

Input to the SAICM Intersessional Process Co-chairs consultation process – Public Interest NGO

NOTE: Input from each NGO has been added as is under each question. Where several NGOs expressed similar views, these have been consolidated into one comment.

1. Do you think the Co-Chairs consolidated document will help us achieve our vision for the new SAICM framework Beyond 2020?

- The consolidated document made good progress in advancing the text towards the final agreement at ICCM5. However, there are many issues that need to be addressed, starting with an ambition vision that aspires to a world without the toxic impacts of chemicals and waste, particularly since the global recognition of the human right to a healthy environment.
- The consolidated document is so far being prepared after putting the best efforts by the different stakeholders however the document needs to be better polished with clarity on targets and indicators which are very critical aspects of the SAICM framework beyond 2020.
- The consolidation is much better than the ones before. However, targets should be measurable and fixed by dates with clear tasks.
- The consolidated document is a good one, however having specific timelines to complement the targets would give a clearer picture for the feasibility of achieving the beyond 2020 goal.
- Yes. The consolidated document is the outcome of the discussions and the work at IP4.1. in which all stakeholders participated. However, we see the need for having more than the given choices of alternative text for a vision than the three given in the consolidated document on page 7. We propose that there should be another brainstorming round for phrasing two more alternative visions and have a decision round at IP4.2. to advance the decision on a vision.

2. What are the gaps, enhancements or improvements to be made in the text?

Gaps include:

- Procedures for the implementation of the integrated approach on financing that were introduced at IP4 need to be complemented by procedural texts to ensure they are implemented
- Several principles are still missing, including the principle that data on chemicals that affect human health and the environment cannot be considered confidential business information
- Issues of concern agreed on by the more than 100 governments attending ICCM2, ICCM3, and ICCM4 have not yet been carried forward into the text
- The targets should be more clarity as these are very key aspects

A few enhancements that could be made are:

- Introduction
 - The aim could be captured as one statement (NB by preventing we also protect).
Proposal: To prevent or minimize harm to human health including that of workers, children, women, the environment and animal where feasible.
 - This statement is unclear: “the instrument takes due account of the instruments and process”
- Gender
 - Gender equity should be applicable when relevant in that men should not be allowed to be a part of the decision-making process for issues that directly affect women.
- Vision
 - Proposed: A working timeline for the objective to match the 2030 goals (this would ensure targets are met).

- Unclear statement: Target E5

There is a gap in the thematic Group 2 on governance, we support suggested criteria that calls for triggers but want to recommend as other NGOs have done, that meeting just one of these triggers would be sufficient for motivating continued, or elevated ambition level in the work with the IoC. We believe that this would ensure a simple, harmonized and reproducible assessment of an IoC. We also assert that we need to move the existing IoCs (including EPIs) to the new framework without sunsetting any of them. A way of how to assess the level of IoC implementation had been presented by NGOs

(http://saicm.org/Portals/12/documents/meetings/IP4/stakeholders/IoC_2020_New_Mechanism_of_Action.pdf). **The text of the single consolidated document should include a reference to this document for further consideration at IP4.2.**

This could be done in connection of para. 14 and 15 of the consolidated document. Please, see section iii on Page 13 iii. Determining the need for further work on an issue. We believe that many of these IoC remain a major concern and adversely affect millions of people particularly vulnerable groups of farmers, workers, indigenous peoples, women and children. More urgent work and collaboration is needed to not only resolve, reduce and eliminate the negative impacts of these issues and to provide alternative and non-chemical solutions.

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

There is still a need to review the text in its entirety to make sure that all relevant stakeholder groups, as well as the relevant IOMC organizations are identified and included. In addition, provisions for private sector responsibilities based on the polluters pays principle needs to be strengthened.

In the IP2, the participation of the stakeholders have helped to define the role of the stakeholders wherever is needed. So it seems to be okay.

Yes, in WGT, all stakeholders are involved. A proposal of tackling the companies and governments to take their responsibilities towards the transparency of data and clarity of chemicals with limiting their hazardous impacts in general was added.

The text strongly supports multistakeholder engagement by including all relevant stakeholders throughout the entire process.

No, it does not. We feel that all vulnerable groups through their organization should be included, or their participation enhanced including peasants, landless, workers, indigenous peoples, women and youth.

4. Does the text fully reflect the ways of working and responsibilities of all stakeholders?

No, it is just a title but the indicators and milestones should give more details to reflect the ways of working

The text reflects the working of all stakeholders; however, it is not clear what each stakeholder's responsibility or accountability is for the expected role.

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

This is a quite generic question that would require much more context and explanation of the reasons why parts of the text would be moved into a resolution. Also, noting that this set-up was not planned

from the outset, such significant modifications of the existing document would require careful considerations and dialogue about how such an idea could be implemented in a deliberate manner.

The text can be subdivided into the core text and the text where the amendment can be done. I think this can be done after the final text will be ready after IP-4 (2).

Yes, because if we will work on HHPs, EDCs, for example, the list is all the time changing so we need to amend the text each time we have new candidates

There are text that can be moved out of the modified document into a resolution example the suggestion of the “Operating Principles should be placed in a new section”

If the new framework follows the structure of other conventions with a core part and annex(es), the core part must include the objectives, principles, vision, mission, scope, definitions of used terms, purpose of the framework, the Overall orientation and guidance (OOG), Dubai Declaration and the SAICM Global Plan of Action, financial resources and funding mechanisms and all procedural paragraphs, like the rules of procedure (including tasks and mode of working of Secretariat, ICCM, OEWG and IP, progress reporting/monitoring, rules of how to make amendments to the core document and rules that determine how to deal with the annexes etc.), procedural matters related to IoCs and rules for transparency and partnerships.

In order to agree to such a document with a static and a more dynamic part, it shall be laid down in the static part (e.g. in the rules of procedure), that the Annex cannot easily be changed or ignored. There must be a mechanism to ensure that these are (annually at least) reviewed and worked on, discussed and advanced. The mechanism needs to include a way to make amendments in existing text in the Annex (such as a voting mechanism in the ICCM). We need the security, that e.g. if IoC and their related target, indicators, milestone and work plans goes to an Annex, that this Annex will continue to be part of the framework and not be easily changed or deleted.

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

We believe that there is no real reason for this unless necessary as ICCM5 decision could ensure that new issues of concern, new implementation measures and adapting indicators and targets. The main concern would be that changing the structure of the text may require renegotiating the entire instrument.

The static parts would be part of the fixed core, whereas the dynamic parts would be more easy to change. We think chapter 1 to 5 can be considered as fixed core statement and the chapter 6 and 7 can be dynamics option.

Static parts could be the strategic objectives, whereas the dynamic parts are TIM (targets, indicators, milestones)

The static part of the document could be:

- Scope
- Principles and Approaches
- Vision, Strategic Objectives.....

The dynamic part of the document could be:

- Institutional Arrangements
- Mechanisms to support implementation
- Financial Considerations