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**Fourth meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 (IP4)**  
Nairobi, Kenya, 27 February – 3 March 2023

## **Report of the resumed fourth meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020**

### **Introduction**

1. At its fourth session, held in Geneva from 28 September to 2 October 2015, the International Conference on Chemicals Management, in its resolution IV/4, decided to initiate an intersessional process for preparing recommendations regarding the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020. The process was to be open to all stakeholders.
2. The first segment of the fourth meeting of the intersessional process was held from 29 August to 2 September 2022 in Bucharest, Romania. On Friday, 2 September 2022, the Co-Chairs of the intersessional process outlined a proposal to adjourn that meeting and resume in early 2023 at a date and location to be determined by the Bureau in consultation with stakeholders, with a view to concluding consideration of the agenda. Convening of the resumed meeting was approved under a silent procedure that was launched on 10 October 2022 and concluded on 30 October 2022. By the result of that procedure, it was decided to convene a resumed session of the fourth meeting of the intersessional process.
3. The resumed fourth meeting took place from 27 February to 3 March 2023 in Nairobi, Kenya.

### **Opening of the meeting**

4. SAICM Coordinator Pierre Quiblier called the meeting to order at 10.15 a.m. on Monday, 27 February 2023. Welcoming remarks were made by: Mr. John Elungata, speaking on behalf of Ms. Soipan Tuya, Cabinet Secretary, Ministry of Environment, Climate Change and Forestry, Kenya; Ms. Anita Breyer, President of the fifth session of the International Conference on Chemicals Management; and Ms. Sheila Aggarwal-Khan, Director, Industry and Economy Division, United Nations Environment Programme (UNEP).
5. In his welcoming address, Mr. John Elungata highlighted that while it had not been possible to complete the first session of the fourth meeting of the Intersessional Process, held in Bucharest, Romania, essential elements of a recommended future instrument were incorporated into a single consolidated document. He emphasized the need for continued and strengthened multisectoral and multi-stakeholder involvement, as well as the need for continued strengthening of the Strategic Approach.
6. Mr. Elungata noted that the SAICM “Beyond 2020” instrument should complement and support the implementation of actions undertaken by various international processes, such as those under the World Health Organization (WHO), International Labour Organization (ILO), the Food and Agriculture Organization of the

UN (FAO) and the chemicals- and waste-related conventions – the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal Basel, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants and the Minamata Convention on Mercury.

7. He highlighted that the Government of Kenya has developed a National Chemical Policy, as well as Environmental Management and Coordination Regulations (Toxic and Hazardous Chemicals and Materials Management), that provide the legal framework for sound management of chemicals. He added that to strengthen the involvement of all actors, the Kenyan Government has established a National Multi-Sectoral Committee on Sound Chemicals Management, which is coordinating chemicals and waste management in the country. In addition to these, he noted the enactment of a Sustainable Waste Management Act in 2022, which he suggested would move the country from a linear to a circular economy.
8. In her welcoming remarks, Ms. Anita Breyer expressed gratitude to the Government and people of Kenya for hosting the meeting in Nairobi. She emphasized the ultimate purpose of the instrument was to ensure that: children are safe from harmful exposure; workers have safe workplaces; everybody's health is protected, and consumers are aware of exposure risks; and the natural environment is protected. She concluded by extending her appreciation to those donors that have contributed to the successful convening of the meeting and have facilitated broad representation, citing the Governments of Austria, Denmark, Germany, Norway, Sweden, and Switzerland. She looked forward to a solid, ambitious, and inclusive recommendation text that can be laid on the table at ICCM5, and enthusiastically invited all to join the Government of Germany in Bonn in September 2023.
9. In her opening speech, Ms. Sheila Aggarwal-Khan expressed UNEP's appreciation for the ongoing efforts undertaken by all to ensure that the discussions achieve the objectives of the meeting. Referring to the need to adopt a new framework in Bonn later this year, she called for an ambitious vision, strong strategic objectives and targets that change behavior and scale up action and finance. She recalled UNEA's Resolution in 2022, to establish a science-policy panel on the sound management of chemicals and waste and preventing pollution. She mentioned that at the first meeting of the Open-ended Working Group tasked with establishing the panel, delegates agreed on the scope and functions of the panel, elements of the panel, and the organization of the work of the Group leading up to the second and third session. Reiterating that UNEP is fully committed to providing all its support to the current initiative, as the intersessional process endeavors to design a meaningful future framework, she encouraged delegates to gather positive energy and in the spirit of collaboration to ensure a very positive journey to ICCM5.

## Organizational matters

### Adoption of the Agenda

10. The meeting agenda (SAICM/IP.4/1/Rev 1) was adopted on 29 August 2022 during the first segment of the meeting held in Bucharest as follows:
  1. Opening of the meeting.
  2. Organizational matters:
    - (a) Appointment of the IP Co-Chair;
    - (b) Adoption of the agenda;
    - (c) Organization of work.
  3. Development of recommendations for consideration by the fifth session of the International Conference on Chemicals Management for the Strategic Approach and the sound management of chemicals and waste beyond 2020.
  4. Preparations for the fifth session of the International Conference on Chemicals Management.
  5. Any other business.
  6. Closure of the meeting

### Organization of Work

11. The meeting was co-chaired by Ms. Judith Torres (Uruguay) and Ms. Kay Williams (United Kingdom).
12. The Co-Chair said that in preparation for the resumed meeting the Co-Chairs had initiated a consultation process, the results of which were subsequently presented at preparatory regional briefing sessions. The consultation process noted that the focus of the work at the resumed intersessional process meeting should be on finalizing the single consolidated document. However, stakeholders also agreed with the need to start discussing additional recommendations for consideration by ICCM5.
13. The objective of the resumed fourth meeting was to facilitate deliberations among participants to make tangible progress on each issue in plenary and, if necessary, through thematic and/or informal dialogues to reach a shared understanding, as far as possible, on a comprehensive set of recommendations to forward to ICCM5.
14. She noted that in carrying out its work at the current meeting, participants had before them working and information documents pertaining to the various items on the meeting agenda. Those documents were listed according to the agenda items to which they pertained, in document SAICM/IP.4/1/Rev.1 and SAICM/IP.4/1/Add.1/Rev.2. She said rule 23 of the rules of procedure of the International Conference on Chemicals Management applied *mutatis mutandis* to the present meeting.
15. Participants agreed to work in accordance with the proposal set out in the Co-Chairs' scenario note (SAICM/IP.4/INF/1/Rev.3). They thus agreed, *inter alia*, to work in sessions to be held from Monday 27 February to Friday 3 March 2023 from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m.
16. As set out in International Conference on Chemicals Management resolution IV/4, the meeting was conducted in English only.
17. Underlining that the meeting was being held in person, the Co-Chair mentioned that to ensure broader stakeholder involvement, live web streaming would be provided on a Webex platform during plenary sessions. No registrations were needed to access web streaming and online observers would not be included in the list of participants.
18. Initial discussions took place in plenary to ensure a common understanding of the issues. Thematic groups and consultation groups were established during the course of the meeting. The thematic groups aimed to deliberate, make tangible progress, and reach informal consensus as far as possible on a consolidated text and sets of recommendations related to their respective mandated topics. The groups reported regularly on their work to plenary to maintain transparency.
19. The Co-Chair outlined the proposed three Thematic Groups that would focus on the single consolidated document. The meeting agreed to the establishment and mandate of the three thematic groups as follows:
  - a. Thematic Group 1 on Strategic Objectives, Targets and Measurability (TG1), co-facilitated by Ms. Mari-Liis Ummik (Estonia) and Mr. Serge Molly Allo'o Allo'o (Gabon), was given the mandate to: discuss coherence of vision, strategic objectives and targets as a whole; the finalization of a set of targets for the achievement of the vision and strategic objectives of the future instrument/framework; and identify a suitable measurability structure to assess progress towards the vision, strategic objectives, targets, including the criteria for setting indicators.
  - b. Thematic Group 2 on Mechanisms to Support Implementation (TG2), co-facilitated by Ms. Noluzuko Gwayi (South Africa) and Ms. Karissa Kovner (USA), was given the mandate to: consider the language necessary for the programmatic approach to support the future implementation of the instrument/framework; consider any additional arrangements for implementing the programmes and Issues of Concern, including, as appropriate, the role of any multi-stakeholder committee(s); finalize the text relative to mechanisms to support implementation, excluding capacity building.
  - c. Thematic Group 3 on Financial Considerations including Capacity Building, co-facilitated by Mr. Jonah Ormond (Antigua and Barbuda) and Mr. Reginald Hernaus (the Netherlands), was given the mandate to: finalize text to cover financial aspects in support of the targets; continue to review and develop further the relevant proposed targets related to finance and means of implementation; address capacity building issues.
20. The Co-Chair proposed and the meeting agreed to the establishment of a 30-member "Friends of the Co-Chairs" group composed as follows: 4 members each from the 5 regional groups, 2 members each from the 3 non-governmental stakeholder groups, 2 members from the private sector group and 2 members from the Inter-organization Programme for the Sound Management of Chemicals (IOMC). The group was to meet throughout the week and focus on developing solutions to ensure coherence of the consolidated document, and to identify and address any gaps.
21. The meeting also agreed to the establishment of an open "Informal Dialogue," group co-facilitated by Hassan Azhar (Maldives) and Karissa Kovner (USA), which would report to the Friends of the Co-Chairs group. The

mandate of the informal dialogue was to: identify recommendations not dealt with in the single consolidated document; compile a list of elements on which to build recommendations and ICCM5 resolutions; and discuss a possible name for the post-2020 instrument.

## Attendance

22. The following governmental participants were represented:

Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Bosnia and Herzegovina, Brazil, Burundi, Cambodia, Cameroon, Canada, Chile, China, Colombia, Comoros, Congo, Republic of, Côte d'Ivoire, Czech Republic, Denmark, Egypt, El Salvador, Eritrea, Estonia, Eswatini, Ethiopia, European Union, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Moldova, Republic of, Montenegro, Netherlands, Niger, Nigeria, North Macedonia, Norway, Pakistan, Panama, Peru, Poland, Romania, Russian Federation, Saint Kitts and Nevis, Serbia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Tanzania, United Republic of, Thailand, Tonga, Trinidad and Tobago, Tunisia, Türkiye, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Viet Nam.

23. The following intergovernmental participants were represented:

Basel and Stockholm Conventions Regional Center for French Speaking Countries, Basel Convention Coordinating Centre for Africa, Nigeria, Basel Convention Regional Centre, BRS secretariat, Food and Agriculture Organization, Global Environment Facility, International Labour Organization, IOMC Secretariat, Organisation for economic cooperation and development, United Nations Environment Programme, United Nations Environment Programme World Conservation Monitoring Centre, United Nations Industrial Development Organization, United Nations Institute for Training and Research, World Health Organization and World Health Organization Regional Office for Europe.

24. The following non-governmental participants were represented:

Africa Climate and Environment Foundation, African Centre for Technology Studies, AGENDA for Environment and Responsible Development, AKO Foundation, ALHem (Safer Chemicals Alternative), All African Conferences of Churches, AO Experts Association Pro-Mediu, Armenian Women for Health and Healthy Environment, Association de l'Education Environnementale pour les Futures Générations, Australian Council of Trade Unions, AYOWECCA Uganda, BUND/Friends of the Earth Germany, Greening Maastricht Environmental Initiative, The Caribbean Poison Information Network (CARPIN), Center for International Environmental Law, Center for Public Health and Environmental Development, Centre de Recherche et d'Education pour le Développement, Centre for Chronic Disease Control India, Centre for Environment Justice and Development, Chemical and Allied Industries' Association, Chemical and Waste Youth Platform, Chemical Safety Agency, East African Community Youth Ambassadors Platform, Eco-Accord, Ecoidea, Environment and Social Development Organization, European Environmental Bureau, Fundación Valle del Lili, German NGO Forum on Environment and Development, Global Peace, Global Youth Health Caucus, groundWork - South Africa, groundwork, Friends of the Earth South Africa, Hands for Environment and Sustainable Development, Health and environment justice support, Health Care without Harm, IBON International Foundation, IndustriAll Europe / IGBCE, International Commission on Occupational Health, International Pollutants Elimination Network, International Society of Doctors for Environment, International Trade Union Confederation, International Trade Union Confederation - Africa, International Trade Union Confederation - Asia Pacific, Journalists for human rights, Juventud Unida en Accion, Kenya Environment and Waste Management Associations, Lead Exposure Elimination Project, March For Our Planet, MSP Institute eV, National Confederation of Free trade unions from Romania-Fratia -Trade Union, National Consortium for Elimination of Malaria, Nexus3 Foundation, ONG Appui pour la Valorisation et la Promotion des Initiatives Privées (AVPIP), Panafrican Climate Justice Alliance (PACJA), Pesticide Action Network Africa, Pesticide Action Nexus Association, Pestizid Aktions-Netzwerk e.V. , Plant for the planet, Plogging Kenya, Pure earth, RAPAL Uruguay, Student Platform for Engineering Education Development, Sustainable Research and Action for Environmental Development, Swedish Society for Nature Conservation, Taller Ecologista, Toxisphera environmental health association, United States Council for International Business, Wills Recycling, Women Engage for a Common Future and World Federation of Public Health Associations.

25. The following private sector participants were represented:

BASF East Africa Ltd, Community Environmental Network, CropLife International, Crown paints Kenya plc, International Council of Chemical Associations, Kenya Small Scale Farmers Association, Kofinac Co. Ltd and RPA Europe S.R.L..

26. The following other participants were represented:

adelphi, European chemical industry council, International Institute for Sustainable Development (IISD) / Earth Negotiations Bulletin (ENB), International Sustainable Chemistry Collaborative Centre, International trade association, University of Cape Town and University of Edinburgh.

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

27. The Co-Chair reiterated that given this was a resumed session no general statements would be made. Participants who so wished could submit their statements for uploading on the dedicated website.
28. Following the secretariat's introduction of the meeting documents, the Co-Chair introduced additional information documents. Noting that the focus of the meeting was clear and that the meeting had a significant task ahead, she urged participants to work together such that the single consolidated document could be finalized by the end of the week for consideration by ICCM5.
29. She introduced the single consolidated document for the Strategic Approach to the Sound Management of Chemicals and Waste Beyond 2020 (SAICM/IP.4/10), saying that the outcome from the Bucharest meeting would form the initial basis of discussion.

### **Development of recommendations**

30. The meeting then considered the second part of agenda item 3. The Co-Chair reiterated that participants would deliberate and finalize recommendations in a single consolidated document for consideration by ICCM5.
31. Recalling that introductions to conference room papers 1, 2 and 3 were heard during the meeting in Bucharest, she invited proponents of new or amended conference room papers to introduce their documents. Accordingly, during the course of the meeting, the following conference room papers were introduced: Discussion document on the way forward for existing EPIs and Other Issues of Concern (Revised on 17 January 2023) (CRP.4); Proposal to include implementation programmes in the "Beyond 2020" framework to help achieve "Beyond 2020" strategic objectives and targets (CRP.5); Proposed text for: Section on "Children, youth and intergenerational protection" and targets and indicators focused on children and youth (CRP.6); Measurability (CRP.7); New text proposal – Section 6: Mechanisms of implementation - health aspects of implementation; D. Enhanced sectoral and stakeholder engagement (CRP.8); Proposal for a resolution to set "A Global Alliance on Highly Hazardous Pesticides "at ICCM5 (CRP.9); Proposal for the development of an International Code of Conduct on Chemicals and Waste Management (CRP.10); Proposal on labour sector aspects of implementation (CRP.11); Proposal on targets to support integrated chemicals and waste management (CRP.12); and Proposal on a simplified target A6 (CRP.13).
32. Participants who took the floor voiced support for the various conference room papers which, they said, could be taken into consideration when discussing the relevant issues in the different thematic groups, also to ensure there was no duplication with what was already in the consolidated text. Support was also expressed for a strong financial instrument, health aspects and the measurability of all elements.

### **Thematic Group 1: Strategic Objectives and Targets**

33. The co-facilitators reported back on the discussions in the group focused on providing general comments on targets under Strategic Objectives A and E. The overall objective of the general round of comments was to have an overview of which targets could be eliminated, as the aim was to reduce the targets from 28 to 20. Several participants made proposals regarding merging some of the targets in A, while others proposed moving some of the targets to the thematic group on finance. Some participants discussed the need for including dates in the targets, with some opposing the inclusion of dates and others noting that targets by their nature should

include dates. Others also proposed language on “significantly impacted groups” such as children, youth and women, and others discussed targets relating to labour and the workplace. In subsequent sessions, the group began by sharing general views on the strategic objectives and then expressed opinions on: how the targets respond to the strategic objectives; if the targets are fit for purpose; and opportunities to combine targets. A first reading of targets A and B was initiated. The group also considered the financial targets, with help from the co-facilitators of the thematic group on financial considerations. The group continued reading of targets with the aim to present a clean set of targets but did not make as much progress as hoped.

34. Finally, the group discussed a measurability structure. It was decided to hold informal discussions on these topics, which were facilitated by the United Kingdom and IOMC. Following that discussion, the need for further discussion on measurability structure was agreed as well as that the measurability structure would be included in an annex to the instrument. The group asked if IOMC could be invited to continue working on measurability and indicators in order to present a further elaborated document to be discussed at ICCM5. On the final day of deliberations, further reading of targets took place, however no agreement was reached on a final set of targets.

### **Thematic Group 2: Mechanisms to Support Implementation**

35. The co-facilitators reported that the group has commenced discussions on numerous conference room papers that had been introduced, including on health and labour aspects of implementation. On the IOMC’s proposal to include implementation programmes in the “Beyond 2020” framework to help achieve “Beyond 2020” strategic objectives and targets, general support was expressed for elements in the proposal and suggestions made on how to operationalize and ensure the proposal fit with the entire document. There was general agreement that the International Conference on Chemicals Management must retain the final say regarding governance and questions were raised regarding the IOMC’s role in implementing the programmes, as well as on how the programmes should be financed.
36. There had been a good discussion on the topic of issues of concern and multi-stakeholder working groups, and the group reached general agreement on text with very few brackets remaining. The group discussed specific text on issues of concern, but did not make much progress on those specific sections. The group had considered text relating to the definition of issues of concern and the trigger mechanism for determining the need for further work on an issue. Further, the group discussed stakeholder and sectoral engagement, national implementation, reporting back on progress, and updating and revising of the new instrument.
37. The group determined that the issue of implementing programmes would benefit from a resolution elaborating further details but that it had not prepared such a resolution as it was beyond their mandate, instead deciding to include a footnote in the text recommending an agenda item at ICCM 5 to consider a resolution on this issue. On the final day of discussions, the group was tasked with concluding the discussion on the placement of elements of issues of concern, to identify which substantive elements should go in the body of the instrument and which procedural elements should go in an annex.

### **Thematic Group 3: Financial Considerations Including Capacity Building**

38. The co-facilitators reported that the group had started reviewing the Co-Chairs’ consolidated document paragraph-by-paragraph, and had covered paragraphs 1-7. While the text had been streamlined, it was not yet agreed text.
39. In subsequent sessions, the group conducted a general discussion on the functions and forms of the proposed financial mechanism, discussing the use and form of the mechanism, such as a globally coordinated fee. The general discussion had helped bring all delegations on the same page, before continuing discussions on the consolidated document. The Integrated Approach to Financing section received great support for use as the basis for the narrative.
40. While the Group considered the issue of an integrated approach to finance it could not advance further and intended to address capacity building issues, specifically a proposal by the Islamic Republic of Iran and International Council of Chemical Associations that was previously tabled but has not been considered.

### **Friends of the Co-Chairs**

41. The Co-Chair reported that the Friends of the Co-Chair (FoCC) had initially had an opening round of comments to identify the gaps in the single consolidated document, as well as any need for enhancement and improvement, as well as considering the Co-Chairs proposed draft introduction text. Noting a convergence of opinion on improvements regarding the introduction and cross-cutting issues, she said all representatives had been asked to consult with their constituencies to ensure all gaps were covered. She stressed the importance of members of the friends of the Co-Chair keeping their constituencies apprised of progress in that group.
42. There had been a discussion concerning the placement of issues in the core of the consolidated text or in an annex to the text. The UNEP legal officer clarified that there was traditionally a distinction between amendments to a treaty or core text and the adoption and amendments of annexes. Citing examples, he said that there was usually a lower bar for revising annexes.
43. In subsequent sessions, the group began work on the principles and approaches section, using the consolidated text from Bucharest, the placeholder text from Thematic Groups 1 and 2, and the relevant conference room paper. A number of small drafting groups volunteered to draft text based on the discussions and inputs received. The FoCC group reviewed text on principles and approaches including Annex B (Principles and Approaches), and agreed that further work on Annex B is needed, taking into account the FoCC discussion. on institutional arrangements, but made no changes to the institutional arrangements text.

### **Informal Dialogue**

44. The Co-Chair provided a summary of issues and discussions that had taken place in the informal dialogue and that had been reported to the Friends of the Co-Chair. The informal dialogue had considered such items as elements of possible resolutions at ICCM5 including on the role of the IOMC and the text on mobilisation of local action, and reflection on the proposal for a Global Alliance on Highly Hazardous Pesticides. There was consensus on having clear and concise resolution text.
45. Regarding the name of the new instrument, the informal dialogue had generally agreed not to use the word “UN” in its title. There was little support for using a tagline.

### **General statements during the closing plenary in response to the new consolidated text**

46. As the Co-Chair proposed, the Co-Chairs and secretariat prepared an amended and updated consolidated text based on the outcomes of the discussions in the thematic groups and the Friends of the Co-Chair group for consideration by plenary on the afternoon of 3 March.
47. The Co-Chair introduced the new consolidated text and invited participants to make factual corrections to the text. She underlined that the aim of the session was not to negotiate the wording of the text but to ensure that the secretariat accurately captures the outcomes of the thematic groups. She noted that the entire text remains in brackets and would be presented to ICCM5 for further discussions. She said any comments, other than factual corrections, would be recorded in the meeting report and carried forward to ICCM5.
48. The Co-Chair noted that the consolidated text was no longer “the IP Co-Chairs Consolidated Document” but the Intersessional Process Consolidated Document.
49. Commenting on the table of contents, the representative of Angola, speaking on behalf of the African Group, supported by the representatives of Argentina, speaking on behalf of GRULAC, and Brazil, opposed the deletion of “international cooperation” from the section on mechanisms to support implementation. He requested reinsertion of “international cooperation” as a separate subheading, not combined with “regional cooperation and coordination.”
50. At the invitation of the Co-Chair, the co-facilitator of Thematic Group 2 reported that the original text included a bracketed reference to “international” and “sectoral,” but it was agreed in the Thematic Group that “international” should be deleted and the Thematic Group also accepted the suggestion by the Friends of the Co-Chairs that “sectoral” should be deleted. She said the decision was that the heading of Section C would be regional cooperation and coordination.
51. As a result of the discussion in plenary, the Co-Chair proposed, and plenary accepted, to insert a bracketed reference to “international” as contained in the consolidated text forwarded from the Bucharest meeting.
52. Commenting on the introduction, the representative of the Islamic Republic of Iran suggested that as parts of the text were in brackets, the entire section should be enclosed in brackets. One representative questioned the basis for bracketing an entire section and the Co-Chair clarified that the text could be bracketed from the floor

- unless the representative requesting the brackets withdrew the request. The introduction was therefore bracketed.
53. The representative of China recalled that the Thematic Group agreed that those parts of the text that were discussed only in the Friends of the Co-Chairs group and not yet been fully discussed or negotiated in the relevant Thematic Group, and should be bracketed pending further negotiations by all stakeholders.
  54. The representative of Pure Earth proposed recording either in the meeting report or in a footnote in the consolidated document, that the text represented the state of play within the Friends of the Co-Chairs group, in order to clarify the source of the text. Accordingly, it is recorded in the current report.
  55. Commenting on the Strategic Objectives section, the representative of Brazil noted that the section was not discussed in any of the Thematic Groups and suggested either discussing the section in plenary or keep brackets.
  56. Commenting on Section VI on Mechanisms to Support Implementation, the representative of the IOMC requested adjusting paragraph 15 during ICCM5, to strengthen the role of IOMC.
  57. Commenting on Section IX on Financial Considerations, the representative of Brazil noted that some text in that section better belongs in Section VI on Mechanisms to Support Implementation, given such text dealt with non-financial issues.
  58. The representative of CIEL noted discussions to potentially move paragraph IX B number 10 and Alt.10 to paragraph 3 of Section VI. He acknowledged this had not been agreed but had been discussed and, supported by the representative of Brazil, requested reflecting this discussion in the text. The representative of ICCA noted this move had been discussed, not agreed, and preferred recording the suggestion in the meeting report. Accordingly, it is recorded in the current report.
  59. The representative of Angola, for the African Group, recalled their request to insert “global” before “extended producer responsibility” in paragraph 10. United Kingdom and one representative speaking on behalf of European Union and its Member States noted the insertion of “global” was not agreed in the Thematic Group, as clarified by the co-facilitator, and preferred noting the suggestion in the meeting report rather than inserting the word in the text. The representative of Angola, reiterated that his suggestion be reflected in the text, even bracketed. Requesting flexibility, the Co-Chair confirmed the gravity and seriousness of Africa’s concern and that it would be noted in the report of the meeting. Accordingly, it is recorded in the current report and the Co-Chair voiced appreciation for the flexibility of the African group in that regard.
  60. The Co-Chair noted some technical errors in Annex B – Principles and Approaches. The representative of Ghana stated that while a reformulated structure for the annex had been submitted by the Friends of the Co-Chairs to add clarity to the section, it was not included in the text. To resolve this omission, the Co-Chairs suggested that the document be submitted as a formal alternative text proposal. The representative also highlighted that the Friends of the Co-Chairs had agreed to remove “and standards” from the list of agreements and move the ILO’s standards to a new section at the bottom of Annex B along with two text proposals contained in a proposal from the Chemicals and Waste Youth Platform.
  61. Following the conclusion of the discussion on the consolidated text<sup>1</sup>, the Co-Chair suspended plenary in order to consult on the way forward with the Co-Chairs’ consultation group.

## Conclusion

62. Following consultations, the Co-Chair proposed a roadmap leading up to ICCM5. Noting that while good progress had been made with clean text in a number of sections, she said that given the time and resources required to undertake the remainder of the work, it was proposed that the fourth meeting of the intersessional process be adjourned, to be reconvened two days before ICCM5 in Bonn, tentatively scheduled for Saturday 23 and Sunday 24 September 2023. Encouraging delegates towards the same spirit of openness and transparency in terms of any preparatory work that would be needed ahead of ICCM5, she suggested that the third segment of the intersessional process focus on finalizing the text for inclusion in the intersessional process report of the Co-Chairs for presentation to ICCM5. Stressing that the reconvened meeting will only finalize to

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<sup>1</sup> The consolidated text following discussions would form the basis for discussions at the reconvened meeting of the intersessional process in September 2023, and is annexed to this report.



the extent possible the consolidated text, she warned that any conference room papers or new proposals related to the consolidated text will not be taken on board.

63. She further highlighted that SAICM stakeholder regional meetings will be convened where and when possible, as those remain a crucial contribution to the success of the process. In terms of preparation of considerations for ICCM5 itself, she proposed the mandate for preparation of other resolutions, that the secretariat be requested, under guidance of the Co-Chairs, to prepare a limited number of recommended draft resolutions that are not part of the consolidated text, but that are directly relevant to the Beyond 2020 outcome and related actions, and proposals that need to be taken into account towards the implementation of the new instrument. She said the elements that received broad agreement within the informal dialogue group will form the basis of that and requested comments in that regard.
64. The representative from Pure Earth noted it would be extremely useful for the Co-Chairs or the legal advisor to stress to all that any text that is not completed, if not by the end of the intersessional process, then by the end of ICCM5, will drop out of the final text. She expressed deep concern that there has not been enough understanding of the need to compromise.
65. The representative from Argentina, speaking on behalf of GRULAC, recognized that although the outcome was not ideal, they support the proposal for a way forward, and appealed to stakeholders to commit themselves to engage immediately in negotiations with other stakeholders, in order to have a final outcome that can succeed.
66. The Islamic Republic of Iran, speaking on behalf of the Asia Pacific group, welcomed the proposal and supported it, and said they were looking forward to further cooperation in that regard.
67. The representative of Angola, speaking on behalf of the African Region, noting that the Co-Chairs must be disappointed, stressed the African Region's commitment to producing a good final document and said they supported the proposition.
68. The representative from ICCA said they fully support the way mapped out and hoped that all will try to compromise even further.
69. The representative from IPEN expressed their support for the proposal on the way forward and said they will do all that it takes in a concise manner.

## **Preparations for the fifth session of the International Conference on Chemicals Management**

70. Ms. Anita Breyer, President of ICCM5 and representative of Germany, presented a few slides to update the meeting on preparations for ICCM5 being hosted at the World Conference Center in Bonn from 25-29 September 2023. She also announced that a high-level segment will convene on 28 and 29 September, where the plan is to adopt a high-level declaration for chemicals and waste management, which will help to raise SAICM's political profile to "build the muscles" necessary to work on and to implement the issues. She provided further information, saying internet links and other information will be provided to delegates regarding accommodation and visa applications, which will be available from April 2023, as well as the required invitation letter and an information desk. She said hotel accommodation would include free access to public transport for all attending the Conference. She looked forward to seeing all in Bonn and hoped that delegates will enjoy her hometown.

## **Any Other Business**

71. No other business was raised.

## **Closure of the Meeting**

72. Following the customary exchange of courtesies, the meeting was adjourned at 7.30 p.m. on Friday 3 March.

Annex: Intersessional Process Consolidated Document

**[ INTERSESSIONAL  
PROCESS CONSOLIDATED  
DOCUMENT**

**DRAFT**

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## Executive Summary

### Table of Contents

<u>I.</u>	<u>Introduction</u>	13
<u>II.</u>	<u>Vision</u>	14
<u>III.</u>	<u>Scope</u>	14
<u>IV.</u>	<u>Principles and approaches</u>	14
<u>V.</u>	<u>Strategic objectives and targets</u>	15
<u>A.</u>	<u>Strategic Objectives</u>	15
<u>B.</u>	<u>Targets</u>	15
<u>VI.</u>	<u>Mechanisms to support implementation</u>	18
<u>A.</u>	<u>Implementation Programmes (exact placement to be determined)</u>	18
<u>B.</u>	<u>National implementation</u>	18
<u>C.</u>	<u>[International and] Regional cooperation and coordination</u>	18
<u>D.</u>	<u>Enhanced sectoral and stakeholder engagement</u>	19
<u>VII.</u>	<u>[Alt 1. Issues of [International][Global] Concern / Alt 2. Priority Issues for International Action] (exact placement to be determined)</u>	20
<u>A.</u>	<u>Definition</u>	20
<u>B.</u>	<u>Nomination, selection, and adoption of Issues</u>	20
<u>C.</u>	<u>Mechanisms for implementation</u>	20
<u>VIII.</u>	<u>Capacity building</u>	21
<u>IX.</u>	<u>Financial considerations</u>	22
<u>1.</u>	<u>Integrated approach to financing</u>	22
<u>A.</u>	<u>Mainstreaming</u>	22
<u>B.</u>	<u>Private-sector involvement</u>	23
<u>C.</u>	<u>Dedicated external financing</u>	24
<u>2.</u>	<u>Establishment of and engagement in multisectoral partnerships</u>	24
<u>3.</u>	<u>Financing the secretariat</u>	24
<u>X.</u>	<u>Institutional arrangements</u>	25
<u>A.</u>	<u>International conference [on Chemicals Management]</u>	25
<u>B.</u>	<u>Bureau of the international conference</u>	26
<u>C.</u>	<u>Secretariat</u>	26
<u>XI.</u>	<u>Taking stock of progress</u>	26
<u>XII.</u>	<u>Revising and updating the framework</u>	27
<u>ANNEX A [Alt 1. Issues of [International][Global] Concern / Alt 2. Priority Issues for International Action]</u>		
28		
<u>Part I.</u>	<u>Submission of Information</u>	28
<u>Part II.</u>	<u>Nominations</u>	28
<u>(i)</u>	<u>Nomination of issues</u>	28
<u>(ii)</u>	<u>Initial review and publication of nominations</u>	28
<u>Part III.</u>	<u>Workplans</u>	29

<a href="#">ANNEX B Principles and approaches</a> .....	30
<a href="#">[ANNEX C Measurability structure]</a> .....	31

## I. Introduction

1. [ The sound management of chemicals and waste<sup>2</sup> is essential for protecting human health and the environment. While progress to minimize adverse impacts of chemicals and waste has been made, the global goal was not achieved by 2020<sup>3</sup> and more ambitious and urgent action by all stakeholders and sectors is required to protect present and future generations.
2. Chemicals play an important role as an integral part of our everyday lives in materials, articles and products globally. However [when not managed properly] [they can] [potentially] result in adverse impacts on human health and the environment. The benefits of action are indisputable: economically<sup>4</sup>, environmentally and socially, particularly to achieve the good health and well-being of all populations.
3. The Global Chemicals Outlook II cautions that “business as usual” is not an option. With the chemical industry estimated at USD 5 trillion in 2017, the size of the global chemical industry is projected to double by 2030. Hazardous chemicals continue to be released in large quantities. Scientific evidence alerts us that chemicals and waste pollution [has exceeded planetary boundaries] [is not sustainable]. Exposures to hazardous chemicals and wastes throughout their supply chains and lifecycles threaten human health and disproportionately impact vulnerable and at-risk groups<sup>5</sup>.
4. The Beyond 2020 global chemical and waste framework builds on a unique multi-sectoral and multistakeholder approach. It strengthens collaboration and coordination among stakeholders, including those from biodiversity and climate [to address the triple planetary crisis<sup>6</sup>, amongst other challenges]. Whilst its focus must be [on preventing harm through prevention and substitution of hazardous chemicals and] on building chemicals and waste management capacities in all countries, the intent of the framework is to catalyze a transformational shift towards [green and] sustainable chemistry in the chemical and downstream sectors in a life-cycle approach, through guiding principles, clear strategic objectives, defined time-bound programmes and initiatives, and measurable targets.
5. The aim of the framework is to prevent or, where not feasible, minimize harm from chemicals and waste to protect the environment and human health including that of vulnerable groups and workers. [It is cross-sectoral and action-orientated with strong governance and measurability structures that facilitate transparency and ownership of roles and responsibilities to assess progress and promote international standards.] It supports innovation to provide better products that are safer [, greener] and sustainable by design and advance sustainable consumption and production patterns including through resource efficiency and circular economy approaches.
6. The framework will contribute to the achievement of the 2030 Agenda for Sustainable Development and remain relevant for action beyond 2030. [Progress towards the Sustainable Development Goals in all three dimensions (environmental, social and economic) is critical to create the conditions necessary to fulfil the strategic objectives and targets of the framework.] The framework complements other international agreements and arrangements and supports their implementation.]

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<sup>2</sup> Scope to be defined.

<sup>3</sup> WSSD goal: To achieve by 2020, that chemicals are used and produced in ways that lead to the minimization of significant adverse effects on human health and the environment.

<sup>4</sup> Estimated high tens of billions of US dollars annually – Global Chemicals Outlook II.

<sup>5</sup> Workers, farmers, women, children and youth, indigenous people, the elderly.

<sup>6</sup> Climate change, nature and biodiversity loss and pollution.

## II. Vision

7. [Chemical safety for all.
8. ALT1. A toxics free planet. Advancing chemicals and waste safety for a healthy future.
9. ALT2. Healthy Planet and People: Making Our Future Chemical and Waste Safe.]

## III. Scope

10. 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.
11. 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 include, but not be limited to, agriculture, environment, health, education, finance, development, construction and labour.

## IV. [Principles and approaches

12. Implementation of the framework should be guided [by the Rio Declaration on Environment and Development, including the common but differentiated responsibilities and polluters pay principles and,] as appropriate, by Annex B and should take into account the following principles and approaches:

### **Knowledge and Information**

13. There is expertise within and among regions and strong support for the sharing of knowledge, including traditional knowledge and Indigenous knowledge systems shared on the basis of free, prior and informed consent. It promotes coordination and access to information for informed and science-based decision making on chemicals and waste management.
14. [The implementation of the sound management of chemicals and waste at all levels should be supported by the best available science.]

### **Transparency**

15. Transparency is essential for ensuring informed and legitimate decision-making processes. The framework supports transparency of information in all aspects of implementation. Ability to participate in decision-making processes, the encouragement of public awareness, [appropriate] access to information on chemicals and their use as well as [appropriate access to] environmental information are fundamental to the protection of human health and the environment.
16. Effective access to justice is important for people to have their voices heard, exercise their rights and challenge discrimination.

### **Human Rights**

17. The implementation of the sound management of chemicals and waste<sup>7</sup> contributes to the full enjoyment of human rights and human well-being and dignity.

### **[Groups in vulnerable situations] [Particularly impacted groups]**

18. Recognizing that exposure to chemicals and waste often disproportionately affects people in vulnerable situations, including children, youth, the elderly, persons with disabilities, women, workers, migrants, farmers, people living in poverty and Indigenous Peoples and local communities. The implementation of the framework should take these groups into consideration when protecting human health and the environment.

### **Gender equality**

19. Women are agents of change and are vital to address the issues of chemicals and waste. The instrument/framework advances gender equality through their full and equal participation and gender inclusive approaches in all aspects of the implementation of the new instrument/framework, including in

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<sup>7</sup> Scope to be decided.

decision making [through the implementation of a Gender Action Plan<sup>8</sup>].

### **Preventive approaches**

20. Prevention is the hallmark of all activities aimed at reducing risks from chemicals and waste. A hierarchical approach consists of primary prevention being prioritized to prevent and where not feasible minimize, exposure to hazards that may cause disease and injury or adverse impacts to the environment.
21. Prevention [of exposures to] [of uses of] hazardous chemicals and their substitution contribute to intergenerational, social and environmental justice. The development and use of [safe and] [safer and more] sustainable chemicals are priorities for the sound management of chemicals and waste.

### **[Precautionary approach**

22. Where there are threats of serious or irreversible damage to the environment or harm to human health, lack of full scientific certainty shall not be used as a reason for [postponing cost effective measures to prevent environmental degradation [or harm to human health]] [not implementing preventative measures.]

### **[International trade of chemicals and products**

23. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or disguise restriction on international trade.]

### **Just transition**

24. The shift to sustainable production can have unintended impacts on communities, health and livelihoods. A just transition towards an environmentally sustainable economy with the sound management of chemicals and waste contributes to the goals of decent work for all, social inclusion, human rights and the eradication of poverty.

### **[Collaboration and participation**

25. Networks, partnerships and mechanisms for technical cooperation are important for effective capacity-building, work on issues of common interest and exchange of information [and a strengthened North-South and South-South cooperation with, [technology transfer, access to financing] and exchange of information [in line with the principle of common, but differentiated responsibilities<sup>9</sup>.]]

## **V. Strategic objectives and targets**

1. The following strategic objectives will guide stakeholders in their efforts at all levels to address the sound management of chemicals and waste
- [1bis. In order to achieve these objectives adequate [and sustainable] financial and non-financial resources need to be identified and mobilized; and necessary transparent and accountable partnerships need to be established to foster cooperation among stakeholders]

### **A. Strategic Objectives**

- A. [Countries have] [Stakeholders have] the capacity, legal framework and institutional mechanisms in place to [support] [achieve] the [integrated] [sound] management of chemicals and [associated] waste [throughout the life cycle].
- B. Comprehensive and sufficient knowledge, data and information are generated, available and accessible to all to enable informed decisions and actions.
- C. Issues of concern are identified, prioritized and addressed
- D. Safer alternatives and innovative and sustainable solutions in [relevant] product value chains are in place so that benefits to human health and the environment are maximized and risks are prevented or, where not feasible, minimized
- E. The sound management of chemicals and [associated] waste is [transparently and accountably] integrated in [all] relevant decision-processes [by stakeholders] [for] [sustainable development, financing and business]

### **B. Targets**

Target A1 – [By 2030], [governments] [countries] have adopted, implemented and enforce legal frameworks

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<sup>8</sup> Placement to be determined.

<sup>9</sup> To check if the content of this paragraph has been addressed elsewhere in the text and to be revisited.

and established appropriate institutional capacities to prevent or where not feasible, minimize adverse effects from chemicals and waste.

[Target A2 - A Code of Conduct on chemicals and waste management, is developed and countries [include measures to prevent and significantly minimize adverse effects of chemicals through their lifecycle and waste] [have incorporated its provision in their national legislation].]

Target A3 - By 20xx, measures identified to prevent or, where not feasible minimize adverse effects from chemicals [and [their] waste] throughout their life cycle, are implemented by companies.

Target A4 - By 20xx, stakeholders have effectively prevented all illegal trade and traffic of chemicals and of waste.

[Target A5 – [By [2030] [2025]], all countries [effectively regulate] [have prohibited] the export of substances that they have prohibited nationally [, except where robust legal justification and management control exist].]

Target A6 - By 20XX All countries have access to poison centers equipped with essential capabilities to prevent and respond to poisonings [as well as access to training on chemical risk prevention and clinical toxicology].

[Target A7 – [By 2030], the use of Highly Hazardous Pesticides is [eliminated] [phased out] from agriculture.]

[Alt A7. By 2030, stakeholders have taken effective measures to phase out HHP in agriculture where the risks cannot be managed and alternatives with less potential risk for health and environment would be promoted.]<sup>10</sup>

Target B1 - By 20xx, comprehensive data and information on [the properties of] chemicals, [throughout their lifecycle,] are generated, made available and accessible.

[Target B2- By 20XX, stakeholders in the value chain [endeavor to] [ensure that] reliable information on chemicals in [materials and] articles is available throughout their life cycle [including at the waste stage], [to enable informed decisions and safe management of chemicals in a [clean] circular economy].]

[Alt B2. By 2030, stakeholders in the value chain use at the minimum a globally harmonized minimum cross-sectoral transparency standard for [chemicals of concern] in materials and products to ensure that reliable [and understandable] information on chemicals throughout material and product life cycles, [including at the waste stage], is available, and is publicly accessible via a global database to enable informed decisions and sound management of chemicals and waste in a clean circular economy.]

[Target B3 – [By [20XX] [2030]], [[Governments] [and relevant] [stakeholders to generate]] [require the generation of] [robust]] data on production [and consumption] of chemicals, releases and emissions of chemicals and waste to the environment [based on lifecycle approach] and [gender and age disaggregated on] [concentrations of chemicals in humans][, burden of human disease], biota, and environmental media is generated and [made] [publicly] available [at regional and global [all] levels] [and harmonized research protocols are developed and used to [promote] [ensure] coherence and comparability of this data].]

Target B4- By 20xx [all] stakeholders have [and are using] appropriate and [[standardized] tools], guidelines and best available practices, [and standardized tools] [harmonized research protocols], for [risk] assessments and sound management [of production and marketing] [of chemicals], as well as for the prevention of harm, risk reduction, [monitoring] and enforcement [as per national capabilities].

Target B5- By 20XX [gender responsive] educational, training and public awareness programmes on chemical safety, sustainability, safer alternatives and benefit of [reducing chemicals and waste risks] [chemicals] have been developed and implemented. [Access to training on chemical risk prevention and clinical environmental toxicology]

Target B6- By [20XX], all [governments] [countries] [have] [should adopt] [legally] implemented [and enforce] the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS) in all relevant sectors [as appropriate for their national circumstances].

[New Target BX- [Comprehensive data and information on the concentrations of chemicals in humans, impact on human health and routes of exposure disaggregated by age, gender, and region, are generated, made available and accessible.]]

[Target C1 - Processes and programs of work including timelines are established, adopted and implemented

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<sup>10</sup> While the group agreed that target 7 and alt 7 should be retained, the exact wording within the target had not yet been discussed or agreed.



for identified issues of concern to reduce and eliminate harm.]<sup>11</sup>

[Target D1 – [By 2030], Companies consistently [invest in and achieve innovations] [innovate] toward advancing [green] [eco-friendly] and sustainable chemistry, [cleaner production], [resource efficiency] and the deployment of life cycle management approaches for chemicals.]

Target D2 –[By 20XX][2030], [Countries][governments] implement policies that encourage [production using [more] sustainable [approaches] and [safe(r)] alternatives [with less risk for health and environment] including [cleaner production technologies]][best available techniques] [green and sustainable chemistry][and sustainable procurement] [and facilitate re-use and recycling of [toxic free] products [(circular economy)][and to make them available and accessible to the extent possible]].

Target D3 - By 2030, private sector, including from the investment sector, incorporate strategies and policies to implement the sound management of chemicals [and [their]waste] in their investment approaches and business models and apply internationally- recognized reporting standards.

Target D4.– By 20XX, relevant stakeholders [integrate] [give priority to] sustainable solutions and safer alternatives to harmful substances in products and mixtures, including in consumer products, in their research and innovation programs.

[Target D5 – By 2030, Governments implement policies and programmes to increase support to [safer and more sustainable] [and] [non-chemical] alternatives [including agroecology [amongst other approaches [as appropriate]] to [start replacing the] [replace the [chemicals or groups of chemicals of global and regional concern including highly]] [most harmful] [hazardous] pesticides.]

[Alt D5. By 2030, governments implement policies to increase support for integrated pest management to appropriately manage [domestic] pest pressures including judicious use of pesticides if needed.]

Target D6 - By 20xx, sustainable chemical and waste management strategies have been developed and implemented for major economic sectors [with intense chemical use], which identify priority chemicals of concern, standards and measures to reduce [hazardous] chemical [input and footprint] [impact] along the value chains.

[Target D7 – [As for] [By 20XX,] [Governments] [Countries and industries] [and [companies] [employers]] [implement measures to] ensure effective occupational health and safety [practices] [systems] as well as environmental protection measures in [all relevant sectors] [the chemicals sectors] and throughout the supply chain.]

[Target D8 – By xx, minimum [requirements] [criteria] for third-party/private [sector]/non-governmental standards, labels and certification schemes are defined [, implemented,] and reviewed on an ongoing basis[.] [, potential for harmonization is explored and adherence increased and applied by private sector [and monitored by governments and other stakeholders]].]

[Target E1 – Policies for sound management of chemicals [and [their] waste] are integrated into local, national [and] regional development strategies.]

[Alt E1. By 2030 governments have mainstreamed the sound management of chemicals and waste through implementation in all relevant national sectoral plans, [economic budgeting processes,] development assistance policies and programmes.]

[Target E2 – [By 2030] Partnerships [financial mechanisms] and networks amongst sectors and stakeholders are strengthened to achieve the sound management of chemicals [and waste].]

Target E3. [Predictable and sustainable new] Financial [and non-financial] resources needed to achieve [support] the sound management of chemicals [and [their] waste] are identified, [and] mobilized [, and increased by at least XXX amount per year according to our common but differentiated responsibilities, [to address national needs and realities]] in all sectors by and for all stakeholders.

[Target E4- [Opportunities to further countries implementation of chemicals and waste are routinely] [[Funding] Gaps between developed and developing countries [in] [for the] the [implementation [and financial support for] [of]] sound management of chemicals [and [their] waste] are] identified [and narrowed] [rationalized considering the need for capacity building].]

[Target E5. By [2030], [governments][relevant stakeholders] [have implemented and enforce adequate] [are securing funding for national chemicals management, including through] [and globally coordinated] cost recovery mechanisms [to contribute to internalizing costs of the sound management of chemicals and waste,

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<sup>11</sup>For Target C1, the exact wording within the target has not yet been discussed or agreed to be retained.

[through different approaches to extended producer responsibility][and polluter pays principle]].]

[Target E6 – [By 20XX policies for sound management for chemicals and waste are integrated into key sectoral policies] All stakeholders identify and strengthen synergies and linkages between chemicals [and] [waste] and other environmental, health and societal [and labour] priorities, such as climate change, biodiversity, human rights, universal health coverage and primary health care.]

## **VI. Mechanisms to support implementation**

### **A. Implementation Programmes<sup>12</sup> (exact placement to be determined)**

1. The Conference may adopt Implementation Programmes to support actions to achieve the strategic objectives and targets of the instrument. Participation in the Programmes should be open to all relevant stakeholders. The Conference [may] [should] adopt the mandates, terms of reference and work plans for the Implementation Programmes. The Conference may also establish ad hoc working groups for each Programme to guide its implementation and mobilize stakeholder commitment. While closely linked, each Implementation Programme should have its own focus and engage relevant sectors and stakeholders.

### **B. National implementation**

2. 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 inter-ministerial 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.
3. Each government should designate a national focal point to facilitate communication and coordination at the national, regional, and international levels with respect to the [sound management of chemicals and wastes] [beyond 2020 instrument]<sup>13</sup>. The national focal point should, among other duties, disseminate information, develop a network or a mechanism to coordinate national views that includes consultations with all relevant sectors and stakeholders, attend meetings, and be representative of the country's inter-ministerial or inter-institutional arrangements, where such arrangements exist.
4. 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.
5. Governments may develop a national plan of action or programme in consultation with other stakeholders to further implementation efforts at the national level. Such plan or programme may be used to support its reporting under this Section on the progress made during the reporting period, keeping in mind that such plans or programs are tailored to national actions and measures and should not be duplicative of existing arrangements or other reporting efforts.
6. All stakeholders should undertake actions to promote progress on the implementation of the strategic objectives and targets.

### **C. [International and] Regional cooperation and coordination**

7. Priorities and capacities for implementation vary among regions according to their different economic and other circumstances.
8. International, regional, 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.
9. 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.
10. Regions are encouraged, where appropriate:
  - To identify common priorities,
  - To develop regional implementation plans for the sound management of chemicals and waste, and to consider regional or sub-regional approaches and projects, and
  - To appoint a regional focal point.

<sup>12</sup> Consideration of resolution text on the implementation and focus of Programmes to be taken into consideration for the agenda at ICCM5.

<sup>13</sup> This bracket goes to scope of the instrument and is to be addressed at the next meeting of the IP process.

11. 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 engagement**

12. 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<sup>14</sup>.
13. At the national level, governments, as appropriate, should undertake, in accordance with their laws, regulations, policies, and priorities, 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 urge complementary action by relevant stakeholders.<sup>15</sup>
14. Relevant regional conventions, programmes, Centres, bodies and processes, such as health, labour and environmental ministerial forums, are invited to support and augment such national efforts, fostering coordination and cooperation.<sup>16</sup>
15. To contribute actively to the implementation of this instrument, the IOMC should continue to promote broad engagement and coordination of the policies, work programmes, and activities of relevant intergovernmental organisations, further strengthening international cooperation and multi-sectoral engagement in the sound management of chemical and waste.
16. The enhanced efforts of all relevant sectors and stakeholders should include increased or improved: (1) actions by members of individual sectors and stakeholders, (2) collaboration between and among key sectoral and stakeholder groups, (3) multi-stakeholder and multi-sector dialogue throughout the implementation of this instrument, and (4) contributions, as appropriate, to achieve the shared vision as well as the objective and targets of this instrument.
17. [The public sector] [All stakeholders], including health and care services, is invited to enhance its contribution to the sound management of chemicals and waste, through safe and sustainable chemicals and waste policies, contracts, and practices in workplaces and communities, and through procurement policies that prioritise protective practices.
18. The involvement of industry and the private sector throughout the value chain needs to be significantly enhanced under this 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.
19. Industry and the private sector [is invited to] [should] undertake due diligence to ensure that [high] [[ILO] [international] standards of health and safety in the management of chemicals and waste are put in place and [adhered to] [verified] throughout their value chains and that it acts to [protect and] respect human [rights][health].
20. Stakeholders [should] [are invited to] set out their future actions to implement this instrument in workplans, road maps, milestones, pledges, [an international code of conduct of chemicals and waste management] or other appropriate commitments [such as financial resources] and should contain a clear definition of the roles and responsibilities of the sector and/or stakeholder, 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.
21. The health sector has a critical role and unique expertise to contribute to the sound management of chemicals and waste and to promote health and wellbeing. Stakeholders are encouraged to use the WHO Chemicals Road Map, as appropriate, as a tool to facilitate cross-sectoral collaboration and to identify concrete actions that can be contributed by the health sector towards the achievement of the strategic objectives of the

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<sup>14</sup> There is a common understanding that the issue of scope has yet to be agreed and will have implications for the term “waste” throughout section VI.

<sup>15</sup> Similarities between this paragraph and paragraph 1 in Section B on National Implementation have been noted and may require further consideration to avoid duplication.

<sup>16</sup> Consideration to be given as to the similarities between this paragraph and Section C on International, Regional, and sub-Regional Cooperation and Coordination.

instrument.

22. [The sound management of chemicals and waste in the world of work is essential for protecting workers, communities and the environment. A safe and healthy working environment is a fundamental principle and right at work, therefore all workers should be protected from hazardous chemicals and waste, along the entire supply chain. Workplace measures and policies, including the ratification and implementation of relevant International Labour Standards, should be integrated in chemicals and waste management efforts.]

## **VII. [Alt 1. Issues of [International][Global] Concern / Alt 2. Priority Issues for International Action] (exact placement to be determined)**

### **A. Definition**

1. An issue of concern is an issue involving any phase in the life cycle of chemicals [and waste<sup>7</sup>] which has not yet been generally recognized, is insufficiently addressed or arises [as a potential concern] from the current level of scientific information which may have [significant] adverse effects on human health and/or the environment [and requiring international action] [or which accelerates the uptake of innovative and sustainable solutions for the sound management of chemicals].

### **B. Nomination, selection, and adoption of Issues**

2. To nominate an issue, the nominating stakeholder should submit the information laid out in Part 1 of Annex A.
3. In accordance with Part II of Annex A, nominations will be reviewed by the Secretariat and circulated to all stakeholders.
4. Nominations will be considered by the Conference at its regular meetings.
5. The Conference should:
  - a. select and adopt [Issues of Concern] [Priority Issues for International Action] by a resolution of the Conference. If several issues are nominated, the Conference, when considering nominations, may choose to prioritise the issues [that are most important to protect human health and the environment and where the most progress can be made under this instrument, taking into account the precautionary approach, as appropriate];
  - b. establish an ad hoc multi-stakeholder working group for each issue, unless decided otherwise by the Conference. The Conference should consider whether specific sector engagement should be encouraged and the potential for lead organisations and/or contributing stakeholders for the work (see Annex A, Part I, para. I (i));
  - c. identify, where possible, specific activities or actions and related timelines for each issue adopted that the Conference believes likely to contribute to the success of the work under this issue and instrument based on the submission of information and recommend consideration of such activities or actions and related timelines to the ad hoc multi-stakeholder working group; and
  - d. carefully consider, when identifying the proposed deadline, the information provided in the submission of information, in particular in any proposed workplan (see Annex A, Part I, para. I (h)).
6. The ad hoc multi-stakeholder working groups are to:
  - a. develop, if not already available, a workplan to achieve the proposed timelines for action agreed to by the Conference. Such workplan should include targets and indicators specific to each issue to allow for results to be assessed. If the submitted information includes a workplan, the ad hoc multi-stakeholder working groups may, as needed, further refine such workplan;
  - b. encourage effective implementation of the workplan by stakeholders;
  - c. coordinate, as appropriate, with other relevant bodies to maximize efforts to achieve the proposed timelines for action established by the Conference and to avoid duplication of work;
  - d. [monitor and] report on progress to the Conference at regular intervals, taking into account any targets or indicators present in the workplan; and
  - e. make recommendations, as needed, for further consideration by the Conference

### **C. Mechanisms for implementation**

7. Workplans to guide implementation of issues of concern are addressed in Part III of Annex A.

8. The ad hoc multi-stakeholder working groups, with support of the secretariat, should oversee monitoring and reporting back from stakeholders and encourage implementation of the workplan through regular reports on progress to meetings of the Conference and periodic reviews within intersessional periods, as identified in the workplan or as requested by the Conference.
9. The International Conference may determine the need for further work on an issue based on a full explanation of the rationale and recommendations on a way forward, including options on how to reach the defined targets for the Issue of Concern, provided by the ad hoc multi-stakeholder working group, with support by the secretariat, following the progress evaluation of the activities carried out in accordance with the workplan for the Issue of Concern.
10. The Conference may decide to conclude work on a particular issue.

## VIII. Capacity building

1. [To support implementation efforts and build capacity, the secretariat facilitates, upon request by a government, voluntary [peer] reviews.]
2. [[The [governing body] shall mandate] the Secretariat should [to create a technical expert group, to expedite the establishment of] [establish] an online Capacity Building platform that enables stakeholders that lack capacity to achieve the SAICM objectives, to request support. The Capacity Building platform will serve as a matchmaking tool to connect the capacity needs to the most suitable provider(s) for building capacity assistance, including in-kind and financially.]
3. [The Capacity Building Platform should serve as a global platform open for all SAICM stakeholders to identify concrete projects serving SAICM objectives, mobilize dedicated external funds and human resources, facilitate [for] knowledge generation and sharing in support of Strategic Objective B and developing cooperation and partnership[, thereby strengthening private sector involvement (by funding projects and/or providing in-kind technical [and technological] expertise)].]
4. [Many stakeholders are in urgent need of financial assistance, capacity building and transfer of technology enabling them to address the ever increasing challenge on the sound management of chemicals. To this end, establishment of data bank could play an important role between suppliers and recipients. Amongst others, the data bank could contribute to the followings:
  - a) All stakeholders have the right to provide their needs and request technical and capacity building assistance and transfer of technology,
  - b) identifying the needs of developing countries upon request,
  - c) Identifying suppliers that are (in a position to do so) to provide necessary assistance,
  - d) Secretariat would compile the information by the recipient and suppliers of the identified needs and assistance and would make them available to all stakeholders and sections in an online platform.
  - e) Identifying the gaps in addressing the financial and technical needs of developing countries]

**ALT** *The text below (paragraphs 2 to 8) is intended to replace paragraphs 2, 3 and 4 above as well as article IX: Financial considerations-1. Integrated approach to financing-2.*

2. [Certain stakeholders would benefit from increased financial assistance, capacity building and transfer of technology enabling them to address the increasing challenge on the sound management of chemicals and waste. To this end, the establishment of an online [matching/support] platform could play an important role between suppliers and recipients.
3. The online [matching/support] platform should serve as a global, transparent, central matchmaking tool to connect the non-financial and/or financial capacity to the most suitable provider(s) for building capacity assistance, and/or for identifying possible sources of financing for concrete projects to implement the Beyond 2020 framework/instrument.
4. The Beyond 2020 Secretariat/IOMC/UNEP should facilitate the creation and management of the online (matching/support) platform.
5. The platform allows proposing, identifying and tracking concrete projects, as well as mobilizing dedicated external funds, technological expertise and human resources, facilitating knowledge generation and sharing in support of the Beyond 2020 Strategic Objectives.
6. Amongst others, the online (matching/support) platform could contribute to the following:
  - a) Facilitating requests for technical and capacity building assistance, and transfer of technology

- b) Identifying projects of developing countries / countries with economies in transition, and other stakeholders as appropriate
  - c) Identifying suppliers/donors volunteering to provide necessary assistance, technological expertise and/or financial support to specified projects
  - d) Identifying and promoting funding opportunities and calls for applications of projects at global level
  - e) Identifying the gaps and overlaps in addressing the financial and technical needs of developing countries
  - f) Tracking and reporting progress in the implementation of projects to support the monitoring of progress of the Beyond 2020 framework/instrument.
  - g) Identifying gaps and replicable best practices and projects for other regions
  - h) Ensuring transparency and efficiency for all actors
  - i) Making available the results, outputs and outcomes of projects to all.
7. All stakeholders have the right to submit their project proposals and request technical and capacity building assistance, or offer financial and non-financial support.
  8. The Beyond 2020 secretariat / IOMC / UNEP would compile the information provided by the recipient and suppliers of the identified needs and assistance and would make them available to all stakeholders and sections in an online platform.]

## **IX. Financial considerations**

[[A fundamental element for the sound management of chemicals and wastes is the need to develop, implement and enforce basic national legislative and policy frameworks, including designating the responsibilities of industry and the wider business community, and to have the necessary national institutional capacity in order to avoid it becoming a] [Production, consumption and sound disposal of chemicals at the end of their useful life create] financial burden on governments and society.]

Adequate, predictable and sustainable financing, technical assistance, capacity building, and technology transfer on mutually agreed terms, are essential to achieve the objectives and targets of the Strategic Approach and the sound management of chemicals and waste beyond 2020, [and the [related] goals and targets of the 2030 Agenda for Sustainable Development] [and beyond]. The participation of representatives of all involved stakeholders and sectors at national, regional and international levels should be ensured in the integrated approach to financing for the sound management of chemicals and waste.

### **1. Integrated approach to financing**

1. [The implementation of the integrated approach to financing for the sound management of chemicals and waste is important for the implementation of the instrument, which was designed and agreed as a long-term contribution beyond 2020, in particular in developing countries and countries with economies in transition. It [continues to be essential] [contributes] to the achievement to the 2030 agenda and contribute to reducing the widening gap in national capacities in addressing the sound management of chemicals and waste through financial and technical support. Multi sectoral support for and participation in all three components of this integrated approach should be promoted and encouraged in national, regional and at international levels]
2. A clearinghouse mechanism [should] [could] be established [under the Secretariat of (the agreement)] [by stakeholders] to provide information on resource mobilization and possible sources of financing for the sound management of chemicals and waste [for other stakeholders.]
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 should take steps to implement the 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 [in accordance with their national laws, regulations and/or] policy priorities] to promote further mainstreaming of the sound management of chemicals and waste in national

development plans, domestic budgets and relevant sector policies [including] [to facilitate access to funding for national priorities in relation to chemicals and waste] [in particular for developing countries] [and countries with economies in transition.] [For [countries in need] [developing countries and countries with economies in transition], the mainstreaming of [their national] [sound management of] chemicals and waste [management] [priorities] into [the] [their] development planning processes [and in national development or sustainable development plans] for funding [as part of official development assistance] [should become a priority that] [may] [will] [should] increase their access to funding for national priorities in relation to chemicals and waste.]

ALT 6 [Governments should implement actions [in accordance with their national laws, regulations and/or] policy priorities] to promote further mainstreaming of the sound management of chemicals and waste in national development plans, domestic budgets and relevant sector policies [including] [to facilitate access to funding for national priorities in relation to chemicals and waste] [in particular for developing countries] [and countries with economies in transition.] [For developing countries and countries with economies in transition, the mainstreaming of their national chemicals and wastes priorities into the development planning processes for official development assistance funding will increase their access to significant funding for national chemicals and wastes priorities.]]

7. [[Developed] [Countries] [Governments] [Governments of developed countries] should strive to mainstream the sound management of chemicals and waste into their development [aid] [assistance programmes and] priorities.] [They should also promote the mainstreaming in activities and programmes of international organisations they are members of, including the provision of appropriate budget and human resources needed for strengthening cooperation and coordination amongst stakeholders.]
8. International, regional and national financial institutions and their governing bodies, as well as private sector and investors are strongly encouraged to also expressly integrate sound management of chemicals and waste activities in the scope of activities they fund.

## **B. Private-sector involvement**

9. The private sector throughout the value chain should increase [its efforts to internalize costs, as well as increase] its and financial [and non-financial] contributions to the implementation of the sound management of chemicals and waste in order to avoid, or where not possible, mitigate their impacts on the [health, human rights, and the environment] [environment, [human rights] and on [human] health], [by covering the costs attached to their impacts] [and is [strongly encouraged to be] held liable for contributing to pollution.] [especially in developing countries and countries with economies in transition.] [These contributions [(eg. through agreed levies)] should seek to finance [further reduction in the [risk] [use] of harmful [and hazardous] chemicals in the value chain], [[among others, [data generation and data sharing,] 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 [by the responsible party when is clear]]].
  10. Governments should, [according to their national circumstances], further [facilitate] [operationalize] [facilitate the operationalizing] the private sector component of the integrated approach[through actions, legislation, and appropriate economic instruments], [[including [through clarifying] the [respective] responsibilities of industry and national administration; [levies and taxes]; [the provision of incentives for the sound management of chemicals and waste]; and the promotion of measures by industry [to internalise costs]] to further implement [the precautionary[ principle][approach],] [the polluter pays [principle] [approach]] [and approaches such as] extended producer responsibility.]
- ALT10 [Governments should in legislation define the responsibilities of the public and private sectors and enforce and monitor compliance as well as ensure cost recovery measures at the national level to fund the administrative process of providing and maintaining systems for governing the marketing of chemicals at the national level, to further implement the precautionary and the polluter pays principle.]
11. [[The private sector] [should] [[[In line with the three components of the integrated approach to financing,] [private sector] [while going beyond its legal obligations] to commit] [to support] [supporting]] the Beyond 2020 objectives and targets of sound management of chemicals and waste by providing] [provide] [investment and in-kind] [financial and non-financial] contributions,] including to implement the GHS globally and [through fees paid to support domestic chemicals [and waste] management schemes,] [including enforcement,] data generation, data sharing, partnerships, and capacity building. 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 [and waste] regulatory requirements [[and] [including relevant elements of] occupational safety and health] in jurisdictions around

the globe.]]

ALT 11 [The private sector should support the Beyond 2020 objectives and targets of sound management of chemicals and waste by providing contributions, including enforcement of the GHS globally, data generation, data sharing, partnerships, and capacity building. Private sector to further advance the sound management of chemicals and waste through commitments to innovation, training, safety and sustainability initiatives as well as compliance with chemical and waste regulatory requirements and including relevant elements of occupational safety and health in jurisdictions around the globe.]

12. Invites the [public and private] financial sector [and the multilateral development banks] to develop policies, and guidance [within its own sector] and recommendations [in their operation] for investments to minimize economic risks associated with unsound chemicals [and waste] management, with the goal to facilitate investment flows towards safer chemicals [and waste] management [[projects] [in order to reduce risk of chemicals and chemical footprint [and their externalities]] along the whole value chain], including through the development of sustainability-centered loan and sustainable financing criteria for the financial sector engaged with companies [and projects] in the chemicals value chain and waste sector.

### **C. Dedicated external financing**

13. [Stakeholders should [seek to] [strive to] [commit to] [secure funds] [to] [by] [[further] [strengthen] [strengthening] the component of dedicated external financing] [for all stakeholders], including from development assistance [and] innovative donor sources, which can be facilitated by mainstreaming [the sound management of chemicals and waste] at the national level.]

13*Bis* [Governments agree to develop a mechanism instituting a globally coordinated fee of [0.05%] [0.5%] on the sales of a limited number of basic chemicals (or chemical feedstocks). Governments agree to allocate the proceeds of this globally coordinated fee to the international fund mentioned in paragraph 13]

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

14*Bis* [A fund, directly accessible by all stakeholders, is established under the secretariat to support capacity of developing countries and countries with economies in transition for swift implementation of the new instrument for the sound management of chemicals and waste.]

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

16. [[Recognizing the ever-increasing needs of developing countries for funding sources] Donors should [further strengthen the component of] [continue to] [provide] [sufficient] 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 [a new international fund] [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 Management].]

17. [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.]

## **2. Establishment of and engagement in multisectoral partnerships**

18. 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.

## **3. Financing the secretariat**

19. 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, private sector, and all other stakeholders.

20. [Before the start of each year the Secretariat invites each government 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.]



21. All stakeholders support the work of the Secretariat by voluntarily contributing financial and in-kind resources, as appropriate, including but not limited to:

a) voluntary financial contributions;

in-kind resources, such as secondment as appropriate, and sector related work of the secretariat;

hosting meetings, sector participation at meetings, support for production and dissemination of outputs of the beyond 2020 instrument.

Where possible, the contributions are defined at the beginning of the budget cycle by an agreement between the respective organization and the Secretariat.

*21Bis* [Before the start of the budget cycle, the Secretariat provides all stakeholders via their focal points with a list of areas where stakeholders are encouraged to make financial and in-kind contributions. At the end of budget cycle, the Secretariat makes all contributions provided publicly available]

## **X. Institutional arrangements**

### **A. International conference [on Chemicals Management]**

1. In considering this instrument and its implementation, the functions of the international conference will be:

(i) To adopt its rules of procedure<sup>17</sup>;

(ii) To oversee implementation, review progress to address gaps at the national, regional, and international levels, and to take [appropriate] action;

(iii) To promote the implementation of existing international instruments and programmes on chemicals and waste;

(iv) To promote cooperation [and synergies] among international instruments and programmes on chemicals and waste;

(v) To promote the strengthening of national chemicals and waste management capacities;

(vi) To promote, enhance and support participation by and interaction among stakeholders and sectors in the international conference and in the programme of work;

(vii) To promote awareness, including based on scientific information, regarding new developments and trends, and to identify and communicate links to sustainable development;

(viii) To set priorities for the programme of work informed by scientific information;

(ix) To consider relevant outcomes from the work of the independent intergovernmental science policy panel that is the subject of UNEA resolution 5/8, once it is established;

(x) To invite, as appropriate, the panel to provide [scientific information and assessments] [inputs on specific issues of concern adopted by the international Conference] [invite the panel to undertake work for the international Conference] for consideration by the Conference;

(xi) To determine processes to guide appropriate science-based [approaches/action] on issues of [international] concern<sup>18</sup>;

(xii) To provide guidance to the secretariat and to stakeholders on implementation;

(xiii) To establish subsidiary bodies as it finds necessary in accordance with the rules of procedure;

(xiv) To facilitate the mobilization [and allocation] of sustainable financial and technical resources [and development and transfer of technology under voluntary and mutually agreed terms] for the operation and implementation of the instrument<sup>19</sup>;

ALT (xiv) 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;]

(xv) To receive reports from all relevant stakeholders on progress of implementation [, to assess overall progress] [to assess overall progress [of implementation] based on information from relevant

<sup>17</sup> This sub-paragraph was agreed to by TG2 during its discussion on Section VI on Measures to Support Implementation.

<sup>18</sup> There is agreement to return to this sub-paragraph after discussing issues of concern.

<sup>19</sup> Sub-paragraphs (xi) and ALT (xi) has been referred to TG3 on Finance and Capacity-Building on August 29, 2022 for resolution.

stakeholders] and to disseminate information as appropriate<sup>20</sup>;

- (xvi) To evaluate implementation of activities and review progress against the objectives and targets and update the programme of work as appropriate with a view to achieving the vision.
  - (xvii) [To decide to convene a high-level segment for multisectoral and multistakeholder discussion.]
2. [The international conference should invite stakeholders from the environment, health, labour and agriculture sectors involved in chemicals management and safety issues, as well as strengthening financial support for developing countries and countries with economies in transition to attend to the meeting.]
  3. [The international conference should design its agenda with sufficient space that allows meaningful discussions of priorities, gaps and implementation issues faced by different sectors.]
  4. The international conference will meet every second year, unless it decides otherwise.
  5. 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**

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 instrument.]
- [ALT1. The international conference should have a Bureau in accordance with the rules of procedure of the international conference. The Bureau should reflect the multistakeholder and multi-sectoral nature of the instrument, and should reflect due regard to the principle of equitable geographical representation and to gender balance, as well as to representation from different sectors among government representatives, subject to the relevant rules of procedure.]

## **C. Secretariat<sup>21</sup>**

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) 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 instrument.

## **XI. Taking stock of progress**

1. All stakeholders are invited to report to the International Conference, through the Secretariat, on the

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<sup>20</sup> There is agreement to return to this sub-paragraph after discussing Section G on reporting.

<sup>21</sup> This section C on the Secretariat was in the mandate for consideration by TG2; however, TG2 did not have time to consider it at IP4. This text remains unchanged from IP3 and was not in the mandate of VWG2.

implementation efforts and the progress of indicators and milestones, and contributions to implement the instrument in meeting the strategic objectives and their associated targets toward the vision. By doing so, stakeholders can identify successful outcomes, as well as any gaps or challenges, drive opportunities for scaling up and improvement, share information, and assess the need for enhanced implementation efforts, and, if necessary, further prioritize their engagement and activities.

2. Reporting processes<sup>22</sup> should occur regularly and sufficiently often, as decided by the international conference, to provide for the effective assessment of the progress of the instrument in meeting the vision statement.
  3. All stakeholders are encouraged to provide information related to their implementation efforts. Such information should be provided in an organized, transparent and accessible online tool, consistent with any guidance or template provided by the international conference. Such information may also include reporting on voluntary commitments, as well as pledges or similar activities.
- 3*Bis* The Secretariat prepares a compilation of the reports received for presentation to the International Conference and to the public in a form that helps visualization of the progress of the instrument in a communicable manner.
4. The instrument invites the sharing of data and information from complementary reporting processes of relevant agreements, initiatives, and the IOMC and other organizations in order to take into consideration, as appropriate, any linkages with such agreements, initiatives, or organizations and to minimize the reporting burden for all stakeholders, as well as to avoid duplicative effort.
  5. Responsible organizations may be invited by the International Conference to analyze progress against the targets and strategic objectives through impacts indicators of the instrument and report to the International Conference. The secretariat may invite stakeholders to provide supplementary information and collate and forward relevant information to responsible organizations for evaluation. Stakeholders are encouraged to provide supplementary information to the secretariat when invited to do so.
  6. The overall effectiveness of the instrument should be independently evaluated in accordance with terms of reference to be agreed to by the international conference. This overall evaluation should take place as decided by the international conference.
  7. [A [measurability structure] at Annex C illustrates the different categories of indicators that may be used to track progress and impact of the instrument.]

## **XII. Revising and updating the framework<sup>23</sup>**

1. The international conference may consider initiating a process to update or revise the instrument after taking into account: the assessment of the information and data called for from all stakeholders under Section XI: Taking Stock of Progress and the results of the periodic evaluations called for by the international conference to review the overall effectiveness of the instrument.
2. Such updates or revisions may be proposed by any government and will require formal adoption by the international conference. The text of any proposed update or revision shall be communicated to all stakeholders and focal points by the Secretariat at least six months in advance of the international conference.

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<sup>22</sup> It is important to note that the timeframes for the reporting and the assessment of information and data provided in Section XI and updating process in Section XII will need to be harmonized.

<sup>23</sup> Still to consider text on updating annexes dynamically.

# **ANNEX A [Alt 1. Issues of [International][Global] Concern / Alt 2. Priority Issues for International Action ]**

## **Part I. Submission of Information**

1. To nominate an issue, the following information should be provided:
  - a. Why the instrument is best placed to advance the issue;
  - b. Impacts on human health and/or the environment related to the issue, taking into account vulnerable and at risk populations (especially women, children, youth and workers), biodiversity, ecosystems and [any] [accessible] [available] toxicological, ecotoxicological, [environmental fate and behaviour,] and exposure data;
  - c. How the issue is integral to the vision, is ongoing, and needs to be addressed to enhance basic chemicals and [associated] waste management and/or advance the implementation of innovative and sustainable solutions, particularly taking into account specific national circumstances;
  - d. How addressing the issue can assist countries to meet the Sustainable Development Goals;
  - e. Extent to which the issue is of a cross-cutting nature including at the sectoral level;
  - f. Extent to which the issue is being addressed by other bodies, at the regional or international level, and how the proposed action to address the issue is related to, complements, or does not duplicate such effort;
  - g. Summary of existing knowledge, relevant past activities, scientific uncertainties, and gaps in understanding or action;
  - h. A workplan, including potential targets, indicators and timelines for implementation of the proposed issue; and
  - i. Identification of potential lead organisation(s) and opportunities for multi-stakeholder and multi- sectoral engagement.

## **Part II. Nominations**

### **(i) Nomination of issues**

2. The process for nominating issues is open to any stakeholder. The nomination procedure will be made available on the website.
3. To promote communication about the nomination:
  - a. Nominations should be submitted to the secretariat no later than six months prior to a meeting of the Conference;

Nominations should be communicated by the secretariat to all stakeholders, including to all Focal Points; and

Regions may wish to add the subject to relevant regional meeting agendas.

### **(ii) Initial review and publication of nominations**

4. The secretariat will check nominations for completeness with the aim of assisting proponents in their nominations, if possible. Proponents should be contacted to provide missing or additional information. The secretariat will compile a list of nominations, annotated with a summary of information from the submission. Similar nominations will be clustered so that similar issues can be considered in together, as appropriate and relevant.
5. An invitation to all stakeholders to provide comments will be issued by the secretariat prior to the session of the Conference at which they will be considered. Comments received from stakeholders on the nominations will be made publicly available by the secretariat.
6. The proponents of an issue will have an opportunity to revise their nomination to take into account comments or to clarify information provided and to work with other proponents to consolidate nominations that may be similar or complementary.
7. The secretariat [will invite further comments on the revised nominations and] [make available the] nominations [, annotated with a summary of information]. The secretariat will make [available the] [nominations] and the comments provided by stakeholders publicly available at least six weeks in advance

of the international conference.

### **Part III. Workplans**

8. Implementation of actions to address issues is guided by a work plan with clear timelines and milestones.
9. All stakeholders [in a position to do so] are encouraged to take the necessary actions and/or provide [required] funding and necessary assistance towards the implementation of the workplan.

## **ANNEX B Principles and approaches**

- 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 Chemicals Convention, 1990 (No. 170) and Prevention of Major Industrial Accidents Convention, 1993 (No. 174);
  - (vii) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1992);
  - (viii) Montreal Protocol on Substances that Deplete the Ozone Layer (1989).
- m. General Assembly Resolution on the human right to a clean, healthy and sustainable environment (A/RES/76/300)
- n. Beijing Declaration and Platform for Action (1995)
- o. Conclusions of the Sixtieth Session of the Commission on the Status of Women (2016)
- p. Convention on the Elimination of All Forms of Discrimination Against Women (1979)
- q. WHO Chemicals Road Map (2017)
- r. [Addis Ababa Action Agenda of the Third International Conference on Financing for Development (A/RES/69/313)]
  - [Additional resources/references:
    - a. All ILO Fundamental Conventions, including Occupational Safety and Health Convention, 1981 (No. 155) and Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and all other relevant international labour standards pertaining to health and safety in the area of chemicals and waste;
    - b. ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all (2015);
    - c. ILO Tripartite declaration of principles concerning multinational enterprises and social policy (MNE Declaration) (2017);
    - d. UN Human Rights Council (2016) A/HRC/33/41: Report on the rights of the child and hazardous substances and wastes. World Health Organization (2006) Principles for Evaluating Health Risks in Children Associated with Exposure to Chemicals. Geneva, Switzerland, World Health Organization]]

**[ANNEX C Measurability structure]**

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