

**Fifth Teleconference of the Bureau of the
International Conference on Chemicals Management for its fifth session**
Wednesday, 9 December 2020, from 14:00 – 16:30 CET

REPORT OF THE THIRTEENTH MEETING OF THE ICCM5 BUREAU

1) Opening and welcome

The President of the International Conference on Chemicals Management for its fifth session (ICCM5), Ms. Gertrud Sahler, welcomed participants to the thirteenth meeting and fifth teleconference of the ICCM5 Bureau. The President sincerely thanked everyone for joining this meeting and for their continued commitment during these unprecedented times. She gave a special thanks and welcomed the Co-facilitators of the 4 Virtual Working Groups (VWGs) and appreciated their strong motivation to advancing the Intersessional Process to produce an ambitious outcome for ICCM5. She appreciated the progress already made by the VWGs. She noted that an average of 200 participants have registered for each VWG and over 100 participants registered for the virtual meetings. In her view, the atmosphere has been positive, and participants have shown their desire to engage and advance the beyond 2020 agenda. She also provided an update work of the High-level Declaration informal drafting group, which has held two virtual meetings to date and is advancing well. She noted that she will extend an invitation to the Co-facilitators of the High-level Declaration informal drafting group to participate in the next Bureau meeting. The President also noted that no comments were received on the silent procedure, and that silence was not broken.

Lastly, Ms. Sahler highlighted that the primary focus of the teleconference would be to hear from the VWG Co-facilitators on the progress made in each VWG and to come to agreement on one of the proposed options for IP4 (document SAICM/ICCM5/Bureau.TC.5/3). She invited the Co-facilitators to stay on the call after the agenda point to follow the discussions on IP4 in 'listen only' mode to support them in their work in facilitating the VWGs.

The President thanked everyone and closed this agenda item.

2) Adoption of the agenda

The President introduced the provisional agenda as set out in document SAICM/ICCM.5/Bureau.TC.5/1 indicating that the discussions would focus on: Agenda item 3) Update on the virtual working groups to develop recommendations for consideration of ICCM5; Agenda item 4) Scenarios for convening the Fourth meeting of the Intersessional Process; and Agenda item 5) SAICM budget: Update on the silent procedure to adopt ICCM decisions on procedural matters. The provisional agenda was adopted without any changes.

The President explained the rules of procedure for the meeting including to limit the speaking time to no more than 2 interventions per agenda item and 2-3 minutes per intervention to ensure that all agenda items receive the necessary attention and decisions can be made. She also reminded participants that all Bureau members were to be given an equal opportunity to speak.

She then proposed the approval of the report of the last teleconference of the Bureau held on 28 October 2020 and the report was subsequently adopted by the Bureau.

3) Update on the Virtual Working Groups to develop recommendations for consideration of ICCM5 regarding the Strategic Approach and the sound management of chemicals and waste beyond 2020

The President welcomed and thanked all Co-facilitators for their participation in this meeting and for their continuous commitment and hard work during this process. She thanked the Secretariat for their support. She expressed satisfaction with the progress made so far and the active participation of the stakeholders. She then requested the Secretariat to present the document SAICM/ICCM.5/Bureau.TC.5/2.

Mr. Jose de Mesa led the participants through the document, focusing on the statistical information presented. He explained that on average, 200 participants registered for each of the VWGs and over 100 participants attended each of the virtual meetings. On a positive note, he highlighted that written submissions had been received from a large number of stakeholders. There was good gender and sectoral balance amongst the participants. He noted that the Africa and Asia Pacific regions are not well represented at the virtual meetings; however, these regions have been providing written inputs. Additionally, the Secretariat has supported several technical briefings and regional meetings and has provided limited translation support upon request.

Following this presentation, the President gave the floor to the Bureau members for comments and questions.

Mr. Naziri noted the great interest shown by his region to participate in the different VWGs and recognized the importance of the virtual meetings. He added caution that this virtual process does not replace in-person meetings. He further pointed out that his delegation faced connectivity issues and could not join some of the virtual meetings and he reminded everyone of the agreement to discuss the different matters face to face at the upcoming IP4 meeting.

The President replied that the VWGs indeed would not replace the face-to-face negotiations and she encouraged delegations to use the electronic feedback option as an alternative way to engage in the discussions in case of connectivity issues.

Several Bureau members congratulated the Co-facilitators, recognized their extremely difficult job and that they are sometimes treated in a harsh manner. There was a common desire to find a way to ensure that all views are considered. In this regard, one Bureau member requested that the written submissions are uploaded as soon as possible on the SAICM website and that the Secretariat should remind participants not to repeat their written submissions during the virtual meetings. According to a Bureau member the different time zones would continue to be a problem as well as connectivity problems, and this leads to some difficulties for non-native speakers to follow the entire discussion. It was also mentioned that the virtual meetings are sometimes dominated by EU/JUSSCANNZ countries.

The President gave the floor to the Co-facilitators, to provide an update on the work of their respective VWG.

VWG1: Targets, indicators and milestones: Silvija Kalnins, Latvia and Wajira Palipane, Sri-Lanka

Ms. Kalnins thanked the Secretariat for the support given. She highlighted the intensity of the workload. She raised some concerns regarding the lack of regional balance amongst the participants. EU-JUSSCANNZ presence continues to be the majority. Three meetings have been held so far, plus three rounds of written submissions. In her view, balance needs to be found between requesting inputs, receiving, compiling and publishing them. Around 20 written submissions have been received per request. The schedule was followed, and all issues have been discussed with the exception of cross-cutting issues that relate to all VWGs, such as waste which requires a higher-level intervention. The last meeting will take place on 12 January 2021. There is still more work to be done before producing the outcome document.

Mr. Palipane mentioned that it was sometimes difficult to accommodate all the requests from the different stakeholders referring to the example of the request to include the word “associate” before “waste” or including the term “throughout the life cycle”.

The President clarified that there is a proposal to consider the issue of waste at a Technical Briefing.

Several Bureau members stated that they had participated in the virtual meetings and expressed that the meeting have been well organized and run. Ms. Leppinen asked if there are plans to consider a more in-depth discussion on the indicator process. Ms. Kalnins responded that the VWG has not had an extensive discussion on indicators and a proposal was tabled by the UK at the end of the last meeting. She noted that the Co-facilitators will develop a proposal on the way forward for the indicator development and will be posted on the SAICM website prior to the next meeting.

On behalf of IPEN, Mr. Di Gangi raised the point that some comments from his constituents were not included in the compiled text of this VWG and requested that the comments are included in moving forward, especially if the compiled text becomes the basis of the VWG outcome document.

VWG2: Governance and mechanisms to support implementation: Karissa Kovner, USA and Teeraporn Wiriwutikorn, Thailand

Ms. Kovner expressed gratitude for the invitation to the Bureau meeting. She mentioned that their mandate has comparably larger and more diverse than the other VWGs, including the entire section on Mechanisms to Support Implementation as well as, options for a possible Science-Policy Interface. Ms. Wiriwutikorn stated that an additional complicating factor is the fact that some sections text has been heavily negotiated at IP3, whilst other sections are only a list of bullet points that have to be further elaborated. The Co-facilitators have therefore proposed new text for certain sections based on the open discussions held during the virtual meetings and written submissions.

This VWG has held 4 virtual meetings and has had four rounds of electronic feedback.

Ms. Kovner expressed concern regarding the time left to tackle the remaining issues, especially for discussions on the Science-Policy Interface. UNEP was invited to present its options paper to help get the discussion started, but the views within the VWG are diverse and do not seem to be well developed. In her view, it might become necessary to come back to the Bureau for further guidance on this issue. The second concern raised was the lack of cooperation from one of the stakeholders, which creates some frustration amongst the other members of the VWG. Ms. Wiriwutikorn raised the need to review certain parts of the rules of procedure and that the new instrument will need to be examined from a legal and consistency point of view, taking into account its voluntary nature.

Mr. Di Gangi made two suggestions from NGOs: firstly, it would be helpful to be more deliberate about the agenda of the virtual meetings and go a slower pace; and secondly to provide the Co-facilitators proposals in advance of the virtual meetings to ensure that adequate time is provided to stakeholders to consult and prepare.

VWG3: Issues of concern: Sam Adu-Kumi, Ghana and Thomas Jahre Sverre, Norway

Mr. Sverre Thomas thanked the Bureau and IP Co-chairs for the invitation and the Secretariat for its excellent support. He presented the mandate of the group and mentioned that the first virtual meeting was held with approximately 90 participants and 12 written submissions in total. He underlined that written submissions have been very important. The second meeting will be held on 14 December 2020 and the third on 18 January 2021.

He mentioned that the co-facilitators proposal based on the written submissions received has been circulated with a deadline for additional written inputs by 21 December 2020.

Mr. Adu-Kumi mentioned that written submissions have been received from most regions. He also noted UNEP's supportive role concerning the Emerging Policy Issues and other Issues of Concern. He raised concern about the limited time for the work of the VWG and highlighted the need to ensure linkages between all VWGs and with other processes. This was reiterated by Mr. Palipane who noted that Strategic Objective C is linked to Issues of Concern and these linkages need to be addressed to avoid duplication of work. Mr. Naziri expressed regrets about not having been able to participate in these groups despite his delegation's and region's active participation in this issue during IP3. He also requested an extension of the deadlines for written submissions.

The President took note of Mr. Naziri's concerns and noted that it would be very important to involve the whole region. She noted that all information related to the work of the VWGs, including the virtual meeting summaries and recordings are available on the SAICM website.

VWG4: Financial considerations: Jonah Davis Ormond, Antigua and Barbuda and Reggie Hernaus, The Netherlands

Mr. Hernaus recognized that many of his comments were similar to those made by the previous Co-facilitators. He recognized that there has been good participation through written submissions. He informed the Bureau that at IP3, the Finance group had established a small working group, which didn't finalize its work to merge 3 alternate text proposals on private-sector involvement, so the Co-facilitators decided to use the same approach and established a small open-ended group to discuss a proposal put forward by ICCA on a capacity building clearing house mechanism, as well as address the three existing paragraphs on private sector engagement. This small group will have their first virtual meeting on 17 December 2020. It was noted that the group would be small but open to all interested stakeholders. The VWG will host its second virtual meeting on 16 December 2020 to discuss the partnerships, financing the SAICM secretariat, and the two documents prepared by the Secretariat on resource mobilization strategy and cost recovery mechanisms. He noted that at the first virtual meeting that focused on the integrated approach to financing of chemicals and waste, including on dedicated external financing there was agreement to ask the ICCM5 President to send a signal to the GEF CEO and underline the importance of the SMCW exercise (SAICM beyond 2020) since it would need financial support to implement the new framework.

Mr. Ormond noted a lack of submissions from certain regions. The final meeting is planned for 13 January 2021 with the objective will be to provide a summary of consolidated inputs and proposals on all topics discussed under financial considerations.

The President agreed to send a letter to the GEF Secretariat highlighting the importance of chemicals and waste management, as well as making the linkages between chemicals and other clusters such as climate change and biodiversity.

Mr. Di Gangi and Mr. Naziri expressed that they would have preferred a more inclusive group for the small group established by the VWG Co-facilitators and Mr. Di Gangi pointed out that it might not be ideal that industry leads this group. Ms. Goren, the private sector representative, explained that leading the group would not mean deciding on the content and that ICCA accepted to support the Secretariat in facilitating the group. She also mentioned that the Africa group was active during the discussions in the Finance group at IP3 in Bangkok.

4) Scenarios for convening the Fourth meeting of the Intersessional Process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 (IP4)

The President noted that the Bureau at its meeting held on 28 October 2020 have already discussed postponing the fourth meeting of the intersessional process considering the Strategic Approach and the sound management of chemicals and waste beyond 2020 (IP4). The Secretariat was requested to prepare possible scenarios to convene IP4 taking on board examples and experiences from other UN agencies and processes in their 2021 planning. She invited Mr. Jose de Mesa to present document SAICM/ICCM.5/Bureau.TC.5/3 Options for IP4.

Mr. de Mesa laid out the three options proposed by the Secretariat. The first option would be to have fully virtual IP4, the second option would be to have a face-to-face IP4 back to back with ICCM5 and the third option would be a combination of options 1 and 2. This would entail as a first step convening of a virtual IP4 with a limited scope of discussion topics, followed by a second face-to-face meeting, which would be held back to back with ICCM5. He noted the advantages and disadvantages for each option as presented in the document SAICM/ICCM.5/Bureau.TC.5/3.

Mr. de Mesa further presented the potential options for convening Regional Meetings. These could be held in May and June 2021, either as stand-alone meetings or back to back with the BRS Regional Meetings and held either virtually or in-person.

The President noted that ICCM5 in July 2021 could also be affected by the COVID-19 situation., but she is still confident that the dates can be maintained. The President informed the Bureau that Germany would be happy to host IP4 back to back with ICCM5 in early July 2021. She opened the floor to the Bureau members to discuss

the three options presented, including their feasibility of and options for proposed Regional Meetings. She thanked the Secretariat for their continuous efforts to advance the planning.

Given the late receipt of the Bureau meeting documents, several Bureau members requested more time to consult with their constituencies on the IP4 options presented. According to several Bureau members, option 1 would be very difficult to implement. In the ensuing discussion, the Bureau members requested for a more elaborated document on option 3 and what Part 1 and Part 2 of IP4 would consider. There was also a concern raised on the logistics and platform used for the virtual meetings, especially regarding connectivity and time zones issues.

5) **SAICM budget; Update on the silent procedure to adopt ICCM decisions on procedural matters**

The President updated the Bureau members on the silent procedure. She reminded the Bureau members that she had proposed a two-step approach, which included a silent procedure to adopt an enabling decision to authorize the ICCM President in consultation with the Bureau to take a limited number of procedural decisions on organizational, administrative and budgetary matters in order to ensure the continuation of the mandated activities of ICCM and its Secretariat until ICCM convenes again. This would be followed by the silent procedure on a specific procedural draft decision on the Budget for the Strategic Approach secretariat for the period 2021.

The first step of the silent procedure was launched on 20 November 2020 with a deadline of 30 November 2020. The Secretariat received editorial comments from one Member State that did not imply breaking the silence. In this regard, 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* was adopted on 30 November 2020.

Subsequently, the President noted that the draft decision on Budget for the Strategic Approach secretariat for the period 2021 will be launched on 11 December 2020 for a 20-day period with a deadline of 31 December 2020.

6) **Next teleconference of the Bureau**

It was agreed that the fourteenth meeting and sixth teleconference of the ICCM5 Bureau would be held during the last week of January 2021. As per established practice, the Secretariat will provide options for dates and times.

7) **Any other matters**

Under this agenda item Ms. Sahler expressed her profound gratitude to Mr. Joe Di Gangi who is retiring at the end of this year and will no longer serve as Bureau member and wished him the very best for the future.

Mr. Naziri expressed his concern regarding the High-level Declaration informal drafting group that some of the proposed text would be very sensitive and that for his region it would be clear that nothing could be treated as final until all is agreed and that nothing would be resolved until everything is resolved. The President explained that the elements highlighted in green only reflected agreement to include them among the participants present at the first meeting. and assured him that the co-facilitators of the HLD informal drafting group would consider every submission and concern regarding possible elements of the High-level Declaration.

Towards the end of the meeting, Mr. Di Gangi said a few words regarding his departure and stepping down as ICCM5 Bureau member. He noted that Ms. Sarah Brochet from the IPEN Secretariat will replace him as Bureau member representing Public Interest Organizations. He recalled the past two decades with SAICM noting it's unique process, praised its multi-stakeholder approach and its all-encompassing scope addressing impacts from chemicals that are not covered by the other conventions but equally as important for developing countries. He conveyed his best wishes to everyone and ended with the call that, since SAICM was not legally binding we should go for a gold standard agreement!

Mr Di Gangi received congratulations and best wishes for the future from all the Bureau members since most of them were not only colleagues but friends.

8) Closure of the meeting

The President thanked the Secretariat for organizing the thirteenth meeting and fifth teleconference of the ICCM5 Bureau and all Bureau Members, IP Co-Chairs and the VWG Co-facilitators for their attendance and continuing contributions.

The President closed the meeting at 4:48pm.

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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) and Ms. Valentina Sierra (Uruguay, ICCM5 Bureau Member Latin America and the Caribbean), Dr. Dharmendra Kumar Gupta (India, ICCM5 Bureau Member Asia Pacific Region, alternate).

Regional Focal Points: Mr. Mohsen Naziri Asl (Iran representing Asia-Pacific), Ms. Suzanne Leppinen (Canada representing Western Europe and Others) and Ms. Ana Fernandez Blanco (Argentina representing Latin America and the Caribbean) and Mr. Kouame Georges Kouadio (Cote D'Ivoire for Africa).

Representatives of non-governmental participants and the IOMC: Mr. Joe Di Gangi (Public Interest Organizations), Mr. Rory O'Neill (Labour NGOs), Ms. Servet Goren (Industry), Ms. Manal Azzi (Chair of the IOMC) and Susan Wilburn (Health).

SAICM Secretariat: Ms. Nalini Sharma (SAICM Coordinator), Mrs. Brenda Koekkoek, Mr. Jose de Mesa, Ms. Marijana Todorovic.

Observers: Mr. David Morin (Co-chair of the intersessional process), Ms. Judith Torres (Co-chair of the intersessional process), Mr. Vassilios Karavezyris (Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, Germany) and Monika MacDevette, Chief of the Chemicals and Health Branch, UNEP

Regrets: Mr. Vladimir Lenev (Russian Federation for Central and Eastern Europe)

VWG Co-Facilitators:

VWG1: Target, indicators and milestones: Silvija Kalnins, Latvia and Wahira Palipane, Sri-Lanka

VWG2: Governance and mechanisms to support implementation: Karissa Kovner, USA and Teeraporn Wiriwutikorn, Thailand

VWG3: Issues of concern: Sam Adu-Kumi, Ghana and Thomas Jahre Sverre, Norway

VWG4: Financial considerations: Jonah Davis Ormond, Antigua and Barbuda and Reggie Hernaus, The Netherlands