

# **IP CO-CHAIRS SINGLE CONSOLIDATED DOCUMENT**

**Compilation of recommendations regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020, for consideration by the fifth session of the International Conference on Chemicals Management**

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# Recommendations for consideration of ICCM5 regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020<sup>2</sup>

## Introduction

*[insert some text relating to (i) the issue that we are addressing, (ii) the history of the mandate; (iii) objectives of what the new framework is to achieve*

The aim of our work is to:

- prevent or where not feasible minimize harm
- to protect human health including that of workers, children, women and the environment
- to protect the environment, animal and human health especially that of women, children and workers.

*Further discussion required about whether there should be a statement of needs.*

## [Main general recommendations

2. Governments, international organisations, industry and the private sector, civil society, the scientific and academic community and all other relevant stakeholders should intensify and prioritise efforts on the sound management of chemicals and waste, towards the achievement of target 12.4 of the 2030 Agenda and thereby contribute also to numerous other SDGs;
3. Urgent and resolute action at all levels is needed to implement the 2030 Agenda in relation to the sound management of chemicals and waste, including through an improved enabling framework for the sound management of chemicals and waste in the long term, as emphasized by the UN Environment Assembly. Such an improved framework should particularly address lifecycle approaches and the chemicals-product-waste interface; as well as materials, such as plastics, and the minimisation and where feasible prevention of hazardous substances in material cycles;]

## II. Scope

1. The scope encompasses [the environmental, economic, social, health, agricultural and labour [all] aspects of managing chemicals and [their] [all] waste[s], in order to enhance sustainable development [and [non toxic] circularity [environmental integrity] [and the protection of human rights] [and resource efficiency]]. The instrument takes due account of the instruments and processes that have been developed to date and is flexible enough to take account of new ones without duplicating efforts.
2. The involvement of all relevant sectors and stakeholders across the life cycle at the local, national, regional and global levels is critical to the sound management of chemicals and waste. Stakeholders include but are not limited to Governments, regional economic integration organizations, intergovernmental organizations, civil society, industries, businesses, the financial sector, development banks, academia, workers, retailers and individuals. Sectors are understood to include, but not be limited to, agriculture, environment, health, education, finance, development, construction and labour.

## III. Principles and approaches

1. [In developing and implementing the sound management of chemicals and waste, stakeholders should [follow rights-based approach and] be guided by the principles of the Rio Declaration on Environment and Development, and acknowledging states respective circumstances and capabilities and the need for global action [as well as the agreements listed in Annex x].]

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<sup>2</sup> The present document has not been formally edited.

[Alt. In developing and implementing the sound management of chemicals and waste, stakeholders should be guided by the principles, approaches and agreements listed in Annex x.]

2. [The list above includes global principles, approaches and agreements. Stakeholders should also be guided by any relevant regional principles, approaches and agreements that are applicable to [their specific region or a specific issue] [them].]
3. [The Overall Orientation and Guidance, including its eleven basic elements and six activity areas, continue to be relevant in assisting countries in their efforts to ensure the sound management of chemicals and waste and should therefore continue to be implemented.]

*The principles and approaches that were in this section have been moved to Annex A. The previous appendix II of principles and approaches was not discussed at IP 4.*

### **[Operating principles]**

*Participants should consider whether principles of “how” the instrument operates which apply to the whole document be placed in a new sub-section*

[The following capacity-building principles will be [incorporated] [taken into account] [into] in all relevant [aspects] [activities carried-out in the implementation] [of the new framework] [outcome of] [beyond 2020] [and] according to priorities decided by the [Governing Body].]

### **Collaboration**

2. [Country driven process, including mutually beneficial partnerships.]
3. [Take a multi-stakeholder and multisectoral approach, including partnership and mechanisms for technical cooperation that incorporates all relevant disciplines.]
4. [North-South and South-South networking and sharing of experiences.]
5. [Collaborate with existing initiatives on chemicals and waste management, including multilateral environment agreements, United Nations bodies, private sector, civil society and academia, to fill gaps and build upon their work while avoiding duplication.]

### **Knowledge and information**

6. [Recognition and sharing of knowledge and expertise within and among regions.

Recognize the need to promote coordination of and access to information for the sound management of chemicals and waste in all relevant aspects.]

7. [Ensure the full use of national, subregional and regional information and knowledge, as appropriate, to inform global decision making.]

### **Participation**

8. [Full and effective participation of all stakeholders and balanced regional representation and participation.]
9. Recognize that young people are agents of change and the importance of intergenerational equity. Encourage meaningful engagement and participation of youth across all processes of SAICM, including at the national level. ]

### **Gender**

9. [Recognize the need for gender equity in all relevant aspects of its work]

10. Ensure gender equality, the recognition of women as agents of change and the inclusion of gender considerations in all relevant aspects of [the new instrument] through inter alia the development and implementation of a gender action plan]

## **PLACEHOLDER TEXT FROM THEMATIC GROUPS 2 AND 3**

### **Thematic Group #2**

Thematic Group #2 would like to request that, in order to be addressed during your deliberations for including and managing cross-cutting or higher-level issues in the consolidated single document, the following concepts be placed in the placeholder document for your consideration and safe-keeping:

- International organizations and bodies outside of the future instrument should be invited to strengthen their engagement in the area of sound management of chemicals and waste;
- Engagement, endorsement, and recognition, including formal recognition by the UN General Assembly (UNGA), other relevant international bodies (such as the governing bodies of the IOMC members), and relevant MEAs, of the future instrument is considered to be of high importance to many of the stakeholders; and
- There is a need to review consistency of the use of the terms “should” versus “may” and “should” versus “may invite” at the conclusion of the IP process.

The following two paragraphs were introduced by ITUC during the discussion of Section VI on Mechanisms to Support Implementation in Section D on Enhanced Sectoral and Stakeholder Participation (a third proposed paragraph has been referred to Thematic Group #3 on Finance and Capacity-Building). Initial discussions occurred in Thematic Group #2 on the evening of Thursday, September 1. However, those discussions were not concluded nor conclusive. We would therefore like to request that, in order to be addressed during your deliberations for including and managing cross-cutting or higher-level issues in the consolidated single document, they be placed in the placeholder document for your consideration and safe-keeping.

- Governments, industry [, all economic sectors,] and stakeholders should take [, so far as is practicable,] the [measures] necessary [ measures] to achieve a just transition towards an [environmentally] sustainable economy with effective and safe management of chemicals and waste, in order to contribute to the goals of decent work for all, social inclusion [, human rights], and the eradication of poverty.
- Governments should ensure that wherever practicable stringent and protective labour, safety and environmental clauses, including stipulations on safe and sustainable management of chemicals and waste, are included in trade agreements.

Finally, Thematic Group #2 wants to ensure that the issue of gender receives a prominent placement within the future instrument. The following text has been proposed by relevant stakeholders, but has not been the subject of discussion within this thematic group:

- Ensure gender equality, the recognition of women as agents of change and the inclusion of gender considerations in all relevant aspects of [the new instrument] through inter alia the development and implementation of a gender action plan.

### **Thematic Group 3**

The following paragraph was introduced by ITUC during the discussion of Section VI on Mechanisms to Support Implementation in Section D on Enhanced Sectoral and Stakeholder Participation in TG#2 and has been referred to TG#3 for its consideration:

- Financial Institutions, investor relations bodies and pension funds should ensure so far as is practicable that the safe, sound and sustainable management of chemicals and waste is included in loan agreements, safeguarding policies, company policies and investment priorities over which they can exert influence.

## IV. Vision, Strategic Objectives and Targets

The aim of our work is to:

- prevent or where not feasible minimize harm
- to protect human health including that of workers, children, women and the environment
- to protect the environment, animal and human health especially that of women, children and workers.

*The above is placeholder text.*

1. The following strategic objectives will guide stakeholders in their efforts at all levels to address the sound management of chemicals and waste

[Bis. In order to achieve these objectives adequate [and sustainable] financial and non-financial resources need to be identified and mobilized; and necessary transparent and accountable partnerships need to be established to foster cooperation among stakeholders]

2. [A measurability structure at Annex x illustrates the different categories of indicators that may be used to track progress and impact of the instrument.]

## Vision

[Chemical safety for all.  
ALT. A toxics free planet. Advancing chemicals and waste safety for a healthy future.  
2. ALT. Healthy Planet and People: Making Our Future Chemical- and Waste- Safe.]

## Strategic objectives

A: [Countries have] [Stakeholders have] the capacity, legal framework and institutional mechanisms in place to [support] [achieve] the [integrated] [sound] management of chemicals and [associated] waste [throughout the life cycle].

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

C: Issues of concern are identified, prioritized and addressed

D. Safer alternatives and innovative and sustainable solutions in [relevant] product value chains are in place so that benefits to human health and the environment are maximized and risks are prevented or, where not feasible, minimized

E. The sound management of chemicals and [associated] waste is [transparently and accountably] integrated in [all] relevant decision-processes [by stakeholders] [for] [sustainable development, financing and business]

## Targets

[Target A1 - 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.

Target A2 - A Code of Conduct on chemicals and waste management incorporating, the elements of the OOG, is developed and countries have incorporated its provision in their national legislation.

Target A3 - By [xx], measures identified to prevent or, minimize harm from chemicals throughout their life cycle [and waste], are implemented by companies.

Target A4 - By 20xx, illegal international trade and traffic of toxic, hazardous, banned and severely restricted chemicals and of waste is effectively prevented.

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

Target A6 - By 2030 all countries have poison information centres that adequately respond to poisonings and if possible networks as well as access to training on chemical risk prevention and clinical toxicology and at least one clinical toxicology service.

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

[Target B1 - By 20xx, comprehensive data and information on chemicals , throughout their lifecycle, are generated , made available and accessible.

Target B2- 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.

Target B3 - Robust data on production of chemicals, releases and emissions of chemicals and waste to the environment, and concentrations of chemicals in humans, biota, and environmental media is generated and made available at regional and global level and harmonized research protocols are developed and used to ensure coherence and comparability of this data.

Target B4- By 20xx all stakeholders have and are using 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.

Target B5- By 20XX educational, training and public awareness programmes on chemical safety, sustainability, safer alternatives and benefit of chemicals have been developed and implemented.

Target B6- 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.]

[Target C1 - Processes and programs of work including timelines are established, adopted and implemented for identified issues of concern to reduce and eliminate harm.]

[Target D1 - 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.

Target D2 -[Countries][governments] implement policies that encourage production using sustainable and safe(r) alternatives including cleaner production technologies and facilitate re-use and recycling of products (circular economy).

Target D3 - By 20xx, companies, 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.

Target D4 - 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.

Target D5 – By 2030, Governments implement policies and programmes to increase support to non-chemical alternatives including agroecology to replace the chemicals or groups of chemicals of global and regional concern including highly hazardous pesticides.

Target D6 - By 20xx, sustainable chemical and waste management strategies have been developed and implemented for xy major economic sectors with intense chemical use, which identify priority chemicals of concern, standards and measures to reduce chemical input and footprint along the value chains (e.g. textile, electronic, building, agriculture etc.)

Target D7 - As for 20XX Governments and companies ensure effective occupational health and safety practices as well as environmental protection measures in the chemicals sectors and throughout the supply chain.

Target D8 - 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.]

[Target E1 - Policies for sound management of chemicals [and waste] are integrated into local, national, , regional development strategies.

Target E2 - Partnerships and networks amongst sectors and stakeholders are strengthened to achieve the sound management of chemicals [and waste].

[Target E3- Financial and non-financial resources needed to achieve [support] the sound management of chemicals [and waste] are identified and mobilized in all sectors by and for all stakeholders.]

[Target E4- Gaps between developed and developing countries the implementation of sound management of chemicals [and waste] are identified and narrowed.]

Target E5 - regarding internalization of costs/cost recovery mechanism

Target E6 - 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.]

## V. Institutional arrangements

### A. International conference [on Chemicals Management]

1. In considering this instrument and its implementation, the functions of the international conference will be:

(xxx) To adopt its rules of procedure<sup>11</sup>

- (i) To oversee implementation, review progress to address gaps at the national, regional, and international levels, and to take [appropriate] action;
- (ii) To promote the implementation of existing international instruments and programmes on chemicals and waste;
- (iii) To promote cooperation [and synergies] among international instruments and programmes on chemicals and waste;
- (iv) To promote the strengthening of national chemicals and waste management capacities;
- (v) To promote, enhance and support participation by and interaction among stakeholders and sectors in the international conference and in the programme of work;
- (vi) To promote awareness, including based on scientific information, regarding new developments and trends, and to identify and communicate links to sustainable development;
- (vii) To set priorities for the programme of work informed by scientific information;
- (xxx) To consider relevant outcomes from the work of the independent intergovernmental science policy panel that is the subject of UNEA resolution 5/8, once it is established;
- (xxx) To invite, as appropriate, the panel to provide [scientific information and assessments] [inputs on specific issues of concern adopted by the international Conference] [invite the panel to undertake work for the international Conference] for consideration by the Conference;
- (viii)<sup>12</sup> To determine processes to guide appropriate science-based [approaches/action] on issues of [international] concern;
- (ix) To provide guidance to the secretariat and to stakeholders on implementation;
- (x) To establish subsidiary bodies as it finds necessary in accordance with the rules of procedure;
- [(xi)<sup>13</sup> To facilitate the mobilization [and allocation] of sustainable financial and technical resources [and development and transfer of technology under voluntary and mutually agreed terms] for the operation and implementation of the instrument;
- ALT (xi) To promote the implementation of the elements of the integrated approach to financing the sound management of chemicals and waste and make recommendations to address relevant issues;]
- (xii)<sup>14</sup> To receive reports from all relevant stakeholders on progress of implementation [, to assess overall progress] [to assess overall progress [of implementation] based on information from relevant stakeholders] and to disseminate information as appropriate;
- (xiii) To evaluate implementation of activities and review progress against the objectives and targets and update the programme of work as appropriate with a view to achieving the vision.

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<sup>11</sup> This sub-paragraph was agreed to by TG#2 during its discussion on Section VI on Measures to Support Implementation.

<sup>12</sup> There is agreement to return to this sub-paragraph after discussing issues of concern.

<sup>13</sup> Sub-paragraphs (xi) and ALT (xi) has been referred to TG3 on Finance and Capacity-Building on August 29, 2022 for resolution.

<sup>14</sup> There is agreement to return to this sub-paragraph after discussing Section G on reporting.

- (xiv) [To decide to convene a high-level segment for multisectoral and multistakeholder discussion.]

[2. The international conference should invite stakeholders from the environment, health, labour and agriculture sectors involved in chemicals management and safety issues, as well as strengthening financial support for developing countries and countries with economies in transition to attend to the meeting.]

[3. The international conference should design its agenda with sufficient space that allows meaningful discussions of priorities, gaps and implementation issues faced by different sectors.]

4. The international conference will meet every second year, unless it decides otherwise.

5. Where appropriate, sessions of the conference should be held back-to-back with meetings of the governing bodies of relevant intergovernmental organizations in order to enhance synergies and cost effectiveness.

## **B. Bureau of the international conference**

[1. The international conference should have a Bureau in accordance with the rules of procedure of the international conference. The Bureau should adequately represent the regions of the world as well as the multi-stakeholder and multi-sectoral nature of the instrument.]

[1ALT. The international conference should have a Bureau in accordance with the rules of procedure of the international conference. The Bureau should reflect the multistakeholder and multi-sectoral nature of the instrument, and should reflect due regard to the principle of equitable geographical representation and to gender balance, as well as to representation from different sectors among government representatives, subject to the relevant rules of procedure.]

## **C. Secretariat<sup>15</sup>**

1. The functions to be performed by the secretariat under the guidance of the international conference will be:

- (i) To promote the establishment and maintenance of a network of stakeholders at the national, regional and international levels;
- (ii) To promote and facilitate the implementation of the [beyond 2020 instrument] [sound management of chemicals and waste], including capacity-building and technical assistance;
- (iii) To continue to strengthen working relationships with participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) and their networks, other United Nations bodies and the secretariats of relevant international agreements in order to draw upon their sectoral expertise;
- (iv) To facilitate and promote the exchange of relevant scientific and technical information, including the development and dissemination of guidance materials to support stakeholder implementation, as well as provide information clearinghouse services;
- (v) To facilitate the meetings and intersessional work of the international conference as well as regional meetings, and to disseminate the reports and recommendations of the international conference, including to relevant global and regional organizations and institutions;
- (vi) To support the functioning of technical, policy and scientific subsidiary and ad hoc expert bodies established by the international conference;

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<sup>15</sup> This section C on the Secretariat was in the mandate for consideration by TG2; however, TG2 did not have time to consider it at IP4. This text remains unchanged from IP3 and was not in the mandate of VWG2.

- (vii) To promote, enhance and support the participation of all sectors and stakeholders in the international conference and the programme of work, including in meetings of the international conference and regional meetings;
- (viii) To report to the international conference on implementation by all stakeholders of the 2020 instrument.

## **ADDITIONAL SECTION TO BE NAMED ONCE TITLE IS DECIDED**

**Title Alt 1. Issues of [International][Global] Concern**

**Title Alt 2. Priority Issues for International Action**

### **A. Definition**

1. An issue of concern is an issue involving any phase in the life cycle of chemicals [and waste<sup>23</sup>] which has not yet been generally recognized, is insufficiently addressed [by other bodies at the regional or international level] or arises [as a potential concern] from the current level of scientific information which may have [significant] adverse effects on human health and/or the environment [and requiring international action] [or which accelerates the uptake of innovative and sustainable solutions for the sound management of chemicals].

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

2. To nominate an issue, the following information should be provided:
- a. Why the instrument is best placed to advance the issue;
  - b. Impacts on human health and/or the environment related to the issue, taking into account vulnerable and at risk populations (especially women, children, youth and workers), biodiversity, ecosystems and [any] [accessible] [available] toxicological, ecotoxicological, [environmental fate and behaviour,] and exposure data;
  - c. How the issue is integral to the vision, is ongoing, and needs to be addressed to enhance basic chemicals and [associated] waste management 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. Summary of existing knowledge, relevant past activities, scientific uncertainties, and gaps in understanding or action;
  - h. [A list of priority actions, related timelines, [and, if possible, a proposed workplan with] [potential] targets and corresponding indicators, to guide [the] elaboration and implementation of [the] workplan [, including to assess the progress of implementation;]]
  - i. Identification of potential lead organisation(s) and opportunities for multi-stakeholder and multi-sectoral engagement.

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<sup>23</sup> The scope of waste needs to be resolved consistently throughout the text.

**C. *Nomination, selection and adoption process***

**i. *Nomination of issues***

3. The process for nominating issues is open to any stakeholder. The nomination procedure will be made available on the website.

4. To promote communication about the nomination:

- a. Nominations should be submitted to the secretariat no later than [six] [eight] months prior to a meeting of the Conference.
- b. Nominations should be communicated by the secretariat to all stakeholders, including to all Focal Points.
- c. Regions may wish to add the subject to relevant regional meeting agendas.

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

5. The secretariat will check nominations for completeness with the aim of assisting proponents in their nominations, if possible. Proponents should be contacted to provide missing or additional information. 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.

6. 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.

7. 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.

8. The secretariat [will invite further comments on the revised nominations and] [make available the] nominations[, annotated with a summary of information]. The secretariat will make [available the] [nominations] and the comments provided by stakeholders publicly available at least six weeks in advance of the international conference.

**iii. *Decision-making and adoption***

9. Nominations will be considered by the conference and 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 [that are most important to protect human health and the environment, taking into account the precautionary approach]. The Conference should:

- a. Agree [Recommend] [to] [a workplan, where available, or] [agree on] [recommend] a list of [priority] actions and related timelines;
- b. Adopt the issues;
- c. Establish ~~an~~ ad hoc multi-stakeholder [and multi-sectoral] committees [working/steering groups] [for each issue],

10. [24]The [ad hoc multi-stakeholder committees] will undertake the following tasks:

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TG#2 did not consider paragraphs 10-15 due to lack of time at IP-4.

- a. Develop and encourage implementation of a workplan, [according to the list of priority actions [and related timelines] decided by the conference, [including proposing SMART targets][including review and follow up] including propose indicators for relevant [SMART]targets under different Strategic Objectives of the instrument;
- b. [Identify synergies with other existing related issues to maximize efforts and to avoid duplication;]
- c. [Identify what regional collaboration is needed to address the issue;]
- d. Coordinate with other relevant bodies, such as the IOMC organizations and others (e.g. the convention secretariats);
- e. Monitor and report on the progress against the indicators [the workplan]; and
- f. Make recommendations for consideration of the Conference as appropriate.

**D. Mechanisms for implementation**

**i. Workplans**

- 11. Implementation of actions to address issues is guided by a work plan with clear timelines and milestones;
- 12. 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.

**ii. Tracking progress**

- 13. 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;
  - a. periodic reviews within intersessional periods, and/or as requested by the Bureau; and
  - b. reporting on progress as outlined in the proposed workplan.

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

- 14. 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.
- 15. The Conference may decide to conclude work on a particular issue.]

## **VI. Mechanisms to support implementation**

### **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 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]<sup>26</sup>. The national focal point should, among other duties, disseminate information, develop a network or a mechanism to coordinate national views that includes consultations with all relevant sectors and stakeholders, attend meetings, 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. Governments [are encouraged to] [may] develop a national plan of action or program in consultation with other stakeholders to further implementation efforts at the national level. Such plan or program may be used to support its reporting under this Section on the progress made during the reporting period, 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 promote progress on the implementation of the strategic objectives and targets.

### **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.

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<sup>26</sup> This bracket goes to scope of the instrument and is to be addressed at the next meeting of the IP process.

## D. Enhanced Sectoral and Stakeholder Engagement

[In addition, there is a need for an improved enabling framework for the sound management of chemicals and waste in implementation of the 2030 Agenda for Sustainable Development, which enhances coherence and complementarity of multilateral policies and actions by all relevant international organisations in this area, including through information of and consideration by UN bodies related to the 2030 Agenda for Sustainable Development, such as the High Level Political Forum and the UN General Assembly, as appropriate.]<sup>27</sup>

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<sup>28</sup>.

2. At the national level, governments, as appropriate, should undertake, in accordance with their laws, regulations, policies, and priorities, 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.<sup>29</sup>

3. Relevant regional conventions, programmes, Centres, bodies and processes, such as health, labour and environmental ministerial forums, are invited to support and augment such national efforts, fostering coordination and cooperation.<sup>30</sup>

4. Relevant international organizations and bodies, in particular the IOMC organizations and the chemicals and waste-related conventions, are invited to facilitate the participation of stakeholders and sectors in national and regional efforts, and to promote awareness about the crosscutting nature of the sound management of chemicals and waste as an essential element to achieve the sustainable development goals.]

5. To contribute actively to the implementation of this instrument, the IOMC should continue to promote broad engagement and coordination of the policies, work programs, and activities of relevant intergovernmental organisations, further strengthening international cooperation and multi-sectoral engagement in the sound management of chemical and waste.

6. The enhanced efforts of all relevant sectors and stakeholders should include increased or improved: (1) actions by members of individual sectors and stakeholders, (2) collaboration between and among key sectoral and stakeholder groups, (3) multi-stakeholder and multi-sector dialogue throughout the implementation of this instrument, and (4) contributions, as appropriate, to achieve the shared vision as well as the objective and targets of this instrument.

[6. Bis The public sector, including health and care services, as a major employer and through its extensive use of chemicals and role in waste handling and remediation work, is invited and encouraged to enhance its contribution to the sound management of chemicals and waste, through safe and sustainable chemicals and waste policies, contracts, and practices in workplaces and communities, and through procurement policies that prioritise protective practices.]

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<sup>27</sup> This paragraph was moved from Section V on Institutional Arrangements, recognizing that its presence in the text, content, and placement has not been discussed.

<sup>28</sup> There is a common understanding that the issue of scope has yet to be agreed and will have implications for the term “waste” throughout section VI.

<sup>29</sup> Similarities between this paragraph and paragraph 1 in Section B on National Implementation have been noted and may require further consideration to avoid duplication.

<sup>30</sup> Consideration to be given as to the similarities between this paragraph and Section C on International, Regional, and sub-Regional Cooperation and Coordination

[7. [Enterprises [are invited to] [should]] [Stakeholders should] undertake due diligence to ensure that high standards of health and safety in the management of chemicals and waste are used [and verified] throughout their value chains and that they act to protect and respect human rights.]

8. The involvement of industry and the private sector throughout the value chain needs to be significantly enhanced under this 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. [To facilitate engagement of the entire chemicals value chain, in particular downstream user industry sectors and recyclers, the secretariat should [, subject to availability of resources,] develop, make publicly available, and implement a private sector outreach strategy, and provide updates on progress to the conference.]

9. [Contributions to the implementation of this instrument are expected to be in the form of] [Stakeholders should set out their future actions to implement this instrument in] workplans, road maps, [actions,] milestones, pledges, [an international code of conduct of chemicals and waste management] or other appropriate commitments [such as financial resources] 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.

#### **F. Mechanisms to support capacity building**

##### **[Approaches to support capacity-building]**

*This is a new sub-section to include different capacity-building activities to be further elaborated in the text of the instrument.*

1. [To support implementation efforts and build capacity, the secretariat facilitates, upon request by a government, voluntary [peer] reviews.]

2. [[The [governing body] shall mandate] the Secretariat should [to create a technical expert group, to expedite the establishment of] [establish] an online Capacity Building platform that enables stakeholders that lack capacity to achieve the SAICM objectives, to request support. The Capacity Building platform will serve as a matchmaking tool to connect the capacity needs to the most suitable provider(s) for building capacity assistance, including in-kind and financially.]

3. [The Capacity Building Platform should serve as a global platform open for all SAICM stakeholders to identify concrete projects serving SAICM objectives, mobilize dedicated external funds and human resources, facilitate [for] knowledge generation and sharing in support of Strategic Objective B and developing cooperation and partnership[, thereby strengthening private sector involvement (by funding projects and/or providing in-kind technical [and technological] expertise)].]

4. [Many stakeholders are in urgent need of financial assistance, capacity building and transfer of technology enabling them to address the ever increasing challenge on the sound management of chemicals. To this end, establishment of data bank could play an important role between suppliers and recipients. Amongst others, the data bank could contribute to the followings:

- a. All stakeholders have the right to provide their needs and request technical and capacity building assistance and transfer of technology,
- b. identifying the needs of developing countries upon request,
- c. Identifying suppliers that are (in a position to do so) to provide necessary assistance,
- d. Secretariat would compile the information by the recipient and suppliers of the identified needs and assistance and would make them available to all stakeholders and sections in an online platform.

e. Identifying the gaps in addressing the financial and technical needs of developing countries]

*During the discussion in the thematic group, it was agreed that this paragraph will be further elaborated to incorporate the feedback received from stakeholders.*

## **G. Taking Stock of Progress**

1. All stakeholders are invited to report to the International Conference, through the Secretariat, on the implementation efforts and the progress of indicators and milestones, and contributions to implement the instrument in meeting the strategic objectives and their associated targets toward vision. 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. Reporting processes<sup>35</sup> should occur regularly and sufficiently often, as decided by the international conference, to provide for the effective assessment of the progress of the instrument in meeting the vision statement.

3. All stakeholders are encouraged to provide information related to their implementation efforts. Such information should be provided in an organized, transparent and accessible online tool, 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.

3 Bis The Secretariat prepares a compilation of the reports received for presentation to the International Conference and to the public in a form that helps visualization of the progress of the instrument in a communicable manner.

4. The 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 as well as to avoid duplicative effort.

[5. Responsible organizations should be designated to evaluate impacts indicators of the instrument as decided by the International Conference. They are tasked with preparing a report on the evaluation and presenting it to the International Conference.]

[5bis. In relation to impact evaluation, responsible organizations may, with support from the Secretariat, request stakeholders to provide complementary information, as appropriate. Stakeholders are encouraged to provide such information to responsible organizations when requested to do so.]

6. The overall effectiveness of the instrument should be independently evaluated in accordance with terms of reference to be agreed to by the international conference. This overall evaluation should take place as decided by the international conference.

## **H. Mechanism for Updating and Revising the Framework**

1. The international conference [may update] [may consider initiating a process to update] or revise the instrument after taking into account: the assessment of the information and data called for from all stakeholders under

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<sup>35</sup> 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.

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 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.

## **VII. Financial considerations**

[[A fundamental element for the sound management of chemicals and wastes is the need to develop, implement and enforce basic national legislative and policy frameworks, including designating the responsibilities of industry and the wider business community, and to have the necessary national institutional capacity in order to avoid it becoming a] [Production, consumption and sound disposal of chemicals at the end of their useful life create]financial burden on governments and society]

Adequate, predictable and sustainable financing, technical assistance, capacity building, and technology transfer on mutually agreed terms, are essential to achieve the objectives and targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020, [and the [related] goals and targets of the 2030 Agenda for Sustainable Development] [and beyond]. 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.

### **1. Integrated approach to financing**

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 [[and contributes to achieving] [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] [for developing countries and countries with economies in transition.]

2. A clearinghouse mechanism [should] [could] be established [under the Secretariat of (the agreement)] [by stakeholders] to provide information on resource mobilization and possible sources of financing for the sound management of chemicals and waste [for other stakeholders.]

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.]

4. All three components of the integrated approach to financing, i.e. mainstreaming, private sector involvement and dedicated external finance, are equally important and mutually reinforcing.

5. Stakeholders should take steps to implement the integrated approach to financing the sound management of chemicals and waste, including, in particular, making tangible progress with respect to the following three components:

#### **A. Mainstreaming**

6. Governments should implement actions [in accordance with their national laws, regulations and policy priorities] to promote further mainstreaming of the sound management of chemicals and waste in national development plans, domestic budgets and relevant sector policies. For [countries in need] [developing countries and countries with economies in transition], the mainstreaming of [their national] [sound management of] chemicals and waste

[management] [priorities] into [the] [their] development planning processes [and in national development or sustainable development plans] for funding [as part of official development assistance] [should become a priority that] [may] [will] [should] increase their access to funding for national priorities in relation to chemicals and waste.

7. [[Countries] [Governments] should strive to mainstream the sound management of chemicals and waste into their development [aid] [assistance programmes and] priorities.] [They should also promote the mainstreaming in activities and programmes of international organisations they are members of, including the provision of appropriate budget and human resources needed for strengthening cooperation and coordination amongst stakeholders.]

#### *7 Bis*

[International, regional and national financial institutions and their governing bodies, as well as private sector and investors are [encouraged] [requested] to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.]

### **B. Private-sector involvement**

8. [The private-sector throughout the value chain should increase its efforts and financial and non-financial contributions to the implementation of the sound management of chemicals and waste in order to avoid, or where not possible, mitigate [including] [by safer alternatives] [and] [[cover the costs of] their impacts on the environment and on health, [especially in developing countries and economies in transition.]]]

[These contributions [(eg. through agreed levies)] should seek to finance [further reduction in the use of harmful and hazardous chemicals in the value chain], [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 [by the responsible party when is clear]]].

9. Governments should, [according to their national circumstances], further [facilitate] [operationalize] [operationalizing] [through actions, legislation, and appropriate economic instruments] the private sector component of the integrated approach, [including [through clarifying] the [respective] 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]] to further implement [the precautionary principle,] the polluter pays [principle] [approach] [and approaches such as] extended producer responsibility.

10. [[The private sector] [should] [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] [supporting] the Beyond 2020 objectives and targets of sound management of chemicals and waste by providing] [provide] [investment and in-kind] [financial and non-financial] contributions, including to implement the GHS globally and through fees paid to support domestic chemicals [and waste] management schemes, 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 [and waste] regulatory requirements [[and] [including relevant elements of] occupational safety and health] in jurisdictions around the globe.]]]

11. [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 [projects] [in order to reduce chemical inputs and chemical [footprint] [and their externalities] along the whole value chain], including through the development of sustainability-centered loan [and [green and] sustainable financing] criteria for the financial sector engaged with companies [and projects] in the chemicals [value chain] and waste sector [and associated sectors].]

### **C. Dedicated external financing**

12. [Stakeholders should [secure funds] [to] [by] [further [strengthen] [strengthening] the component of dedicated external financing] [for all stakeholders], including from development assistance [and] innovative donor sources, which can be facilitated by mainstreaming [the sound management of chemicals and waste] at the national level.]

#### *12 Bis:*

[Governments agree to develop a mechanism instituting a globally coordinated fee of [0.05%] [0.5%] on the sales of a limited number of basic chemicals (or chemical feedstocks). Governments agree to allocate the proceeds of this globally coordinated fee to the international fund mentioned in paragraph 13]

13. [All stakeholders agree to the establishment of an International Fund to implement the Sound Management of Chemicals and Waste, which should be accessible to all stakeholders and should provide support to developing countries, in the form of grants, guarantees and loans; comprised of financial resources provided by the private sector, [including through globally coordinated levies], governments in a position to do so, development banks, philanthropic entities, venture capital, and all other stakeholders.]

#### *13 Bis:*

[A fund, directly accessible by all stakeholders, is established under the secretariat to support capacity of developing countries and countries with economies in transition for swift implementation of the new instrument for the sound management of chemicals and waste.]

14. [All stakeholders agree to initiate the process of implementing the International Fund at ICCM5.]

15. [[Recognizing the ever-increasing needs of developing countries for funding sources] Donors should [further strengthen the component of] [continue to] [provide] [sufficient] 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 [a new international fund] [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 Management].]

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.]

### **2. Establishment of and engagement in multisectoral partnerships**

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.

### **3. Financing the secretariat**

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, private sector, and all other stakeholders.

19. [Before the start of each year the Secretariat invites each government 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.]

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) voluntary financial contributions;

- b) in-kind resources, such as secondment as appropriate, and sector related work of the secretariat;
- c) 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.

#### *20 Bis*

[Before the start of the budget cycle, the Secretariat provides all stakeholders via their focal points with a list of areas where stakeholders are encouraged to make financial and in-kind contributions. At the end of budget cycle, the Secretariat makes all contributions provided publicly available]

## ANNEX A

### **Principles and approaches**

- [a. Transforming our world: the 2030 Agenda for Sustainable Development (2015);
- b. The Future We Want (2012);
- c. Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (2011);
- d. United Nations Declaration on the Rights of Indigenous Peoples (2007);
- e. Dubai Declaration on International Chemicals Management (2006);
- f. Johannesburg Plan of Implementation (2002);
- g. United Nations Millennium Declaration (2000);
- h. Bahia Declaration on Chemical Safety (2000);
- i. Rio Declaration on Environment and Development (1992);
- j. Agenda 21 (1992), in particular chapters 6, 8, 19 and 20 thereof;
- k. Declaration of the United Nations Conference on the Human Environment (Stockholm Declaration on the Human Environment) (1972), in particular principle 22 therein;
- l. The following agreements, where applicable:
  - (i) Minamata Convention on Mercury (2017);
  - (ii) International Code of Conduct on Pesticide Management (2014);
  - (iii) International Health Regulations (2005);
  - (iv) Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (2004);
  - (v) Stockholm Convention on Persistent Organic Pollutants (2004);
  - (vi) ILO Convention No. 174 concerning the Prevention of Major Industrial Accidents (1993);
  - (vii) ILO Convention No. 170 concerning Safety in the Use of Chemicals at Work (1990);
  - (viii) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1992);
  - (ix) Montreal Protocol on Substances that Deplete the Ozone Layer (1989).
- (m) General Assembly Resolution on the human right to a clean, healthy and sustainable environment (A/76/L.75)
- (n) Beijing Declaration and Platform for Action (1995)
- (o) Conclusions of the Sixtieth Session of the Commission on the Status of Women (2016)
- (p) Convention on the Elimination of All Forms of Discrimination Against Women (1979)
- (q) WHO Chemicals Road Map (2017)]