

**Sixteenth meeting and eighth teleconference of the Bureau of the International Conference on Chemicals Management for its fifth session**  
Wednesday, 19 May 2021, from 14:00 – 16:00 CET

## **REPORT OF THE SIXTEENTH MEETING OF THE ICCM5 BUREAU**

### **1) Opening and welcome**

The President of the Fifth International Conference on Chemicals Management (ICCM5) Ms. Gertrud Sahler welcomed all participants to the sixteenth meeting and eighth teleconference of the ICCM5 Bureau. In her welcoming remarks, she noted that the progress in COVID-19 vaccination roll-out plans in Europe provides optimism for the months to come. In spite of this, significant challenges remain, especially in other UN regions. Ms. Sahler then welcomed Ms. María del Pilar Angela Teves Libarona as a new regional Bureau member for Latin America and the Caribbean replacing Mr. Nicolás Ignacio Battagliotti.

### **2) Adoption of the agenda**

Ms. Sahler highlighted that the primary focus of this teleconference is to approve the revised survey document to assess the SAICM Virtual Working Group (VWG) process (agenda item 4); to approve the revised document on recommendations for continuing SAICM and a preparatory process for the postponed IP4 and ICCM5 meetings (agenda item 5); and to update on SAICM implementation to date, including the progress in SAICM implementation for the period 2017 to 2019 and the draft Programme of Work and Budget 2021 to 2023 (agenda item 6). Ms. Sahler opened the floor to additional items under agenda item 8, Any Other Matters, and noted that she will provide an update on the ‘Berlin Forum on Chemicals and Sustainability’, organized by the German Government in July 2021 under this agenda item. The agenda was adopted without any further requests from the Bureau.

### **3) Adoption of fifteenth meeting report of the ICCM5 Bureau, held on 24 March 2021**

The Bureau members adopted the report of the fifteenth meeting of the ICCM5 Bureau, held on 24 March 2021, without additional comments.

### **4) Presentation of the survey to review the SAICM virtual process held between October 2020 and February 2021**

The ICCM5 President Ms. Sahler introduced this agenda item stating the objective of the survey was to review the SAICM virtual process held between October 2020 and February 2021 as presented in the revised document SAICM/ICCM.5/Bureau.TC.8/2, which was circulated to the Bureau members prior to this meeting. The document has taken on board the inputs provided by the Bureau members and their constituencies.

Ms. Sahler subsequently presented the timeline for the process for the survey from its launch to when the results of the survey will be presented to the Bureau. She announced that the Secretariat will receive and analyse the survey responses. She noted that the results will first be presented to the Bureau for endorsement, and then will be publicly disseminated. The President then opened the floor for comments.

Mr. Mohsen Naziri Asl (Asia Pacific) noted that the inputs from the Asia Pacific were only sent on 10 May 2021 due to delays in regional consultations and asked if the comments of the Asia Pacific region had been reflected in the revised version of the survey. Ms. Nalini Sharma (SAICM Secretariat) confirmed that the

comments had been reviewed and from her point of view the inputs from Asia Pacific had been adequately reflected in the meeting document, noting that inputs had also been raised by other regional focal points in their written submissions.

Ms. Suzanne Leppinen (WEOG) pointed out that the WEOG region would like to align itself with some of the points raised by Asia Pacific in its submission, such as that the pace and frequency of meetings going forward will need to be further considered. Secondly, she noted that the survey focuses mostly on people who participated in the VWG process, and does not ask those who did not participate, ‘why’ they did not.

Several Bureau members requested for additional time to provide comments. Ms. Sahler closed the agenda item noting that given the urgency to disseminate the survey, if no further comments are received by 28 May 2021, the process of translation and dissemination of the survey will be initiated.

#### **5) Recommendations for continuing SAICM and a preparatory process for the postponed IP4 and ICCM5 meetings**

As an introduction to this agenda item, the ICCM5 President presented the document SAICM/ICCM.5/Bureau.TC.8/3 Recommendations for continuing SAICM and a preparatory process for the postponed IP4 and ICCM5 meetings, which was revised after the last Bureau meeting taking on board additional comments provided. Ms. Sahler presented challenges faced during the virtual meetings and online consultations, and explained that the objective is to secure, and support the continued, enhanced implementation of the ICCM4 resolutions including the finalization of the ICCM4 mandate on the development of the SAICM beyond 2020 instrument. The proposed recommendations are: (a) to develop and approve a Programme of Work for 2021 to 2023; (b) to develop and approve a Budget for 2021 to 2023; and (c) to design methods and timetables for the intersessional process, including regional and sectoral engagement.

In addition, Ms. Sahler referred to the document SAICM/ICCM.5/Bureau.TC.8/4 Legal opinion on the mandate of SAICM and the need for procedural, organizational and administrative decisions in advance of ICCM5, which outlines confirmation from the UNEP legal officer that the SAICM mandate does not end in 2020, and that the Bureau can call for additional meetings through the silent procedure. She then opened the floor for comments and questions.

Several Bureau members expressed their views on pros and cons with respect to the convening of a proposed fourth meeting of the Open-Ended Working Group (OEWG4), in addition to, or to replace IP4. Ms. Sharma informed that the Secretariat will prepare a document providing further reflections regarding these meetings for consideration by the Bureau at its next meeting. Additionally, Ms. Sahler requested the UNEP legal officer to provide clarification on whether OEWG4 could replace IP4.

Mr. Szymon Domagalski (CEE) thanked the SAICM Secretariat and the UNEP legal officer for providing this legal opinion, but asked why the response to whether SAICM automatically ends in 2020 is based on an ICCM4 resolution and not on the ICCM1 resolution which established SAICM, including its timeframe (Overarching Policy Strategy, paragraph 25).

Mr. Bob Diderich (IOMC) requested that the recommendation addressed to the IOMC should also be addressed to countries as International Organizations can only support countries who are willing to act.

Ms. Susan Wilburn (Health) asked the SAICM Secretariat on the status of the regional briefings on the VWG process. Ms. Nalini Sharma responded that the Secretariat is preparing a concept note on the regional briefings to present the reports on the outcomes of the VWGs and requested the regions to provide inputs on their expectations for these meetings. She further asked the Bureau members if they would want the co-facilitators of each VWG to participate in the regional meetings.

Ms. Sara Brosché (IPEN) asked if there will still be an opportunity for stakeholders to review the final reports of the VWGs. She noted that the draft Programme of Work and Budget 2021 to 2023 introduces action items based on these final reports, however these would have to be reviewed first to ensure that no contention remains.

Ms. Sahler pointed out that the co-facilitators of the VWGs should be given the opportunity to present the outcomes of their VWG, for example, during the regional briefings so that all regions have an equal opportunity to be briefed and are on the same page. She noted that it may be a lot of work for the co-facilitators to do so in the different time zones. Nevertheless, she proposed to ask them if they would be willing to do so.

The Mr. David Morin (IP Co-chair) pointed out that an OEWG is more inclusive and would therefore avoid possible surprises at ICCM5. He noted that the development of a concept for regional briefings would be helpful as well, as there is a range of opportunities to convene these, including virtual or in person meetings. With regards to the VWG regional briefings he recalled that some of the co-facilitators had expressed willingness during a previous Bureau meeting to present the outcomes of their respective VWGs at technical briefings. He proposed to first review the VWG process through the survey, to confirm what the best way would be to engage with the stakeholders.

Mr. Szymon Domagalski (CEE) provided two additional comments to the document SAICM/ICCM.5/Bureau.TC.8/3. First, he pointed out that IP4 and ICCM5 had not been ‘cancelled’ as stated in the first sentence, but ‘postponed’. Secondly, he raised the point that since there is no full consensus on the hosting of an additional OEWG and that, without this, it is a challenge to approve the budget via a silence procedure. It may be best to separate both decisions. With regards to the engagement of the co-facilitators in the regional briefings on the VWG outcomes, he suggested that the co-facilitators could record their messages in order to not have to repeat them for each meeting. The recordings can include subtitles in the different UN languages.

Mr. Mohsen Naziri Asl (Asia Pacific) stated that the Asia Pacific region are not in a position to approve the recommendation on the possible convening of an OEWG4 meeting before receiving a concept note on the purpose and mandate of the proposed OEWG4. He suggested including a placeholder in the Programme of Work and Budget 2021 to 2023 until the decision is made.

The President Ms. Sahler noted that convening two preparatory meetings would imply that ICCM5 takes place later than if there is only one preparatory meeting. She repeated that the decision on IP4 and OEWG4 could only be taken once all the questions and clarifications posed have been addressed, and asked for approval of the recommendations document SAICM/ICCM.5/Bureau.TC.8/3 in order to conclude this agenda item.

Mr. Mohsen Naziri Asl (Asia Pacific) reiterated that Asia Pacific could not approve the recommendation b) on the possible convening of an OEWG4. In response to this comment, Ms. Sahler proposed to delete this paragraph and the following recommendations were approved without further objections:

- a) In mid-2021, the ICCM administrative decisions on the SAICM Programme of Work and Budget 2021 to 2023 is taken using the silent procedure. The silent procedure will be undertaken in accordance with the decision on the Adoption of procedural decisions on organizational, administrative and budgetary matters during the Coronavirus disease 2019 (COVID-19) pandemic via a silent procedure when the International Conference on Chemicals Management (ICCM) is not in session, which was adopted through the silent procedure on 30 November 2020;
- b) The decision would include an invitation to the Global Environment Facility, in line with resolution IV/1, to continue to support projects that implement the Strategic Approach, taking into account the areas identified in the overall orientation and guidance, and to consider enhancing funding for the Strategic Approach; and
- c) The decision would include an invitation to the Inter-Organization Programme for the Sound Management of Chemicals and relevant conventions and countries, in line with resolution IV/1, to enhance support to developing countries and countries with economies in transition to achieve the 2020 goal and to continue close and coordinated cooperation between IOMC participating organizations regarding activities to implement SAICM.

**6) Update on SAICM implementation to date**

**(a) Progress in Strategic Approach Implementation for 2017-2019**

Under this agenda item, the ICCM5 President introduced document SAICM/ICCM.5/Bureau.TC.8/5 Progress in Strategic Approach Implementation for 2017 to 2019. She explained that OEWG3 requested the SAICM Secretariat to develop a simple Strategic Approach progress report for the period 2017 to 2019 that, using existing data, to provide an overview of SAICM activities, accomplishments, and challenges for consideration by ICCM5. The report was prepared in 2020 and reviews the overall progress made in the SAICM implementation since the baseline report of 2006 to 2008. It analyses regional and global progress towards the objectives of SAICM's Overarching Policy Strategy and its 20 progress indicators and is based on the progress reports submitted by the stakeholder groups. The Secretariat concluded that while the SAICM 2020 goal is not reached, the analysis of stakeholder progress reports demonstrated significant advancement towards several indicators. She thanked the SAICM Secretariat for drafting this progress report, and then opened the floor for comments on the report and proposed next steps.

A number of Bureau members (Africa, Asia Pacific, IPEN, WEOG) asked for more time to review the report and to consult with their constituencies, to provide more substantive responses, as the document was only circulated a week before the meeting.

Ms. Sahler then gave the floor to Ms. Brenda Koekkoek from the SAICM Secretariat to provide a quick run-through of the report.

Ms. Koekkoek explained that the report was prepared in 2020 in preparation for ICCM5. It provides an overview since the baseline report of 2006 to 2008 using the existing data. The report is also derived from: a progress review from reports submitted by stakeholders (ICCA, IPEN, IOMC, WHO); and from an analysis of 61 projects funded by the Global Environment Facility (GEF) and the projects funded by the Quick Start Programme (QSP) Trust Fund over its 14 rounds of applications. Ms. Koekkoek pointed out that while the SAICM 2020 goal has not been reached, the analysis of stakeholder progress reports demonstrated significant advancement towards several indicators.

She noted that, there has been limited success in reporting progress using the online questionnaire over the years. It declined over the years from 40 per cent government responses in the period 2009 to 2010 to 28 per cent for the period 2014 to 2016. To understand the underlying reasons for low reporting rates, a survey had been conducted. While the overall feedback on user experience was positive, a majority of respondent cited lack of resources as the main reason for not submitting a progress report. In terms of next steps, Ms. Koekkoek said that the Secretariat would encourage that this report be posted on the SAICM website and distributed to all focal points at a time when the Bureau members have concluded their review. Secondly, recommendations for future aspects linked to progress reporting are set out in the proposed Programme of Work and Budget 2021 to 2023 which will be taken up under the next agenda item.

In closing this agenda item, a deadline for comments on the progress report was set for 18 June 2021. The Secretariat will then revise the report accordingly and submit it to the Bureau for final consideration at its next meeting. Following this, the report will be disseminated publicly.

**(b) Draft Programme of Work and Budget 2021 to 2023**

Regarding the draft Programme of Work and Budget for the period 2021 to 2023 (SAICM/ICCM.5/Bureau.TC.8/6) the ICCM5 President Ms. Sahler explained that at its last meeting on 24 March 2021, the Bureau agreed that the SAICM Secretariat should develop a draft Programme of Work and Budget for the period 2021 to 2023 and present it to the Bureau at its subsequent meeting. She invited Ms. Marijana Todorovic from the SAICM Secretariat to present the document.

Ms. Suzanne Leppinen (WEOG) indicated that it would be useful to have a conversation on the timing of IP4 and/or OEWG4, as this would affect the timeline of the Programme of Work substantively. Secondly, she noted that summary of recommendations deriving from the VWG process could only be finalized once the survey results are known and the outcomes are discussed.

Ms. Judith Torres (IP Co-chair) asked the SAICM coordinator Ms. Nalini Sharma if the financing of SAICM activities could be enhanced through funding instruments such as the Special Programme.

Ms. Nalini Sharma (SAICM Secretariat) responded first to Ms. Suzanne Leppinen that table 2 presents the recommendations as presented in the co-facilitators' final reports and can be considered a placeholder until the survey results are available. To respond to Ms. Judith Torres, Ms. Sharma informed the Bureau that the 5<sup>th</sup> round of applications for the Special Programme was launched recently, and that the SAICM Secretariat contributes to the process, informing stakeholders how to apply for projects with a focus on the implementation of SAICM. Additionally, she pointed out that Ms. Sahler had written to the CEO of the GEF to make sure that SAICM is high on list for the GEF8 replenishment. She noted that many GEF projects address the SAICM objectives but are not identified as SAICM projects. To seek clarity, Ms. Sharma proposed to ask the GEF to provide a report listing the projects, which include elements of SAICM implementation.

Ms. Servet Goren (Industry) welcomed the proposed activities, in particular those on capacity building, and noted that industry is keen to work with the SAICM Secretariat to develop the capacity building strategy mentioned in the document. Furthermore, they also fully support the proposed activities on knowledge and information sharing, which would go hand in hand with capacity building, as it allows stakeholders to connect.

Mr. Rory O'Neill (Labour) asked what mechanism the SAICM Secretariat envisions for stakeholders to access capacity building contributions. Since the GEF process is very demanding and the Quick Start Programme is closed, another mechanism may be needed.

The ICCM5 President Ms. Sahler closed this agenda item and invited the Bureau to submit their comments to the SAICM Secretariat by 18 June 2021. At the next meeting the discussion should be finalized, and agreement on the silence procedure is reached.

#### **7) Next teleconference of the Bureau**

The President proposed either 14 July or 21 July 2021 as suitable dates for the seventeenth meeting and ninth teleconference of the ICCM5 Bureau. She asked the SAICM Secretariat to circulate a poll to agree on one of the two dates to hold the next meeting.

#### **8) Any Other Matters**

Ms. Sahler asked the Bureau members if they would like to raise an additional point under this agenda item. Since no raised a point, Ms. Sahler took the floor to provide a brief update on the Berlin Forum on Chemicals and Sustainability.

The 'Berlin Forum' is a virtual event on chemicals and sustainability to stimulate ambition and action towards 2030. It will take place on 7 and 8 July 2021. On 7 July 2021, a Ministerial segment will be moderated by the German Minister for the Environment Ms. Svenja Schulze. The UN Secretary General Mr. Antonio Guterres and the German Chancellor Ms. Angela Merkel both confirmed to give a keynote under this segment. Confirmation from the President of the European Commission Ms. Ursula von der Leyen is still pending. Secondly, a high-level dialogue will address the sound management of chemicals and waste through the three topics: health and justice, the 2030 Agenda, and circular economy / sustainable chemistry. Thirdly, a high-level panel dialogue moderated by Mr. Rolph Payet, Executive Secretary of the BRS conventions will take place on 8 July 2021 with two keynotes from Ms. Inger Andersen, UNEP Executive Director (confirmed) and Mr. Achim Steiner, UNDP Administrator (tbc), followed by two panel discussions. Over 60 VIPs have received Save the Date's and invitation letters will be sent out soon. The event will be live streamed and SAICM stakeholders are invited to participate as observers. A registration link will be sent through email to SAICM stakeholders soon. Ms. Sahler concluded the information update expressing the hope that the all Bureau members will find time to participate.

Mr. Szymon Domagalski (CEE) asked what role Ministers are expected to play during the event and whether they would have the opportunity to provide national statements/remarks. Furthermore, he asked if the ICCM5 Bureau members have to register as observers.

Ms. Sahler pointed out that all Ministers who are invited to the Ministerial segment will have a time slot for an intervention. The concept note will contain questions that should be addressed in the interventions. The role of the ICCM5 Bureau is to follow the event as observers.

Ms. Servet Goren (Industry) asked the President to circulate the update in writing and asked whether industry should reach out to CEOs in the chemicals sector.

Ms. Sahler confirmed that the concept note and programme will be sent out soon. She also expressed interest to have high-level industry participation on the second day. She noted that she has already been in contact with Anastasia Swearingen from ICCA, and she will contact Ms. Goren if she needs further support.

Ms. Servet Goren (Industry) took the floor to raise the question whether the time schedule on activities in the upcoming months conveyed today would mean that the new VWG process would not start before fall 2021. In addition to that, she also asked whether the response of the GEF CEO to Ms. Sahler could be shared with the Bureau members.

Ms. Sahler confirmed that the response letter of the GEF can be shared with the Bureau members.

Mr. Vladimir Lenev (CEE) took the opportunity to highlight a UNEP meeting a Ministerial Conference on marine litter and plastic pollution which will take place on 1 and 2 September 2021, led by the Governments of Germany, Ghana, Vietnam and Ecuador. He expressed the link between chemicals and plastics as well as his hope that SAICM can play an important role in this process because it will be an important issue at UNEA5.2, potentially opening the way for a new environmental instrument protecting the ocean from marine plastic pollution.

## **9) Closure of the meeting**

The President thanked the SAICM Secretariat for organizing the sixteenth meeting and eighth teleconference of the ICCM5 Bureau. She thanked all Bureau members for their active participation and wished everyone a good day, afternoon or evening. The meeting closed at 4 pm.

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## 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), Mr. David Kapindula (Zambia, ICCM5 Bureau Member Africa), Dr. Dharmendra Kumar Gupta (India, ICCM5 Bureau member Asia Pacific Region) and Ms. Valentina Sierra (Uruguay, ICCM5 Bureau Member Latin America and the Caribbean).

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

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

**SAICM Secretariat:** Ms. Nalini Sharma (SAICM Coordinator), Mrs. Brenda Koekkoek, Mr. Jose de Mesa, Mr. Eduardo Caldera Petit, Mr. Oleksandr Nazarenko, Mr. Ricardo Dunn and Ms. Marijana Todorovic.

**Observers:** Mr. David Morin (Co-chair of the intersessional process), Ms. Judith Torres (Co-chair of the intersessional process), and Mr. Stadler Trengove (Principal Legal Officer, Law Division, UNEP).