

**Twenty-sixth meeting of the Bureau of the  
International Conference on Chemicals Management for its fifth session**  
Tuesday, 28 March 2023, 14:00 – 16:30 CET

## **REPORT OF THE TWENTY-SIXTH MEETING OF THE ICCM5 BUREAU**

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

The President of the Fifth Session of the International Conference on Chemicals Management (ICCM5), Ms. Anita Breyer, welcomed all participants to the twenty-sixth meeting of the ICCM5 Bureau.

She thanked the IP Co-chairs and all the co-facilitators for their hard work at IP4.2 in Nairobi and recalled that the discussion on the outcomes of the resumed IP4 and the work needed in preparation of ICCM5 are the main focus of this Bureau meeting.

Ms. Breyer highlighted that progress was made at the resumed IP4 meeting and that the consolidated text is now no longer the IP Co-chairs document, but the product of the intersessional process. She added that gaps were addressed in many parts of the text and, even though the number of brackets has increased in some parts, the consolidated text presents areas of convergence valuable to the instrument. Finally, she showed confidence that solutions will be found where there was disagreement (i.e. in relation to targets and financial considerations) and with clear political impetus, a good spirit of cooperation and careful organization, a powerful international framework could be submitted to ICCM5.

Ms. Breyer further announced that a high-level meeting of the Second Berlin Forum will be held virtually on 26 and 27 June 2023, with a focus on transition towards chemical safety and she stressed that it will be a crucial event to understand where the political views are heading before ICCM5. She then opened the floor asking for reflections on the resumed IP4 and on the way forward.

Ms. Servet Goren (Industry) confirmed that ICCA is fully committed to collaborate towards tangible progress on the ground. She expressed satisfaction with a joint text proposal with Iran on financial considerations and proposed that ICCA would be available to organize a session to present this proposal to other stakeholders and to receive their inputs. She expressed a general sense of disappointment for the results of the discussions of the thematic group on targets because text was added instead of being removed. She further added that ICCA would be happy to consider supporting the SAICM secretariat with financing an external consultant to work on capacity building. Ms. Breyer thanked Ms. Goren for the constructive intervention.

Ms. Susan Wilburn (Health) highlighted that much progress was achieved at the resumed IP4 on greater incorporation of sectors within SAICM, where health and labour views were incorporated when considering trade agreements and procurement processes. She added that, while a lot of work was done on the consolidated text, the lack of progress in both targets and financial considerations thematic groups was disappointing. The direction proposed by the co-facilitators to shorten and consolidate the targets could have been premature. As a result, a number of Bureau members suggested that the co-facilitators could come back with text proposals but it was decided to maintain the current approach. Ms. Wilburn further indicated that there must be reflection on the structure on how to best solve the targets which would benefit from having clear overall goals. She finally stressed that significant progress was made and still lot of work is needed to move forward between now and ICCM5.

Ms. Sara Brosché (Public Interest Organizations) agreed with the points raised by her colleagues and expressed satisfaction with the broad participation of stakeholders in the resumed IP4, adding that, despite slowing the process down, it also showed commitment, care and interest in the process and its outcome.

Ms. Valentina Sierra (GRULAC regional focal point) speaking on behalf of the GRULAC region, acknowledged that the resumed IP4 was very successful and that delegates are very satisfied with a greater sense of ownership of the text. The consolidated document is now stronger because more stakeholders were involved and their views were reflected in the text. She added that even though some parts need further discussion (i.e. targets and financial considerations) much progress was achieved and that they look forward to work further. Finally, she added that it was very useful to have involved delegates from more countries, in particular colleagues from foreign affairs, in view of ICCM5.

Mr. Abbas Torabi (Asia Pacific regional focal point) highlighted that good progress was made but many brackets still remain in the consolidated document. He added that a clear picture of how to work further is needed, especially for targets and financial considerations, in order to guarantee progress in Bonn. He was in favour of having a virtual meeting on the joint proposal from Iran and ICCA and, while thanking Ms. Goren for the proposal, he asked the Secretariat to assist with the organization of the meeting.

Ms. Victoria Tunstall (WEOG regional focal point) concurred with the general impression that there was progress and many discussions took place within the sessions including the Friends of the Co-Chairs (FoCC) and Informal Dialogue. She added that much work is still required on targets as well as on financial considerations and expressed interest in hearing about the plan being worked upon during for the intersessional period that is ahead.

Mr. Jorge Ocana (IOMC) while emphasizing a stronger sense of ownership that resulted from the resumed IP4, expressed concern for the significant work that is still required. He offered the availability of IOMC to help progressing with any work planned before ICCM5 and supported the ICCA and Iran proposal for a virtual meeting/webinar to discuss on financial considerations.

Mr. Santos Virgilio (Africa regional focal point) speaking on behalf of the Africa Region explained the lack of progress by because the roles of each stakeholder which have not been yet clearly defined in the instrument and the means of implementation which are not clearly defined as well in the consolidated document. He pointed out that responsibilities are given to governments only and that there is a language gap in communication. He proposed to avoid taking decisions during late meetings and suggested to consider direct involvement of private industries and not only through their representative associations.

Mr. Rory O'Neill (Labour) acknowledged the intervention of Mr. Virgilio and reiterated that different constituencies and groups including labour, health and environment were involved at the resumed IP4 with an ambitious aim to reach conclusion. He congratulated the work achieved during the constructive discussions held in the FoCC group.

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

Ms. Breyer presented the provisional agenda for the meeting that was circulated on 17 March 2023 and invited Bureau members to raise additional points they might have under AOB.

Ms. Sierra raised the issue related DSA for developing countries.

Ms. Wilburn asked to clarify about the proceedings from Nairobi and in particular how the CRP from IOMC is incorporated in the consolidated document as well as means of implementation and roles.

Ms. Breyer confirmed that the two questions raised will be discussed under AOB and the agenda was adopted.

## **3) Adoption of the twenty-fifth meeting report of the ICCM5 Bureau, held on 7 February 2023**

The President asked the Bureau members if they had comments on the report of the twenty-fifth Bureau meeting held 7 February 2023. The report was posted on the SAICM website and circulated on 27 February 2023.

Ms. Tunstall asked for confirmation that her comments on the report, which she sent to the SAICM Secretariat will be incorporated to the report. Mr. Brykowski (SAICM Secretariat) provided reassurance on this matter and confirmed that comments were well received and incorporated in the report.

Ms. Breyer confirmed the adoption of the report with the changes asked by Ms. Tunstall.

#### **4) Review of progress made by the Resumed session of the fourth meeting of the intersessional process considering the strategic approach and sound management of chemicals and waste beyond 2020**

Ms. Breyer invited the IP Co-Chairs, Ms. Judith Torres and Ms. Kay Williams to take the floor.

Ms. Williams thanked the co-facilitators for their hard work and expressed gratitude for their willingness to take such a difficult task despite their busy schedules. She stressed that the enhanced participation in the resumed IP4 gave a feeling of the level of participation and political discussions to be expected at ICCM5. She added that having achieved this more readable document to be accompanied with a set of resolutions should facilitate the next round of discussions on targets and financial considerations, noting that scope and name of the instrument remain to be addressed. She welcomed the initiative of the joint proposal of ICCA and Iran, as it will be fundamental to have further discussions on the document in its entirety. Ms. Williams asked the regional representatives for their views on how to move forward during the intersessional period and suggested that parts that are not contentious might be cleaned up in order to facilitate stakeholders work on their final discussions at IP4.3.

Ms. Torres, indicated the need to do the financing and capacity building discussions before ICCM5. She pointed out that there are some issues that need to be refreshed and that looking at the Overarching Policy Strategy (OPS) and the Global Plan of Action (GPA) would help understanding how to proceed with the new instrument.

Ms. Breyer proposed to brainstorm on what could be done in preparation of ICCM5. She asked everyone to bring in their knowledge and experience and to suggest next steps to be undertaken during this intersessional period. She also suggested to consider other processes and instruments and activities that could be useful to our process. Ultimately, she asked to reflect on the roles of the Co-chairs, co-facilitators, Bureau members, Presidency and Secretariat to support further progress on the process. The Co-chairs could then work on the different ideas received.

Ms. Brosché expressed doubts about organizing Virtual Working Groups (VWGs) as she thought these would not be well received by various stakeholders. She said that a face-to-face FoCC or an extended Bureau meeting to start discussions (not negotiations) on new issues such as the draft resolutions, once they are ready, would offer an opportunity to identify views of the different constituencies and regions.

Mr. Torabi asked whether the Co-chairs, after their consultations with the co-facilitators, had identified the challenges and gaps, as well as any proposal on how to move forward.

Ms. Sierra highlighted that most countries from GRULAC region had a preference for face-to-face meetings whereas a small group of countries is flexible. She asked whether the Secretariat or the Co-chairs supported by the Secretariat will be responsible for the draft resolutions process, and what would be the deadline to submit their feedback. She also added that the region would need a regional meeting to discuss this matter.

Ms. Tunstall mentioned that budget limitation might be an issue to consider in choosing between face-to-face meetings and VWGs and mentioned that the regional representatives would need to consult with their constituencies on their preference between the two options. She wondered whether either the FoCC or the extended Bureau, having representations from all regions and sectors, could continue working on the consolidated document aiming at submitting a text that could be discussed and accepted more easily during the two days planned for IP4.3, noting that she would need to check with her region on whether this approach would be supported.

Mr. Virgilio asked for some clarification on the process regarding the submission to ICCM5 of the consolidated document and how much time will be given to digest the document after IP4.3.

Mr. Szymon Domagalski (CEE Bureau member) stressed that the representatives would need to consult with their constituencies before any further step is decided. He proposed that regional meetings could be organized to allow the regions to discuss text that is still in brackets. He added that the Secretariat would be the body designated to prepare the resolutions due to its neutral position, and the potential involvement of the Bureau in drafting the resolutions would have to be discussed in advance with their constituencies. In addition, he suggested that the Bureau could start reflecting on possible scenario if there was no agreed text of the recommendations to be presented to the High-Level Segment at ICCM5. In this context, he recalled that Minamata Convention was achieved through negotiations held also during late night sessions and the same approach could be considered for SAICM. Mr. Domagalski noted that a larger number of stakeholders is now involved compared to the beginning of SAICM and it may explain the challenge to find agreement on the framework. He would welcome ideas from the Co-chairs on how to proceed.

Mr. Torabi emphasized that difficulties persist in communication among the Regions due to time difference, but he expressed the interest of the Region to contribute to meetings and activities.

Ms. Goren underlined that it is important to build on the trust that was gained and essential to keep the transparency. She suggested that the Co-chairs could be helped in preparing a document (one page) listing the criteria to be used to draft the resolutions. She offered full support to the Co-Chairs and to the Secretariat, including the involvement of an external consultant. She proposed to take into consideration the upcoming events such as, the BRS COPs (first/second week of May) and the Berlin Forum (end of June) as good opportunities to organise face-to-face or virtual meetings.

Ms. Wilburn observed that no negotiations took place during the FoCC and suggested that a presentation of the work done by the FoCC would give participants a broader understanding of that work. She was open to have FoCC or Bureau meetings either face-to-face or virtual. She proposed that during the two days of IP4.3, priority may be given to discussions on the introduction and the two overarching goals suggested by the UK in the Thematic Group 1 and 2. She asked what the progress was with the targets and indicators and stressed that stakeholders need to feel ownership of the language. She supported the proposition of Ms. Torres to look at the OPS and at the GPA in order to have a better understanding of SAICM, on what could be included in the new instrument and what could be its name. She stressed that a stronger stakeholder and sectoral engagement has developed since the Dubai Declaration and SAICM should not lose and further build on its ambitious commitment.

Ms. Tunstall, in agreement with Ms. Wilburn's intervention, remarked that going back to the old OPS would be a mistake after the progress made especially in targets and objectives. In view of the high costs required to have all stakeholders together, she was also in favour of using late night sessions at IP4.3, if necessary.

Ms. Breyer agreed on the necessity to consider and be ready to have late night sessions at IP4.3.

Mr. Virgilio, speaking on behalf of his region, highlighted that throughout the years they have observed how important issues may be pushed to late hours deliberately, thus giving an advantage to larger delegations.

Mr. O'Neill asked if participation to the Berlin Forum is opened to everyone and how participation will be balanced. Ms. Breyer confirmed that Berlin Forum will be virtual and invitations to the event, which will be hosted by Germany, will be sent very soon.

Ms. Sierra supported Mr. Virgilio by saying that GRULAC region is also not in favor of late-night sessions because they have small teams and need to protect their workers.

Mr. Torabi supported the position of GRULAC and Africa regions on the late-night sessions because Asia Pacific region also has limited number of people. He asked for an estimated time needed to work on the bracketed paragraphs, based on the feedback received by the co-facilitators and suggested that extending IP4.3 over three days might decrease the workload on small delegations.

Ms. Williams explained what the co-facilitators reported back: in the targets and finance group, there was not much willingness to cooperate and, with regards to some targets, earlier versions were cleaner, there was a degree of repetition, people did not understand/were not aware of the process leading up to those targets. She suggested that regional meetings could be held closer to IP4.3 to give an opportunity to delegates to refresh the text and enter into the spirit of the discussions in view of the upcoming IP4.3. She proposed that the Co-chairs could give a presentation and explain a few points at the BRS COPs side event (on 11 May 2023). She further added that text that was already unbracketed was bracketed again and this would mean going backwards, therefore preferably to be avoided. Ms. Williams proposed that there are some sections of text that could be decided and cleaned up by the Bureau (scope in term of waste, name of the instrument). She thought the proposal from ICCA and Iran on capacity building would be helpful and indicated that the Secretariat would be drafting the resolutions (in collaboration with the co-Chairs) based on the text that was produced during an Informal Dialogue discussion.

Ms. Breyer encouraged to strengthen regional coordination and find alliances within the region to support work progress and potential late hours negotiations.

### **5) Preparations for Regional Meetings, IP4.3 and ICCM5 including budget**

Ms. Breyer referring to the decision in Nairobi to adjourn IP4.2. that it is suggested that IP4.3 will be held at the ICCM5 venue, the World Conference Center in Bonn, two days prior to ICCM5. Five regional meetings are proposed to be held back-to-back with IP4.3 on 21 and 22 September 2023. Location for the regional meetings is to be determined yet because the Conference Center will not be available. The regional meetings are intended to provide the regions with a platform to discuss and agree on regional positions in preparation of IP4.3 and will be replacing the stand-alone regional meetings that usually take place before. Interpretation will be provided for the GRULAC region (English-Spanish) and Africa Region (French-English) with coffee breaks provided for all meetings. The venue will be provided for all regional meetings (including WEOG). This proposal will not require any change of budget (the 2023 budget includes a series of regional meetings). The President emphasized that holding regional meetings back-to-back with IP4.3 will enable the financing of a second delegate to participate in the regional meetings as well as in IP4.3. No technical briefings will be held prior IP4.3 and ICCM5.

Ms. Breyer announced that the consolidated document outcome of IP4.3 will be handed over to ICCM5 by the IP Co-Chairs in English only on Sunday 24 September 2023. The translation of the text in all other UN official languages will be done as soon as possible.

Mr. Pierre Quiblier (SAICM Secretariat) confirmed that the translators will get familiar with the text in advance before they receive its final version to speed up the translation process on the final document outcome of IP4.3.

Mr. Ocana asked when the ICCM5 (and High-Level Segment) invitation letters are due to be sent in view of increasing multisectoral engagement, and if side events are planned. Mr. Virgilio asked if it would be possible to have an extra day to bridge discussions between regional meetings and IP4.3. Ms. Brosché asked further clarification on funded participants. Mr. Domagalski asked if the agenda of the High-Level Segment at ICCM5 is already available and if would take into consideration the delayed submission of the translated recommendations.

Mr. De Mesa (SAICM Secretariat) clarified on the funding of participants. A funded second delegate has already been budgeted in the approved budget as follows: two funded delegates for ICCM5 and two funded delegates for IP4.3 on Saturday and Sunday will be covered with the original ICCM5 budget; two funded delegates for the regional meetings on 21 and 22 September, back-to-back with IP 4.3, will be covered with the budget of standalone regional meetings which originally included only one funded participant with travelling. The travelling cost of the two funded participants for the back-to-back regional meetings will be covered by the ICCM5 budget. The condition is that it will be the same two delegates for the three meetings (Regional meetings, IP4.3 and ICCM5).

Mr. Quiblier announced that no side events are planned for IP4.3 considered to be a working meeting. ICCM5 side events will be planned together with ICCM5 Presidency. Ms. Breyer added that thematic days will be

planned as side events during ICCM5 and invitations to the High-Level segment, planned to take place on 28 and 29 September 2023, will be sent out soon.

Mr. Quiblier explained that the invitations will take into consideration the multi-stakeholder's character of SAICM and therefore governments and organizations shall be represented by officials drawn from a range of different sectors with responsibilities in international chemicals management and safety issues such as agriculture development, environment, foreign affairs, health, industry and labour.

Mr. De Mesa explained that the number of non-governmental funded participants for ICCM5 is not available yet, but the goal is still to support a multistakeholder participation as it was for IP4.2.

Mr. Quiblier in response to Ms. Tunstall request for clarification on how a multistakeholder character is envisaged, explained that the invitations will be sent to the SAICM focal points. It will be then the responsibility of each government through their focal point, to nominate their own representatives keeping in mind that the invitations will specify of the multi stakeholder and intersectoral nature of SAICM.

Ms Tunstall asked further clarification on the invitations for the High-Level Segment explaining if this is usually sent to the Ministry of Environment, it would not encourage the participation of her Minister (Ministry of Health). She suggested that the invitation could be sent to the Minister of the national focal point.

Mr. Quiblier thanked Ms. Tunstall for her suggestion and confirmed that the invitations will be sent to the Ministry of Foreign Affairs as well.

Ms. Jacqueline Alvarez (UNEP) highlighted that a new framework will be adopted at ICCM5 where the instrument will receive the endorsement of many countries worldwide. For this reason, she she proposed to send the invitation to the Foreign Affairs Ministry with copy to the focal point. She stressed that it will be essential to streamline the process and ensure broad participation as well as target capacity to take decisions for the High-Level Segment. Ms. Alvarez answered to Mr. Ocana's confirming that the invitation letter will be shared with IOMC who will be helping in identifying a common language to encourage multistakeholder engagement.

Ms. Wilburn asked if the invitation to ICCM5 would include the logos from all the IOMC organizations. Mr. Quiblier responded that the Secretariat will need to check with legal department on this point.

Further comments followed on to which Ministry the invitation letter should be sent to. Mr. Virgilio mentioned that the Ministry of Environment would be their leading ministry, and involving other sectors (health and agriculture) would be a way of raising awareness, whereas Ms Tunstall suggested that due to the multisectoral nature of SAICM all Ministers (health, labour, environment, agriculture, etc.) should be specifically invited. Mr. O'Neill commented that if preference was to send a single representative it would keep the attendance dominated by the Environment Ministries. Ms. Sierra agreed to address to the Ministry of Foreign Affairs, encouraging to have different ministries participating, but leave it to the governments to decide. Ms. Breyer clarified that it is a matter of internal organisation within each country's ministries.

Ms. Breyer proposed to have one Bureau meeting in person in June with the objective to assess progress on preparatory work and making any necessary further arrangements. No objections were raised to this proposal.

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

Ms. Breyer asked if another Bureau meeting (virtual) would be needed before the one planned for June.

Ms. Tunstall asked if an agreement was reached on the next steps and if there would be intersessional work, as this would influence the decision on when to have the next Bureau meeting.

Mr. Domagalski proposed to consult within the regions before the next Bureau meeting and that a summary of this brainstorming session would feed the discussion within each region. Ms. Breyer confirmed that the report of this meeting will be provided.

Ms. Williams asked each representative to talk to their constituencies, and write down ideas, suggestions, way forward and provide them within the next three weeks.

Ms. Breyer suggested having another Bureau meeting at the end of April/beginning of May in order to answer the various questions and issues that were raised during this Bureau meeting, provide suggestions on how to continue working and provide further information on the side events. A Doodle will be sent to identify the date.

#### **7) Any Other Business**

Ms. Sierra raised the issue that some delegates arriving after midnight encountered problems with the arrangement of the DSA that would start from the following day and would not cover the night of arrival. Mr. Quiblier reassured that the Secretariat will try to pay attention to this during the ticketing while complying with the rules and asked for some comprehension from the participants when they submit different requests.

Ms. Wilburn mentioned that CRP5 and the programmatic areas identified in the document are not clear in the current consolidated document and perhaps could be addressed in the next Bureau meeting. Mr. Ocana answered that participants agreed on adding the programmes details in a resolution text. He informed that the IOMC will be further discussing on this during a meeting at the end of April.

Ms. Alvarez confirmed that since IP4.3 will be a resumed session, all the CRPs are still valid for IP4.3. Ms. Williams agreed with Ms. Alvarez and added that in the plenary at IP4.2 it was communicated that no new CRPs will be expected at IP4.3.

Mr. Quiblier shared the information that a side event on SAICM beyond 2020 s planned during the upcoming BRS COPs on 11 May 2023 with an objective to raise awareness on SAICM beyond 2020, and to discuss on how to best align with MEAs and SPP in order to achieve an overall comprehensive framework on chemicals and waste. He reassured that an email with the program of the meeting and information on the speakers will be sent in advance of the side event. Mr Quiblier further added that the Secretariat welcomed Germany's suggestions for IOMC to introduce during the side event its proposals on beyond 2020 implementations programs and discuss how the proposed programs could link to and provide values added to the implementations of the BRS Convention.

He also mentioned that the Secretariat will provide a report to ICCM 5 on activities from 2020 to 2022. The report will provide an overview of the strategic approach activities, accomplishments and challenges for considerations by the International Conference on Chemicals Management.

#### **8) Closure of the meeting**

The ICCM5 President thanked all participants for sharing their thoughts and ideas and closed this 26th Bureau Meeting at 16:45.

## Annex

### Participants

**Bureau Members:** Ms. Anita Breyer (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. Dinesh Runiwal (India, on behalf of the ICCM5 Bureau member Asia and the Pacific).

**Regional Focal Points:** Mr. Santos Virgilio (Angola representing Africa), Mr. Abbas Torabi (Iran representing the Asia-Pacific), Ms. Suzana Andonova (North Macedonia for Central and Eastern Europe), Mr. Francisco Barbieri (Argentina representing Latin America and the Caribbean) and Ms. Victoria Tunstall (Canada representing Western Europe and Others).

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

**SAICM Secretariat:** Mr. Pierre Quiblier, Mr. Rafal Brykowski, Mr. Jose de Mesa, Mr. Eduardo Caldera Petit, Mr. Juan Caicedo, Ms. Delfina Cuglievan, Ms. Eleonora Simeone, Mr. Oleksandr Nazarenko, Ms. Meera Laurijssen.

**Observers:** Ms. Judith Torres (Co-Chair of the Intersessional Process), Ms. Kay Williams (Co-Chair of the Intersessional Process), Ms. Jutta Emig (German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection), Mr. Alf Wills (ICCM 5 Presidency).