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

Co-Chairs’ scenario note for the path forward to develop recommendations for submission to ICCM5

This document presents the scenario note for the path forward to develop recommendations for submission to ICCM5 prepared by the co-chairs of the intersessional process.

This document takes on board the comments received from the SAICM Bureau at their second teleconference held on 17 June 2020 and additional written comments received from stakeholders. This document refers to the following two documents:

a) Draft mandates for the proposed Virtual Working Groups to advance deliberations towards IP4 and ICCM5 (SAICM/ICCM.5/Bureau.TC.3/3); and
b) Modalities for convening virtual meetings and online consultations (SAICM/ICCM.5/Bureau.TC.3/4).

Introduction

As set out in resolution IV/4 of the International Conference on Chemicals Management (ICCM), the task of the intersessional process (IP) 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 to 27 March 2020 in Romania has been postponed until March 2021 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 to 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 to 9 July 2021. Dates for IP4 are 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 in support of completing the intersessional process task.

The path forward proposed below is intended to facilitate continued progress in the development of the recommendations for consideration at ICCM5. It suggests that we move forward assuming regional meetings and the IP4 will be rescheduled.
We recognize that working virtually is not ideal and will present challenges for many stakeholders. Despite this, we feel it is important to 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 proposed approach 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 for implementation e.g. functions/timing/nature of ICCM, Secretariat, Bureau and other aspects (such as multi-sectoral and multi-stakeholder engagement);
- Approach to finance and capacity-building;
- Adoption of a High-level Declaration; and
- Needed transitional arrangements and other resolutions.

If some work is not complete, a path forward for finalizing remaining issues or implementation mechanisms (e.g. finalizing indicators) following ICCM5 may also 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/multi-sectoral participation, guidance, coherence and coordination; and
- Implementation mechanisms, including: approach to science-policy interface; financial considerations and capacity-building; review and taking stock of progress; and consideration of a process for detailed sector/stakeholder implementation roadmaps.

While all efforts will be made to finalize all issues for ICCM5, if necessary, some issues could be finalized 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) and Minamata Convention indicators;
- Provisions for further updating the instrument;
- Revisions to Rules of Procedure (if needed); and
- 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.
Modalities of work will include:

(i) **Online Technical Briefings:**

Material that serves to inform stakeholders will be presented online through webinars. A timeline for these online technical briefings will be posted on the SAICM website and will be facilitated by the Secretariat. 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 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 (VWGs):**

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. Furthermore, feedback from stakeholders suggested that topics/issues more technical in nature would be better suited for virtual work, whereas non-technical issues would be better suited for face-to-face meetings or proposals brought forward through written submissions. The VWGs are NOT intended to replace formal face-to-face discussions at IP4 and/or negotiations that will take place at ICCM5 but rather are intended to further build understanding and prepare delegates for these important negotiations.

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

**Topics:**

VWGs will be formed on the following issues:

(i) Targets, indicators and milestones;
(ii) Governance and mechanisms to support implementation;
(iii) Issues of concern; and
(iv) Financial considerations.

Mandates for the VWGs have been developed and posted on the SAICM website. Modalities on convening the VWGs have also been prepared.

**Participation:**

- The VWGs will be open to all SAICM stakeholders; we continue to stress the importance for VWGs to be as regionally, sectorally, stakeholder and gender balanced as possible.
Given the additional challenges that some regions and sectors will be facing under the Covid-19 circumstances, we believe that these VWGs should provide flexible work arrangements to allow for equitable representation, effective participation by all, and high efficiency.

Task and methods:

- 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 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. VWG members will be encouraged to consult with the sector/region/stakeholder group they represent and allow for written input from their broader constituency. Further, VWG co-facilitators will, with the support of the Secretariat, post reports, status updates and other interim documents on the SAICM website for open online consultations. Webinars will be used to brief stakeholders on progress with consideration for different time zones.
- The modalities on convening the VWGs is presented in document SAICM/ICCM.5/Bureau.TC.3/4, which will be made available to all stakeholders and posted on the SAICM website.

The outcomes from the VWGs will be discussed at IP4 in March 2021 in Bucharest, Romania (exact dates to be confirmed).

In addition to these 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 to IP4.

Getting to ICCM5

Our ultimate goal for this extended intersessional period is to make significant progress so we may arrive at IP4 well prepared to finalize recommendations to forward to the fifth session of the Conference regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020 for decision.

We would like to reiterate that we urge participants to work together and aim at making significant progress, so that we approach IP4 with well-considered proposals.

Therefore, we strongly encourage participants to advance developments on the targets, milestones and indicators in support of the 2030 Agenda for Sustainable Development as well as to consider the need for a cross-cutting and holistic enabling framework for the sound management of chemicals and waste beyond 2020, and what gaps such an enabling framework might address.

Furthermore, we would like to encourage participants to consider thoroughly the status of current discussions and propose any additional work that may be necessary to finalize the work of the intersessional process at the fourth and final intersessional meeting in Bucharest in March 2021.

In conclusion, we are living in unprecedented times, and we appreciate your ongoing 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>9(^{th}) Bureau Meeting (virtual)</td>
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<tr>
<td>June 2020</td>
<td>10(^{th}) Bureau Meeting (virtual) (June 17)</td>
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<tr>
<td>July 2020</td>
<td>Bureau consultation on Draft Co-chair’s Scenario note</td>
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<tr>
<td>September</td>
<td>11(^{th}) Bureau Meeting (virtual) (early September, tbc)</td>
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<tr>
<td></td>
<td>Distribution of scenario note to all stakeholders</td>
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<td></td>
<td>Online Technical Briefings (e.g. Overview by Co-chairs and status of the Targets</td>
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<td>VWG)</td>
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<td>Bureau Meetings (as appropriate to track progress with the process)</td>
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<td>October 2020</td>
<td>Planned Briefings/ Webinars as appropriate:</td>
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<td></td>
<td><strong>Virtual Working Groups</strong> (VWGs, report back in November)</td>
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<td></td>
<td>Online consultations with all regions / interested stakeholders, inviting written</td>
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<td>submissions on preliminary outcomes of virtual working groups</td>
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<tr>
<td>December 2020</td>
<td>Consolidation of VWG proposals/ outcomes</td>
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<tr>
<td>January 2021</td>
<td>Bureau Meeting – Preparation for IP4, including review of agenda and documents</td>
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<td>for IP4 (including VWG outcomes)</td>
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<tr>
<td>Early February 2021</td>
<td>Post the official documents for discussion at IP4</td>
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<tr>
<td>March 2021</td>
<td><strong>IP4 - Romania TBC</strong></td>
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<td>Finalize recommendations to submit to ICCM5</td>
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<tr>
<td>April–June 2021</td>
<td>Official Regional Meetings(^1) / sectoral consultations</td>
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<td>Technical Briefings</td>
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<tr>
<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.