VWG on Governance

Canadian input on sections G and H

[G.  Mechanisms for taking stock of progress

General Comments on Mechanisms for taking stock on progress

- Effective mechanisms for taking stock on progress will be critical to ensure the effective implementation of SAICM beyond 2020. Any chosen mechanisms should be inclusive, transparent and impartial to ensure they are credible.
- Further clarity is needed in section G on how the assessment of progress is to be achieved. The mechanism needs to be simplified and clearly identify what are the inputs (e.g., information from all stakeholders on their implementation and progress) and the outputs (e.g., secretariat compilation and analysis of the information and development of a report for the ICCM; and the report and stakeholder inputs made publicly accessible).
- In particular, it seems that two separate but related processes are being proposed – a collective review of progress (paras 4-6) and a country by country ‘periodic review process’ (paras 7-11). Canada does not support the proposed “periodic review process” that would see a ‘periodic review working group’ reviewing progress of each and every country every 3-4 years. This would be a significant and resource-intensive undertaking that would divert a large portion of scarce resources away from actual implementation.
- Rather than creating formalized reporting structures or new reporting requirements that can be a challenge for existing capacities, divert resources away from implementation, or create duplication of existing international reporting mechanisms, a practicable and accessible mechanism is needed for all stakeholders to provide information on progress towards meeting the objectives/ targets/ milestones.
- The current wording of section G seems to emphasize government reporting as a key means of taking stock of progress; however, all stakeholders have contributions to make, and therefore information on implementation and progress should be requested of all stakeholders.
- With regard to governments, while reporting can be an effective means to assess progress, minimizing the reporting burden would be key to ensure effective and consistent reporting by governments. To date the reporting rates have been low.
- Reducing the reporting burden could be also be achieved through including data and information available through complementary processes (as noted in para G.12.b) before the information is requested from governments to help ensure that reporting requests do not duplicate info already available.
- Reporting should reflect both the incremental and cumulative nature of progress (eg. Stakeholders should not have to resubmit the same information they have

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1 Elements that have been inserted in this section have been taken from Document SAICM/IP.3/5/Corr.1 that was prepared by the co-chairs for IP3 but was not discussed in detail. This section was inserted upon consultation with the Bureau.
already provided in previous reports), and take into account that the nature of progress will differ depending on the starting point and the type of stakeholder (industry, government, civil society, etc).

- Reporting should be tightly focused on the overall vision as well as the specific objectives and targets identified in the SAICM beyond 2020 plan so that the necessary information is collected in a useable format.

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

Para 1a. Support the addition of “vision” as proposed by UNEP on the VWG call.

2. The international conference will:
   a. Receive [reports][information] from all relevant stakeholders on progress in implementation and to disseminate information as appropriate;
   b. Evaluate and report on the implementation of programmes that are fulfilling the vision with a view to reviewing progress against the objectives, targets and milestones and updating the programme of work as necessary.

Comment (suggested alternate text are in red font):
- Paragraph 2.a – We suggest replacing “reports” with “information”
  Receive [reports][information] from all relevant stakeholders on progress in implementation and to disseminate information as appropriate;

Rationale: “Report” has connotations of a formalized structure or format, so we suggest using a more neutral, flexible term (information could be provided through surveys for example). Also “information” on progress is consistent with language used in paragraphs 4 and 5 below.

3. The secretariat will:
   a. Report to the international conference on implementation by all stakeholders [and progress on [against] objectives and targets].

The last sentence in paragraph 3a. relates to the proposed ‘periodic review process’. Canada is concerned that the process outlined would require a great deal of resources – resources that would be better used for implementation - and therefore suggests this text be removed.

4. Stakeholders should make available data and information that allows for a review of progress toward achieving the overall vision and the objectives and targets.

5. Data and information from stakeholders should be compiled, analysed and reports [a report] developed by the Secretariat, with assistance from a panel or body of experts (to be created if deemed needed), and tabled to the international conference. [Reports could take into consideration
linkages across relevant agreements and initiatives, for the purpose of complementing chemicals and waste multilateral treaties and other relevant instruments and initiatives.]

6. [These reports] The progress report and all stakeholder input should also be made available to stakeholders in a timely fashion to facilitate discussion and allow for adaptation and response to any [issues of concern] [challenges], and for effective review, evaluation or updating of the approach.

Paras 5&6: Proposed changes to clarify that the output of each review would be one report on the collective progress of all stakeholders toward the vision, objectives and targets.

Para 5: It is not clear what is intended by the bracketed sentence [“Reports could take into consideration linkages across relevant agreements and initiatives, for the purpose of complementing chemicals and waste multilateral treaties and other relevant instruments and initiatives.”]. We suggest removal.

[7. Government stakeholders should prepare a national implementation report which describes progress on [a national implementation plan and] work on achieving the overall vision and the objectives and targets.

8. Discussion of the national report on country implementation of the agreement should include information from UN agencies and stakeholders.

9. An outcome report should be prepared by a periodic review working group in cooperation with the secretariat which summarizes the discussion including responses from the country under review along with recommendations for implementation.

10. These reports should be made publicly available to facilitate discussion, review, evaluation and further implementation of the approach.

11. Each country should be reviewed once every three or four years.]

Paragraphs 7-11: As previously noted, Canada is concerned that the “periodic review process” outlined would require a great deal of resources – resources that would be better used for implementation - and therefore suggest this text be removed.

12. Reporting processes [must] [should]:

a. Occur regularly and at such a frequency to ensure collected data may be analysed and useful reports delivered to facilitate trend identification, evaluation against targets and milestones, and to assess overall programmatic performance (for example, every 4 years).

   (i) Progress against key targets [and indicators] should be measured every [X] years and presented in a report to the international conference as should any report on activities, staffing and budget of the Secretariat.
   (ii) Progress against targets should be measured every [x] years and presented in a report to the international conference along with any suggested recommendations to address identified gaps.
   (iii) All strategic objectives could be reviewed on a rotational basis so that the entirety of the Approach is reviewed within a [x] year period (10 years?).
b. Minimize reporting burden through leveraging data and information obtained through complementary processes, for example reporting required for Basel, and Stockholm Conventions, by relevant agreements and/or IOMC organizations [as appropriate].

c. Be useful and allowing for ad hoc review of activities, particularly for the purpose of amending or updating to better align with global chemicals and waste management trends and advancements or to respond to emerging policy issues.

d. Be inclusive of all identified sectors and stakeholders, including reporting against voluntarily-established targets, milestones or pledges from civil society organizations (CSOs) and industry (and or other stakeholder reporting processes).

Comments (suggested alternate text are in red font):

- With regard to the frequency of reporting suggested in subpara 12.a, Canada believes the focus should be on implementation, not reporting/reviews and that 4 years would be too frequent. Noting that Minamata’s first EE review comes 6 years after entry into force and periodically thereafter at intervals to be decided by the COP. See Article 22.

- Sub-paragraphs 12.a(i) to (iii) should be removed. To avoid prescriptive requirements that can be burdensome and difficult to meet without knowing the extent of the information (e.g., amount, level of detail, etc.) to be received from all stakeholders, we recommend flexibility with respect to development of the reports, by removing these sub-paragraphs.

- Sub-paragraph 12.b should avoid singling out any particular multilateral environmental agreement. Suggest removing the names of particular MEAs. Furthermore, it is important to recognize the independent nature of these agreements and organizations (i.e. they have their own governing bodies and review processes) so there are limitations on how their information can be used, hence addition of “as appropriate”, so the new text becomes: [Minimize reporting burden through leveraging data and information obtained through complementary processes, for example reporting required by relevant agreements and/or IOMC organizations, as appropriate.]

- Suggest removal of subpara 12.c: The ability of the conference to call for ad hoc progress reports/reviews is already covered in para 13 below. Similarly, the use of the progress reports as an input for possible updates is already addressed in para 6 above.

13. The international conference may decide to carry out reviews as needed of the effectiveness of specific areas of action.

14. The overall effectiveness should also be evaluated after sufficient time has elapsed, linked to a timeline for overall renewal or strategic review, possible at the same time as the review of the 2030 Agenda for Sustainable Development.]

[H. Mechanism for updating the framework]

General Comment:

2 Elements that have been inserted in this section have been taken from Document SAICM/IP.3/5/Corr.1 that was prepared by the co-chairs for IP3 but was not discussed in detail. This section was inserted upon consultation with the Bureau.
- Given the rapid pace of change in today’s world, it is important that mechanisms are in place to allow the SAICM beyond 2020 plan to remain up-to-date, responsive to changing needs and relevant in the management of chemicals and waste internationally.
- Canada has concerns that the proposed process may be too onerous and inflexible to meet these needs.

1. A process for updating sections or the totality of the Beyond 2020 framework shall be initiated by the international conference triggered through the adoption of a resolution calling for an updating process. [This shall occur when there is a need to keep pace with changes and needs in global chemicals and waste management.]

Comment (suggested alternate text are in red font):
- Paragraph 1 – The last sentence seems unnecessary, and should be removed. The new text becomes:

[A process for updating sections or the totality of the Beyond 2020 framework shall be initiated by the international conference triggered through the adoption of a resolution calling for an updating process.]

(i) The process for updating must take into consideration reporting, reviewing and evaluation processes and timelines, and must include, as necessary, recommendations of which specific sections of the agreement should or must be retained, amended, eliminated or updated.

(ii) The international conference may create a mechanism such as a working group, monitoring body, or intersessional process, or another mechanism as appropriate, for the purpose of developing recommendations and options including timelines for implementation for updating.

(iii) The mechanism will be empowered through delegated authority by the international conference to direct the Secretariat or any subsidiary body or working group to undertake work in support of its mandate.

(iv) Amendments may also be proposed by any government stakeholder and will require formal adoption by the international conference.

(v) The text of any proposed amendment shall be communicated to all international conference stakeholders and focal points by the secretariat allowing for sufficient time for review and consultation.

(vi) The budget for the mechanism will be provided for via the operational budget adopted by the international conference.]