



# IPEN VIEWS ON OEWG 1.2 SCIENCE PANEL ON CHEMICALS AND WASTE

## BACKGROUND

In 2022, governments at UNEA 5 decided that a science-policy panel should be established to contribute further to the sound management of chemicals and waste and to prevent pollution (see [resolution 5/8](#)). An ad hoc open-ended working group (OEWG) was established and met for the first time in October 2022, addressing organizational matters. For more information about what happened during this first meeting, please see [ENB's coverage](#) as well as the [meeting report](#).

The resumed meeting (OEWG 1.2) is scheduled to address several important topics regarding the establishment of a future panel, including scope, principal functions of the panel, and other issues outlined in paragraph 5 and 6 of the UNEA resolution.

## GENERAL VIEWS

IPEN believes that sound, independent science should determine national, regional, and international policies on chemicals and waste. The policies should be based on the precautionary principle, the industries' duty to disclose information, and citizens' right to know. Access to a clean, healthy, and sustainable environment is a universal human right, as are [science-based policies to protect the human rights](#) of individuals and communities exposed to hazardous substances and wastes.

IPEN therefore believes that in order for a future science-policy panel to inform decisions that protect human health and the environment and to contribute further to the sound management of chemicals and waste it:

- Should have a main focus on chemicals (scope) and horizon scanning (function).
- Should not be directly coupled to already existing policy frameworks but focus on issues not already covered or not sufficiently covered.
- Must be built on the precautionary principle and require policy-relevant guidance to governments to be aligned with the best available scientific evidence.
- Needs to have a clear policy on disclosure of conflict of interests of its members.
- Needs to be adequately funded with sustainable, predictable, and accessible financing to deliver on its missions and objectives.

## SCOPE AND OBJECTIVE

**IPEN believes that the main focus of the future panel should be on chemicals and that the panel should work complementarily to existing policy frameworks and expert bodies.**

Working document(s): UNEP/SPP-CWP/OEWG.1/4

The UNEA resolution describes the objective of the panel as “to contribute further to the sound management of chemicals and waste and prevent pollution, with details to be further specified.”

The working document proposes an integrative approach for the scope, that is, for the scope to address chemicals, waste, and pollution as a whole rather than to establish three different scopes. IPEN believes that the most efficient way of achieving the objective through an integrated approach is to have a main focus on chemicals throughout their lifecycle, including pollutants directly linked to the use of chemicals, such as plastics and nano-materials. This would allow the panel to address chemicals and prevent harm and pollution, as well as to identify and hold producers of toxic chemicals accountable. It would also simplify the work and make it more efficient.

The working document proposes as a draft overall objective: “The [SPP] will provide policy-relevant scientific evidence, through the evaluation of relevant value chains, assessing potential sources of waste and pollution and associated impacts at the global and regional scales.”

However, this proposal is not in-line with the resolution, nor would it be sufficient to achieve the intended purpose of this panel, since:

- The suggested wording omits chemicals, which is a principle focus of the resolution.
- It proposes an approach “...through evaluation of relevant value chains,” which is not a function included in the resolution and indicates a focus on products rather than the impact of chemicals throughout their lifecycle.
- It focuses on assessing sources of waste and pollution, a focus that would neglect assessing the prevention of harm from toxic chemicals.

A more suitable approach would be to center the objective on the aim of the panel, similar to already existing science-policy bodies. A starting point, building on the same approach as the IPBES and IPCC objectives, could be:

“Strengthen the science-policy interface on chemicals and providing governments with scientific information that they can use to develop policies to further improve the sound management of chemicals and waste and prevent pollution.”

Furthermore, the OEWG is proposed, in the scope working document, to “identify the multilateral environmental agreements or relevant entities that the panel would support most directly in the light of its scope.” However, it is vital that any linkages to existing efforts, and existing expert bodies, do not delay any policy decisions and become an excuse for inaction. It is important that a future panel recognizes within its work that protective policies must be put into place even where there is no full scientific certainty, since the scientific method is based on the need to always seek further knowledge. The panel should therefore not be directly coupled to already existing policy frameworks, but rather work complementarily.

Lastly, it is important that the scope of the work of the panel be dynamic and flexible to accommodate new knowledge and understanding about chemicals, and the improvement and sophistication of analytical instruments over time.

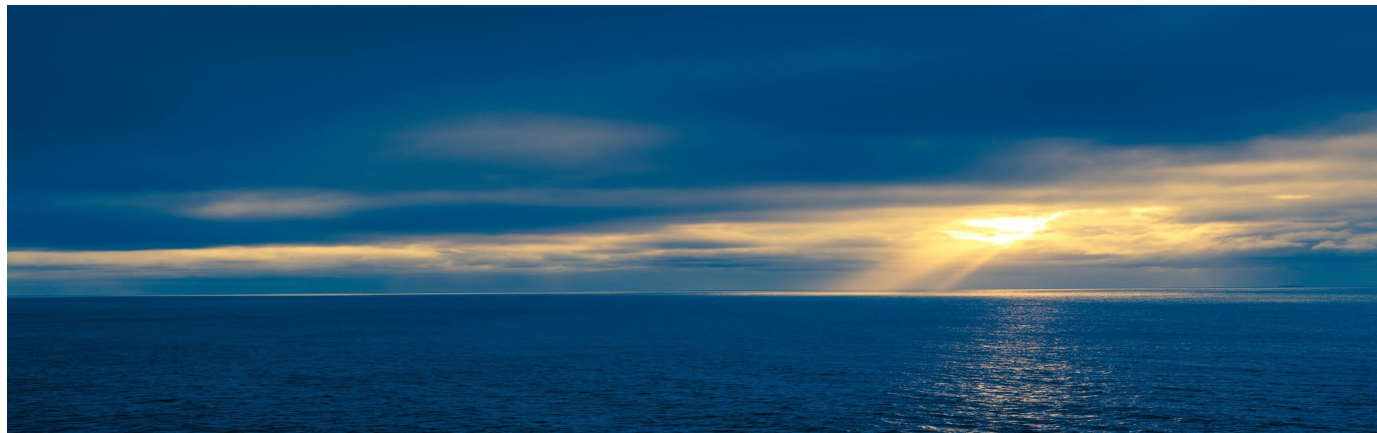
## PRINCIPLE FUNCTIONS

**IPEN believes that the principal functions of a future science policy panel should be horizon scanning and facilitating information sharing with countries.**

Working Document(s): UNEP/SPP-CWP/OEWG.1/5

Today over **350,000 different chemicals** and chemical mixtures are used.<sup>1</sup> The knowledge gaps on these chemicals are vast. Only an estimated **1% of the chemicals** have been adequately assessed for safety.<sup>2</sup> Still, more than 2,000 new chemicals, of which we know even less, enter the market every year<sup>2</sup> and production is expected to **continue to increase**.<sup>3</sup> Chemicals leach out during their production, usage, and end of life. Many of these chemicals disrupt the endocrine system, cause cancer, and/or cause brain disorders. In 2019, the World Health Organization (WHO) estimated that **over 53 million years of life were lost** due to exposures to a group of selected chemicals.<sup>4</sup> Still, only a fraction of the chemicals in use today are regulated by existing multilateral environmental agreements (MEAs).

Horizon scanning, identified as one of the principal functions of the panel, could help address the knowledge gaps outlined above and facilitate the sound management of chemicals and wastes. Many definitions of horizon scanning are available and several included in the working document. However, it is important that the one used is simple enough and provides enough clarity to facilitate effective work of the future panel. IPEN would therefore like to see a simpler definition, like the one used by the [European Commission's Competence Center on Foresight](#) which states that horizon scanning "Identifies **early signs of change** not yet on the policy radar or addressed adequately."<sup>5</sup>



Another key function mentioned in the resolution is "Facilitating information sharing with countries, in particular developing countries seeking relevant scientific information." Access to science is a major obstacle today since scientific information is often behind paywalls and in other ways inaccessible for policy makers globally.

The working document also proposes that the OEWG "may wish to deliberate on whether to include capacity-building as a principal function in the initial establishment of the science-policy panel. Should it opt to do so, the [OEWG] may also wish to specify the types of activities to be included and consider tasking the secretariat with the preparation of specific institutional arrangement." Under this task, it is also important to note that most scientific publications on chemical hazards are not publicly available, and that knowledge must be broadly defined to include traditional and Indigenous knowledge, as well as citizen science efforts.

## FINANCING

**IPEN believes that any new efforts need to be specifically targeted to have as much impact as possible, and that financial support for a future science panel should build on the polluter pays principle.**

Lack of funding is a key obstacle identified, for example, in the SAICM evaluation to moving forward towards sound management of chemicals and waste in Low- and Middle-Income Countries (LMICs). It is therefore vital that any new efforts are specifically targeted to have as much impact as possible using limited means, noting the lack of funding for the sound management of chemicals and waste.

Building on the polluters pay principle, financial support for the science-policy panel should come from various sources, especially from an internationally coordinated tax on basic chemicals producers.

IPEN has a 25-year track record of contributing to the development of global policies to protect public health and the environment. Our members across more than 125 countries are uniquely positioned to effectively leverage our experience, technical expertise, and scientific integrity to advocate for meaningful policies.

## RELATIONSHIPS OF THE PANEL WITH RELEVANT KEY STAKEHOLDERS

**IPEN believes that the future panel needs to have rules of procedures that address conflict of interests similar to the approach taken by the WHO Framework Convention on Tobacco Control.**

In the mandate it is highlighted that the OEWG should take into account the need to ensure that the panel “has the ability to address potential conflicts of interest” and that the participants are interdisciplinary from “a broad range of disciplinary expertise.”

The rules of procedure for the future panel would need to prevent and completely avoid conflicts of interest.

As raised by the UN Special Rapporteur on Toxics and Human Rights in the [Right to Science in the context of toxic substances report](#), “Businesses that produce and sell harmful substances engage in multiple tactics to manufacture doubt about the harmfulness of their products.” The first tactics were developed by the tobacco industry in the 1950s.

For these reasons, the approach taken by the WHO Framework Convention on Tobacco Control is a key example of avoidance of conflict of interests. Under the convention, **there is an obligation** to protect public health policies from the “commercial and other vested interests [of the tobacco industry].”<sup>6</sup> Furthermore, organizations can apply for observer status under the condition that the organization’s “aims and activities are in conformity with the spirit, purpose and principles” of the Convention.<sup>7</sup> When applying for observer status, the organizations have to declare conflicts of interest.<sup>8</sup>

## REFERENCES

<sup>1</sup> Persson, L., et al. (2022). “Outside the Safe Operating Space of the Planetary Boundary for Novel Entities.” Environmental science & technology.

<sup>2</sup> Brander, S. M. (2022). “Rethinking our chemical legacy and reclaiming our planet.” One Earth 5(4): 316-319.

<sup>3</sup> IEA (2018). “The future of Petrochemicals. Towards more sustainable plastics and fertilizers.”

<sup>4</sup> WHO (2021). The public health impact of chemicals: knowns and unknowns: data addendum for 2019.

<sup>5</sup> [https://knowledge4policy.ec.europa.eu/foresight/topic/horizon-scanning\\_en](https://knowledge4policy.ec.europa.eu/foresight/topic/horizon-scanning_en)

<sup>6</sup> FCTC, Article 5.3 <https://apps.who.int/iris/rest/bitstreams/50793/retrieve>

<sup>7</sup> RoP of the COP to the FCTC, Rule 31.2 <https://fctc.who.int/publications/m/item/9789241515351>

<sup>8</sup> <https://fctc.who.int/who-fctc/governance/declaration-of-interest>

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