

IP4.3 Highlights: Sunday, 24 September 2023

“We’re finally in the home stretch,” proclaimed Intersessional Process (IP) Co-Chair Kay Williams (UK) as she opened the final IP plenary on Sunday evening.

The Co-Chairs introduced to the final plenary a [text of the draft framework instrument](#) on the management of chemicals and waste that takes into account the document portions agreed *ad referendum* during the IP. The Co-Chairs then led the plenary through a paragraph-by-paragraph review of the text, starting with the introduction, seeking to resolve differences wherever possible to produce a “cleaner” text for Fifth International Conference on Chemicals Management (ICCM5).

The plenary worked into the night.

Development of Recommendations for Consideration by ICCM5 for the Strategic Approach and the Sound Management of Chemicals and Waste Beyond 2020

Strategic Objectives and Targets: Targets: The Co-Chairs opened discussion on targets in plenary, insisting delegates focus on the substance rather than fretting over timelines. Even so, the AFRICAN GROUP, IRAN and INDIA, expressed their concern over tight timelines if the new framework instrument is to be aligned with the 2030 Agenda for Sustainable Development. This concern was met with comments from GLOBAL ALLIANCE ON HEALTH AND POLLUTION (GAHP), INTERNATIONAL POLLUTANTS ELIMINATION NETWORK (IPEN), and the UK that dates in targets are not only best practice, but an important way to spur action. PALESTINE raised general concern over the targets’ insufficient inclusion of mechanisms to address the illegal trafficking of chemicals.

Delegates came close to consensus on target A1 on the adoption, implementation, and enforcement of legal frameworks by 2030, with the text to be forwarded to ICCM5 for further discussion.

Plenary turned to Target B4 on the application of standardized tools, guidelines and best available practices for assessment and chemical and waste management. The US, supported by the

INTER-ORGANIZATION PROGRAMME FOR THE SOUND MANAGEMENT OF CHEMICALS (IOMC) and GAHP, proposed that a reference to “standardized tools” be placed after “best available practices” to avoid the implication of needing standardized guidelines.

Discussions continued in an informal group facilitated by Mari-Liis Ummik (Estonia). Ummik noted the disagreement in establishing timelines for the targets, suggesting discussing these at a later stage. On Target B1 about generating accessible information on chemicals, delegates agreed to include a mention of the properties of chemicals and delete a mention to their lifecycle.

The facilitator offered a new proposal on Target B2 about stakeholders in the value chain making available information on chemicals and materials. Delegates mostly agreed on this new text, with several suggesting to include a mention to a globally harmonized transparency system.

On Target B3 about stakeholders making data on chemicals production available for the public, one stakeholder proposed alternate text. While some delegations considered the target as already addressed in B2, there was general understanding that this target is part of a progression where B2 is on supply chain and B3 for consumers.

The informal group also discussed a proposed Target BX addressing data and information about concentrations of chemicals in humans, with one stakeholder presenting alternative text. The group could not agree on text for this target.

The thematic group on financial considerations co-facilitated by Jonah Ormond (Antigua and Barbuda) and Přemysl Štěpánek (Czechia) focused on discussions of the three finance-related draft targets. Attempts to clean the text of brackets in all three failed, with disagreements persisting over calling for setting quantified goals, references to “new” funding, and mandating a process to set a “collective quantified goal” for finance by the Conference.

Mechanisms to Support Implementation and Issues of Concern: In the morning, the thematic group on institutional arrangements resumed its consideration of an introductory text

on mechanisms to support implementation, based on two new paragraphs proposed by Co-Facilitators Karissa Kovner (US) and Zukie Gwayi (South Africa). Introducing the text, Kovner said the aim was to respond to the request of the IP4 Co-Chairs to propose more detailed text linking mechanisms to support implementation and issues of concern and invited the group to also consider relevant text in the section on stakeholder engagement “to provide an overarching vision of how these different pieces come together.” She reported that the two proposed paragraphs were drafted in close consultation with the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) to ensure alignment with a proposed resolution text on strategic objectives and targets to be tabled at ICCM5.

The proposed texts call on the Conference to consider, *inter alia*: adopting programmes to support the implementation of the framework to achieve its strategic objectives; suggesting actions that the stakeholders intend to initiate or contribute at the national, regional, and/or international levels to successfully meet the relevant targets identified; and establishing *ad hoc* working groups to provide direction and momentum to the work, as well as to mobilize engagement.

The group broadly welcomed the proposals, describing them as a good basis for consensus. Issues raised in the subsequent discussion included: whether programmes should be linked to specific objectives and targets; the link between programmes and issues of concern; and the role of the IOMC.

In response, Kovner reiterated the group’s mandate to offer direction on how to link issues of concern to the framework, suggesting a reformulation of the reference to “nominations of issues of concern to “any agreed issues of concern.” On the role of the IOMC, she highlighted a desire among many developing countries for the body to play a more active role in supporting future implementation.

After reaching agreement on compromise language, the group decided to retain the agreed paragraphs in the opening section of the corresponding text, and then cleaned up remaining bracketed text to reflect consensus reached on Saturday to adopt “Issues of Concern” as the overall title.

Capacity Building: The morning plenary opened discussion of this section of the consolidated document ([SAICM/IP.4/13](#)), with the Co-Chairs noting their proposals presented in the [non-paper](#) on financial considerations, financial arrangements and capacity building. The US and BRAZIL raised concerns over the cost and suitability of a peer review process. The US proposed combining capacity building with finance under the new heading of “Resource Considerations” given their intrinsic link.

The Co-Chairs proposed to extend the mandate of the working group on financial matters to include capacity building. AUSTRALIA, CANADA, JAPAN, UK, SWITZERLAND, and

the EU welcomed the alternative text as a basis for discussions in a working group. IRAN, BRAZIL, KENYA, the RUSSIAN FEDERATION, EL SALVADOR, PAKISTAN, PERU, ANGOLA, MEXICO, INTERNATIONAL COUNCIL OF CHEMICAL ASSOCIATIONS (ICCA) and GAHP, supported working with the non-paper text in a group, but favored including issues omitted from the consolidated document, including technology transfer and a financial mechanism. BRAZIL highlighted the advantages for both developing and developed countries in technology expertise sharing and co-development of technology, noting the just transition of the chemical industry relies on technology transfer. ICCA called for the inclusion of a matchmaking tool for capacity building. GAHP and MEXICO suggested making a stronger mention of the private sector in providing finance for capacity building. NIGERIA said discussions in a working group should be based on the consolidated document.

The Co-Chairs stated that, because of a lack of agreement, the issue of capacity building will not be discussed in a working group, and the evening plenary will discuss it based on the consolidated document.

In the Corridors

Sunday’s deliberations were, in the estimate of many delegates, best described as “confused.” Some even went so far as to dub it as “surreal.” Delegates were unsure where and when their many groups were meeting, or if at all. The official schedule posted online wasn’t trusted; delegates instead relied on word-of-mouth and frequently double-checked electronic boards throughout the venue.

As delegates continued to add their favorite terms and concepts to various targets throughout the day, the resulting text could be called anything but “clean.” With compromises few and far in between, the finance group co-facilitator told delegates engaged in adding brackets to draft targets on data and information: the more brackets it has, the more likely it will be discarded in the end in the interest of time. As another delegate put it: “It won’t be me losing, and you won’t lose, but rather it’s the world that loses.”

Many developing country delegates were upset that the financial targets saw little progress. “If we have no new financial commitments to back up this new framework, then what is the point of the whole exercise?” demanded one. Another stated that some delegations “speak about flexibility but show no flexibility,” perhaps seeking to encourage some progress on some of the most substantial elements of the negotiations.

But others appeared unflappable in the face of so many loose ends. “You can’t break this,” remarked a seasoned delegate from an intergovernmental organization, possibly hinting at parallel efforts led by the host country to ensure the much-postponed finish to the intersessional process will conclude successfully.