

## CO-CHAIRS' SUMMARY<sup>1</sup>

*Comments from the United States – General comments are included under each section heading below, and specific suggestions are embedded (in red) in the text.*

*Overall Comment: It would be very useful to somehow distinguish between areas where there was a common understanding amongst most participants, and where there was a suggestion from only one or a few participants.*

### Introduction

The fourth session of the International Conference on Chemicals Management (ICCM4), through Conference resolution IV/4, launched an intersessional process to provide recommendations for consideration at ICCM5 on the Strategic Approach to International Chemicals Management (SAICM) and the sound management of chemicals and waste beyond 2020.

ICCM resolution IV/4 specifies that the work of the intersessional process is to be informed by the 2030 Agenda for Sustainable Development, resolution 1/5 of the United Nations Environment Assembly and the outcome document "Strengthening the sound management of chemicals and wastes in the long term".

The present summary sets out the co-chairs' views of the contributions of the participants in the first meeting of the intersessional process on SAICM and the sound management of chemicals and waste beyond 2020 held in Brasilia, Brazil from 7 to 9 February 2017. This summary should be read in conjunction with the official report of the meeting.

While the Co-Chairs' summary is not intended to present a consensus view, in some areas there was a common understanding. The document is solely that of the Co-Chairs and is non-negotiated.

It is important to note that the discussions at the first meeting of the intersessional process and the Co-Chairs' summary of the meeting are not intended to limit any additional ideas and views to be considered in further discussions on the sound management of chemicals and waste beyond 2020.

The present Co-Chairs' summary will be submitted to all SAICM stakeholders for further input and comments in order for it to further inform the discussions during the intersessional process on SAICM and the sound management of chemicals and waste beyond 2020.

### Why a future platform for sound management of chemicals and waste beyond 2020?

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<sup>1</sup> Document to be formally edited.

This section describes why a future platform for sound management of chemicals and waste beyond 2020 is being considered. This section is further linked to the vision for such a future platform.

### **Vision**

- It should be built on the vision set out in UNEA I/5 and referenced in ICCM resolution IV/4, namely “To achieve the sound management of chemicals throughout their life cycle and of hazardous wastes in ways that lead to the prevention or minimization of significant adverse effects on human health and the environment, as an essential contribution to the three dimensions of sustainable development.”<sup>2</sup>
- It is essential to enhance political awareness and commitment, at the highest levels, in order to meet this vision.

Furthermore, the following elements may be considered:

- It should take into account the SAICM Overall Policy Strategy, the Overall Orientation and Guidance for achieving the 2020 goal of sound management of chemicals, including the 11 basic elements.
- All stakeholders need to prioritize efforts to ensure the 11 basic elements of sound management of chemicals and waste, as set out in SAICM's Overall Orientation and Guidance, exist in all countries.
- **Although** ~~T~~the vision **should** ~~may~~ be ~~timeless (not limited to 2030) and~~ aspirational, **and it should also be** linked to measurable objectives and practical targeted actions, including qualitative and quantitative elements **and milestones**.

*U.S. Comment: We suggest reflecting here that many participants believed it was important to have a target date, rather than a “timeless” framework, as well as the fact that an aspirational goal does not preclude having concrete milestones and objectives.*

- It should take into account the 2030 Agenda for Sustainable Development in its entirety and **in** particular goals 3, 6 and 12 recognizing that the sound management of chemicals and waste is ~~an essential prerequisite~~ **important for** sustainable development while respecting the integrated nature of the Sustainable Development Goals.

*U.S. Comment: We would like to suggest the edit noted above. Neither the 2030 Agenda for Sustainable Development nor the ICCM4 resolutions mention that the sound management of chemicals and waste is a prerequisite for sustainable development.*

- Consider efforts, in particular, where we have the largest opportunity to foster change and to have the greatest impact.
- It should be complementary to and foster coordination with the work of, other environmental multilateral agreements or frameworks, whether legally binding or voluntary,

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<sup>2</sup> United Nations Environment Assembly resolution 1/5 on chemicals and waste – Annex I, paragraph 7: Strengthening the sound management of chemicals and wastes in the long term.

while avoiding duplication and overlap and **to promote promoting** policy coherence at all relevant levels.

- Momentum should build upon strengthening the linkages of chemicals to policy areas of high priority like climate change and gender **equality**, amongst others.

### **What could a future platform for sound management of chemicals and waste beyond 2020 cover?**

This section describes what a future platform for sound management of chemicals and waste beyond 2020 could cover. This section is further linked to the scope for such a future platform. Making progress on the scope of the future platform is a priority for the second meeting of the intersessional process.

In considering the *scope*, the following elements may be considered:

#### **Scope**

*U.S. Comments on this section: We agree that it is important to agree on the scope of a future platform early in the intersessional process. In particular, we believe it will be critical to discuss and reach a common understanding of the types of waste that are being considered for SAICM beyond 2020, as is flagged below.*

*We support the emphasis below on the importance of chemicals and waste management systems, and we believe that the focus of SAICM beyond 2020 should be on establishing basic chemicals and waste management regimes, for all regions and countries, especially developing countries that are facing rapid increases in chemical manufacturing, distribution and disposal. We therefore believe that any work on specific chemicals and waste issues should be focused on those issues that clearly contribute to basic chemicals and waste management in countries where it is still needed. We would also like to discuss, as part of the intersessional process, a change in terminology related to issues of concern, as well as a clearer definition of the requirements for designating such issues. We believe that the specific issues most critical to basic chemicals and waste management are more appropriately described as “new or persistent public health and environmental issues”.*

*We also note the enthusiasm for linking SAICM beyond 2020 to the SDGs, and we believe SDG implementation provides an important opportunity to raise awareness of and leverage additional resources for chemicals and waste issues at the national and international levels. In our view, the Overarching Policy Strategy and 6 Core Activity Areas, which promote development of the capacity for sound chemicals management, are especially relevant for the SDGs. Focusing limited resources on this core capacity, as indicated by a number of participants, rather than specific chemicals management issues, will allow linkages to more of the SDG targets, and will allow countries to better leverage the SDGs to support national chemicals management efforts. However, we would like to emphasize that countries determine how they will implement the SDGs, and we believe it is outside SAICM’s scope of authority to prescribe methods for such implementation.*

*Finally, we note with appreciation the WHO roadmap on chemicals and the health sector, and support referencing it, as appropriate, when considering the scope of SAICM Beyond 2020. However, we note that coming to an agreement on a roadmap for chemicals and waste, as suggested in the first bullet in this section, could be an onerous and time-consuming process, and duplicative of the Overall Orientation and Guidance and therefore do not believe it would be a valuable undertaking. It was also not supported by many participants at the meeting.*

- Scope should consider the 11 basic elements and 6 core activity areas set out in the Overall Orientation and Guidance, as well as the WHO health sector roadmap, as a practical way to reflect on the scope beyond 2020. A roadmap for chemicals and waste could be considered.
- ~~It~~ **Scope** should include and address the elements on ‘Strengthening the sound management of chemicals and waste in the long-term’ as incorporated in United Nations Environment Assembly (UNEA) resolution 1/5 on chemicals and waste.
- ~~The scope could be broader than the current SAICM, including waste.~~ The scope could be broader than the current SAICM, including the consideration of sectors, prevention and waste.

*U.S. Comment: The two sentences in the above bullet are redundant.*

- The basics of chemicals and waste management systems must remain a priority in those countries - largely in the developing world - that still face basic regulatory **and infrastructure** challenges, while also considering how to be responsive to emerging issues of concern.

*U.S. Comment: Many developing countries also have significant infrastructure challenges especially for waste—i.e., engineered landfills, emissions-controlled incinerators, trash trucks, etc.*

- There are several Sustainable Development Goals where clear connections can be made and where measurable objectives and milestones and supplementary indicators could be developed in support of the 2030 Agenda.

*U.S. Comment: As noted in the general comments above, country implementation of the SDGs should be determined at the national level. We therefore believe it is outside the scope of SAICM to develop supplementary indicators in support of the 2030 Agenda.*

- At the global, regional and national level, the scope could take into consideration, inter alia, linkages to: prevention policies; new emerging issues; climate change; a broadened health agenda; institutional strengthening; the life cycle approach; the potential contribution of sustainable chemistry; sustainability; as well as gender **equality** and vulnerable populations, especially indigenous peoples, **workers**, women, children, and through them future generations.

***U.S. Comment: We suggest including workers to this list of vulnerable populations.***

- Collaborative actions should be fostered on new and emerging issues, particularly issues not currently covered under existing policy frameworks and agreements.
- The Aichi Targets for biodiversity were referenced as a potential model approach.
- Work should be based on relevant scientific data and information and consider key elements of chemicals management systems.
- At this meeting, there was no discussion regarding what type of waste issues are being considered in the scope of the beyond 2020 context.

**How could the sound management of chemicals and waste beyond 2020 be realized?**

***U.S. Comment on this section: We would like to stress the importance of understanding and retaining the parts of SAICM that have been effective for most regions in making progress toward the 2020 goal, and discontinuing the elements of SAICM that have not been as effective. We hope that the independent evaluation will be useful in determining what should be maintained, and what should be discontinued.***

This section describes how a future platform for sound management of chemicals and waste could be realized. This section is connected to governance, new and emerging issues, science-policy interface, financing, sustainable and green chemistry as well as national implementation.

The how will be informed by the independent evaluation of SAICM and should focus on the gaps in reaching the 2020 goal.

Drawing on the 2030 Agenda for Sustainable Development, linkages should be made to other agendas such as biodiversity, oceans and climate change, food and agriculture, health, gender **equality** and labour.

In considering the how, the following elements should be taken into account:

### **Governance**

***U.S. Comments on this section: In our view, SAICM's voluntary, multi-stakeholder, multi-sectoral approach has been critical to its success. The flexibility of this approach allows for collaboration where possible on chemicals management issues that are complex and dependent on local and national circumstances, and it reaches solutions that are often more practical because it is influenced by a more diverse, multi-stakeholder range of experience. We agree with the need for clear milestones, and we would encourage reporting questionnaires to be limited to defined indicators only, with the opportunity to provide additional information if desired. We would also like to note that the development of plans of action was a focus of the Quick Start Programme, and each country should have one by now. We do not believe this exercise should be repeated after 2020. Rather, the focus should be implementation.***

- The voluntary, flexible, multi-sectoral and multi-stakeholder approach, that has been integral to the nature of SAICM, should continue. Voluntary standards, common objectives of protection and codes of practice, to which relevant stakeholders may **voluntarily ~~commit~~ pledge** for some issues, should also be considered.

*U.S. Comment: We suggest a change in terminology in the above bullet, because the term “commitment” implies an action that is not voluntary.*

- Some participants advocated to explore more elements, as well as potential elements, that **would could** be legally binding. **Potential legally binding elements could also be explored.**

*U.S. Comment: We agree this was raised (though it got very little support), but don't understand the intended difference between these two sentences.*

- Functionally, the design should promote broader participation in general and encourage wider sector participation at all levels (national, regional and global) along with a targeted approach, as an essential means to promote impact, involvement, ownership and commitment.
- There is a need to increase industry engagement, by for example promoting partnership approaches in the future platform and **by representing the entire life cycle**, including **supply chains and** the waste and downstream sectors.

*U.S. Comment: We assume that relevant stakeholders under SAICM (current and future) would encompass any stakeholders involved throughout the entire life cycle, and believe it is helpful to clarify that here.*

- Partnerships should focus on public needs and **~~be in line with agreed principles and values. They should~~** be transparent and accountable; ensure multi-stakeholder involvement; provide an added value; and complement rather than substitute commitments made by governments.

*U.S. Comment: we suggest removing the above language because it is unclear what the “agreed principles and values” are to which it refers. The rest of the bullet mentions several characteristics of partnerships, which this phrase may have been designed to encompass.*

- The future platform needs to link sectors and promote synergies, fill the gaps and coordinate with decision-making bodies of the Participating Organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), other relevant agencies and organizations. This could include augmenting the current stakeholder-based arrangements for the ICCM (i.e. governments, NGOs, **industry**, and IGOs) to one where the sectors (e.g. agriculture, environment, health and labour) can play a more formal role. There are opportunities to link sectors in implementing the 2030 Agenda for Sustainable Development.

- Measuring progress, including objectives and milestones, and supplementary indicators, in addition to the SDG targets and indicators, as well as a related plan of action including at the national level. The 11 basic elements and 6 core activity areas set out in the Overall Orientation and Guidance are a useful starting point.
- Measurable objectives, as noted in paragraph 10 of ICCM Resolution IV/4, should be considered, including on means of implementation in order to **ensure promote** effectiveness.
- Clear milestones would support the capacity to evaluate progress and would **ensure promote** transparency.

*U.S. Comment: We suggest replacing the word “ensure” here, above, and below with a different verb, as we believe these actions will help with effectiveness and transparency, but not “ensure” them.*

#### **New and emerging issues / Issues of concern**

*U.S. Comments on this section: As noted above in the section on scope, we agree that establishing chemicals management infrastructure should remain a priority. Here, as above, we also note that we believe “emerging” issues are more appropriately described as “new or persistent issues”, and that requirements should be established for designating these issues. We also support the below suggestion to build on existing efforts by stakeholders and sectors, and to include a focus on prevention and minimization, and we agree with the need to consider the implementation of a lifecycle approach.*

*Finally, we welcome discussions of how specific chemicals management issues could be prioritized, and how issues could be retired when they are no longer directly relevant or if they do not fall within priority areas. We also believe that discussions of specific chemicals and waste issues for work beyond 2020 should only occur once a post-2020 framework has been established.*

- **Ensure Help stakeholders access an** information and knowledge **base** on chemicals and waste, including early warning systems that can inform work on new and emerging issues.
- Focus on scientific and technical capacity building **faeing related to** new and emerging issues that require global action on specific chemicals and groups of chemicals, taking into account different needs at the regional level.
- The basics of chemicals management systems must remain a priority in those countries - largely in the developing world - that still face basic regulatory challenges, while also considering how to be responsive to the issues of concern.
- Build on existing efforts by stakeholders and sectors and focus on prevention and minimization.
- Develop a concept for a process of nomination, prioritization and evaluation **that builds on the existing nomination process and** is robust and relevant. Future activities on emerging issues should be focused on where there is added value.

*U.S. Comment: We do not think it is necessary to develop an entirely new process for nomination of issues of concern, and suggest reflecting here that we should keep the aspects of the existing process that work well.*

- Monitoring of already identified emerging issues.
- There should be reflection on and consideration of the implementation of a lifecycle approach.
- Give priority to the identification of hazardous chemicals in products, as well as those used in production and throughout their lifecycle.
- Actions should be categorized to facilitate work planning, for example:
  - Areas where some scientific information exists and there is a need to increase the knowledge base.
  - New emerging issues where we need to promote understanding and awareness.
  - Development of national or regional chemicals and waste management systems, including refinement of existing systems.
  - Issues which need global or coordinated action.

### **Science-policy interface**

*U.S. Comment on this section: We agree with the below point that it is important to recognize and cooperate with existing entities and mechanisms for provision of scientific advice on chemicals and waste, but we do not believe there is a need for a new mechanism. Also, the Overarching Policy Strategy includes several activities related to science and technical exchanges. It would be useful to include more of those concepts here.*

- Explore how to strengthen the link between science, public health and policy in global chemicals and waste governance.
- Recognize the existing mechanisms for provision of science advice on chemicals and waste by intergovernmental and international bodies such as UNEP, WHO and the chemicals and wastes conventions secretariats.

*U.S. comment: We believe it is more appropriate to reference the chemicals and waste conventions, rather than the secretariats, because Party experts (not the secretariats) provide science advice in those arenas.*

- Consideration of the social interface and the full range of scientific and public health disciplines.
- Explore approaches on the use of science to inform policy-making and action, including existing mechanisms, in other clusters, such as climate change and biodiversity.
- There were also some some comments regarding the need to focus on scientific capacity building and caution about diverting resources from implementation.

### **Financing**

***U.S. Comment on this section: We appreciate the reference below to the Integrated Approach for Financing Chemicals and Waste that was agreed through the Consultative Process. It is well recognized that this Integrated Approach includes three elements to financing: mainstreaming in national budgets and development planning; the role of the private sector; and dedicated external financing. All of these elements will need to be emphasized in any financing discussions as part of the intersessional process. We also note that there are several existing sources of funding for SAICM implementation, including \$8.19 million in the current GEF replenishment.***

- The integrated approach to address the financing of the sound management of chemicals and waste is composed of mainstreaming, enhanced industry involvement and dedicated external financing (UNEP/GC 27/12 and UNEA 1/5). The implementation of the integrated approach is essential for financing the sound management of chemicals and waste in the long term.
- Providing sustainable, adequate, comprehensive and predictable financing in the long term, with **some** emphasizing ~~on~~ the role of developed countries.

***U.S. Comment: Though some participants specifically emphasized developed countries, many referred to the integrated approach. If sustainable, predictable financing is referenced here, it should also be mentioned in the bullet below on national budgets and sectoral policies.***

- A broader range of contributions should be considered that are predictable, sustainable and adequate.
- Mainstreaming in national budgets and sectoral policies.
- Provide effective capacity building in relevant areas and also focus on the importance of building and strengthening institutional capacity and the need to engage industry in solutions.
- Broadening the donor base for sound management of chemicals and waste, including exploring untapped resources linked to the 2030 Agenda for Sustainable Development.
- Building on existing funding structures at all levels, including lessons learned from existing funding mechanisms.
- Promote enhanced funding for the sound management of chemicals and waste under the GEF Trust Fund, Green Climate Fund and others with access for all eligible countries and relevant stakeholders, in accordance with applicable rules.

### **Sustainable and Green Chemistry**

***U.S. Comments on this section:***

***We agree it is important to discuss sustainable and green chemistry and their role in SAICM beyond 2020 as part of this intersessional process. Though it's implied, we suggest clearly stating here the view of many that it will be important to have a mutual understanding of what sustainable and green chemistry mean in the SAICM context. We also suggest***

*reflecting that many view sustainable chemistry as closely linked to life cycle assessment and sustainable development.*

*We would also like to emphasize that concepts such as sustainable chemistry complement, rather than replace, basic chemicals management. Sound chemicals management is a pre-requisite for sustainable chemistry and building capacity for sound chemicals management should be the focus of SAICM beyond 2020.*

- There was some debate concerning the definition of sustainable versus green chemistry. **The view of many was that it will be important to have a mutual understanding of what sustainable chemistry means in the SAICM context.** However, there was agreement that there were useful aspects of these concepts that should be followed up at the next intersessional process meeting.
- **It was noted that sustainable chemistry is closely linked to sustainable development.**

### **National Implementation**

*U.S. Comments on this section:*

*As previously noted, all countries should have National Action Plans by now. The milestones/indicators mentioned above should be the tools to guide and measure implementation. In our view, the focus on National Action Plans has come at the expense of implementation.*

- National Action Plans were mentioned as a possible tool to address the sound management of chemicals and waste, focusing in particular on building in-country capacity for basic chemicals and waste management with the support of international cooperation.
  - Additional elements such as institutional strengthening and information sharing were highlighted for making progress at the national level.
-