Co-facilitators’ Proposed Draft for Section G: Mechanisms for Taking Stock of Progress
in response to the open discussion of the VWG held on 5 November 2020 and
stakeholder submissions received by 15 November 2020

3 December 2020

KEY

- Italics – Text in italics represents the context and the co-facilitators’ presentation of the paragraph.

- Normal font – represents the proposal from the co-facilitators, based on the compilation text, the 5 November meeting of the Virtual Working Group (VWG), and the submissions received by 15 November through the request for electronic input.

- X. The paragraph numbering remains true to the paragraph numbering in the compilation text. New, additional, or reorganized proposals appear as “bis” paragraphs with annotations in the text for transparency purposes.

- The informal headers at the beginning of each paragraph in **bold and italics** have been inserted by the co-facilitators to help guide the discussion and the review of the proposal by the VWG.

- The suite of bullets (●) at the end of the document include a number of the “bigger” ideas from the electronic input for potential consideration by the VWG.

**Paragraph 1 – the “goal” of the stakeholder reporting**

*There is general agreement that the goal of this section is to assess the progress of the instrument in meeting the vision statement. In order to do so, it is highly desirable to have all stakeholders report on their implementation efforts in meeting the agreed strategic objectives and their associated targets, taking into account the indicators and milestones. A well-designed mechanism, building on meaningful and measurable indicators, should form the backbone of such a process.*

Paragraph 1 clearly lays out the goal, as well as noting that through such reporting, stakeholders can identify where there has been a positive or successful outcome, as well as opportunities for improvement. Information should be shared, and further assessment can also be done to determine the need for enhanced implementation efforts, and, if necessary, provide support for priority-setting.

1. “All stakeholders are encouraged to contribute to the assessment of the progress of the instrument in meeting the vision statement by providing information on their implementation efforts to meet the strategic objectives and their associated targets, taking into account the indicators and milestones. By doing so, stakeholders can identify successful outcomes and drive opportunities for improvement, share information, and assess the need for enhanced implementation efforts, and, if necessary, further prioritize their engagement and activities.”

**Paragraphs 2 and 3 – the “what” and the “focus” of the stakeholder reporting**

*In the 5 November VWG discussion and in many of the submissions, it was noted that Paragraph 2 is related to the activities of the ICCM and therefore text is not needed in this section to direct what the conference will do. That text would rightly reside in that section of the text (Section A). However, others provided further edits to this section. Therefore, the co-facilitators have provided below an option for consideration*
by the VWG to have a general reference to the main activities of the ICCM (evaluation of the information) in this section designed to ensure that the relationship between the ICCM and the reporting function is clear without providing direction to the ICCM.

It was also noted that Paragraph 3 is related to the activities of the Secretariat and therefore text is not needed in this section to direct what the Secretariat will do. That text would rightly reside in that section of the text (Section C). However, as with the international conference, others provided further edits to this section. Therefore, the co-facilitators have provided below an option for consideration by the VWG to have a general reference to the main functions of the Secretariat (compilation and dissemination of the information) in this section designed to ensure that the relationship between the Secretariat and the reporting function is clear.

The inclusion of paragraphs 2 and 3 are options for consideration by the VWG; the VWG should be prepared to discuss whether it would like them. Please note that the co-facilitators have reversed the order of references to the ICCM and the Secretariat for purposes of correctly sequencing the responsibilities of the stakeholders.

In paragraph 2, the emphasis on what information should be provided was shared by all, with many also noting the importance of transparency and the organization and uniformity of the information for its assessment.

2. All stakeholders should provide information related to their implementation efforts to the Secretariat for its compilation, analysis, and report development/dissemination in an organized, transparent, and uniform manner in accordance with the agreed strategic objectives and targets, taking into account the indicators and milestones, to ensure that information from all relevant sectors and stakeholders can be included and assessed. Such information may also include reporting on voluntary targets or milestones as well as pledges or similar activities from civil society organizations, industry, and other stakeholders.

Paragraph 3 also addresses the expressed need for the information to be focused such that the international conference can provide the necessary assessment, including with respect to any gaps. In addition, a number of stakeholders noted that it is important that the information provided be both available and able to be shared.

3. The information provided should focus on efforts to implement the agreed strategic objectives and targets, taking into account the indicators and milestones, to allow the international conference to

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1 In the OEWG submission to the IP from which this text was taken, the following task was assigned in this section to the international conference. The co-facilitators, however, believe this responsibility should be assigned in Section C to the Secretariat and propose that this footnote be included with a reference to Section C. The VWG is requested to be prepared to agree on whether “Receive reports from all relevant stakeholders on progress in implementation and to disseminate information as appropriate” is a duty of the Secretariat or the international conference.

2 The VWG notes the need to ensure in Section C that the Secretariat is tasked with reporting to the international conference on the progress of the instrument in attaining the strategic objectives and targets. That task would include the compilation, analysis, and development, as well as dissemination, of a report for the international conference.

3 The VWG notes the need to ensure in Section A that the international conference is tasked with evaluating and reporting on the implementation of programmes that are fulfilling the vision with a view to reviewing progress on the strategic objectives and targets, and updating the programme of work as necessary.
assess the progress in fulfilling the vision in a comprehensive manner. Stakeholder data and information should be made available and be able to be shared publicly to allow for a comprehensive and cooperative review of the overall progress in achieving the vision, strategic objectives, and targets, as well as to propose recommendations to address any identified gaps.

**Paragraph 3bis – the idea of a periodic or multi-stakeholder review committee**

The majority of the submissions and the 5 November discussion did not support the concept of a periodic or multi-stakeholder review of the efforts of individual stakeholders or a group of stakeholders (either by sector or by region). In particular, there were concerns that such a review process may impose undue institutional burdens, especially on developing countries, and cause potential diversion of budgetary resources at the expense of the implementation of beyond 2020 objectives and targets and the promotion of the environmentally sound management of chemicals and waste at the international level. The VWG should be prepared to discuss the need for such a review process. Should the VWG decide such a process is needed or desired, a proposal that includes the creation of such a review process and a description of its functions would need to be developed. In this context, consideration could also be given to voluntary peer review.

To the extent that different paragraphs of this section previously included elements related to the concept of periodic reviews, those elements have been placed below in (a) through (d) for ease of reference in case this concept is further developed, and annotated in their original placement. Additional aspects of such a periodic or multi-stakeholder review process from the request for electronic input have also been included in (d) and (e) below.

There were also some questions related to whether this periodic review was the same as the overall evaluation of the effectiveness of the instrument, as was recently done by an independent evaluator. The concept of periodic reviews is distinct and different from the overall evaluation of the effectiveness of the instrument which is raised in paragraph 14 and are more like the country reviews that are conducted by the OECD, for example.

3bis.

(a) Institutional arrangements for taking stock of progress on the sound management of chemicals and waste should include a periodic review process facilitated by the secretariat.

(b) [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.] [The review committee should consist of representatives from governments and other stakeholders to review progress reports and, in cooperation with the Secretariat, create an outcome document that summarizes implementation progress, comments from countries under review, and outline recommendations.]

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

(d) 4[Each country should be reviewed once every three or four years.] [Every third year evaluate each country for its progress in fulfilling the national implementation plan. Countries are grouped and

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4 As this issue is considered, it is important to note that the timeframes for the reporting and the assessment of information and data provided in Section G and updating process in Section H will need to be harmonized and therefore should be discussed together.
reviewed according to reporting cycles, and recommendations are formulated for the next three-year cycle of work.]

(e) Every third year evaluate progress on Issues of Concern and recommend changes to the programmes of work if necessary.

**Paragraph 4 – part of the “what” of the stakeholder reporting**

The text from previous paragraph 4 is now included in paragraph 2 above.

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.

**Paragraph 5 – part of the “focus” of the stakeholder reporting**

Much of the first part of the sentence of paragraph 5 is now included above in para. 3. The second part of the first sentence refers to the possible creation of a panel or body of experts to help the Secretariat with the compilation, analysis, and development of the reports to be presented to the international conference. The VWG should be prepared to discuss the need for the creation of such a panel or body of experts. Should the VWG decide such a panel or body of experts is needed, a proposal that includes the creation of such a body and a description of its functions would need to be developed.

5. Data and information from stakeholders should be compiled, analyzed and reports 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.

**Paragraph 5bis – capitalize on other efforts and avoid duplicative reporting/minimize burden**

The second sentence of paragraph 5 references the opportunity to consider linkages to other relevant agreements and initiatives. This is an issue that many submissions noted as being very important, both to capitalize on those efforts and to avoid duplicative reporting efforts. It was also noted that it will be important for this other information and data to be incorporated into the reporting format or reporting process before stakeholders, particularly government stakeholders with other reporting responsibilities, provide information into this instrument. This issue is now addressed in a revised 5bis proposed by the co-facilitators.

5bis Reports could In order to take into consideration and linkages with other across relevant agreements and initiatives, as well as to minimize the burden for all stakeholders, data and information obtained through complementary reporting processes, such as those in other relevant agreements and initiatives and by IOMC organizations, as appropriate, should be incorporated into the reporting process for this instrument. for the purpose of complementing chemicals and waste multilateral treaties and other relevant instruments and initiatives.
Paragraphs 6-11 – the details of who does what and where they fit

A number of stakeholders found that the following paragraphs were either confusing or not necessary as they either stated information that was obvious or not relevant for this section. The co-facilitators have attempted to express the views below and to capture the overall sentiment of the submissions and views expressed.

Paragraph 6 has several parts:

- With respect to “These reports should also be made available to stakeholders in a timely fashion to facilitate discussion,” it was noted that there will be an agreed schedule to produce, review, revise, and finalize the reports and therefore it was not necessary to include this step in the Beyond 2020 instrument.
- With respect to “and allow for adaptation and response to any issues of concern,” it is noted that the reporting function will not provide the response to any issues of concern and therefore this sentiment is misplaced in this paragraph.
- With respect to “and for effective review, evaluation or updating of the approach,” the prevailing view is that conveying the appropriate intent to provide an “effective review and evaluation” is already covered in paragraphs 1 and 2 and that any “updating” of the instrument is best addressed in either Section H on Updating the Instrument or in Section A on the International Conference, but not in Section G.

6. These reports 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, and for effective review, evaluation or updating of the approach.

With respect to paragraphs 7 and 8, a number of stakeholders expressed that the development of national implementation plans and what should be in the national implementation plans do not belong in this section on reporting as that information is already in Section B on National Implementation. The co-facilitators agree with this view.

Although the co-facilitators do not consider this necessary, if there is concern that a government that has created a national action plan might not take that plan into account in its reporting efforts under this section or give due consideration to information from relevant international sources, the VWG might consider whether adding “including, if relevant, actions taken as a result of any national action plan as well as pertinent information from relevant international organizations, such as UN agencies [, or other stakeholders],” to the first sentence of paragraph 2 above.

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.

Paragraph 9 relates to the proposed, but not yet agreed to, periodic review process. The co-facilitators have therefore moved the content of this paragraph to 3bis, which is where the periodic reviews process is presented for discussion.
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.

Paragraph 10 also relates to the proposed, but not yet agreed to, periodic review process. The co-facilitators have therefore moved the content of this paragraph to 3bis, which is where the periodic reviews process is presented for discussion.

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

Paragraph 11 also relates to the proposed, but not yet agreed to, periodic review process. The co-facilitators have therefore moved the content of this paragraph to 3bis, which is where the periodic reviews process is presented for discussion.

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

**Paragraph 12 – How often? What gets measured? All at once or a rotating schedule?**

Paragraph 12 lays out a number of the key questions for consideration by the VWG at the December 3rd meeting, including whether there should be one reporting process that occurs simultaneously for all stakeholders or whether the reporting process should include key targets that would be reviewed on a separate schedule, as well as whether there should be a rotating schedule of review for the strategic objectives. Participants will want to consider the frequency, depth, and methods for measurement of indicators of progress as well as the cost and benefits of doing so. In order to encourage discussion and to hear the full range of views, the co-facilitators have not yet provided any further suggestions to the compilation text here.

12. Reporting processes must:

   a. Occur regularly and at such a frequency to ensure collected data may be analyzed 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 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?).

Sub-para b. has already been incorporated into paragraph 5 above.

   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.

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As this issue is considered, it is important to note that the timeframes for the reporting and the assessment of information and data provided in Section G and updating process in Section H will need to be harmonized and therefore should be discussed together.
Sub-para c has several parts:

- With respect to the opening phrase of “Be useful”, the prevailing view is that this is not text that would appropriate to include in the text of the beyond 2020 instrument as it would be up to the international conference to adjust if it was not useful.
- With respect to the ”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,” the prevailing view is that updating or aligning the instrument is best addressed in either Section H on Updating the Instrument or in Section A on the International Conference, but not in Section G. A footnote has been inserted to ensure that should the VWG agree that there should be an ad hoc or periodic review group, these linkages are not lost.
- With respect to “or to respond to emerging policy issues,” the prevailing view is that while the reporting process may identify gaps or needs, the reporting function will not provide the response to emerging policy issues.

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.

Sub-para d. has already been incorporated into paragraph 2 above.

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).

Paragraph 13 – needs further discussion to determine intent and direction

It is clear from the submissions that there is some confusion with respect to whether paragraph 13 belongs under or is already redundant with the section on institutional arrangements, whether is related to the periodic reviews considered by paragraph 3bis or the overall effectiveness evaluation referred to in paragraph 14, or whether it is a stand-alone statement based on the evaluation of the reporting by the international conference. The VWG should be prepared to discuss the intent of paragraph 13 to determine next steps.

13. Taking into account the reports compiled and developed/disseminated by the Secretariat and evaluated by the international conference, the international conference may decide to carry out reviews as needed of the effectiveness of specific areas of action.

Paragraph 14 – overall assessment of the effectiveness of the instrument

There is general agreement that the overall effectiveness of the instrument should be assessed and that the international conference is the right body to make such a decision. There is no agreement on the timing of such an evaluation and therefore will need further consideration by the VWG. One stakeholder noted the need to mindful of the timing between this effectiveness review and the frequency of the meetings of the international conference. Another noted that the Minamata Convention’s first review did not come until 6

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6 Should the VWG agree that there should be an ad hoc or periodic review group, then the text in sub-para c on “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” should be further considered as a function of that periodic review group and the potential linkages to Sections H and A should be further considered.
years after entry into force and will occur only periodically thereafter at intervals to be decided by the COP.

14. The overall effectiveness of the instrument should also be evaluated, taking into account the reports compiled and developed/disseminated by the Secretariat and evaluated by the international conference. This overall effectiveness evaluation should take place [after sufficient time has elapsed] [linked to a timeline for overall renewal or strategic review] [possibly [in conjunction with] [at the same time as] the review of the 2030 Agenda for Sustainable Development.]

Additional “big” ideas for potential consideration by the VWG

There are also additional ideas that were submitted through the electronic process that the VWG may want to consider. Those additional ideas include:

- Identifying a limited number of key ‘headline’ indicators which can be measured by all countries starting from the adoption of the new framework;

- Initially focusing on globally available data for indicators as many countries will not be able to report against a number of the targets due to lack of data;

- Considering using a model similar to the Biodiversity Indicators Partnerships to show progress and engagement with other frameworks (two requests for considering this dashboard idea);

- Designing an agreed “Reporting Format” for all stakeholders or with identified essential reporting elements for national governments (both with accompanying guidance from the secretariat);

- Taking stock of progress consists of “process monitoring” and “impact evaluation” -- each should be considered separately. Consider hiring a third party to conduct the evaluation as it minimizes burden on stakeholders while ensuring the equitability of the evaluation. Process monitoring would monitor the degree of achievement of targets through indicators toward the strategic objectives, and the impact evaluation would evaluate the overall impacts of the beyond 2020 instrument. Custodians could be designated on an indicator by indicator basis to enable the monitoring within areas of responsibility (e.g., WHO serves as a custodian for health-related indicators, etc.).