VI. Mechanisms to support implementation

General comments:

In our view, the beyond 2020 institutional arrangements should foster/enable ambitious action by:

- promoting collaboration across all relevant sectors and stakeholders necessary for achieving sound management of chemicals and waste in alignment with the 2030 Agenda;
- being more dynamic and action-oriented, focused on identifying shared priorities, finding solutions, creating networks, collaborating and sharing best practices and;
- being forward thinking in anticipating emerging issues on chemicals and waste and their risk while at the same time being practical, effective and efficient in the face of limited resources ensuring prioritization, best place to act and instrument choice.

We believe the text under review should embody these elements.

With regard to the specific text under review for the Virtual Working Group request for electronic feedback, the following comments apply throughout:

- The phrase and bracketed text in reference to “the sound management of chemicals [throughout their lifecycle] and waste comes up throughout the compilation document. We don’t think that this issue will be resolved in the virtual working group and therefore for consistency in language used in section VI, we suggest bracketing “throughout their lifecycle” as it is bracketed elsewhere in the document.

- We note that the terms “value chain” and “supply chain” are both used throughout the document without a clear definition of either. Are they intended to mean the same thing? Some clarity on the use of these terminologies would be helpful.

- Finally, there appears to be some repetition of text within and between sections. We would hope that at some point the text can be looked at as a whole with a view to identifying and removing any unnecessary repetition.

Finally, we would like to flag an area of discussion that was raised by IP stakeholders early in the process but for which there has not yet been opportunity to discuss. As we move forward with these discussions, and recognising that form follows function, we would like to hear views on how the institutional arrangements could be improved to provide a constructive and dynamic forum for stakeholders within our respective roles to share information and experiences for enhanced implementation of sound management of chemicals and waste.

---

1 The text in section VI is extracted from the OEWG3 outcome document, unless otherwise specified.
A. Rules of procedure

1. [Regarding the adoption of decisions, the Governments shall make every effort to reach agreement on all matters of substance and procedure by consensus.]

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 interministerial 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. To facilitate communication, nationally and internationally, each Government should [designate or develop a network of] [a political and a technical national focal point] [to communicate on the SAICM matters and develop a network at the national level of coordinators] that represent the multi-stakeholder and multisectoral nature of [SAICM] [the instrument to communicate on the sound management of chemicals and waste matters]. This would include invitations to participate in meetings and disseminate information. The national focal points should be representative of the country’s interministerial or inter-institutional arrangements, where such arrangements exist.

Comments:

- From our perspective the role of the SAICM Focal Point should be to facilitate communication and coordinated action at the national level on SAICM/ Beyond 2020 SMCW matters. To this end the Focal Point should proactively engage relevant interministerial representatives and multi-sector stakeholders.

Paragraph 2 is currently too long and in our view contains too much detail (details or examples of actions to be taken could be developed in a separate guidance document). In particular, the last sentence is not imperative (it could add complexities that cannot be met).

- Rather than add brackets, we suggest removing some of the text that is too descriptive and therefore have suggested alternate text in red as follows:

  - Proposed ALT: To facilitate communication, nationally and internationally, each Government should designate a national focal point on SAICM matters who should develop a network at the national level that represents the multi-stakeholder and multisectoral nature of [the beyond 2020 instrument].

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. **[Reporting back on National Plans.]**

**Comment (requested for Nov 19):**
- Can accept the Co-Facilitators’ suggested text as starting point/placeholder but suggest the following edits:
- “[Any stakeholder that chooses] [Stakeholders are encouraged] to create a [national] plan of action or program of implementation for themselves and may, when appropriate, report back to the International Conference on Chemicals Management.”

**[5. All actors/all stakeholders should undertake actions to ensure progress on implementation of targets at the national and subnational level.]**

**Comment:**
*We agree to the facilitators proposal to remove the brackets.*

**C. [International,] Regional and [subregional] sectoral cooperation and coordination**

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

2. [International,] Regional, interregional 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 and subregions [and countries] 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 subregional approaches and projects;
   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.

**Comments:**
- Section C is intended, in our view, to be focused on Regional Cooperation which has had a long standing importance and has been a formal part of SAICM (eg Regional Focal Points; Regional meetings); the international coordination/ cooperation is covered in other aspects of the text as is ‘countries’.
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.

Comments:

- Para VI.D.1: Support retaining “and commitment” to strengthen the concept of engagement.
- For consistency in language used in section VI, we suggest removing or bracketing “throughout their lifecycle”:

   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][pursue], in accordance with their [national] 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 [promote][encourage] complementary action by relevant stakeholders.

Comments:

We request the addition of “national” as above to account for important jurisdictional issues in some countries.

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.

Comments:

- Paragraph 3 – keep brackets on “conventions”
- Bodies such as the MEAs are autonomous, and to avoid suggesting otherwise, we propose using “are encouraged to” rather than “should”:

   Relevant regional [conventions,] programmes, bodies and processes, such as health and environmental ministerial forums, [should] [are encouraged to] 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

2 Text developed at IP3.
sectors and to promote awareness regarding the crosscutting nature of the sound management of chemicals and waste as [an essential element] [a contribution] to achieve the sustainable development goals.

Comment:
• Keep the brackets on “and the chemicals and waste-related conventions”
• Prefer “as an essential element”

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.

Comments:
• Paragraph 5 – needs to be simplified and flexible in recognition of the different governance structures of these organizations. We suggest alternative text in red font below.
• There also needs to be more clarity on what is meant by “international organizations and bodies” – is this referring to the IOMCs? Or is this meant to refer back to para 4.
• We find that paragraph 5 is very long and includes a number of separate elements. We think that ‘strengthen their own engagement’ encompasses the various means identified. For clarity we propose the following ALT text for paragraph 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 are invited to [endorse] [formally recognize] [the beyond 2020 instrument] and strengthen their own engagement and collaborative efforts on the sound management of chemicals and waste.

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.

Comment:
• Paragraph 6 – Similar to our comment in our “General comments”, we suggest leaving brackets around “throughout their lifecycle” as this is a global issue with the document. Similarly, the name of the “beyond 2020 instrument” will need to be discussed/ negotiated at IP4.
7. All relevant sectors and stakeholders [throughout the value chain of chemicals and waste] 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.

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.3

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.

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 ICCM-5 [. [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]].

Comments:
Paragraph 12:
• Paragraph 12 would more naturally belong between paras 5 and 6 but, generally speaking it
  is unclear how this fits the context of a ‘renewed OPS’ which would be operational post
  ICCM5 as well. Given this, all brackets should remain in place.

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.]

3 The secretariat is currently compiling information related to the paragraph. The secretariat seeks clarity
on this paragraph in the beyond 2020 context. Is this an activity for beyond 2020 or to take place before
ICCM5?
Comments:

- Paragraph 13 – We suggest alternate text for improved clarity:

  To improve multi-sectoral cooperation and coordination on the sound management of chemicals and waste, the IOMC should promote broad participation, and coordination of policies and activities, of relevant intergovernmental bodies and their members to contribute to the achievement of the beyond 2020 framework.

- Again, we suggest consideration of where this paragraph would be best placed eg. potentially between paragraph 5 and 6 also.