustainable and green chemistry

- There was some debate concerning the definition of sustainable versus green chemistry. There was agreement, however, that there were useful aspects of these concepts that should be followed up at the next intersessional process meeting.

National implementation

- National action plans were mentioned as a possible tool for addressing the sound management of chemicals and waste, focusing in particular on building in-country capacity for basic chemicals and waste management with the support of international cooperation.
- Additional elements such as institutional strengthening and information sharing were highlighted for making progress at the national level.

Next steps following the current stakeholder comment period

1. From July to September 2017, the co-chairs will further develop the work, incorporating the input received.
2. The next document will be posted on the Strategic Approach website for further stakeholder comment during October and November 2017.
3. The co-chairs will produce a final document in December 2017 that will be made available for discussion during regional meetings held in January and February 2018 in preparation for the second meeting in the intersessional process scheduled for March 2018.

Note 1: Tough volunteerism is one of the principles of SAICM we have observed that a key player in this case the Industry has exploited this principle in a negative manner. Its voluntary initiatives are not transparent and are not open for validation by other stakeholders. It should be borne in mind that the other key principle in the SAICM process is its multistakeholder approach. This para is supporting the business as usual model of the current voluntary initiatives. We should not encourage voluntary initiatives that involve self assessments. Perhaps the text on the 5th bullet should be introduced into this para. This 5th bullet is addressing the problem in a more clearer manner

Note 2: Though SAICM is a multistakeholder process its current financing mechanism excludes CSOs unlike the QSP. We have observed negation of QSP achievements and CSO involvement since the new funding mechanism was adopted. This para need to mention the need for securing multistakeholder participation in SAICM financing. The number of CSOs which have managed to access funding for SAICM - related activities is almost zero. This a completely opposite of the QSP scenario. Governments alone cannot ensure the success of SAICM.