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## **Compilation of the outcomes of the Virtual Working Groups established by the ICCM5 Bureau**

**(October 2020 to February 2021)**

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## I. Introduction

The Co-chairs of the Intersessional Process in consultation with the ICCM5 President and the Bureau developed a scenario note for the path forward to develop recommendations for submission to the fifth session of the International Conference on Chemicals Management in September 2020. The scenario note was made available in all six United Nations languages and can be found [here](#). It served as a basis for the establishment and the work of four Virtual Working Groups (VWG) that met between October 2020 and February 2021.

Detailed information on the VWGs can be found [here](#).

## II. Virtual Working Group's mandates and process

Mandates and processes on the VWGs were designed to suit the state of development in the intersessional process, regarding the respective topics the four VWGs addressed.

### *a. Virtual Working Group 1 on Targets, Indicators and Milestones*

**Mandate of the group:** Part I) Finalize the targets proposal currently set out in SAICM/IP.4/3, with a view to enable multi-stakeholder and multi-sectoral commitment and action; Part II) Develop a set of recommendations for a process to establish indicators and milestones for finalized targets<sup>1</sup>.

Ms. Silvija Nora Kalnins from Latvia and Mr. Wajira Palipane from Sri Lanka served as co-facilitators of the Virtual Working Group.

There were over 200 registered participants. A total of five virtual meetings have been held and electronic feedback has been requested on four occasions between November 2020 and February 2021.

Taking Part I of the VWG1 mandate into consideration, the VWG1 developed the following to reflect its discussions:

1. Possible formulation of targets based on points of convergence of views among stakeholders, including new targets for which the formulations gained overall support.
2. Considerations and components of each target that provide explanations and rationales to further inform the process. The considerations are intended to serve as a “guide” for the wording of the targets in moving forward, pending agreement on the next steps.
3. Upon suggestion from the co-facilitators, the group supported the addition of Annex I. Annex I contains the new targets proposed by stakeholders that are not included in the main text of the output document. These targets are reflected exactly as they have been submitted by the proponents.

To develop textual recommendation, the group applied the following methodology:

1. The formulation of targets based on points of convergence of views among stakeholders proposed by the co-facilitators built on meeting documents [SAICM/IP.4/3](#) and [SAICM/IP.4/INF/15](#).

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<sup>1</sup> Note: The group was not mandated to work on the formulation of Strategic Objectives but rather on the targets under Strategic Objectives A-E.

2. In response to the group mandate, the recommendations were divided in two parts: Part I) Possible formulation of targets based on points of convergence of views among stakeholders and Part II) Set of recommendations for a process to establish indicators and milestones for finalized targets recommendations.
3. To respond to the first part of the group mandate, on three separate occasions, the co-facilitators requested general comments and proposed text edits to existing text for targets under Strategic Objective A-E as set in document SAICM/IP.4/3. The electronic feedback received from the stakeholders was posted prior to each virtual meeting for consultation.
4. To respond to Part II of the group mandate, the co-facilitators prepared draft text for a process to establish indicators and milestones for finalized targets based on the electronic submissions and presented to the group at their next meeting for their consideration.
5. At the final virtual meeting, the co-facilitators presented a consolidated outcome document with the new text recommendations where there was consensus based on the written submissions and previous virtual meetings. The recommendations also included general considerations which address key issues raised by the group participants that were not fully addressed during the discussions and should be considered at a future stage when discussing targets, indicators and milestones.

### *b. Virtual Working Group 2 on Governance and Mechanisms to Support Implementation*

**Mandate of the group:** to make progress on International, regional, national cooperation and coordination; Mechanisms for taking stock of progress; Mechanism for updating the framework; Subsidiary and ad hoc expert bodies; Science-Policy Interface.

Ms. Karissa Kovner from the US and Teeraporn Wiriwutikorn from Thailand served as co-facilitators of the Virtual Working Group.

Over 200 participants registered for this VWG. A total of eight virtual meetings have been held and electronic feedback has been requested on five occasions between October 2020 and February 2021.

The group outcome document represents the progress of VWG4 and its recommendations for parts (a), (c), (d), and (e) of the mandate listed above, covering Sections B, C, D, E, G, and H of the compilation text ([SAICM/IP.4/2](#)).

During the course of its work, the co-facilitators of VWG4 developed a “Parking Lot” document as a place for the group to consolidate and highlight issues that need further discussion; it represents “mental notes” that the group or members of the group agreed it either did not want to overlook or would not be able to resolve until a later stage of the overall Intersessional Process. Issues included in the Parking Lot range from strongly held views of certain stakeholders to ideas that were suggested but not discussed, and are therefore presented informally in the order that the sections for which they are relevant appear in the textual recommendations of the VWG (Part I).

To develop textual recommendations the group applied the following methodology:

1. A [calendar of virtual meetings](#) including topics of discussion for each virtual meeting and requests for written electronic input was presented by the co-facilitators based on the mandate given to the group, and agreed on by the VWG at the beginning of the virtual working group process.
2. Prior to each scheduled virtual meeting, the co-facilitators shared an annotated agenda, together with other relevant pre-session documents. Electronic submissions were analysed by the Co-facilitators and included in the annotated agenda or relevant pre-session documents in advance of the virtual meetings.
3. During the virtual meetings, the group went section by section through the text followed by a discussion on text proposals facilitated by the co-facilitators with an aim to address the brackets in the text and the flow of the text. Where there was general consensus on the proposed text, the changes were accepted. In case of differences in opinion, foot notes were included specifying the issues raised by the relevant stakeholder(s).
4. Any changes made to the text were reflected in the meeting summary reports that was shared with all participants and uploaded on the SAICM website. Most sections were discussed over multiple virtual meetings and the opportunity for electronic input was offered for each section during the course of the VWG process.

### *c. Virtual Working Group 3 on Issues of Concern*

**Mandate of the group:** Make proposals that progress the work on this topic in lead up to IP4, building on Annex B of SAICM/IP.4/2 Compilation of recommendations. Specific tasks include: (a) Review Annex B of SAICM/IP.4/2 and identify possibilities for compromise; or alternative text in areas of divergence; or identify gaps; (b) Develop proposals for draft procedures for the identification, nomination, selection, review and prioritization of the issues of concern; determining the need for further work on an issue of concern; and duration for considering issues of concern, drawing on experience from existing fora; (c) Develop proposals on how to deal with existing emerging policy issues and other issues of concern.

Mr. Sam Adu-Kumi from Ghana and Mr. Thomas Jahre Sverre from Norway served as co-facilitators of the Virtual Working Group.

With over 200 participants registered, the Virtual Working Group met four times and made significant progress in considering the future process for issues of concern and for the future of the existing SAICM emerging policy issues and other issues of concern. Participants had three opportunities to provide electronic feedback.

Text recommendations have been developed by the co-facilitators in response to part (a) and (b) of the mandate. The text recommendations have been developed by the co-facilitators based on the discussions at the virtual meetings and the written inputs received. The co-facilitators' proposed text includes a brief rationale that sets out the background and context. Upon suggestion from the co-facilitators, the group supported the addition of Annex II- Annex IV. Annex II lists all comments submitted by VWG3 participants during the VWG process. Annex III shows a proposed process diagram developed by the co-facilitators on the nomination process for new issues of concern. Annex IV lays out a proposal by a Group of NGOs for Trigger Criteria for reviewing of existing Issues of Concern.

To develop textual recommendations, the group applied the following methodology:

1. To address Part I and Part II of the group mandate, the co-facilitators welcomed electronic feedback on views from all registered participants of VWG3 on Annex B of SAICM/IP.4/2 (the process for considering issues of concern in moving forward).
2. Based on the feedback received through the written submissions, the co-facilitators circulated a draft proposal focusing on addressing the existing emerging policy issues for consideration of the VWG participants. During the discussions, the group went section by section through the text, followed by a discussion on text proposals facilitated by the co-facilitators.
3. To address Part III of the mandate, the co-facilitators presented a proposal on background information and a set of considerations on how to address existing emerging policy issues and other issues of concern beyond 2020.
4. Where there was general consensus on proposed text, the changes were accepted. The co-facilitators summarized the written inputs received from stakeholders during each virtual meeting, requested additional electronic feedback and identified areas of convergence for textual recommendations.
5. Upon suggestion by the co-facilitators, the group supported the addition of an annex that lists all comments submitted by VWG3 participants during the VWG process.

#### *d. Virtual Working Group 4 on Financial Considerations*

**Mandate of the group:** Make proposals that progress work on financial considerations in the lead-up to IP4, including the Integrated approach to financing the sound management of chemicals and waste, capacity building, strategic partnerships, financing the Secretariat, resource mobilization, cost-recovery mechanisms, and other economic instruments.

Mr. Jonah Davis Ormond from Antigua and Barbuda and Mr. Reggie Hernaus from the Netherlands served as co-facilitators of the Virtual Working Group.

Over 150 participants have registered in the VWG4 on Financial Considerations, and the group met four times, as well as one virtual meeting of a smaller group established by the Co-facilitators of the VWG between November 2020 and February 2021. Participants also provided electronic feedback on three occasions to gather views on the different topics under the mandate.

The SAICM secretariat produced a brief summary of stakeholders' views from written submissions and oral interventions under each section of the summary of stakeholders' views and text recommendations by the co-facilitators.

The methodology used for the development of textual recommendations consisted of the following steps:

1. The co-facilitators circulated a set of questions and text proposals for electronic feedback on each of the sections under Financial Considerations and Capacity Building included in the document: SAICM/IP.4/2 Compilation of recommendations to all registered participants of the VWG4. The written submissions received from the stakeholders was posted on the SAICM website prior to each virtual meeting for consultation.
2. The co-facilitators summarized the written inputs received from stakeholders and presented these at each virtual meeting, requested additional electronic feedback and identified areas of convergence for textual recommendations.

3. At the final virtual meeting, the co-facilitators presented a consolidated outcome document, including the new text recommendations where there was consensus based on the written submissions and discussions during previous virtual meetings.
4. The members of the VWG agreed to set-up an ad-hoc group for specific discussions on the establishment of a capacity building clearinghouse mechanism and private sector involvement. This ad-hoc group met once in December 2021 and presented the outcomes of their deliberations to the VWG4.

### III. Virtual Working Group textual recommendations for review and proposed next steps

The textual recommendations for review and proposed next steps put forward by the co-facilitators of the four VWG are meant to inform and feed into the discussions in the intersessional process. The virtual working group discussions have been discussions sharing respective views and not negotiations. The textual recommendations for review and proposed next steps have been drafted as a proposal that represents converging views of the participants during the discussions.

#### *a. Virtual Working Group 1 on Targets, Indicators and Milestones textual recommendations for review*

##### ***Part I) Possible formulation of targets based on points of convergence of views among stakeholders***

**Strategic Objective A:** [Measures are identified, implemented and enforced in order to prevent or, where not feasible, minimize harm from chemicals throughout their life cycle [and waste];]

**Considerations<sup>2</sup>:** Intended to address the need for all countries to have basic capacity, legal frameworks and institutional mechanisms to manage chemicals and waste, including illegal trafficking thereof, and for other stakeholders, such as industry, to also assume their responsibilities to prevent harm from chemicals throughout

#### Target

Target A1 – [~~Countries~~][governments] develop and periodically review plans to achieve sound management of chemicals [and waste] throughout their life cycle.

Target ALT A1.– Measures needed to be implemented to achieve sound management of chemicals throughout their life cycle are identified within the beyond 2020 instrument and updated every xx years.

Considerations: Target needs a clear reference to legal frameworks as per the Overall Orientation Guidance. There needs to be further discussion on the responsible of this target. Certain flexibility should be allowed for measures (instead of plans). The periodicity of taking stock of progress should take into consideration national circumstances and might not need to be included in the target formulation.

*Components of the target: measures, implementation of sound management, life cycle, update*

<sup>2</sup> It should be noted that the text on Considerations under all of the strategic objectives is not part of the draft text of the beyond 2020 instrument.

**Target**

~~Target A2 – By [xx], Measures to prevent harm from [xx number] specific chemicals throughout their life cycle [and waste] are identified by [countries] [governments] and non-governmental stakeholders~~

Considerations: targets should not address specific chemicals or number of chemicals, targets under SOC which focusses on issues of concern cover this target sufficiently, general agreement to merge several targets under A (targets A2, A3 and A4).

**Target**

~~Target A3 – By [xx], measures identified to prevent or, minimize harm from chemicals throughout their life cycle [and waste], are implemented and enforced by relevant stakeholders[countries] [governments].~~

**Target**

~~Target A4 – By [xx], measures identified to prevent or, minimize harm from chemicals throughout their life cycle [and waste], are implemented by companies.~~

Considerations: designed to merge A2-A4 and to include all stakeholders that have a role in implementing and enforcing measures, further discussion needed on inclusion of ‘minimization of negative impacts’, the consideration of indicators could provide values to reflect different measures implemented among the stakeholders (i.e. legal frameworks for governments, BAT for companies).

*Components of the target: measures, implementation, prevention, minimization of harm, life cycle*

**Target**

~~Target A5 – By xx, Countries take measures and initiatives supportive of the effective implementation of ~~make and meet commitments and~~ their obligations under the provisions of chemicals and waste-related multilateral environmental agreements to which they are a Party, as well as health, labour and other relevant instruments in which they participate.~~

Considerations: not necessary to establish a target under the beyond 2020 instrument related to obligations of the relevant conventions.

*Components of the target: MEAs, health, labour and other instruments, Parties, commitments and obligations*

**The group expressed support for further discussion on these new targets:**

**Target**

NEW Target Axx – By 20xx, illegal international trade and traffic of toxic, hazardous, banned and severely restricted chemicals and of waste is effectively prevented.

Considerations: this target covers the considerations for the SOA that is not included in the other targets, i.e. illegal trade and traffic.

*Components of the target: illegal trade and traffic, banned, severely restricted, effective prevention*

**Target**

NEW Target Ayy – By 20xx, pollution from chemicals and waste has been brought to levels that are not detrimental or harmful to ecosystem services and biodiversity.



Considerations: the group identified a weakness among SOA targets that they were not adequately integrating issues on biodiversity and ecosystem services. Needs to be further discussion on the instrument and the linkages to other SDGs, including aspects of human health.

*Components of the target: pollution from chemicals and waste, detrimental or harmful to biodiversity and ecosystem services, SDGs, human health*

**Target**

NEW Target Azz – By xx minimum requirements for third-party/private/non-governmental standards, labels and certification schemes are defined and reviewed on an ongoing basis, potential for harmonization is explored and adherence increased and applied by private sector and monitored by governments and other stakeholders.

Considerations: inclusion of non-government entities. Target wording needs adjustment as well as whether it is better suited under SOD.

*Components of the target: Private, non-governmental standards, labelling and certification schemes*

**Strategic Objective B:** Comprehensive and sufficient knowledge, data and information are generated, available and accessible to all to enable informed decisions and actions.

**Considerations:** Intended to address the need for new information and data to be generated to address gaps and for greater transparency and accessibility, as well as to address the need for training and education to protect all levels of society.

**Target**

Target B1 By 20xx, comprehensive data and information on chemicals ~~are shared~~ *on the global market*, throughout their lifecycle, are generated, made available and accessible.

Considerations: designed to broadly encompass all stakeholders of the new instrument, and all data and information necessary for its implementation. Formulation of indicators should seek to capture this broad scope, implementation of United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and chemicals registers/inventories (PRTR) should be considered as indicators for this target (among others). Any such work should be linked at looking at target Bxx (on GHS). When drafting the full framework, special attention should be paid to identifying responsible for data collection and defining accessibility to information and data under this target.

*Components of the target: encompass all stakeholders, all-inclusive data and information (non-restrictive, including health and safety data), includes information on safer alternatives and substitutes, information on properties, chemicals on the global market, encompass the whole life cycle*

**Target**

Target B2 By 20xx all stakeholders have and are using ~~the most~~ appropriate and standardized tools, guidelines and best available practices for assessments and sound management, as well as for the prevention of harm, risk reduction, monitoring and enforcement<sup>3</sup>.

Considerations: designed to broadly encompass all stakeholders of the new instrument, could integrate to include concepts on costs of inaction in target formulation or indicators. With the integration of B2 and -B3, the notion of mechanisms to access information needs to be retained in B2.

<sup>3</sup> Further discussion is needed regarding the addition of “risk” before “assessments” and listing “standardized tools” last so that “standardized” is not seen as describing “guidelines” and “best available practices”.

*Components of the target: encompass all stakeholders, development of tools and guidelines, sharing of best practices, monitoring and enforcement, risk reduction*

**Target**

Target B.3 By 20xx, stakeholders have put in place mechanisms to access information and standardized methods to assess, reduce and prevent health impacts at all stages of the chemical life cycle.

Original phrasing for Target B.3 from IP3 Information and standardized methods are available and used to understand the impacts of chemicals and waste for improved burden of disease and cost of inaction estimates, to inform the advancement of chemical safety measures and to measure progress towards reducing those impacts.

Considerations: Duplication of parts of this target with targets B1 and B2.

**Target**

NEW Target B3: regarding burden of disease, environmental burden and cost of inaction.

Considerations: Further discussion is necessary on the formulation of the new target. Standardized methods and cost of inaction.

*Components of the target: health and environmental impacts, burden-of-disease, environmental burden, cost of inaction*

**Target**

Target B4- By 20XX educational, training and public awareness programmes on chemical safety, sustainability, ~~and~~ safer alternatives and benefit of chemicals have been developed and implemented.

Considerations: responsible entity/-ies for this target and its respective indicators need to be captured in its further formulation, include the aspect of gender responsiveness.

*Components of the target: Development and implementation, education, training and public awareness, Safety, sustainability and safer alternatives, benefits of chemicals, vulnerable populations and workers, gender-responsiveness*

**The group expressed support for further discussion on these new targets:**

**Target**

NEW Target B.5- By 20XX, stakeholders in the value chain ensure that reliable information on chemicals in [materials and] articles is available throughout their life cycle [including at the waste stage], to enable informed decisions and safe management of chemicals in a clean circular economy.

*Components of the target: value chain, chemicals in articles, life cycle, informed decisions, circular economy*

**Target**

NEW Target Bxx- By 20XX, all governments have legally implemented and enforce the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS) in all relevant sectors.

*Components of the target: United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS)*

**Strategic Objective C:** Issues of concern [that warrant [global][and][joint] action] are identified, prioritized and addressed.

**Considerations:** Intended to cover the need to effectively identify, select and address issues of concern that warrant global action. The intention is to cover topics similar in nature to those covered by the Strategic Approach, emerging policy issues and other issues of concern, as well as topics such as managing specific chemicals, the burden of disease and financing.

Target

~~Target C.1:~~ Programmes of work including timelines are established, adopted and implemented for identified issues of concern. (original)

~~Target ALT. C1:~~ As an ongoing process, stakeholders nominate, and the international conference adopts issues of concern with specific goals. (extracted from SAICM/IP.4/3)

Target

~~Target C.2:~~ Information on the properties and risk management of chemicals across the supply chain and the chemical contents of products is available to all to enable informed decisions. (original)

~~Target ALT. C2:~~ As an ongoing process, stakeholders implement workplans for adopted issues of concern and report on progress achieving their goals, such that the use of sustainable solutions is maximized and significant negative impacts on human health and the environment are prevented or minimized. (extracted from SAICM/IP.4/3)

**The group expressed support for further discussion on these new targets:**

Target

NEW Target Cxx – regarding the process aspects related to IOCs.

Considerations: The Strategic Objective C is linked to discussions under VWG3 on Issues of Concern. Any discussions on specific targets will need to take into account the deliberations of VWG3. Further consideration of adding additional targets under this SO needs to ensure that they measurable. Under SOC, there should be a process related target.

Target

NEW Target Cyy - The targets and indicators for each issue of concern are incorporated by reference under Strategic Objective C once adopted by the Conference.

Considerations: target needs to be results-oriented rather than process-oriented and include the actual issues of concern and a call for action. The Strategic Objective C is linked to discussions under VWG3 on Issues of Concern. Any discussions on specific targets will need to take into account the deliberations of VWG3. Further consideration of adding additional targets under this SO needs to ensure that they measurable.

**Strategic Objective D:** Benefits to human health and the environment are maximized and risks are prevented or, where not feasible, minimized through safer alternatives, innovative and sustainable solutions and forward thinking. Further discussion is needed in regards in the use of the term “safe[r]”.

**Considerations:** Intended to cover the ongoing need for innovative thinking and solutions to address current and future aspects of managing chemicals and waste, such as life-cycle management, the circular economy, green and sustainable chemistry, safer alternatives, better recycling technologies and resource efficiency.

Target

~~Target D1 - Companies adopt and implement policies and practices consistently, regardless of where they operate, to produce and use sustainable and safer alternatives and deploy life cycle management and cleaner production technologies.~~

Companies consistently invest in and achieve innovations toward advancing green and

sustainable chemistry, cleaner production, and the deployment of life cycle management approaches for chemicals ~~and high resource efficiency.~~

Considerations: wording adjusted to be more actionable, inclusion of innovation.

*Components of the target: sustainable chemistry, innovation, cleaner production, life cycle management,*

**Target**

Target D.2. ~~{Countries}[governments] (globally, regionally, sub-regionally, nationally) implement policies that encourage production using natural products or non-chemicals, facilitate the recycling and re-use of products (circular economy), and the adoption of sustainable and safe(r) alternatives, including cleaner production technologies.~~

~~Alt. D.2. [Countries][governments] (globally, regionally, sub-regionally, nationally) implement policies that encourage production using sustainable and safe(r) alternatives including cleaner production technologies and facilitate re-use and recycling ~~and re-use of products (circular economy).~~~~

Considerations: aspects of geographical scope and further details, such as cleaner production technologies could be addressed at the indicator level. Consider sustainable procurement either in target formulation or as an indicator. Inclusion/ exclusion of re-use and recycling needs further discussion as the scope of the instrument will be determined by stakeholders.

*Components of the target: sustainable chemistry, innovation, cleaner production, life cycle management*

**Target**

Target D3 - By 20xx, cCompanies, including from the investment sector, incorporate strategies and policies to implement the sound management of chemicals [and waste] in their investment approaches and business models and apply internationally- recognized reporting standards.

Considerations: in further deliberations of the indicator framework, clarification is needed on the meaning of internationally recognized reporting standards.

*Components of the target: strategies and policies, investment approaches, business models, reporting standards*

**Target**

Target D5- ~~Industry associations~~Non-governmental stakeholders facilitate change towards sustainability and the safe management of chemicals [and waste] and consumer products throughout their life cycles, and their value chain, including in sharing information and building the capacity of small, medium, and micro-sized enterprises.

*Components of the target: consumer products, sharing information, building capacity, small, medium and micro-sized enterprises*

**The group expressed support for further discussion on these new targets:**

**Target**

NEW Target Dxx- In research and innovation programs priority is given to sustainable solutions and safer alternatives to harmful substances in products and mixtures, including in consumer products.

Considerations: important to include the issue of research under a SOD target. Further work is needed on

indicator development to ensure target is measurable. Further development of this target should also look at encompassing ongoing identification of harmful substances. Inclusion/ exclusion of consumer products needs further discussion as the scope of the instrument is determined by stakeholders.

*Components of the target: research and innovation, sustainable solutions, safer alternatives, consumer products*

**Strategic Objective E.** [The importance of the sound management of chemicals and waste as an essential element to achieving sustainable development is recognized by all[; adequate, predictable and sustainable financial and non-financial resources are [identified and] mobilized; actions are accelerated; and necessary [transparent and accountable] partnerships are established to foster cooperation among stakeholders].]

**Considerations:** Intended to address the need for high-level commitment across sectoral boundaries, to ensure appropriate attention is given and action taken to accelerate progress, and to contribute to the 2030 Agenda for Sustainable Development.

<b>Target</b>	Target E1: All countries and <u>non-governmental</u> stakeholder <u>organizations</u> at the high[est] level—recognize the importance of and demonstrate their commitment to the sound management of chemicals [and waste] <del>as a contribution to sustainable development [and the 2030 Agenda].</del>
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Considerations: as the indicator framework is further developed, this target may become redundant as other targets with more actionable items and indicators may be introduced.

*Components of the target: recognition, demonstration of commitment*

<b>Target</b>	Target E2: Policies for sound management of chemicals [and waste] are integrated into local, national, <u>sub-regional</u> , regional [ <del>global</del> ] development strategies.
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Considerations: policy coherence is an important issue to demonstrate the efficacy of the new instrument.

*Components of the target: policies, integration, development strategies*

<b>Target</b>	Target E3: Partnerships and networks amongst sectors and stakeholders are strengthened to achieve the sound management of chemicals [and waste]. <u>ALT E3 Stakeholders scale up efforts to strengthen the inter-connectivity among sectors toward the adoption of sustainable approaches</u> <sup>4</sup>
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Considerations: as the indicator framework is further developed, this target needs to be more specific and measurable.

*Components of the target: partnerships and networks, sectors*

<b>Target</b>	[Target E4: Financial and non-financial resources needed to achieve [ <u>support</u> ] the sound management of chemicals [and waste] are identified and mobilized in all sectors by and for all stakeholders. ]
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<sup>4</sup> Target formulation introduced by VWG1 participants as suggestion under D4, however the co-facilitators thought it might be useful as an alternative to Target E3.

Considerations: as the deliberations in VWG4 on Financial Considerations progress, reference to the integrated approach to financing and its three components should be included. Further discussion on the formulation of this target needs to take into account in the deliberations of VWG4.

*Components of the target: financial and non-financial resources, mobilization, all sectors, all stakeholders*

**Target** [Target E5: Gaps between developed and developing countries the implementation of sound management of chemicals [and waste] are identified and narrowed.]

Considerations: difficulty to define this target and relevant indicators to set baselines and thus measure progress. Challenges exist in determining and measuring ‘gaps’ as well and in making clear to reference to positive ways in narrowing gaps: these issues need to be discussed and resolved in further development of the indicator framework.

*Components of the target: identification and narrowing gaps, developed and developing countries*

### **The group expressed support for further discussion on these new targets:**

**Target** NEW Target Exx: All stakeholders identify and strengthen synergies and linkages between chemicals [and waste] and other environmental, health and societal priorities, such as climate change, biodiversity, human rights, universal health coverage and primary health care.

Considerations: The purpose of this target is to address a current gap amongst the targets on addressing the need for commitment across sectoral boundaries, to ensure appropriate linkages are made with other environmental, health and societal priorities.

*Components of the target: synergies and linkages, health and societal priorities, human rights, climate change, biodiversity and ecosystem services*

**Target** NEW Target Eyy: regarding internalization of costs/cost recovery mechanism

Considerations: Further discussion on the formulation of this target needs to take into account in the deliberations of VWG4.

*Components of the target: cost recovery mechanisms, internalization of costs*

### **Issues that were not covered during the group discussions**

*The group decided to include a list of issues that were not covered during the group discussions but should be taken into consideration at a future stage when discussing targets, indicators and milestones.*

#### **Issues not covered by VWG1:**

The following issues, as identified in SAICM IP.4/3 were not deliberated by the Virtual Working

Group on targets, indicators and indicators. These issues include:

- The term ‘waste’ and how it would be reflected;

- Reference to ‘countries’ or ‘governments’;
- Elaboration of timeframe for targets such as “by 20xx”;
- Definitions and glossary- some terms, though broadly accepted and used, may need defining or referenced in a glossary, e.g. “circular economy”, in order to avoid vague elements of
- targets
- The name of the future instrument;
- Clarifying the definition of sustainable alternatives and a need to reference a definition for sustainable and green chemistry.

During its deliberations, the Virtual Working Group added to the above list the following:

- There have been no substantive discussions on the formulation of the Strategic Objectives since before OEWG3 in April 2019, thus through discussions, participants identified a
- necessity to reflect upon them in the future;
- Comments related to confidential business information are to be considered by the group
- developing the high-level declaration;
- The group identified a need to consider targets together with the strategic objective
- formulations to establish a comprehensive indicator framework for the new instrument;
- As the development of the indicator framework progresses, there is a need to limit the
- number of targets;
- Targets need to be considered in a reiterative process and together with the indicators, in
- order to capture and develop a comprehensive indicator framework for the instrument
- including considerations of resources and capacities for monitoring implementation;
- Targets need to capture all 11 basic elements of the Overall Orientation and Guidance.
- Some targets such as A1, Ayy, NEW B3, E5 may be considered as higher- level targets or
- indicators, or in the high-level declaration.
- The concept of accident prevention and response needs to be considered under SOA targets
- (A1-A3).
- Include gender disaggregated data.

## *Annex I*

Upon suggestion from the co-facilitators, the group supported the addition of Annex I. Annex I contains new target formulations proposed by stakeholders throughout the VWG1 process that are not contained in point 1 above.

*The following new targets were proposed under SOA:*

**New Target A1** Countries/governments develop legal frameworks and institutional mechanisms to achieve the sound management of chemicals throughout their life cycle and review them, to identify the need to update them, every xx years.

**New Target A1 alt2** Countries/governments implement their legal frameworks to achieve sound management of chemicals throughout their life cycle [and every xx years develop and review plans regarding this implementation].

**New Target A1** Measures needed to be implemented by companies and governments at the national level to achieve sound management of chemicals throughout their life cycle are identified within [SAICM] and updated every xx years.

**New Target A1** By 2030, all countries have a legally binding 90 ppm limit for lead in all paints, varnishes, lacquers, stains, enamels, glazes, primers and coatings.

**New Target that will merge A2 to A4** By 2030, governments have adopted, implemented and enforce legal frameworks and established appropriate institutional capacities to prevent or where not feasible, minimize adverse effects from chemicals and waste.

**New Target A3** By 2030, 100 countries have prohibited single-use plastic.

**New Target A4** By 2030, 100 countries have prohibited the import of hazardous waste.

**New Target A5** Countries are implementing the chemicals and waste-related multilateral environmental agreements, to which they are a party, as well as health, labour and other relevant conventions, and voluntary mechanisms.

**New Target A5** By 2030, all countries have prohibited the export of substances that they have prohibited nationally.

**New Target A6** By 2030, all chemicals, or groups of chemicals, of global concern<sup>2</sup>, are phased out or effectively restricted at the national, regional and global level, throughout the entire life cycle, including in products and waste, so that exposure of humans and the environment is prevented or restricted.

**New Target A7** By 2030, the use of Highly Hazardous Pesticides is eliminated from agriculture.

**New Target A8** By 2030, all vulnerable groups are protected from the adverse impacts of chemicals and waste.

**New Target** addressing illegal traffic and trade.

**New Target** By 2030, illegal international trade and traffic of toxic, hazardous, banned and severely restricted chemicals and of waste is effectively prevented.

**New Target** By 2030, pollution from chemicals and waste has been brought to levels that are not detrimental or harmful to ecosystem services and biodiversity.

*The following new targets were proposed under SOB:*

**New Target B1** By 2030, ICCA and CropLife have provided a living, publicly accessible inventory of comprehensive health and safety data for all substances produced by member companies.

**New Target B2** By 2030, 50 countries have established publicly accessible pollutant release and transfer registries.

**New Target B2** By 20xx, industry openly shares comprehensive data on the chemicals in their articles on the global market.

**New Target B2** By 2030, full GHS is adopted by all countries, and updated as new versions are published, and the information on chemical classification and labelling is freely accessible to all.



**New Target B3** By 2026, a global minimum cross-sectoral transparency standard for chemicals of global concern is in place and used to support the work on Chemicals in Products internationally and in national implementation plans, as well as the transition to non-toxic materials flows, e.g. via circular economy.

**New Target B3** By 2030, OECD establishes a living, online, publicly available global inventory of nanomaterials on the market.

**New Target B4** By 2030, ICCA and CropLife have provided a living, publicly accessible, inventory of the chemical content in products for substances produced by member companies.

**New Target B4** By 2030, a publicly available global database administrated by UNEP for chemicals of global concern is in place to support informed decision-making, and it will expand over time as needed, when increasingly more countries report to it.

**New Target B5:** By 2030, 50 countries have adopted occupational health and safety laws or binding agreements with the assistance of ILO that include right to know about chemical identity and use, and right to refuse work in the face of serious potential harm.

**New Target B5** By 2025, information on HHPs produced, imported, exported and used is available to all stakeholders.

**New Target B6** By 2030, information on nonchemical alternatives to HHPs and especially agroecological approaches is made available to all farmers.

**New Target B8** By 20XX, gender-responsive educational, training and public awareness programmes on chemical safety, sustainability and safer alternatives have been developed and implemented.

*The following new targets were proposed under SOC:*

**New Target C1** As an ongoing process, stakeholders nominate, and the international conference decides on issues of concern, with programmes of work, with outcome-specific target, indicators and milestones, including timelines, to be implemented by governments and all other stakeholders, and reported and independently evaluated on a regular basis.

**Ned referenced Target C1** Phase-out of the manufacture, trade and sale of paints containing lead until 2030.

**Ned referenced Target C2** By 2025, 70 countries have prohibited and phased-out at least ten highly hazardous pesticides and by 2030, highly hazardous pesticides are removed from agriculture.

**New Target** By 2030, pollution from chemicals and waste has been brought to levels that are not detrimental or harmful to ecosystem services and biodiversity.

**New Target** By 20XX, chemicals identified to warrant global action, have been phased out, or where not feasible, are used in ways that prevent or minimize adverse impacts on human health and the environment to an unavoidable minimum throughout the life cycle.

**New Target** By 2023, there is agreement on a model to strengthen the engagement of the scientific community to provide a consensus on the evidence for addressing issues of concern and provide a horizon scanning function to identify new issues of concern.

**New Target** By 2030, All countries have a legally binding limit for lead in paint (specific details to be agreed).

**New Target** By 20XX, chemicals identified to warrant global action, have been phased out, or where not feasible, are used in ways that prevent or minimize adverse impacts on human health and the environment to an unavoidable minimum throughout the life cycle.

*The following new targets were proposed under SOD:*

**New Target D1** By 2025, all ICCA and CropLife member associations issue annual public reports describing hazard reduction actions, phase-outs and safer alternatives implemented by member companies.

**New Target D2** By 2030, 50 cities containing more than 1 million inhabitants have implemented segregation of waste at source for reuse, non-toxic recycling and composting.

**New Target to merge D1 & D2** By 2030, governments and companies have adopted,-implemented and kept up to date policies and practices including chemicals free alternatives and green and sustainable chemistry to achieve safe materials and products, non-toxic material cycles, circular economy and resource efficiency.

**New target D2** Countries implement policies that encourage strengthened collaborations, support research and development, and contribute to enhanced adoption of approaches including green and sustainable chemistry, sustainable procurement, cleaner production, and the life cycle management of chemicals.

**New Target D2** Sustainable growth and development through the production of goods and services that improve the quality of life is facilitated while minimizing the use of natural resources and harmful materials, as well as the generation of the waste.

**New Target D3** By 2030, 100 countries have poison control centers.

**New Target D4** By 2030, all countries have implemented agroecology training programs and publicly provide percentages of food and fibre produced using agroecological techniques.

**New Target D5** By 2030, 70 countries document chemical impacts on biodiversity with the assistance of UNEP and FAO and reduce pollution so that there are no detrimental effects on ecosystem function and biodiversity.

**New Target D6** [Countries][governments] (globally, regionally, sub-regionally, nationally) implement policies that protect and encourage the role that trade unions, NGOs and other civil society groups play in facilitating change towards the sustainable and safe management of chemicals [and waste] and consumer products throughout their life cycles, and their value chain, including in sharing information and building the capacity of small, medium, and micro-sized enterprises.

*The following new targets were proposed under SOE:*

**New Target E1** The Beyond 2020 Instrument and the Scientific Body [if established] are recognized as authoritative sources of information and advice on chemicals and waste issues.

**New Target E1** By 2030, an independent evaluation demonstrates that gaps between developed and developing countries are narrowed in terms of the implementation of sound management of chemicals and waste.

**New Target E2** By 2030, an independent needs assessment determines that adequate, predictable, and sustainable financing is available for national implementation of the Beyond 2020 agreement.

**New Target E3** By 2030, at least 50% of financing for the sound management of chemicals and waste comes from a coordinated tax or fee on the business sector which contributes to a global fund.

**New Target E4** By 2025, partnership agreements with the business sector are publicly available and consistent with the UN Guiding Principles on Business and Human Rights.

**New Target E4** By 20XX, all stakeholders adopt an integrated approach to finance and ensure that financial and non-financial resources to achieve safe chemicals and waste are mobilised.

**New Target E5** By 2025, all countries have ended fossil-fuel subsidies.

## ***Part II) Set of recommendations for a process to establish indicators and milestones for finalized targets***

### **General considerations:**

1. There was general agreement that considerable progress was made in meeting the mandate of the VWG1. However, additional work is needed on the targets, indicators and milestones to be presented to IP4 and ICCM5 for their deliberations and decisions.
2. In particular, further work is needed to develop draft targets (incorporating a SMART approach) before extensive work can be dedicated towards indicators and milestones.
3. Indicators should be meaningful, i.e. providing a realistic picture of the effectiveness of the measures that can be monitored with regard to the achievement of the Strategic Objectives and Targets over time.
4. Indicators should be limited in number to make their review manageable and to ensure reporting on outcomes can be compact and easily communicated.
5. The monitoring effort should be as simple and affordable as possible without challenging the significance of the review process. It should therefore be referenced to indicators that are monitored already, as far as possible, taking into account existing reporting schemes and data custodians outside the health and environment sectors as well.
6. Regarding the indicators process, the IOMC Organizations, as well as UNECE have expressed their willingness to support the development of an inventory of currently available indicators and this was generally welcomed by VWG1.
7. The group discussed the UK's proposal to provide support on the development of indicators and generally agreed that it could usefully contribute to the process in moving forward.
8. Consideration of headline indicators to measure progress of the instrument.

### ***Review of recommended options for a process to further develop draft targets and to identify their proposed indicators and milestones***

**Table 1.** VWG1 recommended options for a process to further develop draft targets and to identify their proposed indicators and milestones.

	Option 1	Option 2
	Policy expert group	Policy expert group + Technical expert subgroup (data experts/statisticians)
<b>Modality</b>	Fully virtual	Fully virtual with feedback from the technical expert subgroup to the policy expert group
<b>When</b>	Present to IP4 and/or ICCM5	Present to IP4 and/or ICCM5
<b>Participation</b>	Open participation + electronic feedback by all participants	Open participation + electronic feedback by all participants
	ICCM5 participants	

## Option 1: Policy expert group

### Key considerations:

Following the definition of work provided by the VWG, a regional, multistakeholder, multisectoral balanced group will add to existing information and work on target formulation for the targets identified by the VWG under Strategic Objectives A- E.

### Participation

Participation will be open to all SAICM stakeholders.

### Reference documents for the group:

- [SAICM/IP/3/INF/2](#) presented at IP3 in Bangkok at the beginning of October 2019.
- The documents prepared by the 2020 Technical Working Group (Geneva, Feb 2020) on proposed targets and reflections upon possible indicators ([SAICM/IP/4/3](#)) and Supplementary information on proposed targets ([SAICM/IP/4/INF/15](#)).
- [Outcome document of the Virtual Working Group 1 on targets, indicators and milestones \(VWG1\)](#)

### The mandate of the group would include:

- Review of progress in terms of target formulation and based on the results of the:
  - VWG2 on Governance and mechanisms to support implementation;
  - VWG3 on Issues of concern;
  - VWG4 on Financial considerations;

Propose refinements to targets taking into account the considerations provided by the group(s).

2. Advance the work on indicators to develop an indicators framework as far as possible.
3. Revisit the targets and, if necessary, provide suggestions for adjustments in target wording needed to provide clarity in the indicator framework.
4. Make recommendations to IP4 and/or ICCM5.

## **Option 2: Policy expert group + Technical expert subgroup (data experts/statisticians)**

### **Key considerations:**

Following the definition of work provided by the VWG, a regional, multistakeholder, multisectoral balanced group will add to existing information and work on target formulation for the targets identified by the VWG under Strategic Objective A- E, including a subgroup for specific work on indicators.

Option 2 proposed to establish two groups: i) a policy expert/negotiators group that will focus on draft targets and target formulation under strategic objectives and work iteratively with the technical expert subgroup; ii) a subgroup to continue with the work on indicators and milestones.

### **Participation**

Participation will be open to all SAICM stakeholders, including experts with experience in statistics and data, indicator framework development, knowledge of data coverage and availability.

### **Reference documents for the group:**

- a) [SAICM/IP/3/INF/2](#) presented at IP3 in Bangkok at the beginning of October 2019.
- b) The papers prepared by the 2020 Technical Working Group (Geneva, Feb 2020) on proposed targets and reflections upon possible indicators ([SAICM/IP/4/3](#)) and Supplementary information on proposed targets ([SAICM/IP/4/INF/15](#))
- c) [Outcome document of the Virtual Working Group 1 on Targets, Indicators and Milestones \(VWG1\)](#)
- d) [Any other documents as identified by the technical expert subgroup.](#)

### **The mandate of the groups would include:**

#### **Policy experts' group**

1. Review of progress in terms of target formulation and based on the results of the:
  - a) VWG2 on Governance and mechanisms to support implementation;
  - b) VWG3 on Issues of concern;
  - c) VWG4 on Financial considerations;

Propose targets and respective indicators were deemed necessary and taking into account the considerations provided by the group(s).

2. Select the group of targets for assessment of measurability by the technical expert subgroup meanwhile

continue further development on the remaining draft targets.

3. Review the work of the subgroup, revisit the targets and, if necessary, provide suggestions for refinements in target wording needed and make recommendations to IP4 and/or ICCM5.

### **Technical expert subgroup (data experts/statisticians)**

1. Development of a draft indicator framework, and an initial/indicative proposed list of indicators relevant for the targets identified by VWG1 (in particular identifying those indicators that already have an agreed methodology, data sources and a custodian), and an indication of gaps (lack of indicators, lack of methodology, lack of data). Discuss the need and relevance of high-level indicators to assess progress of the instrument (e.g., burden of disease or environmental burden).
2. Recommendations made for an indicator framework should be guided by the following criteria:
  - a) Indicators should be measurable and meaningful, i.e. providing a realistic picture of the effectiveness of the monitored measures with regard to achievement over time of the Strategic Objectives and Targets. Considerations on qualitative indicators could be assessed, e.g., to describe different steps of processes.
  - b) Indicators should be limited in number to make the review manageable and ensure compact and easy to communicate reporting outcomes;
  - c) The monitoring effort should be as simple and affordable as possible without challenging the significance of the review process. It should therefore include relevant indicators that are monitored already, as far as possible, taking into account existing reporting schemes and data custodians outside the health and environment sectors as well.
3. Identification of potential institutions responsible for collection / validation of data, and reporting, monitoring and evaluation, and development of a methodology in case it does not exist.
4. Revisit the targets and, if necessary, provide suggestions for adjustments in target wording needed to provide clarity in the indicator framework. Submit information to the policy group for review and finalization of recommendations to IP4 and/or ICCM5.

### ***b. Virtual Working Group 2 on Governance and Mechanisms to Support Implementation textual recommendations for review***

## ***Part I – Textual Recommendations***

### **Section B: National Implementation**

1. To sustain an integrated approach for the sound management of chemicals and waste, each Government should establish arrangements such as national plans of action for implementation on an inter-ministerial or inter-institutional basis, in consultation with stakeholders, so that concerned national department and stakeholder interests are represented and all relevant substantive areas are addressed.
2. Each government should designate a technical [and] [or] a political national focal point to facilitate communication and coordination at the national, regional, and international levels with respect to the [sound management of chemicals and wastes] [beyond 2020 instrument]. National focal point[s] should, among other duties, attend meetings, disseminate information, develop a network or a mechanism to coordinate

national views [that includes consultations with all relevant sectors and stakeholders], and be representative of the country's inter-ministerial or inter-institutional arrangements, where such arrangements exist.

3. To support effective implementation, stronger efforts are required to ensure that national implementation involves the engagement of the appropriate range of stakeholders and sectors (e.g., the health, environmental, agriculture and labour sectors) to address national priorities.

4. Should a [government] [stakeholder] choose to develop a national plan of action or program to further implementation efforts at the national level, such plan or program [may] [should] be used to support its reporting under this Section on the progress made during the reporting period [with respect to the agreed strategic objectives and targets], keeping in mind that such plans or programs are tailored to national actions and measures and should not be duplicative of existing arrangements or other reporting efforts.

5. All stakeholders should undertake actions to [ensure] [promote] progress on the implementation of the strategic objectives and targets at the national level.

### **Section C: [International,] Regional, and Sectoral Cooperation and Coordination**

1. Priorities and capacities for implementation vary among regions according to their different economic and other circumstances.

2. International, regional, and sectoral collaboration play integral roles in supporting the sound management of chemicals and waste at all levels, including among trading partners and other regional organizations.

3. International and regional meetings and coordination mechanisms play an important role in enabling stakeholders in each region to exchange experience and identify priority needs in relation to implementation, as well as to develop regional positions on key issues.

4. Regions are encouraged, where appropriate:

- a) To identify common priorities,
- b) To develop regional implementation plans for the sound management of chemicals and waste, and to consider regional or sub-regional approaches and projects, and
- c) To appoint a regional focal point.

5. Regional focal points are to play a facilitative role within their regions, including undertaking activities determined at the regional level, such as chairing regional meetings, disseminating information of interest to focal points within their region, collecting views from national focal points on matters of interest to the region, identifying opportunities for regional cooperation, assisting in the flow of information and views from the region to its Bureau member, as appropriate, and reporting periodically on the outcomes of their regional meetings and other regional activities.

### **Section D: Enhanced Sectoral and Stakeholder Engagement**

1. The involvement and commitment of all relevant sectors and stakeholders at the local, national, regional and international levels is important for the sound management of chemicals throughout their lifecycle and waste.

2. At the national level, governments, as appropriate, should undertake, in accordance with their laws, regulations and policies, [taking into account their national circumstances,] actions to build or improve regulatory and non-regulatory frameworks and institutional structures and capacities for multi-sectoral

coherence [for the sound management of chemicals and wastes][in the implementation of the beyond 2020 instrument], as well as [urge] complementary action by relevant stakeholders.

3. Relevant regional [conventions] programmes, bodies and processes, such as health and environmental ministerial forums, should support and augment such national efforts, fostering coordination and cooperation.

4. It is also essential that at the international level, relevant international organizations and bodies, in particular the IOMC organizations [and the chemicals and waste-related conventions,] also support national and regional efforts to enable and enhance the participation of stakeholders and sectors and to promote awareness regarding the crosscutting nature of the sound management of chemicals and waste [as an essential element<sup>5</sup>] to achieve the sustainable development goals.

5. In addition, mindful of the need to avoid duplication and taking into account their respective mandates [and constituencies], [such][relevant] international organizations and bodies [should be][are] invited to [endorse and adopt][formally recognize] [the beyond 2020 instrument] and strengthen their own engagement on [and ownership of] policies and actions for the sound management of chemicals and waste [through establishing a mechanism to coordinate activities and further include them in their programmes of work and budgets], [including coordinating relevant activities and programmes of work] relating to the implementation of the 2030 Agenda and its sustainable development goals and targets.

6. The enhanced efforts of all relevant sectors and stakeholders involved in [the sound management of chemicals throughout their life-cycle and waste][the implementation of the beyond 2020 instrument] should include increased or improved: (1) actions by members of individual sectors and stakeholders, (2) collaboration between and among key sectoral and stakeholder groups, and (3) multi-stakeholder and multi-sector dialogue throughout the implementation of the beyond 2020 instrument.

7. All relevant sectors and stakeholders [throughout the value chain of chemicals and waste<sup>6,7</sup>] are invited and encouraged to enhance their contributions, as appropriate, to achieve the shared vision, the objectives and targets of the beyond 2020 instrument.

8. The involvement of industry and the private sector throughout the value chain needs to be significantly enhanced in the beyond 2020 instrument at all levels. The roles and responsibilities of industry and the private sector throughout the value chain in implementing the sound management of chemicals and waste offer a strong basis for enhanced involvement and action and should be clearly identified and developed.

9. Contributions to the implementation of the beyond 2020 instrument are expected to be in the form of workplans, road maps, action items, milestones, pledges, or other appropriate commitments and should contain a clear definition of the roles and responsibilities of the sector and/or stakeholder, and the intended mechanism for implementation that contributes to the achievement of the objectives and targets, as well as opportunities for joint collaboration or actions.

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<sup>5</sup> There was only one stakeholder group (A Group of NGOs) that asked for this bracketed text to remain.

<sup>6</sup> IP4 may want revisit the phrase “throughout the value chain of chemicals and waste” in this section to determine whether further definition or clarity is needed and to consider whether there is duplication of content with, for example, paragraph 1 or other paragraphs of this Section.

<sup>7</sup> There was only one stakeholder group (A Group of NGOs) that asked for this bracketed text to remain.



10. The secretariat is requested to compile the contributions from the relevant stakeholders and sectors and, taking into account the objectives and targets of the beyond 2020 instrument, identify any potential engagement gaps, in consultation with other stakeholders. The secretariat is also requested to prepare an analysis using input from stakeholders and others to identify any additional coordination and collaboration necessary to enhance the multi-sectoral and multi-stakeholder engagement within the framework of the beyond 2020 instrument.

11. The international conference may decide to request periodic updates on the implementation of the contributions from the relevant sectors and stakeholders to consider and assess whether enhanced levels of sectoral and stakeholder engagement have resulted in progress toward the achievement of the common objectives and targets or whether particular actions within the beyond 2020 instrument require additional enhancement or engagement.<sup>8</sup>

12. All efforts to enhance sectoral and stakeholder engagement should be expected to lead to strengthened cooperation and coordination with respect to the [sound management of chemicals and waste][implementation of the beyond 2020 instrument], following a common and shared [and timeless] vision to be adopted by ICCM5 [, [taking into account any engagement] [and endorsed] [and formally recognized] by the UN General Assembly (UNGA), other relevant international bodies such as the governing bodies of the IOMC members, and relevant MEAs [to secure the necessary ownership<sup>9</sup>].

[13. To improve the multi-sectoral cooperation and coordinating structure focused on chemicals and waste, the IOMC should promote broad membership and participation of relevant intergovernmental bodies, including international organizations and secretariats of chemicals and waste related conventions, and seek guidance from governmental representation from their respective governing bodies to strengthen their sound management of chemicals and waste prioritization, coordination, engagement and support for national implementation, within their respective mandates.]

#### **Section E: Subsidiary and Ad hoc Expert Bodies**

Based on its review, the VWG does not see a need for the Beyond 2020 instrument to contain a Section E on subsidiary and/or ad hoc bodies that provides for any *procedural* mechanisms. The VWG recommends that this section, as presented in [SAICM/IP.4/2](#), be deleted. This view takes into account a number of factors, including:

- Section A already identifies the international conference as the body that would establish the subsidiary bodies, and the VWG supports that text;
- the rules of procedure ([here](#), p. 106-115) provide for the arrangements for how the international conference establishes any subsidiary bodies (Rule 23) and call for the international conference to keep things under review (Rule 23, paragraph 3), and are expected to do so going forward;
- the rules of procedure outline the participation in such subsidiary bodies (Rule 3), and are expected to do so going forward;
- the range of options outside of Section E to formalize, if so desired, the continuation of the OEWG; and
- the precedent already in place for the international conference to assess the need for and to form bodies when deemed necessary, as was done for the OEWG through Resolution II/6 ([here](#), p. 41).

Considerations: Further review and substantive consideration do need to be given to Section A, Rules 3 and 23, and the options related to the OEWG to ensure that the goals and priorities of the stakeholders are able

<sup>8</sup> IP4 may want to consider whether this paragraph is duplicative of content in Sections A and/or G.

<sup>9</sup> There was only one stakeholder group (A Group of NGOs) that asked for this bracketed text to remain.

to be met. In addition, further consideration should be given to any potential substantive functions that the stakeholders may want to formalize in the text and, should such functions be agreed to during the Intersessional Process, their form (i.e. subsidiary body, ad hoc expert groups, , etc.) would also need to be considered (the list of potential functions discussed, but not finalized, can be found [here in Annex A](#)).

Therefore, Section E in the compilation text would be deleted, with the following footnote (x) inserted after the Section header:

### **Section E<sup>X</sup>:**

**X** = The Virtual Working Group on Governance and Mechanisms to Support Implementation (VWG2) recommends that the Intersessional Process take note of the need for further review and substantive consideration of Section A, Rule 3, and Rule 23 to ensure their sufficiency to establish any desired subsidiary or ad hoc bodies, as well as the need to further consider options related to the continuation of the Open-ended Working Group (OEWG). In addition, the VWG identified a number of potential functions (see [here](#), Annex A) that warrant further discussion and consideration. These functions are substantive in nature and their form (i.e. subsidiary body, ad hoc expert bodies, etc.) could be considered if their function is agreed to during the intersessional process.

#### **E.<sup>X</sup> ~~Subsidiary and ad hoc expert bodies~~**

~~1. — The international conference should have the ability to establish subsidiary and ad hoc, time-limited groups to study and provide advice to the international conference on scientific, technical and/or policy issues not already [addressed in the framework of] [covered by] existing forums.~~

~~2. — Such groups should be [open ended] geographically balanced, transparent, flexible and academically credible [with strict conflict of interest policies in place and be implemented]; promote two-way dialogue between disciplines and between science and policy; promote awareness raising activities; and incorporate strict standards of rigor, including peer review, to be approved by the international conference. The functions could include but are not limited to:~~

- ~~a. [Identifying, prioritizing and providing recommendations to address chemicals and waste issues of [international] concern];~~
- ~~b. Facilitating implementation in developing countries through, for example, basic regulatory schemes;~~
- ~~c. Assessing the scale, sources and health and environmental costs of chemicals and waste; analysing and developing response options;~~
- ~~d. Facilitating innovation and making recommendations that maximize the benefits of sustainable and safer alternatives;~~
- ~~e. Developing indicators to support the effective review of the objectives, targets and milestones and the effective functioning of the instrument.~~

### **Section G: Taking Stock of Progress**

1. All stakeholders are [encouraged][invited] to contribute to the assessment of the progress of the beyond 2020 instrument<sup>10</sup> in meeting the vision statement by providing information on their implementation efforts to meet the strategic objectives and their associated targets, taking into account the indicators,

<sup>10</sup> Brazil notes that for all the recommendations of the VWG, there is not yet agreement nor a final decision on the name or form of the Strategic Approach. Therefore, it will be important to ensure that once such a decision is made, the terminology currently noted as “the beyond 2020 instrument” will need to be revised.

milestones, and contributions of all relevant sectors. By doing so, stakeholders can identify successful outcomes, as well as any gaps or challenges, drive opportunities for scaling up and improvement, share information, and assess the need for enhanced implementation efforts, and, if necessary, further prioritize their engagement and activities.

2.<sup>11</sup> Reporting processes should occur regularly and sufficiently often to provide for the effective assessment of the progress of the beyond 2020 instrument in meeting the vision statement.

3. All stakeholders should provide information related to their implementation efforts to <sup>12</sup> the Secretariat for its compilation, [analysis], and presentation of the report to the international conference for its review. Stakeholders should provide such information in an organized and transparent manner, consistent with any guidance or template provided by the international conference. Such information may also include reporting on voluntary commitments as well as pledges or similar activities.

4. The information provided by stakeholders should focus on efforts to implement the agreed strategic objectives and targets, taking into account the indicators, milestones, and contributions from all relevant sectors to allow the international conference<sup>13</sup> to assess the progress in implementing the beyond 2020 instrument<sup>14</sup> and in fulfilling the vision in a comprehensive manner.

5. Stakeholder data and information should be made available and be able to be shared publicly to allow for a comprehensive and cooperative review<sup>15</sup> by the international conference of the overall progress in achieving the vision, strategic objectives, and targets, as well as to propose recommendations to address any identified gaps.

6. The beyond 2020 instrument invites the sharing of data and information from complementary reporting processes of relevant agreements, initiatives, and the IOMC and other organizations in order to take into consideration, as appropriate, any linkages with such agreements, initiatives, or organizations and to minimize the reporting burden for all stakeholders.

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<sup>11</sup> As this Section is considered, it is important to note that the timeframes for the reporting and the assessment of information and data provided in Section G and updating process in Section H will need to be harmonized and, therefore, should be discussed together.

<sup>12</sup> The VWG requests that both the task of receiving reporting from stakeholders and the task of reporting to the international conference on the progress of the instrument in attaining the strategic objectives and targets be referred to the next stage of the process for consideration under Part V on Institutional Arrangement and, in particular, Section C on the role of the Secretariat. Text similar to “Receive reports from all relevant stakeholders on progress of implementation efforts and to disseminate such information as appropriate” and “Reporting to the international conference on the progress of the instrument in attaining the strategic objectives and targets” (this task would include the compilation, [analysis,] and presentation of a report for the international conference) could be placed in brackets in Part V, Section C, and identified as an issue flagged for consideration by VWG2.

<sup>13</sup> The VWG notes the need to ensure in Section A (Part V) that the international conference is tasked with evaluating and reporting on the implementation of programmes that are fulfilling the vision with a view to reviewing progress on the strategic objectives and targets, and updating the programme of work as necessary. The VWG refers this task to the next stage of the process for consideration.

<sup>14</sup> The VWG notes the importance of the comment in the Parking Lot from a number of stakeholders on Section G, paragraphs 1 and 2, related to the need for future consideration of a template or guidance to ensure that all aspects of the instrument are included in the reporting.

<sup>15</sup> Should the VWG recommend that there be an ad hoc or periodic review group, then the text of this section should be further considered to take into account the functions of that periodic review group and the potential linkages to Sections A and H should be further considered.

<sup>16</sup>[7. Institutional arrangements for taking stock of progress on the sound management of chemicals and waste should include a multi-stakeholder periodic review process, facilitated by the secretariat, to review progress and, in cooperation with the Secretariat, prepare the report for the international conference that summarizes implementation progress and outlines recommendations.]

<sup>17</sup>[7<sub>bis</sub>. These reports should facilitate discussion among stakeholders and allow for adaptation and response to any issues of concern.]

[ALT 7,7<sub>bis</sub>. To improve implementation efforts and strengthen the monitoring, evaluation, and reporting, the Secretariat may facilitate, upon request by a government, voluntary peer reviews.]

8. The overall effectiveness of the beyond 2020 instrument should also be independently evaluated, taking into account the stakeholder reported data and information presented by the Secretariat and evaluated by the international conference. This overall evaluation should take place [after sufficient time has elapsed] [as decided by the international conference] [[possibly [in conjunction with] [at the same time as] the review of the 2030 Agenda for Sustainable Development.]

#### **Section H: Mechanism for Updating and Revising the Framework<sup>18</sup>**

1. The international conference [may update] [may consider initiating a process to update] or revise the beyond 2020 instrument after taking into account: the assessment of the information and data called for from all stakeholders under Section G (Mechanisms for Taking Stock of Progress) and the results of the periodic evaluations called for by the international conference to review the overall effectiveness of the beyond 2020 instrument.

2. Such updates or revisions may be proposed by any [government] [stakeholder] and will require formal adoption by the international conference. The text of any proposed update or revision shall be communicated to all stakeholders and focal points by the Secretariat at least six months in advance of the international conference. The budget for the process to update or revise the instrument will be provided for via the operational budget adopted by the international conference.

### ***Part II – Recommendation for further progress on the Science-Policy Interface***

The following represents the progress of the Virtual Working Group on Governance and Mechanisms to Support Implementation and its recommendation for part (b) of the mandate listed above.

The Virtual Working Group on Governance and Mechanisms to Support Implementation (VWG2) discussed the concept of a Science-Policy Interface (SPI) in three of its VWG meetings, received written submissions, hosted a technical briefing on the Science Policy Interface paper prepared by UNEP ([SAICM/IP.4/4](#)), and considered a [paper drafted by the Co-facilitators](#) with their reflections related to a Science-Policy Interface based on the above-mentioned consultations.

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<sup>16</sup> Only one stakeholder group (A Group of NGOs) asked for this paragraph to be retained (please see the summary from the 7<sup>th</sup> virtual meeting of the VWG held on 14 January 2021).

<sup>17</sup> Only one stakeholder group (A Group of NGOs) requested this paragraph be included, with support from SDPI.

<sup>18</sup> If this section impacts the work and mandates of the international conference under Section V. Institutional arrangements and its rule of procedures, those should be updated accordingly. One member of the VWG also called attention in general under this section to the need to ensure consideration of, and potentially consistency with, the rules of procedure.

Collectively, the VWG confirmed a number of points of agreement, as well as identified areas for further work. The following are points of agreement and represent the starting point for future discussion.

- There is a confirmed need for some form of a SPI. While stakeholders have a wide range of rationales for supporting such a need, there is no disagreement on its desirability.
- Any SPI mechanism designed to meet this need should be inclusive of all relevant stakeholders and sectors, encouraging new channels to spur the involvement of academics, industry, scientists, NGOs, labor, health, and other civil society representatives.
- Any SPI should be mindful of the need to ensure expertise from developing countries and indigenous communities and to take into account local knowledge and gender considerations.
- Any SPI should not be policy prescriptive.
- Provide clarity to ensure that the work of any SPI would not be duplicative of existing efforts, including efforts under the scientific bodies of existing multilateral environmental agreements.

The VWG also began the process of identifying what the functions (see [here](#), Annex B) and the characteristics of a SPI could be, irrespective of the scope and placement of the SPI. Further work is needed in both of those areas. The questions of scope and placement of a SPI also remain outstanding. While there is a sense that a number of options could be possible in terms of scope and placement, the two options most frequently highlighted included establishing a SPI mechanism within the beyond 2020 instrument (potentially through a subsidiary or ad hoc body) or, recognizing that the IP is well-positioned to detail the needs for a broad or overarching SPI, calling for an intergovernmental SPI body for the chemicals and waste cluster (which would need to be agreed to at a higher political level within the UN system).

The VWG recommends that further dialogue take place to make further progress on the functions and the characteristics of a SPI, as well as development of the potential options for its scope and placement.

### ***Part III -- Recommendations for Further Consideration: “The Parking Lot”***

The VWG recommends that further discussion take place with respect to the issues listed below.

#### **Section B**

USA: Footnote for “waste”: Given that this is the first reference to “waste” in this document, the United States is highlighting it to ensure that footnote 1, which notes that the brackets around chemicals and [their associated] waste apply to consideration of waste across the entire text, is recognized and duly noted.

#### **Paragraph 1**

A Group of NGOs: Add “National action plans should be aimed at achieving the targets and indicators for the Strategic Objectives and Issues of Concern.” This paragraph was not open for comment during the VWG meeting as there were no existing brackets to resolve. It has been placed in the parking lot in the event that the stakeholders wish to consider new text at a later time.

#### **Section D**

FAO, ILO, WHO: Proposed new text to address a gap: “In light of the multisectoral character of SAICM, and in accordance with Rule 15 paragraph 5 of Rules of Procedure, the ICCM President shall invite to the Bureau one government representative from the each of the agriculture, labour and health sectors. FAO, ILO and WHO shall be invited to facilitate nomination of the representatives”. There was not sufficient time to discuss this possible addition; further consideration of whether to accept it is needed.

**IOMC:** Proposed new text to replace paragraph 13: “To contribute actively to the implementation of the beyond 2020 framework, the IOMC should continue to promote broad engagement and coordination of the policies, work programmes, and activities of relevant intergovernmental organizations, further strengthening international cooperation and multi-sectoral engagement in the sound management of chemicals and waste.”

## **Section G**

### **Paragraphs 1 and 2**

UNEP, SDPI Pakistan, GAHP, EU/MS, USA, and ICCA with input from others: There was a high level of interest in ensuring that the reporting by all stakeholders is provided to the Secretariat in such a way that the information can be compiled and considered in a standardized, productive, and understandable way such that the international conference can use the information to assess progress. Text was added to paragraph 2 to note that reporting by all stakeholders should be consistent with any guidance or template provided by the international conference, but the intersessional process might want to consider whether to provide further direction in the text to creating such guidance or template.

### **ALT 3<sub>bis</sub>**

At the end of the process, the VWG did not have time to consider Switzerland’s proposal for a potential process to conduct Voluntary Peer Reviews (VPRs), currently included as a concept in Section G, ALT 3<sub>bis</sub>. This is left for further consideration of the VWG in the future, with the following process details below:

#### *1. Request*

A country requests a VPR and develops, in collaboration with the SAICM Secretariat, the terms of reference (TOR). A call for experts is launched, and the Secretariat assembles the review team.

#### *2. Review*

The team of experts undertakes the review, in general through a country visit. They meet with representatives of government and stakeholders. The focus would be the questions specified in the ToR. The outcome of the review is a report by the group of experts.

#### *3. Publication and Launch of Report*

The publication of the report provides an opportunity to discuss the findings with stakeholders in the country and allows attention to be drawn to issues where improvement is envisioned. Making it available on the SAICM website can also help inform interested stakeholders in other countries.

### *c. Virtual Working Group 3 on Issues of Concern textual recommendations for review*

#### **Proposed Title: Issues of [international] concern**

##### **Rationale**

The group expressed different views on the title. As the views expressed went in different directions, the co-facilitators have not proposed a new title, but kept the one from the compilation document ([SAICM/IP.4/2](#)).

Based on the discussions, the co-facilitators would like to note that it could be difficult to address an issue which is not ‘of concern’ under this title.

Other alternative proposals for the title are set out in the box below.

#### **Alternative Proposed Titles**

- (i) Issues of [International][Global] Concern [or Interest]
- (ii) Preventing and addressing issues of concern
- (iii) Issues of concern that warrant global action
- (iv) [Broader] Issues for common action
- (v) Priority issues for global action
- (vi) Issues of focus
- (vii) Issues to advance sustainability

#### **A. Definition**

1. An issue of concern is an issue involving any phase in the life cycle of chemicals and which has not yet been generally recognized, is insufficiently addressed or arises from the current level of scientific information and which may have significant adverse effects on human health and/or the environment.

#### **Rationale**

Based on the discussions and feedback, the definition used in ICCM Resolution II/4 is proposed as it is already agreed, simpler and viewed as more inclusive.

A number of participants indicated the need to include the word 'waste' in the definition. The co-facilitators note that the wording "involving any phase in the life cycle of chemicals" would also include the waste phase. There was a request to include the 2030 Agenda and SDG target 12.4 into the definition text.

Several stakeholders requested deletion of the word significant as it was felt to narrow the potential scope, while others noted the word significant may help to prioritize issues. There was an additional request to include alternative wording to incorporate issues that would benefit from focus attention and collaboration, including on Strategic Objective D.

During the discussions and in the electronic submissions, a number of proposals were raised. Additional comments that were submitted are set out in Annex 1, including two alternative proposals.

#### **B. Submission of Information**

2. To nominate an issue, the following information should be provided<sup>19</sup>:
- a. Why the beyond 2020 instrument is best placed to advance the issue.
  - b. Impacts on human health and/or the environment related to the issue, taking into account inter alia women, children and other vulnerable populations, biodiversity ecosystems and any toxicological and exposure data;  
**Alt b.** How addressing the issue through the beyond 2020 instrument<sup>20</sup> is expected to prevent or reduce significant adverse impacts on human health and/or the environment from chemicals

<sup>19</sup> The information should be included in the nomination and not necessarily viewed as an information requirement.

<sup>20</sup> For the sake of consistency, the term instrument is used throughout the document. This text will be aligned with the name of the new instrument/framework when the name is decided upon.

- and associated waste, taking into account inter alia women, children and other vulnerable populations, biodiversity ecosystems and any toxicological and exposure data or how addressing the issue is expected to foster research and development, invention, and accelerate the uptake of innovative and sustainable solutions for the sound management of chemicals and associated waste;
- c. How the issue is integral to the vision of the Beyond 2020 instrument, is ongoing, and needs to be addressed to enhance basic chemicals and [associated] waste management<sup>21</sup> and/or advance the implementation of innovative and sustainable solutions, particularly taking into account specific national circumstances;
  - d. How addressing the issue can assist countries to meet the Sustainable Development Goals;
  - e. Extent to which the issue is of a cross-cutting nature including at the sectoral level;
  - f. Extent to which the issue is being addressed by other bodies, at the regional or international level, and how the proposed action to address the issue is related to, complements, or does not duplicate such effort;
  - g. Existing knowledge and perceived gaps in understanding about the issue;  
**Alt g.** Summary of existing knowledge, relevant past activities, and perceived gaps in understanding of or taking action on the issue;
  - h. A list of priority actions and related timelines to guide implementation and the elaboration of a proposed workplan, including opportunities for multi-stakeholder and multi-sectoral engagement.  
**Alt h.** A potential lead agency of the issue, a list of priority actions and related timelines to guide implementation and the elaboration of a proposed workplan, including targets and corresponding indicators to assess the progress of implementation.

#### **Rationale**

There was general support for the information requirements set out in Annex B in the compilation document, and this text proposal follows Annex B as a starting point. Some attempt has been made to simplify the text and identify possibilities for compromise or alternative text in areas of divergence as per the mandate of this Virtual Working Group.

Inputs received in the written submissions were supportive of the text that was set out in Annex B. The co-facilitators have further revised their proposal above by consolidating the written submissions received into this section of the document. The title of this sub-section 'Submission of Information' has been revised to align more with the title from ICCM Resolution II/4.

With respect to criteria, many participants noted that the criteria originally set out in Annex B of the compilation document (a. adverse effects; b. coverage of the issue under other bodies; c. relevance; and d. recognition) were duplicative of the text above and were generally captured under the information requirements. Furthermore, criteria would not be foreseen as prerequisites to be fulfilled for consideration as an issue. With this in mind, the criteria section has been removed from the co-facilitators' proposal.

### **C. Nomination, selection and adoption process<sup>22</sup>**

#### **i. Nomination of issues**

<sup>21</sup> Consideration should be given to how the proposed action will further basic chemicals management as per the 11 basic elements in the Overall Orientation and Guidance.

<sup>22</sup> Annex II includes a diagram to help outline the proposed nomination process.



3. The process for nominating issues is open to any stakeholder. The nomination procedure will be made available on the Strategic Approach<sup>23</sup> website.
4. To promote communication about the nomination:
  - a. nominations should be communicated widely, including to all Focal Points.
  - b. regions may wish to add the subject to relevant regional meeting agendas.
5. Nominations must be submitted no later than six<sup>24</sup> months prior to a meeting of the Conference.

#### **Rationale**

- There was general support for the nomination procedure set out in Annex B in the compilation document.
- Some attempts have been made to simplify the text and identify possibilities for compromise or alternative text in areas of divergence as per the mandate of this virtual working group.
- Issues of concern will arise and evolve over time, and nominations will be allowed at any point.
- Many submissions have requested a longer timeframe for review of nominations, and we have inserted the text ‘no later than’ in paragraph 3. This requires further consideration, including how this timing may link to a possible OEWG in the future.
- One proposal came forward for increased horizon scanning functions to help assess the scientific evidence base which is further elaborated in Annex 1.
- Additional comments that were submitted in the process are noted in Annex 1.

#### **ii. Initial review and publication of nominations**

6. The secretariat will check nominations for completeness with the aim of assisting proponents in completing their nominations. Proponents will be contacted to provide any missing information.
7. The secretariat will compile a list of nominations, annotated with a summary of information from the submission. Similar nominations will be clustered so that similar issues can be considered in together, as appropriate and relevant.
8. An invitation to all stakeholders to provide comments will be issued by the secretariat prior to the session of the Conference at which they will be considered. Comments received from stakeholders on the nominations will be made publicly available by the secretariat.
9. The proponents of an issue will have an opportunity to revise their nomination to take into account comments or to clarify information provided and to work with other proponents to consolidate nominations that may be similar or complementary.
10. The secretariat will consolidate a final list of nominations, annotated with a summary of information.

#### **Rationale**

<sup>23</sup> This text will be aligned with the name of the new instrument/framework when the name is decided upon.

<sup>24</sup> Many of the submissions asked for more time than 6 months. This requires further consideration, including how this timing may link to a possible OEWG in the future.

- The basis of this text has been extracted from the agreed text in ICCM resolution II/4. Some attempt has been made to simplify the text and update it to align it with Annex B.
- It was noted in the submissions that there is the additional need to include a role for initial review and publication of the nomination, as was the case in Resolution II/4. The co-facilitators have not made an attempt to insert this text at this stage.
- Additional comments that were submitted in the process are noted in Annex 1.

### iii. Decision-making and adoption

11. New issues should be selected and adopted by a resolution of the Conference. If several issues are nominated, the Conference when considering nominations may choose to prioritise the issues. In adopting an issue, the Conference should:
- a. agree to a list of priority actions and related timelines;
  - b. establish an ad hoc multi-stakeholder committee.
12. The ad hoc multi-stakeholder committees will undertake the following tasks:
- a. develop and encourage implementation of a workplan, including propose indicators for relevant targets under different Strategic Objectives of the instrument;
  - b. coordinate with other relevant bodies, such as the IOMC organizations and others (e.g. the convention secretariats);
  - c. monitor and report on the progress against the indicators<sup>25</sup>; and
  - d. make recommendations for consideration of the Conference as appropriate.

#### Rationale

- Ad hoc multi-stakeholder committees are proposed to encourage implementation on the individual issues of concern. As previously stated, the co-facilitators have been inspired by the working groups for the Basel Convention Partnerships and the Global Alliance to Eliminate Lead Paint and have envisaged similar approaches.
- The membership of the ad hoc multi-stakeholder committees has not been discussed in any detail by the VWG. The intention for the ad hoc committees would be to be transparent, inclusive and representative of the multi-sectoral and multi-stakeholder nature of the instrument. The ad hoc committees would also need to be flexible and cost effective.
- In the written submissions, a number of comments came forward regarding the ad hoc committees that require further discussion, including:
  - Other proposals that came forward for the type of committee include: a Programme Board, lead agency (see annex 1).
  - A question about whether this group would be a subsidiary, an expert or an open-ended group?
- If a decision is taken at a future Conference to continue the work of the current emerging policy issues or other issues of concern under SAICM, it is proposed that efforts on these issues will also be guided by the process set out in section (iii), using existing efforts and structures that are on-going for the particular issue as a basis.
- Furthermore, proposed text within the main body of the future instrument discussed in the Governance group should be reviewed in consideration of the Virtual Working Group 3 discussion. Section VI. Mechanisms to support implementation, part E. Subsidiary and ad hoc expert bodies is also relevant.

<sup>25</sup> This is further elaborated in part (D) Mechanisms for implementation, section (ii) Tracking progress.

- Additional comments that were submitted in the process are noted in Annex 1.

## **D. Mechanisms for implementation**

### **i. Workplans**

13. Implementation of actions to address issues<sup>26</sup> is guided by a work plan with clear timelines and milestones;

14. All stakeholders [in a position to do so] are encouraged to take the necessary actions and/or provide [required] funding and necessary assistance towards the implementation of the workplan.

#### **Rationale**

The need to develop a work plan for specific, measurable and time-bound implementation was highlighted in the discussions and is reflected in this proposal from the co-facilitators.

A number of the submissions have highlighted the linkage between paragraph 1 and the development of targets for Issues of Concern, in line with the mandate of VWG 1. The co-facilitators recommend that this be given further consideration when there is further clarity on Strategic Objective C on issues of concern.

Some comments were raised regarding the need to ensure funding for the implementation of workplans and while doing so lessons learned from the current emerging policy issues and other issues of concern should be taken into consideration in moving forward.

Additional comments and proposals received in the written submissions are set out in Annex I.

### **ii. Tracking progress**

15. The ad hoc multi-stakeholder committees, with support of the secretariat, will oversee monitoring and reporting back from stakeholders, and encourage implementation of the workplan, through: reports to meetings of the [of the relevant body] [as determined by][of ][the Conference], and at regular intervals as identified in the proposed workplan prepared in accordance with section (i), above;

- periodic reviews within intersessional periods, and/or as requested by the Bureau; and
- reporting on progress as outlined in the proposed workplan.

#### **Rationale**

##### **ii. Tracking progress**

This text is drawn from Annex B of the compilation document. Some attempt has been made to simplify the text and identify possibilities for compromise or alternative text in areas of divergence as per the mandate of this virtual working group.

Additional comments received in the written submissions are set out in Annex I. The submissions show a range of proposals for the responsibility to track progress, ranging from a lead agency, the multi-stakeholder committees, to a Programme Board.

<sup>26</sup> Once a decision is taken on the name / title of the issue (i.e. issues of concern, issues for common action etc.), the co-facilitators propose to reference that name / title throughout the text.

### iii. Determining the need for further work on an issue

16. Determining the need for further work on an issue will be based on a full explanation of the rationale on a way forward, provided by the secretariat, in consultation with the multi-stakeholder committees, to the Conference following the progress evaluation of the activities carried out in accordance with the workplan.

17. The Conference may decide to conclude work on a particular issue.

#### Rationale

This text is drawn from Annex B of the compilation document. Some attempt has been made to simplify the text and identify possibilities for compromise or alternative text in areas of divergence as per the mandate of this virtual working group.

Additional comments received in the written submissions are set out in Annex I. The written submissions highlight that more discussion is needed in this area, particularly what entity is responsible to report to the Conference. The submissions show a range of proposals, including the secretariat, the lead agency, the multi-stakeholder committees and a Programme Board.

### *Annex III*

Upon suggestion from the co-facilitators, the group supported the addition of Annex III. Annex III lists all comments submitted by VWG3 participants during the VWG process.

#### Comments submitted on the Definition

Brazil – Comment: We support the efforts to reach a simple and precise language on the definition of an issue of concern. Bearing this in mind, we think the term “generally” is vague enough not to address important issues that need to be considered and properly recognized.

Canada – Alternative proposed definition: “An issue of concern can be any issue within the scope of the beyond 2020 framework that is not being addressed in another forum and for which the beyond 2020 framework is best placed to make progress.”

Comment: The definition proposed is the original definition from the Annex to resolution II/4 which was for “emerging policy issues” and so is not transferable to “issues of concern” and could omit appropriate issues for the instrument to consider/address. Given that the submission of information section sets out sufficient descriptions of what kinds of issues should be proposed for consideration, we suggest using something simpler.

EU & MS – Text proposal: Delete significant. Add waste.

Iran – Alternative text: An issue of international concern is an issue identified at any phase in the life cycle of chemicals which may have significant adverse effects on human health and/or the environment and which has not yet been [generally] recognized, arises from the current level of valid/certain scientific certainty.

Japan – Text proposal: An issue of concern is an issue related to chemicals and waste involving any phase in the life cycle of chemicals and which has not yet been generally recognized, is insufficiently addressed by other bodies at the regional or international level and or arises as being of concern that may have significant adverse effects on human health and/or the environment from the current level of the best scientific information knowledge and which may have significant adverse effects on human health and/or the environment.

Norway – Text rearrangement: An issue of concern is an issue involving any phase in the life cycle of chemicals which may have significant adverse effects on human health and/or the environment and which has not yet been generally recognized, is insufficiently addressed or arises from the current level of scientific information and which may have significant adverse effects on human health and/or the environment.

UK – Text proposal: An issue of concern is an issue involving any phase in the life cycle of chemicals and [waste] which has not yet been generally recognized, is insufficiently addressed or arises as a potential concern...

USA – Text proposal: An issue of concern or interest is an issue involving any phase in the life cycle of chemicals that would benefit from focused attention and collaboration from stakeholders to reach the strategic objectives of the instrument, including Strategic Objective D, and which ~~has not yet been generally recognized, is insufficiently addressed or arises from the current level of scientific information and which may have~~ can be addressed to prevent or reduce significant adverse impacts effects on human health and/or the environment, or can help accelerate investment in and the uptake of innovative and sustainable solutions across the life cycle of chemicals.

Alternative proposed definition: An issue of concern or interest is an issue involving any phase in the life cycle of chemicals that would benefit from focused attention and collaboration from stakeholders to reach the strategic objectives of the instrument, including Strategic Objective D.

ICCA – Text proposal: ... and which may have significant adverse effects on human health and/or the environment or issues that may not be of concern but could be areas of focus needed for global benefit (e.g. sustainable chemistry).

IPEN – Comment: The definition is good but can gain in clarity. Common understanding of this term is necessary, through possible footnote as some may argue that and adverse effect is not significant. IPEN in the December submission suggested to use the EU definition in its 2013 report entitled Interpretation of the WSSD 2020 chemicals goal and assessment of EU efforts to meet the WSSD commitment noted that “significant” harm is something more than “detectable” but need not be at the level of “serious” or “substantial”.

### Comments submitted on nomination of issues

EU & MS – Overall comment on section C. Decisions have to be made according to the precautionary principle and in taking due account of any scientific uncertainties. This should be clarified in the text by making a reference as done in Article 8.9 of the Stockholm Convention.

#### i. Nomination of issues

Canada – Alternative text 1. To ~~promote~~ ensure broad communication about the nomination of issues being nominated: ...

Iran – To promote communication about the nomination:

- a. nominations should be officially communicated to all [National] Focal Points six months prior to the meeting of the ICCM.
- b. regions may wish to add the subject to relevant regional meeting agendas.

Nominations must be submitted at least one year prior to a meeting of the Conference. Japan Alternative text for merger of (i) and (ii) –

i. Nomination of issues

1. The process for nominating issues is open to any stakeholder. The nomination procedure is as follows, and proposals of nominations will be made available on the Strategic Approach website:

a. A proposal of nomination must be submitted to the Secretariat at least [eight] months prior to the subsequent International Conference;

b. The Secretariat will check proposal of nominations for completeness with the aim of assisting proponents in completing their nominations. Proponents will be contacted to provide any missing information;

c. The Secretariat will compile a list of nominations, annotated with a summary of information from the submission. Similar nominations will be clustered so that similar issues can be considered in together, as appropriate and relevant;

d. The Secretariat will communicate submitted proposals of nominations and a list of nominations to all Focal Points at least [six] months prior to the subsequent International Conference. The Secretariat will also make them publicly available and invite stakeholders to provide comments on the proposals of nominations by [four] months prior to the subsequent International Conference. The Secretariat will share the comments with relevant proponents upon its receipt. Regions may wish to add the subject to relevant regional meeting agendas;

e. The proponents of an issue may revise their proposals of nominations, taking into account the comments provided and work with other proponents to consolidate their nominations that may be similar or complementary;

f. The Secretariat will consolidate a final list of nominations, annotated with a summary of information, and revised proposals of nominations at least two months prior to the International Conference and make them publicly available.

UK – 2.c. Intention to nominate should be submitted/uploaded to SAICM website for visibility and stakeholders can contact proposers to add support/join efforts if relevant.

3. Nominations must be scrutinised by a time limited expert group which assess the scientific evidence base, the need for global action and provide recommendations to ICCM on priority.

4. Nominations, with a summary of information should be submitted XX months prior to a meeting of the Expert Group by the Secretariat.

5. Recommendation from the Expert Group should be made available 6 months ahead of the Conference.

USA – 2c. Stakeholders may wish to engage others who may be interested in the nominated issues.

**Comments submitted on initial review and publication of nominations**

Paragraph 4: Three submissions suggested a timeframe be included (Canada, Norway, Switzerland). One submission suggested 4 weeks before, another submissions suggested 6 weeks before.

Canada comments

We suggest that timelines be included to be clear on when these steps are to occur. For example, there should be clear indication of (and noting that the Annex to resolution II/4 has timelines for some of these):

- when the secretariat will make available the initial list of nominations and actual nominations for preliminary review by stakeholders
- when the proponents are to submit revised nominations

Additional areas for further consideration/ development include:

- how the proposals will be considered/prioritized and by who?
- role of the regions and the OEWG (in the Annex to resolution II/4 both regions and OEWG have roles to play)?
- at what point will the full work plan, including targets and indicators, be developed and adopted by the Conference, and when will the work plan be implemented and the work begin?

Iran - Additional paragraph: For practical reason the Conference shall consider a limited number of nominations to be considered at the Conference.

Norway – Paragraph 2. Consider adding a process point to call for comments from stakeholders on the nominations.

UK – 2. The secretariat will compile a list of nominations, annotated with a summary of information from the submission for review by the expert group. ~~Similar nominations will be clustered so that similar issues can be considered in together, as appropriate and relevant.~~ Comments received from stakeholders on the nominations will be made publicly available by the secretariat.

USA – 3. The proponents of an issue will have an opportunity to revise their nomination to take into account comments or to clarify information provided and to work with other proponents in an iterative process to recalibrate and/or consolidate nominations that may be similar or complementary.

ICCA comment – We propose that a recommendation for prioritization of issues of concern, consistent with available resources, be considered at this stage.

### Comments submitted on decision-making and adoption

Brazil – 2.a. develop ~~and implement~~ a workplan, considering a list of priority actions and related timelines adopted by the Conference, including ...

2.d Brazil comment: We would also consider the idea of creating a pre-recommendation phase, in which stakeholders would have access to the compiled information, before discussing and eventually adopting them in the Conference.

Canada – 2.b coordinate with other relevant bodies, such as the IOMC organizations and others (e.g. ~~the convention secretariats on cross-cutting issues to avoid duplication~~);

Comments from Canada: If the committees “propose” indicators, then who approves them? This is not specified in the text. There is still a need to agree on who develops targets for IOCs first and where they fit (It hasn’t been agreed whether targets for IOCs would be included under SO C or be incorporated by reference and included within work plans directly). Canada has a preference for the latter option, which we believe would allow for targets that are more relevant and effective in assessing progress on specific IOCs.

Japan – 1. Issues should be selected and adopted by a resolution of the Conference. In adopting an issue, the Conference should agree to its lead agency, a list of priority actions and related timelines. ...

Comment from Japan: (i) Japan thinks that having a custodian (e.g. IOMC organization) is enough to coordinate among relevant stakeholders and activities as we have done so for Emerging Policy Issues in SAICM. A multi-stakeholder committee could be established when deemed necessary. (ii) One of the roles of the lead agency is to “finalize” a proposed workplan, indicators and targets. (iii) Japan also thinks that each issue should have their targets and indicators within each issue rather than having targets for relevant Strategic Objectives in order to evaluate each progress in a simple manner. Targets and Indicators for Strategic Objectives could be the ones to evaluate overall instrument.

Norway – Comment from Norway on 2a: We need to wait for the conclusions from VWG1 on targets and indicators before we draft the text on this point. The current wording represents one of two main paths forward that have been discussed. Our preference would be that the issue-specific targets, goals, milestones and indicators are managed within the workplan of each issue and incorporated by reference under Strategic Objective C. In this way we will avoid the need to re-open the targets and indicators list each time a new Issue of Concern is adopted.

2.c Add – report on.

UK – 1. Issues should be selected and adopted by a resolution of the Conference on recommendation from an Expert group. ...

Alternative text 2.d. provide feedback on progress and outcomes to the Conference.

USA – Alternative Text 1.b. call for the establishment of a multi-stakeholder ad hoc body, consistent with the rules of procedure, to guide implementation of efforts to address the issue until the Conference determines that further work on the issue is not needed.

ICCA- 1. comment: include mention of prioritize.

1.b. establish a multi-stakeholder committee (or an ad hoc body) to guide efforts and implementation on the issue until the Conference concludes work on an issue of concern.

IPEN comments –

IPEN is in the view that ICCM should agree on targets and indicators as well, not only on priorities actions.

IPEN believes that the multistakeholder subcommittee to be established should be an ad-hoc subcommittee to indicate that it is a time limited and purpose focus subcommittee.

IPEN wonders what would be the criteria for it? IPEN suggests "Establish a multi-stakeholder women and chemical safety working group to develop recommendations for actions on women and chemical safety that are included in workplans guiding SAICM emerging policy issues and issues of concern." (see report: Women, Chemicals and the SDGs).

IPEN believes that too much power is assigned to a small number of stakeholders that should be much more limited.

IPEN Suggested revision: develop and implement a workplan, based on the priority actions, targets and indicators agreed to by the Conference. This should be done with support of the secretariat.

If these working groups are agreed to, they should not make recommendations but report to the ICCM and the OEWG (assuming it will continue). Recommendations to ICCM should not be made by a small group of stakeholders with limited participation. Recommendations should only be made by the OEWG.

### Comments submitted on workplans

EU & MS – Overall section D Comment: The overarching role of the Conference in overseeing and guiding the work on issues of concern needs further discussion and reflection in the text. It was also



noted that the text also lacks reflection on implementation to be achieved through commitments on actions by stakeholders.

#### **i. Workplans**

Canada – 1. Implementation of actions to address issues is guided by a work plan with clear targets, indicators, and timelines~~and milestones~~; Comment: To be confirmed based on decision on process to develop targets for IOCs, and who does it?

Comment: Will the work plans be endorsed by the Conference, and if so, when? Will the work plans be broadly consulted on prior to finalization, in order to have some added reassurance that work plans will be reviewed beyond just the committees developing them? If so, then perhaps a consultative step should be added to the committees' tasks.

Iran – 1. Implementation of actions to address issues is guided by a work plan with clear timelines and milestones, responsible stakeholder and cost associated with the implementation;

2. Stakeholders [in a position to do so] are encouraged to take the necessary actions and/or provide [required] funding, technical and technological assistance towards the implementation of the workplan. Any effective workplan should be developed in a comprehensive and realistic manner and include enabling and deliverable requirements. Establishing an international efficient and collaborative framework is highly essential in realization of goals and objectives of an international issues of concern. It is also worth to be mentioned that a well-developed workplan should go beyond addressing timelines, millstone and monitoring process, it should also address the cost needed to implement the actions. Also, it is needed that the committee to consider challenges, restrictions and gaps and make recommendation on the necessary financial resources and capacities to address them.

Japan – 1. Implementation of actions to address the issue of concerns is guided by a work plan with clear targets, indicators, timelines and milestones;

2. All stakeholders [~~in a position to do so~~] are encouraged to take the necessary actions and/or provide [~~required~~] funding and necessary assistance towards the implementation of the workplan.

UK – 1. Implementation of actions to address issues is guided by a work plan with clear timelines and milestones and an end date;

USA – ALT formulation 2. The secretariat, in consultation with the multi-stakeholder ad hoc body, should invite all relevant stakeholders to implement the workplan.

#### **Comments submitted on tracking progress**

Canada – Comments: what is the difference between a and b.

Regarding the process for evaluating progress, reporting/evaluation of progress for IoCs should be part of the reporting/evaluation of the overall progress of the framework (achievements towards vision, targets and indicators).

Japan – 1. The lead agency multi-stakeholder committees, with support of the secretariat, will oversee monitoring and reporting back from stakeholders identified in the workplan, and guide progress towards implementation of the workplan, through:

a) reports to meetings of the relevant body, ~~and~~ at regular intervals...

Norway –

a) reports to meetings of the Conference relevant body, ~~and at regular intervals as identified in the proposed workplan prepared in accordance with section (i), above;~~

b) periodic reviews within intersessional periods as outlined in the workplan, and/or as requested by the Bureau; ~~reporting on progress as outlined in the proposed workplan.~~

UK – The Programme Boards ~~multi-stakeholder committees~~,...

USA – Alternative formulation: 1. The multi-stakeholder ad hoc bodies, with support of the secretariat, will guide progress towards implementation of the workplan. The secretariat, in consultation with the multi-stakeholder ad hoc body, will coordinate monitoring and reporting as described in Section VI. G of the instrument.

ICCA - The multi-stakeholder committees (or ad hoc bodies)...

### Comments submitted on determining the need for further work on an issue

Canada – 1. The Conference may decide to conclude work on a particular issue undertaken under its framework. This decision shall however not impact ongoing work performed on this issue in other fora.  
2. Determining the need for further work under the framework of the Conference on an issue...

Japan – 2. Determining the need for further work on an issue will be based on a full explanation of the rationale on a way forward, provided by the lead agency secretariat, in consultation with the secretariat ~~multistakeholder committees~~, to the Conference following the progress evaluation of the activities carried out in accordance with the workplan.

Norway – 2. Determining the need for further work on an issue will be based on a full assessment and explanation of the rationale on a way forward. The evaluation will be provided by the multi-stakeholder committee, in consultation with the secretariat, ~~in consultation with the multi-stakeholder committees~~, to the Conference following the progress evaluation of the issue. ~~activities carried out in accordance with the workplan.~~

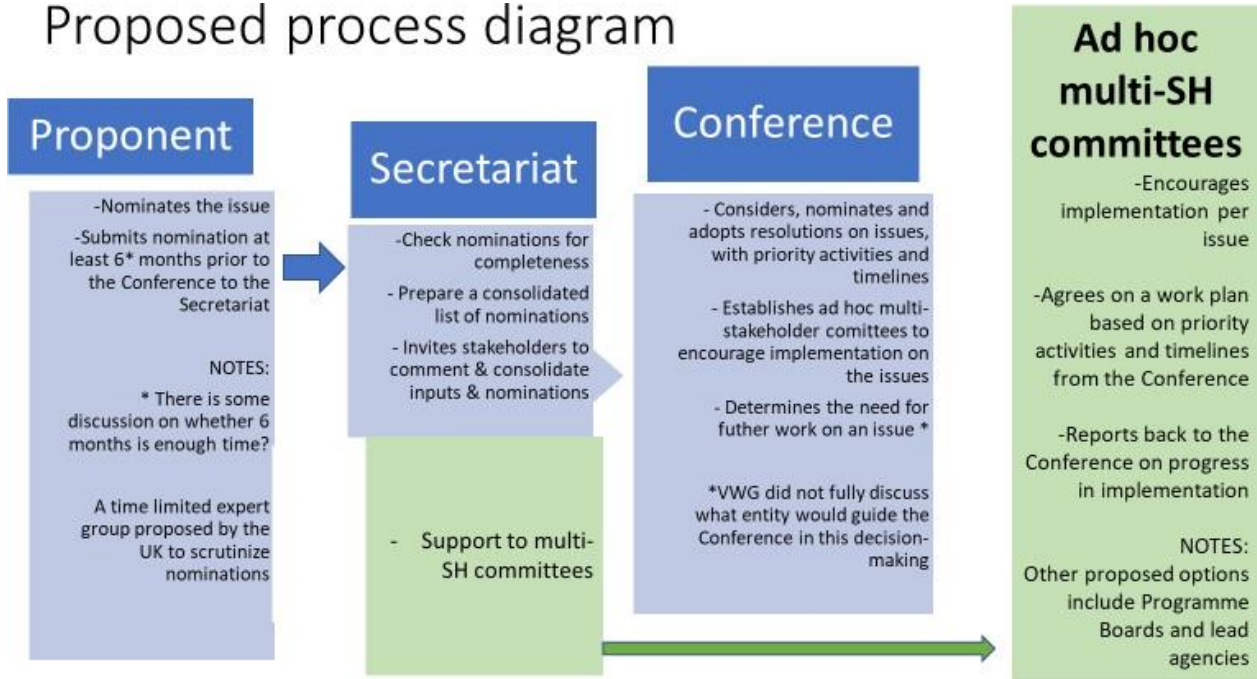
UK – 1. The Conference should conclude issues according to the progress made and milestones in the work plan and final outcome. ~~may decide to conclude work on a particular issue.~~  
2. Determining the need for further work on an issue will be based on a full explanation of the rationale on a way forward, provided by the secretariat, in consultation with the Programme Boards ~~multi-stakeholder committees~~,...

USA – 2. Determining the need for further work on an issue will be based on a full explanation of the rationale on a way forward, provided by the secretariat, in consultation with the multi-stakeholder ad hoc bodies committees, to the Conference following the progress evaluation of the activities carried out in accordance with the workplan activities and indicators.

IPEN – Requests clarity on the word ‘conclude’, noting it is ambiguous.

*Annex III*

Proposed process diagram



## *Annex IV*

Proposal for Trigger Criteria from a group\* of NGOs:

\*List of the group: Health and Environment Justice Support (HEJSupport); Swedish Society for Nature Conservation (SSNC); Pesticide Action Network (PAN International); groundWork South Africa; Women Engage for a Common Future (WECF); Armenian Women for Health and Healthy Environment (AWHHE); Toxisphera, Brazil; Commonweal; BUND/Friends of the Earth, Germany; German NGO Forum on Environment and Development; Chemical Safety Agency, Ukraine

It is important that the modalities for reviewing of existing IoCs, and how the ICCM can/should respond in relation to reviews, need to be clearly established in the text of the successor to SAICM. As it is proposed in our NGO submission, our proposal for the trigger criteria for elevating obligations when the voluntary work is insufficient should be considered here as well. "Trigger criteria", in contrast to evaluation of a long-term workplan for an IoC are designed to identify and address IoCs, or key aspects of them, that need urgent action with increased ambition level. Such evaluations do not follow the periodic review of workplans, rather can be done on a needs basis. These are two evaluation criteria with different functions, and thus we need both sets of evaluation procedures.

The following text was proposed in our submission of November 6, 2020, and we request that it be retained in brackets:

Annex B IV, D. 1.

- a. Determining the need for further work on an issue will be based on the results of a progress evaluation. In considering whether further work requiring elevated obligations for stakeholders is necessary, the conditions and triggers described under b shall be used.
- b. Elevated action on an Issue of Concern is justified by a) meeting one of the triggers below, and b) if the IoC at the same time contributes to key strategies for the fulfillment of at least one SDG target in one UN region:
  - (i) Failure to reduce acute poisoning and/or chronic effects by chemicals that are IoCs.
  - (ii) Failure to reduce the levels of chemicals that are IoCs in human and environmental samples.
  - (iii) Failure to reduce the volume of the production, use and disposal of substances of very high concern relevant to an IoC.
  - (iv) Insufficient monitoring of human and environmental impacts by an IoC.
  - (v) Significant costs for society in the absence of action to address an IoC, including healthcare costs for individuals and the state; loss of IQ and productivity; loss of pollinators, natural biological control of pests, and other ecosystem services; loss of biodiversity; and costs of chemical contamination of natural resources, such as air, soil and water including but not limited to large-scale environmental clean-up and remediation costs.
  - (vi) National regulations have failed to achieve sufficient improvement in the IoC. SAICM/IP.4/2.
  - (vii) Regional regulations for addressing an IoC are in place, or under development.
  - (viii) Failure to establish an effective, transparent multi-stakeholder working platform on an IoC.
  - (ix) Failure to make available the information necessary for addressing an IoC.
  - (x) Failure to reduce the level of disposal and contamination of waste of relevance to an IoC.

For further and more detailed information about the proposed "trigger criteria", please see: <https://hej-support.org/event-how-to-progress-saicm-issues-of-concern-beyond-2020/>

## ***Parking lot and identified gaps***

Issues that have not been taken up by this group and remain in a ‘Parking Lot’ for future discussions in the intersessional process include linkages to:

- a. a science policy interface.
- b. proposed Strategic Objective C on issues of concern and related targets and indicators. Stakeholders have also provided their inputs on Strategic Objective C on issues of concern via written submissions. These submissions are available on the dedicated VWG webpage.
- c. reporting under mechanisms to support implementation. Currently the text in Section G states ‘Every third year evaluate progress on Issues of Concern and recommend changes to the programmes of work if necessary’. A number of stakeholders submitted information on reporting related to issues of concern under Virtual Working Group 2 on Governance. Furthermore, part (D) Mechanisms for implementation, section (ii) Tracking progress has linkages to future reporting.
- d. the name of the future SAICM / instrument / framework.
- e. the term ‘waste’ and how it would be reflected.
- f. subsidiary bodies. For example, if an OEWG is maintained in the beyond 2020 instrument, this may have an impact on the proposed timing of the submission of nominations.
- g. modalities for the establishment of the proposed ad hoc multi-stakeholder committees for addressing the issues of concern set out within this proposal.

## ***Next steps / Co-facilitators’ recommendations***

### **Future Process for Issues of Concern**

With respect to part (a) and part (b) of the mandate, the co-facilitators believe that the proposed text set out in section (5) of this document could be used as a basis for future discussions in the intersessional process for issues of concern.

### **Existing emerging policy issues and other issues of concern**

#### *Background:*

With respect to part (c) of the VWG3 mandate, a proposed process for addressing the existing emerging policy issues and other issues of concern is proposed below. It has been developed by the co-facilitators based on the discussions at the virtual meetings and the written inputs.

The emerging policy issues process has been useful in raising the profile of specific issues on the international stage. There is a need to continue many of the efforts on emerging policy issues and other issues of concern to move forward with a clear plan of action.

Progress to date has been variable across the issues.

The path forward must stimulate ownership for implementation and action in moving forward for the particular emerging policy issue and / or other issue of concern and an understanding of resourcing, both financial and in kind for each issue. The decision-making on the future of the emerging policy issues and other issues of concern should be transparent.

#### *Proposed decision-making:*

The VWG agreed that the International Conference is the appropriate body to take decisions on the path forward for the future of the current emerging policy issues and other issues of concern. There is a need to be flexible so that a decision may be taken to either continue, close, revise or move the issues to another forum on an issue by issue basis (i.e. no blanket decision).

In light of the delayed process due to the pandemic, there was broad interest in the VWG for considering approaches that would pave the way for an omnibus decision on the path forward for the existing SAICM emerging policy issues and other issues of concern at the postponed ICCM5. The necessary information and background to support that decision would be gathered in the period up to ICCM5.

The omnibus resolution would:

- a. Recognize the progress on the emerging policy issues and other issues of concern under SAICM to date;
- b. Reference the assessment of the SAICM EPIs and other issues of concern in the SAICM Independent Evaluation for 2006-2015;
- c. Note the Assessment Report on Issues of Concern made by UNEP following resolution UNEA 4/8;
- d. Note that any of the current existing emerging policy issues and other issues of concern that are taken forward continue under the new instrument should follow procedures that are established for ‘issues of [international] concern’ under the beyond 2020 instrument.

To support decision-making at ICCM5 and given the significant delays due to the global pandemic, the co-facilitators recommend that the ICCM5 Bureau consider inviting:

- a. the lead agencies of the IOMC, Governments and other relevant stakeholders to report through the secretariat XX months prior to ICCM5 on progress in the implementation of Conference resolutions on emerging policy issues and other issues of concern (as set out in ICCM resolution IV/ 2 paragraph 5).
- b. if the intersessional process at its fourth meeting (IP4) agree/support it, the responsible IOMC organizations, in consultation with stakeholders, to propose a draft work plan<sup>27</sup> [or a road map] that outlines the immediate priorities and the rationale to continue to address the issue under the new instrument XX months prior to ICCM5, including: (a) an assessment on how they contribute to achieving the Strategic Objective(s) and Targets of the new instrument; and (b) proposing additional indicators as needed for relevant targets.

The intention is that this request would serve to provide the necessary information for SAICM stakeholders in the decision-making on the future of the existing emerging policy issue or issue of concern at ICCM5 under the new instrument.

#### *d. Virtual Working Group 4 on Financial Considerations textual recommendations for review*

### ***Summary of stakeholders’ views and text recommendations by the co-facilitators***

#### **I. INTEGRATED APPROACH TO FINANCING (SAICM/IP.4/2, Page 14-15, Paragraphs 1-5)**

##### ***Chapeau on the integrated approach to financing***<sup>28</sup>

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<sup>27</sup> See Annex III. A Group of NGOs has proposed a set of Trigger Criteria to review existing Issues of Concern.

<sup>28</sup> During the VGW4 discussions, new text was put forward by the VWG participants. The new text is shown in red throughout the text recommendations below.

[Adequate, predictable and sustainable financing, technical assistance, capacity building and technology transfer on mutually agreed terms are essential to achieve the [goals and targets of the 2030 Agenda for Sustainable Development] responding to the relevant objectives and targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020. The participation of representatives of all involved stakeholders and sectors at national, regional and international levels should be ensured in the integrated approach to financing for the sound management of chemicals and waste.]

**Summary of stakeholders’ views from written submissions and oral interventions prepared by the VWG Co-facilitators:**

1. Stakeholders <sup>29</sup> participating in the VWG process recommended the inclusion of a new chapeau paragraph in *Section VII. Financial Considerations* to indicate that adequate, predictable and sustainable financing is essential to achieving the 2030 Agenda for Sustainable Development and the objectives and targets of the new instrument. This explicit recognition could help secure multistakeholder and multisectoral support.
2. A stakeholder (Canada) stressed out that the integrated approach to financing is fundamental to the whole idea of resource mobilization and is concerned that the proposed text may be recharacterizing it.
3. Some stakeholders (Canada, GAHP, UK, US) showed their support to the addition of “technology transfer on mutually agreed terms” and pointed out that the commas should be edited to better reflect the idea that “mutually agreed terms” applies only to “technology transfer”.
4. A stakeholder (Brazil) suggested replacing “the Strategic Approach and the sound management of chemicals and waste beyond 2020” by the “beyond 2020 framework”, as seen by the others VWGs because no common ground was yet found on the future of SAICM.
5. Many stakeholders (the African group, EU and its Member States, GAHP, ILO, ITUC, Norway, and UK) supported the reference to the 2030 agenda and the SDGs.
6. Some participants (Brazil, Canada, EU and its Member States, GAHP, and US) proposed to include the reference to the 2030 agenda after the “beyond 2020 framework”; or on “the Strategic Approach and the sound management of chemicals and waste beyond 2020”.
7. One stakeholder (US) did not support the inclusion of any reference to the 2030 agenda, explaining that its scope is beyond this body.

**Clean redlined text from stakeholders:**

**Brazil:** [Adequate, predictable and sustainable financing, technical assistance and technology transfer are essential to achieve the ~~goals and targets of the 2030 Agenda for Sustainable Development~~ responding to the relevant objectives and targets of the ~~Strategic Approach~~ **the beyond 2020 framework** and the sound management of chemicals and waste, **including thematically related goals under the 2030 Agenda for Sustainable Development** ~~beyond 2020~~. The participation of representatives of all involved sectors at national, regional and international levels should be ensured in the integrated approach to financing of chemicals and waste].

**Canada:** Adequate, predictable and sustainable financing, technical assistance [, and technology transfer **on mutually agreed terms,**] are essential to achieve the ~~goals and targets of the 2030 Agenda for Sustainable Development~~ responding to the relevant objectives and targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020 **and the [relevant goals and targets of the] 2030 Agenda for Sustainable Development**. ~~The participation of representatives of all involved sectors at national, regional and international levels should be ensured in the integrated approach to financing of chemicals and waste].~~

**A. INTEGRATED APPROACH TO FINANCING**

<sup>29</sup> US explicitly stated that it does not support the recommendation to include this new chapeau paragraph.

The implementation of the integrated approach to financing for the sound management of chemicals and waste, which was designed and agreed as a long-term contribution beyond 2020, continues to be essential. Multi-sectoral support for and participation in all three pillars of this integrated approach should be actively promoted and encouraged at the national, regional and international levels.

**Japan:** [Adequate, predictable and sustainable financing, technical assistance and technology transfer are essential to achieve the goals and targets of the 2030 Agenda for Sustainable Development responding to the relevant objectives and targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020. The participation of representatives of all involved sectors at national, regional and international levels should be ensured in the integrated approach to financing for the sound management of chemicals and waste].

**Iran:** [Adequate, predictable and sustainable financing, technical assistance, capacity building and technology transfer are essential to achieve the goals and targets of the 2030 Agenda for Sustainable Development and to address and overcome the ever increasing related gaps in developing countries responding to the relevant objectives and targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020. The active and result oriented participation of representatives of all involved sectors at national, regional and international levels should be ensured in the integrated approach to financing of chemicals and waste].

**UNEP:** [Adequate, predictable and sustainable financing, capacity building, technical assistance and technology transfer are essential to achieve the Vision, Strategic Objectives and Targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020, thus contributing inter alia to the relevant 2030 Agenda for Sustainable Development Goals.

**Paragraph 1:** The implementation of the integrated approach to financing for the sound management of chemicals and waste, which was designed and agreed as a long term contribution beyond 2020, continues to be essential [to achieve the goals and targets of the 2030 Agenda for Sustainable Development] [and to bridge the widening gaps in the capacity to address sound management of chemicals and waste between developed and developing countries]. [it is recognized that the sound management of chemicals and waste is necessary for countries, and [may] require[s] technical and financial support].<sup>30</sup>

#### *Clearinghouse mechanism to track development aid*

**Paragraph 2:** [A clearinghouse mechanism should be established under the secretariat of (the agreement) to publicly track development aid for the sound management of chemicals and waste]

#### **Summary of stakeholders' views from written submissions and oral interventions:**

1. Several stakeholders (IPEN, Peru, Switzerland, US) are in favour of removing the brackets around this paragraph.
2. The financial clearinghouse mechanism would support countries in identifying and accessing new potential sources of funding. To be reliable, submissions should be independently reviewed and verified through good accounting practices (IPEN).
3. Some stakeholders (Canada, EU and its Member States) expressed concerns about the need for and feasibility of such a mechanism to track development aid or development assistance, as it might be resource intensive and would duplicate work performed in other for a (e.g., the OECD monitors official development assistance (ODA) provided by donor countries).

<sup>30</sup> This paragraph was not discussed with stakeholders.



4. An alternative for this paragraph suggested by one stakeholder (EU and its Member States) would be to map funding sources, which would more feasible and would not overlap with the overall development assistance work. Another alternative supported by two stakeholders (Canada, EU and its member states) is for the CHM to “provide information”.
5. One stakeholder suggested the possibility to use existing mechanisms such as the Special Programme database to avoid additional resources required to maintain the clearinghouse (UK).
6. GAHP pointed out that asking the Secretariat to track development aid would duplicate the ongoing work being done by the OECD’s development assistance committee and GAHP to harmonize statistics on chemicals and waste’s development financing. Where the Secretariat could have a value added, she pointed out, would be for the Secretariat to act as a broker to match initiatives that require funding with potential donors, in the same way that the UN Convention to Combat Desertification does it, for example.
7. Two stakeholders (the African group and Nigeria) highlighted their wish to see “transparency” in terms of the resources needed, so it is clear for everyone that no progress can be done without financing. Nigeria asked for the clearinghouse mechanism to be clearly articulated under the targets and indicators section of the instrument.
8. Other stakeholders (the African group, GAHP, ITUC, and Switzerland) noted that although the independent review of SAICM reported that a main reason for failure of meeting the 2020 goal was due to the lack of adequate and sufficient resources, the Secretariat’s resources are also currently insufficient and such a problem must be resolved.
9. UNEP proposes to add at the end of the paragraph the following: “as set out in a living Resource Mobilization Strategy to be presented to the first Governing Body meeting. The responsibility for maintaining and publishing the Clearinghouse will be part of the Secretariat role.”

**Clean redlined text from stakeholders:**

**Brazil:** [The Clearinghouse mechanism **to be established under the secretariat** will publicly track development aid and other possible sources of financing for the sound management of chemicals and waste.]

**Canada:** A. CLEARINGHOUSE MECHANISM TO **PROVIDE INFORMATION ON PUBLICLY TRACK DEVELOPMENT AID RESOURCE MOBILIZATION** (Page 14) (...).

**Iran:** [The Clearinghouse mechanism will publicly track development aid **in the form of cash and in kind, capacity building and transfer of technology** and other possible sources of financing for the sound management of chemicals and waste.]

**UNEP:** [The Clearinghouse mechanism will publicly track development aid and other possible sources of financing for the sound management of chemicals and waste, **as set out in a living Resource Mobilization Strategy to be presented to the first Governing Body meeting. The responsibility for maintaining and publishing the Clearinghouse will be part of the secretariat role.**]

***Establishment of an arrangement, process or subsidiary structure to review***

**Paragraph 3:** [All stakeholders agree to establish an arrangement, process or subsidiary structure comprising of finance and other relevant experts to keep sound management of chemicals and waste, capacity building, technology, finance and other resource mobilization sources and initiatives under review.]

**Summary of stakeholders’ views from written submissions and oral interventions prepared by the VWG Co-facilitators:**

1. Some stakeholders supported the establishment of an arrangement, process or subsidiary structure (IPEN, Norway, UNDP) and highlight the importance for a periodic review mechanism.
2. Learning from other processes such as the effectiveness evaluation of the IPCC or TEAP of the Montreal Protocol was recommended (IPEN, UNDP).
3. On the other hand, some stakeholders do not support a formal subsidiary structure (Japan, UK, US) because they either consider it is too early at this stage - a common understanding on the need, purpose, focus issues should be reached first (EU and its Member States, IPEN, Japan); or because they believe that an informal group of experts with good knowledge and understanding of existing financial mechanisms should be sufficient to assist addressing the gap in facilitating developing countries in accessing available funds for capacity building (UK).
4. There was also a suggestion that the mechanism could perform a review function on financial and technical support that could either be placed in this section or under the governance section of the new instrument.
5. In terms of the review mechanisms it was noted that different sources of funding have their own rules and procedures for their operations and their own review processes.
6. The current draft resource mobilization strategy prepared by the SAICM Secretariat could be a starting point to establish a structure for the future review on financial issues. Irrespective of establishing a long-term mechanism, a mapping to identify baseline elements of resources mobilized for the sound management of chemicals and waste is required to inform the overall discussions in the Beyond 2020 negotiations (UNEP).

**Clean redlined text from stakeholders:**

**Norway:** [All stakeholders agree to establish an arrangement, process or subsidiary structure comprising of finance and other relevant experts to keep sound management of chemicals and waste, capacity building, technology, finance and other resource mobilization sources and initiatives under review.][**and adopts the terms of reference for the arrangement, annexed to the present resolution, to be funded by voluntary contributions.**]

**IPEN:** [All stakeholders agree to establish an arrangement, process or subsidiary structure comprising of finance and other relevant experts to keep sound management of chemicals and waste, capacity building, technology, finance and other resource mobilization sources and initiatives under review.]

**Japan:** [All stakeholders agree to establish an arrangement, process or subsidiary structure comprising of finance and other relevant experts to keep sound management of chemicals and waste, capacity building, technology, finance and other resource mobilization sources and initiatives under review.]

**Paragraphs 4 and 5** do not have any brackets. Therefore, the co-facilitators have not requested any views or comments on these paragraphs.

**A. MAINSTREAMING (SAICM/TP.4/2, Page 15, Paragraphs 6-7)**

***Concrete mechanisms and actions to achieve mainstreaming of the sound management of chemicals and waste at the national level***

**Paragraph 6:** Governments should implement actions to promote further mainstream the sound management of chemicals and waste in national development plans, domestic budgets and relevant sector policies. For developing countries and countries with economies in transition, the mainstreaming of their national chemicals and waste priorities into the development planning processes for funding as part of official development assistance [may] [will] [should] increase their access to [significant] funding for national priorities in relation to chemicals and waste.

## Proposed text by the co-facilitators based on the written submissions from stakeholders

**ALT 6.** Governments should implement actions **in accordance with their national laws, regulations and policy priorities** <sup>31</sup> to promote further mainstream the sound management of chemicals and waste in national development plans, domestic budgets and relevant sector policies. For [developing countries and countries with economies in transition] **[Low and Middle Income Countries]** <sup>32</sup>, the mainstreaming of their national chemicals and waste priorities into the development planning processes for funding as part of official development assistance [may] [will] [should] <sup>33</sup> increase their access to ~~[significant]~~ funding for national priorities in relation to chemicals and waste.

### Summary of stakeholders' views from written submissions and oral interventions:

- [may]: is supported by two stakeholders (Switzerland, US)
  - [will]: is supported by two stakeholders (Brazil, EU and its Member States)
  - [should]: is supported by two stakeholders (Canada, IPEN, Peru)
  - access to [significant] funding...: A stakeholder (Switzerland) supports the removal of brackets for significant, whereas four other stakeholders (Canada, IPEN, Peru, US) are in favour of deleting the term.
1. Some stakeholders (the African group, GAHP) do not see the value of adding “governments should implement actions in accordance with their national laws, regulations and policy priorities”, as it is what governments normally ought to do.
  2. A stakeholder (Iran) underlined that for some national laws and regulations, having an obligation to integrate the SMCW may not be feasible as financial resources, technical assistance and capacities are required in order to do such integration.
  3. Some stakeholders (GAHP, UNEP) supported the replacement of “developing countries and countries with economies in transition” with “Low and Middle-income countries”, which is another recognized category and terminology used by the OECD for official development assistance.
  4. Other stakeholders (African group, Brazil and Nigeria) wish to retain the reference to “developed and developing countries and economies in transition” for the reasons that when talking about mainstreaming, it should not be only the responsibility of the receiving/importing country but rather the producers' responsibilities, as well as the responsibilities of developed countries where these industries are located.
  5. Another stakeholder (Iran) suggests adding that governments should implement actions "in accordance with their national laws, regulations and policy priorities".
  6. A stakeholder (GAHP) suggested simplifying the wordy sentence by simply saying ““Low and Middle Income Countries, the mainstreaming of their national chemicals and waste priorities into the ~~development~~ planning processes for ~~funding as part of~~ official development assistance (...)”, which would make it clearer that it is just a statement of fact.
  7. A suggestion was reiterated by a stakeholder (CIEL) for the Secretariat to implement the recommendation from the evaluation of the integrated approach, to make a formal request to donors to signal clearly, internally and externally, that the sound management of chemicals and waste are a fundamental component of development plans.

### Clean redlined text from stakeholders:

**IPEN** : For developing countries and countries with economies in transition, the mainstreaming of their national chemicals and waste priorities into the development planning processes for funding as part of

<sup>31</sup> Suggestion for inclusion from Iran

<sup>32</sup> Suggestion from UNEP

<sup>33</sup> A range of different views exist on these brackets

official development assistance [should] increase their access to ~~[significant]~~ funding for national priorities in relation to chemicals and waste.

**Iran:** Governments should implement actions to promote further mainstream the sound management of chemicals and waste in national development plans, domestic budgets and relevant sector policies. For developing countries and countries with economies in transition, the mainstreaming of their national chemicals and waste **in accordance with their national laws, regulations and policy priorities** into the development planning processes for funding as part of official development assistance [may] [will] [should] increase their access to [significant] funding for national priorities in relation to chemicals and waste.]

**UNEP:** Governments should implement actions to promote further mainstream the sound management of chemicals and waste in national development plans, domestic budgets and relevant sector policies. For ~~developing countries and countries with economies in transition~~ **Low and Middle Income Countries**, the mainstreaming of their national chemicals and waste priorities into the development planning processes for funding as part of official development assistance [may] [will] [should] increase their access to ~~[significant]~~ **[adequate]** funding for national priorities in relation to chemicals and waste.

**Paragraph 7:** [Countries should [strive] [seek] to mainstream the sound management of chemicals and waste into their development aid priorities.] [Governing bodies of international, regional and national development banks are encouraged to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.]

#### **Proposed text by the co-facilitators based on the written submissions from stakeholders**

**ALT 7.** [**High income**<sup>34</sup> countries should [strive] to mainstream the sound management of chemicals and waste into their **development assistance** priorities.] [Governing bodies of international, regional and national development banks are **invited** to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.]

#### **Summary of stakeholders' views from written submissions and oral interventions:**

- [strive]: is supported by three stakeholders (Brazil, Canada, Peru, Switzerland).
  - [seek]: is supported by one stakeholder (IPEN).
  - A stakeholder (Canada) proposed an alternative “endeavor to”.
1. Several stakeholders (African Group, EU and its Member States, GAHP) supported the wording “should mainstream” rather than “strive” for the reasons that it implies action and is consistent with the language used in the integrated approach.
  2. Nigeria suggested the verb “encourage” instead of both proposals to go beyond inviting the stakeholders and to encourage them to take concrete action.
  3. Another suggestion raised by a stakeholder (GAHP) is to add a contextual sentence in this paragraph on the health impacts of chemical pollution, being particularly severe for vulnerable groups such as women, children and marginalized people, to help persuading development departments that chemicals and waste is also an issue of concern for them.
  4. A stakeholder (UNEP) suggests adding "High Income" to "Countries"
  5. One stakeholder supported the suggestion of “high income countries” and proposed adding “other countries in a position to do so” to have a wider scope of possible donor countries (e.g. China), whereas

<sup>34</sup> Proposal from UNEP

the EU and its member states suggested to replace it with “governments” in order to have a consistency with the previous paragraphs.

6. One stakeholder (US) notes it is more appropriate to “invite” rather than “encourage” to take any action.

**Clean redlined text from stakeholders:**

**Canada:** ~~{Countries should {strive}{seek} to mainstream the sound management of chemicals and waste into their development aid priorities.}~~ ~~{Governing bodies of international, regional and national development banks are encouraged to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.}~~

**ALT 1:** Countries should ~~{strive}{seek}~~ ~~{endeavor to}~~ mainstream the sound management of chemicals and waste into their development aid priorities...

**ALT 2:** Countries should ~~{strive}{seek}~~ ~~to~~ mainstream the sound management of chemicals and waste into their development aid priorities...

**IRAN:** [~~Countries~~ should [strive] [seek] to mainstream the sound management of chemicals and waste into their development aid priorities.] [Governing bodies of international, regional and national development banks are encouraged to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.]

**UNEP:** [~~High Income~~ Countries should [strive] [seek] to mainstream the sound management of chemicals and waste into their development aid priorities.] [Governing bodies of international, regional and national development banks are encouraged to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.]

**B. PRIVATE-SECTOR INVOLVEMENT (SAICM/TP.4/2, Page 15, Paragraphs 8 – 11)**

*How would private sector involvement support the sound management of chemicals and waste?*

All stakeholders are of the opinion that private sector involvement is necessary for achieving the sound management of chemicals and waste. The stakeholders highlighted that industry contributions from all sectors have to be strengthened and that governments should encourage the private sector to assume greater responsibility and increase their contributions, through concrete mechanisms such as developing legislation on cost recovery, as well as implementing incentives and appropriate economic instruments for the industry to internalize external costs.

In addition, the participants expressed the necessity to define responsibilities for chemical safety at production sites and in the supply chain, and to implement the principles of extended producer responsibility, the polluter pays principle, as well as to implement the GHS and the payment of fees and taxes for the private sector. Both voluntary actions by users of chemicals to replace hazardous chemicals with safer alternatives as well as, mandatory actions should be quantified and mapped to identify existing contributions and related actions.

However, some stakeholders raised concerns for standardising policies as would restrict the flexibility of the country in implementing these policies in accordance with their national circumstances, legislation and regulatory policies. This level of details would be better suited in a resource mobilization strategy. In addition, a portion of the participants asked for more clarity and further elaboration regarding paragraphs 11 and alt 11 notably on what is called upon on developing the guidance or on who we are targeting with “financial sector” or “investors”.

IPEN proposed the implementation of a coordinated tax or fee by governments on the production of basic chemicals that make feedstock chemicals to finance chemical safety actions. Funds leveraged from this global tax or fee could flow into an existing international fund or a new fund to be created. Similarly, the

African Group submitted a proposal for the chemical industry to contribute 0.5% of the industry's annual revenue to fund the implementation of SAICM National Implementation Plans which will include but not limited to chemical and waste management activities, clean-up of hazardous waste and remediation of contaminated areas.

**Additional considerations:**

1. Governments to implement actions to internalize external costs and implement cost recovery mechanisms from the private sector (African Group, EU and its Member States, IPEN, US).
2. Private sector to comply with the extended producer responsibility (African Group, EU and its Member States, Norway, UNDP).
3. Communication channels to be created for the private sector to propose ideas, actions, and measures to support further implementation of the sound management of chemicals and waste (Canada, EU and its Member States, Japan, Norway).
4. There are concerns with the calls for the financial sector to develop guidance (paragraph 11), as it is unclear what entity or entities would be responsible and what would be the impact (US).

**Paragraph 8:** [[Private-sector entities throughout the value chain [should] increase their [financial] contributions to the implementation of the sound management of chemicals and waste, in order to [avoid, or where not possible mitigate] [cover the costs of] their impacts on the environment and on health.] [These contributions (e.g. through agreed levies) should seek to finance, among others, the identification and communication of hazards, comprehensive risk assessment and the measures for its mitigation, strengthening of all stakeholder's technical capacity, implementing PRTRs, prevention of exposure, the attention of exposed communities [, compensation for resulting environmental and human harms] and contaminated sites remediation.]]

**Summary of stakeholders' views from oral interventions prepared by the VWG Co-facilitators:**

1. The EU and its Member States proposed changes to the text of paragraph 8 (presented below). While two stakeholders (ICCA, US) supported those proposed changes, other stakeholders (IPEN, GRULAC) asked for more time to consider the EU proposal.
2. One stakeholder (US) noted that paragraphs 8, 9 and 10 are duplicative and it might be worth grouping them into one or two paragraphs.
3. One representative of the GRULAC region suggested to reflect in the paragraph text the following: "In addition to increase the financial contributions, private sector entities should increase their contributions through a range of approaches and partnerships".
4. Iran supported the idea that the private sector engagement should include both financial contributions as well as in-kind contributions and capacity building.
5. The Africa Group reiterated their proposal of establishing a financial contribution of 0.5% of industry's annual turnover.
6. One stakeholder (CTECO) requested that private sector contributions should be used for Community Based Disaster Risk Management (CBDRM).

**Clean redlined text from stakeholders:**

**EU and its Member States:** ~~Private-sector entities throughout the value chain~~ ~~should~~ increase their ~~efforts and~~ ~~financial~~ contributions, **including in-kind**, to the implementation of the sound management of chemicals and waste, in order to ~~avoid, or where not possible mitigate~~ ~~cover the costs of~~ their impacts on the environment and on health.

~~These contributions (eg. through agreed levies)~~ should be used to support domestic chemicals management schemes and to finance the costs of, among others, **data generation and data sharing**, the identification and communication of hazards, comprehensive risk assessment and the measures for its

mitigation, strengthening of all stakeholder’s technical capacity, implementing PRTRs, prevention of exposure, the attention of exposed communities {, compensation for resulting environmental and human harms} and contaminated sites remediation.}}

**Proposed textual changes during the 4<sup>th</sup> virtual meeting of the VWG held on 10 February 2021 by the EU and its Member States, with a number of additions or deletions of text from VWG participants:** [Private-sector throughout the value chain should increase their efforts and financial contributions, including in-kind [and through a range of approaches and partnerships (add GRULAC)], to the implementation of the sound management of chemicals and waste, in order to avoid, or where no possible mitigate [their (delete CIEL)] inputs on the environment and health. These contributions should be used to support domestic chemicals management schemes and to finance the costs of, and among others, data generation, the identification and communication of hazards, comprehensive risk assessment and the measures for its mitigation, strengthening of all stakeholder’s technical capacity, implementing PRTRs, prevention of exposure, the attention of exposed communities, compensation for resulting environmental and human harm and contaminated sites remediation.]

**Paragraph 9:** [The private sector [shall] [should] [comply with] [implement] extended producer responsibility.] [Governments should also implement actions to further encourage industry involvement in the integrated approach, including the development of legislation on the responsibilities of industry and national administration; the provision of incentives for the sound management of chemicals and waste; and the promotion of measures by industry to internalise costs [using economic instruments to recover and shift costs to private from public sector] [,including the polluter pays approach] [as per the polluter pays principle].

**Summary of stakeholders’ views from oral interventions prepared by the VWG Co-facilitators:**

1. The EU and its Member States proposed changes to the text of paragraph 9 (presented below). A number of stakeholders (Africa Group, Brazil, IPEN, ICCA, US) supported the general idea of this paragraph as edited by the EU and its Member States
2. ICCA noted that they would encourage flexibility regarding the way countries implement the polluter-pays principle and extended producer responsibilities based on their national circumstances.
3. CTECO reiterated that in order for private sector contributions to be managed in a transparent manner and that there is accountability, the contributions should be used for CBDRM.
4. The US considered the first and last parts of the paragraph too prescriptive considering that countries have different approaches to internalizing costs.
5. IPEN, supported by the Africa Group, reiterated the proposal of a globally coordinated tax or fee by governments on the production of basic chemicals that make feedstock chemicals to finance chemical safety actions and suggested to include a reference before “levies and taxes” in the text proposal provided by the EU and its Member States. IPEN also suggested to include “to encourage governments to establish a global fund” in this paragraph.
6. GAHP proposed that the issue of “levies and taxes” should be included in a separate paragraph given their importance. It also highlighted that the removal of elements such as the internalization of costs and the polluter pays principle would be a reversion considering that those principles had been already agreed by governments at the Rio Conference in 1992. Nevertheless, GAHP would support the ICCA proposal to include “such as” before the “extended producer responsibility” to reflect that countries apply the principle differently or have a different name for it.
7. Brazil also proposed to add after “as set forth in national regulations” after “extended producer responsibility”,
8. Iran expressed its support for both the polluter pays and extended producer responsibility principles to be retained in the text and proposed the removal of the brackets in the text. Iran also requested the addition of “inter alia” after “action”.

**Clean redlined text from stakeholders:**

**EU and its Member States:** ~~[The private sector [shall] [should] [comply with] [implement] extended producer responsibility.] [Governments should also implement actions, legislation and appropriate economic instruments, to further encourage private sector industry involvement in the integrated approach, including the development of legislation on the responsibilities of industry and national administration; levies and taxes; the provision of incentives for the sound management of chemicals and waste; and the promotion of measures by industry to internalise costs [using economic instruments to recover and shift costs to private from public sector] [,including the polluter pays approach] [as per to further implement the polluter pays principle and extended producer responsibility].]~~

**Proposed textual changes during the 4<sup>th</sup> virtual meeting of the VWG held on 10 February 2021 by the EU and its Member States, with a number of additions or deletions of text from VWG participants:** [Governments should implement actions, legislation and appropriate economic instruments, [inter alia, (add Iran)] to further encourage private sector involvement in the integrated approach, including the responsibilities of industry and national administration; [globally coordinated (add CIEL)] levies and taxes; the provision of incentives for the sound management of chemicals and waste; and the promotion of measures by industry [such as (add USA)] to internalise costs to further implement the polluter pays principle and extended producer responsibility [as set forth in national regulations (add Brazil)].]

**Paragraph 10:** [Private-sector entities throughout their investment and [value chain] [supply chain] should increase their contributions to the implementation of the sound management of chemicals and waste through a range of approaches and partnerships.]

**ALT 10:** [In line with the three components of the integrated approach to financing, i.e. mainstreaming, private sector involvement and dedicated external finance, private sector to commit to support the SAICM goal of sound management of chemicals and waste by providing investment and in-kind contributions, including through fees paid to support domestic chemicals management schemes, data generation, partnerships, capacity building and global GHS implementation. Private sector to further advance the sound management of chemicals and waste through in-kind commitments to innovation, training, safety and sustainability initiatives as well as compliance with chemical regulatory requirements in jurisdictions around the globe.]

**Summary of stakeholders' views from oral interventions prepared by the VWG Co-facilitators:**

1. Most stakeholders recommended to use ALT 10 as the basis for further discussions on this paragraph.
2. ICCA indicated that paragraph 10 might be redundant if paragraphs 8, 9 and 10 are looked at in conjunction. It indicated that one solution could be to include that the private sector "should increase contributions through a range of approaches and partnerships" into paragraph 8, and therefore, suggested to delete this paragraph 10 in its entirety.
3. GAHP supported the ICCA's proposal to include any important parts of ALT 10 into 8. It further noted that GHS would be a collaboration between industry, government and others and such reference could be placed elsewhere. ICCA and the US supported GAHP's proposal while UNITAR and ILO prefer to retain the reference of GHS in this paragraph.
4. The EU and its Member States proposed changes to the text of paragraph ALT 10 (presented below) to ensure that industry is responsible for GHS implementation and does not pay national administrations to do this work. IPEN noted that it would reserve the opportunity to comment on this new proposal at a later stage since there would be confusion with the different versions of the text. Iran and GRULAC also asked for more time to consider this paragraph.



5. The US highlighted the need to ensure that the text proposal provided by the EU and its Member States needs to be reviewed in light of the non-binding nature of the new instrument.
6. The EU and its Member States clarified that by including “going beyond its legal obligations” it wanted to acknowledge that different kinds of legislation exist in different countries and to emphasize the existence of voluntary initiatives. However, they would be open to discuss a better wording.
7. Regarding the EU and its Member States’ proposal to add “going beyond its legal obligations” UNEP’s shared their experiences working with downstream users whose efforts to soundly manage chemicals is done through voluntary investments and goes beyond legal obligations.
8. UNEP also considered that the call for action in this paragraph could be made clearer. For example, it would be important for regulators and the rest of the supply chain to see that actions are possible and taking place. Therefore, the call to action should include consistent reporting on implementation of what is being in the beyond 2020 instrument.
9. The Africa Group was not in favour of the proposal to include “going beyond its legal obligations” in this paragraph.

**Clean redlined text from stakeholders:**

**EU and its Member States:** [In line with the three components of the integrated approach to financing, i.e. mainstreaming, private sector involvement and dedicated external finance, private sector **while going beyond its legal obligations** to commit to support the **Beyond 2020 objectives and targets** SAICM goal of sound management of chemicals and waste by providing investment and in-kind contributions, including **to implement the GHS globally and** through fees paid to support domestic chemicals management schemes, **including enforcement**, data generation, **data sharing**, partnerships, **and** capacity building ~~and global GHS implementation~~. Private sector to further advance the sound management of chemicals and waste through in-kind commitments to innovation, training, safety and sustainability initiatives as well as compliance with chemical regulatory requirements in jurisdictions around the globe.]

**Proposed textual changes during the 4<sup>th</sup> virtual meeting of the VWG held on 10 February 2021 by the EU and its Member States, with a number of additions or deletions of text from VWG participants:** [In line with the three components of the integrated approach to financing, i.e. mainstreaming, private sector involvement and dedicated external finance, private sector while going beyond its legal obligations to commit to support the beyond 2020 objectives and targets of sound management of chemicals and waste by providing investment and in-kind contributions, including to implement the GHS globally and through fees paid to support domestic chemicals management, including enforcement, data generation, data sharing, partnerships, and capacity building. Private sector to further advance the sound management of chemicals and waste through in-kind commitments to innovation, training, safety and sustainability initiatives as well as compliance with chemical regulatory requirements in jurisdictions around the globe.]

**Paragraph 11:** [The financial sector is asked to develop guidance for investing in companies that have chemicals management schemes in place [, for example, the development of loan criteria for sustainable banking].]

**ALT 11:** [Invites the financial sector to develop guidance and recommendations for investors to minimize economic risks associated with unsound chemicals and waste management, with the goal to facilitate investment flows towards safer chemicals and waste management, including through the development of sustainability-centered loan criteria for the banking sector engaged with companies in the chemicals and waste sector and associated sectors.]

**Summary of stakeholders’ views from oral interventions prepared by the VWG Co-facilitators:**

1. Most stakeholders recommended to use ALT 11 as a starting point for the ensuing discussions on this paragraph.
2. Two stakeholders (US, ICCA) noted that this guidance should be to Multi Development Banks rather than the financial sector and requested that the whole paragraph 11 is put in brackets.
3. ICCA and Canada further noted that targeted development banks would ensure that the financing goes beyond chemicals and waste and links to biodiversity, climate change and sustainability agendas for which similar guidance are being developed.
4. The EU and its Member States proposed some text edits in paragraph ALT 11 (presented below).
5. The Africa Group and IPEN pointed out that the insurance sector should be included in this paragraph.
6. The Africa Group – supported by ITUC and IPEN - also expressed that in order to address the double standards of multinational companies operation in developed versus developing countries there is a need to address basic minimum standards to guide companies in different countries ensuring that their operations protect the environment and human health irrespective of the national legislations. This would be directly linked to the issue Africa has raised on double standards of operation of multinationals in developed versus developing countries.

**Clean redlined text from stakeholders:**

**EU and its Member States:**—~~[Invites the financial sector to develop policies, guidance and recommendations for investors—investments to minimize economic risks associated with unsound chemicals and waste management, with the goal to facilitate investment flows towards safer chemicals and waste management, including through the development of sustainability-centered loan criteria for the banking and investment sector engaged with companies in the chemicals and waste sector and associated sectors.]~~”

**Proposed textual changes during the 4<sup>th</sup> virtual meeting of the VWG held on 10 February 2021 by the EU and its Member States, with a number of additions or deletions of text from VWG participants:** [Invites the [financial sector (delete USA)] [Multilateral Development Banks (add USA)] to develop policies, guidance and recommendations for investments to minimize economic risks associated with unsound chemicals and waste management [and its link to biodiversity and climate change (add ICCA)], with the goal to facilitate investment flows towards safer chemicals and waste management [and cleaner production (add Africa)], including through the development of sustainability-centered loan criteria for the banking and investment sector engaged with companies in the chemicals and waste sector and associated sectors.]

***Capacity building clearinghouse***

A detailed proposal by ICCA was made for a capacity-building clearing house mechanism. ICCA noted that many capacity-building efforts are already being undertaken by various stakeholders, but they lack coordination and a common place to meet and to be visible. This mechanism will serve as a common marketplace to bring together these initiatives, for mapping existing capacity-building efforts and to help track progress and generate additional funding. The detailed proposal can be found on the [SAICM website](#).

The co-facilitators thought that a more detailed, in depth discussion, on the ICCA Proposal for a Capacity Building Clearinghouse and a possible merger of three alternative paragraphs in the section B “Private-Sector Involvement” would be the most effective and efficient way forward to seek common ground on these issues and thus progress the VWG work. The co-facilitators asked one stakeholder to manage the discussions in that small group. ICCA volunteered to pick up that role, following the same approach used at the IP3 meeting held in Bangkok in 2019. ICCA reported back on the process and the discussions carried out on the two areas given to the small group to deliberate. [A detailed report](#) is available for further reference.

## C. DEDICATED EXTERNAL FINANCING

**Paragraph 12:** [Stakeholders should [secure funds] [further strengthen the component of dedicated external financing], including development assistance aid, from innovative donor sources, which can be facilitated by mainstreaming at the national level.]

**Proposed text by the co-facilitators based on the written submissions from stakeholders**

**ALT 12.** {Stakeholders should<sup>35</sup> further strengthen the component of dedicated external financing}, including from development assistance aid, innovative donor sources, which can be facilitated by mainstreaming at the national level.}

**Summary of stakeholders' views from written submissions and oral interventions prepared by the VWG Co-facilitators:**

1. Stakeholders suggested to remove the brackets around this paragraph.
2. Six stakeholders (Brazil, Canada, the EU and its Member States, IPEN, Peru and the US) support the choice of “further strengthen the component of dedicated external financing” over “secure funds”, with the exception of Japan, which Japan prefers the latter.
3. Canada and the EU and its Member States also suggest some editorial changes to make this paragraph clearer.
4. Iran does not provide a position on the removal of brackets around this paragraph. However, it reiterates that stakeholders in a position to provide external financing and development aid are better fit to mainstream that funding at the national level and to secure those funds.

### Clean redlined text from stakeholders:

**Brazil:** [Stakeholders should {secure funds} [further strengthen the component of dedicated external financing], including development assistance aid, from innovative donor sources, which can be facilitated by mainstreaming at the national level.]

**Canada:** {Stakeholders should [secure funds] [further strengthen the component of dedicated external financing], including from development assistance aid, from and innovative donor sources, which can be facilitated by mainstreaming at the national level.}

**IPEN:** Stakeholders should {secure funds} [further strengthen the component of dedicated external financing], including development assistance aid, from innovative donor sources, which can be facilitated by mainstreaming at the national level.

**Japan:** [Stakeholders should {seek to secure funds} ~~[further strengthen the component of dedicated external financing]~~, including development assistance aid, from innovative donor sources, which can be facilitated by mainstreaming at the national level.]

**EU and its Member States :** [Stakeholders should {secure funds} [further strengthen the component of dedicated external financing], including development assistance aid, from innovative donor sources, which can be facilitated by mainstreaming at the national level.]

### *Establishment of an International Fund*

**Paragraphs 13 and 14** are currently in brackets. Based on the discussion at IP-3 and the written inputs and views that have been heard during the meetings of the Virtual Working Group on Financial Considerations,

<sup>35</sup> Japan proposes to retain the words “secure funds” instead of “further strengthen (...)”

there are divergent views on the establishment of an International Fund. Therefore, the co-facilitators propose to leave these paragraphs in brackets for further discussions and deliberations at IP-4.

***Global Environment Facility, UNEP Special Programme and other multilateral, regional and bilateral programmes***

**Paragraph 15.** [Donors should [continue to] provide dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.]

**Proposed text by the co-facilitators based on the written submissions from stakeholders**

**ALT 15.** Donors should [further strengthen the component of]<sup>36</sup> dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.

**Summary of stakeholders' views from written submissions and oral interventions prepared by the VWG Co-facilitators:**

1. The GEF and UNEP Special Programme provide direct support to SAICM. Some stakeholders pointed out that it is important to also keep in mind that the overall SMCW agenda is also supported by others financial mechanisms of the MEAs including the Montreal Protocol's Multilateral Fund, Minamata Specific International Programme and trust funds of various conventions and protocols.
2. Stakeholders indicated that there is also a need to explore synergies with a number of other areas such as circular economy , climate change, biodiversity and the green recovery to Covid-19 that require significant financing that either has been or will be dedicated to them for which chemicals and waste plays an important role.
3. It was noted that the GEF and the Special Programme have specific governing bodies that take decisions and it will be important that ICCM5 provides clear guidance to these two funding mechanisms on what SAICM or the new framework is expecting from them and the priority actions to be funded.
4. Stakeholders were of the view that ICCM5 should communicate to the GEF on its needs to support the implementation of the beyond 2020 framework ahead of the GEF-8 replenishment, especially focusing on elements which contribute to global environmental benefits. Options could include the need to operationalize the Overall Orientation Guidance elements, as well as the strategic objectives and targets currently under discussion.
5. It was noted that the current GEF chemicals and waste focal area includes funding for the chemicals and waste conventions (Stockholm and Minamata Conventions) and the Montreal Protocol. There should be a call to increase the portion of GEF funding available for SAICM implementation (IPEN).
6. None of the stakeholders oppose to the removal of brackets around this paragraph.
7. Three stakeholders (Brazil, the EU and MS, Japan) suggest deleting "continue to", while three stakeholders (Canada, IPEN and Peru) suggest retaining "continue to" and support the removal of brackets around these words. The United States is flexible on whether or not to include the "continue to" phrase.

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<sup>36</sup> Proposal from the EU and its Member States

8. The EU and its Member States suggest deleting "continue to" and add new text: "further strengthen the component of"; and "the establishment of mechanisms for domestic resource mobilization"
9. Japan suggests deleting "continues to" and add "where possible".
10. Switzerland suggests an editorial change to list the MEAs referenced therein in alphabetical order.

**Clean redlined text from stakeholders:**

**Brazil:** [Donors should ~~continue to~~ provide dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.]

**Canada:** ~~{~~Donors should ~~{continue to}~~ provide dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.~~}~~

**EU and its Member States:** [Donors should ~~continue to~~ **further strengthen the component of** dedicated external financing **to support the establishment of mechanisms for domestic resource mobilization,** including, for example, ~~resources~~ **through contributions** to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.]

**Japan:** [Donors should ~~continue to~~, **where possible,** provide dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.]

**IPEN:** ~~{~~Donors should ~~{continue to}~~ provide dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.~~}~~

**UNEP:** [Donors should [continue to] provide dedicated external financing, including, for example, resources to support the Global Environment Facility and other multilateral, regional and bilateral sources of financing, and to support the effective implementation of the Special Programme to support institutional strengthening at the national level for the implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals and Waste Management.]

**Paragraph 16:** [All stakeholders recommend to UNEA that the Special Programme should be reformed to adjust to the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]

**Summary of stakeholders' views from written submissions and oral interventions prepared by the VWG Co-facilitators:**

1. There was overall support from the participants for an extension of the Special Programme. Many participants also showed their interest in exploring resource mobilization strategies to raise different types of external financing and ways to increase the multi-stakeholder and multi-sectoral access to funding.
2. UNEP provided their views on concrete actions to support the implementation of the Beyond 2020 framework, including (i) mapping of guidance through the development assistance and programmes' landscape based on document IP.3/8 prepared by UNEP; (ii) regular exchange with relevant programs and funds to mainstream and better incorporate SMCW activities; (iii) implementation of the proposals made with regard to mainstreaming (listed above); (iv) the extension of the Special Programme, as well as, promoting synergies with funding in other sectors, for example climate change.
3. Although a number of participants supported the creation of a new International Fund, some stakeholders noted that the effective operation of the Special Programme should be given priority before creating a new financial mechanism, which will require additional costs for its management.
4. IPEN pointed out that all SAICM stakeholders should have access to the Special Programme funding to address civil society financing and this should be signaled to the upcoming UNEA. Otherwise, there would be a gap on financial resources needed for stakeholders to implement the beyond 2020 instrument.
5. IPEN also suggested to broaden the scope of activities eligible for funding of the Special Programme, which currently concentrate on only those falling outside of the GEF mandate which undermines synergies. The duration of the Special Programme should also be addressed.
6. Four stakeholders (Brazil, Japan, UNEP, US) oppose to this paragraph and recommend deleting it.
7. Three stakeholders (Canada, IPEN and WHO) favoured the removal of the brackets around this paragraph. Canada suggests substituting the word "reformed" by "reviewed".
8. Other three stakeholders (the EU and its Member States, Iran and Switzerland) recommend keeping this paragraph in brackets as further discussion is needed.

**Clean redlined text from stakeholders:**

**Brazil:** ~~[All stakeholders recommend to UNEA that the Special Programme should be reformed to adjust to the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]~~

**Canada:** ~~[All stakeholders recommend to UNEA that the Special Programme should be reformed to~~ reviewed and adjusted to better reflect the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]

**EU and its Member States:** [All stakeholders recommend to UNEA that the Special Programme should be reformed to reviewed and adjusted to better reflect the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]

**Japan:** ~~[All stakeholders recommend to UNEA that the Special Programme should be reformed to adjust to the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]~~

**UNEP:** ~~[All stakeholders recommend to UNEA that the Special Programme should be reformed to adjust to the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]~~

**US:** ~~[All stakeholders recommend to UNEA that the Special Programme should be reformed to adjust to the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.]~~

## II. ESTABLISHMENT OF AND ENGAGEMENT IN MULTISECTORAL PARTNERSHIPS ([SAICM/IP.4/2](#), Page 16)

**Paragraph 17.** Stakeholders are encouraged to create and implement multi-sectoral [transparent and accountable] partnerships [linked to the 2030 Agenda] to effectively address specific chemicals and waste [issues of [international] concern]. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.

### Proposed text by the co-facilitators based on the written submissions from stakeholders

**ALT 17.** Stakeholders are encouraged to create and implement multi-sectoral **transparent and accountable** partnerships [linked to the 2030 Agenda]<sup>37</sup> to effectively address **the sound management of chemicals and waste**<sup>38</sup> **identified for action under the beyond 2020 instrument**<sup>39</sup>. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.

### Summary of stakeholders' views from written submissions and oral interventions:

1. Seven stakeholders (Brazil, Canada, EU and its Member States, IPEN, Japan, US, Switzerland) supported the co-facilitators proposal to replace "issues of concern" by "sound management of chemicals and waste".
2. However, two stakeholders (Canada and Switzerland) propose to add "identified for action under the beyond 2020 instrument" or a reference to "issues of concern" to provide focus and encourage stakeholders to take action on issues specifically identified.
3. UNEP suggests deleting this paragraph from this section as it is already included in the Part VI on Implementation Mechanisms.
4. Three stakeholders (the EU and its Member States, IPEN and Japan) were of the view to remove the brackets around "transparent and accountable" and "linked to the 2030 agenda" from this paragraph.
5. Peru suggests keeping "linked to the 2030 agenda" and delete "transparent and accountable".
6. Three stakeholders (Brazil, Canada and US) suggest deleting the reference to the 2030 Agenda currently in brackets, while WHO seeks further clarification on this reference.

#### Clean redlined text from stakeholders:

**Brazil:** "Stakeholders are encouraged to create and implement multi-sectoral [transparent and accountable] partnerships [~~linked to the 2030 Agenda~~] to effectively address the sound management of ~~specific~~ chemicals and waste [~~issues of [international] concern~~]. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors."

**Canada:** Stakeholders are encouraged to create and implement multi-sectoral {transparent and accountable} partnerships ~~[linked to the 2030 Agenda]~~ to effectively address sound management of chemicals and waste **identified for action under the beyond 2020 instrument**. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.

**EU and its Member States:** Stakeholders are encouraged to create and implement multi-sectoral {transparent and accountable} partnerships {linked to the 2030 Agenda} to effectively address the sound management of chemicals and waste. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.

<sup>37</sup> Divergent views in the removal of the brackets around this sentence "linked to the 2030 agenda".

<sup>38</sup> The co-facilitators have proposed the deletion of "issues of concern" and replaced it more generally to "sound management of chemicals and waste"

<sup>39</sup> Proposal from Canada, in line with Switzerland suggestion to add focus on the issues to be addressed.

**IPEN:** Stakeholders are encouraged to create and implement multi-sectoral [transparent and accountable] partnerships [linked to the 2030 Agenda] to effectively address the sound management of chemicals and waste. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.

**Japan:** Stakeholders are encouraged to create and implement multi-sectoral [transparent and accountable] partnerships [linked to the 2030 Agenda] to effectively address the sound management of specific chemicals and waste [issues of [international] concern]. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.

**Switzerland:** "Stakeholders are encouraged to create and implement multi-sectoral [transparent and accountable] partnerships [linked to the 2030 Agenda] to effectively address the sound management of specific chemicals and waste [issues of [international] concern]. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors. "

~~**UNEP:** Stakeholders are encouraged to create and implement multi-sectoral [transparent and accountable] partnerships [linked to the 2030 Agenda] to effectively address the sound management of specific chemicals and waste [issues of [international] concern]. Stakeholders are also encouraged to explore funding opportunities by engaging mechanisms in all sectors.~~

### 3. FINANCING THE SECRETARIAT ([SAICM/IP.4/2](#), Page 16, Paragraphs 18-22)

**Paragraph 18.** [A core budget for the beyond 2020 instrument is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and industry stakeholders.]

#### Proposed text by the co-facilitators based on the written submissions from stakeholders

**ALT 18.** [A core budget for the beyond 2020 instrument is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and industry [all]<sup>40</sup> [other]<sup>41</sup> stakeholders.]

#### Summary of stakeholders' views from written submissions and oral interventions prepared by the VWG Co-facilitators:

1. Six stakeholders (Brazil, Canada, the EU its Member States, Japan, US, Peru, Switzerland) supported the co-facilitators proposal to replace "industry" by "all" in this paragraph to encourage contributions from all stakeholders and sectors.
2. Switzerland also proposes to shorten this paragraph and turn it into a "chapeau" provided that the subsequent paragraphs 19-22 are maintained as in the original document outlining how different stakeholders can contribute.
3. IPEN, supported by ITUC, proposed to add the sentence "as well as through contributions from the international fund" referring to the proposal to establish a new international fund which could also be used to finance the Secretariat.
4. WHO proposes to use "other" stakeholders instead of "all" stakeholders, taking into account that governments are "stakeholders". Most stakeholders supported this proposal from WHO.

<sup>40</sup> The co-facilitators recommend to substitute [industry] by [all] in the last sentence to encourage contributions from all stakeholders and sectors, as proposed by most stakeholders and supported in the written submissions.

<sup>41</sup> The word [other] was proposed by WHO, and it was supported by most stakeholders in the oral interventions



5. Canada also proposes an alternative text to simplify the paragraph, while Japan suggests including additional text to this paragraph on the provision of predetermined expenditure codes for each budget item for voluntary and in-kind contributions.
6. On the other hand, Iran does not want to remove "industry" from this paragraph, while IPEN wishes to maintain the paragraph in brackets and discuss the whole section using the current text.
7. GAPH recalled that the lack of sufficient funding of the Secretariat – as confirmed by the Independent Evaluation of SAICM 2006-2015 – has negatively impacted the SAICM implementation. Therefore, it proposed that the language in this paragraph is strengthened as shown below. This proposal was supported by most stakeholders, which expressed their interest to further work on this proposed text).
8. Colombia expressed that the discussion on financing the Secretariat should be linked to the discussion on financial support for implementing the new instrument. It reiterated a GRULAC proposal for a specific, independent financial fund for implementation of the new instrument.
9. Iran highlighted the importance and primary role of governments and industry contributions to finance the Secretariat considering that these stakeholder groups have more financial resources. It also noted that the use of "all stakeholders" to contribute to the Secretariat budget instead of the explicit reference to the "industry" in the text creates ambiguity. He stated that the industry has not met its responsibility in this regard.
10. The Africa Group reiterated GAHP's intervention highlighting that the independent evaluation of SAICM (2006-2015) found that the Secretariat was unable to fulfill its functions due to lack of funding. Even if the instrument is voluntary, there should be a responsibility from governments and industry to fund it. The Africa Group proposed to assess the necessary contributions and then communicate what is expected from governments and industry in terms of financial contributions, while noting that noting that governments also have the responsibility for mainstreaming at the national level.
11. The EU and its Member States expressed that they would also consider sustainable and predictable funding and that any approach in this regard should be voluntary but indicative.

**Clean redlined text from stakeholders:**

**Brazil:** [A core budget for the beyond 2020 instrument is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and ~~industry~~ all stakeholders.]

**Canada:** ~~{A core budget for the beyond 2020 instrument, financed by voluntary contributions, is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and all stakeholders.}~~. All stakeholders are welcome to provide voluntary contributions to the core budget.

**GAHP:** [A core budget for the beyond 2020 instrument for the operating costs of the Secretariat, including conference services, meetings, staff costs and office costs, is essential. The core budget should be financed by voluntary contributions from governments based on an indicative scale and contributions from other stakeholders in accordance with their abilities.]

**Japan:** [A core budget for the beyond 2020 instrument is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and ~~industry~~ all stakeholders.]

**Paragraph 18bis:** Where possible, possible items with predetermined expenditure codes provided to each item for voluntary and in-kind contribution are identified at the beginning of the budget cycle by an agreement between the respective organization and the Secretariat.

**Switzerland:** [A core budget for the beyond 2020 instrument is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and ~~industry~~ all stakeholders.]

**UNEP:** [A core budget for the beyond 2020 instrument is identified covering staff costs for non-seconded staff, office costs and travel costs, for the Secretariat, conference services and meetings. The core budget is financed by voluntary contributions from the government and ~~industry~~ all stakeholders.]

### *Contributions from stakeholders to finance the Secretariat*

**Paragraph 19:** Before the start of each year the secretariat invites each government stakeholder, via its national focal point, to make a voluntary financial contribution and provides a figure showing what that contribution would be according to the UN scale of assessment. Countries are encouraged to contribute at least this amount.

**Paragraph 20:** Inter-governmental Organization stakeholders support the work of the secretariat inter alia by contributing human resources, including through secondment as appropriate, and sector related work of the secretariat. The expected contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the secretariat.

**Paragraph 21:** Private sector stakeholders support the work of the secretariat through a substantial voluntary financial contributions. Private sector stakeholders may also contribute in kind through human resources, including through secondments, hosting meetings, support for production and dissemination of outputs of the beyond 2020 instrument. The expected contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the secretariat.

**Paragraph 22:** Civil society stakeholders support the work of the secretariat inter alia by contributing human resources, including through secondments, hosting meetings or contribution for production and dissemination of outputs of the beyond 2020 instrument. The expected contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the secretariat.]

### **Proposed text by the co-facilitators based on the written submissions from stakeholders<sup>42</sup>**

**ALT 19.** Before the start of each year the Secretariat invites each government stakeholder, via its national focal point, to make a voluntary financial contribution [and provides a figure showing what that contribution would be according to the UN scale of assessment. Countries are encouraged to contribute at least this amount.]<sup>43</sup>

**ALT 20.** All stakeholders support the work of the Secretariat by voluntarily contributing financial and in-kind resources, as appropriate, including but not limited to:

- a) supporting the work of the Secretariat through voluntary financial contributions.
- b) supporting the work of the Secretariat by contributing in-kind resources, including through secondment as appropriate, and sector related work of the secretariat.

<sup>42</sup> The alternative text below takes into account the proposals made by Canada and Japan to streamline the text and specify the types of contributions rather than category of stakeholders. Paragraphs 21 and 22 are proposed to be deleted.

<sup>43</sup> The indicative reference to the UN scale of assessment is left on brackets as there are divergent views on this point and further discussions and deliberations on this topic would be required at IP-4.

c) supporting the work of the Secretariat through hosting meetings, sector participation at meetings, support for production and dissemination of outputs of the beyond 2020 instrument.

Where possible, the contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the Secretariat.

#### **Summary of stakeholders' views from written submissions and oral interventions:**

1. Seven stakeholders (Brazil, Canada, the EU and its Member States, Japan, UNEP, US, WHO) suggested to remove the brackets around paragraph 19 and also support the proposal of an alternative text for paragraph 20 to streamline the text.
2. Three stakeholders (Iran, IPEN, Switzerland) do not support the proposal of alternative text for paragraphs 20-22 and suggest retaining the original text.
3. Peru suggests an alternative to paragraph 19 to synthesize the brackets and supports the proposal for paragraph 20.
4. Switzerland considers important to name each sector to design specific types of contributions and recall that efforts of all stakeholders are needed, while IPEN states that the proposal does not address the underlying issue: underfunding of the Secretariat.
5. The EU and its Member States reiterates support for applying the UN scale of assessment to estimate voluntary contributions of governments, and for developing a comparable reference to determine indicative contributions of non-governmental stakeholders, while Japan and the US do not support the use of this indicative reference.
6. IPEN also indicated that the text should reference that contributions should be non-earmarked to enable the Secretariat to use these funds in accordance with priorities and needs. It also noted that full transparency of the legal agreements for the provision of funding or other in-kind contributions by stakeholders is required. GAHP and the US recommend including a reference to transparency in the text.
7. Japan noted that in this text proposal, the Secretariat would be requested to list the expenditure costs of each item, which would serve as a basis for stakeholders to monetize and make visible their in-kind contributions.
8. WHO requested the deletion of "sector" before "sector participation" in paragraph ALT 20 c) as they consider it unnecessarily limiting and it could be misinterpreted to state that sectors other than the environment might have to fund their own participation in the beyond 2020 process. The US supported this request.
9. GAHP reminded the VWG that there is a need to differentiate between the core budget, i.e. the operational costs of the Secretariat and other activity costs. It also noted that in-kind contributions might be subject to specific UN regulations. Thus, GAHP, supported by the EU/MS, Norway, Switzerland and the US requested that the text is consulted with UNEP Finance to ensure accordance with UN rules.
10. Norway - supported by IPEN, GRULAC and Switzerland - expressed reservations regarding the how in-kind contributions are formulated in the ALT 20 text proposed by the co-facilitators. GAHP also noted that the proposed ALT 20 text, as currently formulated, mixes contributions for implementation of the beyond 2020 instrument and in-kind support for the operating costs of the Secretariat.

#### **Clean redlined text from stakeholders:**

**Brazil:** Paragraph 19. Before the start of each year the Secretariat invites each government stakeholder, via its national focal point, to make a voluntary financial contribution [and provides a figure showing what that contribution would be according to the UN scale of assessment. Countries are encouraged to contribute at least this amount.]

Paragraph 20. All stakeholders, **including governments, in accordance with their respective capacities** support the work of the Secretariat by voluntarily contributing financial and in-kind resources, as appropriate, including but not limited to:

- a) supporting the work of the Secretariat through voluntary financial contributions.
- b) supporting the work of the Secretariat by contributing in-kind resources, including through secondment as appropriate, and sector related work of the secretariat.
- c) supporting the work of the Secretariat through hosting meetings, sector participation at meetings, support for production and dissemination of outputs of the beyond 2020 ~~instrument~~ **framework**. Where possible, the contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the Secretariat.

**Canada:** Paragraph 20. All stakeholders support the work of the Secretariat by voluntarily contributing financial and in-kind resources, as appropriate, including but not limited to:

- a) ~~supporting the work of the Secretariat through~~ voluntary financial contributions.
- b) ~~supporting the work of the Secretariat by~~ contributing in-kind resources, including through secondment as appropriate, and sector related work of the secretariat.
- c) ~~supporting the work of the Secretariat through~~ hosting meetings, sector participation at meetings, support for production and dissemination of outputs of the beyond 2020 instrument. Where possible, the contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the Secretariat.

**Japan:** Before the start of each year the Secretariat invites each government stakeholder, via its national focal point, to make a voluntary financial contribution ~~[and provides a figure showing what that contribution would be according to the UN scale of assessment. Countries are encouraged to contribute at least this amount.]~~

**Peru:** Paragraph 19. Before the start of each year the Secretariat invites each government stakeholder, via its national focal point, to make a voluntary financial contribution, [for which countries are encouraged to contribute according to the UN scale of assessment.]

**Switzerland :** Paragraph 20: Inter-governmental Organization stakeholders support the work of the secretariat inter alia by voluntarily contributing ~~human~~ in-kind resources, including through secondment as appropriate, ~~organization of meetings, supporting sector participation at meetings, awareness campaigns or formal contributions to projects~~ and ~~facilitating~~ sector related work of the secretariat. The expected contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the secretariat.

Paragraph 21: Private sector stakeholders support the work of the secretariat through a substantial voluntary financial contributions. Private sector stakeholders may also contribute in-kind ~~contributions through human resources~~, including through secondments, hosting meetings, support for production and dissemination of outputs of the beyond 2020 instrument. The expected contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the secretariat.

Paragraph 22: Civil society stakeholders support the work of the secretariat inter alia by voluntarily contributing ~~human~~ in-kind resources, including through secondments, hosting meetings or contribution for production and dissemination of outputs of the beyond 2020 instrument. The expected contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the secretariat.]

**UNEP:** Paragraph 20. All stakeholders support the work of the Secretariat by voluntarily contributing financial and in-kind resources, as appropriate, including but not limited to:

- a) supporting the work of the Secretariat through voluntary financial contributions.
- b) supporting the work of the Secretariat by contributing in-kind resources, including through secondment as appropriate, and sector related work of the secretariat.
- c) supporting the work of the Secretariat through hosting meetings, sector participation at meetings, support for production and dissemination of outputs of ~~the beyond 2020 instrument~~.

**WHO:** Paragraph 20. c) supporting the work of the Secretariat through hosting meetings, **sector** participation at meetings, support for production and dissemination of outputs of the beyond 2020 instrument framework.

Where possible, the contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the Secretariat.

#### 4. OPEN DISCUSSION ON CAPACITY BUILDING

##### *Concrete mechanisms and actions regarding capacity building across sectors to support the beyond 2020 programme of work*

The stakeholders noted that capacity building requires information exchange and resources and suggested some proposals of actions and mechanisms for capacity building. One stakeholder suggested the establishment of internationally recognized tiers of achievement as a way to incentivize more robust implementation of core chemicals management by countries to make further advancements in their efforts and their ability to manage chemicals and to implement SAICM.

Another proposal is to increase the coordination at the national level and to use the existing Montreal Protocol units that could be broadened to include and address chemicals and waste issues, so they can coordinate multi-disciplinary national operations for the implementation of SAICM, as well as the Basel, Rotterdam, Stockholm, and Minamata Conventions. A stakeholder noted that in this context, the work done by the IOMC organizations since 2006 in providing capacity building actions through various programmes and guidance materials, as well as the EU and its member states' programmes to support countries in capacity building could be communicated and used as references. The detailed content of these proposals can be found in the stakeholders' inputs section on the [SAICM website](#).

##### **Additional considerations:**

1. Existing capacity building support through various programmes and policy documents should be considered (EU and its Member States).
2. The importance of integrating a multi-sectoral and multi-stakeholder approach to capacity building to maximize collective efforts. (Canada, WHO).
3. Capacity building principles include coordination, collaboration, sharing knowledge and information, gender equal representation and participation of all relevant actors (IPEN, US).
4. ICCA's proposed a new Capacity Building Clearinghouse under the new SAICM that would act as an intermediary between a country with capacity building needs and a donor country and/or other stakeholders
5. US proposes the establishment of internationally recognized tiers of achievement to incentivize more robust implementation of core chemicals management, as proposed at IP3. Countries could work toward the implementation of policies and activities to reach the following tiers:
  - Tier 3:** Take priority risk reduction actions and have a system in place to inventory and evaluate the safety of chemicals and implement further risk management activities;
  - Tier 2:** Tier 3 and implement a compliance monitoring and enforcement strategy;
  - Tier 1:** Tier 3, tier 2, and establish policies or incentives to encourage the development of safer alternatives and innovative and sustainable solutions

### *Next steps / Co-facilitators' recommendations*

Co-facilitating the deliberations in a virtual setting, based on a relatively broad mandate covering complex issues, turned out to be a challenging task. With the assistance of a skillful and experienced SAICM Secretariat and an engaged and active group of stakeholders, we managed to address all elements of the Virtual Working Group's mandate.

We considered it of utmost importance to record the dynamics of the discussions in our group, by including in this outcome document for both sections and individual paragraphs, the analysis of written submissions, as well as, comments made during the virtual meetings. For transparency reasons we also inserted the various text suggestions provided by various stakeholders. The stakeholders inputs are also available on the [dedicated webpage](#) of the Virtual Working Group on financial considerations.

We believe this outcome document will provide a valuable contribution for participants during the in-person deliberations and discussions on the financial considerations at IP4.

Given the relatively short period (October 2020 – February 2021) for the four VWGs to conduct their work we decided to establish a small working group to have an in-depth discussion on the ICCA proposal for a capacity building clearing house and the IP3 draft recommendations on the section “private sector involvement”. Due to time constraints, mainly caused by the tied schedule of work of all VWGs and the difficulty of small delegations to participate actively, the small working group only met once.

Our recommendation for the modality of the VWGs would be the ability of the VWGs to establish subgroups lead by a stakeholder with the assistance of the Secretariat to further develop ideas and concrete text suggestions that could facilitate and advance deliberations in the main VWG group. This approach could work well for contentious issues or ideas like those listed below that unfortunately were not fully deliberated.

We would also like to suggest that the mandates for the new process is formulated in such a way that written inputs to IP4 should be limited, otherwise the IP4 process will be inundated with inputs and suggestions and may only further compound an already complicated situation at IP4.

Finally, we recommend that adequate time is provided across the various VWGs and that the virtual meetings are scheduled to accommodate different time zones to enable various stakeholders, for example from the Asia Pacific region to participate effectively.

On content the co-facilitators propose to the ICCM5 Bureau that a new virtual process is established to continue the discussions on financial considerations, while a decision is taken on the organization of IP-4 and ICCM5. A new process would allow to further deliberate on:

- a. The proposals on strengthening the private-sector involvement presented by stakeholders so far: the capacity building clearing house mechanism (ICCA); a global coordinated tax or fee on the chemical industry (IPEN); the establishment of a financial contribution of 0.5% of industry's annual turnover (Africa Group).
- b. Dedicated external financing for the implementation of the new beyond 2020 instrument (Colombia).
- c. Alternative text proposals prepared based on the written submissions and views presented at the VWG meetings regarding the sections on Financing the Secretariat and Private Sector Involvement.