

## Proposal enabling the ICCM to adopt decisions during the Coronavirus disease 2019 (COVID-19) pandemic via the silent procedure

### **Draft decision 1: 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**

#### *The International Conference on Chemicals Management*

1. *Takes note* with concern of the situation concerning the coronavirus disease 2019 (COVID-19);
2. *Takes note* of the decision by the President of the fifth session of the International Conference on Chemicals Management in consultation with the Bureau of the fifth session of the International Conference on Chemicals Management to postpone the fifth International Conference on Chemicals Management (ICCM5), which had been planned to take place on 5 to 9 October 2020, and has been rescheduled to 5 to 9 July 2021 in Bonn, Germany;

#### *Decides as follows:*

3. ICCM may take a limited number of procedural decisions on organizational, administrative and budgetary matters via a silent procedure in order to ensure the continuation of the mandated activities of ICCM and its Secretariat until ICCM convenes again.
4. The President of ICCM 5 may circulate, after consultation with the Bureau, draft decisions of the International Conference on Chemicals Management to all SAICM focal points under a silence procedure and allow at least 20 working days for response;
5. The formal communication from the President of ICCM5 shall be in the form of a signed letter that shall include the text of the draft decision and an indication of the specific time (Central Europe Africa time) by which any objections should be raised by the SAICM national focal points ;
6. Should the silence not be broken and no formal objections be received from SAICM national focal points, the decision shall be considered adopted. The President of ICCM5 shall circulate a letter confirming adoption and the ICCM shall take note of the decision at its next session. SAICM government representatives shall be able to make written explanations of vote or position as set out in the Annex to this decision, without prejudice to such rights under the rules of procedure of the International Conference on Chemicals Management;
7. Should a SAICM national focal point formally object to the draft decision as set out in the annex to this decision, it shall be considered as not adopted. Should there be an amended or revised draft that the President of ICCM5 may wish to put to another silence procedure then the same procedure for the circulation of the first draft as set out in paragraph 4 above shall apply; and
8. The procedure for taking decisions under silence procedure shall be in effect until the next session of ICCM is convened.

ANNEX: Procedures for the consideration and adoption of draft decisions and the communication of objections

The draft decision should be made available on the SAICM website at the same time the letter is sent.

SAICM national focal points may explain their position without prejudice to the delegations' rights under the rules of procedure to explain their position at a session of the International Conference on Chemicals Management, in the following way: electronic versions of the statements explaining the position received within two weeks after the end of the silence procedure will be posted on the SAICM webpage. The title of the draft decision should be indicated in the subject line of the e-mail to be sent to the SAICM Secretariat at: [saicm.chemicals@un.org](mailto:saicm.chemicals@un.org).

SAICM national focal point(s) wishing to formally object to the draft decision may do so via an official letter or Note Verbale addressed to the respective Bureau members of the fifth session of the International Conference on Chemicals Management (full list is available [here](#)) with a copy to the SAICM Secretariat: [saicm.chemicals@un.org](mailto:saicm.chemicals@un.org), expressing their formal objection. The respective Bureau member will attempt to address the concern raised by the SAICM national focal point(s) and this correspondence should be sent via email to the SAICM Secretariat: [saicm.chemicals@un.org](mailto:saicm.chemicals@un.org), clearly indicating the title of the draft decision in the subject line of the communication.

As a rule, any objection shall be provided through their respective Bureau Members, while preserving flexibility that a SAICM national focal point might exceptionally choose the option to communicate directly to the ICCM President with a copy to the responsible Bureau Member and the SAICM secretariat. The ICCM President and responsible Bureau Member will attempt to address the concern raised by the national focal point(s) and this correspondence should, consistent with the arrangements set out above, also be sent via email to the SAICM Secretariat: [saicm.chemicals@un.org](mailto:saicm.chemicals@un.org), clearly indicating the title of the draft decision in the subject line of the communication.

In the event the ICCM President and responsible Bureau member is unable to resolve the objection and upon recommendation by the Legal Counsel of the United Nations Environment Programme, the President of ICCM5 shall circulate a letter to all SAICM focal points informing that the silence has been broken.