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

The EU and its Member States thank the Co-Facilitators and the SAICM Secretariat for the useful overview and the proposal made to address existing emerging policy issues and other issues of concern. As declared yet in the feedback submitted in November 2020, EU+MS support to carry over all of the current EPI and other IoC to the new instrument, to review them in between ICCM5 and ICCM6, and to develop recommendations on dealing with these issues for consideration by ICCM6. The main tasks of the working groups between ICCM5 and ICCM6 would be, to firstly reflect on whether and how to address an issue within the future framework. If it is chosen to address it as issue of concern further on, the groups should develop recommendations for workplans with time-bound action and responsibilities.

If a steering or working group comes to the conclusion that one of the current issues should not be addressed as an issue of concern within the new framework, it should be invited to provide a rationale therefore and if appropriate, further recommendations in the light of its reasonings.

For sound recommendations, a comprehensive picture on previous and ongoing efforts is necessary. Hence, all stakeholders relevant for tackling one of the existing EPI and other IoC should be invited to be involved in the development of the respective recommendations. The EU+MS are interested in the views of the leading IOMC organizations, in particular. The idea to review the existing EPI and other IoC and if so, align the approaches with the future modalities, i.e. developing time-bound work plans and having regular review processes, should in no case hinder ongoing work or jeopardize achievements made already. If aligning with the future modalities is not seen as a useful way forward for an EPI or IoC,
EU+MS will carefully listen to such concerns as well as to alternative approaches that may be proposed instead. Notwithstanding the above, for some of the EPI and other IoC, there might be good reasons to no longer address them as issues of concern under the future framework. For example, as they are appropriately addressed under the future Target and Indicator approach. EU+MS see this as a task for the review process after ICCM5, with an open outcome.

Furthermore, the eleven issues with emerging evidence of risks identified in the ARIC report published by UNEP in September 2020 following resolution UNEA 4/8 might be considered in the review process as well and be addressed in the omnibus resolution by ICCMS, too. The EU+MS are interested in the thoughts of other stakeholders in this regard, and if and how they may want to address these issues. An option could be, to invite the working groups tasked with the review to also take these eleven issues into consideration and include them into their recommendations, if appropriate. In the omnibus resolution, all stakeholders could be encouraged to consider international reports such as the ARIC report and the GCO-II when nominating an issue of concern. Finally, EU+MS propose to replace the term emerging policy issue with issue of concern for the future, so that the latter term is used for all specific topics with potentially adverse effects on human health or the environment that are adopted according to the Annex B modalities.

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.
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.

The EU+MS agree with the general considerations above.

B. Proposed approach

i. At ICCM5: The ICCM5 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) Welcome the Assessment Report on Issues of Concern made by UNEP following resolution UNEA 4/8;

(d) Sets out a process to determine next steps on the existing emerging policy issues and other issues of concern under the beyond 2020 instrument (see possible options set out in (ii) below);

(e) Encourages stakeholders to consider signals in international reports on issues that may have adverse effects on the environment or humans, in particular the eleven issues with emerging evidence of risks identified in the Global Chemicals Outlook II and the ARIC report, and take it into account for future addressing of issues of concern;

(f) Requests the next session of the International Conference [ICCM6] to deliberate on and determine the path forward in the existing emerging policy issues and other issues of concern in the beyond 2020 instrument according to the modalities established for the new instrument.

EU+MS support the proposed approach under B.1 with the supplements mentioned above. However, we seek further clarification regarding point b as there might be insufficient time at ICCM5 to decide upon priority actions on the current EPI and other IoC to ensure continuation of efforts and momentum.

In case, a science-policy interface is established, it might be considered, too, if relevant, i.e. already in a position to contribute until ICCM6.
ii. **Options for the process to determine next steps (see B.i.(c)):**

**OPTION 1**

1. [The existing working group for each EPI and other issues of concern, led by the responsible IOMC organization,] [SAICM stakeholders] will be invited to **review the progress in addressing the respective issues and submit recommendations on their further addressing under the future framework** to the secretariat **six**\([xx]\) 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 Steering or working groups are invited to take into account signals from international reports which highlight major gaps and challenges as well as opportunities for future sound management actions on current SAICM issues and consider, where relevant, the issues with emerging evidence of risks identified in the GCO-II and the ARIC report in their recommendations for ICCM6.

3. If envisaged to further address an issue as an issue of concern under the new framework, the recommendation will include a time-bound workplan.

4. If envisaged to no longer address the issue as an issue of concern, the recommendation should provide a rationale for, including proposals for alternative measures such as issue-specific targets and indicator(s) in the new framework, where appropriate.

5. ICCM6 decides how to further proceed with the issues on the basis of these reviews, proposals and recommendations.

ICCM5 should establish time-bound working groups, using either the existing structures under the lead of the IOMC or as useful establish new working groups to review and prepare recommendations for further addressing the existing EPI and other IoC as proposals to ICCM6. In this regard, it is of particular importance to hear about the thoughts by the IOMC organisations, their ability to take over these tasks as well as challenges they may see for ongoing work on these issues until ICCM6 or other concerns.

When developing the recommendations for consideration by ICCM6, the working groups should also consider the establishment of working groups for a longer term after ICCM6.

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**Deleted:** (ii) proposal for issue-specific goals and indicator(s) in the new instrument; and / or (iii) review of the emerging policy issue or issue of concern according to the modalities established for the new beyond 2020 instrument.

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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 proposals for 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).

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