
Fourth meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 (IP4)

Bucharest, Romania, 29 August – 2 September 2022

Item 3 of the provisional agenda¹

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

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

Note by the secretariat

1. The Annex to this note presents the compilation of recommendations regarding the Strategic Approach and sound management of chemicals and waste beyond 2022, for consideration by the fifth session of the International Conference on Chemicals Management from the third meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 held in October 2019 in Bangkok, Thailand.

2. With restrictions due to the Covid-19 pandemic and the postponement of the fourth meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 (IP4) and the fifth session of the International conference on Chemicals Management (ICCM5), the ICCM5 Bureau and the co-chairs of the intersessional process proposed a series of activities to allow SAICM stakeholders to continue deliberations on document SAICM/IP4/2 online, namely through the establishment of virtual working groups (VWG), regional briefings and regional meetings.

3. These activities enabled the development of tangible outcomes, including notes identifying gaps, compromise text proposals, and new or alternate text. As agreed at the 20th ICCM5 Bureau meeting held on 15 March 2022, the VWG outcomes are included as addenda to the present document.

¹ SAICM/IP.4/1/Rev.1

Annex: 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

1. Participants at the third meeting of the intersessional process considering the Strategic Approach and the sound management of chemicals and waste beyond 2020 agreed that the secretariat, under the guidance of the intersessional process co-chairs and in consultation with the Bureau of the Conference, would produce for the fourth meeting of the intersessional process:
 - a. a single draft document consisting of the collated outcomes of the four thematic groups of the third meeting of the intersessional process, incorporating them, as appropriate into the outcome document of the Open-ended Working Group contact group on the Strategic Approach and the sound management of chemicals and waste beyond 2020; and
 - b. draft language in response to other issues reported out of the thematic groups, for which specific language was not yet drafted and, as appropriate, incorporate that language into the outcome document of the third meeting of the intersessional process for consideration to include in the beyond 2020 document.
2. Accordingly, the secretariat, in consultation with the co-chairs of the intersessional process and the Bureau of the fifth session of the International Conference on Chemicals Management, has prepared for the consideration of the participants of the fourth meeting of the intersessional process, a compiled text, as set out in the Annex to the present note.
3. Furthermore, the secretariat has undertaken a review of the compiled text, including a review of consistency within the compilation, as set out in appendix I to the present note.
4. The fourth meeting of the intersessional process may wish to review the paper in detail and further develop it as an outcome of its meeting.

ANNEX**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****Table of Contents**

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² Appendices are inserted for information and reference. These appendices are not intended for inclusion in the final document.

Recommendations for consideration of ICCM5 regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020^{3,4}

General Comment

The African region (AFR) welcomes the opportunity to provide written submissions to the IP4 Co-chairs' single text guided by the following consultation questions:

1. What are the gaps, enhancements or improvements to be made in the text?
2. Does the text adequately strengthen and enhance sectoral engagement and ownership including the private sector?
3. Does the text fully reflect the ways of working and responsibilities of all stakeholders?
4. Could the placement of some existing text in the document be modified or move out of the consolidate text and into a resolution?
5. What parts of the document could be considered static versus dynamic that is more easily amended?

The AFR is in the view that there are still some gaps and needs of improvements to the proposed text, and has made specific comments in the text below, where relevant; the private sector responsibilities to the sound management of chemicals and wastes beyond 2020 should go beyond partnerships and capacity building activities and encompasses investments through international coordinated tax on the base chemicals (production volume or sale). We found all the sections of the text in the document at their right places. The section III on principles and approaches needs to be completely reworked and streamlined for clarity. Subsection B on the Bureau should be further elaborated to include its key roles. Daniel Key issues on Target: Code of conduct on objective A, wastes/waste?

[Main general recommendations

1. 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;
2. 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;]
3. Developing countries are particularly vulnerable to the adverse effects of toxic chemicals and hazardous wastes, such as its negative impact on children's intellectual ability, which may exacerbate poverty, violence in the society, human health problems and fundamental human rights abuses. In the past 15 years of implementing SAICM, its primary objective of narrowing the infrastructure gaps between developed and developing countries for the sound management of chemicals, was not reached, instead, the gaps were widened. The future instrument should accelerate resources mobilization and finance to effectively close those gaps.

³ The present document has not been formally edited.

⁴ IP3 tasked the SAICM secretariat to develop proposals for potential names of the future instrument. The secretariat is preparing a separate document on this topic for consideration of IP4 participants (SAICM/IP.4/8).

I. Vision⁵

1. [Strengthening the sound management of chemicals and waste in the long term requires a] [the] vision shared by all stakeholders:

(i) To protect human health and the environment from the [harmful] [adverse] effects of chemicals and [their] [associated] waste⁶, [towards] [to enable] [promote] [for] [to ensure] healthy lives and a sustainable, safe planet for all.

ALT (i) Healthy lives and a sustainable, safe planet for all by protecting human health and the environment from the [harmful] [adverse] effects of chemicals and [their] waste.

AFR Comment: From the perspective of the African region, the common vision of the SAICM Beyond 2020 instrument should be a long-term system-based changes tailored to build trust among all stakeholders, and in particular developing countries that have expressed frustration with the inaction of developed countries that have not met their financial commitments in the past SAICM. In that regard, a common vision should focus on principles of equity, common but differentiated responsibilities, and precautionary approach.

Something interesting that SAICM Beyond 2020 could learn from the Biodiversity Framework is to build around a theory of change which recognizes that urgent policy action globally, regionally and nationally is required to transform economic, social and financial models so that the trends that have led to chemicals and wastes pollution will be inverted in the next 7 years (by 2030) and allow for the toxic-free world in the following 10 years, with net improvements by 2050 to achieve the framework's vision of "Toxic-free world by 2050". This approach is more realistic and based on the assumption that a whole of government, chemicals industry and stakeholders' approach is necessary to make the changes needed over the next 17 years as a stepping stone towards the achievement of the 2050 vision. As such, Governments, chemicals industry and stakeholders need to determine priorities and allocate appropriate financial and other resources, internalize the costs and recognize the cost of inaction, and the benefit of action, as well.

Therefore, the long-term vision should be smart and accompanied by a mission, smart as well. For example: The vision of the SAICM beyond 2020 is "Toxics-free world": By 2050, the human health and the environment are protected from the harmful effects of chemicals and wastes, to ensure healthy lives and a sustainable, safe planet for all.

The mission of the f SAICM beyond 2020 is for the period up to 2030, towards the 2050 vision is: "To take urgent actions establish basic chemicals and waste management infrastructure in developing countries at national or regional levels.

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II. Scope⁷

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

⁵ The text is extracted from the OEWG3 outcome document. Please note that each section within the Annex specifies where text is taken from.

⁶ These brackets apply to considerations regarding 'waste' across the entire paper. Policy guidance is required from SAICM stakeholders.

⁷ The text is extracted from the OEWG3 outcome document.

include, but not be limited to, agriculture, environment, health, education, finance, development, construction and labour.

AFR Comment: This is a very significant section with serious implications for Africa where the cultural dimension is always neglected in the solution approaches to improve the sound management of chemicals and wastes. A more deeply a “thought” or “action” is tied to people’s identity (culture) the more difficult it is to change it. Actions for changes towards the sound management of chemicals and waste actions should not be in conflicts with the culture of people in their natural context. Therefore, the AFR region believes that the scope should include the cultural aspect.

III. Principles and approaches⁸

1. In developing and implementing the sound management of chemicals and waste, stakeholders should be guided by:
 - 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);

⁸ Principles and approaches were not discussed at IP3. The text set out above is taken from Section I of document SAICM/IP.3/6. Document SAICM/IP.3/6 was prepared by the co-chairs of the intersessional process in response to a request made at OEWG3. A number of additional suggestions were made by stakeholders for consideration under the principles and approaches following OEWG3 and included in document SAICM/IP.3/6 prepared by the co-chairs. These suggestions are provided in Appendix II (taken from Section II of SAICM/IP.3/6).

- (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).

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.

AFR Comment: The African region believes that the list of principles above is too broad and is of the view that the principles to guide the future instrument replacing SAICM 0.1 should be clearly stated, and should reaffirm some of the principles from Rio and other core Strategic Approach documents, such as the Dubai Declaration. Some suggested possible principles include:

1. Polluter-pays
2. Precautionary approach
3. Circular economy
4. Zero waste
5. Substitution
6. Sustainable consumption and production
7. Integrated life cycle approach
8. Extended producer responsibility
9. Vertical and horizontal institutional integration within nations
10. Green chemistry
11. Risk-based/hazard-based assessments and regulations
12. Good governance
13. Right to know
14. Women and chemical safety /Gender Equity
15. Protection of children, workers/inclusivity
16. Intergenerational equity
17. Agroecology
18. Liability and compensation
19. Proximity (waste)
20. The right to a healthy environment
21. Workplace right to know
22. Accountability of the exporting country
23. Participation of women and vulnerable groups
24. The principle of historical responsibility:

With this last principle to be invoked together with the principle of common but differentiated responsibilities. Developed countries must recognize that the threat posed by chemicals and hazardous wastes cannot be addressed unless they lead by example by taking measures underpinned by ambitious cost internalization targets, on the one hand, and by supporting industry investment for the sound management of chemicals and waste, and by providing support for financing, capacity-building, and technology development and transfer.

IV. Strategic objectives and targets for the sound management of chemicals and waste⁹

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

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];]

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

Strategic objective C: Issues of concern [that warrant [global] [and] [joint] action] are identified, prioritized and addressed;

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;

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 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].]

2. Targets to support the attainment of each objective are described in Appendix I¹⁰.

3. [Recommended targets that could be used as a basis for further intersessional work, alongside indicator development, to support the attainment of each strategic objective, are described in the appendix. In addition, relevant milestones to follow up progress on the sound management of chemicals and waste, notably at the national level, may also be developed in parallel. [There will also need to be a process developed for measuring our progress]. The milestones could also be kept up to date regularly as part of the future programme of work of SAICM and conveyed to all relevant organisations and stakeholders for consideration within their own mandates, as appropriate.]

4. [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.]

AFR Comments: The African region believes that each strategic objective for 2030 should be related to the 2050 overarching vision of a toxics-free world; with each strategic objective having a number of corresponding targets to assess, in 2030, progress towards the 2050 vision. Further, the region is aware that, all the targets are still bracketed and is looking for further discussions at IP4.2 to lift the brackets with inclusion of vital aspects to the region such as code of conduct, chemicals and waste, and illegal international trafficking of toxic chemicals just to mention a few. The African region recommends consideration for very clear indicators to the targets with clear activities which respond to its such as by 2025 limit use of HHPs, highly toxic chemicals, lead in paint, Reduce list of EDCs and open the folder of nano which is a very unknwn issue for our region

⁹ The text is extracted from the OEWG3 outcome document.

¹⁰ Following the recommendations of the thematic group A on targets, milestones and indicators at IP3, a technical working group has been established to review proposed targets, assess alternatives and improve consistency in terminology and approach as relevant and appropriate. The outcome of the technical working group will be presented to the fourth meeting of the intersessional process to be used in further deliberation and finalization of strategic objectives, targets and indicators. Document SAICM/IP.4/3 is available on the website.

V. Institutional arrangements¹¹

1. In relation to SAICM, the current governance and institutional structures should continue beyond 2020. No governance, institutional or procedural overhaul appears necessary, without prejudice to any specific adjustments that may be found appropriate and so decided by the International Conference on Chemicals Management, including ICCM meetings on a regular basis.

2. 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.]

A. International conference [on Chemicals Management]^{12,13}

1. The international conference will meet every [second] year, unless it decides otherwise, and undertake a review of the beyond 2020 instrument and its implementation. [In this regard, t] [T]he functions of the international conference will be:

- (i) To oversee implementation of the beyond 2020 instrument, review progress to address gaps at the national, regional, and international levels, and [make recommendations to] take action;
- (ii) To promote the implementation of existing international instruments and programmes on chemicals and waste and [, as appropriate,] to promote coherence [, cooperation and synergies] among [such international instruments] [them];
- (iii) To promote the strengthening of national chemicals and waste management capacities;
- (iv) To promote, enhance and support participation by and interaction among stakeholders and sectors in the international conference and in the programme of work;
- (v) To promote awareness, including based on scientific information, regarding new developments and trends, and to identify and communicate links to sustainable development;
- (vi) To move the beyond 2020 instrument forward and set priorities for the programme of work informed by scientific information;
- (vii) To determine processes to guide appropriate science-based [approaches/action] on issues of [international] concern¹⁴;
- (viii) To provide guidance to the secretariat and to stakeholders on implementation;
- (ix) To establish subsidiary bodies as it finds necessary in accordance with the rules of procedure;
- [(x) To facilitate the mobilization [and allocation] of sustainable financial and technical resources [and development and transfer of technology under

¹¹ The text in section V is extracted from the OEWG3 outcome document, unless otherwise specified.

¹² Text developed at IP3.

¹³ Subject to further discussions regarding the name of the beyond 2020 instrument.

¹⁴ Modalities to address issues of [international] concern as discussed at IP3 are set out in Annex B.

voluntary and mutually agreed terms] for the operation and implementation of the beyond 2020 instrument;

- ALT (x) 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;]
- [(xi) To receive reports from all relevant stakeholders on progress of implementation [, to assess overall progress] and to disseminate information as appropriate;]
- (xii) To evaluate implementation of activities and review progress [based on the indicators] and milestones against the objectives and targets and update the programme of work as appropriate with a view to achieving the vision.
- [(xiii) To decide to convene an international event among governmental stakeholders to discuss issues as agreed.]¹⁵

2. The international conference may have a high-level segment for multi-sectoral and multi-stakeholder discussion. The function of that segment will be:

- (i) To engage the commitment at the highest possible level of officials and representatives of all stakeholder groups to address the sound management of chemicals and waste;
- (ii) To provide an international forum for governmental stakeholder discussion [, recommendations] and exchange of experience on chemicals and waste issues, taking into account the 2030 Agenda, with the participation of non-governmental stakeholders in accordance with the applicable rules of procedure;
- (iii) To promote the inclusion of sound management policies for chemicals and waste in national sustainable development plans and in relevant sectoral plans¹⁶, private sector business plans and the respective budgets;
- (iv) To strengthen [national coordination arrangements and mechanisms as well as] partnerships for chemicals and waste and other relevant aspects at the national, regional and international levels;
- [(v) To strengthen interlinkages, partnerships [, synergies] and coordination with other stakeholders of the 2030 Agenda, including on issues related to biodiversity, climate change and human rights, at the national, regional and international levels;]
- [(vi) To take concrete action to mobilize financial and technical resources [and transfer of technology on voluntary and mutually agreed terms] for the operation and implementation of the [sound management of chemicals and waste] [beyond 2020 instrument];]
- [(vii) To promote international cooperation to assist, as necessary, stakeholders, in particular developing countries, in overcoming challenges faced by them [on the sound management of chemicals and waste] [in the implementation of the beyond 2020 instrument].]

[3. 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

¹⁵ The proposal is that this subparagraph, if agreed, would replace section V. A. 2 on the high-level segment in its entirety.

¹⁶ Definitional question raised by the WHO still to be considered.

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 beyond 2020 instrument.

AFR Comment: The basic assumptions are that the Bureau is fair and equitable for all stakeholders

C. Secretariat¹⁷

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;
- (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 beyond 2020 instrument.

VI. Mechanisms to support implementation¹⁸

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.]

AFR comment: The Rules of procedure's provision on adoption of decision has serious implications on the effectiveness of the future instrument and stakeholders' perception as well. They should include the possibility to decide by majority of vote in order to avoiding a single government stakeholder to veto a decision supported by a large majority of member states.

¹⁷ Text developed at IP3.

¹⁸ The text in section VI is extracted from the OEWG3 outcome document, unless otherwise specified.

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

AFR Comment: National Reporting under the future instrument should be binding, and clearly indicates the efforts made by government, industry, and others stakeholders towards the objectives, mission and vision

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.

D. Enhanced sectoral and stakeholder engagement¹⁹

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][pursue], 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 [promote][encourage] 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] [a contribution] 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] 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,

¹⁹ Text developed at IP3.

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.²⁰

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]].

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.]

E. Subsidiary and ad hoc expert bodies²¹

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;

²⁰ 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?

²¹ Stakeholders may wish to consider any linkages with Rule 23 of the current Rules of Procedure.

- 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.

F. Mechanisms to support capacity building²²

1. The following capacity-building principles will be incorporated into all relevant aspects of the outcome of [beyond 2020] 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.

Gender

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

[G. Mechanisms for taking stock of progress²³

1. The purpose of taking stock of progress is to:
 - a. assess progress against the objectives and targets;
 - b. promote learning, improvement and scale-up for enhanced implementation; support stakeholders to set priorities.
2. The international conference will:

²² This section was developed by the co-chairs of the IP3 thematic group on financial considerations based on discussions at IP3. Document SAICM/IP.4/5 includes further input received from stakeholders on the capacity building principles since IP3. This section was inserted upon consultation with the Bureau.

²³ Elements that have been inserted in this section have been taken from Document SAICM/IP.3/5/Corr.1 that was prepared by the co-chairs for IP3 but was not discussed in detail. This section was inserted upon consultation with the Bureau.

- a. Receive reports from all relevant stakeholders on progress in implementation and to disseminate information as appropriate;
 - b. Evaluate and report on the implementation of programmes that are fulfilling the vision with a view to reviewing progress against the objectives, targets and milestones and updating the programme of work as necessary.
3. The secretariat will:
 - a. Report to the international conference on implementation by all stakeholders [and progress on [against] objectives and targets]. Institutional arrangements for taking stock of progress on the sound management of chemicals and waste will include a periodic review process facilitated by the secretariat.
 4. Stakeholders should make available data and information that allows for a review of progress toward achieving the overall vision and the objectives and targets.
 5. Data and information from stakeholders should be compiled, analysed and reports developed by the Secretariat, with assistance from a panel or body of experts (to be created if deemed needed), and tabled to the international conference. Reports could take into consideration linkages across relevant agreements and initiatives, for the purpose of complementing chemicals and waste multilateral treaties and other relevant instruments and initiatives.
 6. These reports should also be made available to stakeholders in a timely fashion to facilitate discussion and allow for adaptation and response to any issues of concern, and for effective review, evaluation or updating of the approach.
 7. Government stakeholders should prepare a national implementation report which describes progress on a national implementation plan and work on achieving the overall vision and the objectives and targets.
 8. Discussion of the national report on country implementation of the agreement should include information from UN agencies and stakeholders
 9. An outcome report should be prepared by a periodic review working group in cooperation with the secretariat which summarizes the discussion including responses from the country under review along with recommendations for implementation.
 10. These reports should be made publicly available to facilitate discussion, review, evaluation and further implementation of the approach.
 11. Each country should be reviewed once every three or four years.
 12. Reporting processes must:
 - a. Occur regularly and at such a frequency to ensure collected data may be analysed and useful reports delivered to facilitate trend identification, evaluation against targets and milestones, and to assess overall programmatic performance (for example, every 4 years).
 - (i) Progress against key targets should be measured every [X] years and presented in a report to the international conference as should any report on activities, staffing and budget of the Secretariat.
 - (ii) Progress against targets should be measured every [x] years and presented in a report to the international conference along with any suggested recommendations to address identified gaps
 - (iii) All strategic objectives could be reviewed on a rotational basis so that the entirety of the Approach is reviewed within a [x] year period (10 years?).

- b. Minimize reporting burden through leveraging data and information obtained through complementary processes, for example reporting required for Basel, and Stockholm Conventions, by relevant agreements and/or IOMC organizations.
 - c. Be useful and allowing for ad hoc review of activities, particularly for the purpose of amending or updating to better align with global chemicals and waste management trends and advancements or to respond to emerging policy issues.
 - d. Be inclusive of all identified sectors and stakeholders, including reporting against voluntarily-established targets, milestones or pledges from civil society organizations (CSOs) and industry (and or other stakeholder reporting processes).
13. The international conference may decide to carry out reviews as needed of the effectiveness of specific areas of action.
14. The overall effectiveness should also be evaluated after sufficient time has elapsed, linked to a timeline for overall renewal or strategic review, possible at the same time as the review of the 2030 Agenda for Sustainable Development.]

[H. Mechanism for updating the framework²⁴

1. A process for updating sections or the totality of the Beyond 2020 framework shall be initiated by the international conference triggered through the adoption of a resolution calling for an updating process. This shall occur when there is a need to keep pace with changes and needs in global chemicals and waste management.
- (i) The process for updating must take into consideration reporting, reviewing and evaluation processes and timelines, and must include, as necessary, recommendations of which specific sections of the agreement should or must be retained, amended, eliminated or updated.
 - (ii) The international conference may create a mechanism such as a working group, monitoring body, or intersessional process, or another mechanism as appropriate, for the purpose of developing recommendations and options including timelines for implementation for updating.
 - (iii) The mechanism will be empowered through delegated authority by the international conference to direct the Secretariat or any subsidiary body or working group to undertake work in support of its mandate.
 - (iv) Amendments may also be proposed by any government stakeholder and will require formal adoption by the international conference.
 - (v) The text of any proposed amendment shall be communicated to all international conference stakeholders and focal points by the secretariat allowing for sufficient time for review and consultation.
 - (vi) The budget for the mechanism will be provided for via the operational budget adopted by the international conference.]

²⁴ Elements that have been inserted in this section have been taken from Document SAICM/IP.3/5/Corr.1 that was prepared by the co-chairs for IP3 but was not discussed in detail. This section was inserted upon consultation with the Bureau.

VII. Financial considerations²⁵

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 [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].

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]

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 shall take steps to implement an 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 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.

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.]

B. Private-sector involvement

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 (eg. 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.]]

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].

²⁵ Text developed at IP3.

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.]

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.]

C. Dedicated external financing

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.]

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 sectors] and should provide support to developing countries, in the form of grants, guarantees and loans; comprised of financial resources provided by the private sector, governments in a position to do so, development banks, philanthropic entities, venture capital, and all other stakeholders.]

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

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.]

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.]

AFR Comment: This is another important section for the African region who believes that in order to avoid falling in the same trap like in the past, e.g., agreement on activities that countries from the region cannot deliver due to the fact that developed countries failed to deliver on their own commitment on finance, it is important to first reach an agreement on the participation of industry in the financing of the SAICM Beyond 202 before engaging in negotiations on other elements. It is therefore in the interest of African countries to support all proposals along these lines. The brackets around all references to finance in the text under this section is a cue that donor countries are opting for the status quo on financing the Beyond 2020, which is not the African region wants. What the African region wants is a genuine operationalization of the industry involvement pillar of the integrate financing of chemicals and wastes beyond 2022 whereby, Base chemicals manufacturers (the elephant in the room) make INVESTMENT for the sound management of chemicals and waste through an insignificant sustainability contribution of 0.05% of their annual turnover. The African countries, mostly net importers of the chemicals they use, have already mainstreamed the sound management of chemicals and waste in their sectorial ministries (health, agriculture/livestock and fisheries, industry, environment etc.) that consume a great portion of their tiny annual budget. The present document should be updated to include the IP4.1 outcome text on ‘financial considerations.

2. Establishment of and engagement in multisectoral partnerships

1. 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.

AFR Comment: Partnerships between the future instrument and the private sector is relevant, but should not be count as industry involvement, and be guide by a publicly available conflict of interest policy.

3. Financing the secretariat

1. [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.
2. 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.
3. 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.
4. 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.
5. 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.]

AFR Comment: Well staffed and well funded secretariat is key for the future instrument to be efficient in assisting government and stakeholders, and achieving its strategic objectives, mission and the vision. Operationalization of

the industry/private sector involvement of the integrate approach will generate enough financial resources towards that end.

ANNEX A

Targets

Note: A technical working group was established at IP3 to address targets for beyond 2020. IP3 agreed to the following guiding parameters for the development of targets in moving forwards. An initial list of targets is available in the OEWG3 report SAICM/IP.3/INF/1. These were further elaborated at IP3 and will be considered by the technical working group. The outcome of the technical working group will be provided to IP4 for its consideration.

Document SAICM/IP.4/3 is available to the meeting.

Guiding parameters agreed by the IP3 thematic group for developing targets under strategic objectives A-E:

- In developing the formulation of targets, we agree to applying a SMART-approach to targets, including measurable, achievable, impact-oriented, and concise. Linkages to the sustainable development goals should be considered.
- We should reflect upon the indicators while we formulate our targets. We do not intend drafting indicators at this stage (during the third meeting of the intersessional process), however, reflection upon the types of indicators that will fall under each target is helpful in formulation.
- Similarly, in formulation of targets, we should reflect on and consider baselines. There is some data that is available for the targets or indicators in question.
- As much as possible, we should consider that targets should be timebound. Using 20XX for the target formulation - completing specific data to be done at a later stage (fourth meeting of the intersessional process, fifth session of the Conference).
- Re-consider (re-visit) the purpose of the targets.
- Recognize targets have dual function of being a communication tool for beyond 2020; not just for the measurement of results.
- We do not see that we should propose specific milestones at this meeting.

ANNEX B²⁶

Issues of [international] concern

I. Definition

1. An issue of [international] concern that warrants concerted action is an issue involving any phase in the life cycle[27] of chemicals[28] and [associated] waste, which has not yet been generally recognised, or has been recognized but is insufficiently addressed, or arises as a potential concern from current levels of scientific data and information[29] [taking into account differing scientific capacities [and the ability] to [detect][assess the impact of] the chemicals under consideration][and taking into account the precautionary approach,] and which may have [significant] adverse[impact] [effects] on human health and/or the environment.

II. Criteria

1. [The following criteria are to be used [during the process of scientifically assessing a] [to trigger the] nomination for an issue of [international] concern:

a. [Demonstrated [significant adverse] effect on human health and/or the environment [[in at least [3][xx] of the following] has to be identified] [taking into account the following information:]

- (i) [[Toxicity;]
- (ii) Bioaccumulation;
- (iii) Toxicity for reproduction;
- (iv) Mutagenicity;
- (v) Exposure data [gaps];
- (vi) Vulnerable populations;
- (vii) [Ecosystems][Ecotoxicity;]
- (viii) Persistence;
- (ix) [Carcinogenicity;]
- (x) [Endocrine disruption;]
- (xi) [Other toxicities]].

b. Whether or not the issue is being addressed by the chemicals and waste related MEAs or other bodies, at the regional or international level;

c. [Whether or not the issue is of relevance in at least [xx] of the five UN regions;]

d. The issue has not yet been generally recognised, or has been recognized but is insufficiently addressed, or arises as a potential concern from current levels of scientific data and information.]

²⁶ Outcome of IP3 thematic group C on mechanisms to support implementation.

²⁷ Including all stages from the extraction of raw material and/or design to the waste stage.

²⁸ In particular substances, groups of substances, mixtures, materials and products.

²⁹ Taking into account differing scientific capacities in the sensitivity to detect the chemicals under consideration.

III. Information Requirements

1. To nominate an issue of [international] concern, the following information [must][should] be provided:
 - a. [Science based demonstrated] Adverse effects on human health and/or the environment, taking into account [including inter alia][women, children and other] vulnerable populations, biodiversity ecosystems and any toxicological and exposure data [gaps];
 - b. [Issues are integral to the vision of the Beyond 2020 Framework, are ongoing, and need to be addressed to enhance basic chemicals management³⁰. Furthermore, the extent to which action is needed on the issue in order [for countries] to meet the Sustainable Development Goals by 2030 should be considered;]
 - c. Extent to which the issue is being [successfully] addressed by [chemicals and waste related MEAs or] other bodies, at the regional or international level, and how the proposed action is related to, complements, or does not duplicate such effort;
 - d. Extent to which the problem is relevant [in at least [xx] of the five UN regions], particularly taking into account the needs of [developing countries /countries with economies in transition][low and middle income countries]³¹;
 - e. Extent to which the issue is of a cross-cutting nature including at the sectoral level;
 - f. Existing knowledge and perceived gaps in understanding about the issue.

AFR Comment: The previously agreed ICCM2 modalities provide a good guide to resolving issues in this section. The ICCM2 modalities provide for an open nomination procedure which includes proposed actions and is delivered in sufficient time before a meeting of the ICCM.

IV. Mechanisms for adoption of issues of [international] concern and for monitoring their progress

1. The mechanism to adopt an issue should include:

A. Identification, Nomination, Selection, Review and Prioritization

1. Issues [shall][should] be [selected and prioritized][adopted] by a decision of the [relevant body³²][ICCM], based on the [criteria identified under section II][[an assessment of the] information submitted under section III] above [and in a precautionary manner]. The process for submitting an issue for consideration by the [relevant body][ICCM] [shall][should] include:
 - a. Nomination of issues of [international] concern:
The nomination procedure will be published on the Strategic Approach website. The process for nominating issues of [international] concern is open to any stakeholder. [To promote communication at the national level, nominations should be communicated to Focal Points. Regions may also wish to add the subject to their meeting agendas]. Because issues of [international] concern will arise and evolve over time; nominations will be allowed at any point. However, nominations must be submitted [with sufficient time to allow for a thorough [scientific] assessment of the nomination with the view to providing a recommendation] six

³⁰ 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.

³¹ Place holder from a representative of the University of Cape Town.

³² This may include a body that focuses on the science policy interface that will be further elaborated following review of the UNEP report. Document SAICM/IP.4/INF/3 reports on linkages with other clusters related to chemicals and waste management and options to coordinate and cooperate on areas of common interest and will be available for IP4.

months prior to a [decision by][meeting of the ICCM] [the relevant [assessment] body]. This [process][periodic call for the nomination of issues] will serve to encourage systematic monitoring and regular discussion on issues of [international] concern among stakeholders.

- b. [Proponents are encouraged to include proposed actions to be considered in moving forward on issues of concern, such as:
 - (i) Outlining how the proposed issue meets the [definition of issues of [international] concern][criteria under section II above];
 - (ii) [Proposed [solutions][actions]][required financial needs and technical assistance] that can be implemented within the proposed timeline by stakeholders including how they would address the identified issue of concern;
 - (iii) [Presentation of draft work plan, with SMART actions and timelines, taking into account the measures set out in section D below. This could include scoping work to refine the workplan over time where appropriate;]
 - (iv) Extent to which there are opportunities for [synergies][linkages with other issues] and collaboration and if the [project] builds upon existing knowledge on a related issue has been demonstrated;
 - (v) [Multi-stakeholder/ multi-sectoral and/or sponsor support that has been indicated for implementation;]
 - (vi) Further consideration could be given to the likelihood of achieving progress on the issue within a specific timeframe based on preparedness for action;
 - (vii) What regional and/or international collaboration is needed to address the issue.]

B. Mechanisms for implementation

1. [Implementation of actions to address issues of [international] concern should be guided by the proposed work plan;]
2. [The [secretariat][ICCM] should [establish][agree on] a multi-stakeholder committee to [prepare][agree on] a proposed workplan;]
3. The [ICCM] [[secretariat][in consultation with a multi-stakeholder committee]] should agree on [and implement] the [proposed][agreed] work plan [with clear timelines and milestones;]
4. [All stakeholders should implement the agreed workplan;]
5. All stakeholders [in a position to do so] are encouraged to [facilitate][take] actions [in line with the agreed workplan with clear timelines and milestones] and/or provide [required] funding [and necessary assistance] towards the implementation of [proposed][agreed] activities [,which should be registered and transparent to all].

C. Tracking progress including monitoring and reporting against milestones

1. The secretariat, in consultation with a multi-stakeholder committee, will oversee monitoring and reporting back from stakeholders, and guide progress towards implementation of the workplan, through:
 - a. reports to meetings of the relevant body, and at regular intervals as identified in the proposed workplan prepared in accordance with section A, above;
 - b. periodic reviews within intersessional periods, and/or as requested by the Bureau;
 - c. reporting on progress as outlined in the proposed workplan.

D. Criteria for determining the need for further work on an issue³³

1. In some cases, there may be rationale for significantly advancing a particular issue of [international] concern, likewise, there may be rationale for concluding work on a particular issue of [international] concern.
 - a. Determining the need for further work on an issue will be based on the results of a progress evaluation;
 - b. A full explanation of the rationale on a way forward should be provided by the secretariat, in consultation with a multi-stakeholder committee, to the relevant body following the progress evaluation of the activities carried out in accordance with the workplan.

AFR Comments: The African region believes that all the six current emerging policy issues (EPIs) and two other issues of concern (IOCs) should be carried forward into SAICM2.0. There are several reasons for carrying these existing eight issues forward and the most important is that none of them have fully accomplished their objectives. The most successful issue is elimination of lead paint, which was established in 2009 and has resulted in national bans on lead paint. However, WHO estimates that bans have been achieved in approximately 30 countries with many more needed to achieve a global ban. Other less successful issues of concern have not reached even this level of advancement. The independent SAICM evaluation noted that lack of funding has constrained implementation of the existing issues of concern. Finally, UN agencies, national governments, and other stakeholders have invested a great deal of effort in the existing issues of concern and it would be a waste of UN agency and donor government resources and implementing government efforts to simply throw them away and no longer work on them. All eight current issues of concern are highly relevant and should be carried forward into the new agreement so as not to lose momentum on progress to advance chemical safety beyond 2020.

The 11 issues of concern in the Global Chemicals Outlook II report could be considered further in the new agreement and some of them could even be part of the existing issues of concern. For example, glyphosate and neonicotinoid pesticides are also highly hazardous pesticides and could be addressed further under this issue of concern. In a like manner, Bisphenol A, tributyl tin, phthalates and triclosan could be addressed under the endocrine disrupting chemicals issue of concern.

Finally, the independent evaluation of SAICM notes that the IOMC organizations have led on the issues of concern. However, for this arrangement to be fully functional, SAICM must be mainstreamed into the IOMC organization's program of work so that implementing the issue becomes an obligatory mandate. This will be important for implementation of existing and new issues of concern Beyond 2020.

³³ Additional text was provided by the representative of European Environment Bureau on behalf of a group of NGOs in reference to this section, as outlined in their information document "[New Mechanism of Action: criteria for elevation of obligations to progress SAICM Issues of Concerns \(IoCs\) in the post 2020 multilateral regime for chemicals and waste \(updated version 30 September 2019\)](#)".

APPENDIX I

Table 1 provides an analysis of the compiled draft set out in the Annex and other related considerations for information of IP4 participants. The intention of the analysis is to take stock of outstanding issues that may be of concern to stakeholders in finalizing recommendations for ICCM5.

Table 1: Analysis of the beyond 2020 compilation document and other related considerations

Document section	Comments / Mandates
Title of the Instrument	IP3 tasked the SAICM secretariat to develop proposals for potential names of the future instrument. The SAICM secretariat prepared a proposal for consideration at IP4. That proposal is developed in document SAICM/IP.4/8 and has not been included in the beyond 2020 compilation document.
General recommendations	
I. Vision	
II. Scope	
III. Principles and approaches	The co-chairs prepared document SAICM/IP.3/6 on principles and approaches, but no substantive discussion took place on the issue at IP3 about it. The relevant suggestions are provided in Appendix II as extracted from Section II of SAICM/IP.3/6.
IV. Strategic objectives	
V. Institutional Arrangements	The overall text should be reviewed to ensure consistency across the document. Some issues are raised below.
A. International conference [on Chemicals Management]	Stakeholders may wish to consider the title of the International Conference in moving forward. With respect to paragraph vii, it is yet to be decided whether the modalities to address issues of [international] concern will be placed within an Annex to the future instrument or as a separate conference resolution. For the moment and for the sake of one complete document, the secretariat has annexed the modalities to address issues of [international] concern to the present document. With respect to paragraph ix, there is some inconsistency in the reference to subsidiary bodies throughout the compilation as well as how they relate to the Rules of Procedure. This should be reviewed.
B. Bureau of the international conference	Rules 14-19 of the ICCM Rules of Procedure currently sets out the officers and operation of the Bureau. The text currently set out within this document should be reviewed in light of the ICCM Rules of Procedure.
C. Secretariat	Rules 20-22 of the ICCM Rules of Procedure currently sets out the rules for the secretariat.
VI. Mechanisms to support implementation	Germany, together with Norway and Switzerland, hosted a workshop on enhanced governance for the sound management of chemicals and waste in Germany from 14 to 16 January 2020. The aim of the workshop was to support the work up to and during IP4 with regard to governance issues. The outcomes of the workshop are available to IP4 participants in document SAICM/IP.4/INF/6.
A. Rules of Procedure	Rules of Procedure for the International Conference on Chemicals Management were adopted in Conference Resolution II/1. Stakeholders may wish to reflect on whether

Document section	Comments / Mandates
	<p>these Rules of Procedure apply beyond 2020 and / or whether they should be amended or not.</p> <p>Currently Rules of Procedure are referred to in section V.B., amongst others.</p> <p>Note that the current ICCM text set out only refers to Governments.</p>
B. National implementation	Annex IV of the ICCM2 meeting report includes proposed guidelines for SAICM national focal points, as part of efforts to strengthen and prioritize national chemicals management capacities: proposal by the African region. This remained a proposal and was never adopted. This proposal is provided as SAICM/IP.4/INF/7 to the present meeting. Participants may wish to consider preparing a recommendation for ICCM5 that gives guidance on national chemicals management capacities.
C. [International,] Regional and [subregional] sectoral cooperation and coordination	
D. Enhanced sectoral and stakeholder engagement	The secretariat has compiled stakeholder contributions on proposals for enhanced sectoral and stakeholder engagement to implement beyond 2020. A compilation of the submissions is set out in document SAICM/IP.4/INF/5.
E. Subsidiary and ad hoc expert bodies	<p>As given in IP3 information document SAICM/IP.3/INF/9, UNEA requested an assessment of options for strengthening the science-policy interface at the international level for the sound management of chemicals and waste. The final document will be available for discussion at IP4.</p> <p>This section currently overlaps with Rule 23 of the ICCM Rules of Procedure.</p>
F. Mechanisms to support capacity building	The draft capacity building principles were developed by the co-chairs of the thematic group on Financial Considerations based on discussions at IP3. Input on these principles was collected from SAICM stakeholders since IP3. The input received is available in meeting document SAICM/IP.4/5.
G. Mechanisms for taking stock of progress	Based on guidance received from the Bureau, elements that have been inserted in this section have been taken from document SAICM/IP.3/5/Corr.1 that was prepared by the co-chairs for IP3 but was not discussed in detail.
H. Mechanisms for updating the framework	Based on guidance received from the Bureau, elements that have been inserted in this section have been taken from document SAICM/IP.3/5/Corr.1 that was prepared by the co-chairs for IP3 but was not discussed in detail.
VII. Financial Considerations	
1. Integrated approach to financing	
A. Mainstreaming	
B. Private-sector involvement	
C. Dedicated external financing	
2. Establishment of and engagement in multisectoral partnerships	Stakeholders may wish to consider an appropriate approach to create and implement such partnerships.
3. Financing the Secretariat	<p>Paragraph 29 of the OPS requests the Executive Director of UNEP to establish the secretariat. No such operational language has been incorporated to date.</p> <p>The secretariat was requested by OEWG3 to prepare a resource mobilization strategy for</p>

Document section	Comments / Mandates
	ICCM4. That strategy has been set out in document SAICM/IP.4/6.
ANNEX A Targets	Technical working group on targets, indicators and milestones face-to-face meeting: 13 and 14 February in Geneva. The outcome of that working group can be found in document SAICM/IP.4/3.
ANNEX B Issues of [international] concern	The deliberations on a selection process of the issues of [international] concern are related to a possible science-policy interface and will be further elaborated after a review of the UNEP report on the science policy interface beyond 2020 which will be presented at IP4.
Vocabulary	
Instrument / Agreement	The words are used interchangeably throughout the compilation. It will be necessary to seek clarity on how to move forward on this matter.
Waste	The discussion has involved the following text proposals: [their] [associated] waste. It will be necessary to seek clarity from the intersessional process on how to address this issue in moving forward.

APPENDIX II³⁴

Principles and approaches

Additional suggestions received in response to the call for input made following OEWG3 (extracted from SAICM/IP.3/6)

During the call for input made following OEWG3, many stakeholders submitted proposals for additions to the list of referenced treaties. No proposals for deletion were received. The following were suggested additions:

- Guidelines on Highly Hazardous Pesticides (2016)
- Principles of gender equality and the empowerment of women and girls articulated in the 2030 Agenda for Sustainable Development, the Beijing Declaration and Platform for Action (1995) and the Conclusions of the 60th Session of the Commission on the Status of Women (CSW 2016)
- The International Bill of Human Rights, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights
- Agenda 21 (1992), in particular chapters 6, 8, 19 and 20 thereof, and all chapters describing the roles and responsibilities of Major Groups
- Convention on the Rights of the Child (1989)
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW 1979)
- Universal Declaration of Human Rights (UDHR) (1948)
- United Nations Declaration on the Rights of Peasants
- Escazú Agreement
- Aarhus Convention
- Bamako Convention
- Waigani Convention
- ILO Declaration on Fundamental Principles and Rights at Work (1998)
- ILO Fundamental Conventions
(Freedom of Association and Protection of the Right to Organize Convention No. 87, Right to Organize and Collective Bargaining Convention No 98, Forced Labour Convention No 29, Abolition of Forced Labour Convention No. 105, Minimum Age Convention No 138, Worst Forms of Child Labour Convention No. 182, Equal Remuneration Convention No 11, Discrimination (Employment and Occupation) Convention No. 111)
- Labour Inspection (Agriculture) Convention, 1969 (No. 129)
- Benzene Convention, 1971 (No. 136)
- Occupational Cancer Convention, 1974 (No. 139)
- Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)
- Promotional Framework for Occupational Safety and Health Convention, 1981 (No.187)
- Asbestos Convention, 1986 (No. 162)
- Safety and Health in Construction Convention, 1988 (No. 167)
- Chemicals Convention, 1990 (No. 170)
- Prevention of Major Industrial Accidents Convention, 1993 (No. 174)
- Safety and Health in Mines Convention, 1995 (No. 176)
- Safety and Health in Agriculture Convention, 2001 (No. 184)
- ILO List of Occupational Diseases, Recommendation, 2010 (No. 194).
- R097 - Protection of Workers' Health Recommendation, 1953 (No. 97), Section I.3-I.6 inclusive, and Section III

³⁴ These suggestions have been listed as a reminder to IP4 participants of the information collected by the co-chairs of the intersessional process.