The Co-facilitators of the Virtual Working Group on Governance and Mechanisms to support Implementation requested feedback on: Mechanisms to support implementation, Sections (B) National implementation; (C) Sub-regional, regional, international cooperation and coordination; and (D) Enhanced sectoral and stakeholder engagement.

Before all, the EU/MS would like to express their appreciation for the process of the Virtual Working Group, for which the Compilation of Recommendations (CoR), is a good basis for the upcoming discussions. Certainly there are a lot of details that need a closer look.

The EU/MS understand that the CoR is in principle designed to replace the existing Overarching Policy Strategy (OPS). But as it is written now, it seems not entirely consistent with a text that would suit the new instrument Some paras might be better moved to an introductory chapter, or to a ICCM5 resolution, or maybe to the High-level Declaration. But most importantly, we need to check which elements from the existing OPS are vital, but not yet included in the CoR, and need to be considered and reflected in the new instrument.

The question who should host the secretariat has to be further elaborated as it is not been dealt with in the CoR so far. Actually, this is a decision that should be made by UNEA5 - ideally before ICCM5 - but at the moment it looks likely that ICCM5 will take place before such a decision from UNEA5 is possible.

Furthermore, the question raised by the Co-chairs in the Scenario Note of how we should proceed with the OEWG is open. The OEWG is important for preparing sessions of the Conference. A question is, if we should continue to rely on Decision II/6 for the OEWG or maybe it needs to be included in the new instrument.

In addition the EU/MS recommend to include or transfer and continue to proceed with the existing Rules of Procedure (RoP) also for the new instrument. The existing RoP have been proven suitable and should not be reopened in the upcoming negotiations.

The EU and its Member States provide their views on the issues requested above.

**Mechanisms to support implementation**

The mechanisms to support implementation need further elaboration. In addition, the linkages of these mechanisms with the objectives and targets has to be clarified, especially in reference to the reporting and reviewing mechanisms and process of taking stock.
(B) National implementation

General comments:

The EU/MS are convinced that national implementation efforts are the core mechanism for pursuing the sound management of chemicals and waste. In the past, there has not been enough progress across the globe, and the EU/MS are committed to get agreement on a beyond 2020 instrument that can facilitate progress on all levels.

Para 2: The EU/MS are convinced that national focal points are, and should continue to be, an essential instrument for linking the national level with regional and global efforts. In the past, national focal points have too often come only from the environmental sector, potentially undermining the multi-sectoral nature of SAICM. It should be stressed more clearly that multi-sectoral focal points, possibly with shared responsibility among representatives from various sectors, are preferable in the future. At the very least, it should be made clear that focal points are responsible for facilitating communication among stakeholders and sectors on the national level. The EU/MS propose the following amended text:

2. To facilitate communication and coordination, nationally and internationally, each Government should designate a focal point for the enabling framework for the sound management of chemicals and waste, including the beyond 2020 instrument. The focal point would participate in meetings and disseminate information. National focal points should be representative of the country’s interministerial or inter-institutional arrangements, where such arrangements exist.

Para 3: The environment should be included in the list of sectors, highlighting the multi-sectoral nature of the beyond 2020 instrument i.e. the brackets for environment should be removed. The EU/MS propose the following amended text:

3. To support effective implementation, governments are required to establish arrangements in order to ensure that national implementation involves the engagement of the appropriate range of stakeholders and sectors (including the health, environment, agriculture and labour sectors) to address national priorities.

Para 4: National action plans or other arrangements will be a tool for steering implementation efforts at the national level. Reporting back to the /beyond 2020 instrument/ is necessary to increase knowledge on progress made and on remaining gaps. The EU/MS propose the following new language on national action plans and reporting:

4. Governments should report on how to establish, implement and update their national plan of action or other arrangements. Reporting should be based on indicators and milestones that refer to strategic objectives and targets and take into account different national circumstances. Countries should report on the implementation of the national action plans in accordance with agreed format.

This paragraph is about two issues - National Action plans (NAP) and national reporting. While the arrangement to develop NAPs could be flexible, the reporting should be according a “Beyond 2020-framework”-specific format. NAPs on SMCW will be a tool for steering implementation efforts at the national level. However it should be clear that countries are allowed to develop such plans in various manner, perhaps in connection with plans related to Agenda 2030. Such plans are then to be
useful in national reporting. The NAP does not have to be a “Beyond 2020-framework”-specific national action plan. The important thing is that the actions and measures are taken at national level. Reporting back to the ‘beyond 2020 instrument’ is necessary to increase knowledge and communication on progress made, and on remaining gaps. This reporting needs to be in an agreed format.

Para 5: The EU/MS are convinced that the strategic objectives and targets should guide implementation efforts and that it is the responsibility of all stakeholders to implement the sound management of chemicals and waste, including at the national level. Therefore, the EU/MS propose the following amended text:

5. All governments and other stakeholders should undertake the necessary action to ensure progress in implementation towards the strategic objectives and targets at the national level.

(C) Sub-regional, regional, international cooperation and coordination;

Para 1-3: The EU/MS propose the deletion of these paras, since they are not operational. They might be moved to an introductory section, or become drafting elements for the high-level declaration, outlining the necessity to coordinate and cooperate regionally.

Para 4: The EU/MS support the proposed text, deleting remaining brackets and making clear that regions, subregions and countries are important actors for the implementation of SMCW.

Para 5: The EU/MS propose the following amended text:

5. Regional focal points should play a facilitative role within their regions, including undertaking activities determined at the regional level, such as chairing regional meetings, disseminating information, identifying opportunities for regional cooperation, cooperate with the regional bureau member and reporting periodically on the outcomes of their regional meetings and other regional activities.

(D) Enhanced sectoral and stakeholder engagement

General comments: The enhancement of sectoral and stakeholder engagement is addressed in the intersessional process so far only as a mechanism to support implementation. Enhanced sectoral and stakeholder engagement is a cross-cutting issue for the sound management of chemicals and waste the beyond 2020 instrument. The EU/MS consider it a self-commitment of all stakeholders to the future instrument, in particular the jointly agreed strategic objectives and targets, and an essential element; and advocates its capture in the resolutions at ICCM5 and in a high-level declaration.

With regards to the work of independent bodies such as IOMC and its participating organizations, Multilateral Environmental Agreements etc., the EU/MS support the preparation of recommendations that invite them to strengthen their engagement on SMCW with concrete measures within their preferably enhanced mandates.

Para 13: The EU/MS attribute a high relevance to the engagement of IOMC, its participating organizations and their governing bodies, and the Multilateral Environmental Agreements, including their decision-making bodies, for coherent and influential policy-making at the international and national level. There is a need for concretizing the draft recommendation.