SAICM INTERSESSIONAL PROCESS TO CONSIDER SAICM AND THE SOUND MANAGEMENT OF CHEMICALS AND WASTE BEYOND 2020

PROPOSED DRAFT – SCENARIO NOTE FOR PATH FORWARD TO DEVELOP RECOMMENDATIONS FOR SUBMISSION TO ICCM5

Prepared by the co-chairs of the intersessional process (10 June 2020)

Introduction

As set out in resolution IV/4 of the International Conference on Chemicals Management (ICCM), the task of the intersessional process is to prepare recommendations regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020, including consideration for the need to develop measurable objectives in support of the 2030 Agenda for Sustainable Development.

The fourth meeting of the intersessional process (IP4) scheduled for 23-27 March 2020 in Romania was postponed due to the global Covid-19 pandemic. Given ongoing uncertainty the fifth session of the International Conference on Chemicals Management (ICCM5), originally scheduled for 5-9 October, 2020 in Bonn, Germany has also been postponed. Germany has been able to secure a new date for the same venue in Bonn from 5-9 July 2021. IP4 is yet to be rescheduled.

In light of these changes, the present scenario note, developed by the co-chairs of the intersessional process, Ms. Judith Torres (Uruguay) and Mr. David Morin (Canada), suggests a proposed plan and general expectations for keeping the momentum going and completing the task of the intersessional process.

The path forward proposed below is intended to facilitate continued progress in the development of the recommendations to ICCM5. The proposal suggests that we move forward assuming regional meetings and IP4 will be rescheduled. It also provides for various contingency plans including virtual working groups, online consultations and written procedures should a face-to-face IP4 and regional meetings not be possible prior to ICCM5.

We recognize that working virtually is not ideal and will present challenges for many stakeholders. Despite this, we feel it is important that we keep the momentum going as best as possible and make use of the additional time we now have to make further progress. We believe the approach proposed balances the need to be equitable, inclusive and transparent, while taking the challenges of working virtually into consideration.
Goals and expectations for ICCM5

In consultation with the ICCM5 Bureau Members and feedback from the regions, the following areas were seen as priority final outcomes of ICCM5:

- A new text to replace the existing Overarching Policy Strategy (OPS) – particularly, the adoption of:
  - Vision, Scope, Objectives and Targets
  - Mechanisms needed to begin implementation e.g. functions/timing/nature of ICCM, Secretariat, Bureau and other aspects (e.g. multi-sectoral and multi-stakeholder engagement)
- Approach to finance and capacity-building
- Adoption of a High-level Declaration
- Needed transitional arrangements and other resolutions.

If some work is not complete, a path forward for finalizing remaining issues or implementation mechanisms (e.g. finalising indicators) following ICCM5 may be required.

With this in mind, the primary goal of the intersessional process between now and ICCM5 remains to finalize recommendations for a new OPS and in particular, the following were seen as priorities:

- As clean text as possible for vision, scope, and objectives.
- Criteria for selection of new issues of concern and an approach to current emerging policy issues
- Targets
- Improving multi-stakeholder/multisectoral participation, guidance, coherence and coordination
- Implementation mechanisms, including: approach to science-policy; financial considerations and capacity-building; review and taking stock of progress; and consideration of a process for detailed sector/stakeholder implementation roadmaps.

If necessary, some issues could be finalised following ICCM5, for example:

- Finalizing methods and tools for taking stock of progress (e.g. questionnaire)
- Additional indicators and milestones beyond the key Inter-Organization Programme for the Sound Management of Chemicals (IOMC)/ Basel, Rotterdam and Stockholm Conventions (BRS) Secretariat indicators
- Provisions for further updating the instrument
- Revisions to Rules of Procedure (if needed)
- Detailed Sectoral/ Stakeholder ‘Roadmaps’ to address the objectives and targets.

Proposed path forward

We propose that the intersessional process continue work on some key issues through a variety of virtual means. A proposed timeline is annexed to the present note.
To balance the need for equitable representation, transparency and inclusiveness, this proposal includes a variety of modes of work and builds on the progress of the previous IP meetings, SAICM’s Third Open-ended Working Group (OEWG3), the technical working group on targets and other online consultations. Modes of work will include:

i. **Online Technical Briefings:**

- Material that serves to inform stakeholders will be presented online through webinars. A timeline for these technical briefing webinars will be posted on the SAICM website. These will include:
  - Welcome and overview of next steps for the intersessional process (led by the co-chairs of the intersessional process)
  - Outcomes of the technical working group on targets, indicators and milestones (led by co-chairs of the technical working group)
  - Outcomes of the governance meeting (led by Governments of Germany, Norway, Switzerland and UNITAR)
  - Options for strengthening the science-policy interface at the international level for the sound management of chemicals and waste (led by the United Nations Environment Programme (UNEP))
  - Information session on the new International Labour Organization (ILO) legal comparative study on ILO chemical instruments (led by ILO)
  - Information session on the High Ambition Alliance (led by Governments of Sweden and Uruguay)
  - Information session on (Globally Harmonized System of Classification and Labelling of Chemicals) GHS implementation (led by UNITAR)
  - [Additional briefings as necessary].

ii. **Virtual working groups (VWG):**

The issues and related recommendations covered by the intersessional process are all at different stages in their development. Some issues have had extensive review and negotiation at previous IP meetings or at OEWG3 (Vision, Scope and Objectives for example). For these issues, further progress would be best made by in person negotiations. As well, feedback from stakeholders suggested that more technical topics would be better suited for virtual work, whereas non-technical issues, such as financing, would be better suited for face to face meetings or proposals brought forward through written submissions.

With this in mind and based on stakeholder feedback, VWGs will be established to work on a few specific, concrete and more technical issues that are in need of further development and are well-suited for virtual work, as follows:

**Topics of the Virtual Working Groups:**

- VWGs will be formed on the following issues:
A. Targets and indicators

B. Issues of Concern

C. Enhanced governance through multi-sectoral and multi-stakeholder engagement

D. Mechanisms to support implementation
   - Science-Policy Interface;
   - Monitoring progress;
   - Capacity-building.

Mandates for the VWGs will be developed and posted on the SAICM website.

Participants of the VWGs:
- The VWGs will be as regionally, sectorally and stakeholder representative as possible.
- Given the additional challenges that some regions and sectors will be facing, we believe the size of these working groups should be limited in order to allow for efficiency in their work and also allow for equitable representation.
- We suggest that for each VWG, each region and stakeholder group be invited to submit an expression of interest for two representatives to participate. To ensure that there is balanced representation, additional participation could be requested based on sector and stakeholder gaps at the discretion of the Bureau.

The task and methods of the VWGs:
- The task of the VWGs will be to develop proposals on key issues, building on and continuing the work of working groups at IP3 and incorporating relevant written input. They will also make proposals on gaps, if identified.
- Each VWG will require one or two co-facilitators to champion the issue and guide the discussion and recommendation outcomes, with support of the secretariat.
- The work of the VWGs will be performed in an open and transparent manner to allow for broad stakeholder input. In particular, VWG members will be expected to consult with the sector/region/stakeholder group they represent and allow for written input from their broader constituency. Further, VWG co-facilitators will post reports, status updates and other interim documents on the SAICM website for open online consultations. Webinars will also be used to brief stakeholders on progress with consideration for different time zones.
- The VWGs could work by email and teleconference (where possible, given different time zones). Noting that this will be an iterative process that goes beyond the VWGs, sufficient time should be provided to send written inputs to ensure that stakeholders with connection problems can contribute. VWG sessions could also be recorded to improve accessibility and transparency.
• Some work within the VWGs may benefit from smaller task group work to focus on specific areas that would then report back to the broader VWG group. Further, outcomes from these groups will be posted on the SAICM website and provided as documentation for consideration at IP4.

iii. **Open online briefing and Webinars of VWG proposals and consultation** on these with all interested stakeholders

• All IP participants will be invited to submit written comments; the secretariat will post invites and inform Regional Focal Points when documents are posted on the SAICM website.

• The co-facilitators will deliver webinars to provide an overview of the progress of the VWGs and allow for questions of clarification.

iv. **Outcomes from the VWGs will be** discussed at IP4 in March 2021 (TBD)

or

In the event that IP4 cannot be rescheduled and will have to be cancelled, the **contingency plan** would be to discuss and finalise the recommendations for ICCM5 virtually following the Bureau’s direction.

In addition to the official VWGs, it is recognized that there may also be stakeholder driven groups on some topics. The outcomes of these initiatives could be submitted as information documents for IP4.

### Getting to ICCM5

In conclusion, we are living in unprecedented times, and we appreciate your on-going commitment to this important process. Our ultimate goal is to protect human health and the environment from harmful effects of chemicals and waste. We must use the additional time we are given to work together and continue the momentum we have built to finalize our recommendations to ICCM5.

We very much look forward to working together with you and achieving a successful outcome at ICCM5.

Judith Torres (Uruguay) &
David Morin (Canada)

Co-chairs of the intersessional process
ANNEX

TIMELINE

<table>
<thead>
<tr>
<th>MONTH</th>
<th>EVENT/ACTION</th>
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<tbody>
<tr>
<td>May 2020</td>
<td>9th Bureau meeting (virtual)</td>
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<td>June 2020</td>
<td>Bureau consultation on Draft Co-chair’s Scenario note</td>
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<td>10th Bureau meeting (virtual) (June 17)</td>
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<td>Distribution of scenario note to all stakeholders</td>
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<td>July/August</td>
<td>Nominations to the VWGs</td>
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<td>First round of relevant Virtual Technical Briefings (e.g. Overview by Co-chairs and status of the Targets VWG)</td>
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<td>Establish first round of virtual working groups (report back late September)</td>
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<td>Bureau Meetings (as appropriate to track progress with the process)</td>
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<tr>
<td>October 2020</td>
<td>Planned Briefings/ Webinars as appropriate</td>
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<td>First online consultation with all regions / interested stakeholders, inviting written submissions on preliminary outcomes of virtual working groups.</td>
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<td>October/</td>
<td>Second round of virtual working groups (revise proposals)</td>
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<tr>
<td>November 2020</td>
<td>Bureau Meetings (as appropriate to track progress with the process)</td>
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<tr>
<td>December 2020</td>
<td>Consolidation of VWG proposals/ outcomes</td>
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<td>January 2021</td>
<td>Bureau Meeting – Preparation for IP4, including review of agenda and documents for IP4 (including VWG outcomes).</td>
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<td>Early February 2021</td>
<td>Post the official documents for discussion at IP4</td>
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<td>March 2021</td>
<td>IP4 - Romania TBC</td>
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<td>Finalize recommendations to submit to ICCM5</td>
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<td>[Contingency plan: further online consultations/webinars/briefings/work groups (as appropriate) on the recommendations for ICCM5]</td>
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<tr>
<td>April–June 2021</td>
<td>Official Regional Meetings¹ / sectoral consultations</td>
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<td>Technical briefings</td>
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<td>5-9 July 2021</td>
<td>ICCM5 (Bonn)</td>
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¹ Informal Regional dialogues (virtual if necessary) can be held at any point in the process as appropriate and at the discretion of each region.