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**Eighth Teleconference of the Bureau of the  
International Conference on Chemicals Management for its fifth session**  
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## **Recommendations for continuing SAICM and a preparatory process for the postponed IP4 and ICCM5 meetings (revised)**

### **I. Current situation**

Due to the ongoing COVID-19 pandemic and the logistical difficulties in rolling out vaccines globally, particularly in developing countries, the face-to-face 5th International Conference on Chemicals Management (ICCM5) and its preparatory 4th intersessional process meeting (IP4) that was scheduled for June/July 2021 had to be cancelled.

The World Health Organization and other assessments project that the rollout of effective vaccine-based immunization in all countries will at the earliest be completed by late 2022, but more likely sometime in 2023.

The discussion at the 14th meeting of the ICCM5 Bureau held on 27 January 2021 focused mainly on the implications of this situation for the intersessional process initiated at ICCM4 for developing future arrangements for the Strategic Approach to International Chemicals Management (SAICM) and the sound management of chemicals and waste (SMCW).

Furthermore, the final reports of the recent Virtual Working Group (VWG) process were considered. The Bureau noted that, the VWG consultations had value in terms of building deeper understanding and possible common ground. However, feedback indicated that VWG meetings had various limitations and challenges. The Bureau also noted that completion of the ICCM4 mandate will require face-to-face negotiation and cannot be achieved virtually.

In the light of this situation, the Bureau decided to postpone IP4 and ICCM5 meetings indefinitely. The ICCM5 President presented at the last Bureau meeting held on 24 March 2021 a recommendation on the way forward. This document outlines these recommendations taking on board the comments received at the last Bureau meeting and written submissions received from Brazil, EU and its Member States,

GRULAC, PAN/IPEN, A Group of NGOs, United Kingdom, United States and WHO by the deadline of 14 April 2021.

## **II. Challenges experienced in preparatory work since the initial postponement**

Since the initial postponement of the IP4 and ICCM5 meetings in 2020, the Bureau instituted ongoing intersessional preparatory work through Virtual Working Groups (VWGs) to maintain momentum and make further progress on the ICCM4 mandate.

However, it was noted that participants in the VWG processes were predominantly from the WEOG region and there was limited participation from some developing country constituencies. To this end, the Bureau has requested an evaluation of the VWG process to inform decisions on substance, methodology and process going forward.

Some observed challenges with the VWG process included:

- 1) Poor virtual technology connectivity due to weaknesses in communication infrastructure, particularly in developing country regions;
- 2) Differences in time zones making it difficult to mobilize full participation;
- 3) Language barriers;
- 4) Time constraints for delegations to consider proposals and provide constituency consulted input on working documents, a particular issue experienced by small delegations;
- 5) Too many meetings in a short period of time. Not enough time to consult amongst the constituents and submit written inputs;
- 6) Lack of sectoral participation; and
- 7) Mandate of the VWGs considered too ambitious.

## **III. Objective**

Given that no face-to-face meetings are possible (i.e. only virtual work), there is a two-fold challenge for the ICCM5 President and the Bureau up till at least late 2022, or more likely 2023.

- 1) The first objective would be to secure, and support continued (or enhanced) implementation of the sound management of chemicals and waste under the Strategic Approach (SAICM) during this period. This could involve two aspects:
  - a) At a minimum, there is a need to secure the continued implementation of the SAICM instrument and its secretariat support. It has been determined that the SAICM mandate remains valid and continues beyond 2020. However, the SAICM secretariat cannot legally continue operating in the absence of an approved programme of work and budget. This requires administrative decisions by ICCM that:
    - i) Adopts a SAICM programme of work 2021-2023 that includes ongoing work, any enhancements and possibly agreed new work, as well as any agreed extension of intersessional operational and preparatory processes; and
    - ii) Approves an associated budget for SAICM and its secretariat (which would also include provision for financing support to ongoing work under the SAICM instrument and/or any agreed new work).
  - b) The possible enhanced implementation and/or new work under SAICM referred to above would be an outcome of work done by existing subsidiary institutional arrangements.
- 2) Secondly, an objective to finalize the ICCM4 mandate on preparing recommendations regarding the Strategic Approach to International Chemicals Management and the sound management of chemicals

and waste beyond 2020 for consideration when ICCM5 can formally convene. This could require administrative decisions to:

- a) Consider convening a fourth meeting of the Open-Ended Working Group (OEWG-4). The purpose of the OEWG4 would be to ensure the participation and ownership of all countries and stakeholders resulting in the adoption of an ambitious framework for the Strategic Approach and sound management of chemicals and waste beyond 2020 at the fifth session of the International Conference on Chemicals Management. The OEWG4 would also provide an opportunity for regional, stakeholder and sectoral coordination to reach consensus and allow for delegations to be better prepared in advance of ICCM5. The cost for OEWG-4 will be included in the draft Programme of Work and budget 2021-2023 under the premise that it will be convened subject to the availability of resources. The Bureau may wish to consider whether or not both the fourth meeting of the intersessional process (IP4) and the OEWG4 should take place, as well as implications on delays in convening ICCM5; and
- b) Adopt broad timeframes for this intersessional work for inclusion in the 2021 -2023 programme of work.

As an additional challenge, these objectives are to be met in the context of simultaneous international and national priorities to deal with the social and economic impacts of the pandemic, as well as to address the logistics of rolling out vaccine-based immunization in all countries.

#### **IV. Recommendations**

Given a desire to raise the political profile and commitment to the importance of SMCW and the necessity to continue deliberations on a recommended SAICM successor in preparation for ICCM5 when it can formally convene, the following scenario is recommended:

- 1) Under this scenario
  - a) In mid-2021, the ICCM administrative decisions on the SAICM programme of work and budget 2021-2023 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) A decision on the possible convening of an OEWG-4 meeting (including budgetary provisions) may be required.
  - c) 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;
  - d) The decision would include an invitation to the Inter-Organization Programme for the Sound Management of Chemicals and relevant conventions, 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;
- 2) This approach provides for a well-planned intersessional process to develop recommendations regarding the Strategic Approach to International Chemicals Management and the sound management of chemicals and waste beyond 2020, as well as to potentially raise the political profile, priority and commitment to the sound management of chemicals and waste.

However, the identified challenges of working virtually would need to be addressed. These measures could include setting up a new process for engagement. In preparation the following aspects should be considered:

- 1) To create ownership among stakeholders for a new process for engagement, it is recommended to gather information about stakeholders' needs for enabling active participation in the virtual process. The Bureau agreed at their last meeting that this could be done through a survey that also requests for input on a possible new process as presented as presented in SAICM/ICCM.5/Bureau.TC.8/2.
- 2) Based on the evaluation of the VWG process, a new process for engagement would be developed that responds to the identified challenges, and proposes new substantive topics, working methods, organisational consultation groups and forms of facilitation.
- 3) In addition, to allow for further deliberations on issues that are of importance for stakeholders but that were difficult to progress in a large group, the Bureau could agree to establish smaller, more targeted stakeholder discussion groups (e.g. organised per region-, language-, thematic-). The invitation should entail that the outcomes of such group work should be reported back to the broader intersessional process.

Practical preparation for the adoption of administrative decisions through a silence procedure would require a process of consultations on and preparations for, at least:

- 1) A programme of work for the period 2021-2023, which would include ongoing and/or new work streams for implementation of the SAICM objectives, and any provisions for extending the work of the IP, see below. The programme of work should address the implementation of the Overall Orientation Guidance and the emerging policy issues towards achieving the 2020 goal and contribute to the 2030 Agenda within the scope of the Overarching Policy Strategy.
- 2) An associated budget for the secretariat (including financial provisions for the above-mentioned points and a broad timeframe for the continuation of the intersessional process).
- 3) Design, methods and timetables for the intersessional process, including regional and sectoral engagement. This draft decision will be presented to the Bureau following conclusion of the survey process on experiences with the SAICM Virtual Working Group process held between October 2020 to February 2021.