



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**.

Submission from the following organizations and stakeholders:

HEJSupport
Swedish Society for Nature Conservation
European Environmental Bureau
Pesticide Action Network
groundWork South Africa
Women Engage for a Common Future
Armenian Women for Health and Healthy Environment
Health and Environmental Alliance
Toxisphera
Center for Environmental Justice and Development
Gretta Goldemann
Denys Pavlovskiy, Chemicals Safety Agency, Ukraine
BUND/Friends of the Earth, Germany
German NGO Forum on Environment and Development

For questions, please contact:

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Johanna Hausmann, WECF: johanna.hausmann@wecf-consultant.org

New text is provided in blue, comments are provided in red.

1) General comments and considerations

x

2) Section IV - Co-facilitators' proposal on the way forward for consideration by the VWG3

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 national and international stages.
- 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.
Agree
- 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).
Agree. Our proposed criteria for triggering elevation of obligations is an example of that.
- 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.
Agree.
National implementation plans in relation to the agreed targets, indicators and milestones are a key feature to ensure governmental commitment and action. Ideally the national implementation plans and reporting on them should be required.
We also support the IPEN suggestion that SAICM must be mainstreamed into the IOMC organizations program of work, so that implementing the issue becomes an obligatory mandate.
- v. The decision-making on the future of the emerging policy issues and other issues of concern will be transparent and inclusive, according to established criteria for IoCs.
It is important that the decision-making process involves all stakeholder to support full ownership.
- 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.
We agree, as long as the International Conference is going to meet every two years. Otherwise OEWG should also be able to take decisions.

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) All issues of concern and emerging policy issues are transferred automatically to the beyond 2020 instrument.
 - (b) Recognizes the progress, or lack of, on the emerging policy issues and other issues of concern under SAICM to date.
 - (c) If evaluations have shown that progress is inadequate, the ambition level must be raised;
 - (d) Highlights any immediate and specific priority actions by all stakeholders, as appropriate, to ensure that efforts and momentum continue where necessary and appropriate;
 - (e) Sets out a process to determine next steps by all stakeholders on the existing emerging policy issues and issues of concern under the beyond 2020 instrument (see possible options set out in (ii) below).
 - (f) Requests the next session of the International Conference [~~ICCM6~~] to deliberate on and ~~determine~~ decide the path forward on the emerging policy issues and other issues of concern in the beyond 2020 instrument.

There should be enough time to discuss the proposed omnibus resolution before ICCM5.

- ii. Options for the process to determine next steps for existing EPIs and IOCs (see B.i.(e e)):

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; and / or (iii) review of the emerging policy issue or issue of concern according to the modalities established for the new beyond 2020 instrument.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. 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

We prefer this Option 2 with our additions that capture some relevant elements from Option 1.

- (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~~ **issue-specific targets**, indicators **and milestones** 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, **according to the modalities established for the new beyond 2020 instrument²**; 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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² The modalities for reviewing existing IoCs, and how the ICCM can/should respond in relation to reviews, need to be clearly established in the text of the successor to SAICM.