



Third meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020

Bangkok, Thailand, 1-4 October 2019

Items 3(b)i and 4(c) of the provisional agenda¹

3(b)i: Reflections on and outcomes of the OEWG3: Co-chairs of the intersessional process to present the papers drafted at the request of the OEWG3

4(c): Development of recommendations for consideration by the fifth session of the Conference regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020: Mechanisms to support implementation

Other mechanisms to support implementation, prepared by the co-chairs of the intersessional process

Note by the secretariat

1. The secretariat has the honour to submit to the intersessional process a paper on addressing issues of concern developed by the co-chairs of the intersessional process on the Strategic Approach and the sound management of chemicals and waste beyond 2020 (see annex). The co-chairs were requested to develop the paper by the third meeting of the Strategic Approach Open-ended Working Group held from 2-4 April 2019 in Montevideo, Uruguay.
2. The document is set out in three parts: (a) appropriate and effective mechanisms for taking stock of progress; (b) mechanisms for capacity-building; and (c) a mechanism for updating the instrument over time. Each part is set out in two relevant sections. Section I provides a proposal from the co-chairs on text for consideration for inclusion in the beyond 2020 framework for each part. Section II sets out the background and considerations behind the proposed text.

¹ SAICM/IP.3/1

3. Participants at this meeting may wish to review the proposed texts and further develop them as an outcome of this third meeting of the intersessional process.

Annex

Other mechanisms to support implementation, prepared by the co-chairs of the intersessional process

Introduction:

The third meeting of the Strategic Approach Open-ended Working Group requested that the Co-Chairs, with support of the secretariat, and in consultation with the Bureau, undertake further work on other mechanisms to support implementation.

In responding to the request, the co-chairs have undertaken a review of the following areas:

1. appropriate and effective mechanisms for taking stock of progress;
2. mechanisms for capacity-building; and
3. a mechanism for updating the instrument over time as identified in SAICM/OEWG3.3/4

The purpose of this paper is to:

- i. Provide proposed text for the definition, criteria and possible modalities for adopting issues of concern. The proposed text is based on lessons learned to date on the implementation of the Strategic Approach emerging policy issues as well as on input received from stakeholders to date (Section I);
- ii. Set out considerations on issues of concern to support implementation of the beyond 2020 objectives (Section II). The considerations provide further background information for participants.

In preparing this paper, the co-chairs have taken into account input received at the seventh meeting of the ICCM5 Bureau held from 9-10 July 2019 in St Petersburg, Russia as well as written inputs received from stakeholders since the third meeting of the Open-ended Working Group.

In reviewing this paper, participants may wish to review the OEWG3 outcome document's strategic objectives and targets.

Part a) Mechanisms for Taking Stock of Progress

Section I: Proposed text for mechanisms to take stock of progress

The purpose of taking stock of progress is to:

- (i) assess progress against the objectives and targets;
- (ii) promote learning, improvement and scale-up for enhanced implementation;
- (iii) support stakeholders to set priorities.

The international conference will:

- Receive reports from all relevant stakeholders on progress in implementation and to disseminate information as appropriate;
- 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.

The secretariat will:

- Report to the international conference on implementation by all stakeholders [and progress on [against] objectives and targets]. Institutional arrangements for taking stock of progress on the sound management of chemicals and waste will include a periodic review process facilitated by the secretariat.

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

Data and information from stakeholders should be compiled, analysed 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. 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.

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.

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.

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

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.

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

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

Reporting processes must:

- 1) 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).
 - a. 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.
 - b. 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
 - c. 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?).
- 2) 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.
- 3) 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.
- 4) 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).

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

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.

Section II: Background and considerations

Desired outcome:

Establish a reporting framework that has the:

- Ability to measure progress being made toward the objectives and targets.
- Ability to use the reports to inform national, regional and international activities, future updates to milestones and targets, as well as evaluation processes or future review of the agreement.
- Ability to generate coherence and avoid duplication with reporting for other chemicals and waste instruments.

CONSIDERATIONS for Appropriate and Effective Mechanisms for Taking Stock of Progress:

Note: This is a thought starter for discussion noting that the targets and milestones have yet to be discussed in any detail. This paper does not reflect the outcome of the indicators workshop hosted by the United Kingdom in September 2019.

Any process for taking stock of progress, including targets, milestones and indicators, should be established with the aim to provide relevant, useful information to inform national, regional, and international activities, and updates and evaluations to any future iteration of SAICM. Every effort to minimize a reporting burden on stakeholders and avoid duplication of work must be taken.

Consistent with the dictum of “what is measured gets done”, and noting that the Strategic Objectives are intended to cover the range of priorities to support achievement of the vision, measurement of progress should be taken against the targets and milestones established under these Strategic Objectives and based on agreed to indicators. 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.

A periodic review system for reporting should be implemented that reports on actions in the National Implementation Plan including comments from stakeholders. An expert panel would review the reports and propose recommendations and countries would come up for review every [X] years. These reports could form the basis of effectiveness evaluation along with assessment of financing, capacity building and other important elements of the agreement.

Certain elements such as progress towards basic chemicals management (such as those in the OOG) may be considered key indicators of progress overall as they form the basis of the capacity for the sound management of chemicals and waste. In other cases, we may need to build capacity before an issue can be measured directly. For example, there are no well-developed tools to measure changes in the long term impacts of exposure to multiple chemicals over a lifetime.

One possible approach would be to agree to a set of key and SMART² targets (linked to the strategic objectives and supported by a limited number of indicators) that are measured and discussed at every ICCM meeting.

Option for consideration:

In addition to key indicators, progress under one strategic objective at a time could get special attention at each ICCM, [starting with A, B, E, C, D] along with any suggested recommendations to address gaps such as revisions to targets, additions to milestones, etc. This could reduce reporting burden while still feeding into any evaluation and proposed amendments to targets and milestones

Additionally, a special review process may be necessary to take stock of the progress of currently identified issues of concern, to determine whether updating or amending existing actions are adequate, and whether the issue is still of relevance.

Input received through the consultation process has suggested that stakeholders want the future SAICM to be proactive (harm prevention and in addressing emerging issues of concern), dynamic and flexible. Regular reporting which provides relevant information is one key to achieving this vision. Therefore, reporting processes should facilitate an evaluation process linked to a timeline for renewal or strategic review of the framework, possibly at the same time as review of Agenda 2030.

Currently, Governments carry the primary responsibility for reporting at the national level. In order to promote the multi-sectorial and multi-stakeholder nature of SAICM, a Beyond 2020 iteration should include reporting from non-Government actors against their pledged milestones, commitments, or roadmaps. In addition to fostering greater/improved participation, reporting from diverse sources would increase the comprehensiveness of the data and information gathered, which in turn could be used to inform policy decisions and evaluations. This undertaking may carry new resource implications, which must be considered.

Lessons Learned from Existing Mechanisms under SAICM (adapted from OEWG report on progress from 2014-2016)

The Independent Evaluation states:

- SAICM has made some progress in developing a monitoring and evaluation framework for assessing progress made towards the 2020 goal. This can be viewed as an evolving process, from the indicators defined within the GPA to the 20 indicators of progress presented at ICCM2, to the most recent OOG comprising the 11 basic elements presented at ICCM4.
- There is a need for outcome and impact focused indicators to complement the existing indicators of progress, i.e. results-based indicators that measure tangible reductions in health and environmental impacts of chemicals use.

Also noted in the draft report of the independent evaluation, the indicators have proved to be user-friendly, simple and straightforward.

Nevertheless, concerns remain regarding the effectiveness of the 20 indicators of progress. The activity-based indicators are subjective by nature and are therefore prone to interpretation by the respondents, which may result in under- or over-reporting of progress. While the online questionnaire collects comprehensive stakeholder data on the indicators, it is long and time-consuming to complete, which is likely to have contributed to the fall in submission rates over the years. Furthermore, several stakeholders started but did not finish the questionnaire. Another challenge is the inconsistency in reporting across countries.

² Specific, Measurable, Attainable, Relevant and time-based

The indicators of progress in their current state do not fully capture new or emerging policy issues. According to the draft report of the independent evaluation, stakeholders have expressed concerns that extending the application of the indicators to emerging policy issues could cause further challenges.

The indicators of progress are comprehensive and thus necessary and useful, yet in their current state they may not be the most effective means of assessing progress toward the sound management of chemicals and waste beyond 2020.

It is important to note that under Agenda 2030, Governments have the primary responsibility for follow-up and review, at the national, regional and global levels, in relation to the progress made in implementing the Goals and targets. In support of monitoring the implementation of Agenda 2030, there is an HLPF meeting every 4 years high-level political guidance on the Agenda and its implementation, identify progress and emerging challenges and mobilize further actions to accelerate implementation as part of the policy review process. There may be lessons learned from this process and possible synergies in reporting on aspects related to chemicals and waste.

Relevant insights from the Global Chemicals Outlook-II

<ul style="list-style-type: none"> - A coherent and results-oriented global indicators and reporting framework is needed. - Beyond 2020 is an opportunity to create linkages across relevant agreements and initiatives. - Of particular value would be a comprehensive framework bringing together and complementing chemicals and waste multilateral treaties and other relevant instruments and initiatives, without interfering in their matters. - An overarching common vision, strategic goals, targets and indicators could provide a common agenda. - Private sector metrics and sustainability reporting could add further value. - Linked to national initiatives, reporting schemes can become simpler, country-driven and linked to global targets and milestones. - A coherent framework would benefit from distinguishing between outputs and impacts. 	<p>Synthesis Report: p. 48, 76-77</p> <p>GCO-II Full report: Part II Ch. 2; Part II Ch. 6; Part V, Ch. 2</p> <p>Options for action: 10</p>
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We recall the following questions that were posed for IP1. All of these questions continue to be relevant since little to no discussion has occurred since IP 1 on how best to measure progress – provided here as a starting point for discussion.

- How can the future Strategic Approach develop measurable targets that support achievement of relevant Sustainable Development Goals? How can the Sustainable Development Goals be used to support the development of concrete measures that lead to reductions in toxic exposures?
- What is the best mechanism(s) or arrangement(s) to measure progress and success for the sound management of chemicals and waste?
- How can synergies with other reporting processes be promoted to avoid duplication and maximize efforts?
- How could reporting become less of a burden and more of an instrument for outlining plans for enhancing chemicals and waste management, as well as for reflection and learning?
- How can reporting measure reduction and elimination of adverse effects on human health and the environment?
- How can the Strategic Approach's measurable objectives developed in support of Agenda 2030 and the Sustainable Development Goals be used to support future evaluations of progress for the sound management of chemicals and waste?
- How can the Strategic Approach assess progress in those dimensions of sustainability (e.g. social impacts and outcomes) that are not easily quantifiable?

Pragmatically:

- Do we still want OOG implementation measured or are these covered well enough under the new strategic objectives and targets which have integrated the OOG basic elements and could potentially be tracked through the development of milestones?
- Could/should there be different mechanisms for reporting for national implementation vs reporting under the targets, including the issues of global concern?
- What frequency of reporting would we like to see and is realistic given response rates to date (avoiding overburdening stakeholders/ finding synergies in reporting requirements)?
- Are there a key set of indicators that we would want to track more frequently?
- What timeframe would we like to see for an overall evaluation of the program?
- What is needed so that the contribution of the Beyond 2020 program to Agenda 2030 can be measured?
- How could this support negotiations of the sustainable development goals before 2030?

Part b) Capacity Building to strengthen the sound management of chemicals and waste**Section I: Proposed text for mechanisms to take stock of progress**

Capacity building measures should support sustained progress that improves the ability of a person, group, organization, or system at the national, regional and international level to strengthen the sound management of chemicals and waste toward the achievement of the strategic objectives of the [Beyond 2020 Approach]. Efforts should be made to foster a “learn by doing approach” applied to a specific situation and context. Capacity building occurs at many levels and involves all relevant stakeholders and sectors, including through:

- partnerships and collaborations at the national and regional level;
 - Country to country via technical cooperation, direct funding or in-kind support;
 - Via regional/sub-regional partnerships and collaboration;
 - Public – private partnerships;
 - Multi-stakeholder and multi-sectoral partnerships;
 - Sectoral collaboration activities;
 - Directly through engagement of academics or other experts or sources of knowledge;
- direct or indirect support from stakeholders
 - At a national level by determining capacity needs and accessing sources of information;
 - from industry, NGOs or other stakeholders;
- leveraging existing and new international collaborative activities
 - IOMC and its participating organisations, leveraging existing programs, activities and institutions;
 - As part of activities under Multilateral Environmental Agreements and relevant intergovernmental and international policy frameworks or forums;
 - Through activities undertaken within the [Strategic Approach] such as participation in work groups on issues of concern, regional meetings, ICCM events, etc.;

Section II: Background and considerations

The purpose and objective of Capacity Building and Technical Cooperation

The overall purpose of capacity building and technology transfer is to enable the achievement of the strategic objectives. This includes supporting institutional strengthening to support Governments [civil society organizations and industry] in their capacity to develop, adopt monitor and enforce policy, legislation and regulations, as well as to gain access to financial and other resources required to increase capacity for the sound management of chemicals and waste.

More specifically, to narrow the widening gap in capacities between developed countries on the one hand and developing countries and countries with economies in transition on the other hand, capacity building and technical cooperation is needed in the following areas:

- a. To increase the capacity for the sound management of chemicals and waste in all countries as needed, especially in developing countries and countries with economies in transition to address the Strategic Objectives and Targets identified and agreed to by the Conference for the Beyond 2020 period, and in particular to address the 11 basic elements of the Overall Orientation and Guidance document endorsed at ICCM4 and reaffirmed at ICCM5 that have been recognized as critical at the national and regional levels to the attainment of sound chemicals and waste management; *[link to Strategic Objective A]*
- b. To support the scientific, technical and policy knowledge and tools necessary to access, understand, analyse and create information related to sound management of chemicals and waste to enable informed decisions and actions; *[link to Strategic Objectives B, C and D]*
- c. To support participation in work to address Issues of concern [that warrant [global] [and] [joint] action] that have been identified, prioritized by the [Strategic Approach] under Strategic Objective C;
- d. To understand the needs of all countries, including especially developing countries, and to adopt sustainable and safer alternatives, including new technology and non-chemical alternatives *[link to Strategic Objective D]*
- e. To establish or strengthen partnerships and mechanisms for technical cooperation and the provision of appropriate and clean technology to and among developing countries and countries with economies in transition *[link to Strategic Objectives D and E]*
- f. To include capacity-building for the sound management of chemicals and waste as a priority in social and economic development strategies, including national sustainable development strategies, poverty reduction strategy papers and country assistance strategies, and to make chemicals an important part of national policy as consistent with *the Integrated Approach to Financing*; *[link to Strategic Objective E]*
- g. To promote coordination of and access to information on capacity-building for the sound management of chemicals and waste for all sectors and stakeholders and to enhance transparency and accountability; *[link to Strategic Objective E]*
- h. To build capacity for multisectoral engagement and look for opportunities to share information, harmonize and leverage efforts of networks in other sectors.

Across all Strategic Objectives

Measures should also take into consideration Sustainable Development Goal Target 17.8 and 17.9 of the 2030 Agenda. 17.8 calls to ensure full operationalization of the “*technological bank and science, technology and innovation capacity-building mechanism for least developed countries by 2017*”. 17.9,

the dedicated target to capacity- building, aims to *"Enhance international support for implementing effective and targeted capacity-building in developing countries to support national plans to implement all the sustainable development goals including relevant chemicals and waste related targets and includes measures through North-South, South-South and triangular cooperation"*. There is a need to promote the awareness of donors, multilateral organizations and other relevant actors of the relevance of chemical safety for poverty reduction and sustainable development. [link to Strategic Objective E]

Capacity-building activities should be diverse and include bilateral and multilateral cooperation, and in-kind as well as financial support. Any new capacity building framework should include a reporting option to promote best practices and highlight efforts from contributors and donors.

Mechanisms for Capacity Building:

Mechanisms for capacity building could include both training of individuals to provide the necessary skills and institutional strengthening in order to support the systematic implementation of the [Strategic Approach] at the local, national [(including integration in national action plans)] and regional levels in a coordinated way and across the full range of chemical safety needs. This can include strategic planning, policy and legislative/regulatory development, risk assessment and management, testing and research and monitoring and enforcement.

Use should be made of information exchange mechanisms on capacity building in order to ensure coordination and maximum capacity to share information. Measures should also be facilitated by relevant agencies of the UN system and other international organizations to support developing countries, especially least developed countries in capacity building for developing resource-efficient and inclusive chemicals and waste management programmes.

Funding

Details on funding remain outside the scope of the co-chairs mandate. Nevertheless, it must be noted that funding courses and mechanisms to support capacity building must be identified and developed.

Relevant insights from the Global Chemicals Outlook –II

<ul style="list-style-type: none"> - National capacity development and action remains a priority. - Countries can save significant resources by aligning their approaches with those of other countries or with internationally agreed guidance. - Cooperation across countries, including at the regional level, can provide important benefits, for example through sharing experiences and lessons learned. - There is significant value in scaling up global knowledge-sharing and capacity development, building on work undertaken by intergovernmental organizations and other stakeholders. - Building on existing work, guidance could be adjusted to support the development or updating of national action plans and to link them further to internationally agreed targets and milestones under a Beyond 2020 approach. - Effective implementation requires adequate financing, technology transfer and technical assistance in line with the integrated approach to financing. 	<p>Synthesis Report: p. 36-39, 45-48</p> <p>GCO-II Full report: Part II, Ch. 3, 6; Part V, Ch. 2</p> <p>Options for action: 1, 2</p>
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Part c) Mechanisms for updating the framework

Section I: Proposed text

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.

- 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.

Section II: Background and considerations

Objectives

The objective of the mechanism will be to encourage a dynamic, flexible and responsive process for authorizing updating of the Beyond 2020 framework, while minimizing administrative and bureaucratic burden on the international conference, the Secretariat, governments and other stakeholders.

Considerations

The Overarching Policy Strategy (OPS) establishes ICCM authority to undertake revisions and updates of SAICM. However, the nature of those updates, and a trigger for initiating an update have not been established.

The lack of an identified trigger to initiate an update leaves ambiguity as to how/ when to commence a process to update the instrument. A natural trigger would be at such time as a comprehensive evaluation has been undertaken and there is sufficient evidence that an update is needed to keep pace with changes and needs in global chemicals and waste management.

There are several policy considerations, however, of critical importance. These include how often the framework should be updated, which elements of the framework should be updated, and who should undertake the updating. Finally, how progress on the updating process will be reported must also be established.

An updating process logically must follow the reporting and evaluation process, given stock must be taken of both how well stakeholders are performing against the current strategic objects, targets and milestones, and where updating of SAICM is needed to keep pace with the changes and needs in global chemicals and waste management. The next logical place would be linked to the Agenda 2030 for Sustainable Development.

As this work is not currently part of the regular work of the ICCM, it is highly likely new expenses outside the current budget will arise and will need to be addressed in any decision to undertake a review.