

Dear Madame President

Call for stakeholder submissions on essential elements for a possible ICCM5 High-level Declaration (HLD) on the sound management of chemicals and waste beyond 2020

I apologise for the delay in responding on behalf of the International Trade Union Confederation (ITUC). The Covid crisis has inevitably diverted attention and resources from this important issue. It has however provided poignant evidence in support of an ambitious agreement on chemicals and waste, building on the Dubai Declaration.

Human rights

The Dubai Declaration acknowledged a respect for human rights is necessary to securing effective interventions to reduce the harmful impact of exposures to chemicals and wastes. We believe human rights must be a starting point in securing an effective new agreement. A respect for human rights is essential to reducing the impact of toxic industrial exposures, as recognised in the [Human Rights Council resolution](#) on the environmentally sound management and disposal of hazardous substances and wastes adopted on 6 October 2020. Other instruments, including the UN Guiding Principles on Business and Human Rights, reinforce this message. *The High Level Declaration should be framed in a human rights context.*

Fundamental Rights

Related directly to the above, the International Labour Organisation (ILO) [Declaration on Fundamental Principles and Rights at Work \(1998\)](#) and related internationally binding conventions, including [ILO fundamental conventions](#) on freedom of association and right to organise (C.87), collective bargaining and right to organise (C.98), forced labour (C.29 and its 2014 protocol), child labour (C.129) and discrimination in employment (C.111), should be recognised as essential in providing workers the rights and protection to achieve safe and healthy work with chemicals and waste. The ILO's October 2020 [Issue paper on COVID-19 and fundamental principles and rights at work](#) illustrates how this approach is critical to the defence of workplace and wider public health. *The High Level Declaration should recognise the relevance and applicability of these fundamental rights to protecting public health.*

Workers at risk

The declaration should recognise that workers are in the frontline for exposures to toxic substances and their wastes, so efforts to address related risks should always take account of the impact of chemical and waste exposures on workers. It should also recognise the impact of changes in policy and practice on workers – for example, recycling is one of the most deadly of all industries, so a call to increase recycling must be accompanied by legal and other protections for affected workers. Workers also face the double burden of exposures throughout their working day and outside the workplace. Occupational exposure limits for chemicals are typically hundreds of times higher than for environmental exposures, resulting in higher related morbidity and mortality. Recognising this, the UN agency responsible for

employment and occupational health and safety issues, the International Labour Organisation (ILO), should have a higher profile in the management and operation of the SAICM 2.0 strategy.

The High Level Declaration should recognise the excess burden borne by workers as a result of exposures to chemical and wastes, and of the necessity for an effective system of inspection, regulation and enforcement of related standards at national and international levels to address and reduce these risks.

ILO rules

Specific International Labour Organisation instruments deal directly with issues pertinent to the SAICM goals. These include conventions C.170 (chemicals), C.139 (occupational cancer), C.161 (occupational health services), C.162 (asbestos), C.155 (occupational health and safety and the related promotional framework C.187), C.174 (major industrial accidents), and the sectoral conventions (for example, C.167, construction; C.176, mining; and C.184, agriculture).

The High Level Declaration should recognise that existing UN instruments already promote safer work practices with chemicals and wastes, and should be supported, promoted and ratified.

Just transition

Instruments affecting patterns of chemical use, including the Montreal Protocol, the BRS and the Paris Agreement referenced in SAICM, illustrate how related actions necessary to reduce risks rising from hazardous chemicals use can have far reaching impacts on employment patterns and job security. The declaration should recognise that reforms to reduce the impact of hazardous industries should be accompanied by a 'just transition' for affected workers. Further, automation and other industrial changes intended to reduce toxic hazards can bring their own risks which must be assessed and addressed.

The High Level Declaration should recognise the need for a 'just transition' to address the need to protect the lives and livelihoods of those adversely impacted by changes in industry and employment patterns driven by SAICM and related processes, including the need for support at all levels for new, sustainable jobs.

Sustainable Development Goals (SDGs)

The High Level Declaration should emphasis the relevance of the UN Sustainable Development Goals in fashioning a meaningful and equitable response to the risks posed by chemical and waste.

Enabling broad-based participation

The High Level Declaration should acknowledge systems to address hazardous chemicals and waste must involve active collaboration between all stakeholders, including civil society and trade unions, and should respect existing consultative and tripartite procedures.

Addressing vulnerable populations/groups

Hazardous exposures are not equal opportunity killers. This has been illustrated starkly by the Covid pandemic, with women, the poor, Black and minority workers, those in insecure work and migrants particularly badly affected. Efforts to address

chemical and waste related risks must take account and address explicitly these excess risks and their causes.

The High Level Declaration should recognise that poverty, gender, race and other indicators of disadvantage affect the likelihood of exposure and adverse effects.

Export of hazards

The export of hazardous substances, wastes and processes from rich to poorer nations is a common practice and efforts should be made to eliminate this.

Multinational enterprises should be compelled to operate a highest common denominator approach internationally when it comes to occupational and environmental exposure standards and work practices.

The High Level Declaration should recognise need to end the export of toxic hazards, which amplify other health and social disadvantages faced by poorer nations.

I thank you for giving these issues your consideration.

Yours sincerely

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