

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

The EU and its MS are grateful for the opportunity to consult with the co-chairs on the consolidated document from IP4.1 and on the preparation for IP4.2. We appreciate the progress made at IP4.1 but acknowledge that there is still a lot to discuss to close all open issues. For example, it is important to finalize the text on recommendations for the mechanism of issues of concern and conclude on recommendations for at least a set of priority targets.

In general, the EU and its MS are open to the preparation of a "brief policy resolution" that would be a cover resolution naming and adopting the new "beyond 2020" instrument/framework. We suggest that a draft is prepared to facilitate discussions at IP4.2. Clarification would be appreciated of who would be in charge of drafting.

In this context we would like to reiterate our support for a High-Level Declaration (HLD) for adoption at an inter-ministerial Conference held within the high-level segment of the ICCM5 that would aim to increase visibility and highlight the importance of the Global Agenda on chemicals and waste beyond 2020. Clear differentiation between the HLD and the ICCM5 resolution on name and adopting the Beyond 2020 Instrument is necessary.

We welcome a preliminary discussion on issues not yet addressed in the "beyond 2020" instrument/framework that would be necessary for a comprehensive set of IP recommendations and therefore subject to various additional ICCM5 individual resolutions or an "omnibus resolution". A draft could already be discussed at IP4.2, time could be saved if e.g., parts of the omnibus resolution are prepared in advance of the meeting. However, the focus and main objective of IP4.2 should be on making as much as possible progress on cleaning up the text of the consolidated recommendations of IP4.1. Allocating too much time at IP4.2 for other discussions or on many details at this stage could potentially overburden the workload of the meeting. We are however aware that some discussion has to start at IP4.2, e.g., those on intersessional work to be done in preparing ICCM6. As for the draft text proposal for the "brief policy resolution", clarification of responsibilities would be appreciated.

The EU and its MS note that other issues such as workplans for the current EPIs/IoC are not necessarily core to the IP mandate agreed at ICCM4. Their consideration should be placed on the ICCM6 agenda, which would also avoid further workload in an already overwhelming ICCM5 agenda. Similarly, the question of "sunsetting" previous ICCM resolutions may also be considered after ICCM5. Furthermore, this question will require careful consideration on a case-by-case basis to determine whether the "beyond 2020" instrument/framework operational arrangements and modalities (that will only be fully developed post-ICCM5) actually supersede their provisions.

In the context of an intense ICCM5 agenda, we believe that further preparation of such draft resolutions could be advanced intersessionally ahead of ICCM5.

Q1: What are the gaps, enhancements or improvements to be made in the text?

The EU and its MS believe that the consolidated document prepared by end of IP4.1 was a positive step forward and recognizes it as a work in progress as a number of issues could not be addressed yet due to time constraints at IP4.1, such as finalizing the consideration of the text relating to the issues of concern, discussions at all on targets, as well as consolidating the text on multistakeholder engagement.

It is significant to make sectors like health or labour and their priorities more visible in the new instrument as those, despite their engagement in chemicals management, are still not adequately represented. It is highly recommended that the Compilation of Recommendations text reflect the priorities and desires of different sectors.

The placeholders indicated in the document should be prioritized for discussion at IP4.2. The EU&MS would here especially highlight the importance of agreeing upon an introductory text explaining the rationale behind the new instrument including the choice of the strategic objectives.

The element of “prevention” related to both chemicals and waste in the pursuit of minimizing harm to human health and the environment and a safe circular economy needs to be clearly underlined as core element of the “beyond 2020” instrument/framework. Furthermore, we are of the view that the recommended set of targets should sufficiently cover the OOG-elements.

Finally, on the “financial considerations” we believe that in particular the role of the financial sector as part of the private sector component of the Integrated Approach would require further elaboration in the recommendations.

Q2: Does the text adequately strengthen and enhance sectoral and multistakeholder engagement and ownership including for the private sector?

Multi-stakeholders and multisectoral cooperation should be the keynote of the future framework. Currently, there are several places where multisectoral engagement is mentioned but further discussion is needed, and sufficient time needs to be granted for these discussions at IP4.2.

We believe that in particular the strategic objectives and the associated targets and milestones will cover at least some of what the necessary engagements of the sectors should be. Thus, further refinement is needed especially on how it should be done, who would carry out such activities and how progress is to be tracked. To this end, the reporting process would also be a valuable tool to strengthen engagement and show progress in various sectors. As support for such discussions, the specific documents, including sectoral ones, may serve, for example, the WHO Chemicals Roadmap

Additionally, to address the expectations of sectors and stakeholders, further work on the inclusion of the sectors in arrangements for decision-making and the role of National and Regional Focal Points is needed. Section D of the recommendations with its language provides support for such discussion, which, as a result, should promote and ensure balanced governmental sectors representation in governance arrangements increasing ownership and participation.

Further considerations are needed on these aspects at IP4.2.

Q3: Does the text fully reflect the ways of working and responsibilities of all stakeholders?

As mentioned above, the document is work in progress and discussions on engagement and responsibilities need to take place at IP4.2. There are some responsibilities mentioned under aims, in the section on mechanisms to support implementation as well as in the targets.

Further, it is important to finalize discussions on the mechanism addressing issues of concern that could have an effect on those responsibilities and cross-referencing is needed.

The involvement of IOMC organisations as well as of the private sector is vital. The important role of the waste handling and recycling industry needs to be better reflected. As the IOMC already has developed some indicators with a correlated follow up system, it would be beneficial to create an Annex with the already functional follow up system and indicators. This could clarify at least some responsibilities.

Q4: Could the placement of some text in the document be modified, or moved out of the consolidated text and into a resolution?

At present, the EU and its MS prefer to keep the consolidated text in the format reflecting the state of discussions at the end of IP4.1.

There are parallel processes ongoing, such as negotiations on the Science Policy Panel (SPP) on chemicals, waste, and pollution; and a new global agreement addressing plastic pollution. Relationship with those tools/instruments will need to be established in due time once they are adopted, as appropriate, and to this end, placeholders are in the consolidated document for now.

Further discussions need to be held on the placement of those placeholders at the next meeting.

In this context, certain text proposals for targets are, in our view, higher level and may be better reflected in a HLD.

Q5: What parts of the document could be considered static versus dynamic i.e., be more easily amended?

Static parts of the document form the backbone or core of the instrument/framework, such as scope, vision, strategic objectives, institutional arrangements, mechanisms to support implementation, capacity building and financial considerations (that should be considered together).

We see that the procedure dealing with issues of concern and targets are core elements, but those discussions have not yet been concluded. Considering also possible connections with the future SPP, it may be useful for the modalities on issues of concern and possibly also targets to be more easily amended and possibly be captured in an Annex. However sufficient time needs to be granted for these discussions at IP4.2, along with the mechanism of support and reporting/review. Likely a potential list of established and operational IOMC indicators could be in a dynamic part of the text.
