



## FACT SHEET

# Major highlights of the Intersessional Process regarding SAICM beyond 2020

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### *Introduction*

The Strategic Approach to International Chemicals Management (SAICM) was adopted in 2006 as a global policy framework to promote sound chemicals and waste management. **SAICM's overall objective is the achievement of the sound management of chemicals throughout their life cycle so that by the year 2020, chemicals are produced and used in ways that minimize significant adverse impacts on the environment and human health.**

To assess progress towards this goal and discuss the future of the global chemicals and waste regime beyond 2020, governments set up an Intersessional process (IP) beginning 2017.

At the third meeting of the Intersessional Process (IP3) held in Bangkok, Thailand, 1-4 October 2019, participants, including government representatives, NGOs, private sector, academia and Intergovernmental Organizations continued their discussions on possible elements for a post-2020 platform for international cooperation on the sound management of chemicals and waste. The new global platform will influence the way countries address chemicals and waste issues and develop their chemicals policy beyond 2020. It might combine both voluntary and legally binding approach on sound chemicals and waste management.

The goal for IP3 was to provide input for a “zero draft” of the platform for deliberation at IP4, which is going to be the last IP meeting, scheduled in Bucharest, Romania in March 2020. The “zero draft” will further be considered by the fifth meeting of SAICM’s governing body, the International Conference on Chemicals Management (ICCM) when it convenes in Bonn, Germany, in October 2020.

Canada plays a leading role in the preparation of key documents for the future platform on chemicals and waste for ICCM 5. Canada (represented by Mr. David Morin, Director General, Safe Environments Directorate for Health Canada) is also a Co-Chair of the Intersessional Process. The other Co-Chair of the Intersessional Process is Judith Torres from Uruguay. Another important position in SAICM is the ICCM5 President Gertrud Sahler, representative of the German Ministry of Environment.

### A brief history of Intersessional Processes

An initial exchange of ideas regarding what sort of global platform might be preferable to promote the sound management of chemicals and waste beyond 2020 started at the **first Intersessional Process Meeting (IP1)** held in Brasilia, Brazil, in February 2017. A summary report<sup>1</sup> of the meeting was prepared by the Co-Chairs, with the goal to capture the essence of the statements made aimed at providing ideas for the following main questions:

- What could a future platform for sound management of chemicals and waste beyond 2020 cover?
- How could the sound management of chemicals and waste beyond 2020 be realized?

Stakeholders were encouraged to provide comments to the summary report to elaborate more on the questions raised.

Non-governmental organisations (NGOs) prepared detailed comments<sup>2</sup> to the Co-chairs’ summary report and suggested their vision on the future platform on chemicals and waste beyond 2020. NGOs believe that the vision of the Beyond 2020 Chemical Safety Framework should be long-term and timeless. Global civil society groups have adopted “Toxics-free Future” as their vision for accomplishing SAICM’s goals. This is well understood by the public and similar to the vision of “non-toxic environment” which has been proposed by others. It will be essential to enhance political awareness, commitment and effective implementation at all levels, including the highest levels, in order to meet this vision.

NGOs also suggested an effective long-term objective of the Beyond 2020 Chemical Safety Framework, which aims at achieving the sound management of chemicals and wastes throughout their lifecycle to prevent and minimize adverse impacts on human

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<sup>1</sup> <http://www.saicm.org/Portals/12/documents/meetings/IP1/co-chair-summary/Co-chairs%20summary%20english.pdf>

<sup>2</sup> Comments by a group of NGOs, see <https://hej-support.org/ngo-submission-to-saicm-secretariat/>

health and the environment. NGOs highlighted that the scope of the Beyond 2020 Chemical Safety Framework should maintain the broad scope of SAICM, but also include human rights and wastes as part of the lifecycle.

**Second Intersessional Meeting (IP2)** was held in Stockholm, Sweden, in March 2018. For this meeting the Co-chairs prepared an overview paper<sup>3</sup> that included the elements brought forward at IP1. Participants discussed the six elements of a possible future framework proposed by the Co-Chairs of the intersessional process:

- vision;
- policy principles;
- objectives and milestones;
- implementation arrangements;
- governance; and
- high-level political commitment.

The highest priority topics for IP2 were the following: vision, policy principles, and measurable objectives and milestones. The goal was to have text for consideration by the third meeting of the **Open-ended Working Group** in February 2019.

### **Open-Ended Working Group – OEWG-3**

Between IP2 and IP3 the third meeting of the **Open-ended Working Group - OEWG-3**<sup>4</sup> was held in Montevideo, Uruguay, 2-4 April 2019. The functions of the **OEWG**<sup>5</sup> are to consider the implementation, development and enhancement of SAICM. Participants of the OEWG-3 assessed progress by SAICM toward the global goal of achieving by 2020 the use and production of chemicals in ways that lead to the minimization of significant adverse effects on human health and the environment; and discussed the sound management of chemicals and waste beyond 2020, when the current mandate of the Strategic Approach is due to expire.

At the meeting, IP Co-Chair introduced the IP Co-Chairs' Paper<sup>6</sup> on the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020. He outlined the paper's organization into vision, scope, principles and approaches, strategic objectives and targets, institutional arrangements, mechanisms to support implementation, and financial considerations, with an appendix detailing proposed strategic objectives and targets. He also presented five proposed strategic

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<sup>3</sup> <http://www.saicm.org/Beyond2020/IntersessionalProcess/SecondIntersessionalmeeting/tabid/6193/language/en-US/Default.aspx>

<sup>4</sup> The second session of the International Conference on Chemicals Management in its resolution II/6 established the Open-ended Working Group (OEWG) as a subsidiary body of the Conference. The functions of the OEWG are to consider the implementation, development and enhancement of the Strategic Approach to International Chemicals management <http://www.saicm.org/About/OEWG/tabid/5465/language/en-US/Default.aspx>

<sup>5</sup> <http://www.saicm.org/About/OEWG/OEWG3/tabid/5984/language/en-US/Default.aspx>

<sup>6</sup> SAICM/OEWG.3/4 - Paper by the Co-Chairs of the intersessional process on the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020

objectives and 20 related targets<sup>7</sup> for the successor to SAICM (SAICM 2.0) and possibly for an enhanced enabling framework. He highlighted two areas of divergence:

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<sup>7</sup> Strategic objectives and targets

Targets to support the attainment of each strategic objective are described below.

**Strategic objective A: Measures are identified, implemented and enforced in order to prevent and minimize harm from chemicals throughout their life cycle and waste.<sup>7</sup>**

**Considerations:** Intended to address the need for all countries to have basic capacity, legal frameworks and institutional mechanisms to manage chemicals and waste, including illegal trafficking thereof, and for other stakeholders, such as industry, to also assume their responsibilities to prevent harm from chemicals throughout their life cycle.

**Target A.1:** Countries adopt, implement and enforce legal frameworks that address risk prevention and the reduction of adverse impacts from chemicals throughout their life cycle and waste.<sup>7</sup>

**Target A.2:** Countries have sufficient capacity to address chemicals and waste issues nationally, including appropriate inter-agency coordination and stakeholder participation mechanisms, such as national action plans.

**Target A.3:** Countries are implementing the chemicals and waste-related multilateral environmental agreements, as well as health, labour and other relevant conventions, and voluntary mechanisms such as the Globally Harmonized System of Classification and Labelling of Chemicals.

**Target A.4:** Stakeholders have incorporated the sound management of chemicals throughout their life cycle and waste into their planning, policies and practices, thereby supporting the development and implementation of chemicals management systems and other sector-appropriate mechanisms.

**Target A.5:** Governments and industry ensure that workers are protected from the risks associated with chemicals and waste and that workers have the means to protect themselves.

**Strategic objective B: Comprehensive and sufficient knowledge, data, information and awareness is generated, available and accessible to all to enable informed decisions and actions.**

**Considerations:** Intended to address the need for new information and data to be generated to address gaps and for greater transparency and accessibility, as well as to address the need for training and education to protect all levels of society.

**Target B.1:** Comprehensive data and information for chemicals on the market are available and accessible, including information and data on properties, health and environmental effects, uses, hazard- and risk-assessment results and risk-management measures, monitoring results and regulatory status throughout their life cycle.

**Target B.2:** All stakeholders, in particular industries and regulators, have and are using the most appropriate and standardized tools, guidelines and best practices for assessments and sound management, as well as for the prevention of harm, risk reduction, monitoring and enforcement.

**Target B.3:** Information and standardized methods are available and used to understand the impacts of chemicals and waste for improved burden-of-disease and cost-of-inaction estimates, to inform the advancement of chemical safety measures and to measure progress towards reducing those impacts.

**Target B.4:** Educational, training and public awareness programmes on chemical safety and sustainability have been developed and implemented, including for vulnerable populations, along with worker safety curricula and programmes at all levels.

**Target B.5:** Countries and stakeholders are implementing training on environmentally sound and safer alternatives, as well as on substitutions and the use of safer alternatives, such as agroecology.

**Strategic objective C: Issues of concern that warrant global action are identified, prioritized and addressed.**

**Considerations:** Intended to cover the need to effectively identify, select and address issues of concern that warrant global action. The intention is to cover topics similar in nature to those covered by the Strategic Approach, emerging policy issues and other issues of concern, as well as topics such as managing specific chemicals, the burden of disease and financing. There may be a need to develop and identify the criteria for issues of concern.

**Target C.1:** Programmes of work including timelines are established, adopted and implemented for identified issues of concern.

**Target C.2:** Information on the properties and risk management of chemicals across the supply chain and the chemical contents of products is available to all to enable informed decisions.

**Strategic objective D: Benefits are maximized and risks to human health and the environment are prevented through innovative and sustainable solutions and forward thinking.**

**Considerations:** Intended to cover the ongoing need for innovative thinking and solutions to address current and future aspects of managing chemicals and waste, such as life-cycle management, the circular economy, green and sustainable chemistry, safer alternatives, better recycling technologies and resource efficiency.

**Target D.1:** Companies adopt corporate policies and practices that promote resource efficiency and that incorporate the development, production and use of sustainable and safer alternatives, including new technologies and non-chemical alternatives.

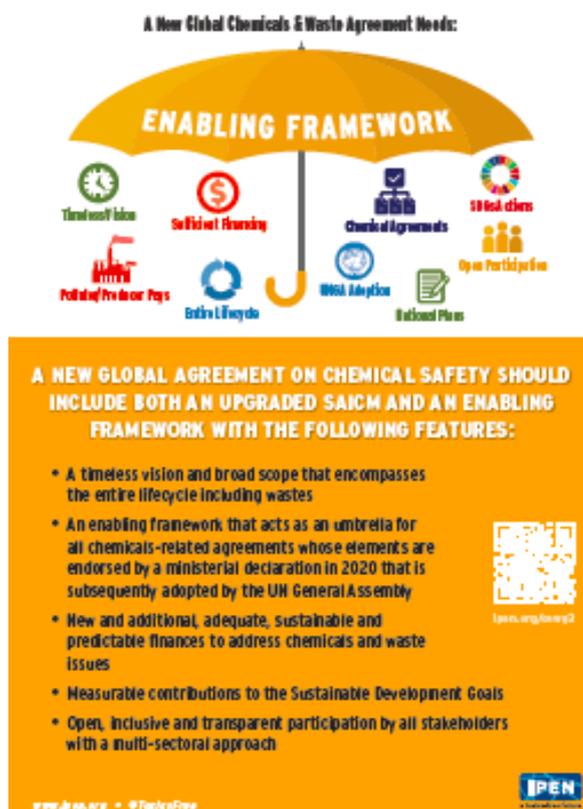
**Target D.2:** Governments implement policies that promote innovation to facilitate the recycling and re-use of products, the adoption of sustainable and safe alternatives, including new technologies and non-chemical alternatives (e.g., the prioritized licensing of reduced-risk alternatives, assessment frameworks, labelling schemes and purchasing policies).

**Target D.3:** Companies, including from the investment sector, incorporate strategies and policies to support the sound management of chemicals and waste in their investment approaches and business models and apply internationally-recognized reporting standards where relevant.

**Target D.4:** Companies apply sustainable production principles and life-cycle management in the design of chemicals, materials and products, taking reduced-risk, design-for-recycling and non-chemical solutions and processes into account.

characterization of wastes that would be covered in a post-2020 framework; and the overall objective, i.e., whether a SAICM 2.0 would be enough or a broader platform is also needed.

At the OEWG-3 the **NGO position**<sup>8</sup> regarding the enabling framework was presented in the form of an infographic<sup>9</sup>.



**Target D.5:** Industry associations promote change towards sustainability and the safe management of waste and of chemicals and consumer products throughout their life cycles, including in sharing information and building the capacity of small and medium-sized enterprises to reduce risks.

**Strategic objective E:** **The importance of the sound management of chemicals and waste to achieve sustainable development is recognized by all, actions are accelerated and necessary partnerships are established to foster interaction among stakeholders and to mobilize resources.**

**Considerations:** Intended to address the need for high-level commitment across sectoral boundaries, to ensure appropriate attention is given and action taken to accelerate progress, and to contribute to the 2030 Agenda for Sustainable Development.

**Target E.1:** The highest levels of stakeholder organizations, including government, industry, civil society and international organizations in all relevant sectors, formally recognize the importance of and commit to action on the sound management of chemicals and waste, and recognize its relevance to sustainable development.

**Target E.2:** Policies and processes for the management of chemicals and waste are integrated into national and regional development strategies.

**Target E.3:** Inter- and intra-sectoral partnerships, networks and collaborative mechanisms are established to mobilize resources, to share information, experiences and lessons learned, and to promote coordinated action at the regional and international levels.

<sup>8</sup> <https://ipen.org/documents/ipen-beyond-2020-perspectives-oewg-3>

<sup>9</sup> <https://ipen.org/conferences/oewg3>

NGOs propose that the future framework should include all chemicals-related multilateral agreements under one high-level umbrella, respecting the legal autonomy of each agreement and allowing for the possibility of future legally binding agreements on issues of concern<sup>10</sup>. The language of the enabling agreement should allow for the possibility of future legally binding agreements on issues of concern<sup>11, 12</sup>.

Key features of the framework should include:

- Greater coherence among objectives, implementation, and reporting;
- High-level political ownership and visibility;
- Full implementation of the chemical safety contributions to the Sustainable Development Goals;
- Links to funded obligatory national action plans for agreements in the framework;
- Open, inclusive and transparent multi-sectoral and multi-stakeholder participation.

The vision of SAICM and the enabling framework should be timeless, include prevention and precaution as priorities, and act to protect human health and the environment. The scope of SAICM2.0 should include the entire lifecycle and all wastes as noted in SDG12.4 which states the importance of achieving *“the environmentally sound management of chemicals and all wastes throughout their lifecycle...”*

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<sup>10</sup> Relevant agreements should include, but are not limited to, Basel, Rotterdam, Stockholm, and Minamata Conventions; SAICM;

FAO Code of Conduct; relevant ILO Conventions, and the International Health Regulations.

<sup>11</sup> <http://www.saicm.org/Implementation/EmergingPolicyIssues>

<sup>12</sup> SAICM Emerging Policy Issues and Issues of Concern include:

- Lead in paint  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/LeadinPaint/tabid/5472/language/en-US/Default.aspx>)
- Chemicals in products  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/ChemicalsInProducts/tabid/5473/language/en-US/Default.aspx>)
- Hazardous substance within the life cycle of electrical and electronic products  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/HazardousElectricals/tabid/5474/language/en-US/Default.aspx>)
- Nanotechnology and manufactured nanomaterials  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/Nanotechnology/tabid/5475/language/en-US/Default.aspx>)
- Endocrine-disrupting chemicals  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/EndocrineDisruptingChemicals/tabid/5476/language/en-US/Default.aspx>)
- Environmentally persistent pharmaceutical pollutants  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/PharmaceuticalPollutants/tabid/5477/language/en-US/Default.aspx>)
- Perfluorinated chemicals and the transition to safer alternatives  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/PerfluorinatedChemicals/tabid/5478/language/en-US/Default.aspx>)
- Highly hazardous pesticides  
(<http://www.saicm.org/Implementation/EmergingPolicyIssues/HighlyHazardousPesticides/tabid/5479/language/en-US/Default.aspx>)

Based on the discussion in Montevideo, the OEWG3 produced a report<sup>13</sup> that formed the basis for the negotiations at the third meeting of the intersessional process (IP3), held on 30 September – 3 October 2019 in Bangkok, Thailand.

### Highlights from the Third Meeting of the Intersessional Process (IP3) for Considering SAICM and the Sound Management of Chemicals and Waste Beyond 2020

At the beginning of IP3, Gertrud Sahler, President of the International Conference on Chemicals Management (ICCM) called for a revitalized SAICM “with higher political attention, an enhanced governance model, and independent scientific support.”

IP Co-Chair David Morin asked participants to take the outcome document from OEWG-3, and develop it further as a complete “zero draft” of recommendations for a post-2020 platform on the sound management of chemicals and waste. The zero draft would then be further negotiated at IP4 in March 2020, in advance of ICCM5 in Bonn, Germany, in October 2020.

For the IP3 meeting the Co-Chairs of the intersessional Process prepared the following documents:

- Other mechanisms to support implementation SAICM/IP.3/5<sup>14</sup>;
- Additional measures to achieve multisectoral engagement SAICM/IP.3/3<sup>15</sup>;
- Issues of concern SAICM/IP.3/4<sup>16</sup>; and,
- Principles and Approaches SAICM/IP.3/6<sup>17</sup>.

The discussion at IP3 was mainly focused on issues not covered by OEWG-3. It means that elements discussed at IP2 and OEWG-3, such as **Vision, Scope, Principles and Approaches** were not discussed at IP3, and are scheduled for IP4 discussion instead.

The four thematic groups were formed to continue the discussion on the following issues:

- A. Targets, Milestones and Indicators (“Targets Group”);
- B. Enhanced Governance and Institutional Arrangements (“Governance Group”);
- C. Mechanisms to Support Implementation (“Implementation Group”);
- D. Financial Considerations (“Finance Group”).

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<sup>13</sup> SAICM/IP.3/INF/1 - Report on the work of the Open-ended Working Group of the International Conference on Chemicals Management at its third meeting;  
<http://www.saicm.org/Beyond2020/IntersessionalProcess/ThirdIntersessionalmeeting/tabid/8024/language/en-US/Default.aspx>

<sup>14</sup>

[http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM\\_IP3\\_5\\_Other\\_mechanisms\\_support\\_implementation.pdf](http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM_IP3_5_Other_mechanisms_support_implementation.pdf)

<sup>15</sup> [http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM\\_IP3\\_3\\_stakeholder\\_engagement.pdf](http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM_IP3_3_stakeholder_engagement.pdf)

<sup>16</sup> [http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM\\_IP3\\_4\\_Addressing\\_issues\\_concern.pdf](http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM_IP3_4_Addressing_issues_concern.pdf)

<sup>17</sup> [http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM\\_IP3\\_6\\_Principles\\_and\\_approaches.pdf](http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM_IP3_6_Principles_and_approaches.pdf)

## Thematic group A: Targets Group

The group mainly focused on targets for the draft Strategic Objectives (see footnote 2), while the Objectives discussed at OEWG3 were not deliberated further at IP3.

Proposed targets C1 and C2<sup>18</sup> on issues of concern were discussed by the Implementation Group and proposed targets E2 and E3<sup>19</sup> were sent to the Finance Group.

It was noted that targets should be:

- specific, measurable, achievable, relevant, and time-based goals;
- impact rather than process-focused; and
- formulated to also work as communications tools.

For the discussion at IP3 NGOs prepared a document entitled **Thought Starter on Beyond 2020 Indicators and Milestones: Chemical Safety Contributions to the SDGs**<sup>20</sup>, which proposed targets, milestones and relevant SDGs for each of the SAICM2.0 objectives. The indicators include key measures from SAICM emerging policy issues and issues of concern. Some of these connect to other multi-lateral environmental agreements, as does the original SAICM agreement. The indicators and their milestones are clearly defined, measurable and quantifiable.

Summarizing the discussion, participants of the Targets Group agreed to set up a multi-stakeholder technical working group with a certain mandate and scope of work. The technical working group<sup>21</sup> will be tasked to:

- Review proposed targets to increase the balance towards impact-oriented ones;
- Make suggestions for a cohesive and coherent target-indicator framework including identification of existing sources of data and data collection, as well as recommendations on a set of high-impact/high-priority targets and associated indicators. These high priority targets should also help communicating messaging under the future instrument, with linkage to the SDGs and identification of potential for commonality of indicators with biodiversity, climate change, health and other relevant areas;
- Prepare fact sheets on the proposed targets, including explanation of the target, guiding questions, indicative list of actions;
- Identify and provide suggestions on the role of milestones and how they can be advanced in the intersessional process.

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<sup>18</sup> **Target C.1:** Programmes of work including timelines are established, adopted and implemented for identified issues of concern. **Target C.2:** Information on the properties and risk management of chemicals across the supply chain and the chemical contents of products is available to all to enable informed decisions.

<sup>19</sup> **Target E.2:** Policies and processes for the management of chemicals and waste are integrated into national and regional development strategies. **Target E.3:** Inter- and intra-sectoral partnerships, networks and collaborative mechanisms are established to mobilize resources, to share information, experiences and lessons learned, and to promote coordinated action at the regional and international levels

<sup>20</sup> <https://ipen.org/documents/beyond-2020-indicators-and-milestones>

<sup>21</sup> [http://www.saicm.org/Portals/12/Documents/meetings/IP3/InSession/SAICM\\_IP3\\_Outcome\\_Group\\_A\\_Targets\\_milestones\\_indicators\\_FINAL.docx](http://www.saicm.org/Portals/12/Documents/meetings/IP3/InSession/SAICM_IP3_Outcome_Group_A_Targets_milestones_indicators_FINAL.docx)

For IP4 the technical working group will prepare an information document to be used in further discussions and finalization of strategic objectives, targets and indicators.

## **Thematic group B: Governance Group**

**The Group addressed three main topics: the governance and institutional arrangements for a beyond 2020 instrument; enhancing multi-sectoral and multi-stakeholder engagement; enabling framework.**

### *Governance and institutional arrangements for beyond 2020 instrument*

The governing body for the current SAICM is the International Conference on Chemicals Management (ICCM). Participants at IP3 agreed that governance and institutional arrangements of SAICM should not be reinvented but built on SAICM elements with a functional track record. This includes the international conference, secretariat, bureau and the rules of procedure.

Based on the Governance Group's discussion, it was agreed that the international conference should oversee the implementation of the post-2020 instrument. It should review progress to address gaps at the national, regional, and international levels. However, no agreement was achieved on whether it would make action recommendations to address the identified gaps and associated problems.

It was agreed that the governing body will:

- promote the strengthening of national chemicals and waste management capacities;
- promote, enhance, and support participation of stakeholders and sectors in the Conference and in the work programme;
- move the strategy forward and setting priorities for the work programme;
- provide guidance to the Secretariat and to stakeholders on implementation;
- establish subsidiary bodies as it finds necessary;
- evaluate implementation of activities and reviewing progress against the objectives, targets, indicators, and milestones, and update the work programme, as appropriate, with a view to achieving the vision.

### *Enhancing multi-sectoral and multi-stakeholder engagement*

Besides governance, the Group was also assigned to elaborate on **enhancing multi-sectoral and multi-stakeholder engagement**. It was agreed that a strategy for enhanced multi-sectoral and multi-stakeholder engagement should be developed for adoption at ICCM5.

The discussion in the Group was based on the paper “Additional measures to achieve multi-sectoral and multi-stakeholder engagement”<sup>22</sup>, prepared by the co-chairs of the intersessional process. After editing the text, the decision was made to advance it by calling for stakeholders to submit post-2020 workplans, road maps, action items to the Secretariat.

A new paragraph was added regarding the need to enhance involvement of industry and the private sector throughout the value chain.

During the discussions environment and health NGOs highlighted the importance of civil society engagement that should not be limited to information dissemination and awareness raising. NGOs should be:

- partners in decision making on chemicals and waste and should be consulted in an equivalent manner to industry consultations;
- involved in providing comments to the draft national and international sound chemicals and waste management policies, regulations and programmes, including regulations on workplace right to know, health and safety;
- recognized for the rich expertise they can provide, including scientific expertise, connections with grassroots organisations and their lived experiences, their ability to connect face to face with people and affected communities to engage them and to learn from them.
- part of scientific committees and technical advisory bodies on chemicals and waste to share their scientific and technical expertise, provide recommendations and fill knowledge gaps based on the precautionary and prevention principles, and on their research and experiences of working with affected communities.

Data and information generated by NGOs should be recognised at all phases of chemicals assessment and management as well as during the identification of new and emerging issues.

Finally, the Governance Group decided to invite all relevant stakeholders to develop their contributions to achieve enhanced sectoral and stakeholder engagement beyond 2020 and submit these to the Secretariat before IP4.

### *Enabling framework*

The German Environment Agency submission on Enhancing the Sound Management of Chemicals and Waste beyond 2020 (SAICM/IP.3/INF/4<sup>23</sup>) was used as the basis for the discussion on enabling framework within the Governance Group. Germany proposed that SAICM beyond 2020 be accompanied by an “enhanced” enabling framework and address all actions on the sound management of chemicals and waste. Such an enhanced role could involve closer coordination with the chemicals and waste conventions and ICCM

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<sup>22</sup> [http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM\\_IP3\\_3\\_stakeholder\\_engagement.pdf](http://saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM_IP3_3_stakeholder_engagement.pdf)

<sup>23</sup> [http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM\\_IP3\\_INF4\\_EnhancingGovernanceSMCW.pdf](http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM_IP3_INF4_EnhancingGovernanceSMCW.pdf)

potentially reporting more directly to senior UN governance bodies. Germany also advocated for a High-Level Declaration from ICCM on post-2020 sound management of chemicals and waste to be conveyed to the General Assembly itself for endorsement. This will contribute to the international effort to achieve the 2030 Vision for sound chemicals and waste management as reflected in the Sustainable Development Goals (SDGs), noting that 13 out of 17 SDGs rely heavily on chemicals and waste management.

Most participants of the Governance Group welcomed the need for highlighting key issues and considerations for an enabling framework. The decision was made to prepare an “operationalized” text building on the German paper and offer it for discussion at IP4. However, some participants disagree whether such an “enhanced enabling framework” is needed or whether to simply improve what SAICM currently does. Many participants insisted that if an enhanced enabling framework is not approved, then existing institutional arrangements would need to be significantly strengthened. Such strengthening should include a science-policy interface, stable financing from a variety of sources, and broad multi-stakeholder involvement.

NGOs believe that the enabling framework<sup>24</sup> should include all existing and future chemicals-related multilateral agreements under one high-level umbrella, respecting the legal autonomy of each agreement and allowing for the possibility of future legally binding agreements, including on agreed issues of concern.

Key features should include:

- Greater coherence among objectives, implementation, and reporting;
- High-level political ownership and visibility;
- Full implementation of the chemical safety contributions to the Sustainable Development Goals (SDGs);
- Links to funded obligatory national action plans for agreements in the framework;
- Open, inclusive and transparent multi-sectoral and multi-stakeholder participation.

The Beyond 2020 process should recommend holding a multi-sectoral ministerial meeting during, or back to back with, ICCM5 and produce a ministerial declaration that endorses elements of the enabling framework.

The Beyond 2020 process should recommend transmitting the ministerial declaration to the UN General Assembly for a resolution that also requests UN agencies and multilateral environmental agreements to participate and commit to the enabling framework within their respective mandates.

### **Thematic group C: Implementation Group**

The Group discussed several issues, including definitions of issues of concern; criteria for identifying issues of concern; mechanism of nominating new issues of concern; dealing with legacy issues; taking stock of progress; and a science-policy interface.

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<sup>24</sup> <https://ipen.org/documents/ipen-views-saicm-3rd-intersessional-meeting-ip3>

### ***Definitions of Issues of concern***

During the discussion NGOs suggested a definition that corresponds with the initial definition from ICCM2, while including new aspects, which correlate with the definition proposed by the EU: *An issue of international concern that warrants concerted action is one that involves any phase in the life cycle of chemicals and waste, including their production, distribution, use and disposal, which may have adverse effects on human health and/or the environment and is insufficiently addressed internationally*<sup>25</sup>.

The proposal from the Group contains square brackets and will be discussed further at IP4.

### ***Criteria for identifying issues of concern***

The Implementation Group included the following criteria for identifying new issues of concern:

- a. Adverse effects on human health and/or the environment. The following list of toxicity was suggested:
  - i) Toxicity
  - ii) Bioaccumulation
  - iii) Toxicity for reproduction
  - iv) Mutagenicity
  - v) exposure data
  - vi) vulnerable population
  - vii) ecotoxicity
  - viii) persistence
  - ix) carcinogenicity
  - x) endocrine disruption
- b. Whether or not the issue is being addressed by the chemicals and waste related international environmental agreements.
- c. Whether the issue is of relevance in at least 3 to 5 UN regions
- d. The issue has not yet been generally recognised, or has been recognized but is insufficiently addressed, or arises as a potential concern from current levels of scientific data and information.

### ***Nominating new issues of concern***

Participants of the Implementation Group called for recognizing that the process for nominating issues of concern was open to any stakeholder, however, to promote communication at the national level, nominations should be communicated to Focal

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<sup>25</sup> This definition corresponds to the original definition of emerging policy issues from ICCM2 (<http://www.saicm.org/Portals/12/documents/meetings/ICCM2/doc/ICCM2%2010%20emerging%20issues%20E.pdf>), with the addition of safe disposal of waste. Current and future Issues of Concern should be "consistent" with this definition.

Points. Issues could be nominated at both the regional and international levels. Potentially an expert body could be nominated in selecting issues of concern.

Text on whether a draft work plan, with actions and timelines should be proposed in the time of nominating an issue of concern, remained bracketed until means of implementation for issues of concern were settled, including financial and technical assistance to developing countries.

### *Dealing with legacy issues*

The Group considered several proposals on how to deal with existing issues of concern (see footnote 3). They include, inter alia a proposal from NGOs on a set of criteria to assess progress and move issues of concern to the next level with increased obligations on stakeholders.

The NGO document<sup>26</sup> on criteria for elevation of obligations to progress SAICM Issues of Concerns (IoCs) in the post 2020 multilateral regime for chemicals and waste was presented at a lunch-event at IP3 and included into the outcome papers discussed by the Implementation Group and will also be part of the overall report to IP4.

The NGO paper highlights that the successor to SAICM<sup>27</sup> should contain a new mechanism of action, a process whereby issues of concern for which inadequate progress has been made should be progressed to levels with obligations on stakeholders.<sup>28</sup> This paper addresses the criteria that could be used in such a process. They were developed with the existing issues of concern in mind but would apply also to new issues of concern acknowledged under 'SAICM 2'.

During the discussions on issues of concern NGOs presented a chapeau that could be considered as an introduction to the part on issues of concern in the be<sup>29</sup>yond 2020 platform. In the chapeau it is recommended that the work on issues of concern identified during SAICM (2006-2020) continues as part of the Post 2020 framework. Moreover, there remains a need to follow the trends in the design, production, use and release of chemicals and the generation and management of waste in order to identify other issues of concern and to catalyse sound management policies and actions. All stakeholders should continue to monitor trends in phases in life cycles of chemicals and waste and to identify and address issues of concern, with particular consideration of the report to be prepared by 30 April 2020 by the UNEP Executive Director on these issues. Governments should in particular consider ways to address these issues in order to achieve the 2030 Sustainable Development Goals.

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<sup>26</sup> Prepared by HEJSupport and a group of NGOs:  
[http://www.saicm.org/Portals/12/Documents/meetings/IP3/InSession/SAICM\\_IP3\\_TGC\\_NGO\\_Information-On-IoC-criteria\\_Update30Sept.pdf](http://www.saicm.org/Portals/12/Documents/meetings/IP3/InSession/SAICM_IP3_TGC_NGO_Information-On-IoC-criteria_Update30Sept.pdf)

<sup>27</sup> Here referred to as 'SAICM 2' until a new name is agreed.

<sup>28</sup> For example, a legally binding protocol, a treaty, mandatory action plans and reporting, or other such agreement that places requirements on stakeholders.

<sup>29</sup> [http://www.saicm.org/Portals/12/Documents/meetings/IP3/InSession/SAICM\\_IP3\\_TGC\\_Statement\\_possible\\_chapeau.pdf](http://www.saicm.org/Portals/12/Documents/meetings/IP3/InSession/SAICM_IP3_TGC_Statement_possible_chapeau.pdf)

### *Taking stock of progress*

The Implementation Group welcomed the text on other mechanisms to support implementation<sup>30</sup>, prepared by the Co-chairs of the intersessional process. The document is set out in three parts: (a) appropriate and effective mechanisms for taking stock of progress of activities beyond 2020; (b) mechanisms for capacity-building; and (c) a mechanism for updating the instrument over time.

While the Group welcomed the approach on how progress could be tracked beyond 2020, a few issues were highlighted that need to be addressed in a revised text. For example, a concern was raised that such reviews may detract resources from direct action to address chemicals impacts.

NGOs called for a mandatory periodic review system for reporting.<sup>31</sup> It would report on actions in the National Action Plan and others including comments from stakeholders. An expert panel would review the reports and propose recommendations and countries could come up for review every three years. These reports could form the basis of SAICM2.0 effectiveness evaluation along with assessment of financing, capacity building and other important elements of the agreement.

### *Science-Policy Interface*

The Implementation Group discussed ways to strengthen the science-policy interface in the post-2020 context. Participants inter alia called for establishing a body that plays a similar role like the IPCC<sup>32</sup> and IPBES<sup>33</sup>. However, the need to avoid any duplication of work with already existing scientific bodies under the Stockholm and the Rotterdam chemical conventions<sup>34</sup> was noted.

Some participants believe that such a body may not necessarily address the lack of political will to act on the available scientific evidence or attract greater funding for action on chemicals. On the opposite, the money spent on such a body could instead be used for actual risk reduction. It was also emphasized that such a body would need to have in place strong measures for the management of conflicts of interest amongst its members.

According to the NGO position<sup>35</sup>, for a possible scientific body to be useful, it would have to be a multidisciplinary body (extending beyond toxicology / ecotoxicology) to ensure that it includes adequate representation and consideration of the full spectrum of scientific and public health disciplines related to chemical safety and waste. Such a scientific body would also need terms of references that prohibit conflicts of interest.

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[http://www.saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM\\_IP3\\_5\\_Corr1\\_Other\\_mechanisms\\_support\\_implementation.docx](http://www.saicm.org/Portals/12/documents/meetings/IP3/Docs/SAICM_IP3_5_Corr1_Other_mechanisms_support_implementation.docx)

<sup>31</sup> <https://ipen.org/documents/ipen-views-saicm-3rd-intersessional-meeting-ip3>

<sup>32</sup> The Intergovernmental Panel on Climate Change (IPCC) is the United Nations body for assessing the science related to climate change. <https://www.ipcc.ch/>

<sup>33</sup> The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services <https://www.ipbes.net/>

<sup>34</sup> <http://www.pic.int/>

<sup>35</sup> <https://ipen.org/documents/ipen-views-saicm-3rd-intersessional-meeting-ip3>

Extensive consideration on sustainable, adequate funding of such a body should be given before a decision on a scientific body is adopted to ensure an adequate balance between funds to explore new areas of science and prioritization of funding for risk reduction activities on the ground.

#### **Thematic Group D: Finance Group**

The group discussion was very much focused on the proposal from the GRULAC<sup>36</sup>/African Group from OEWG3 for a new international fund dedicated to the sound management of chemicals and waste. The idea behind the proposal was to set up a financial mechanism that would be able to receive funds from the private sector or philanthropists. The existing mechanism consisting of the Global Environment Facility (GEF)<sup>37</sup> and the Special Programme<sup>38</sup> are not capable of receiving such funds and thus a separate structure is needed that would allow to attract more financing for the implementation of SAICM<sup>39</sup>. However, the Secretariat for the Special Programme noted that contributions from different donors, including the private sectors, are allowed and even welcomed.

While developing countries mainly supported the idea of setting up a new fund, donor countries preferred to focus on strengthening existing funding mechanism, such as the Special Programme.

NGOs called for an adequate, predictable and sustainable financing mechanism that includes internalization of costs of chemical producing industries at the global level. "A 0.1% levy on global chemical industry sales would produce USD\$5.7 billion per year for implementation of chemical safety measures".

NGOs also supported the idea of a specific fund for SAICM implementation using lessons learned from SAICM Quick Start Programme<sup>40</sup> that included funding for public interest organisations, health and environment groups and trade unions.

In addition, NGOs also recommended to reform the Special Programme to ensure the availability of funds for all SAICM stakeholders based on the multi-stakeholder, multi-sectoral nature and scope of the Strategic Approach.

Though no agreement was reached at IP3 regarding the establishment of a new fund, the decision was made to continue in-depth discussion at IP4.

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<sup>36</sup> The Latin American and Caribbean Region

<sup>37</sup> <https://www.thegef.org/publications/chemicals-and-waste>

<sup>38</sup> <https://www.unenvironment.org/explore-topics/chemicals-waste/what-we-do/special-programme>

<sup>39</sup> GEF-7 allocations have increased funding to the chemicals and waste focal area but SAICM funding remains the same at USD\$13 million for four years – 1.4% of the chemicals and waste budget and 0.2% of the GEF-7 replenishment. [http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM\\_IP3\\_INF5\\_EvaluationIntegratedApproachFinancing.pdf](http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM_IP3_INF5_EvaluationIntegratedApproachFinancing.pdf)

<sup>40</sup> <http://www.saicm.org/Implementation/QuickStartProgramme/tabid/5523/language/en-US/Default.aspx>

### ***Capacity Building***

In addition to the funding mechanism, the Finance Group discussed the Co-Chairs' paper on principles regarding capacity building. The participants agreed that the paper was a good start but should be later restructured in the form of recommendations. It was agreed that capacity-building should be integrated into all relevant aspects of the outcome of beyond 2020 process to the priorities decided by the Governing Body. The need for sharing of knowledge and expertise within and among regions was noted, including North-South and South-South networking and sharing of experiences. The full use of national, sub-regional and regional information and knowledge to inform global decision making with full and effective participation of all stakeholders and balanced regional representation and participation was supported.

### **Conclusion**

At the opening of IP3, Gertrud Sahler, President of the International Conference on Chemicals Management (ICCM) called for a more ambitious SAICM beyond 2020. No meeting participant disagreed with the need to increase ambition to address gaps and problems highlighted in the Independent Evaluation of the Strategic Approach to International Chemicals Management from 2005-2016. They all agreed that SAICM should continue, with increased ambition, in order to address <sup>41</sup>that situation.

Nevertheless, country's understanding on how to proceed varied significantly. Almost 100 countries supported the proposal of a dedicated fund for SAICM implementation suggested by GRULAC/African Group and some Asia-Pacific countries. They believe that lack of financial support became the reason why SAICM 2020 goal has not been achieved. Some developing countries even noted that they could only take on the work beyond 2020 if sufficiently financed as much more work should be done in strengthening their chemicals management regime to protect countries from waste dumping and address other problems and risks associated with chemicals production, use and disposal. On the contrary donor countries called for strengthening the existing financial mechanism such as through the Special Programme, rather than creating a new fund. They believe that the Special Programme can accept funds from the private sector which could substantially increase the available resources. There was agreement among governments that the private sector should do more to address the existing problems.

The discussion of the Implementation Group clearly indicates that the implementation of existing SAICM issues of concern will continue beyond 2020. However, there is yet no mutual support to the idea that such implementation should progress to the level with increased obligations on stakeholders.

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<sup>41</sup> [http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM\\_IP3\\_INF3\\_Final-IndependentEvaluation.pdf](http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM_IP3_INF3_Final-IndependentEvaluation.pdf)

For these reasons, a number of stakeholders<sup>42</sup> have suggested that the successor to SAICM<sup>43</sup> should contain a new mechanism of action, a process whereby issues of concern for which inadequate progress has been made should be progressed to mechanisms with increased levels of obligations on stakeholders.<sup>44</sup> Criteria suggested in the NGO paper<sup>45</sup> could be used in such a process. They were developed with the existing issues of concern in mind but would apply also to new issues of concern acknowledged under the beyond 2020 mechanism. In addition, three case studies were developed on how the suggested criteria could be applied to progress three existing issues of concern to the level with increased obligations.

Though the German Environment Agency submitted a paper on Enhancing the Sound Management of Chemicals and Waste beyond 2020 (SAICM/IP.3/INF/4<sup>46</sup>), which was used as the basis for the discussion on enabling framework, there was no clarity on what a post-2020 framework might look like. NGOs provided their vision of an enabling framework, which should include all chemicals-related multilateral agreements under one high-level umbrella, respecting the legal autonomy of each agreement and allowing for the possibility of future legally binding agreements on issues of concern. However, there is no mutual support among the participants that higher-level enabling framework in addition to the successor of SAICM would achieve the higher ambition and increased funding necessary for effective implementation.

Based on the outcome documents from four thematic groups as well as progress on defining targets, some advancements were achieved. However, more work should be done to complete the zero draft and bridge a substantial gap in understanding governance and the financial mechanism for a new framework beyond 2020. IP4 will provide delegates with an opportunity to reach clarity and progress effectively towards the development of a new chemicals and waste platform.

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<sup>42</sup> Health and Environment Justice Support (HEJSupport), Swedish Society for Nature Conservation (SSNC), Pesticide Action Network (PAN International), European Environmental Bureau (EEB), German NGO Forum on Environment and Development, Health and Environment Alliance (HEAL), Canadian Environmental Law Association, Centre for Environmental Justice And Development (CEJAD), Confederación de Ecologistas en Acción, groundWork - Friends of the Earth South Africa, Društvo Ekologi brez meja, Gallifrey Foundation, ZERO – Associação Sistema Terrestre Sustentável, RighOnCanada.ca, Citizens' Network on Waste Management, Women Engage for a Common Future (WECF), Public Eye, Women's Healthy Environments Network, Friends of the Earth Germany

<sup>43</sup> Here referred to as 'SAICM 2' until a new name is agreed.

<sup>44</sup> For example, a legally binding protocol, a treaty, mandatory action plans and reporting, or other such agreement that places requirements on stakeholders.

<sup>45</sup> [http://www.saicm.org/Portals/12/documents/meetings/IP3/stakeholders/NGO\\_Information-On-LoC-criteria\\_Update30Sept.pdf](http://www.saicm.org/Portals/12/documents/meetings/IP3/stakeholders/NGO_Information-On-LoC-criteria_Update30Sept.pdf)

<sup>46</sup> [http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM\\_IP3\\_INF4\\_EnhancingGovernanceSMCW.pdf](http://www.saicm.org/Portals/12/documents/meetings/IP3/INF/SAICM_IP3_INF4_EnhancingGovernanceSMCW.pdf)

### *Further references*

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

<http://www.saicm.org/Beyond2020/IntersessionalProcess/FirstIntersessionalmeeting/tabid/5463/language/en-US/Default.aspx>

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

<http://www.saicm.org/Beyond2020/IntersessionalProcess/SecondIntersessionalmeeting/tabid/6193/language/en-US/Default.aspx>

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

<http://www.saicm.org/Beyond2020/IntersessionalProcess/ThirdIntersessionalmeeting/tabid/8024/language/en-US/Default.aspx>

IP3 In-session documents and information

<http://www.saicm.org/Beyond2020/IntersessionalProcess/ThirdIntersessionalmeeting/Insessiondocuments/tabid/8141/language/en-US/Default.aspx>

Earth Negotiations Bulletin: Summary of the Third Meeting of the Intersessional Process for Considering SAICM and the Sound Management of Chemicals and Waste Beyond 2020

<https://enb.iisd.org/vol15/enb15270e.html>

HEJSupport Information materials: third meeting of the intersessional process for SAICM beyond 2020

<https://hej-support.org/saicm/>

IPEN information materials: third meeting of the intersessional process for SAICM beyond 2020

<https://ipen.org/conferences/SAICM-IP3>