

Needs and Questions the Panel May Handle

Request for Written Submissions from Member States and Relevant Stakeholders

Member states, during the resumed first session of the Open-ended Working Group (OEWG1.2), requested the Secretariat of the OEWG to solicit input from Member States and relevant stakeholders regarding the **needs** and **questions** the panel may handle in order to inform negotiations through the OEWG process (OEWG2 and OEWG3).

In support of this request, member States are invited to provide submissions through their respective national focal points (list of focal points available [at this link](#)). Non-government stakeholders are invited to submit their submissions on behalf of their organization or group. Once complete, please submit this filled document to SPP-CWP@un.org. All submissions will be uploaded online and will be summarized in an INF document in order to inform the work undertaken at OEWG2 and OEWG3.

Please complete and submit this form by 5 September 2023.

Several documents prepared by the secretariat for OEWG1.2 are of relevance to this submission, including:

- The Mapping and Gap analysis that was presented at UNEA 4 ([UNEP/EA.4/INF.9](#))
- The UNEP report “Assessment of options for strengthening the science-policy interface at the international level for the sound management of chemicals and waste” <https://wedocs.unep.org/bitstream/handle/20.500.11822/33808/OSSP.pdf>
- UNEP/SPP-CWP/OEWG.1/INF/1 - [UNEA Resolution 5/8 entitled “Science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution”](#)
- The stakeholder survey conducted between OEWG 1.1 and OEWG 1.2, which was summarized in Information document “Stakeholder Engagement Feedback” ([UNEP/SPP-CWP/OEWG.1/INF/6](#))
- Reports of OEWG1.1 and OEWG1.2, available with all other meeting documents on the [OEWG website](#)

Contact information

What is your name/surname?

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Who are you submitting on behalf of?

Center for International Environmental Law (CIEL)

Are you a national focal point?

N/A

What is your country?

N/A

What is your title?

Senior Attorney

What is your gender?

Female

What is your email address?

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- 1. Please list and if appropriate briefly describe, your preference for which needs the panel may handle. (If possible, please rank your responses, where 1 indicates your top preference):**

Some specific needs the panel may handle include:

1. Assessing scope of existing MEAs to identify chemicals of concern that are not adequately covered, including pesticides and fertilizers (horizon scanning)
2. Facilitating information sharing, including access to independent science and traditional and Indigenous knowledge, between countries, especially Low and Middle Income Countries (LMICs) and the right of access to information in environmental matters
 - a. Increasing the knowledge on cost of inaction (i.e., economic, environmental, human health, and human rights impacts of chemicals currently on the market)
3. Identifying criteria for safe alternatives and substitutes

- 2. Please provide any relevant comments on the needs you have listed above:**

Overall comments: These needs should be addressed through the generation of knowledge and knowledge assessments (similar to the needs identified in the [negotiation of the IPBES](#)). To achieve these needs and goals, it is essential that the panel share knowledge and assessments in a publicly accessible manner, including through ensuring that information is understandable for an audience of decision-makers, media, and the public (i.e. “[knowledge translation](#)”). Knowledge translation has been identified as a challenge for science-based action, and it will be central to this panel to ensure that any reports from the panel will lead to action to contribute to the sound management of chemicals and waste.

In addition, the panel must ensure scientific independence, including credibility, relevance, and legitimacy. To ensure this, the panel will need to ensure an interdisciplinary makeup, including representation from the groups in vulnerable situations, such as women, frontline communities, and Indigenous Peoples (lessons learned from [IPBES Operating Principles](#)). The panel should also have the ability to prevent and address conflicts of interest. There should be a clear conflict of interest policy which requires disclosure by any member of the panel.

Comment, priority 1: The knowledge gaps on the thousands of chemicals used in today’s world are immense, so horizon scanning, as a principle function of the panel, will help to identify and prioritize addressing some of the needs listed above. These needs are consistent with a human rights-based approach to the development and operation of this panel, including the rights of access to information and science, as well as the rights to health and right to a healthy environment. Assessing chemicals of concern that are not covered or not substantially covered by existing MEAs will lead to policy-relevant assessments to inform management of chemicals. This is in line with States’ pre-existing legally binding obligations on human rights, and should be taken into account during the development of the needs of this panel. More information on a human rights-based approach can be found in the OHCHR’s [submission on Operating Principles](#) to OEWG2.

Comment, priority 2: Before facilitating information sharing of traditional and Indigenous knowledge, the panel should ensure the equitable and appropriate representation of Indigenous scientists and knowledge holders themselves in negotiations and future work of the panel.

3. Please list, and if appropriate briefly describe, your preference for which questions the panel may handle. (If possible, please rank your responses, where 1 indicates your top preference):

- Which chemicals of concern on the horizon need to be prioritized in order to protect human health and the environment?
- How can current regulatory gaps on chemicals be addressed in order to protect human health and the environment?

4. Please provide any relevant comments on the questions you have listed above:

All questions the panel may handle must take into account and operationalize the precautionary principle.

Some of the questions the panel may handle could be specific issues and questions that come up during the horizon scanning and assessments of the current state of regulation of chemicals of concern. Two examples of these can be found in Appendix 1 of UNEP's [mapping analysis](#) of existing science-policy interfaces on management of chemicals and waste. Questions could also include the toxic impacts of proposed "solutions" to climate change, such as decarbonization technologies (e.g., as carbon capture and storage (CCS), including CCS used for fertilizer production). For examples, see the latest report of the UN Special Rapporteur on Toxics and Human Rights: "The toxic impacts of some proposed climate change solutions" [A/HRC/54/25](#).