

**Second Teleconference of the Bureau of the
International Conference on Chemicals Management for its fifth session**
Wednesday, 9 September 2020, from 14:00 – 16:30 CET

REPORT OF THE ELEVENTH MEETING OF THE ICCM5 BUREAU **9 September 2020**

1) Opening and welcome

The President of the International Conference on Chemicals Management for its fifth session (ICCM5), Ms. Gertrud Sahler, welcomed participants¹ to the eleventh meeting and third teleconference of the ICCM5 Bureau.

The President expressed her sincere thanks to everyone for joining the meeting and for their continued commitment during these unprecedented times. She highlighted the pandemic serves as an acute reminder of their valuable work and the challenges facing the sound management of chemicals and waste and fulfilment of the Sustainable Development Goals (SDGs).

She congratulated the Bureau for making progress at its last meeting in June 2020. At the same time, she stressed that questions remained on how to advance the work of the Inter-sessional Process (IP) to ensure adequate preparation of “Beyond 2020” recommendations for consideration at ICCM5.

The President indicated that the primary focus of this meeting was to finalize and discuss next steps and timelines to develop these recommendations, including by ensuring that the virtual work advances. She indicated her expectation that Bureau Members come to agreement on the establishment of the virtual working groups (VWGs) and their mandates, a topic which was discussed in considerable depth at the last meeting.

She proposed that the Bureau use the Co-chairs scenario note, draft mandates for the proposed virtual working groups and modalities for convening virtual meetings and online consultations as a basis for the discussions. She emphasized that this guidance must be communicated to all SAICM stakeholders.

The President requested and received approval for the report of the tenth meeting and second teleconference of the ICCM5 Bureau presented in document SAICM/ICCM.5/Bureau.TC.2/Report.

The President thanked everyone and closed this agenda item.

2) Adoption of the agenda

The President introduced the provisional agenda as set out in document SAICM/ICCM.5/Bureau.TC.3/1 indicating that the discussions would focus on Agenda items 3(a) and 3(b) to enable the Bureau to take decisions concerning preparations for IP4 and ICCM5.

Ms. Sahler sought approval to limit the speaking time to no more than two interventions for each agenda item and two to three minutes per intervention to ensure that all agenda items receive the necessary attention

¹ The list of participants is presented in the Annex to this report.

and decisions can be made. She also reminded participants that all Bureau Members were to be given an equal opportunity to speak.

The meeting agenda was agreed and adopted by the participants.

3) Discussion on next steps to develop recommendations for consideration by ICCM5 for the Strategic Approach and the sound management of chemicals and waste beyond 2020

The President opened Agenda item 3 by reminding participants that this item was the focus of the previous teleconference.

She thanked the IP Co-chairs for the revised scenario note (SAICM/ICCM.5/Bureau.TC.3/2) and the Secretariat for the revised document on modalities for convening the virtual meetings and online consultations (SAICM/ICCM.5/Bureau.TC.3/4), each taking into consideration input from Bureau Members and a number of stakeholders.

The President welcomed general comments from the Bureau expressing her trust that they would make decisions at the meeting building on these documents.

a) Intersessional Process Co-chairs' scenario note and modalities to convene the virtual working groups

Upon invitation from the President, the Co-chairs provided a high-level overview of their revised scenario note and modalities for convening virtual meetings and online consultations. A number of clarifications were suggested by the Co-Chair on the modalities to convene virtual meetings and online consultations, and the revised text will reflect these changes.

In terms of the modalities, the Co-chairs proposed two options to conduct the work of the VWGs: Option 1 using both an online platform and email communication and Option 2, primarily via email communication. Email communication would be conducted in an open and transparent manner with a sufficient response time of 3 - 4 weeks to allow for broad stakeholder input. The Co-chairs indicated that of the two options, their preference was for Option 1.

Before welcoming comments from the Bureau, the President underlined that document [SAICM/IP.4/2](#) would remain the basis for negotiations at IP4. The President reminded participants of the importance that the virtual work continues, and that because this work would be informal in nature, their outputs would be non-negotiated papers, separate from document SAICM/IP.4/2.

Several Bureau Members voiced appreciation and approval of the Co-chairs' revised scenario note and that the virtual work would proceed with participation open to all stakeholders and that there would be no selection process.

The President highlighted that she and the Co-chairs would preside over the first technical briefing to explain the entire process to stakeholders.

The IOMC representative took the opportunity to highlight that the WHO plans to arrange a technical briefing in the margins of their Global Chemicals and Health Network meeting, which will facilitate participation of ministries of health in the process.

The Health NGOs representative stressed that some technical briefings should be held prior to the VWGs, e.g., technical briefing on targets and indicators. Furthermore, that the timing be considered carefully so participants are not overwhelmed. She also requested that the modalities for convening virtual meetings and online consultations document be reviewed again because in some places it still refers to representation rather than openness of participation.

The Secretariat indicated that the VWGs and technical briefings would begin mid-October and scheduled in a way which provides sufficient time for stakeholders to prepare. Also, that specific dates and timelines would be communicated shortly.

On the two options for conducting the virtual work, several participants agreed that Option 1 was preferable. For example, email exchanges pose difficulties in terms of limiting discussions and therefore progress, and difficulties for the Co-facilitators to manage. Further, an advantage is that Option 1 combines the two options which are complementary and still allow opportunities for those not able to participate in the online discussions.

Several Bureau Members indicated that Option 2 was their preference due to time zone challenges and because of the likely technical difficulties some stakeholders would experience which could limit their participation. Also, that Option 2 would reassure those who are concerned that the work and outputs of the virtual working groups would become negotiations, which is not possible via email exchanges.

Other Bureau Members indicated no preference for either option.

The Asia-Pacific Regional Focal Point requested that the virtual working groups Co-facilitators be appointed, and that this role be allocated to regional groups rather than countries. Further, to consider choosing facilitators for each topic to avoid fragmentation. The President noted that this will be taken up under the draft proposed mandates for the VWGs.

The Bureau Member from Latin America and the Caribbean indicated that the outputs of the VWGs should be information documents and mandates, which should not include proposals for alternative text nor removal of brackets.

The President voiced appreciation for everyone's opinions and reasoning concerning the two options, each having advantages and disadvantages.

The Asia Pacific Regional Focal Point voiced concern that the majority opinion would be taken, and some opinions would not be considered.

The President proposed a compromise, to begin the virtual work through Option 1, and if this combination worked, to move ahead with this format. If too many difficulties arise under Option 1 shifting to Option 2 should be explored.

The Labour representative proposed an alternative compromise, i.e., that the primary communication be conducted by email and that the virtual discussions be available as an addition.

The representative from Central and Eastern Europe proposed that since the work of each VWG would be different, that the final decision be left to the discretion of the Co-facilitators of individual VWGs.

The President indicated her support for this last proposal since the virtual work would not be negotiations and that the Co-facilitators could decide how to proceed and that this should be reflected in the document on modalities to convene virtual meetings and online consultations.

The President confirmed Bureau approval of the approach for the VWGs and technical briefings, as well as the topics as proposed in the scenario note.

b) Draft proposed mandates for the virtual working groups

The President opened this sub-agenda item noting that the document on the draft proposed mandates document for the virtual working groups as presented in SAICM/ICCM.5/Bureau.TC.3/3 was circulated to the Bureau one month prior to this meeting, allowing sufficient time for stakeholder consultation.

The President noted that she expected participants to come to agreement on the mandates for the work of virtual working groups for which she considered the most important element. Ms. Sahler shared her understanding that the mandates should allow flexibility for the three options, or kinds of outputs:

suggestions for alternative text to address areas of divergence; compromise text (removal of brackets); or identification of gaps.

She then recalled that the virtual working groups would not be given mandates for making decisions and would develop and consult on proposals that build and enhance the understanding of the issues under discussion.

Upon invitation from the President, the Co-chairs provided a high-level overview of the draft proposed mandates for the virtual working groups.

The Co-chairs noted that Mr. Sverre Thomas Jahre from Norway and Mr. Sam Adu-Kumi from Ghana would co-facilitate the VWG on issues of concern. They also encouraged Regional Focal Points to keep their constituents updated on the progress of the VWGs to encourage as wide a participation as possible.

The Asia Pacific representative indicated that the draft mandates should more clearly indicate whether the VWGs would be working on consensus. Also, the wording should be clear that any compromise text or proposals would be included as an annex and any input from stakeholders would be annexed to that report. He further stressed the importance of arriving at ICCM5 with concrete proposals and that considering the need to resolve many issues at IP4, that consideration be given to extending IP4 from 5 to 8 days.

The representative of Western Europe and Others congratulated the Co-chairs on the well written and clear mandates. She noted that the background documents listed provide historical references that are helpful for stakeholders not familiar with the process.

Several Bureau Members highlighted that in the VWG on governance and mechanisms to support implementation, there is a need to clarify between the expected work of UNEA and SAICM on options for a science-policy interface, i.e., it is not clear whether the process is being duplicated or if the virtual working groups would contribute elements to this work.

The representative from the Public Interest Organization commended the Co-chairs for their good work and suggested for the VWG on financial consideration to change the text referring to private sector involvement to 'gather views on private sector involvement...the industry may wish to consider'.

Given the ambitious mandates for some of the VWGs, the representative of Western Europe and Others suggested that the Co-chairs and respective VWG Co-facilitators identify priority areas to address. She further noted that the United Kingdom is pleased to support or financially contribute to the process to finalize the targets as much as possible considering their importance. Finally, for the VWG on issues of concern, she suggested that this topic be broadened to issues of interest or common interest.

The President indicated that any output from the VWGs would be included as an annex to document SAICM/IP.4/2.

The Asia-Pacific representative requested two additional weeks to provide inputs from the Asia Pacific region on the draft mandates. In response, the Secretariat suggested that inputs would be welcome from the Asia Pacific region and that these could be sent to the respective Co-facilitators for consideration.

The President indicated that all comments would be included in the report of this meeting.

The President confirmed general agreement on the draft proposed mandates for the VWGs and the selection of the Co-facilitators. She requested the Secretariat to proceed to work with the Co-facilitators to develop a workplan and schedule for their respective VWGs. The Secretariat was requested to communicate the dates for the launch of the virtual working groups and make this information available on the SAICM website.

The President then closed this agenda item.

4) SAICM budget for 2020-2021

The President invited the Secretariat to introduce document SAICM/ICCM.5/Bureau.TC.3/5 and recalled that this item had been discussed during the last two meetings.

The Secretariat introduced the revised SAICM budget for 2020-2021 highlighting that since the document had been circulated there had been positive developments: additional funds received from the Government of France and pledges, which had become realized contributions.

With no comments on the 2020-2021 budget from the Bureau, the President invited UNEP to explain the silence/no objection procedure that would be taken for adoption of the 2020-2021 budget.

UNEP explained that the silence/no objection procedure had been used by UNGA and some MEAs. A draft decision will be drafted by the Secretariat and circulated to the Bureau for comment. The ICCM5 President will then request the Secretariat to circulate the draft decision to all stakeholders with a cover note explaining the process. Stakeholders would have 30 days to review the draft decision. If there is no objection, i.e. silence, then there is an agreement. If any stakeholder opposes the decision, they would be asked to relay this to the President officially in writing through their respective Bureau Member to facilitate discussions with their respective constituents. It was noted that seeking clarification did not mean breaking the silence and that the President will consult with UNEP legal counsel if any issues are not clear. Finally, it was noted that given that this is a procedural decision, there is an expectation that no objection will be raised.

The Bureau Members agreed to the proposed process. The President took the opportunity to encourage contributions to the SAICM Trust Fund. She noted that she would circulate a fundraising letter in the near future.

The President closed this agenda item.

5) Next teleconference of the bureau

It was agreed that the twelfth meeting, and fourth teleconference, of the ICCM5 Bureau would be held the last week of October 2020. As per established practice, the Secretariat will provide options for dates and times.

6) Any other matters

The President opened this agenda item by providing an update on the status of the Friends of the Presidents' Group on the preparation of a possible ICCM5 High-level Declaration and the recent call for nominations.

The President thanked all stakeholders for their nominations and indicated she would follow the UNEA5 Presidency example and make a call to all SAICM stakeholders and invite them to participate and contribute elements for a High-Level Declaration. She indicated it should contain two key elements (1) adoption of a new framework for a SAICM successor and (2) a high-level commitment on the sound management of chemicals and waste to fulfil the Sustainable Development Goals. The main task of the Friends of the President group would be to prepare elements of a draft declaration based on the inputs received from stakeholders. It was highlighted that nominations are still expected from the Health Sector and the IOMC, as well as a final nomination from the Asia Pacific region. She would inform the Bureau of the final composition of the group.

The Secretariat provided a brief update on planning for the fourth session of the intersessional process (IP4) to take place on the third week of March 2021 in Bucharest, Romania.

The President thanked the Secretariat for preparing the document on upcoming events (SAICM/ICCM.5/Bureau.TC.3/6) and closed this agenda item.

7) Closure of the meeting

The President thanked the Secretariat for organizing the eleventh meeting and third teleconference of the ICCM5 Bureau and all Bureau Members for their active participation in the discussions.

The President closed the meeting at 16:22.

FINAL

Annex

Participants

Bureau Members: Ms. Gertrud Sahler (Germany, ICCM5 Bureau Member Western Europe and Others Group), Mr. Szymon Domagalski (Poland, ICCM5 Bureau Member Central and Eastern Europe), Ms. Valentina Sierra (Uruguay, ICCM5 Bureau Member Latin America and the Caribbean) and Mr. David Kapindula (Zambia, ICCM5 Bureau Member Africa).

Regional Focal Points: Mr. Mohsen Naziri Asl (Iran representing Asia-Pacific), Mr. Vladimir Lenev (Russian Federation, representing Central and Eastern Europe), Ms. Suzanne Leppinen (Canada representing Western Europe and Others), Ms. Ana Fernandez Blanco (Argentina representing Latin America and the Caribbean) and Mr. Kouame Georges Kouadio (Cote D'Ivoire representing Africa).

Representatives of non-governmental participants and the IOMC: Ms. Susan Wilburn (Health NGOs), Mr. Joe Di Gangi (Public Interest Organizations), Mr. Rory O'Neill (Labour NGOs), Ms. Servet Goren (Industry) and Mr. Bob Diderich (Chair of the IOMC).

SAICM Secretariat: Ms. Nalini Sharma (SAICM Coordinator), Ms. Brenda Koekkoek, Mr. Jose de Mesa, Mr. Oleksandr Nazarenko and Ms. Lisa Benedetti.

UN Environment Programme: Mr. Tim Kasten (Director, a.i. Policy and Programme Division, UNEP) and Ms. Monika G MacDevette (Chief, Chemicals & Health Branch, Economy Division, UNEP).

Observers: Mr. David Morin (Co-chair of the intersessional process), Ms. Judith Torres (Co-chair of the intersessional process), Jutta Emig (Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Germany) and Mr. Vassilios Karavezyris (Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Germany).