

Input to the SAICM Intersessional Process Co-chairs consultation process – Canada

We are grateful for the opportunity to provide some preliminary input on the consolidated text from IP4.1 in preparation for IP4.2. Overall, we were very pleased with the progress made at IP4.1 but we acknowledge that there is still much to be done and we appreciate the IP Co-chairs' hard work and analysis to keep us focused and moving forward. Below are Canada's responses to the co-chairs key consultation questions and on the suggestion for a "policy resolution" and an "omnibus resolution".

As a general comment, we would suggest that in making recommendations on the consolidated text, the IP Co-chairs should engage the relevant co-facilitators who will need to shepherd discussions on these recommendations.

- **What are the gaps, enhancements or improvements to be made in the text?**
 - Canada agrees that the document needs a good edit for consistency and appropriateness of terms, acronyms, grammar, and repetitiveness.
 - There are also a number of areas where the text could be streamlined without losing the main intent of the text. For example: Introductory recommendations (statement of need?), scope, principles and approaches (para 2); and a number of the strategic objectives.
 - The words 'transparency' and 'accountability' have been inserted in numerous places in the text. These are basic to good governance and perhaps could be covered instead under the new section of 'operational principles' so that they do not have to be repeated throughout the text.
 - A cover page with explanation of what the text is, how the IP process approached the issues/mandate and came to its decisions could provide useful context for future readers.
 - The single consolidated document text is also missing a statement indicating what is the new instrument's aim, what it aims to achieve and how it will achieve it, (what will it do, what is its mission, and how will it do it). Perhaps this is the intent of "the statement of needs" and, if so, this should be clarified.
 - Similarly, if the main general recommendations section remains (currently entirely bracketed), the text will need to be revised to be more specifically relevant for the new instrument. As currently worded, the paragraphs are quite broad.
- **Does the text adequately strengthen and enhance sectoral and multistakeholder engagement and ownership, including for the private sector?**
 - Canada strongly supports strengthened multi sector and multi-stakeholder engagement and believes it will be critical to the success of the Beyond 2020 Instrument. Multi-stakeholder and sectoral engagement should not be an 'add on' or afterthought but should be integral and explicit in the structure, operational principles, governance, institutional arrangements and mechanisms to support implementation of the framework. The various relevant stakeholders/sectors should be able to see themselves reflected in the vision, scope, objectives, and targets of the framework and owners of progress rather than special guests to discussions. On this, we note that IGOs, Public sector, and Private sector have dedicated paragraphs under section D but the role and responsibility of civil society appears to be missing.
 - For the most part, the multi-stakeholder, multi-sectoral aspect of the consolidated text has already been significantly strengthened by additions in various sections, particularly during IP4.1. However, further strengthening may be possible. We will review the text and come prepared to IP4.2 with any suggestions we may have for improvement.

- **Does the text fully reflect the ways of working and responsibilities of all stakeholders?**
 - It would be useful to hear the experiences of the various sectors and stakeholder groups from their interactions in other fora.
 - Other ways of working not yet reflected in the text might include: fostering the development of partnerships among different stakeholder groups; themed solution oriented sessions to discuss concrete action with possible development of concrete ‘decision documents’ on these issues. These decision documents would be less political than resolutions but possibly more formal than a workplan but would identify the specific roles, responsibilities and commitments of the various stakeholders toward concrete actions). We can give this more thought and come to IP4.2 with further reflections.
 - Resolutions can be helpful to gain traction, reach common understanding and agreement, and shed light on specific issues, however negotiating resolutions is a resource intensive activity and may not always be the most efficient or best way to make progress. For example, resolutions are usually very high level and so generally cannot identify the specific roles, responsibilities and commitments of the various stakeholders, or concrete actions. As well, the formal nature of resolutions can cause individual stakeholders to be more cautious about the language and level of commitment they are willing to agree to, even though resolutions do not bind individual stakeholders.
 - Another alternative could be that stakeholders/sectors identify those targets most relevant for them and where they can work with others on concrete actions for measurable progress. The WHO Chemicals Roadmap and its accompanying workbook provides a good example of tools whereby a sector has identified roles and responsibilities within the sector, and specific needed actions to be taken by those actors or in cooperation with others. The model may not work for all sectors but the goal should be for all stakeholders to take ownership and identify those areas where they are willing to commit their efforts toward achievement of the overarching objectives.

- **Could the placement of some text in the document be modified, or moved out of the consolidated text and into a resolution?**
 - Some text is articulated such that it would seem more appropriate to be placed into a resolution/ high level declaration or it should be modified to be more strategic and action oriented language. For example, the first overarching paragraph under section D (bracketed unnumbered paragraph) on multistakeholder and multisectoral engagement is written in language more appropriate to a resolution/ high level declaration.
 - There is some repetition which could be addressed to streamline the document.
 - Details of the process to nominate IoC would be better placed in a separate document or as an annex to the consolidated text so that it may be easily updated as needed. There is merit to having text on IoCs in the OPS/ consolidated text but it should be of a definitional, or strategic nature (albeit streamlined). The list of information needed for the application process would be better in a separate document where it could be updated if needed.
 - Some text under the Financing section seems more appropriate under ‘capacity building’.

- **What parts of the document could be considered static versus dynamic, i.e., be more easily amended?**
 - The process to nominate IoCs could be dynamic – it is a new process and until it is implemented it remains to be seen if there are gaps or needed amendments.

- The targets and indicators could also be considered a more dynamic component of the document better suited for an Annex.

Additional recommendations for discussions at the resumed IP4 meeting:

- **A draft “policy resolution” on the name and adoption of the new framework.**
 - It would be helpful to see what the Co-chairs envision for the final IP outcome, e.g. what will be forwarded to ICCM5 for consideration, as well as a timeline for development. This would allow IP4.2 participants to consider the consolidated document within this broader context.
 - Canada agrees that the consolidated text outlining the new updated framework is but one recommendation to be put forward to ICCM5.
 - It would be appropriate for the Co-Chairs to develop draft introductory text that would outline the mandate, considerations and process taken by participants of the intersessional process to provide ICCM5 with the background and context through which recommendations were developed and describe how the package of recommendations are presented.

Eg. IP participants reviewed the SAICM OPS framework elements and determined that while some elements remain relevant, others were in need of updating; therefore IP participants submit a new consolidated text describing the recommended key elements of the new framework including the Vision, scope, institutional arrangements, mechanisms to support implementation and financing along with a set of objectives and associated targets to achieve the sound management of chemicals and waste whilst also taking into consideration the need to support the 2030 Agenda for Sustainable Development which came into existence after SAICM was initially negotiated.

- Canada also agrees that it would be appropriate for the Co-chairs to develop recommendations covering the name and adoption of the new framework. Conceivably this could be accompanied by a draft resolution for ICCM5 consideration to address these two issues, though the name of the framework has yet to be agreed upon.
- **A draft “omnibus resolution” on transitional arrangements and early implementation.**
 - Canada could also agree with the co-chairs identifying a list of possible issues for further consideration by ICCM5 without prejudging the outcome of those discussions. There are a number of outstanding issues or recommendations that fall outside of the ‘consolidated text’ but that are not suited for inclusion in the new framework ‘consolidated text’ (new OPS), and that will require ICCM5 discussion or decision.
 - However, it is premature to develop an omnibus resolution for decisions on issues not yet considered, or not adequately discussed in the IP process. We also are concerned that negotiation on such text could be a potentially lengthy and resource-intensive undertaking detracting from the limited time and important discussions at IP4.2 needed to finalize the main deliverable of the IP, namely the new instrument and the associated recommendation for its adoption.

With regard to the list of issues suggested for an “Omnibus resolution”:

- **Transitioning/sunsetting of the Overarching Policy Strategy, Global Plan of Action and the Overall Orientation and Guidance,**
 - IP4.2 could discuss what should happen to these texts though it may be difficult to obtain consensus. At most, IP could recommend that ICCM5 consider the future of these texts.

- **Rules of Procedure,**
 - The recommendation could be that ICCM5 should consider whether a substantive review of the RoP is necessary.
- **Existing Emerging Policy Issues and Issues of Concern,**
 - This is unlikely to be resolved prior to ICCM5. At most, IP could possibly note that future work should be considered in the context of the new instrument.
- **Quick Start Programme Trust Fund unspent funds,**
 - This issue has not been included on the agenda of the IP discussions to date and we are not convinced that this falls within the IP mandate.
- **Intersessional work on indicators,**
 - The IP could recommend that ICCM5 consider whether indicators are sufficient and, if not, how they could be further developed.
- **Relationship with the Science Policy Panel,**
 - IP could recommend that ICCM5 consider the ongoing OEWG discussions on the SPP in relation to the Science Policy needs of the future framework.
- **Early implementation of the IOMC proposal on integrated chemicals and waste management,**
 - While the proposal is welcome, the details are still to be discussed and it seems premature to discuss early implementation of an approach not yet agreed to.
- **Adoption of procedural decisions on organizational, administrative, and budgetary matters during the Coronavirus disease 2019 (COVID-19) pandemic via a silent procedure when the International Conference on Chemicals Management (ICCM) is not in session,**
 - It is unclear as to what this refers to and what a recommendation would look like.
- **ICCM5 reporting on progress in the implementation of the Overall Orientation and Guidance, emerging policy issues, Strategic Approach progress reporting form 2022-22**
 - While it will be important to consider how to ‘wrap up’ and report on the work of SAICM, this is not within the IP mandate but should be an agenda item for ICCM5.