VIRTUAL WORKING GROUP ON ISSUES OF CONCERN

REQUEST FOR ELECTRONIC FEEDBACK

The co-facilitators have released a proposal on how to address the existing emerging policy issues and other issues of concern (30 November 2020) based on the submissions received.

Please submit your feedback and proposals to the SAICM Secretariat at saicm.chemicals@un.org, with a copy to delfina.cuglievan@un.org by 21 December 2020.

Please provide electronic feedback as follows:

1) General comments and considerations

2) Section IV - Co-facilitators’ proposal on the way forward for consideration by the VWG

*please try to insert comments in revisions mode below

Section IV - Co-facilitators’ proposal on the way forward for consideration by the VWG

A. Key general considerations in moving forward

i. The emerging policy issues process has been useful in raising profile of issues on the international stage.

ii. There is a need to continue many of the efforts on emerging policy issues and other issues of concern in moving forward and assess current status.

iii. Progress to date has been variable across the issues. There is a need to be flexible so that a decision may be taken on an issue by issue basis (i.e. no blanket decision).

iv. The path forward must stimulate ownership for implementation and action in moving forward for the particular emerging policy issue and / or other issue of concern.

v. The decision-making on the future of the emerging policy issues and other issues of concern will be transparent.

Commented [A1]: We think it is fundamental to keep the brackets throughout the original documents (SAICM/IP.4/2 and SAICM/IP.3/4), inasmuch as the current mandate of the VWGs does not encompass negotiations on the texts under analysis. Suggestions for excluding/including terms or excerpts do not imply removing brackets from the original texts or modifying them at this point, inasmuch as the current mandate of the VWGs does not encompass negotiations on the texts under analysis. For that reason, this type of suggestion only conveys national opinions and preferences about the vocabulary and ideas under discussion. This explanation refers to all similar proposals throughout this document.
vi. The International Conference is the appropriate body to take decisions on the future of the current emerging policy issues and other issues of concern.

B. Proposed approach

i. At ICCM5: The ICCM should agree to an omnibus resolution on the emerging policy issues and other issues of concern that:

   (a) Recognizes the progress on the emerging policy issues and other issues of concern under SAICM to date;

   (b) Highlights any immediate and specific priority actions, as appropriate, to ensure that efforts and momentum continue where necessary and appropriate;

   (c) Sets out a process to determine next steps on the existing emerging policy issues and issues of concern under the beyond 2020 instrument framework / arrangement (see possible options set out in (ii) below).

   (d) Requests the next session of the International Conference [ICCM6] to deliberate on and determine the path forward on the emerging policy issues and other issues of concern in the beyond 2020 instrument framework / arrangement.

ii. Options for the process to determine next steps (see B.i.(c)):

   OPTION 1

   (1) The existing working group for each EPI, led by the responsible IOMC organization, [SAICM stakeholders] will be invited to submit proposals on an emerging policy issue or issue of concern to the secretariat six months before the following session of the International Conference [ICCM6] for consideration at that meeting. The secretariat will make the submissions available on the SAICM web-site.

   (2) The proposals will include: (i) workplans; (ii) proposal for issue-specific goals and indicator(s) in the new instrument framework / arrangement; and / or (iii) review of the emerging policy issue or issue of concern according to the modalities established for the new beyond 2020 instrument framework / arrangement.1

   (3) Should no proposal be submitted, the next International Conference [ICCM6] may decide to discontinue the Emerging Policy Issue or other issues of concern. Should a submitted proposal be deemed insufficient, [ICCM6] may postpone

---

1 We have set out the following three forms, based on the submissions, for discussion with the VWG: (i) workplans; (ii) proposal for specific indicators in the new instrument; and / or (iii) review of the emerging policy issue or other issues of concern according to the criteria/modalities/procedure established for the new beyond 2020 instrument framework / arrangement. We would foresee the need to discuss this in more detail if this option is pursued.
further consideration of the future of the emerging policy issue or other issue of concern to ICCM7.

OPTION 2

(1) Establish a time-bound group for each of the current Emerging Policy Issues and other issues of concern and agree on and submit work plans at least 6 months prior to the following session of the International Conference (ICCM6) (e.g. in the form of a task force or an ad hoc working group) with the purpose of defining relevant objectives and milestones and laying out actions. The main functions would be:

- developing and coordinating the implementation of a workplan, including propose indicators for relevant targets under different Strategic Objectives of the Beyond 2020 instrument;
- coordinating with other subsidiary bodies, IOMC organizations and beyond (e.g. the convention secretariats);
- monitoring and evaluating the progress against the indicators; and
- making recommendations to the ICCM (e.g. completion of the IoC, extension of the time frame of the subsidiary body, elevation of the IoC to other fora).

_____________________

Brazil kindly asks for further clarification on the proposed options, especially option 2, so that we can hold internal consultations on the matter properly. Therefore, we kindly ask the co-facilitators to keep the options under discussion in brackets.

Regarding the general ideas on the way forward, we would like to call attention to possible institutional burdens and obstacles to broad stakeholder participation, as well as a potential diversion of budgetary resources at the expense of the very implementation of the beyond 2020 framework and the promotion of the environmentally sound management of chemical substances and products throughout their life cycle at the international level.

As previously mentioned about option 2, we also take this opportunity to kindly ask for clarification on the nature of those time-bound groups, which institution should be responsible for taking the decision to create them and how they would work in terms of participation, mandate and methodology of work. In this regard, we think the discussions carried out within the VWG on targets, indicators and milestones should be taken into account.