

TERMS OF REFERENCE
FOR AN INFORMAL GROUP TO COMPILE PROPOSALS FOR AN OUTLINE OF A POSSIBLE ICCM5
HIGH-LEVEL DECLARATION

Background

In order to achieve the 2002 World Summit on Sustainable Development global goal for the sound management of chemicals and waste by 2020, a multi-sectoral and multi-stakeholder Strategic Approach to International Chemicals Management (SAICM) instrument was adopted at the International Conference on Chemicals Management (ICCM) in 2006, Dubai.

The SAICM instrument consists of two components. These are (i) a Dubai Declaration that expresses high-level political commitment to fully implement its other component, (ii) the Overarching Policy Strategy (OPS).

In 2015 the ICCM4 mandated an Intersessional Process (IP) to prepare recommendations on SAICM and the sound management of chemicals and waste (SMCW) beyond 2020 for consideration at ICCM5, which was originally scheduled for October 2020.

The IP negotiations have thus far focused on technical recommendations for a successor to the OPS component of SAICM that are now reflected in the Compilation of Recommendations (CoR - SAICM/IP.4/2).

The President envisages organising an ICCM5 high-level segment, similar to that of the 2006 Dubai conference. This would provide the international community with an opportunity to reaffirm their political commitment to implement the sound management of chemicals and waste beyond 2020, as a crucial contribution to the 2030 Agenda for Sustainable Development and the SDGs.

To date, however, no process has yet been initiated to make recommendations on a possible high-level declaration (HLD) component of a successor SAICM, equivalent to the Dubai Declaration. To this end, the President had planned, at the originally scheduled IP4, to propose such a process to develop a possible HLD as part of the “beyond 2020” ICCM5 outcome.

Subsequently, the COVID-19 pandemic has disrupted IP preparations, resulting in the postponement of both IP4 and ICCM5. The Bureau is planning for a rescheduled IP4 in March 2021, but its certainty is dependent on the COVID-19 situation closer to that time.

Given the COVID-19 related disruption and the need to progress the “beyond 2020” IP recommendations, the Bureau is considering approaches to continue informal IP work up till the convening of the next formal session. Under the current global restriction on face-to-face meetings, this includes the possibility of using of internet technology based Virtual Working Groups (similar to the virtual mode of operation adopted by the IP3 mandated Technical Working Group on targets and indicators).

Further, given the lack of a process to inform the outcome of the envisaged High-level Segment of ICCM5, the President has decided to convene, under her own recognisance, an informal group

that will work virtually. The task of this group is to compile IP participant views and proposals on a possible HLD component, like the Dubai Declaration, for consideration at ICCM5.

Objective of the informal group

To compile, organize and synthesize input, views and proposals from SAICM stakeholders that could inform the scope, structure and content of a possible High-level Declaration on the sound management of chemicals and waste beyond 2020.

These proposals would inform (among other proposals) the work of an envisaged drafting group formally established at the rescheduled IP4 (or ICCM5, as the case may be) for consideration by the envisioned ICCM5 High-level Segment.

Assumptions

Although the following questions have not been finalized as of yet, as a starting point the informal group will proceed on the assumption that:

- A high-level segment will take place at ICCM5; and
- A decision will be taken that a HLD component of the “beyond 2020” instrument is a desired outcome of the conference.

Principles

The work of the informal group will be guided by the following principles, that:

- The work of the group is informal and therefore does not replace any negotiation to be undertaken at rescheduled IP4 and/or ICCM5, as the case may be.
- It should be small enough to enable efficient work but be representative of the multiple sector and stakeholder participants in the process, taking into account regional, sectoral and gender balance.
- The group should operate in a consultative and transparent manner in order to comprehensively compile, organize and synthesize input, views and proposals from IP participants and take into account the range of interests and respective legal mandates reflected in the IP participant inputs.

Composition

Discussions of the informal group will be guided, managed and facilitated by two co-facilitators, appointed by the President, taking into account the need for regional, sectoral and gender balance.

In addition, a member of the secretariat will be appointed to support the work.

Bureau members will be invited to propose up to three representatives to be members of the informal group, taking into account the above mentioned principles and balance criteria.

The composition of the informal group will be finalized by the President, taking into account the balance between regions, sectors, civil society, industry, governments, international organisations and gender.

Format, roles and mode of operation

Under the current COVID-19 related restrictions, the informal group will conduct its work in an online format using video-conferencing and document-based technologies (as guided by the secretariat).

In this regard, it will:

- Meet multiple times during pre-arranged and published timeslots.
- Be a facilitated discussion of the IP participants' inputs, managed by two co-facilitators supported by the secretariat.
- Publish co-facilitators outlines reflecting "state-of-play" of compiled, organized and synthesized proposals, on the SAICM website at milestone points (determined by the co-facilitators in consultation with the President), in order to afford the opportunity for all IP participants to make input as the iterative compilation, organization and synthesis process unfolds.
- Be consultative, with members of the informal group canvassing input from stakeholders within their regions and constituencies.
- Convene open consultative briefings with IP participants soon after the milestone point publications of the "state-of-play" of compiled, organized and synthesized proposals.
- Progress its work in a manner that iteratively incorporates inputs from IP participants, as well as any other ongoing work being undertaken to advance work during this period of disruption.

The initial meeting(s) will focus on compiling, organizing and synthesizing an outline of "proposed elements for a HLD" based on IP participant inputs and consider drawing on the IP4 meeting documents, in particular the compilation of recommendations, and other relevant information.

This outline of "proposed elements for a HLD" document will be published on the SAICM website to enable further transparent input from stakeholders and an initial consultative briefing for consideration in the iterative compilation, organization and synthesis process as outlined above.

Further, the informal group may, at its discretion, organise online technical briefings on its work to gather further input and feedback from IP participants.

The co-facilitators will regularly report progress to the President on the co-facilitators compilation, organization and synthesis of a possible ICCM5 high-level Declaration on the Sound Management of Chemicals and Waste Beyond 2020.

Tasks

In developing proposals for a possible ICCM5 HLD, the informal group should address the:

- Priority aspects and key messages for strengthening the sound management of chemicals and waste and political commitment for a just and resilient world
- Scope of the HLD considering, inter alia:
 - The current context (COVID-19, economic recovery interventions and the need to make significant progress on SMCW).
 - The contribution of the SMCW to implement the 2030 Agenda and address present and future needs.
 - Progress in efforts undertaken to date, and critical gaps to be addressed.
- Structure of the HLD, including participation, responsibilities, and process to address current challenges.